



eThekweni Municipal Council

MINUTES

Meeting held Thursday, 2022-03-31

No. 07

MINUTES OF ETHEKWINI MUNICIPAL COUNCIL

Meeting held on Thursday, 2022-03-31T15:00, streamed from
Inkosi Albert Luthuli Conventional Centre, Durban.

PRESENT : Councillors TE Nyawose (Speaker), TM Kaunda (Mayor), PG Mavundla (Deputy Mayor), A Abdul ; J Annipen, AD Beesley, A Beetge, S Bhanprakash, M Billy, T Biyela, JM Davies-Black, NJ Bollman, M Brauteseth, WJD Burne, MH Buthelezi, KPM Cele, SB Cele, SP Chebure, J Chetty, GD Clarivette, R Cloete, TP Collins, SV De Boer, Z Dzanibe, J Essop; BA Fortein, SN Gabela, GM Gasa, DM Gcabashe, FO Gcabashe, NBC Godlwana; R Gokool, G Govender, S Govender, Y Govender, NL Graham; BR Gumede, NC Gumede, S Gumede, BM Gwala, MS Gwala, GJ Hegter, MM Hlengwa; NP Hlomuka, SD Hlongwa, F Ismail, MF Ismail, LBS Jali, DM James, M Johnson, MA Jokweni, K Khambule, MH Khan, KNN Khubone, NL Khuzwayo, ZW Khuzwayo, SNC Khwela, A Kissoon, BG Kubheka, V Kunju, CJ Laing, CB Langa, SW Lushaba, M Lutchmen, WM Luthuli, ME Mabaso, RD Macpherson, MA Madlala, NI Madlala, SR Madlala; A Maharajh; S Maharaj, FN Majola, TG Makhanya, HS Makhathini, MW Manqele, JB Maphumulo, NJ Maphumulo, TZ Mathe, SH Mazibuko, WM Mazibuko, M Mbambo, KT Mbhele, RP Mbonambi, BA Mchunu, SW Mcineka; RL McKenzie, X Mdlazi, FW Mdletshe, SM Memela, SP Mfeka, K Mhlaba; GN Mhlongo, NM Mhlongo, SE Mhlongo, T Miya MB Mjadu, AZ Mkhize, KV Mkhize, MA Mkhize, ME Mkhize, MP Mkhize, NN Mkhize, NA Mkhize, P Mkhize, SM Mkhize, TJ Mkhize, B Mkhwanazi, BR Mngadi, DF Mngadi, E Mngadi, S Mngadi, SV Mngadi, MR Mngonyama; BV Mngwengwe, PB Mnikathi; ZO Mnomiya, S Mnyandu; MV Molife, SR Moodley, T Mohamed, ND Motseke, SB Mpanza, NP Msibi, LI Msomi, NP Msomi, LG Mthembu, SSS Mthethwa, TD Mthethwa, TM Mthethwa, N Munien, OB Mvubu, ZP Myeni, SK Mzimela, BD Naidoo; J Naidoo, M Nair, V Ncukana, WP Ndiweni, NB Ndlela, AB Ndlovu, MF Ndlovu, PB Ndlovu, NS Ndlovu, V Ndlovu, SG Nene, TH Nene, MM Ngiba; S Ngema, SP Ngcobo, SB Ngcongo, DB Ngubane, LE Nkomeni, MS Nkosi, DR Nowbuth, XM Nqweniso; DM Nsundwane, PC Ntshangase, SH Ntombela, BT Ntuli, N Ntuli, ZN Ntuli; PB Ntuli, MR Nxumalo; B Nxumalo, PH Nxumalo, NN Nyanisa, MV Nzimande-Madlala; AAK Paruk, BW Phewa, DT Pillay, DR Pillay, P Pillay, GDA Pullan, A Rampersad, VG Reddy, T Sabelo, S Sewshanker, BH Shange, LP Shange; MG Shange, A Shaheed; TE Shezi, IM Shinga, HP Shoji; JN Sibisi, KS Sibisi, N Sibiya, LC Sikhakhane, BSB Sindane, EL Singh, J Singh; S Singh, PS Sishange, CN Sisoka, NI Sithole, BS Sivetye, EG Smith, AD Snyman, ZR Sokhabase, ZA Solomon, I Syed, BB Thusi, ME Thusi, M Thusi, ZN Tshazela, NT Tyelinzima, JC Van den Berg, NB Vilakazi; HM Van Der Ryst, NI Webster, SM Windvogel, TV Xulu, T Xuma; NY Young; M Zondi; N Zondi, ON Zondi, TG Zungu, and there being two (02) vacancies.

ABSENT : Councillor TJ Mnguni.

AMAKHOSI
PRESENT : None.

AMAKHOSI
ABSENT : Inkosi S Mlaba; Inkosi JJ Shangase and Inkosi EB Shoji.

OFFICIALS
PRESENT : Messrs/Mesdames M Mbhele (Acting City Manager), Dr M Gumede (Deputy City Manager: Community & Emergency Services) S Mnguni (Deputy City Manager: Finance); S Cele (Deputy City Manager: Governance & International Relations); M Sithole (Head: Mayoral Parlour); M Ngubane (Head: eThekweni Municipal Academy); M Mthiyane (Acting Head: Legal & Compliance Services) BM Mhlongo (Deputy Head: Office of the Speaker), M Mayisela (Senior Manager: Media Relations); M Ntuli (Advisor: Mayoral Office); M Mntungwa (Senior Manager: Media Relations); T Ndlovu (Senior Manager: Secretariat) and SC Zondi (Chief Committee Officer).

(At the commencement of the meeting 212 Councillors were present, comprising ANC - 93, DA - 55, EFF - 24, IFP - 15, ASA - 03, ABC - 02, ACC – 01; ACDP - 02, AIC -01, DLC - 01, ADEC - 01, APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01, MF - 01, MOSA - 01, NFP - 01, PFP - 01, PRM - 01, TA- 01, UIM - 01 and VF Plus - 01).

1. NOTICE CONVENING THE MEETING

The Acting City Manager read the Notice convening the meeting as per the statutory requirement.

2. OPENING

The Speaker declared the meeting open and thereafter extended a warm welcome to Councillors; Traditional Leaders; Acting City Manager; Deputy City Managers; Acting Head Legal and Compliance and other Unit Heads; Members of the Administration; Media and Members of the Public viewing on social media live streaming.

3. AFRICAN UNION AND NATIONAL ANTHEM

At the request of the Speaker all present stood to sing the African Union Anthem and the National Anthem of South Africa.

4. OPPORTUNITY FOR PRAYER/MEDITATION

The Speaker requested Council to observe a moment's silence for everyone to meditate.

5. OFFICIAL ANNOUNCEMENTS

Commencing with his announcements, the Speaker appreciated and commended the Municipality for the successful establishment of Ward Committees with above 90% achievements on the 13th, 20th and 27th of March 2022. He also commended municipal officials who worked tirelessly to ensure effective and efficient establishment process of Ward Committees despite challenges encountered.

He mentioned that the democratic government declared March 21 as Human Rights Day to commemorate and honour those who fought for liberation and the rights being enjoyed today. He advised that Council acknowledges and supports all activities that took place on the 21st of March 2022 in celebration of this historical day.

Continuing with announcements, on behalf of Council; he congratulated Prince Misuzulu KaZwelithini for being formally recognized as a leader of AmaZulu Nation, following issued certificate of recognition by the Honourable President Cyril Ramaphosa on the 16th of March 2022.

He advised that Council support the latest approved several changes to the adjusted Alert level 1 of Covid-19 regulations as per the announcement by the Honorable President of the Republic of South Africa on the 22nd of March 2022. He added that although there are moderations, Councillors were encouraged to adhere to all Covid-19 protocols as part of interventions to curb spread of the virus.

To achieve smooth proceedings, the Speaker advised that the microphones of Party Leaders and Support Committee Chairpersons will remain unmuted for the duration of the meeting. Other Councillors will remain muted and only unmuted should they wish to talk. He advised that, even though some microphones will remain unmuted, a principle of raising a hand and being recognized by the Speaker before talking will still be applicable. That, the Speaker reserves the right to revert to the muted status should any of the Party Leaders or Chairpersons misuse the opportunity of having their microphones on.

Thereafter, the attention was drawn to Rule of Order 16(1) (a)-(e) and (4), (5), (6), (7) and (9). As per these Rules, Councillors were requested to conduct themselves in a respectful manner, to refrain from interrupting the proceedings and were encouraged to conduct Council business with the highest decorum and integrity that the occasion and the residents of the Municipality deserve.

In conclusion, best wishes were extended to Councillors celebrating their birthdays in the month of February 2022.

6. SPEAKER'S REPORT

In presenting his Report, the Speaker submitted that the purpose was to report activities undertaken by the Municipal Council during the month of March 2022, in line with the provision of Section 13(f) of the Rules of Order By-Law 2014, as amended.

In this regard, the Speaker submitted the items below for the attention of the Municipal Council:

WARD COMMITTEE ELECTIONS

He reported that at last Council meeting held on 28 February 2022, the Municipal Council approved that 2021-2026 Ward Committee elections be scheduled over two (02) Sundays, on the 13th and 20th of March 2022, with 56 Ward scheduled for the first Sunday, and 55 on the latter date.

He mentioned that on Sunday, 13 March 2022 as per the Council resolution the first round of Ward Committee elections were held across 56 Wards, and of those 42 were successfully established with 14 being adjourned as per the table below:

Results from Sunday, 13 March 2022

	Ward No.	Total
Completed Wards	04; 05; 06; 11; 13; 14; 22; 24; 25; 26; 28; 29; 30; 34; 36; 37; 56; 61; 62; 63; 64; 67; 73; 76; 80; 81; 83; 84; 86; 87; 88; 89; 90; 91; 93; 95; 96; 100; 101; 105; 109; 111	42
Called off Meetings	7; 10; 18; 23; 27; 31; 33; 35; 58; 66; 78; 79; 85; 97	14
TOTAL		56

It was noted that in the main, reasons for the adjourned meetings were due to lack of quorum; disruptions caused; late delivery of required resources to hold the election meeting.

On Sunday 20 March 2022, the next round of Ward Committee elections was held, with 55 Wards being scheduled accordingly, however, 03 were postponed due to unavailability of venues, and therefore 52 were therefore confirmed. Of the 52 scheduled meetings, 43 were successfully elected with 09 being adjourned, as per the below:

Results from Sunday, 20 March 2022

	Ward No.	Total
Completed Wards	02; 03; 08; 12; 15; 16; 17; 20; 32; 38; 40; 41; 42; 43; 45; 46; 47; 48; 49; 50; 51; 53; 57; 59; 60; 65; 69; 70; 71; 74; 75; 77; 82; 92; 94; 98; 99; 102; 103; 104; 106; 108 and 110	43
Called off Meetings	09; 19; 21; 44; 52; 55; 68; 72 and 107	09

It was recalled that in terms of the statutory timeframes, the Municipality should have elected its Ward Committees by the 10th of March 2022, however, with MEC: COGTA's concurrence the Municipality was given until the 31st of March 2022 to establish its Ward Committees in line with the relevant legislative prescripts.

In considering the above, all election meetings that had been called off were scheduled for Sunday, the 27th of March 2022, so as to comply. A total of 26 outstanding meetings had to be scheduled to cover all wards.

Of the 26 outstanding election meetings, 02 Wards had to be postponed one because of serious security matters in the Ward and the other due to concerns raised by the Ward Councillor, as a result 24 election meetings were confirmed for Sunday, 27th of March 2022.

The Speaker was pleased to report that of the 24 scheduled meetings all successfully elected their respective Ward Committees, and those are as follows:

Results from Sunday, 27 March 2022

	Ward No.	Total
Completed Wards	01; 07; 09; 10; 18; 19; 21; 23; 27; 31; 33; 35; 44; 52; 54; 55; 58; 66; 68; 72; 78; 79; 85 and 107	24
TOTAL		24

Council noted that in compliance with the stipulated statutory requirement, the Municipal Council has successfully elected **109** eThekweni Municipality Ward Committees, and only two Wards, namely Ward 39 and 97 remain outstanding.

He mentioned that the process that will follow was the verification process of all elected Members to ensure that all are inline with the Membership Criteria as contained in the Rules regulating the establishment and operation of Ward Committees, concurrently all raised objections will be considered in line with the Rules provision.

Once verification process was completed, all qualifying elected members shall be registered accordingly to the Municipal system, and thereafter an Inauguration / Induction Programme shall be held for Members.

COUNCIL COMMITTEES

The Speaker mentioned that it was encouraging to note that almost all Council Committees were convening as scheduled to address matters as per respective terms of reference, that this impacts positively on the overall functionality of the Municipal Council.

Council Members were yet again reminded that in the event that Agendas were not timeously delivered, they should indicate to Office of the Speaker, to enable the necessary tracking to be undertaken and identify where the challenges might be. He mentioned that it becomes a bit of challenge to try and address a generic query on non-delivery versus a specific one, where it was quicker to identify the respective delivery zone and to intervene speedily.

Council noted that the Membership for Local Labour Fora (LLFs) has since been finalized, and Members thereof were urged to attend meetings as scheduled by the Administration.

COMMUNITY ENGAGEMENTS/MEETINGS

In terms of the Councillors Code of Conducts, Councillors were compelled to have at least one (01) community report back section in quarter to report to constituencies on Council decisions and any other developments of service delivery matters.

Councillors were then reminded that the above was still a compliance requirement, and non-compliance amounts to an alleged in breach in terms of the Code of Conduct, and over the quarter, January to March 2022, less than thirty (30) meetings have been held and reported accordingly to the Office of the Speaker.

Councillors were urged to hold the community engagements and report as required.

CHANGE IN MUNICIPAL COUNCIL

Council noted that the Municipal Council currently has two (02) vacancies, one Ward Councillor, Ward 103 and one PR Councillor from ActionSA.

That the above vacancies shall be filled accordingly once the Independent Electoral Commission (IEC) confirms a date for the by-election relative to the Ward Councillor, and when they confirm accordingly the member of ActionSA to replace erstwhile PR Councillor MB Khoza.

7. APPLICATIONS FOR LEAVE OF ABSENCE

None.

8. CONFIRMATION OF MINUTES: Meeting on 2022-02-28

The eThekweni Municipal Council Minutes of the meeting held 2022-02-28 having been tabled, moved by Councillor NI Madlala and seconded by Councillor V Kunju, it was

RESOLVED:

That the Minutes of the eThekweni Municipal Council meeting held 2022-02-28, as circulated and taken as read, be hereby confirmed.

9. REPORTS:

It was noted that Councillor VG Reddy had declared interest on all items relative to Umngeni Water Board as he was a Board Member for the aforementioned Board.

Due to time constraints, Council resolved not to deliberate on all items contained on the Agenda of the day. As such, selected items were considered, in addition to items already discussed, with the selection now focusing mainly on budget related and statutory matters. Other items were then deferred to a Special Council meeting of 04 April 2022.

(His Worship the Mayor, Councillor TM Kaunda presented the First Report of the Executive Committee)

FIRST REPORT OF THE EXECUTIVE COMMITTEE

(Meeting held 2022-03-15)

- PRESENT** : Executive Committee Members TM Kaunda (Mayor and Chairperson), PG Mavundla (Deputy Mayor), Y Govender, NL Graham, NI Madlala, MS Nkosi, T Sabelo, and ZR Sokhabase.
- ABSENT** : Executive Committee Members T Miya and TM Mthethwa (Both on Leave).
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1. **REPORT OF GOVERNANCE AND HUMAN RESOURCES COMMITTEE:
MEETING HELD 2022-03-09**

(Page R1)

1.1 **Retirement Fund Collective Agreement Exemption Application by the Municipality
(4/12/R):**
(Page 115: Governance and Human Resources Committee - Agenda 2022-03-09)

The Committee received the report related to the approval of the eThekweni Municipality to apply for exemption in terms of Clause 12 of the Retirement Fund Collective Agreement concluded on 15 September 2021. The objective of the agreement was to establish a uniform approach to the provision of retirement fund benefits to employees in the sector with a view to providing the following:

- Equitable access to retirement fund benefits for employees in the sector;
- Uniform rates of contribution to retirement funding for employees in the sector;
- Improved overall efficiency and governance of funds; and
- Give employees an opportunity to exercise an election to move from one local, provincial, and national.

This agreement has come into operation in respect of parties to the agreement as well as no parties to the agreement who fall within the registered scope of the Council on a date to be determined by the Minister of Employment and Labour. It shall remain in operation until 30 June 2027 and thereafter for such further period as maybe determined by the Minister at the request by the parties. New employees in the sector will be required or permitted to join only an accredited defined contribution retirement fund in which their employer participates.

Employers in the sector will pay contributions made by and on behalf of existing employees for future service only to a retirement that is accredited as contemplated in the agreement.

An existing retirement fund that is not accredited will be given notice of termination of participation by participating employers who are bound by the terms of the agreement or notice of full or partial termination where applicable, subject to the provision of the Pension Fund Act. If an existing retirement fund is not accredited or has its accreditation withdrawn, the in-service members of the old fund will, with effect from the effective date of withdrawal by the employer or termination of the fund, cease contribution to the old fund and commence contributions to an accredited pension fund in which their employer participates.

The Municipality has Natal joint Pension fund, KZN Municipal Pension Fund, Durban Pension Fund and SALA Pension Fund. None of the Pension Funds in eThekweni have applied for accreditation (Durban Pension Fund, KZN Pension Fund and the Natal Joint Pension Fund) by the expiry date of 31 January 2022. This places all eThekweni employees that are in receipt of a pension with these schemes at extreme risk.

Any person or party may refer a dispute about the application or interpretation of this collective agreement to the general secretary of the Council. The Municipal pension funds have issued a legal application to high court challenging the accreditation is unlawfully and unenforceable. Any Employer, SALGA or trade union that is bound by the terms of this collective agreement shall be entitled to apply for exemption from any provision of the collective agreement. When considering the application for exemption, the following criteria shall be considered:

- Any written or verbal substantiation provided by the applicant or a party to the Council
- Fairness to the employer, its employees and other employers and the employees in the industry.
- Whether an exemption if granted would undermine the agreement or the collective bargaining process.
- The employer is unable to afford costs of the whole or part of this agreement
- The employer has short term cash flow problems necessitating a limited exemption
- Unexpected economic hardship occurring during the currency of this agreement
- Whether a budgetary provision was made for implementation
- The infringements of basic conditions of employment rights
- The fact that a competitive advantage might be created by exemption
- Comparable benefits or provisions where applicable
- The applicant's compliance with other statutory requirements
- The applicants' past records of compliance with collective agreements
- The precedents for exemption set since the introduction of this procedure
- Any process or directives as may be agreed to by the Executive Committee

In the event of applications made that are frivolous and vexatious such applications may be dismissed with costs.

The Human Capital Department has received numerous grievances from various employees citing they were not consulted, and there is fear about the reinvestment of pension fund since the existing Municipal pension funds did not apply for accreditation and run the risk of being withdrawn from membership by SALGA should they lose their court dispute. By applying for exemption, the Municipality will continue with the current arrangement until such time the exemption application is resolved. Failure to apply for exemption may lead to unnecessary strike and instability to the Municipality.

If the old fund is liquidated or either not liquidated, the employers participating in the fund immediately prior to cessation of participation by the employer will assume the responsibility for funding any shortfall in the fund as at the date of transfer of the members.

At the Support Committee level, the EFF Members abstained on the matter.

During consideration at the Executive Committee level, the Chairperson of Governance and Human Resources Committee was commended for his prompt response to the matter and for managing the entire process in a responsible and professional manner.

With the recommendation being supported with great appreciation,

COMMITTEE RECOMMENDS:

1.1.1 That approval be granted for the Deputy City Manager: Corporate and Human Capital to make application for exemption of eThekweni Municipality in terms of Clause 12 of the Retirement Fund Collective Agreement concluded on 15 September 2021 and formulated to provide a uniform approach to the provision of retirement fund benefits to employees in the sector on the basis that:

- The Municipality is unable to afford costs of the implementation of this agreement;
- The Municipality has short-term cash flow problems necessitating limited exemption;
- There is unexpected economic hardship occurring during the currency of this agreement; and
- There was no budgetary provision made for the implementation of this agreement.

1.1.2 That it be noted that failure to apply for exemption may lead to unnecessary strike and instability to the Municipality, it being noted that if the old fund is liquidated or either not liquidated, the employers participating in the fund immediately prior to cessation of participation by the employer will assume the responsibility for funding any shortfall in the fund as at the date of transfer of the members.

ADOPTED.

2. RATIFICATION OF RULE OF ORDER 28 APPROVAL: CIVIC FUNERAL OF THE LATE MR B MVUBU (13/6)

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COMMITTEE RECOMMENDS:

- 2.1 That the action of 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 of Order 28 (1) (a) By-law, the following recommendations, in line with the Civic Funeral Policy, relative to the burial assistance of the late former Ward 19 Councillor, Mr Andreas Bhekumuzi Mvubu, be noted:
- 2.1.1 That authority be granted for the funeral of late former Ward 19 Councillor in the 2016-2021 Council term of office, Mr AB Mvubu be accorded by the eThekweni Municipal Council a Civic Funeral status, in line with the Civic Funeral Policy.
- 2.1.2 That in line with the provision of the eThekweni Municipality's Civic Funeral Policy, Council approves the allocation of an amount of R50 000.00 (Fifty Thousand Rand) to contribute towards the burial costs of the late former Ward 19 Councillor.
- 2.1.3 That subject to the approval of .1 and .2 above, authority be granted to the Head: Mayoral Parlour to incur expenditure as recorded.

Financial implications:

He cost to cover the proposed Civic Funeral of the late former Ward 19 Councillor Mr Mvubu shall be provided as per below vote allocation:

Description	Costs	Vote Number
Civic Burial Assistance	R50 000.00	32601.19110.10.12120.0000.MRC01.0010
TOTAL COSTS	R50 000.00	

ADOPTED.

3. REQUEST FOR AUTHORITY TO EXTEND LEASE FOR DURBAN NORTH LIBRARY IN TERMS OF SECTION 116(3) OF THE MUNICIPAL FINANCE MANAGEMENT ACT 2003 (17/2/21/2)

(Page 26)

During consideration of the matter at the Executive Committee, there was a unanimous agreement to approve the extension of the lease agreement. A proposal being made that a City-wide report on the status and a number of Municipal Libraries which have been shut down including potential closures, due to various reasons (demand etc.) be submitted for consideration at the Community Services Committee.

Therefore;

COMMITTEE TO RECOMMENDS:

- 3.1 That Council notes the reasons for renewal of the Durban North Library's lease with Menoc Properties (Pty) Ltd in respect of the premises described as Kensington Square, Shops 15-21, 53 Adelaide Tambo Drive, Durban North in extent of approximately 542m², which expires on the 31 August 2022, and, in terms of Section 116(3) of the Local Government: Municipal Finance Management Act No. 56 of 2003, in relation to the amendment of the duration of the lease agreement for a further three (3) years, with effect from 01 September 2022 to 31 August 2025, it is being noted that such contract amendment is necessary for the following reasons:
- 3.1.1 The premises adequately accommodate the needs of the library in terms of size and location;
- 3.1.2 The Library is located on a public transport route; and
- 3.1.3 The Library is accessible to the majority of the community and schools in the area.
- 3.2 That Council notes that a public notice for the contract amendment referred to in .1 above will be advertised in the relevant media for a prescribed period, in line with the requirements of Section 116(3) of the Municipal Finance Management Act.
- 3.3 That subject to the approval of .1 above and consideration of the feedback from .2 above, authority be granted to the Head: Real Estate to negotiate the final terms and conditions of the extension of the lease agreement taking into account the market rates and sign all documents necessary to conclude the lease.

Vote Number: 15215.15200.12120.0000.MRC01.W036 FC Number: 33/718.

ADOPTED.

4. REQUEST FOR PROJECT AUTHORITY: HAMMARSDALE HIGH LEVEL RESERVOIR CONSTRUCTION OF 1440M OF 500MM STEEL INLET MAIN WARD 103 (WS 2022/007) (17/2/21/3 & 23/1/11/3/1)

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Authority is sought for Real Estate Unit to proceed with the land acquisition for the Hammarisdale High Level Reservoir as per Council approval dated 29 May 2019. Background information being given that during construction of the inlet main, unknown existing underground services were encountered which hindered the construction as per Hands Plans. Agreements were then made with the property owners that diversion of construction be made around their properties. Since these diversions were not on Hand Plans, Real Estate could not proceed with servitude acquisition and requested eThekweni Water Services Unit to obtain council authority in order for them to be able to proceed with servitude acquisitions.

On this basis;

COMMITTEE RECOMMENDS:

- 4.1 That for the reasons stated in the report (WS 2022/007) by the Head: Water and Sanitation dated 2022-01-19, the Head: Real Estate be authorized to proceed with the acquisition/expropriation for the required servitudes as listed in the table:

Description	Hand Plan No.
Rem of Erf 119 Drummond	SJ 4765/4
Rem of Erf 2 Cliffdale	SJ 4765/7

- 4.2 That subject to the approval of .1 above, the Head: Real Estate be authorized to deviate from the Supply Chain Management Regulations and negotiate for the acquisitions of the Municipality's requirements, utilizing Regulation 36(1)(a)(ii) of the Supply Chain Management Regulations.
- 4.3 That subject to the approval of .2 above and the approval of the Bid Adjudication Committee pursuant to successful negotiations, the Head: Real Estate be authorized to sign the relevant agreements and all documents necessary to effect transfer of the Municipality's requirements.
- 4.4 That the Acting City Manager records the reasons for any deviations and reports it to the next meeting of Council and includes it as a note to the Annual Financial Statements in terms of Section 36(2) of the Supply Chain Management Regulations.

Vote Number: X7755C.55100.1300.51080. 0000.X7755.0010

FC No.: 364/C281

ADOPTED.

(His Worship the Mayor, Councillor TM Kaunda presented the Second Report of the Executive Committee)

SECOND REPORT OF THE EXECUTIVE COMMITTEE

(Meeting held 2022-03-22)

PRESENT : Executive Committee Members TM Kaunda (Mayor and Chairperson), PG Mavundla (Deputy Mayor), Y Govender, NI Madlala, T Miya, TM Mthethwa, MS Nkosi, T Sabelo, and ZR Sokhabase.

ABSENT : Executive Committee Member NL Graham (Leave - Personal Commitments)

1. REPORT OF THE GOVERNANCE AND HUMAN RESOURCES COMMITTEE: MEETING HELD 2022-03-09

(Page R1)

- 1.1 Acceptance of the Discretionary Grant from Energy and Water Sector Education Training Authority (EWSTA) (6/2/3/R) and (7/4/2):
(Page 40: Governance and Human Resources Committee - Agenda 2022-03-09)

The Committee received the report related to the acceptance of the discretionary grant of R8 750 000.00 (Eight Million Seven Hundred and Fifty Rand) from the Energy and Water Sector Education Training Authority (EWSSETA) for the provision of learning and development interventions among Water and Electricity employees of eThekweni Municipality in the form of Artisan Recognition of Prior Learning (ARPL). The discretionary grant will assist the Municipality to have more qualified Artisans to support Water and Electricity provision of services.

The Committee commended the Department for the proactive stance taken regarding the upskilling of employees and an appeal was made that an oversight role was crucial in ensuring that proper learning and skills transfer was undertaken. With the Department having ensured the Members that during the implementation of the programme, an oversight role would be closely monitored with a view to ensure that attendance as well as timeframes were adhered to,

COMMITTEE RECOMMENDS:

- 1.1.1 That authority be granted for the Head: eThekweni Municipal Academy to accept the grant of R8 750 000 (Eight Million Seven Hundred and Fifty Thousand Rand) from the Energy and Water Sector Education Training Authority (EWSSETA) in partnership with Artisan Development Agency to offer electrical and plumbing trade qualifications to employees of eThekweni Municipality.
- 1.1.2 That it be noted that there will be a total of Two Hundred and Fifty (250) employees who will participate in the program from Water (125) and Electricity (125) and at the end of the learning intervention provided competent employees will receive trade certificates in either Plumbing or Electrical.
- 1.1.3 That it be noted that eThekweni Municipality had entered into a period of performance of twelve (12) months with EWSSETA and Skills Development Provider.

Commenting on the matter, the IFP submitted that they were in favour of eThekweni residence being provided with quality services. Mention being made that this included empowering employees responsible for providing these services to accelerate service delivery and for that reason, they welcomed the acceptance of this grant. However, they were also concerned about the outcome to be produced by the Academy and they emphasised that the IFP would closely monitor implementation of this programme.

The ANC also supported the programme and emphasised that the programme would enable employees to be equipped with necessary skills to provide quality services which are sustainable and affordable to the public. It being mentioned that one hundred and twenty five (125) employees from Water and Electricity Units, respectively, would receive Artisan and Plumbing trade qualifications after completion of a twelve (12) months programme. They submitted that there would be other programmes of this nature to be implemented in future.

Thereafter, the above recommendations were unanimously; ADOPTED.

1.2 Management Webinar 2022 (12/9/12):
(Page 56: Governance and Human Resources Committee - Agenda 2022-03-09)

The Committee received the report related to the Employment Equity Office in collaboration with Talent Management and MILE to host the Management Webinar for the Executive, Senior Management and Middle Level Management within eThekweni Municipality to be held through Microsoft Teams on Thursday, 10 March 2022 aiming at promoting and strengthening awareness as well as commemorating diversity and inclusion within eThekweni Municipality.

COMMITTEE RECOMMENDS:

1.2.1 That approval be granted for the Deputy City Manager: Corporate and Human Capital to host the Management Webinar for the Executive, Senior and Middle Level Management within eThekweni Municipality to be held through Microsoft Teams on Thursday, 10 March 2022 aiming at promoting and strengthening awareness as well as commemorating diversity and inclusion within eThekweni Municipality by:

- Supporting awareness and appreciation of our differences within the City;
- Continuing to inspire an inclusion workplace;
- Commemorate women's achievements;
- Raise awareness about women's equity; and
- Lobby for accelerated gender parity.

1.2.2 That it be noted that there will be no financial implication for the hosting of Management Webinar and there will be no cost involved for all speakers and Programme Directors.

ADOPTED.

1.3 Review of Tariffs: City Hall Hire:
(Page 106: Governance and Human Resources Committee - Agenda 2022-03-09)

COMMITTEE RECOMMENDS:

1.3.1 That Council resolves in terms of Section 75A of Local Government Municipal Systems Act No. 32 of 2000 that with effect from 01 July 2022 the tariffs set out in "Annexure "Ä" of the report of the Head: City Administration dated 2021-11-17, be levied in respect of the City Hall Hire for 2022/2023 financial year, it being recorded that there is a 0% increase, and, as such, the 5% tariffs applicable this current financial year will still be applicable in the 2022/23 financial year, as part of the Unit's contribution to the Economic Recovery Plan.

1.3.2 That subject to the adoption of .1 above the Acting City Manager be mandated to comply with the provisions of Section 75A (3) and (4) of the said Act regarding the display of notices for such.

As some members were not in support of the recommendations; the matter was put to the vote. With 213 Councillors present, 154 Councillors (ANC - 93, EFF -24; IFP – 15; ASA – 03; ABC - 02, ACC – 01; ACDP - 02, AIC -02, ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01, NFP – 01; PFP - 01, PRM – 01; TA- 01 and UIM -01) voted in favour

and 59 Councillors (DA – 56; DLC – 01; MF – 01 and VF Plus - 01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

- 1.4 Adjustment Budget for eThekweni Municipal Academy Unit 2021/2022 (7/1/3/2):
(Page 118: Governance and Human Resources Committee - Agenda 2022-03-09)

At the Support Committee level; with 35 Councillors present, 19 Councillors (ANC – 18 and JEP - 1) voted in support of the recommendations, 11 - DA Councillors voted against the recommendations and 4 - EFF Councillors abstained.

Upon consideration at the Executive Committee; the DA (02) voted against the recommendations; with the ANC (04); ABC (01) and IFP (01) being in support;

COMMITTEE RECOMMENDS:

That in accordance with the provisions of section 28 of the Municipal Finance Management Act and in compliance with the Municipal Budget and reporting regulations the adjustment to the 2021/22 operating budget as reflected in Annexure ‘A’ and 2021/22 capital budget as reflected in Annexure ‘B’ be approved and the approval of the capital budget adjustment constitute project approval of the specific project and contents of this report recommended to the Executive Committee.

As some members were not in support of the recommendations; the matter was put to the vote. With 214 Councillors present, 157 Councillors (ANC - 94, EFF -24; IFP – 15; ASA – 03; ABC - 02, ACC – 01; ACDP - 02, AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MF – 01; MOSA - 01, NFP – 01; PFP - 01, PRM – 01; TA- 01 and UIM -01) voted in favour and 56 DA Councillors voted against the matter. 1 VF Plus Councillor abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

- 1.5 Adjustment Budget for eThekweni Municipal Academy Unit 2021/2022 (7/1/2/2):
(Page 122: Governance and Human Resources Committee - Agenda 2022-03-09)

At the Support Committee level; with 35 Councillors present, 19 Councillors (ANC – 18 and JEP - 1) voted in support of the recommendations, 11 - DA Councillors voted against the recommendations and 4 - EFF Councillors abstained on the matter.

During deliberations at the Executive Committee, there was an enquiry on the distinctions between the preceding item and this report as both items reflected the same subject title. Clarity was provided that the reports differ in terms of annexures (budget items) as well as reference numbers on the subject title. Proposal being made that the subject titles would be revised.

It should be noted that the item in question relates to adjustment to various budget votes within the EThekweni Municipal Academy, as reflected in Annexure “A” attached to the Report by the Deputy City Manager: Corporate and Human Capital dated 2022-01-31.

The prior adjustment budget report in 1.4 above only relates to adjustments of two (02) budget items pertaining to external security in Lamontville and KwaMashu Training Centres, as well as Talent Management compliance matters.

Thereafter; the DA (02) dissented on the matter and the ANC (04); ABC (01); EFF (01) and IFP (01) being in support;

COMMITTEE RECOMMENDS:

That in accordance with the provisions of section 28 of the Municipal Finance Management Act and in compliance with the Municipal Budget and Reporting regulations the adjustment to the 2021/22 capital budget as reflected in Annexure 'A' be approved and the approval budget adjustments constitute specific projects and contents of this report be approved as a recommendation to the Executive Committee.

As some members were not in support of the recommendations; the matter was put to the vote. With 214 Councillors present, 157 Councillors (ANC - 94, EFF -24; IFP – 15; ASA – 03; ABC - 02, ACC – 01; ACDP - 02, AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MF – 01; MOSA - 01, NFP – 01; PFP - 01, PRM – 01; TA- 01 and UIM -01) voted in favour and 56 DA Councillors voted against the matter. 1 VF Plus Councillor abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

1.6 Approval of Discretionary Grant from Local Government Sector Education Training Authority (LGSETA):

(Page 127: Governance and Human Resources Committee - Agenda 2022-03-09)

At the Support Committee level; members of the EFF abstained on the matter.

With the Executive Committee being in support;

COMMITTEE RECOMMENDS:

- 1.6.1 That approval be granted for the Head : eThekweni Municipal Academy to accept the grant of R29 160 000 (Twenty Nine Million One Hundred and Sixty Thousand Rand) from the Local Government Sector Education Training Authority (LGSETA) for the provision of learning and development interventions among its employees in the form of Artisan Recognition of Prior Learning (ARPL), and unemployed youth in the form of learnerships in partnership with Skills Development Provider that will conduct training of Artisans for both employees and unemployed youth and LGSETA to offer electrical and plumbing trade qualifications thorough ARPL process and National Certificate in Hot Water System Installation and National Certificate in construction road works learnership for unemployed youth within eThekweni Municipality.
- 1.6.2 That it be noted that eThekweni Municipality will have a period of performance for 12 months with LGSETA and Skills Development Provider.
- 1.6.3 That it be noted that there is a total of 500 employees who will participate in the program, 250 of them come from Electricity Unit and 250 come from Water and Sanitation Unit, and

1.6.4 That it be noted that for unemployed youth a total of 100 learners who will participate in the learnership program 50 for National Certificate in Hot Water System Installation and 50 for National Certificate in Construction Road Works.

1.6.5 That at the end of the learning interventions provided competent employees will receive trade certificates in either Plumbing SAQA 642601 or Electrical SAQA 671101, and competent unemployed youth will receive certificates in either National Certificate in Hot Water System Installation SAQA 96402 or National Certificate in Construction Road Works SAQA 24133.

ADOPTED.

1.7 Request for Authority to Transfer Funds Within the Water and Sanitation Capital Budget in the 2021/2022 Financial Year:
(Page 647 : Human Settlements and Infrastructure Committee - Agenda 2022-03-11)

COMMITTEE RECOMMENDS:

1.7.1 That approval be granted for the transfer of savings in the amount of R1 000 000.00 (One Million Rand) (excl VAT) from the Water and Sanitation Project No.: X8346 - KwaNyuswa Pipeline to Project No.: X8466 - Provision of Emergency Water Services to Combat Covid 19.

1.7.2 That subject to the approval of .1 above, authority be granted for the Deputy City Manager: Treasury to includes this in the adjustment budget for 2021/2022

Vote No.: X8346B.55100.1300.51080. 0000.X8346B
FC No: 364/C287

As some members were not in support of the recommendations; the matter was put to the vote. With 212 Councillors present, 188 Councillors (ANC - 92, DA -56; IFP – 15; ASA – 03; ABC - 02, ACC – 01; ACDP - 02, AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP ; 01, KZNI – 01; MF – 01; MOSA - 01, NFP – 01; PFP - 01, PRM – 01; TA- 01; UIM -01 and VF Plus - 01) voted in favour and 24 EFF Councillors voted against the matter. There were no abstentions on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

1.8 Request for Authority to Transfer Funds from Savings Identified in CSW Refuse Bags Vote to the Uniform Vote for the Purchase of Personal Protective Equipment for EPWP Participants:
(Page 655 : Human Settlements and Infrastructure Committee - Agenda 2022-03-11)

Members of the Democratic Alliance abstained both at the Support Committee and Executive Committee levels; with the majority being in support;

COMMITTEE RECOMMENDS:

1.8.1 That approval be granted for the transfer of funds in the amount of R2 185 955,90 (Two Million One Hundred and Eighty-Five Thousand Nine Hundred and Fifty-Five Rand Ninety Cent) from savings identified within the Cleansing and Solid Waste

Refuse Bags Vote 2021/2022 financial year to Uniform Vote for the Procurement of EPWP personal protective equipment.

- 1.8.2 That subject to the approval of .1 above, authority be granted to the Deputy City Manager: Treasury to include this in the adjustment budget for 2021/2022.

Speaking on the matter, the DA objected the approval of the request to transfer funding from savings identified in CSW Refuse Bags Vote to the Uniform Vote for the Purchase of Personal Protective Equipment for EPWP Participants. They submitted that there has been inconsistencies in refuse bags distribution as well as refuse collection and they highlighted that this affect the state of cleanliness of the City. They mentioned that the CSW refuse bags were equally important to the purchase of personal protective equipment (PPE's) for EPWP participants.

Meanwhile, the IFP and the ADEC welcomed the decision to transfer funds to be utilised to purchase PPE's for EPWP participants. They emphasised that this would give participants some form of dignity. Mention being made that funds that are unspent before the year end; had to be utilized in other areas that require urgent attention.

The ANC were also in support of the budget transfer and submitted that it was imperative that EPWP participants are safe and are being provided with appropriate PPE's.

With consensus not being reached; the matter was put to the vote. With 212 Councillors present, 154 Councillors (ANC - 94, EFF – 24; IFP – 15; ASA – 03; ABC - 02, ACC – 01; AIC -02, DLC - 00, ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MF - 00, MOSA - 01, NFP – 01; PFP - 01, PRP – 01; TA- 01, UIM -01 and VF Plus - 01) voted in favour and 58 Councillors (DA – 56 and ACDP - 02) voted against. There were no abstentions recorded.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

2. HUMAN SETTLEMENTS AND INFRASTRUCTURE COMMITTEE: MEETING HELD: 2022-03-14

(Page R28)

2.1 Request for Authority to Transfer Funds from Savings Identified from Chemicals in the 2021/2022 Financial Year to Hire Services of Floating Aerators at Umbilo Wastewater Treatment Works:

(Page 1 : Human Settlements and Infrastructure Committee - Agenda 2022-03-14)

COMMITTEE RECOMMENDS:

- 2.1.1 That approval be granted for the transfer funds in the amount of R2 021 470.00 (Two Million and Twenty-One Thousand Four Hundred and Seventy Rand) from saving identified from Chemical in the 2021/2022 financial year within Water and Sanitation to Hire Services at the Umbilo Wastewater Treatment Works.

- 2.1.2 That authority be granted for the Deputy City Manager: Finance to include in his adjustment budget report the transfer of funds from Vote: 63421.14105.16 11400 0000 MRC01 0010 savings identified in the 2021/22 financial year to Vote: 63711.18950.10 11400 0000 MRC01 0010 Hire services at the Umbilo Wastewater Treatment Works.

Vote No: 63421.14105.16 11400 0000 MRC01 0010 R2 021 470

FC No:21/365/22

ADOPTED.

- 2.2 Transfer of Operating Budget Savings in FY 2021/22 Water & Sanitation Unit, Sanitation Operations Department -Report No: WS2022/040:
(Page 15 : Human Settlements and Infrastructure Committee - Agenda 2022-03-14)

COMMITTEE RECOMMENDS:

- 2.2.1 That approval be granted for the transfer fund in the amount of R10 000.000.00 (Ten Million Rand) from savings identified in the Operating Budget in the 2021/2022 within Water and Sanitation as reflected in the report by the Head: Water and Sanitation dated 2022-02-18.
- 2.2.2 That subject to approval in .1 above, authority be granted for the Deputy City Manager: Treasury to include in his adjustment budget report, the transfer of funds from the operational areas where savings have been identified to area where additional budget is required as detailed in the report.

The adjustment proposed to optimize the spend in this financial year, as detailed below. Funds are to be transferred to the votes listed in Table 1 below, from the savings identified in votes listed in Table 2.

Table 1: Votes to which savings are proposed to be transferred to:

Facility/Account Description	BU.mSCOA Item	Fund	Costing	Project	Region	Amount to be transferred
Isipingo WWTW	63111.11560	11400	0000	93013	0010	R 125,000
Kingsburgh WWTW	63131.11560	11400	0000	93013	0010	R 130,000
Magabheni WWTW	63141.11560	11400	0000	93013	0010	R 150,000
Umkomaas WWTW	63161.11560	11400	0000	93013	0010	R 300,000
Cragieburn WWTW	63171.11560	11400	0000	93013	0010	R 200,000
Amanzimtoti WWTW	63181.11560	11400	0000	93013	0010	R 300,000
Southern WWTW	63311.11560	11400	0000	93013	0010	R 625,000
Umhlathuzana WWTW	63321.11560	11400	0000	93013	0010	R 40,000
Central WWTW	63341.11560	11400	0000	93013	0010	R 300,000
Northern WWTW	63411.11560	11400	0000	93013	0010	R 840,000
KwaMashu WWTW	63421.11560	11400	0000	93013	0010	R 615,000
New Germany WWTW	63431.11560	11400	0000	93013	0010	R 108,500
Phoenix WWTW	63511.11560	11400	0000	93013	0010	R 480,000
Umhlanga WWTW	63521.11560	11400	0000	93013	0010	R 225,000

Facility/Account Description	BU.mSCOA Item	Fund	Costing	Project	Region	Amount to be transferred
Tonga Central & Genazzano WWTW	63531.11560	11400	0000	93013	0010	R 300,000
Verulam WWTW	63561.11560	11400	0000	93013	0010	R 126,300
Umdhloti WWTW	63571.11560	11400	0000	93013	0010	R 200,000
Umbilo WWTW	63711.11560	11400	0000	93013	0010	R 186,600
Dassenhoek WWTW	63721.11560	11400	0000	93013	0010	R 15,000
Kwa Ndengezi WWTW	63731.11560	11400	0000	93013	0010	R 70,000
Glenwood WWTW	63741.11560	11400	0000	93013	0010	R 20,000
Hammarisdale WWTW	63751.11560	11400	0000	93013	0010	R 58,600
Hillcrest WWTW	63761.11560	11400	0000	93013	0010	R 90,000
Cata Ridge WWTW	63781.11560	11400	0000	93013	0010	R 15,000
Fredville WWTW	63791.11560	11400	0000	93013	0010	R 30,000
Pumpstations Central	64130.11560	11400	0000	93013	0010	R 1,250,000
Pumpstations North	64330.11560	11400	0000	93013	0010	R 1,550,000
Pumpstations South	64530.11560	11400	0000	93013	0010	R 1,350,000
Pumpstations West	64730.11560	11400	0000	93013	0010	R 300,000
TOTAL						R10,000,000

Table 2: Votes where savings have been identified:

Facility/Account Description	BU.mSCOA Item	Fund	Costing	Project	Region	Savings Identified
VIP Emptying	64050.10670.12	11400	0000	MRC01	010	R5,000,000.00
Sewerage Services	Various.10845	11400	0000	MRC01	010	R5,000,000.00
TOTAL						R10,000,000.00

FC No: 21/365/18

Commenting on the matter, the IFP supported the above recommendations and they were pleased that funds were being directed towards Water Treatment Works in particular. They mentioned that a large number of water treatment plants had not been functional due to capacity issues amongst others and mention being made that these budget transfers were a step in the right direction and would eliminate some of the challenges that were faced by the communities.

Thereafter, the recommendations were unanimously; ADOPTED.

3. COMMUNITY SERVICES COMMITTEE MEETING HELD: 2022-03-11

(Page R30)

3.1 Request for Approval: 2022/2023 Tariffs for the Health Unit (7/6/1/3):
(Page 69: Community Services Committee - Agenda 2022-03-11)

With Committee in agreement,

COMMITTEE RECOMMENDS:

- 3.1.1 That all “Present Tariffs” as reflected in Annexure A (Tariffs 2022/2023), attached to the report by the Acting City Manager dated 2022-01-25 in respect of the Health Unit, as imposed by the Municipality, will expire with effect from 2022-06-30.
- 3.1.2 That subject to the adoption of .1 above and in terms of Section 75A of the Local Government Municipal Systems Act of No. 32 of 2000 ‘Proposed Tariffs, including VAT, as set out in Annexure A (Tariffs 2022/2023), attached to the report by the Acting City Manager dated 2022-01-25, be adopted, to be implemented with effect from 2022-07-01.
- 3.1.3 That subject to the adoption of .1 above the Acting City Manager be directed to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

Commenting on the matter, the IFP mentioned that the Municipality has in the past years set aside budget provision for unfunded mandate and that this had put strain on the Municipality’s finances. They were of the view that to continue to cater for the unfunded mandates would put more pressure on the ratepayers. On this basis, they objected the approval of these tariffs.

As some members were not in support of the recommendations; the matter was put to the vote. With 204 Councillors present, 112 Councillors (ANC - 95, ASA – 03; ABC - 02, ACC – 00; AIC -01, DLC – 00; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MF – 00; MOSA - 01, NFP – 01; PFP - 01, PRM – 01; TA- 01) voted in favour; 15 Councillors (IFP – 12; ACDP – 02 and VF Plus – 01) voted against the matter and 77 Councillors (DA – 56; EFF – 20 and UIM -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

3.2 Request for Approval: 2022/2023 Tariffs for Parks, Recreation and Culture Unit (7/6/1/3):
(Page 105: Community Services Committee - Agenda 2022-03-11)

The Community Services Community noted that the Tariffs under discussion have been previously referred back by the Executive Committee at its meeting dated 2022-02-15. This was to enable further deliberations by the Committee. During discussion, the Committee reaffirmed its previous resolution.

At the Executive Committee; the DA (02) dissented on the matter and the IFP (01) abstained. With the ANC (04); ABC (01) and EFF (01) being in support;

COMMITTEE RECOMMENDS:

- 3.2.1 That all “Present Tariffs” as reflected in Annexure A (Tariffs 2022/2023), attached to the report by the Acting City Manager dated 2022-01-24 in respect of Parks, Recreation and Culture, as imposed by the Municipality, will expire with effect from 2022-06-30.
- 3.2.2 That subject to the adoption of .1 above and in terms of Section 75A of the Local Government Municipal Systems Act No. 32 of 2000 “Proposed Tariffs”, including VAT, as set out in Annexure A (Tariffs 2022/2023), attached to the report by the Acting City Manager dated 2022-01-24, be adopted, to be implemented with effect from 2022-07-01.
- 3.2.3 That subject to the adoption of .1 above the Acting City Manager be directed to comply with the provisions of Section 75A (3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 136 Councillors (ANC - 95, EFF – 24; ASA – 03; ABC - 02, ACC – 00; AIC -01, DLC – 00; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MF – 00; MOSA - 00, NFP – 01; PFP - 01, PRM – 01; TA- 01 and UIM - 01) voted in favour; and 72 Councillors (DA – 56; IFP -13; ACDP -2 and VF Plus -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

- 3.4 Request for Approval: 2022/2023 Tariffs for Stadia and Facilities Unit (7/6/1/3):
(Page 105: Community Services Committee - Agenda 2022-03-11)

The same approach as item 3. above applies, where the Community Services Committee reaffirmed its previous decision with regard to tariffs increase for Stadia and Facilities Unit.

At the Executive Committee; the DA (02) voted against the matter and the IFP (01) abstained. With the ANC (04); ABC (01) and EFF (01) being in support;

COMMITTEE RECOMMENDS:

- 3.4.1 That all “Present Tariffs” as reflected in Annexures A and B (Tariffs 2022/2023), attached to the report by the Acting City Manager dated 2022-01-27 in respect of Stadia and Facilities, as imposed by the Municipality, will expire with effect from 2022-06-30.
- 3.4.2 That subject to the adoption of .1 above and in terms of Section 75A of the Local Government Municipal Systems Act No. 32 of 2000 “Proposed Tariffs”, including VAT, as set out in Annexure A and B (Tariffs 2022/2023), attached to the report by the Acting City Manager dated 2022-01-27, be adopted, to be implemented with effect from 2022-07-01.
- 3.4.3 That subject to the adoption of .1 above the Acting City Manager be directed to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 199 Councillors present, 129 Councillors (ANC - 90, EFF - 24; ASA - 03; ABC - 02, ACC - 00; AIC -02, ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; MF - 00; MOSA - 00, NFP - 01; PFP - 00, PRM - 01 and TA- 00) voted in favour; and 70 Councillors (DA - 52; IFP -13; ACDP -2; DLC - 01; UIM - 01 and VF Plus -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

4. 2022/2023 TARIFFS FOR UTILISATION OF SIZAKALA COMMITTEE ROOMS
(7/9/1/4)

(Page 42)

The DA (02) and EFF (01) abstained on the matter. The ANC (04); ABC (01) and IFP (01) voted in support of the recommendations.

Accordingly;

COMMITTEE RECOMMENDS:

- 4.1 That all “Present Tariffs” as reflected in Annexure A (Tariffs 2021/2022), attached to the report by the Acting City Manager dated 2022-02-23 in respect of Sizakala Customer Services Unit; as imposed by the Municipality, will expire with effect from 2022-06-30.
- 4.2 That subject to the adoption of .1 above and in terms of Section 75A of the Local Government Municipal Systems Act No. 32 of 2000 “Proposed Tariffs, including VAT”, as set out in Annexure A (Tariffs 2022/2023), attached to the report by the Acting City Manager dated 2022-02-23, be adopted, to be implemented with effect from 2022-07-01.
- 4.3 That subject to the adoption of .1 above the Acting City Manager be directed to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

Speaking on the matter, the IFP abstained on the matter and submitted that most community members had lost employment and some not having received salary increases for the past two (02) years due to the Covid-19 pandemic and the declining economic status and therefore would not be able to afford the proposed tariff increase.

Meanwhile, the ANC acknowledged the current economic challenges and emphasised that the Municipality has to now and then effect necessary increases on some of the services in order for the Municipality to be sustainable and to provide adequate services.

As some members were not in support of the recommendations; the matter was put to the vote. With 203 Councillors present, 102 Councillors (ANC - 90, ABC - 02, AIC -01, ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; NFP - 01; PFP - 01 and PRM - 01) voted in favour; 25 Councillors (EFF - 24 and VF Plus -01) voted against the matter and

76 Councillors (DA – 55; IFP -14; ASA – 03; ACDP -2; DLC – 01 and UIM – 01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

(At this stage of the proceedings, time being 19h04; the EFF requested 15 minutes for caucus, this was granted by the Speaker. The meeting resumed at 19h58 in the absence of the members of the EFF as they subsequently re-joined the meeting at 20h02)

5. INTEGRATED DEVELOPMENT PLAN 2021/2022: MID-TERM AMENDMENTS TO THE ORGANISATIONAL SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (2/1/6/1 & 2/10/1/9)

(Page 49)

As a consequence of the budget being revised by way of an adjustments budget at the end of February 2022, there is a need to also revise/amend the Integrated Development Plan (IDP) 2021/2022 through a Mid-Term Amendments to the Original Organisation Scorecard and Service Delivery and Budget Implementation Plan (SDBIP).

With the two (02) DA Members and one (01) EFF Member abstaining on the matter at this stage and four (04) ANC Members; (01) ABC Member and (01) IFP Member being in support, by majority,

COMMITTEE RECOMMENDS:

That in terms of Section 5(c) of the Local Government Municipal Finance Management Act, the additional amendments to the Integrated Development Plan 2021/2022 and Mid-Term amendments to the original Organizational Scorecard and Service Delivery and Budget Implementation Plan, as indicated in the schedule attached to the report of the Acting City Manager dated 2022-03-10 relative hereto, be adopted.

As some members were not in support of the recommendations; the matter was put to the vote. With 199 Councillors present, 142 Councillors (ANC - 89, EFF – 24; IFP -14; ABC - 02, ACDP -2; AIC -01, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; NFP – 01; PFP – 01 and PRM – 01) voted in favour; 52 DA Councillors voted against the matter and 5 Councillors (ASA – 03; UIM – 01 and VF Plus -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

(His Worship the Mayor, Councillor TM Kaunda presented the Third Report of the Executive Committee)

THIRD REPORT OF THE EXECUTIVE COMMITTEE
(Meeting held 2022-03-31)

PRESENT : Executive Committee Members TM Kaunda (Mayor and Chairperson), PG Mavundla (Deputy Mayor), Y Govender, NL Graham, NI Madlala, T Miya, TM Mthethwa, MS Nkosi, T Sabelo, and ZR Sokhabase.

1. REPORT OF FINANCE, SECURITY AND EMERGENCY SERVICES COMMITTEE: MEETING HELD 2022-03-17

(Page R1)

1.1 Fire and Emergency Services Tariffs 2022/23 Financial Year (7/6/1/3):
(Page 114: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

With the DA abstaining and the majority being in support,

COMMITTEE RECOMMENDS:

- 1.1.1 That all “Present Tariffs” as reflected in Annexure A (Tariffs 2022/2023), attached to the Report by the Acting City Manager dated 2022-01-28 in respect of the Fire and Emergency Services Unit, as imposed by the Municipality, be hereby rescinded with effect from 2022-06-30.
- 1.1.2 That subject to the adoption of .1 above and in terms of Section 75A of the Local Government Municipal Systems Act No. 32 of 2000 “Proposed Tariffs, including VAT”, as set out in Annexure A (Tariffs 2022/2023), attached to the Report by the Acting City Manager dated 2022-01-28, be adopted, to be implemented with effect from 2022-07-01.
- 1.1.3 That subject to the adoption of .2 above the Acting City Manager be directed to comply with the provisions of Section 75A (3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 211 Councillors present, 113 Councillors (ANC - 94, ASA – 03; ABC - 02, AIC -02, ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01 and UIM – 01) voted in favour and 98 Councillors (DA – 55; EFF – 24; IFP -15; ACDP -2; DLC – 01 and VF Plus -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

1.2 Review of Durban Metropolitan Police Service Unit Tariffs 2022/2023 Financial Year (7/6/1/2):
(Page 202: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

With the DA abstaining and the majority being in support,

COMMITTEE RECOMMENDS:

- 1.2.1 That all “Present Tariffs”, as reflected in Annexure “A” (Tariffs 2022/2023), attached to the Report by the Acting City Manager dated 2022-01-25, in respect of Metropolitan Police Services Unit, as imposed by the Municipality; expires on 2022-06-30.
- 1.2.2 That subject to the adoption of .1 above and in terms of Section 75A of the Local Government Municipal Systems Act No. of 32 of 2000 the “Proposed Tariffs, including VAT”, as set out in “A” (Tariffs 2022/2023), attached to the Report by the Acting City Manager dated 2022-01-25, be adopted, to be implemented with effect from 2022-07-01.
- 1.2.3 That subject to the approval of .1 and .2 above the Acting City Manager be mandated to comply with the provisions of Section 75A (3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 211 Councillors present, 113 Councillors (ANC - 94, ASA - 03; ABC - 02, AIC -02, ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; MOSA - 01; NFP - 01; PFP - 01; PRM - 01; TA - 01 and UIM - 01) voted in favour and 98 Councillors (DA - 55; EFF - 24; IFP -15; ACDP -2; DLC - 01 and VF Plus -01) abstained on the matter. Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

- 1.3 Budget Statement for the Month Ending 31 January 2022 (7/1/4):
(Page 241: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

Attention of the committee was drawn to the salient features of the report relative to the actual operating revenue of 98% of the budget with a variance of -2% and the revenue generated to date is 58,5 %. The actual operational expenditure was reported as a percentage of year to date budget at 93% with a variance of -7%; the operating expenditure spent to date is 55%. The reported capital expenditure is 98% of the year to date budget with a variance of -2% and the capital expenditure spent to date is 37,92%. A cash collection of 93% as at January 2022 was reported as lower when compared to the same period in the previous year (95%).

The Committee expressed reservations over the drop of formal sector employment; ongoing decrease in revenue of the City’s Trading Services, specifically water and electricity distribution losses. They also reiterated its concerns over uncollected debts from Government Departments; Parastatals and other Municipal Customers; it being emphasised that revenue enhancement strategies had to be intensified; including disconnection of services; where possible.

Following an in-depth elaboration of the report during which clarity was provided to various issues raised,

COMMITTEE RECOMMENDS:

- 1.3.1 That the Budget Statement report for the month ended 2022-01-31 and the supporting documents, submitted by the Acting City Manager as per his report dated 2022-02-15, in compliance with Section 71 of the Municipal Finance Management Act No. 56 of 2003 and in terms of Government Notice 32141 dated 17 April 2009, relating to the

“Local Government: Municipal Finance Management Act 2003, the Municipal Budget and Reporting Regulations”, be noted.

- 1.3.2 That in compliance with Section 32(2) of the Municipal Finance Management Act, Council notes the Unauthorised, Irregular, Fruitless and Wasteful Expenditure (UIFW) incurred for the month of January 2022 as detailed on page 10 of the Budget Statement Report.
- 1.3.3 That Council refers the UIFW referred to in .2 above to the Municipal Public Accounts Committee (MPAC) for investigation into the recovery or write-off of the said expenditure in terms of Section 32(2)(b) of the Municipal Finance Management Act and request MPAC to report back to Council on the outcome of its investigations.

Speaking on the matter, the DA submitted that the budget statement report was one of the important document of Council which highlight various Municipal revenue streams versus the outflows as well as the City’s performance in terms of finance management. They submitted that revenue collection had been affected by various aspects; including the drop of formal sector employment. However, they were concerned about the Municipality not being able to intensify its revenue enhancement strategies; and they highlighted the uncollected debts from Government Departments and Parastatals; Municipal failure to create stable electricity grid, over-expenditure of overtime; enforcement of traffic fines etc.

Thereafter, the above recommendations were; NOTED.

- 1.4 Revenue Management Deposit Tariffs 2022/2023 Financial Year (7/6/1/5):
(Page 514: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

The Committee noted that the deposit that is levied on applications by new customers for water and/or electricity enables the Municipality to meet its obligation with the service providers without hampering the supply and that the deposit is therefore not an income, however, is deemed as security on the account.

Thereafter, the DA abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 1.4.1 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act No. 32 of 2000 that with effect from 2022-07-01 the tariffs set out in paragraph 4.2 (financial implications) in the report by the Acting City Manager dated 2022-01-17 be levied in respect of the Revenue Management Services Unit.
- 1.4.2 That in the 2022/2023 financial year; the deposits paid by new customers when applying for water and/or electricity be increased in line with paragraph 4.2 (financial implications) in the report by the Acting City Manager dated 2022-01-17, detailing the present and the proposed deposits.
- 1.4.3 That subject to the approval of .1 and .2 above the Acting City Manager be mandated to comply with the provisions of Section 75A (3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 211 Councillors present, 113 Councillors (ANC - 94, ASA - 03; ABC - 02, AIC -02, ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; MOSA - 01; NFP - 01; PFP - 01; PRM - 01; TA - 01 and UIM - 01) voted in favour and 98 Councillors (DA - 55; EFF - 24; IFP -15; ACDP -2; DLC - 01 and VF Plus -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

1.5

Review of Valuation Roll Tariffs 2022/2023 Financial Year:

(Page 519: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

The Committee noted that Section 30 of the Municipal Property Rates Act makes provision for any person within the specific period to lodge an objection against a specific individual property. It being further noted that a minimum period for the submission of the objections must be within thirty (30) days of advertising the valuation roll. That an objector or owner may apply in writing to the Acting City Manager to obtain reasons of the outcome of objection. Mention being also made that a prescribe fee must accompany the application, in which; during 2020/2021; the Municipality levied R250.00 for the Section 53 Request for Reasons. It being proposed that this tariff be increased to R500.00 for residential and R1000.00 for non-residential properties, effective 2022/2023 financial year, this in consideration of the time-consuming efforts and other complexities involved in undertaking the process.

The matter was recommended to the Executive Committee through the vote. With 39 Councillors present; 16 Councillors (ANC - 16) voted in support, 13 Councillors (DA - 11; ASA - 01 and MF - 01) dissented on the matter and 10 Councillors (EFF - 4; IFP - 3; ACC - 01; ACC - 01 and PFP - 01) abstained.

In deliberating on this matter at the Executive Committee level, the Chief Financial Officer submitted that the stakeholder consultation process on the valuation roll has since been extended to end in April 2022. That a number of 900 objections have been received to date. In terms of the process, all objections received will be addressed and feedback provided accordingly. In the event of a person still feeling aggrieved, there is an opportunity to lodge an appeal to a Board established by COGTA, and if the outcome of the Board is still not satisfactory the matter can be referred to the High Court.

Meanwhile, attention was drawn to the fact that all tariffs will form part of budget consultation and that the Municipality will consider submissions by the public in finalising the tariffs applicable in the 2022/23 financial year.

Whilst acknowledging the process to unfold, some Members decided to state their positions since the tariffs were also being discussed separate from budget in this meeting.

Accordingly, the DA (03) voted against the valuation roll tariffs increase; as well as EFF (01); and IFP (01). With the ANC (04); ABC (01), being in support, and the casting vote of the Chairperson, by majority,

COMMITTEE RECOMMENDS:

- 1.5.1 That all “Present Tariffs” as reflected in Annexure “A” (Tariffs 2022/2023), attached to the report by the Acting City Manager dated 2022-01-13 in respect of the Valuation Roll, as imposed by the Municipality, be rescinded with effect from 2022-06-30.
- 1.5.2 That subject to the adoption of .1 above, and in terms of Section 75A (3) and (4) of the Local Government Municipal Systems Act of 2000 (Act No. of 32 of 2000) with effect from 2022-07-01, the tariffs as set out in Annexure “A” to the report of the Acting City Manager dated 2022-01-13, be levied in respect of valuation fees as follows:
- 1.5.2.1 That there be a 5% increase in the base tariff for the digital General Valuation Roll. The tariff inclusive of VAT shall be R810.00 (Eight Hundred and Ten Rand).
- 1.5.2.2 That there be a 5% increase in the base tariff for the digital Supplementary Valuation Roll. The tariff inclusive of VAT shall be R210.00 (Two Hundred and Ten Rand).
- 1.5.2.3 That there be a 5% increase in the base tariff for Valuation Certificates. The tariff inclusive of VAT shall be R100.00 (One Hundred Rand).
- 1.5.2.4 That there be a 5% increase in the base tariff for a Section 78 Query for Residential Properties. The tariff inclusive of VAT shall be R601.00 (Six Hundred and One Rand).
- 1.5.2.5 That there be a 5% increase in the base tariff for a Section 78 Query for Non-Residential Properties. The tariff inclusive of VAT shall be R6130.00 (Six Thousand One Hundred and Thirty Rand).
- 1.5.2.6 That there be a 100% increase in the base tariff for a Section 53 Request for Reasons – Residential for the objection outcomes. The tariff inclusive of VAT shall be R500.00 (Five Hundred Rands).
- 1.5.2.7 That there be a 100% increase in the base tariff for a Section 53 Request for Reasons - Non-Residential for the objection outcomes. The tariff inclusive of VAT shall be R1000.00 (One Thousand Rand).
- 1.5.3 That subject to the approval of .2 above the Acting City Manager be mandated to comply with the provisions of Section 75A (3) and (4) of the said Act to display notices of such an increase.

Some members were not in support of the proposed review of valuation tariffs. However, it was emphasised that all tariffs will form part of draft budget consultation and that the Municipality will consider submissions by the public in finalising the tariffs applicable in the 2022/23 financial year.

Subsequently; the matter was put to the vote. With 208 Councillors present, 104 Councillors (ANC - 92, ABC - 02, AIC -02, ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; NFP – 01; and PRM – 01) voted in favour; 100 Councillors (DA – 54; EFF – 24; IFP -15; ASA – 03; ACDP -02; UIM – 01 and VF Plus -01) voted against the matter; 4 Councillors (DLC - 01; MOSA - 01; PFP – 01 and TA -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

- 1.6 EThekweni Municipality Credit Control and Debt Collection Policy 2022-2023 Financial Year (7/6/3/P):
(Page 544: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

With the Committee in agreement,

COMMITTEE RECOMMENDS:

- 1.6.1 That Council approves proposed amendments to the existing Credit Control and Debt Collection Policy for implementation in the 2022/2023 financial year, as outlined in the report of the Acting City Manager dated 2022-02-28, which amendments relate to the following, it being recorded that a rationale for the amendment under each aspect is outlined in detail in the Report of the Acting City Manager:
- (a) Definition: “Bulk Customer” means a Customer who consumes large amounts of electricity **and/or water** for commercial or industrial purposes;
 - (b) Definition: “Children’s Act” **“means the Children’s Act, 2005 (Act 38 of 2005), as amended;**
 - (c) Definition: “CIPC” means the Companies and Intellectual Property Commission established in terms of Section 185 of the Companies Act;
 - (d) Definition: “Companies Act” means the Companies Act (Act 71 of 2008) as amended;
 - (e) Definition: “Guardian” means a parent or other legally appointed person who acts as guardian of a minor as contemplated in the Children’s Act. Where more than one person has guardianship of a minor, the term shall apply to them both;
 - (f) Definition: “Holding company”, in relation to a subsidiary company, means a company that controls that subsidiary as a result of any of the circumstances contemplated in the Companies Act;
 - (g) Definition: deletion of “Housing Substitution Policy”;
 - (h) Definition: “Minor” means a natural person under age of 18 years, excluding a minor that has been emancipated by a court of law;
 - (i) Definition: “MSCOA” means the Local Government Municipal Finance Management Act, 2003: Municipal Regulations on Standard Chart of Accounts No. R312 **in government gazette 37577 of 22 April 2014;**
 - (j) Definition: “Subsidiary” has the meaning determined in accordance with Section 3 of the Companies Act;
 - (k) Clause 2.13: A person may be required to provide to the Municipality with personal information Such information must be collected and processed in compliance with any privacy policy applicable within the Municipality or the provisions of the Protection of Personal Information Act, 2013 (Act 4 of 2013).

- (l) Clause 2.25: Where a property is registered in the name of a minor, the guardian may register for services on behalf of the minor. Once the minor turns 18 years of age, he/she may enter into a services contract with the Municipality and register for services in his/her own name, unless the minor has been legally emancipated by the court.
- (m) Clause 2.26: Notwithstanding Clause 2.25, a minor over the age of seven (7) years may make an application for the provision of Municipal Services in his/her own name, provided the minor is assisted by or produces a written consent from the guardian in the prescribed form. In addition to such written consent, the guardian must stand as surety for such minor and sign a Deed of Suretyship in favour of the Municipality in the prescribed form.
- (n) Clause 21.2(x): Revenue Clearance Assessments and Certificates, Clause 21.2(x) where a revenue clearance application, shows that a prospective transferee is a minor; the conveyancer must produce the following documents: -
 - (1) Full name and contact details of the guardian
 - (2) Proof of residential address of the guardian
 - (3) Identity document of the guardian
 - (4) Birth certificate / identity document of the minor
 - (5) An indication of the status of the guardian
 - (6) As parent
 - (7) Under Children's Act
 - (8) Person nominated by Will and appointed by the Master of High Court.
- (o) Clause 25.1.2 was omitted from the current Policy; unless stipulated to the contrary in this Policy, a refund due to an account holder shall only be transferred to a bank account that is registered in the name of that account holder.
- (p) Clause 31.1.1: Business Rescue and Insolvency, the email address of Mr Peet du Plessis is removed because he has retired and replaced with one for Mr Lihle Ndzelu, the new Head: Revenue Management Unit;

1.6.2 That subject to the approval of .1 above, and in compliance with the Local Government: Municipal Systems Act No. 32 of 2000, Council approves the revised Credit Control and Debt Collection Policy for implementation in the 2022/2023 financial year, which policy is attached as Annexure "A" to the report of the Acting City Manager dated 2022-02-28.

ADOPTED.

1.7 Review of Tariff for Revenue Clearance Certificate Fee: 2021/2022 MTREF (7/6/1/5):
(Page 637: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

With 39 Councillors present at the Support Committee level; 11 Councillors (DA – 11) voted against the recommendations; 18 Councillors (ANC – 16; ACC – 01; and PFP – 01) voted in support and 10 Councillors (AIC – 01; ASA -01; EFF – 04; IFP - 03 and MF – 01) abstained on the matter.

At the Executive Committee level, the DA (03) voted against; IFP (01) abstained; and with the ANC (04); EFF (01); and ABC (01), voting in support,

Thereafter, by the majority vote,

COMMITTEE RECOMMENDS:

- 1.7.1 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act of 2000 (Act No. 32 of 2000) that with effect from 2022-07-01 the tariffs set out in Annexure “A” of the report of the Acting City Manager dated 2022-03-02 be levied in respect of the of the Revenue Clearance Certificate as follows:
 - 1.7.1.1 That the cost of processing an electronic application for a Rates Clearance Certificate be R218.00 including VAT for properties below or equal to R185 000.00 and at R351.00 including VAT for properties above R185 000.00 in value.
 - 1.7.1.2 That the cost of processing a manual application for a Rates Clearance Certificate be R442.00 including VAT for properties below or equal to R185 000.00 and at R660.00 including VAT for properties above R185 000.00 in value.
 - 1.7.1.3 That the cost of processing a manual application with the new system in place be R968.00 including VAT for any application submitted through the Conveyancers.
 - 1.7.1.4 That for each application applied for through Revenue Clearance system, vendors will pay R12.00 as a Commission to Council: R12.00 is inclusive of VAT.
 - 1.7.1.5 That the cost of processing an account reconciliation be R1000.00 including VAT for any application submitted.
- 1.7.2 That the new manual tariff as depicted in in Annexure “A” of the report of the Acting City Manager dated 2022-03-02, be implemented following the month once the new system used by conveyers to apply for Revenues Clearance Certificates has been implemented.
- 1.7.3 That the current manual tariff as depicted in Annexure “A” of the report of the Acting City Manager dated 2022-03-02, be cancelled following the month once the new system used by conveyers to apply for Revenue Clearance Certificates has been implemented.
- 1.7.4 That subject to the adoption of .1, .2 and .3 above the Acting City Manager be mandated to comply with the provisions of Section 75A (3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

- 1.8 EThekweni Municipality Tariff Policy 2022-2023 Financial Year (7/6/P):
(Page 645: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

With 39 Councillors present at the Support Committee level; 11 Councillors (DA – 11) voted against the recommendations; 21 Councillors (ANC – 16; IFP – 3; ACC – 01; and PFP – 01) voted in support and 7 Councillors (AIC – 01; ASA -01; EFF – 04 and MF – 01) abstained on the matter.

At the Executive Committee level, the DA (03) voted against; EFF (01) abstained; and with the ANC (04); IFP (01); and ABC (01), voting in support,

Thereafter, by the majority vote,

COMMITTEE RECOMMENDS:

That the draft Tariff Policy for the 2022/2023 financial year, attached as Annexure “A” in the report of the Acting City Manager dated 2022-02-28, incorporating amendments as outlined in the aforesaid report, be approved by Council at its annual Budget meeting in May 2022, together with the Municipality’s Budget for implementation in the 2022/2023 financial year.

ADOPTED.

- 1.9 EThekweni Municipality 2022-2023 Property Rates Policy (7/2/P):
(Page 687: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

At the Support Committee level the DA; EFF, IFP and ASA abstained and at the Executive Committee level, the DA abstained as well as the EFF and the IFP, then by the majority,

COMMITTEE RECOMMENDS:

That the proposed amendments to the 2022/2023 Rates Policy (Reference: eThekweni Municipality Rates Policy 2022/2023 – Draft), as contained in the report of the Acting City Manager dated 2022-02-28, be approved; it being recorded that a rationale for the amendment under each aspect is outlined in detail on the report of the Acting City Manager.

ADOPTED.

- 1.10 EThekweni Indigent Policy 2022/2023 (7/6/3/1):
(Page 840: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

With Committee in agreement,

COMMITTEE RECOMMENDS:

- 1.10.1 That Council approves the proposed amendments to the existing Indigent Policy for implementation in the 2022/2023 financial year, as outlined in the report of the Acting City Manager dated 2022-02-25, which amendments relate to the following, it being recorded that a rationale for the amendment under each aspect is outlined in detail in the Report of the Acting City Manager:

- (a) Definition and Acronyms: “City Integrity and Investigations Unit means a department Unit within the Municipality responsible for investigations due to **fraud, misconduct or maladministration** within the City;
- (b) Definition and Acronyms: “Indigent” means a person lacking the necessities of life such as, but not necessarily limited to, sufficient water, basic sanitation, refuse removal, housing and/or a supply of basic electricity **and who lacks sufficient financial means to afford such necessities**;
- (c) Definition and Acronyms: “minor” means a natural person under the age of 18 years, **excluding a minor that has been emancipated**;
- (d) Definition and Acronyms: “System of Delegations” means the delegations document adopted by the Municipal Council in terms of Section 59 of the Systems Act, **as amended from time to time**;
- (e) Clause 7.1.1 (f): To give more clarity on provision regarding the residential rating category requirement in accordance with the Rates Policy;
- (f) Clause 7.1.1 (i): To add on the documentary proof of receiving social grant required to assess the indigent application;
- (g) Clause 7.1.4 a(v): “Deceased Estate” where property is registered in the name of the deceased customer and no legal representative, **executor or executrix** of the deceased;
- (h) Clause 8.3.4: “Arrears on Indigent Account” subject to statutory prescription periods **and favourable change in the circumstances of the indigent**, nothing precludes the Municipality from recovering debt from a registered indigent upon termination of indigent support, as contemplated in this policy or in terms of Section 118 of the Systems Act in the case of a proposed transfer of property;
- (i) Clause 8.4.1: unless indicated to the contrary in this policy or any budget related policy, the validity period for indigent support will be for a maximum period of **12 months** ending 30 June of the second municipal financial year for which indigent support is granted. A **renewal** application will be required for any ensuing municipal financial year(s);
- (j) Clause 8.4.2: An application for indigent support must be made on or before **30 April** preceding the municipal financial year for which it is required;
- (k) Clause 11.2: Where an indigent has failed to make application for indigent support before **30 April** as specified in sub-clause **8.4.2**;
- (l) Clause 14 1 (b): Where consumption exceeds **65kWhs** per month, Municipality will bill excess usage at a normal tariff;
- (m) Clause 14 2 (a) & (b): To correct the typographical error on the water consumption measures which appears in the column titled ‘description’ in Schedule A. The actual quantum of free basic service of 6kl which appears in the column titled ‘quantity’ has always reflected the correct position. Hence the need to rectify the misalignment to avoid confusion;

- (n) Clause 14 3 (a): Where the water supply to a customer is limited to **200 ℓ** per day via a ground tank or yard tap, the only acceptable sewage disposal option is a Urine Diversion toilet, which is provided at no cost to the householder, but remains the responsibility of the householder to provide maintenance **of the structure. The Municipality shall remove and dispose of sludge from Urine Diversity toilets once every 2 years at no cost to the householder;**
- (n) Clause 14 3 (b): A connection to the Municipal waterborne sewerage system which offers a nil sewage disposal charge for water usage below **200ℓ per day**, a stepped tariff and a reduced tariff where the water is by means of a semi-pressure service and the water is between **200ℓ** and 833ℓ per day consumption;

1.10.2 That subject to the adoption of .1 above, and in order to ensure compliance with the Local Government: Municipal Systems Act, 32 of 2000, Council approves the Draft Indigent Policy 2022/2023, attached as Annexure “A” in the report of the Acting City Manager dated 2022-02-25.

ADOPTED.

1.11 Re-Instatement of a Revised Special Payment Relief (7/2/P):
(Page 876: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

With Committee being in support;

COMMITTEE RECOMMENDS:

- 1.11.1 That Council approves to reinstate the payment relief for a further three (3) months until June 2022 with some changes to the original resolution, it being recorded that Government and Parastatals will be excluded from this payment relief, the new relief will be based on the following:
 - 1.11.1.1 Customers that are ninety (90) days in arrears to sign a payment arrangement with 5% down payment for residential customers and 10% for non-residential customers excluding government departments/Institutions and parastatals;
 - 1.11.1.2 Interest accumulated to be written-off once the payment arrangement has been entered into;
 - 1.11.1.3 All interest written-off to be reinstated where a customer default on this payment plan with the City;
 - 1.11.1.4 Existing customers on a payment plan to be afforded an opportunity to take part in this incentive as a once-off offering, such customers will have a similar payment as stipulated above.
 - 1.11.1.5 The Municipality to enter into a payment plan with all customers taking part in this relief scheme and the balance of the outstanding debt over a maximum period of thirty six (36) months with no interest added.
 - 1.11.1.6 When a customer signs an arrangement for the following periods a certain percentage of capital debt to be written-off at the end of the payment arrangement:

- 3 months: 15% of capital debt to be written-off
- 6 months: 10% of capital debt to be written-off
- 12 months: 7.5% of capital debt to be written-off
- 18 months: 5% of capital debt to be written-off
- 24 months: 2.5% of capital debt to be written-off

Financial Implications:

If Council approves the proposal all interest on customer accounts that participate in the relief scheme will be written -off. The total value cannot be confirmed due to the fact that the customers taking up this offer is also unknown, but based on the previous stats it is estimated that an amount of R100 Million will be written-off. The actual amount will be reported in the Section 71 report to Council in August 2022.

ADOPTED.

- 1.12 Disaster Management and Emergency Control Unit Tariffs 2021/22 Financial Year (7/6/1/6):
(Page 880: Finance, Security & Emergency Services Committee - Agenda 2022-03-17)

With 39 Councillors present at the Support Committee level; 15 Councillors (DA – 11 and EFF - 4) voted against the recommendations and 24 Councillors (ANC – 16; IFP – 3; ACC – 01; AIC – 1; ASA – 1; MF – 1 and PFP – 01) being in support.

With the Executive Committee being in support,

COMMITTEE RECOMMENDS:

- 1.12.1 That all “Present Tariffs” as reflected in Annexure A (Tariffs 2021/2022), attached to the report by the Acting City Manager dated 2022-01-25 in respect of Disaster Management and Emergency Control Unit, as imposed by the Municipality, be hereby rescinded with effect from 2022-06-30.
- 1.12.2 That subject to the adoption of .1 above and in terms of Section 75A (3) and (4) of the Local Government Municipal Systems Act of 2000 (Act of 32 of 2000) ‘Proposed Tariffs, including VAT, as set out in Annexure A (Tariffs 2022/2023), attached to the report by the Acting City Manager dated 2022-01-25, be adopted, to be implemented with effect from 2022-07-01.
- 1.12.3 That subject to the adoption of .2 above the Acting City Manager be mandated to comply with the provisions of Section 75A (3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

2. REPORT OF ECONOMIC DEVELOPMENT & PLANNING COMMITTEE
MEETING HELD: 2022-03-18

(Page R12)

2.1 Review of Agribusiness Tariffs 2022/23 (7/6/1/6):
(Page 11 : Economic Development & Planning Committee - Agenda 2022-03-18)

Authority is being sought to implement revised Agri-business tariffs for Business Support, Markets, Tourism and the Agribusiness Unit with effect from 2022-07-01. The tariffs applicable to the Unit were last revised on 2020-07-01.

The recent economic down turn and increase in unemployment which grew to 34% due to the COVID-19 lockdown has had a severe negative impact on the business sector, to the extent that some well-established businesses have had to close down, also emerging entrepreneurs being affected in all sectors of the economy.

In line with the Presidential declaration that small businesses be given an 18-month rental holiday payment, provided that they are in good standing with government regulations and compliance. This will assist in limiting the burden of high food costs for the poor

With the DA (03) abstaining at the Executive Committee level, by majority

COMMITTEE RECOMMENDS:

- 2.1.1 That with effect from 2022-07-01, no increase in tariffs be applicable as set out in Annexure "A" of the report by the Acting City Manager dated 2022-02-02.
- 2.1.2 That subject to the adoption of .1 above, authority be granted to the Head: Business Support to proceed with negotiations of 2022/2023, 2023/2024 and 2024/2025.
- 2.1.3 That subject to the adoption of .1 above, the Acting City Manager be mandated to comply with the provisions of Section 75A (3) and (4) of the said Act with regard to the publication of tariffs applicable with effect from 2022-07-01.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF - 24; IFP -15; ASA - 03; ABC - 02, ACDP -2; AIC -02, DLC - 01; ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; MOSA - 01; NFP - 01; PFP - 01; PRM - 01; TA - 01; UIM - 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

2.2 Application for Investment Incentives in Terms of the Economic Development
Incentive Policy 2020-2021 & 2021-2022(20/1/P):
(Page 97 : Economic Development & Planning Committee - Agenda 2022-03-18)

Authority is being sought for the award of incentives to the following applicants, in terms of the Economic Development Incentive Policy (EDIP), to give effect to Clause 14.7 of the approved eThekweni Rates Policy:

- Mile Cornubia (Pty) Ltd. as per EDIP 2021-2022
- Colkru Investments (Pty) Ltd. as per EDIP 2020-2021
- NCP Alcohols (Pty) Ltd. as per EDIP 2020-2021
- Monustep (Pty) Ltd, as per EDIP 2020-2021

The Economic Development Incentive Policy offers financial incentives in the form of rebates on property rates, which seeks to attract investment and promote the development of spatially targeted economic zones, inner city regeneration, increase target densification, enhance export activities through increased manufacturing and investment in local industries.

Upon enquiry at the Executive Committee on what informs the percentage incentive, confirmation was given that this is critically analyzed on a case-by-case basis and criteria implemented takes into consideration the value of the investment being made; tangible job opportunities to be created; and spatial development

The DA (03) then abstained at this stage and, with the majority being in support,

COMMITTEE RECOMMENDS:

- 2.2.1 That the award of a property rates rebate of 40% to Mile Cornubia (Pty) Ltd situated at 27 Tottum Road, Cornubia, for a fixed period of 3 years commencing from date of MOA, be approved.
- 2.2.2 That the award of a property rates rebate of 40% to Colkru Investments (Pty) Ltd situated within the Inner City at 114 Dr Yusuf Dadoo Street, for a fixed period of 3 years commencing from date of the Memorandum of Agreement, be approved.
- 2.2.3 That the award of a property rates rebate of 85% to NCP alcohols (Pty) Ltd, for only the new extension on the site situated at 117 Sea Cow Lake Durban, for a fixed period of 3 years commencing from the date of the Memorandum of Agreement, be approved.
- 2.2.4 That the award of a property rates rebate of 70% to Monustep (Pty) Ltd for the portion of the site occupied by Teqal situated within the Dube Tradeport precinct for a fixed period of 3 years commencing for date of Memorandum of Agreement, be approved.
- 2.2.5 That subject to adoption of .1, .2, .3 and .4 above, authority be granted for the Acting City Manager to enter into a Memorandum of Agreement with the successful applicants listed above.
- 2.2.6 That authority be granted for the Head: Economic Development and Revenue Management to implement the rates rebate in accordance with the Economic Development Incentive Policy.

ADOPTED.

- 2.3 Review of Tariffs 2022/23 – Retail Markets, Early Morning Market, Verulam Market, Ezimbuzini Market, Bangladesh Market, Fragrance Market, Hammarsdale Market, Phoenix Millennium, Tongaat Market, Mansel Road Market & Brookdale Market (7/6/1/6):
(Page 101 : Economic Development & Planning Committee - Agenda 2022-03-18)

Authority is being sought to implement revised Agri-business tariffs for Business Support Unit with effect from 2022-07-01. The tariffs applicable to the Unit were last reviewed on 2021-07-01.

The recent economic down turn and increase in unemployment which grew to 34% due to the COVID-19 lockdown has had a severe negative impact on the business sector, to the extent that some well-established business have had to close down, also affecting emerging entrepreneurs in all sectors of the economy.

A directive was issued by the former Minister of Small Business Development providing direction on the operation of businesses whose licenses and trade permits have lapsed and are due for renewal but could not do so due to the lockdown. An extension was granted to businesses affected.

The sourcing of products to be sold by traders has become challenging due to exorbitant costs from suppliers, and Trade Organisations and Committees have submitted written requests to the eThekweni Municipality Informal Economy Forum (EMIEF) and Council proposing that the rental be not increased for this period due to the COVID-19 pandemic and the resultant economic hardships.

With the DA (03) abstaining at the Executive Committee level, and by majority,

COMMITTEE RECOMMENDS:

- 2.3.1 That with effect from 2022-07-01, no increase in tariffs be applicable as set out in Annexure “A” of the report by the Acting City Manager.
- 2.3.2 That subject to the adoption of the above, the Head: Business Support Unit proceed with negotiations of 2022/2023, 2023/2024 and 2024/2025
- 2.3.3 That subject to the adoption of 6.1 above, the Acting City Manager be mandated to comply with the provisions of Section 75A (3) and (4) of the said Act regarding the publication of tariffs applicable with effect from 2022-07-01.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF - 24; IFP -15; ASA - 03; ABC - 02, ACDP -2; AIC -02, DLC - 01; ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; MOSA - 01; NFP - 01; PFP - 01; PRM - 01; TA - 01; UIM - 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

- 2.4 Review of Tariffs 2022/23 – Itinerant Traders, Street Traders, Hive Sites & Containers (7/6/1/6):
(Page 109 : Economic Development & Planning Committee - Agenda 2022-03-18)

Authority is being sought to implement revised Agri-business tariffs for Business Support Unit with effect from 2022-07-01. The tariffs applicable to the Unit were last reviewed on 2021-07-01. For similar reasons relating to economic hardship as a result of Covid-19 amongst other things, it is proposed not to effect increases on tariffs.

With the DA (03) abstaining at the Executive Committee level, and by majority,

COMMITTEE RECOMMENDS:

- 2.4.1 That with effect from 2022-07-01, no increase in tariffs be applicable as set out in Annexure “A” of the report by the Acting City Manager.
- 2.4.2 That subject to the adoption of the above, the Head: Business Support Unit proceed with negotiations of 2022/2023, 2023/2024 and 2024/2025
- 2.4.3 That subject to the adoption of .1 above, the City Manager be mandated to comply with provisions of Section 75A (3) and (4) of the said Act regarding the publication of tariffs applicable with effect from 2022-07-01.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

- 2.5 Review of Tariffs : Bulk Fresh Produce Market (7/6/1/6):
(Page 235 : Economic Development & Planning Committee - Agenda 2022-03-18)

Authority is being sought for the implementation of revised tariffs for the Bulk Fresh Produce Market, which were last revised on 1 July 2021. The bulk market, in addition to its core business of commission income, provides other associated rental space and services to facilitate trade. With regard to the rentable space and other services, tariff charges are levied.

The key variances between the present tariffs and the proposed tariffs are as follows:

- Administrative tariff: increase of 7.69% is attributable to the increased cost of producing a card.
- Parking Reservation: increase of 7.41% is mainly as a result of increased maintenance costs.
- Transaction fee: this is considered fair and reasonable, therefore no increase is proposed.
- General Rental, Cafeteria: decrease of 14.3% is as a result of reduction in respect of the allocated size of space.
- Cold Storage of Fresh Produce or other articles and Multipurpose Room: increase of 3.19% and 3.13%, respectively in an attempt to closely align the cold storage and ripening tariffs of the Durban Market to that of competitors.
- Battery Bay: Salesman Application Permit and Vehicle clamping fee: these are considered to be reasonable and therefore no increase is proposed.
- Farmers Retail Market: No increase is proposed due to the need to compensate for the impact of the poor economic conditions experienced by the users of Farmers Retail market.

With the DA abstaining at both the Support Committee and the Executive Committee levels, by majority,

COMMITTEE RECOMMENDS:

- 2.5.1 That the Council of eThekweni Municipality resolves in terms of Section 75A of Local Government Municipal Systems Act of 2000 (Act 32 of 2000) that with effect from July 2022, the tariffs set out in Annexure “A” of the report by the Acting City Manager dated 2022-01-13, be levied in respect of the Economic Development and Planning Cluster.
- 2.5.2 That subject to the adoption of .1 above, the City Manager be mandated to comply with provisions of Section 75A (3) and (4) of the said Act regarding the publication of tariffs applicable with effect from 2022-07-01.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

- 2.6 Business Licensing Tariffs: 2022/2023 (7/6/1/6):
(Page 244 : Economic Development & Planning Committee - Agenda 2022-03-18)

Authority is being sought to implement revised Business License Tariffs for Business Support, Markets, Tourism and the Agribusiness Unit with effect from 1 July 2022. The tariffs applicable to Business Licensing were last revised on 1 July 2021.

Due to the eThekweni COVID-19 Recovery Plan and the proclamation by the President that all business licensing fees should be waived until December 2022 in supporting businesses, the fees could not be increased or revised for the year 2021 and up to and including December 2022.

In support of the business community and to encourage compliance with the provisions of the Business Act, and encouraging emerging businesses, especially in the townships and rural areas to comply with the Act and other Municipal By-laws when commencing their businesses, a zero percent (0%) increment on business license tariffs is proposed from July 2022 to December 2022.

With the DA (03) abstaining at the Executive Committee level, and by majority,

COMMITTEE RECOMMENDS:

- 2.6.1 That the Council of eThekweni Municipality resolve in terms of Section 75A of Local Government Municipal Systems Act of 2000 (Act 32 of 2000) that with effect from July 2022, the tariffs set out in Annexure A of the report by the City Manager dated 2022-01-19, be levied in respect of the Economic Development and Planning Cluster.
- 2.6.2 That subject to the adoption of .1 above, the City Manager be mandated to comply with provisions of Section 75A (3) and (4) of the said Act regarding the publication of tariffs applicable with effect from 2022-07-01.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF - 24; IFP -15; ASA - 03; ABC - 02, ACDP -2; AIC -02, DLC - 01; ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; MOSA - 01; NFP - 01; PFP - 01; PRM - 01; TA - 01; UIM - 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

3. REVIEW OF DOMESTIC REFUSE REMOVAL USER CHARGE TARIFFS FOR 2022/2023 FINANCIAL YEAR (7/6/1/2)

(Page 30)

At the Executive Committee level, the DA; EFF; and IFP abstained on the matter, and by majority

COMMITTEE RECOMMENDS:

- 3.1 That authority be granted to implement the increase of 4.5% for the review of Domestic Refuse Removal User Charges Tariffs for 2022/2023 financial as reflected in the Annexure "A" of the report by the Head : Cleansing and Solid Waste dated 2022-01-31 with effect from 01 July 2022, in terms of Section 75A of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000).
- 3.2 That subject to the adoption of .1 above the Acting City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF - 24; IFP -15; ASA - 03; ABC - 02, ACDP -2; AIC -02, DLC - 01; ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; MOSA - 01; NFP - 01; PFP - 01; PRM - 01; TA - 01; UIM - 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

4. REVIEW OF CLEANSING AND SOLID WASTE SUNDRY TARIFFS FOR 2022/2023 FINANCIAL YEAR (7/6/1/2)

(Page 37)

At the Executive Committee level, the DA; and IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 4.1 That authority be granted to implement the averaging between 8.0% & 9.5% for the Sundry Tariffs for 2022/2023 financial year, as contained in the report of the Head: Cleansing and Solid Waste dated 2022-01-31 with effect from 01 July 2022, in terms of Section 75A(1) (a) of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000).

- 4.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

5. ELECTRICITY UNIT SUNDRY TARIFFS FOR 2022/2023

(Page 51)

At the Executive Committee level, the DA; and IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 5.1 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act of 2000 (Act 32 of 2000) that with effect from 2022-07-01 the tariffs set out in Annexure “A” of the report of the Head: Electricity dated 2022-02-04 be levied in respect of the training courses offered by the Technical Training Centre.

- 5.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of section 75A of the said Act regarding the display of notices of the said tariffs.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

6. REVIEW OF 2022/2023 TARIFFS: ETHEKWINI TRANSPORT AUTHORITY UNIT (7/6/1/2)

(Page 57)

At the Executive Committee level, the DA; and IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 6.1 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act of 2000 (Act 32 of 2000) that with effect from 2022-07-01 the tariffs set out in Annexure “A”, “B” & “C” of the report of the Head: EThekweni Transport Authority dated 2022-02-11 be levied in respect of the Human Settlements, Engineering and Transportation Cluster.
- 6.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of section 75A of the said Act regarding the display of notices of the said tariffs.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

7. REVIEW OF 2022/2023 TARIFFS: SURVEYING AND LAND INFORMATION UNIT

(Page 66)

At the Executive Committee level, the DA; EFF; and IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 7.1 That the tariffs applicable to the eThekweni Municipality’s : Copying Fees for Prints, Plans and Photography as from 2022-07-01 be amended as reflected in Annexure “A” of the report of the Head: Engineering dated 2022-02-09 in terms of Section 75A (1)(a) of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000).
- 7.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

8. PROPOSED RENTAL HOUSING TARIFFS FOR 2022/2023

(Page 75)

The DA (03) voted against this matter a view being submitted that it appears the tariffs increase will unfairly impact a few individuals who are honest in their rental payment, whilst the culture of non-payment prevails.

The issue of promoting a culture of payment was supported, as such, the ANC recommended the expedition of the process to establish Committees in Community Residential Units thereby achieving a structured process within which to collect rental payment.

Thereafter, the ANC (04); EFF (01); IFP (01); and ABC (01) supported the matter.

Accordingly,

COMMITTEE RECOMMENDS:

- 8.1 That authority be granted to implement the increase of 10% for Rental Housing Tariffs for 2022/2023/2024 financial year, as contained in the report of the Head: Human Settlements dated 2022-03-23 with effect from 01 July 2022, in terms of Section 75A(1) (a) of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000).
- 8.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

9. REVIEW OF 2022/2023 TARIFFS: ENGINEERING UNIT - ROADS AND STORMWATER MAINTENANCE

(Page 94)

COMMITTEE RECOMMENDS:

- 9.1 That the tariffs applicable to the eThekweni Municipality's Hardening & Reinstatement of footways, Stormwater Disposal/ Railway Siding/ Channel Crossings Charges as from 2022-07-01, be amended as reflected in Annexures "A" and "B" attached to the report of the Acting Head: Engineering dated 2022-02-10, in terms of Section 75A(1)(a) of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000).

- 9.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

10. REVIEW OF 2022/2023 TARIFFS FOR THE USE OF TENDERS (7/6/1/2)

(Page 103)

At the Executive Committee level, the DA; EFF and IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 10.1 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act of 2000 (Act 32 of 2000) that with effect from 2022-07-01, the tariffs as set out in Annexure “A” to the report of the Head: Supply Chain Management dated 2022-03-15, be levied in respect of tender fees as follows:
- 10.1.1 That there be 0% increase in the base tariff for tenders issued in the range of R0.00 to R199K. The tariff inclusive of VAT shall be R0.00.
- 10.1.2 That there be 0% increase in the base tariff for tenders issued in the range of R200K to R1M. The tariff inclusive of VAT shall be R110.00 (One Hundred and Ten Rand).
- 10.1.3 That there be 0% increase in the base tariff for tenders issued in the range of above R1M to R5M. The tariff inclusive of VAT shall be R275.00 (Two Hundred and Seventy Five Rand).
- 10.1.4 That there be a 0% increase in the base tariff for tenders issued in the range of above R5M to R10M. The tariff inclusive of VAT shall be R550.00 (Five Hundred and Fifty Rand).
- 10.1.5 That there be 0% increase in the base tariff for tenders issued in the range of above R10M. The tariff inclusive of VAT shall be R1 100.00 (One Thousand One Hundred Rand).
- 10.1.6 That the proposed tender fees as set out in this report may be charged by all departments within eThekweni Municipality and will be covered by this report.
- 10.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of Section 75A (3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF - 24; IFP -15; ASA - 03; ABC - 02, ACDP -2; AIC -02, DLC - 01; ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; MOSA - 01; NFP - 01; PFP - 01; PRM - 01; TA - 01; UIM - 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

11. REVIEW OF POTABLE WATER AND SUNDRY WATER TARIFFS FOR THE 2022/23 FINANCIAL YEAR (7/6/1/2)

(Page 109)

At the Executive Committee level, the DA; EFF and IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 11.1 That authority be granted to implement an average increase of 7% (5.9% domestic consumers and 9% non-domestic consumers) for Water Tariffs for 2022/2023 financial year, as contained in the report of the Head: Water and Sanitation dated 2022-02-14 with effect from 01 July 2022, in terms of Section 75A(1) (a) of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000) in respect of the Trading Services Cluster.
- 11.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF - 24; IFP -15; ASA - 03; ABC - 02, ACDP -2; AIC -02, DLC - 01; ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; MOSA - 01; NFP - 01; PFP - 01; PRM - 01; TA - 01; UIM - 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

12. REVIEW OF SEWAGE DISPOSAL USERCHARGE AND SUNDRY TARIFFS FOR THE 2022/23 FINANCIAL YEAR (7/6/1/2)

(Page 130)

At the Executive Committee level, the DA; EFF and IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 12.1 That authority be granted to implement an average increase of 7% (5.9% domestic consumers and 9% non-domestic consumers) for Sewage Disposal Sundry Tariffs for 2022/2023 financial year, as contained in the report of the Head: Water and Sanitation

dated 2022-02-14 with effect from 01 July 2022, in terms of Section 75A(1) (a) of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000) in respect of the provision of a sewage disposal services to customers.

- 12.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

13. IMPLEMENTATION OF FLAT RATE WATER TARIFFS FOR THE 2022/23 FINANCIAL YEAR

(Page 146)

At the Executive Committee level, the DA; EFF and IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 13.1 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000), that with effect from 2022-07-01 the flat rate fixed tariff of R50.00 (Fifty Rand) per month including VAT, be levied in respect of the supply of water to all unbilled, non-metered and non-indigent consumers.
- 13.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

14. IMPLEMENTATION OF WATER AND SANITATION INFRASTRUCTURE SURCHARGE AND INFRASTRUCTURE FIXED CHARGE

(Page 152)

At the Executive Committee level, the DA and IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 14.1 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000), that with effect from 2022-07-01 an additional infrastructure surcharge of R1,50/kl for water be charged for the three (3) financial years 2022/2023, 2023/2024 and 2024/2025 in conjunction with the base tariffs in the report WS2022/036 (Potable Water and Sundry Water Tariffs for the 2022/23 Financial Year) of the Head: Water and Sanitation dated 2022-02-14.
- 14.2 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000), that with effect from 2022-07-01 an additional infrastructure surcharge of R1,50/kl for sewage disposal be charged for the three (3) financial years 2022/2023, 2023/2024 and 2024/2025 in conjunction with the base tariffs in the report WS2022/037 (Sewage Disposal Usercharge and Sundry Tariffs for the 2022/23 Financial Year) of the Head: Water and Sanitation dated 2022-02-14.
- 14.3 That subject to the adoption of .2 and .3 above the City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act, as well as the provisions of Section 6 to Section 9 of the Surcharges By-laws, 2007.
- 14.4 That subject to the adoption of .2 to .4 above, the additional income that is raised from the surcharges be placed in a dedicated ring-fenced capital reserve account.
- 14.5 That subject to the adoption of .2 to .5 above, these funds are utilized for the sole purpose of maintaining, securing, and replacing Water and Sanitation Infrastructure.
- 14.6 That subject to the adoption of .2 to .6 above, these funds are preserved in a capital reserve account will be rolled over from financial year to subsequent financials until they have been expended.
- 14.7 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000), that with effect from 2022-07-01 a fixed infrastructure water charge of R50.00 per month be levied on properties valued above the indigent property value currently R250 000.00 (Two Hundred and Fifty Thousand Rand), that have zero water consumption for two (2) consecutive months or more.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

15. IMPLEMENTATION OF THE RURAL SUSTAINABLE SERVICES CHARGE
(7/2/R)

(Page 162)

This is a new fixed charged to be imposed to rural properties receiving Municipal services within the jurisdiction of eThekweni Municipality. At the Executive Committee level, the DA; EFF and the IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 15.1 That Council approves the proposed charge in-principle as indicated in paragraph 7.1 in the report of the Head: Revenue Management dated 2022-03-14, with the date of the determination for the coming into effect of the charge as 01 July 2022:

Flat charge for infrastructure services provided will be as follows:

- Households (Residential Property) R100.00 (VAT exclusive)
- Churches and Non-Profit Organisations R100.00 (VAT exclusive)
- Businesses and Commercial Properties R1000.00 (VAT exclusive)
- Government and Organ of State Properties R1000.00 (VAT exclusive)

- 15.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

- 15.3 That Council takes note of the road map as outlined in Table 7.2 in the report of the Head: Revenue Management dated 2022-03-14, that for the successful implementation of this new charge, the below road map will need to be followed:

Customer Database	A physical inspection and data collection of all rural properties will be conducted, and database created and managed by Revenue Management Unit. The database will consist of occupier's personal information, addresses and property description that includes digital mapping of the property.
Customer Registration	Identified occupiers will be registered in the Revenue Management system for billing purposes, with a unique customer number created.
Identification of Indigents	The charge will exclude those residents that may be identified as indigents. These residents, subject to compliance with the Indigent Policy, will be entered into the indigent register of the City.
Revenue Billing	Statements of account will be billed on the proposed charge based on the number of services rendered by the Municipality, as stated in the paragraph 7.1 in the report of the Head: Revenue Management dated 2022-03-14.
Collection of Revenue	Once the bill has been generated and issued to the registered customer, collection of revenue will be implemented in compliance with Credit Control and Debt Collection Policy.

Credit Control and Debt Collection processes	Customers in debt will be dealt with accordance with the Credit Control and Debt Collection Policy.
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- 15.4 That subject to the approval of .1 above, the Head: Revenue Management reports progress on the implementation and recovery of the charge to the Municipal Council on a regular basis.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

16. REVIEW OF 2022/2023 TARIFFS: HUMAN SETTLEMENTS UNIT

(Page 169)

At the Executive Committee level, the DA and the IFP abstained on the matter, and by majority,

COMMITTEE RECOMMENDS:

- 16.1 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act of 2000 (Act 32 of 2000) that with effect from 2022-07-01 the tariffs set out in Annexure “A” of the report of the Acting Head: Human Settlements dated 2022-02-17 be levied in respect of the administration.
- 16.2 That subject to the adoption of .1 above the City Manager be mandated to comply with the provisions of Section 75A(3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 208 Councillors present, 154 Councillors (ANC - 92, EFF – 24; IFP -15; ASA – 03; ABC - 02, ACDP -2; AIC -02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01; UIM – 01 and VF Plus -01) voted in favour and 54 DA Councillors abstained on the matter.

Accordingly, the recommendations were, by the majority vote, ADOPTED.

17. PROGRAMME PROJECT AND PREPARATION SUPPORT GRANT (PPPSG) BUDGET RE-ALLOCATION FOR 2021/2022 AND PPPSG BUDGET ALLOCATION FOR 2022/2023 FINANCIAL YEAR (7/4/2)

(Page 174)

The Municipal Council at its meeting of 15 December 2021 and 27 January approved the allocation to projects of the Programme and Projects Preparation Support Grant in

the total amount of R49 949 000.00 (Forty Nine Million Nine Hundred and Forty Nine Thousand Rand). It has since transpired that certain Units will not be able to spend the funding allocated due to various reasons.

This therefore necessitates motivation to reallocate funding to accommodate projects having ability to spend

COMMITTEE RECOMMENDS:

- 17.1 That Council approves projects in Table 2 below, be substituted with the projects listed in Table 3 below on the bases that these zero-spend projects are accommodated in 2022/2023 financial year.
- 17.2 That subject to the approval of .1 above, the PPPSG budget allocation for 2022/2023 to 2024/2025 financial years as listed in Table 4 below be approved and the budgets allocated to the relevant Departments/ Units/ Clusters for implementation to proceed.

Table 2: PPPSG Projects forecasting zero spend in FY 2021/2022:

The projects that are forecasted to have zero spend FY 2021/2022 are listed in **TABLE 2** below, as mentioned in the report of the Acting City Manager 2022-03-24 that these projects will be provided for in FY2022/2023:

Unit	Project Description	Forecasted Expenditure 2021/2022	Council Approved to Date	Forecasted Spend
EWS	WWPS Condition Assessment, Investment Priority List and Cost Scheduling (Programme Management)	-	R9 500 000.00	0%
Catalytic	GTAC Transaction Advisors	-	R4 900 000.00	0%
ETA	BRT Corridors, Feeder routes and associated infrastructure	-	R5 500 000.00	0%
TOTAL			R19 900 000.00	

Table 2: PPPSG Projects forecasting zero spend in FY 2021/2022

Table 3: Additional PPPSG Allocations for FY 2021/2022:

The (new or already approved) projects that are forecasting spend (or additional spend) in FY2021/2022 are illustrated in **TABLE 3** below:

Unit	Project Description	Forecasted Expenditure 2021/2022	Council Approved to Date
PRC	Marianhill Monastery Cemetery	R1 280 000.00	-
PRC	Dudley Street Cemetery (new site)	R320 000.00	-
PRC	Umkomaas Cemetery	R400 000.00	-
PRC	Mobeni Cemetery (extension of existing cemetery)	R170 000.00	-
EWS	Emaqadini (Amaotana) Water Project	R1 000 000.00	R400 000.00
CSO	Accessibility modeling	R1 894 828.00	R1 596 040.00
EDU	Mtshebheni Node – Development Facilitation	R1 630 000.00	R1 500 000.00

Unit	Project Description	Forecasted Expenditure 2021/2022	Council Approved to Date
EDU	KwaMnyandu Development Facilitation - Underpass Bridge	R1 000 000.00	-
ETA	Second Access to the Durban Port	R2 000 000.00	-
TOTAL		R9 694 828.00	R3 496 040.00

Table 3: Additional PPPSG Allocations for FY 2021/2022

Table 4: PPPSG Allocations for FY2022/2023 to FY2024/2025:

This report also seeks authority to allocate the FY2022/2023 to FY2024/2025 PPPSG budget to the projects illustrated in **TABLE 4** below, as may be evident, accommodation has been made for those zero spend projects shown in table 2 above.

Unit	Project Description	2022/2023	2023/2024	2024/2025
EWS	WWPS Condition Assessment, Investment Priority List and Cost Scheduling (Programme Management)	R9 500 000.00		
EWS	WWTW Investment Priority List and Cost Scheduling (Programme Management)	R10 000 000.00		
EWS	Amanzimtoti WWTW Upgrade	R3 200 000.00	R3 300 000.00	
EDU	Zazi/Krause Link Road Infrastructure	R300 000.00		
Catalytic	GTAC Transaction Advisors	R5 000 000.00	R5 000 000.00	R5 000 000.00
EWS	Southern Aqueduct	R1 500 000.00	R1 000 000.00	
ETA	BRT Corridors, Feeder routes and associated infrastructure	R11 400 000.00	R11 400 000.00	
ICC	Sky Bridge (Connecting ICC to DEC)	R500 000.00		
ETA	Second Access to the Durban Port	R4 000 000.00	R8 000 000.00	
Catalytic	GTAC Transaction Advisors	R8 000 000.00	R8 000 000.00	R8 000 000.00
ETA	IFLS and Project Packaging	R5 000 000.00	R5 000 000.00	
CMO	Technical Support to CM Office: roads, water infrastructure and sewer system	R2 924 000.00	R5 000 000.00	R5 000 000.00
TOTAL		R61 324 000.00	R46 700 000.00	R18 000 000.00

Table 4: PPPSG Allocations for FY2022/2023 to FY2024/2025

ADOPTED.

18. REQUEST FOR THE ADJUSTMENT OF 2021/2022 APPROVED CAPITAL BUDGET TO RELEASE PAYMENT TO SERVICE PROVIDERS

(Page 182)

With the DA abstaining, by majority,

COMMITTEE RECOMMENDS:

- 18.1 That additional authority be granted to the Parks, Recreation and Culture to proceed with the implementation and completion of the Projects needing additional funding in 2021/2022 financial year at a cost of R11 153 222.00 (Eleven Million One Hundred and Fifty Three Thousand Two Hundred and Twenty Two Rand) as detailed in the report of the Acting Head: Parks, Recreation and Culture dated 2022-02-07:

Projects Requiring Funds				Funded From		
Description	Scope of works	Ward	Amount R	Description	Ward	Amount R
Cornubia Phase 1A Social Facility (N2143B)	Construction of social facility	51	9,076,222	Department of Education		9,076,222
Ntuzuma G Sportsfield (N2311AB)	Upgrade of sportfield	42	400,000	Inchanga Hub (N1760)	4	400,000
Worst Assets (N2308)	Rehabilitation of various Halls	0010	1,300,000	Umlazi J Library (N2481)	78	1,300,000
Upgrade of Staff Facilities (N1642)	Upgrade of Staff Facilities	0010	377,000	Newlands Hub (N1761CD)	37	87,000
				Marianridge Hub (N1762CD)	15	190,000
				Inchanga Hub (N1760)	4	100,000
Total			11,153,222			11,153,222

- 18.2 That subject to the adoption of .1 above, the budget transfers of R11 153 222.00 (Eleven Million One Hundred and Fifty Three Thousand Two Hundred and Twenty Two Rand) be reported on the Deputy City Manager: Finance in his 2021/2022 Adjustment Budget.

- 18.3 That where Parks, Recreation and Culture unable to identify savings within the Unit to proceed with engaging with other Units for possible savings that amount to R7 500 000.00 (Seven Million Five Hundred Thousand Rand) as detailed in the report of the Acting Head: Parks, Recreation and Culture dated 2022-02-07:

Description	Scope of works	Ward	Amount R
Arena Park (N2289A)	Upgrade of tennis courts, development new combi-courts	73	4,000,000
Worst Assets (N2308)		0010	3,500,000
Total			7,500,000

FC No.: 59/712 (saving identified).

As some members were not in support of the recommendations; the matter was put to the vote. With 206 Councillors present, 107 Councillors (ANC - 92, ABC - 02, AIC - 02, ADEC - 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01; MOSA - 01; NFP - 01; PFP - 01; PRM - 01; TA - 01;)

voted in favour and 99 Councillors (DA – 52; EFF – 24; IFP -15; ASA – 03; ACDP -2; DLC – 01; UIM – 01 and VF Plus -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

19. REQUEST FOR AUTHORITY TO IMPLEMENT 2022 BUDGET AND IDP
ROADSHOWS (2/1/6/1)

(Page 224)

During discussion, there was a unanimous view that virtual meetings be also incorporated for broader consultation purposes. Also, taking into account that Regional physical meetings will be far from other Wards. That additional venues and/or online platforms take into consideration time constraints since public consultation needs to be completed in the month of April 2022.

Explanation was also provided regarding budget virement to be effected to cover budget shortfall in relation to budget hearings.

Accordingly,

COMMITTEE RECOMMENDS:

- 19.1 That in line with Section 16 of the Local Government: Municipal Systems Act the public consultation process for budget and Integrated Development Plan for the 2022/2023 financial year be conducted to afford the local communities the opportunity to contribute input and comments into these processes, it being noted that for the 2022 IDP and Budget consultations, community members, Ward Committee Members, NGO's, CBO's, various other community stakeholders platforms and business sector which will be used into processes which is categorised as follows:

No.	Region/ Sector	Venue	Proposed Date	Wards
1	North Region	Ohlange High School Sport Grounds	01 April 2022	3, 38, 42, 43, 44, 54, 55, 56, 107, 108, 11, 37, 39, 40, 41, 45, 46, 47 104
2	West Central Region	Sugar Ray Xulu Stadium	02 April 2022	18, 19, 20, 21, 22, 23, 24, 25, 92, 26, 27, 28, 29, 30, 31, 32, 33, 101
3	South Central Region	King Zwelithini Stadium	05 April 2022	78, 79, 80, 81, 82, 83, 86, 87, 88, 63, 65, 66, 69, 72, 73, 74, 75, 76, 77, 64, 68, 71, 84, 85
4	South Region	Umnini Sport Ground	07 April 2022	97, 98, 99, 100, 105, 109, 67, 89, 90, 93, 94, 95, 96, 111
5	Business Sector	Durban ICC	08 April 2022	N/A
6	West Region	Mpumalanga Stadium	13 April 2022	1, 2, 4, 5, 6, 7, 8, 9, 91, 10, 13, 13, 14, 15, 16, 17, 70, 103
7	Disability Sector	Durban Exhibition	14 April 2022	N/A
8	Amakhosi	Pinetown Civic Centre	20 April 2022	N/A
9	North Region	Tonga/Verulam	21 April 2022	34, 35, 36, 48, 49, 50, 51, 52, 57, 53, 58, 29, 61, 61, 62, 102, 106, 110

- 19.2 That authority be granted for the Head: Mayoral Parlour to incur expenditure in the total estimated cost of R3 017 600.00 (Three Million and Seventeen Thousand Six Hundred Rand), as detailed below.

Financial Implications:

Item	Vote Number	Estimated Expenditure	Required Savings
Catering for 2000 people @6 x venues @R55 per person = R660 000.00 Catering for 3 Sectors (350 people @R150 per person = R52 500.00	32601.11400.12120.0000.37200.0010	R712 500.00	R177 900.00
Hire charges for 6 venues (Hire of 3000 seater Marquee, Registration Marquee, Sound, Stage, Couches, chairs, tables, toilets, speed fencing, projector screens)	32601.18950.10.12120.0000.37200.0010	R1 360 000.00	R360 000.00
Hire of ICC and DEC	32601.22710.30.12120.0000.37200.0010	R130 000.00	R130 000.00
Hire of Buses (8 x 6 Regions)	32601.21805.12120.0000.37200.0010	R217 350.00	R217 350.00
Ambulance Services	32601.10730.12120.0000.37200.0010	R39 701.00	R39 701.00
Advertising and Radio Promotions (Total communications plan)	32601.16315.12120.0000.37200.0010	R558 109.00	R217 359.00
Total		R3 017 600.00	R1 142 310.00

The Budget and IDP consultative roadshows MSCOA project has a total available budget of R2 760 600.00 hence from the savings required, R885 250.00 will be provided for by moving monies within the project via virement budget and R257 060.00 will be sourced from savings realized during the implementation of the Mayoral Lekgotla because Unit had only one (1) Lekgotla for this financial year

VIREMENT BUDGET					
FUNDS REQUESTED			FUNDED FROM		
Item	Vote Number	Amount	Item	Vote Number	Amount
Catering	32601.11400.12120.0000.37200.0010	R177 900.00	Artist	32601.11330.12120.0000.37200.0010	R177 900.00
Hire of Venue	32601.22710.30.12120.0000.37200.0010	R130 000.00	Artist	32601.11330.12120.0000.37200.0010	R102 100.00
			Sound	32601.11760.12120.0000.37200.0010	R27900.00
Hire Charges	32601.18950.10.12120.0000.37200.0010	R360 000.00	Sound	32601.11760.12120.0000.37200.0010	R360 000.00
Hire of Buses	32601.21805.12120.0000.37200.0010	R217 350.00	Sound	32601.11760.12120.0000.37200.0010	R217 350.00
Total		R885 250.00	Total		R885 250.00

ADJUSTMENT BUDGET					
FUNDS REQUESTED			FUNDED FROM		
Advertising	32601.16315.12120.0000.37200.0010	R217 359.00	Hire of Venue	32601.22710.30.12120.0000.83620-1.0010	R110 300.00

			Gifts & pro	32601.16325.12120.83620-1.0010	R55 000.00
			Catering	32601.11400.12120.83620-1.0010	R52 059.00
Ambulance	32601.10730.12120.0000.37200.0010	R39 701.00	Catering	32601.11400.12120.0000.83620-1.0010	R39 701.00
Total		R257 060.00	Total		R257 060.00

FC No.: 2022/08/22

ADOPTED.

20. FIRST DRAFT INTEGRATED DEVELOPMENT PLAN FOR FINANCIAL YEAR 2022/2023 (2/1/6/1)

(Page 250 and Circulated Separately)

COMMITTEE RECOMMENDS:

That Council notes the first draft of the Integrated Development Plan 2022/2023, details of which are contained in the report by the Acting City Manager dated 2022-03-10, compiled in line with the requirements of the Local Government: Municipal Systems Act, No.32 of 2000, and copies to be submitted to the KwaZulu-Natal MEC for Cooperative Governance and Traditional Affairs for preliminary assessment and released for public comment for a period of thirty (30) days, and based on comments received from internal and external stakeholders the relevant sections within the draft be amended and tabled for the final adoption in May 2022.

Some members reiterated the sentiments of the Executive Committee that virtual meetings be also incorporated for broader consultation purposes, taking into cognisance that Regional physical meetings will be far from other Wards.

Thereafter; the above recommendations were unanimously; ADOPTED.

21. PROGRESS REPORT ON THE IMPLEMENTATION OF MANAGEMENT ACTION PLANS FOR THE PERIOD ENDING 30 SEPTEMBER 2021 (2/10/1/1/3)

(Page 256)

COMMITTEE RECOMMENDS:

That Council notes a comprehensive report with progress made in resolving the issues raised by the Audit Committee for the period ending September 2021, as contained in the report of the Acting City Manager dated 2022-02-21.

Name of the Cluster	A New issues Quarter 1 (July to Sept)	B Closing Balance January	A+B=C Total
Office of the City Manager	14	35	49

Corporate and Human Capital	6	16	22
Community and Emergency	0	9	9
Trading Services	3	23	26
Economic Development and Planning	1	5	6
Finance	3	36	39
Governance and International Relations	0	1	1
Human Settlements, Engineering and EThekweni Transport Authority	1	5	6
Strategic Office	1	4	5
International Convention Centre (ICC)	4	10	14
Durban Marine Theme Park	5	16	21
TOTAL	38	160	198

EXCO Issues as at February 2022	
Total Number of Issues	198
Resolved	33
In progress	165

NOTED.

22. ETHEKWINI MUNICIPALITY DEVELOPMENT CHARGES POLICY 2022-23

(Page 380)

COMMITTEE RECOMMENDS:

That the proposed draft Development Charges Policy (Reference: eThekweni Municipality Draft Development Charges Policy 2022/2023), for the 2022/2023 financial year, as outlined in the report of the Head: Revenue Management dated 2022-03-28, be approved in-principle, in order for the Policy to be made public for comment in compliance with Section 21 of the Municipal Systems Act, 2000 (Act 32 of 2000).

ADOPTED.

23. REVIEW OF ETHEKWINI MUNICIPALITY ELECTRICITY TARIFFS 2022-23

(Page 404)

With the DA; EFF; and the IFP abstaining, by majority,

COMMITTEE RECOMMENDS:

- 23.1 That Council resolves in terms of Section 75A of the Local Government Municipal Systems Act of 2000 (Act 32 of 2000) that with effect from 2022-07-01 the tariffs set out in Annexure "A" and Annexure "B" of the Report EPM/SL/0329/001 compiled by the Head: Electricity Unit dated 2022-03-29, be implemented, subject to NERSA approval.

- 23.2 That subject to the approval of .1 and .2 above the Acting City Manager be mandated to comply with the provisions of Section 75A (3) and (4) of the said Act to display notices of such an increase.

As some members were not in support of the recommendations; the matter was put to the vote. With 206 Councillors present, 107 Councillors (ANC - 92, ABC - 02, AIC - 02, ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01; TA – 01;) voted in favour and 99 Councillors (DA – 52; EFF – 24; IFP -15; ASA – 03; ACDP -2; DLC – 01; UIM – 01 and VF Plus -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

24. PROGRESS REPORT ON NTSHONGWENI MIXED-USE DEVELOPMENT

(Page 437)

The Committee appreciated the Ntshongweni development and associated economic benefits. The Committee was informed of interventions in place to deal with interference by the Business Forum thus delaying projects completion. Confirmation was then given that the Ntshongweni precinct will be developed as part of this catalytic project and that relevant structures are collaborating initiatives for infrastructure upgrade in the area.

Accordingly,

COMMITTEE RECOMMENDS:

- 24.1 That Council notes the progress report in the development of the Ntshongweni Urban Node.
- 24.2 That Council approves the proposed cost contribution based on the current estimated total budget requirements for the Phase 1A of R733 Million; that:
- 24.2.1 Council contributes a total budget allocation of approximately R600 Million (i.e. 81%) towards the required Municipal infrastructure as per Table 3 in the report of the Head: Catalytic Projects dated 2022-03-22.
- 24.2.2 The Developer contributes an amount of R139 Million (i.e. 19%) towards the required municipal infrastructure as per Table 3 in the report of the Head: Catalytic Projects dated 2022-03-22.
- 24.3 That subject to the approval of .1 and .2 above the Head: Catalytic Projects be mandated to submit a follow up report to Council by July 2022 regarding the finalization of infrastructure contribution in respect of the rest of Urban Core (i.e. Table 4 in the report of the Head: Catalytic Projects dated 2022-03-22) and remaining phases of the development (i.e. Table 5 in the report of the Head: Catalytic Projects dated 2022-03-22) after further negotiations have been concluded with the Developer, however taking into account the prevailing Developer Contribution Policy.

- 24.4 That Council approves the proposal made jointly by Catalytic Projects Unit and EThekweni Transport Authority Unit for delay implementation of Kassier Road Upgrades from Alverstone Road to R103, on the conditions stipulated by EThekweni Transport Authority Unit.
- 24.5 That authority be granted for the Accounting Officer to conclude an agreement with the Developer that reflects the contributions outlined under recommendations 2 above.
- 24.6 That authority be granted for the Accounting Officer and the Chief Finance Officer to include the budget requirements as per recommendations 2 above in the 2022/2025 MTREF budget cycle.

ADOPTED.

25. REVIEW OF ETHEKWINI MUNICIPALITY SUPPLY CHAIN MANAGEMENT POLICY

(Page 507)

The Committee noted that the Supply Chain Management Policy review is informed by the Constitutional Court judgement on the Preferential Procurement Policy as well as the normal annual review as per the statutory requirement.

The Constitutional Court judgement relates to:

- (i) Declaring the use of preferential pre-qualification criteria invalid and unlawful
- (ii) To pave a strategic way for the inclusion and promoting the use of social enterprises for the advancement of local economic development through the acquisition strategy as enshrined in the targeted procurement objectives

Engagements have been held with the relevant structures to interpret the Constitutional Court ruling prior to making submission to Council. During discussion, the court ruling was noted with disappointment as this will now interfere with the objective of promoting business for women in particular and people with disability. A recommendation was then made that a workshop be conducted to fully understand the implications. It was also noted that the amendments were effective with immediate effect.

At the Executive Committee level, the DA (03) members voted against the matter, IFP (01); EFF (01) members abstained and with ANC (04) and ABC (01) being in support;

COMMITTEE RECOMMENDS:

- 25.1 That the revised Supply Chain Management Policy 2022 be formally adopted for immediate implementation, it being recorded that the amendments relate to the following:
- (i) Definitions (Section 1, Page 10)
 - (ii) Supply Chain Management Unit (Section 7, Page 25)
 - (iii) Petty Cash Purchases (Section 15, Page 30)
 - (iv) Bid Adjudication Committee (Section 29, Page 48)

- (v) Deviation from, and ratification of minor breaches of procurement processes (Section 36, Page 56)
- (vi) Targeted Procurement (Section 52, Page 78)
- (vii) Logistics Management (Section 39, Page 63)
- (viii) Amendments to Contract (Section 55, Page 96)
- (ix) Blacklisting (Section 56, Page 99)
- (x) Special Deviation (Section 58, Page 106)

- 25.2 That Council notes the removal of the preferential ore-qualification criteria as per the Constitutional Court judgement and that the revised SCM Policy 2022 now incorporates a correct approach to evaluate tenders by first ascertaining the highest points scorer, thereafter, if there are objective criteria that justify the award of the tender to a tenderer with a lower score, the organs of state may do so, it being recorded that Section 27(2)(f) and Section 56(4)(b) of the SCM Policy have been amended according to the Constitutional Court Judgement.
- 25.3 That a workshop be conducted for relevant parties within the Municipality to fully understand the implications as a result of the Constitutional Court judgement on Preferential Procurement Framework.

As some members were not in support of the recommendations; the matter was put to the vote. With 207 Councillors present, 128 Councillors (ANC - 94, IFP -15; ASA – 03; ABC - 02, AIC - 02, DLC – 01; ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01 and TA – 01;) voted in favour and 79 Councillors (DA – 52; EFF – 24; ACDP -01; UIM – 01 and VF Plus -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

26. DRAFT BUDGET 2022/2023 – 2024/2025 MEDIUM TERM REVENUE AND EXPENDITURE (MTREF)

(Item on agenda circulated separately)

The Committee noted that the Draft 2022/2023 Budget document is tabled for adoption in principle, in terms of Section 16(2) of the Municipal Finance Management Act 56 of 2003. That a number of areas have been taken into consideration during the compilation of the document; which include amongst other things; a decreased in debtor's collection rates together with depletion of internal resources; that budget is based on average collection rate of 92% due to collection rates being at this level; a minimal growth rate in rates base; reduction in income from electricity, water and solid waste due to a decrease in sales volumes.

During consideration, there was a general view that the budget has to be inclusive in terms of participation process, to be pro-poor and to address service delivery challenges including prioritization of the infrastructure. That Municipal resources be utilised effectively and adequately. A proposal being made that the tariffs applicable in the prior financial year regarding water, electricity, sanitation, refuse and rates be outlined in the budget document for ease of comparisons

In noting that the draft budget was still to be subjected to a public participation process; Members of DA (03); IFP (01) and EFF (01) abstained on the matter; by majority

COMMITTEE RECOMMENDS:

- 26.1 That the draft budget for for 2022/2023 – 2024/2025 Medium Term Revenue and Expenditure of the Municipality and its entities tabled in terms of Section 16(2) of the Municipal Finance Management Act (MFMA), be approved in-principle by the Council and will be subject to further considerations arising out of the inputs/comments from the public participation process, it being recorded that the specific resolutions in this regard are attached herein.
- 26.2 That note be taken of the contents of the budget documentation circulated in accordance with the Municipal Finance Management Act, No.56 of 2003.
- 26.3 Estimates of Income and Expenditure:
- 26.3.1 That in terms of Section 24 of the Municipal Finance Management Act, 56 of 2003, the annual budget of the municipality for the financial year 2022/23; and indicative allocations for the two projected outer years 2023/24 and 2024/25; and the multi-year and single year capital appropriations are approved as set-out in the following tables of the budget document:
- Budgeted Financial Performance (Revenue & Expenditure by Standard Classification) **(Table A2; Page 83)**
 - Budgeted Financial Performance (Revenue and Expenditure by Municipal Vote) **(Table A3; Page 84)**
 - Budgeted Financial Performance (Revenue by Source and Expenditure by Type) **(Table A4; Page 85)**
 - Multi-year and single year capital appropriations by municipal vote and standard classification and associated funding by source **(Table A5; Page 86)**
- 26.3.2 That the financial position, cash flow, cash-backed reserve/accumulated surplus, asset management and basic service delivery targets are adopted as set out in the following tables:
- Budgeted Financial Position **(Table A6 ; Page 87)**
 - Budgeted Cash Flows **(Table A7 ; Page 89)**
 - Asset Management **(Table A9 ; Pages 91 – 93)**
 - Basic Service Delivery Measurement **(Table A10 ; Page 94)**
- 26.4 Municipal Entities:
- That the Municipal Entities budget as reflected on pages 279 to 303 be approved
- 26.5 Recapitulation: Valuation of Rateable Property:
- That it be recorded that the recapitulation certificate summarising the valuations of rateable property, as certified by the City Valuer.
- The following resolutions, pertaining to property rates (items 26.6 to 26.11) and in conformity with the provisions of Section 14 of the Local Government: Municipal Property Rates Act 6 of 2004 and Sections 17 (3) (a) (ii) and 24 (2) (c) (i) of the Local Government: Municipal Finance Management Act 56 of 2003, be adopted.

26.6 Determination of Rates:

26.6.1 In terms of Section 8 of the Local Government: Municipal Property Rates Act, 2004 read together with the eThekweni Municipal Rates Policy, as amended, and to be adopted with the current budget, the Municipality may levy different Rates for different categories of Property.

26.6.2 The proposed rate randage for the financial year 2022/2023, be revised as set out below and levied in respect of the following categories at:

CATEGORY OF PROPERTY	2022/23 Cents in the Rand	2023/24 Cents in the Rand	2024/25 Cents in the Rand
Agricultural	0.2959	0.3021	0.3057
Business & Commercial	2.9820	3.0445	3.0806
Outside Urban Development Line	1.9459	1.9867	2.0102
Industrial	3.8484	3.9291	3.9756
Public Service Infrastructure (PSI)	0.2959	0.3021	0.3057
Residential	1.1837	1.2085	1.2228
Unauthorised/ Abandoned/ Illegal Usage	23.6728	24.1693	24.4555
Vacant Land	11.7932	12.0406	12.1831
Sectional Title Registered Real Rights of extension	11.7932	12.0406	12.1831
Mining property	3.8484	3.9291	3.9756
Public Service Purpose (PSP)	2.9820	3.0445	3.0806

Multiple-Use Property will be dealt with in accordance with the Rates Policy.

26.7 Exemptions, Rebates and Reductions:

That the following reductions on the market value of the property and rebates on the rates payable, be and are hereby granted in accordance with the Municipal Rates Policy.

26.7.1 Residential Property:

That in addition to the statutory reduction of R15 000, a further reduction of R105 000 be and is hereby approved for property values exceeding R230 000.

26.7.1.1 Indigent Households:

- (i) That all residential properties with a market value of R230 000 and less, as assigned in the valuation roll or supplementary valuation roll, be recognized as indigent households for the purposes of relief contemplated in the Indigent Policy and qualify for a 100% exemption from rates.

- (ii) That residential households with a property market value of R230 001 up to and including R500 00 of which the aggregate monthly household income is R3 970.00 or less, be eligible to apply for registration as an indigent household under the Indigent Policy. Provided that where an indigent owner owns multiple properties, any relief shall be restricted to the primary property of that owner for purposes of relief in terms of the Indigent Policy read with the Municipal Rates Policy.

26.7.2 Public Benefit Organisations:

26.7.2.1 That on application and approval, only Public Benefit Organisations listed in Clause 7.5 of the Municipal Rates Policy 2022/2023 shall receive an exemption from rates.

26.7.2.2 That it be recorded that Public Benefit Organisations that do not qualify for exemption from rates in terms of (26.7.2.1) above, shall be rated in accordance with the Municipal Property Rates Regulations on the Rate Ratio between Residential and Non-Residential Categories of Property published in Notice R195 dated 12 March 2010, namely at no more than 25% of the residential property rate-in-the-rand. Expressed as a ratio in relation to residential property, this is 1:0,25.

26.7.3 Senior Citizens, Disability Grantees / Medically Boarded Persons and Child Headed Households:

26.7.3.1 That where a property is not exempt from rates in terms of (26.7.1.1) above, a rebate not exceeding R5 290 or such lesser amount as may otherwise be payable, be and is hereby approved (in addition to the reduction stipulated in (26.7.1) above for qualifying Senior Citizens, disability grantees / medically boarded persons and child headed households as defined in the rates policy.

26.7.3.2 That it be and is hereby resolved to place a maximum limit of R2 Million on the value of the property, in order to qualify for the Senior Citizens rebate in (26.7.3.1) above.

26.7.3.3 That it be and is hereby resolved that a rebate under Clause 7.2.2.4 of the rates policy may be granted to qualifying Senior Citizens who are trustees in a trust, notwithstanding that an independent professional person also holds office as a trustee and does not meet the qualifying criteria.

26.7.3.4 That it be and is hereby resolved that, for the purposes of Clause 7.4.2.3 (Child Headed Households) of the Municipal Rates Policy and the rebate contemplated in (26.7.3.1) above, no threshold limit be imposed on the value of the property.

26.7.4 Life Rights Schemes and Retirement Complexes:

That on application and approval, a 25% rebate be granted to qualifying Life Rights Schemes and Retirement Complexes registered in terms of the Housing Development Scheme for Retired Persons Act 65 of 1988.

26.7.5 Schools Not for Gain:

That a rebate of 50% be and is hereby granted to qualifying schools not for gain.

26.7.6 Bed & Breakfasts Undertakings:

That on application and approval a rebate of 35% be granted to all bed & breakfast establishments that satisfy the requirements of the Municipal Rates Policy, as amended.

26.7.7 Back-Packer Lodges, Holiday Accommodation and Student Accommodation:

26.7.7.1 That on application and approval, the following rebates shall apply to Back-packer establishments that satisfy the requirements of the Municipal Rates Policy, as amended:

- a) Where up to 40 beds are available to guests, a rebate not exceeding 50% will apply.
- b) Where up to 80 beds are available to guests, a rebate not exceeding 25% will apply.

26.7.7.2 That on application and approval, property let out for the purposes of Holiday Accommodation, be granted a rebate of 64%

26.7.7.3 That on application and approval, property let out for the purposes of Student Accommodation, be granted a rebate of 25%.

26.7.7.4 That the rebate for Student Accommodation be restricted to those properties that are located within areas identified in the Municipality's Land Use Scheme as being suitable for student accommodation. Where properties are owned by an Organ of State, the Organ of State must be registered as an institution of Higher Learning.

26.7.8 Natural and Other Disasters:

26.7.8.1 That properties that have been damaged by a natural disaster, as defined in terms of the Disaster Management Act, 2002 may be revalued provided an application is made within sixty (60) days from the date of such natural disaster.

26.7.8.2 That on application and approval, a temporary rebate of 75% be granted in respect of property damaged by causes other than those defined by the Disaster Management Act, 2002, as contemplated in Clause 7.11.2 of the Municipal Rates Policy; for a period of six months or a portion thereof.

26.7.8.3 That on application and approval, a further temporary rebate of 75% be granted thereafter in respect of property referred to in Clause 7.11.2 of the Municipal Rates Policy for a period not exceeding six months provided an application is made within forty-five (45) days prior to the expiry of the six-month period.

26.7.8.4 That the rebate is granted on the category of property prior to damage.

26.7.8.5 That the Municipal Council may determine if a rebate is to be granted in relation to a disaster as envisaged in 7.11.7 of the Municipal Rates Policy. In this regard a special rebate be allowed.

26.7.9 Vacant Land:

That the reduction of R30 000 on the market value of Vacant Land located in the 'outside the Urban Development Line', as defined in the amended Rates Policy, be granted.

26.7.10 Properties in the Ownership of the Municipality or Municipal Entities or Held in Trust by the Municipality:

26.7.10.1 That all municipal owned properties are exempted from property rates, except for Trading Services and municipal owned properties where the Municipality has entered into an agreement with any person, indicating otherwise.

26.7.10.2 That a rebate of 63% be and is hereby granted to the International Convention Centre in respect of property rates payable to the Municipality.

26.7.10.3 Properties held in trust in perpetuity by the Municipality in terms of a testamentary trust and where municipal officials hold letters of authority in terms of the Trust Property Control Act, 1988 (Act No.57 of 1988) are exempted from rates unless an agreement between the Municipality and any person specifies the contrary.

26.7.11 Nature Reserves and Conservation Areas:

26.7.11.1 That on application and approval:

- (i) Nature reserves and conservation areas shall be exempted from rates.
- (ii) The Municipal Council may grant a rebate or reduction up to 25% in respect of an environmentally sensitive land as identified in the Municipal Land Use Scheme.

26.7.12 Economic Development:

26.7.12.1 Economic Development Incentives applicable to valid and subsisting Rates Rebate Agreements concluded in the 2015-2016 to 2019-2020 financial years in accordance with Clauses 14.1-14.6 of the Rates Policy, as amended from time to time-

(i) Greenfield Developments in Priority Areas:

That all non-residential developments which are located in Priority Areas, shall continue to receive a rebate limited to the difference between the Vacant Land rate randage and that of the intended use of the developed land-until such time as the respective Agreements expire by effluxion of time or are terminated.

(ii) Brownfield Developments in Priority Areas:

That all non-residential developments which are located in Priority Areas shall continue to receive a rebate based on the value of the development as per the table below until such time as the respective Agreements expire by effluxion of time or are terminated:

VALUE OF DEVELOPMENT R (MILLIONS)	PERCENTAGE REBATE ON RATES
0 - 50	15%
51 – 150	25%
151 – 300	50%
301 and above	65%

26.7.12.2 Economic Development Investment Incentives Applicable 2022-2023:

That subject to compliance with criteria contained in the Economic Development Incentive Policy read together, where applicable, with the Rates Policy, a rebate may be allowed for the following identified investment categories (i.e Investment Value, Jobs Created, Targeted Sector, Spatial Priority). The rebate will be per property for greenfield and brownfield developments in commercial, industrial or multiple use developments.

The maximum rebate available will be the aggregate of the percentage rebates assigned to the qualifying criteria as set out in the table below:

CATEGORY	CRITERIA	INVESTMENT VALUE	MAXIMUM %AGE REBATE
Investment Value	New investment in any Industrial or Commercial or Mix Use Property Development.	R<1million – R299 million; or	10%
		>R300 million	20%
Jobs Created	FTE Jobs Created calculated post construction in new investment in any Sector for a fixed 3-year period.	All-inclusive values	
	• 50-250 jobs		10%
	• 251-500 jobs and above.		20%
Targeted Sectors	Investment in Targeted Sectors as defined in the Draft eThekweni Inclusive Growth Strategy 2021-2022 to 2026-2027.	All-inclusive values	40%

CATEGORY	CRITERIA	INVESTMENT VALUE	MAXIMUM %AGE REBATE
Spatial Priority: Secondary Economic Nodes, Former Township Areas; Transit Oriented Development Nodes, Prime Investment Corridor, Urban Zones, Bespoke Inner City & Surrounding Areas and Densification Zones.	Investment in Spatial Priority Area. As defined in the City's Spatial Development Plan & the eThekweni Inclusive Growth Strategy 2021-2022 to 2026-2027	All-inclusive values.	20%

- (i) The incentive policy will not be implemented retrospectively but rebates as stated herein will be implemented for a fixed 3-year period from date of approval or as approved from the date post construction. It is suggested that applicants submit an application early in the development cycle, allowing the Municipality to budget accordingly in anticipation of approval.
- (ii) The incentive is not available to residential property which has not been identified within the Densification Strategy and the Inner-City LAP of the City.

26.7.13 Special Rating Areas:

26.7.13.1 That the existing Special Rating Areas as indicated in Annexure A be hereby noted.

26.7.13.2 That in respect of the Special Rating Areas, additional rates, as indicated in Annexure A hereto, be approved and levied (subject to any exclusions or exemptions determined in the Municipal Rates Policy) in respect of each category of rateable property within the boundaries of the Special Rating Area.

26.7.13.3 That it be noted that in accordance with Clause 9.2.1.3 of the Municipality's Rates Policy, the Additional Rate contemplated in terms of Section 22 of the Act may not exceed 25% of the municipal rates payable by the registered owner of a rateable property

26.7.14 Consulates:

That property owned by Consulates be valued and rates be raised and recovered from the Department of International Relations and Co-operation in terms of the Diplomatic Immunities and Privileges Act 2001 (Act 37 of 2001).

26.7.15 Green Certified Buildings:

The Green Building Incentives Policy was out for public participation in Sept 2021.

On application and approval by Municipal Council, all non-residential developments which fall within the City, as contemplated in the Green Building Incentive Policy of Council read together with the Municipal Rates Policy shall receive a rebate as set out below, for the 2022/2023 financial year:

(a) **GREEN STAR**

Certification	Description	Incentive/Provision	Responsibility
6 Star	Mandatory: 6 Star rating, i.e., over 75 points, with a minimum of 14 points for ENE 1. Optional additional: 1. 6 points or more for the Socio-Economic Category, and/or 2. 3 points or more for the Innovation Category.	Rebate calculated on property rates tax payable: Mandatory: 35% reduction. Optional additional: 1. Additional 3%; and/or 2. Additional 2%.	Revenue Management Unit and Development Planning, Management and Environment Unit.
5 Star	Mandatory: 5 Star rating, i.e., between 60 and 74 points, with a minimum of 8 points for ENE 1. Optional additional: 1. 12 points or more for the Socio-Economic Category, and/or 2. 5 points or more for the Innovation Category.	Rebate calculated on property rates tax payable: Mandatory: 20% reduction. Optional additional: 1. Additional 6%; and/or 2. Additional 4%.	Revenue Management Unit and Development Planning, Management and Environment Unit.
4 Star	Mandatory: 4 Star rating, i.e., between 45 and 59 points, with a minimum of 4 points for ENE 1. Optional additional: 1. 12 points or more for the Socio-Economic Category.	Rebate calculated on property rates tax payable: Mandatory: 9% reduction. Optional additional: 1. Additional 6%	Revenue Management Unit and Development Planning, Management and Environment Unit.

(b) **EDGE:**

Certification	Description	Incentive/Provision	Responsibility
Edge	Mandatory: Residential buildings to achieve minimum 20% less energy use (than National Building Regulations), 20% less water use, and 20% less embodied energy in materials, as per the EDGE tool.	Rebate calculated on property rates tax payable: Mandatory: 35% reduction.	Revenue Management Unit and Development Planning, Management and Environment Unit.

26.8

Phasing in of Rates:

A rate levied on property belonging to a Land Reform Beneficiary or his or her heirs must, after ten years from the date on which such beneficiary's title was registered in the office of the Registrar of Deeds, be phased in over a period of three financial years.

26.8.1 Flat Sustainable Service Charge for Properties Valued Below R230 000:

That residential households with a property market value of up to R230 000 should be charged a Sustainable Service Charge as determined by Municipal Council on monthly basis.

26.9 Threshold Values Determined in Terms of the Credit Control and Debt Collection Policy:

26.9.1 That the threshold value determined in terms of Clause 6.5 with regards to the payments made by debit card or credit card be set at a maximum of R4500.00 per payment once a month.

26.9.2 That the percentage payable to employers where they deduct rates and or other municipal charges as per Clause 11.3 be set at 2.5% on the total amount deducted monthly.

26.9.3 That the property threshold for debt relief as per Clause 15.2(c) be set at R250 000.00 of the market value of the property as recorded in the Municipal Valuation Roll.

26.9.4 That the property value for the adjustment of water losses as per Clause 16.4 be set at R500 000.00.

26.9.5 That the property threshold for the prepayment recovery as per Clause 20.2 be set at R750 000.00.

26.9.6 That the property threshold value for which the Municipality will not attach the primary property for judgement debt as per Clause 22.3 be set at R230 000.00

26.10 Date of Operation of Determination of Rates:

That this determination comes into operation on 1 July 2022.

26.11 Final Date for Payment of Rates:

26.11.1 Where rates are payable in monthly instalments, such payments shall be in twelve (12) equal or near equal instalments payable 21 days from the date of account.

26.11.2 Where rates are payable annually the final date for payment shall be 31 October 2022, provided that where this date falls on a Sunday or public holiday payment shall occur on the last working day prior to such Sunday or public holiday.

26.12 Administration Charge on Arrear Debts:

That the administration charge on arrear debts as referred to in Clause 9.8 of the Credit Control and Debt Collection Policy is determined at 10%. Collection of arrear debts is in accordance with the Credit Control and Debt Collection Policy.

26.13 Interest on Arrears:

That the interest rate to be applied to arrear accounts with effect 1 July 2022, shall be the interest rate as prescribed by Regulation 9 of the Municipal Property Rates Regulations, 2006.

26.14 Other Tariffs and Charges:

That other tariffs and charges as circulated with the budget document in terms of Section 24(2)(c)(i) be approved for the financial year commencing 1 July 2022.

26.15 Domestic Water Debt Relief Programme:

That it be and is hereby resolved to place a maximum limit of R250 000 on the rateable value of the property in order to qualify for the Water Debt Relief Programme.

26.16 Budget Related Policies:

26.16.1 Rates Policy:

That the amended Rates Policy, be approved by municipal council with the budget.

26.16.2 Credit Control and Debt Collection Policy:

That the amended Credit Control and Debt Collection Policy, be approved with the budget.

26.16.3 Tariff Policy:

That the amended Tariff Policy, be approved with the budget.

26.16.4 Funding and Reserves Policy:

That the Funding and Reserves Policy adopted by Municipal Council on 3 May 2010 has been reviewed and remains unchanged.

26.16.5 Budget Policy:

That the Budget Policy adopted by Municipal Council on 23 February 2011 has been reviewed and remains unchanged.

26.16.6 Investment Framework Policy and Borrowing Policy:

That the reviewed Investment Framework policy and Guidelines as adopted by Municipal Council on 2017-06-28 remains unchanged.

26.16.7 Supply Chain Management Policy

That the Supply Chain Management Policy has been reviewed and the amended policy is submitted to Municipal Council for adoption.

26.16.8 Indigent Policy:

That the amended Indigent Policy, as approved with the budget.

26.16.9 Other Budget Related Policies:

That in terms of Section 24(2)(c)(v) of the Municipal Finance Management Act, 56 of 2003, there are no proposed amendments to any other budget related policies.

26.17 Capital Expenditure Estimate:

26.17.1 That in those instances where information has been provided in terms of Section 19(2)(b) of the Municipal Finance Management Act No. 56 of 2003, together with project procurement scheduling, the approval of the capital budget constitutes project approval for the specific projects as reflected in the detailed capital budget. It being noted that project budgets will be re-prioritised if departments fail to submit their project procurement schedules.

26.17.2 Where information in terms of Section 19(2)(b) is not provided, specific project approval is to be sought from Municipal Council during the year and that approval by Municipal Council be given only if the report seeking approval is accompanied by the specific project procurement schedule. All Capital projects must have QAC and Architecture Unit Approval (where applicable) for inclusion in the budget.

26.17.3 That the borrowing to fund capital budget be R1 bn per annum over the MTREF as the internal funding is limited due to depletion of internal reserves as a result of reduced income from Trading Services and increased operating expenditure.

26.17.4 That the capital budget procurement process commences with the approval in principle of the tabled budget.

26.17.5 That authority be granted to fund Projects, listed on Annexure B, that are not fully funded as and when savings are identified during the year.

26.17.6 That authority be granted for projects from Programme and Project preparation support grant (PPPSG) with positive return on investments (ROI), be considered for approval subject to the identification of savings being identified during the years

26.17.7 That Service delivery should not be compromised, ward-based projects be accelerated per zonal plans allocation and the visibility of service delivery must be ensured.

26.18 Borrowings to Finance the Capital Budget:

That authority be sought from Municipal Council for the raising of appropriate long-term debt in terms of Section 46 of the Municipal Finance Management Act No 56 of 2003, to finance in part the municipality's capital budget over the MTREF period. In this regard authority is sought to raise an amount of R1 billion per annum over the MTREF period.

26.19 Housing/Hostels Deficit:

26.19.1 That the estimated Formal Housing Deficit of R63.9 Million for the 2022/2023 financial year be met from the Rate Fund.

26.19.2 That the estimated New Development Housing and Hostels deficit of R371.9 Million be funded from the Rate Fund.

26.19.3 That appropriate interventions be escalated by the Executive Committee including, inter alia, the phased introduction of economic rentals, the constructive engagement of the Provincial State Authorities to secure additional funding and strategies to reduce electricity and water consumption.

26.20 New Functions/ Services:

That no new functions or service be introduced without specific approval thereto by the Council after full consideration of the effect thereof on the municipality's Budget. In addition, the budgets pertaining to new functions or services can only be approved in principle and thereafter would have to be prioritised in terms of the Integrated Development Plan together with all other submissions that have been received.

26.21 Measurable Performance Objectives:

That in terms of Section 24(2)(c)(iii) of the Municipal Finance Management Act No. 56 of 2003, the measurable performance objectives for capital and operating expenditure by vote for each year of the medium-term revenue and expenditure framework as set out in Table SA7 (page 162) be approved.

26.22 Integrated Development Plan (IDP):

That the draft reviewed Municipality's Integrated Development Plan (IDP) was tabled with the budget in terms of Section 17(3)(d) of the Municipal Finance Management Act No.56 of 2003, it being recorded that the annual review process as prescribed in terms of Section 34 of the Municipal Systems Act, is continuing and that report to the Executive Committee will be submitted on completion of the consultative process. The substantive review would commence in the new Financial year 1st July 2022

26.23 Particulars of Investments:

That in terms of Section 17 (3) (f) of the Municipal Finance Management Act No. 56 of 2003, particulars of the municipality's investments are reflected in Tables SA15 – SA16 (Pages 174 - 175)

26.24 Remuneration of Councillors and Senior Officials:

That in terms of Section 17(3)(k) of the Municipal Finance Management Act No.56 of 2003 that the proposed cost to Council of the salary, allowances and benefits of each political office bearer, councillor and senior officials of the municipality and its entities, is reflected in Table SA23 (Page 183).

26.25 Unfunded Mandates:

That the eThekweni Municipality make representation to the Provincial and National Government regarding unfunded mandates presently undertaken by the Municipality with a view to securing funding for and handing over of these services in terms of the mandates as stipulated by the Constitution. Develop an interim approach on addressing unfunded mandates based on Rand for Rand.

The cost of unfunded mandates is set out hereunder:

DETAILS	PROPOSED BUDGET 2022,23 R M	BUDGET 2021,22 R M
Libraries	363,4	333,4
Health – Other than municipal health services	155,2	158,7
Museums	89,6	88,7
Housing: New Development and Hostels	371,9	286,1
Formal Housing	63,9	31,3
TOTAL	1044,0	898,2

26.26 Impact of Housing Expenditure on the Cash Reserves:

26.26.1 That municipality makes further representation regarding expenditure incurred in previous years by the municipality amounting to R4.5 Billion for the construction and provision of housing done on an agency basis on behalf of the KZN Department of Human Settlements (KZN DOHS).

26.26.2 In addition, in order to avoid the cash reserves dropping below prudent levels that could negatively impact our good credit rating, the municipality only implement KZN DOHS approved housing projects and implementation (incl. invoicing and submission of claims to KZN DOHS) of these approved projects to be in line with the approved KZN DOHS budget and cash flows. It should be noted that the City has taken a decision to align project cashflows with KZN DOHS, which has proven to be impractical owing to the misalignment of financial years. The three months overlap continuously creates a gap, in which the MTREF view may need to be incorporated, to enable mid-term financial decisions.

26.27 Expenditure Control, Austerity Measures & Tariffs in the Current State of the Economy:

26.27.1 That in view of the current economic climate further austerity measures be considered and that all departments review their expenditure and ensure that municipality is getting best value for all expenditure.

- 26.27.2 That in view of water, sanitation and electricity increases the price elasticity be closely monitored as there has been decreasing volumes of sales over the past five financial years and the sustainability of these services need to be closely monitored. Tariff structures as well as alternate sources of revenue need to be considered together with the improved effectiveness of spend.
- 26.27.3 The security tender be urgently finalized, the right sizing of services done and replacement of services with electronics be considered
- 26.27.4 That the rationalisation of EPWP be reported on quarterly basis to EXCO.
- 26.27.5 That, due to the anticipated impact of the IRPTN on the City's sustainability, the operating model for the pilot phase of the rollout of the IRPTN, and the outcomes of the implementation of the C3 route, an assessment of the impact of implementation of other routes on the City's finances will be done.
- 26.27.6 The shift system for metro police needs to be expedited, this will reduce Overtime.
- 26.27.7 That a policy be implemented to charge for services of Metro police deployment from departments for functions not included in their mandate as well as the number of officers deployed.
- 26.27.8 That Cost containment regulations be strictly adhered to iro cost containment with regard to travel, entertainment, eventing, consultants etc.
- 26.27.9 That urgent interventions be put in place to improve the collection rates in hostels and that appropriate sanctions be considered to enforce payment.
- 26.27.10 That Manager's closely monitor the use of municipality vehicles and ensure that all trips are justified and in the best interest of municipality. i.e., Effective and efficient use of Fleet across the city.
- 26.28 Free Basic Services:
- 26.28.1 That the Free Basic Services Package as set out on page 108 is approved for the budget year 2022/2023.
- 26.28.2 That in view of the sustainability of providing free basic services a flat rate for services be considered so that will be recovered based on prepaid electricity sales as a matter of urgency
- 26.29 Off Balance Sheet Financing:
- That approval in principle be granted for alternate financing options/models to be considered, incorporating but not limited to Sect 33 (Contracts having future budgetary implications) of the MFMA type arrangements, to finance major infrastructure works requiring significant capital sums over several years where risks and rewards are equitably shared between the municipality and its chosen partner/s. Each specific project will be submitted to Council for consideration.

26.30 Catalytic Projects:

In keeping with National Treasury's directive to stimulate the economy, grow the rates base and create jobs, the city is considering the implementation of several catalytic projects, subject to these projects having a favourable return on investment (ROI). That Council supports these projects in principle and that whilst initial funding has been provided for feasibility studies, further funding be sourced during the year as and when the projects are ready for implementation.

26.31 Food Aid Programme (Soup Kitchens):

That in order to sustain the programme, it be recommended that Public Private Partnerships be explored, in particular with NGO's and religious organisations.

During the 2021/22 financial year, five new soup kitchens were established as well as two shelters for the homeless. A provision of R103.6 Million has been made in 2022/23 to fund the 81 soup kitchens and the two shelters currently in operation. The main aim is to have 1 soup kitchen per ward. A total of 741 Volunteers are currently running the soup kitchens on a daily basis.

It must be noted that due to the Covid 19 pandemic there is has been an increase of beneficiaries from 500 to 680 per soup kitchen site. This drastic increase has necessitated the increase in bread supply and the provision of PPE's.

26.32 Prepaid Collections:

That the Municipal Council supports the installation of prepaid electricity and water meters for individual hostel units using the 50/50% principle inclusive of the payment of rentals, in view of the low hostel debtor's collection rate of 5%. That the feasibility of charging of a flat rate on prepaid electricity sales, recovery water and sanitation and other services be considered.

26.33 Meter Reading Strategy:

26.33.1 That the Electricity and Water Units finalise their strategy on joint smart meter.

26.33.2 That water unit urgently commence the implementation of prepaid meters

26.33.3 That the feasibility of combining the electricity and water meter reading services be investigated.

26.33.4 That quarterly reporting on progress on these issues be submitted to EXCO.

26.34 Additional Recommendations:

26.34.1 That Line departments are to do a reprioritization of consequential vacant posts to fund critical posts. That all vacant posts be evaluated to need to fill on an absolute necessary basis. That all critical vacancies are advertised internally so that we have an opportunity to shift resources around. All consequential vacancies that arise from these internal adverts should then be assessed to confirm necessity.

- 26.34.2 All organograms to be reviewed and revised based on workstream/productivity analysis to remove duplication of efforts. This will include the consolidation of like services into single units and the restructuring of respective clusters.
- 26.34.3 That whilst we have provided for a 4.2 % increase in salaries and a further 1% for notch increases, this will only be payable subject to affordability. This will be on condition that the current cash collection rates are sustained and that there is no significant impact of Covid 19
- 26.34.4 That the average Electricity Tariff increase of 8.43%, it being recorded that the proposed increase is still subject to NERSA guidelines and that any adjustment and revision must be in accordance with applicable legislation. Accordingly, the impacts of any changes to NERSA's proposed municipal tariff increase will need to be considered by the Municipal Council. Bulk purchases are 77% of the total operating costs of the Electricity service unit.
- 26.34.5 That it be noted that the Water tariff increase is at 5.9% as we are in a development state. The bulk purchase increase from Umngeni Water Board is 3%.
- 26.34.6 That it be noted that the refuse user charge tariff increase of 4.5% is after taking into account affordability and CPI considerations.
- 26.34.7 That Contract Management Improvement Plan be implemented to manage the performance of contractors including Consequence Management for Contractors. CIU and Legal to come on board to address the breaching of city contracts.
- 26.34.8 That there be close monitoring of the Ten Point Plan Overall Improvement Plan based as per the Institutional analysis report. All Units to provide outstanding and detailed information on the Ten Point Improvement Plan.
- 26.34.9 That State owned entities and Government Departments that have long outstanding debt be sent disconnection letters and allowed 7 days to make arrangements to pay. If there are no arrangements, utilities must be disconnected.
- 26.34.10 That the city improves a citywide performance management system to include all levels of staff and to focus on outcomes-based approach.
- 26.34.11 That all Projects approved to include Procurement and Empowerment Plans as a key criterion for the Project Approvals.
- 26.34.12 That the Installation of CCTV cameras on all streets, linked to the Police be considered to reduce crime & increase safety.
- 26.34.13 That there is effective bylaw enforcement to address maintaining a clean the city, no littering, grime, noise, nuisance, and without favour including the taxi industry.
- 26.34.14 That Bylaws must be enforced to owners of Buildings in the CBD to attend to the appearance of their buildings e.g., paint/renovate.
- 26.34.15 That the strategic public participation processes be rationalised across the city to ensure a singular offering

- 26.34.16 That all reports to BAC include a Section on the benchmarking of the most responsive tender and that any tender that is above the market rates be justified.
- 26.34.17 That the SCM unit also introduce benchmarking of prices on all good and services that are procured for less than R200 000 and that a motivation be provided for the acceptance of any quote that is more than the benchmark rate.
- 26.34.18 That all departments need to expedite the outstanding disciplinary proceedings as the Auditor-General has raised the issue of consequence management in the last three audits.
- 26.34.19 That a zero-tolerance approach to irregular, fruitless & wasteful, and unauthorised expenditure be enforced.
- 26.34.20 That a turnaround strategy is required for the reduction of the water loss and increase in water revenue. The strategy must include the analysis of productivity, statistics of unread meters, the programme to roll out prepaid meters and all related costs. The turnround strategy must consider options to take over Umgeni Water's infrastructure (e.g., reservoirs, water treatment plants etc) that are located within eThekweni Municipality boundary. Quarterly reports to be submitted on these matters to the Executive Committee and monthly to the Human Settlements and Engineering Committee.
- 26.34.21 That a multi-disciplinary team be established to look into implementation of austerity measures: review of productivity, review mechanism of providing services to communities, review allocated functions to clusters for possible duplications, review all unfunded mandates and report to Municipal Council on the proposal to improve operational efficiencies and responses before end of March 2023.
- 26.34.22 That the 3% CPG where practical, in terms of the SCM Policy be considered during the procurement process.
- 26.34.23 That the main Rates & service tariffs for the 2022/23 MTREF be revised per the table below:

	2022/23 Proposed tariffs	2023/24	2024/25
Electricity	8,43% Eskom 9,61% Subject to NERSA guidelines	5.6 %	4.7 %
Water: <ul style="list-style-type: none"> Domestic Business 	5,9% 9% Umgeni Water 3%	5.9 % 9.0 %	5.9 % 9.0 %
Refuse Removal <ul style="list-style-type: none"> Domestic Business 	4,5% 8 – 9%	9.9 % 7.9 %	9.9 % 7.9 %
Sanitation <ul style="list-style-type: none"> Domestic Business 	5,9% 9%	5.9 % 9%	5.9 % 9%

	2022/23 Proposed tariffs	2023/24	2024/25
Rates: Average	Based on new valuation roll	5.0 %	7.0 %

*** Based on new Valuation Roll, however rates randage had been decreased by 10% for residential*

His Worship; the Mayor presented the draft budget of eThekweni Municipality for 2022/23 financial year. He advised that the draft budget is set against the backdrop of the worsening global economic environment occasioned by unrelenting Covid-19 pandemic and the Russia-Ukraine impasse. The meeting was informed that China had implemented lockdown following a surge in Covid-19 cases in the Country's largest City of Shanghai, it being mentioned that; China was a key player in global supply chain for many products.

Continuing with the address, His Worship mentioned that the outbreak of war in February between Russia and Ukraine was expected to reduce global economic growth and contribute to higher inflation. That the war would likely impair production of a wide range of energy, food and other commodities and further disrupt global trade. The SARB's forecast for global growth in 2022 has been revised down to 3.7% (down from 4.4%), and for 2023 was lowered to 2.8% (from 3.3%), as a result of the war and the ongoing spread of the virus in Asia and elsewhere. That for the year 2024, global growth was unchanged at 2.7%.

Dramatically higher oil, commodity and food prices, additional constraints to trade and finance, and rising debt costs, will create more adverse economic conditions for most emerging and developing economies, including South Africa in generally. It being mentioned that Global financial conditions are more volatile at present and with higher than expected inflation, have pushed major central banks to start the normalization of global policy rates.

He reported that the South African Reserve Bank had increased the repurchase rate by 25 basis points to 4.25% per year, which indicate the rate at which the private banks borrow from the South African Reserve Bank with effect from the 25th of March 2022. Which then takes the prime lending rate to 7.75%, which was the rate at which private banks lend out to the public. This simply means that the cost of living was becoming more expensive.

He advised Council that, South Africa and eThekweni were not immune from these international developments. Further, that during the hard lock down, an increase in the levels of unemployment, poverty, and inequality was witnessed. In eThekweni, over hundred thousand (100 000) people lost their jobs as companies were forced to shut down. Also, that while the Municipality was responding to the devastating impact of Covid-19, the City was suddenly faced with the July civil unrest which resulted in the destruction of businesses and infrastructure estimated to R15 000 000 000-00 (Fifteen Billion Rands). The unrest further placed one hundred and twenty nine thousand (129 000) jobs at risk which resulted in many households being unable to meet their monthly financial obligations, including payment of municipal services. He added that all these factors compelled the Municipality to reprioritize the budget and to focus on infrastructure development to improve the quality of service delivery, particularly in the areas of water and electricity provision.

Speaking on the draft budget, His Worship mentioned that this was a balanced and fully funded budget, and it must be appreciated that major cuts in expenditure had to be made. Furthermore, close monitoring of operating expenditure and income will be undertaken to ensure sustainability. It being mentioned that, the City; as a caring government, it was confident that the austerity measures in place will ensure affordability of services to consumers and ratepayers. Improved productivity and value for money would be driven aggressively by management to ensure improvement of the City's financial position. He advised that, in line with the National and Provincial priorities, the Municipality will accelerate economic recovery by creating conditions for private sector investment, prioritise infrastructure development, improve the delivery of basic services and to focus job creation.

His Worship then mentioned that the results of the Quarterly Labour Force Survey for the fourth quarter of 2021 show that the number of unemployed persons increased by two hundred thousand seven hundred and eight thousand (278 000) which in real terms takes the number of unemployed South Africans to seven comma nine million (7,9 000 000) in the 4th quarter of 2021 as compared to the 3rd quarter of 2021. It being mentioned that these changes in the labour market resulted in the official unemployment rate increasing by 0,4 of a percentage point from 34,9% in the third quarter of 2021 to 35,3% in the fourth quarter of 2021. These statistics came hot on the heels of the World Bank's report on inequality in South Africa which revealed that the Country remained the most unequal society in the World. Therefore, he advised the City had to accelerate economic recovery interventions, also to ensure that the economy reflects the demographics of the people of eThekweni. He added that the Mayoral 10 Point Plan will continue to be the City's bold and radical plan to bring the majority of people, Blacks in general and Africans in particular into the mainstream economy.

In presenting the overview of the draft budget, His Worship mentioned that the total budget for the 2022/2023 year was R54.6 Billion which has been developed with an overall planning framework and include programmes and projects to achieve the City's strategic objectives. That the 2022/2023 MTREF was informed by the Municipality's long-term financial strategy with emphasis on affordability and long-term sustainability.

It was reported that the operating budget, which funds the continued provision of services provided by the Municipality, increases from R 47;0 Billion in 2021/2022 to R 49;7 Billion in 2022/2023, R 52.8 Billion in 2023/2024 and R 56;2 Billion in 2024/2025 respectively. That the R49;7 Billion was made up mainly of R18;7 Billion for Electricity, R12 Billion for Water and Sanitation, R6;5 Billion for Community and Emergency Services, R2;6 billion for Cleansing and Solid Waste, and R2;5 billion for Roads and Engineering. The capital budget of the City projects was reported to be of approximately R15;2 Billion over the next three-year period. The capital budget for the 2022/23 financial year amounts to approximately R 4;9 Billion and thereafter at R 5:1 Billion in 2023/24. A provision of R 5;2 Billion has been made for the 2024/25 financial year.

His Worship mentioned that the City's capital budget continues to reflect the Municipality's efforts to address backlogs in basic services and the renewal of the infrastructure of existing network services. He mentioned that the key amongst these was to curb water losses and persistent power outages. The major capital programmes in the 2022/2023 MTREF were presented as follows: -

- **R2.2 Billion on EtheKwini Transport, including IRPTN**
- **R2.2 Billion on electricity infrastructure**
- **R2 Billion on housing**
- **R1 Billion on new roads and rehabilitation**
- **R1 Billion on zonal planning**
- **R800 Million on community services backlog**
- **R700 Million on catalytic projects**
- **R500 Million on upgrading wastewater treatment works**
- **R240 Million on water loss prevention and replacement of water pipes**
- **R500 Million on replacement of the bus fleet**
- **R240 Million on city centre renewals nodal developments**
- **R170 Million on ablution block upgrades in informal settlements**

It was mentioned that there was a strong emphasis on economic development and creating a conducive environment for businesses to thrive, whilst attempts were being made to improve the quality of life of all people. Also; that the Municipality would invest significantly in its assets and infrastructure to ensure sustainable, reliable, and continuous service delivery. It was noted with concern that the Municipality continues to face the challenge of vandalism and theft of infrastructure which impact on the provision of services. He called upon on the citizens to be vigilant and to report any illegal activities relating to disruption of municipal services.

Speaking on the tariff increases; His Worship was proud to announce that most of the proposed tariff increases for 2022/2023 were lower than the previous year. He mentioned that this demonstrate that the City as a caring government, sympathise with the plight of the poor. He acknowledged the tough financial and economic challenges the residents were facing with the impact of Covid-19 and the current Ukraine-Russia conflict. He mentioned that the City was also aware of the negative effect the conflict has on oil prices, inflation, and interest rates. However, he assured the residents of eThekweni that the Municipality has worked very hard to keep the tariffs and rates increases as low as possible. He presented the following proposed tariffs: -

- **The proposed average electricity increase was 8.61% against the Eskom increase of 9.61%.**
- **The proposed water increase for domestic users was 5.9% and 9% for businesses.**
- **The proposed refuse tariff increase was 4.5% for residential properties and 7.9% for businesses.**
- **The proposed sanitation tariff increase was 5.9% for residential and 9% for business.**
- **There was no proposed increase for residential property rate.**

He added that the Municipality was delighted to announce that the rate randage on residential has been decreased by 10% due to the implementation of the new valuation roll.

That, the Municipality as a listening and responsive City, have extended the valuation roll objection period to the end of April and objections submitted during this period are at no cost to the ratepayer.

On governance and clean administration; it was reported that the leadership of the Municipality, remain committed to clean governance and to fight corruption. That the concerns that have been raised by the Auditor-General were being addressed. An Integrated Clean Administration Strategy had been adopted by the City and was being rolled out. Among other things, the aforesaid strategy would address irregular expenditure and will assist the Municipality to achieve a clean audit. More effective managing and monitoring of consequence management has been key. The Finance Disciplinary Board was instrumental in assisting with oversight on disciplinary cases.

In concluding his address, His Worship referred to the draft budget as the recovery budget, and urged leaders to work together regardless of political affiliation, to make sure that the City and its citizens succeed in turning the City's economic fortunes around. He then made reference to His Excellency, President Nelson Mandela's statement who said, and he quoted: "Real leaders must be ready to sacrifice all for the freedom of their people." That the current economic conditions the people find themselves require ethical and committed leadership. He appealed to everyone to join hands and make eThekweni Municipality the most caring and liveable City by 2030.

Commenting on the matter, the ADEC noted the draft budget as well as a decrease in debtor collection rate; as a result of low sale volumes in water and electricity. They anticipated that, following the draft budget consultation process; innovative solutions would be developed in an attempt to resolve various challenges faced by the City.

Thereafter, the IFP acknowledged the economic devastation which has been caused by the Covid-19 pandemic and the July unrest, which impacted on the household income levels as well as the reduced Municipal revenue collection. However, they expressed reservations on the proposed tariff increases and were of the opinion that this would cause burden to the ratepayers. They were also concerned about the allocation of R4.9 Billion for capital projects, which was cited as inadequate to renew water and sanitation infrastructure as well as to cater for new projects. On this basis, the IFP abstained on the budget at this stage.

Meanwhile; the DA noted the draft budget and mentioned that there were some positive features reflected therein. However, they mentioned that much improvement was still required in various other aspects. They welcomed the decrease in rate randage on residential which has been decreased by 10%. They proposed that there should be a cautious approach to tariff increases; and this be based on affordability and services being provided. It being emphasised that a budget consultation process to be underway would assist to obtain the views and inputs from the communities. That the Municipality was required to take those views into cognisance. Also, that the Municipal budget should address water and electricity outages as well as infrastructure challenges.

The DLC appreciated the draft budget and advised that it was a pro-poor budget which catered for the needs of the majority. They emphasised that the budget public participation process be open and fair to everyone and the inputs received thereat have to be considered by the Municipality.

Subsequently, the ANC also welcomed the draft budget and confirmed their commitment to ensure that the budget public participation process would be meaningful and fruitful. Further, that the Municipality's participation would be to listen and gather all views and inputs from community members. They were also encouraged to note that the budget has been allocated to assist to address the ageing infrastructure. Also, that the Municipality was committed to address the findings that were raised by the Auditor General.

Following the debate, the matter was put to the vote.; the matter was put to the vote. With 205 Councillors present, 109 Councillors (ANC - 94, ABC - 02, AIC - 02, ADEC – 01; APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI – 01; MOSA - 01; NFP – 01; PFP – 01; PRM – 01 and TA – 01;) voted in favour and 96 Councillors (DA – 50; EFF – 24; IFP -15; ASA – 03; ACDP -01; DLC – 01; UIM – 01 and VF Plus -01) abstained on the matter.

Accordingly, the recommendations were, by the majority vote, **ADOPTED.**

(At this stage of the proceedings Councillor P Mkhize, in her capacity as Deputy Chairperson of the Municipal Public Accounts Committee, presented the following Report of the Committee).

REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

The following recommendations of the Municipal Public Accounts Committee for the 2020/2021 Oversight Report as contained in the Council Supplementary Agenda (2022-03-31) were received and,

COMMITTEE RECOMMENDS:

1. That Council approves the Annual Report of the eThekweni Municipality for the 2020/2021 Financial Year without reservations.
2. That Council having fully considered the Annual Report of the eThekweni Municipality for the 2020/2021 Financial Year, adopts the Annual Report in accordance with Section 46(4) of the Local Government Municipal Systems Act No 32 of 2000; and Oversight Report for the 2020/2021 Financial Year.
3. That the Oversight Report be made public in accordance with Section 129(3) of the Municipal Finance Management Act 56 of 2003.
4. That the Oversight Report be submitted to the Provincial Legislature in accordance with Section 132(2) of the Municipal Finance Management Act 56 of 2003.

ADOPTED.

ETHEKWINI MUNICIPALITY



2020/2021 OVERSIGHT REPORT

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1. INTRODUCTION

The Municipal Finance Management Act (MFMA) assigns specific oversight responsibilities to Council with regard to the Annual Report and the preparation of an Oversight Report.

Given the processes required by Council to effectively undertake its oversight role, the establishment of MPAC of Council provides the appropriate mechanism through which Council fulfills its oversight responsibilities.

The MPAC's primary role is to consider the Annual Report, receive input from the various role players and to prepare a draft Oversight Report for consideration by Council.

2. BACKGROUND

The oversight role of Council is an important component of the financial reforms and it is achieved through the separation of roles and responsibilities between Council, the Executive (Mayor and Executive Committee) and Administration. Good governance, effective accountability, and oversight can only be achieved if there is a clear distinction between the functions performed by the different role players.

Non-executive Councillors are required to maintain oversight on the performance of specific responsibilities and delegated powers that they have given to the Executive (Mayor/Executive Committee). In other words, in exchange for the powers in which Council has delegated to the Executive, Council retains a monitoring and oversight role ensuring that there is accountability for the performance or non-performance of the municipality.

The Municipal Finance Management Act, No.56 of 2003 (MFMA) vests in Council specific powers of approval and oversight.

- ✓ Approval of budgets;
- ✓ Approval of Budget related Policies; and
- ✓ Review of the Annual Report and adoption of the Oversight Report.

3. FUNCTIONS OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

The functions of the MPAC are to:

- ✓ Undertake a review and analysis of the Annual Report.
- ✓ Invite, receive, and consider inputs from Councillors and Portfolio Committees, on the Annual Report.
- ✓ Consider written comments received on the Annual Report from the public consultation process.
- ✓ Conduct Public Hearing(s) to allow the local community or any organs of state to make representations on the Annual Report.
- ✓ Receive and consider Council's Audit Committee views and comments on the annual financial statements and the performance report.
- ✓ Preparation of the draft Oversight Report, taking into consideration, the views and inputs of the public, representative(s) of the Auditor-General, organs of state, Council's Audit Committee and Councillors.

4. COMPOSITION OF MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

4.1 Membership

The Municipal Public Accounts Committee (MPAC) is a committee of Council established under section 79A of the Municipal Structures Act, 1998.

The mayor, deputy mayor, any member of the executive committee, speaker, whip and municipal officials are not allowed to be members of the municipal public accounts committee.

The Members of eThekweni Municipality's MPAC are:

Councillor M Khoza (Chairperson)
Councillor P Mkhize (Deputy Chairperson)
Councillor A Beetge
Councillor TP Collins
Councillor SV de Boer
Councillor BA Fortein
Councillor MA Jokweni
Councillor J Naidoo
Councillor SP Ngcobo
Councillor M Thusi
Councillor T Xuma

4.2 Authority & Power

The MPAC is delegated the responsibility to conduct meetings and to hold public hearings to receive and hear public submissions on the Annual Report, on behalf of Council.

Timely notice of all meetings should be given and all meetings held by the MPAC must be open to the public and minutes of the meetings must be submitted to Council.

4.3 Meeting Schedule

The eThekweni Municipality's Annual Report for 2020/2021 was tabled at Council's meeting on 27th January 2022 as prescribed in terms of the Local Government: Municipal Finance Management Act 56 of 2003. It also included the reports of the municipal entities viz. Inkosi Albert Luthuli ICC (Pty) Ltd and Durban Marine Theme Park (Pty) Ltd. The Annual Report was referred to MPAC for preparation of the Oversight Report.

After the noting of the Annual Report by Council on 27th January 2022; the report was subsequently made available for public comments as follows: Advertisements were placed in Isolezwe and the Mercury on the 11th of February 2022, to inform the public on the availability of the Annual Report

on the municipal website for comments/representations. Interested parties were required to make submissions using the email address: Nomfundo.Buthelezi@durban.gov.za by 11th March 2022.

Access to the report was made available as reflected hereunder:

- Posted on the Municipal website
- USBs with full Annual Report were provided to members of the Municipal Public Accounts
- Full Annual Report was also made available via a Link
- Radio interviews
- Internally, through the news flash which is accessed by Municipal employees.

Annual Report supplements were published in the Metro Ezasegagasini dated 08th February 2022 and distributed to attendees at the public consultation meetings. Social media cards were posted on social media platforms (Facebook and Twitter).

The link to access the tabled Draft Annual Report was issued to the Auditor-General, National Treasury, The KwaZulu Natal Provincial Treasury, The KZN Legislature and the Department of Cooperative Governance and Traditional Affairs (CoGTA) on 01st February 2022.

Numerous comments and questions were received from the various public meetings and are being addressed by the Municipality. This feedback is attached hereto as Annexure A.

Revisions Post Tabling

CHAPTER	PAGES	QUERY	PME COMMENT
CHAPTER 1	22	spacing after headings and between text must be consistent	Heading has been aligned
	22	under " COVID 19 AND ECONOMIC RECOVERY PLAN" the - after significantly should be removed	-has been removed
	24	Para 3 - after the sentence ending " build on " after the full stop the next sentence should start	This has been actioned, a sentence has been inserted
	25	first sentence " 2020/2021" should be typed 2020/21	This has been revised to 2020/21
	26	under clean governance reference is made to IE in the previous year being R 2 billion and the current year being R 1 billion however in 19/20 IE was R 1 billion and in 20/21 R 769 million. This must be corrected	Corrected
	27	After the sentence ending residents. The next sentence should start	This has been attended to as per query
CHAPTER 2	28	Sentence before the table, the words " the last financial year " should be removed	This has been removed
	29	under cluster key objectives , bullet 1 " Good Governance " should all be in small letters Bullet 2 , the word " Municipality and City " the first letter should be small letters Bullet 3 , should be Develop instead of Developing Bullet 4 , the m in word " Municipal should be in small letters The spacing after bullet point 4 should be reduced Bullet 5 all beginning letters should be small letters unless starting a sentence Reword bullet 6 to read " Through the mayoral parlour the unit provides strategic management and co-ordination support to the mayor's office ."	All mentioned bullets have been attended to as per query
	30	bullet 6 second sentence , instead of this year the actual year should be inserted	The actual year has been inserted
		Bullet 7 second last sentence remove full stop after information and make the "A" in AS small letters	This has been amended as per query
	31	spacing between bullets should be consistent	This has been amended as per query
	32	Under 2020/21 performance the 95,66% should change to 96,83% to be aligned to the scorecard	This has been amended as per query
	32	The % in table 3 are incorrect and should be as follows: South 11% North 5% West 77% Overall - 26%	The table has been corrected as per query
	33	The graph should reflect July 2020 , October 2020, December 2020 and June 2021 , the years should be added after months and the narrative above the graph the 45000 should change to 45700	Corrected

CHAPTER	PAGES	QUERY	PME COMMENT
	34	Under introduction sentence 2 the = should be replaced with the word equal. Also wording should be checked for example eThekweni must be typed with a small "e". Also, in the first paragraph under introduction semi colons are being used instead of commas	All three queries have been attended to
	34	Para 3 sentence 1 the word realised should be changed to achieved. Para 3 the bold text should be changed to normal font	This has been actioned
	38	Figure 2, the text in which " appeals committee " is written must be changed to be consistent with the other committees	This has been actioned
	39	The colon after local government should be removed in the first sentence	This has been actioned
	39	Figure 3, Text blocks need to be amended so that all are consistent and so as to ensure that all text is within they blocks is readable for eg : the first blue block , it seems there's text missing before the words " of local govt "	This has been actioned
	40	Bold text under para 4 should be changed to normal bullet c should not be in bold	This has been actioned
CHAPTER 3	46	First sentence " 2020/2021" should be typed 2020/21	This has been actioned, the year reads as "2020/21"
	46	Bullet point 3, the ";" should be removed as its followed by the word "and"	This has been actioned "and" has been removed
	46	In para2 " 2020/2021" should be typed 2020/21	This has been actioned, the year reads as "2020/21"
	46	Under point numbered 1., first sentence " 2020/2021" should be typed 2020/21	This has been actioned, the year reads as "2020/21"
	46	Under point numbered 1., first sentence ...marked by severe, should read, marked by "the" sever impact.	This has been actioned, "the" has been inserted
	48	Point number 3, " 2020/2021" should be typed 2020/21	This has been actioned, the year reads as "2020/21"
	51	Para1 & 2 "2020/2021" should be typed 2020/21	This has been actioned, the year reads as "2020/21"
	52	3.1.3. Measures Taken to Improve Performance- the sentence reads ..."with aim of"..., this should read as, with "the" aim of	This has been actioned "the" has been inserted
	52&53	Bullet points reads: <ul style="list-style-type: none"> • 4917 new sewer connections meeting minimum standards., however 3A.47 Number of new sewer connections meeting minimum standards (WS1.11), Appendix shows actual performance at 8334 • 92.36% of total water connections metered. Appendix shows actual performance at 92,59% • 73.72% of households with access to at least a basic level of Sanitation; Appendix shows actual performance at 74,42% • 95% of estimated indigent households with access to a refuse removal service once a week for the 2020/21 financial year; Appendix shows actual performance at 88,31% 	All corrected
	53	3.2.1.2. Challenges Last line the month "November" should be typed in full	This has been actioned

CHAPTER	PAGES	QUERY	PME COMMENT
	53	3.2.1.3. Measures Taken to improve Performance Second last line- should it not read 2021/22 and not 20/21 (if 20/21 is correct, it should be typed as 2020/21)	This has been actioned, the year reads as “2020/21”
	53	Bullet points reads: • 130 housing units upgraded and refurbished; Appendix shows actual performance at (58+10=68)	This has been corrected to “68”
	54	3.2.2.2. Challenges Bullet point 2- The comma must be removed before the word "and"	This has been actioned
	54	3.2.2.3. Measures Taken to improve Performance Bullet point 4- the words "fast" and "built" are not aligned below one another	This has been actioned
	56	3.3.3. Measures Taken to improve Performance Spacing before the last sentence, There are also...	This has been actioned with an appropriate spacing
	57	3.4.2. Challenges The spacing between (vi) and (vii) should be consistent	This has been actioned
	57	3.4.3. Measures Taken to improve Performance- The T in taken should be small letter	This has been actioned with small letter
	57	Last para, last sentence, should be "it's" not its	This has been actioned, an apostrophe has been inserted
	58	3.5.1. Performance Highlights for 2020/2021 - should be 2020/21	This has been actioned, the year reads as “2020/21”
	58	para 2- should read...are expected to "be" held on "a" monthly basis	This has been actioned, the sentence now reads as “held”
	58	Last para, first sentence should read "new" and not "news"	This has been actioned with the word “new”
	59	3.5.3. Measures Taken to improve Performance- The T in taken should be small letter	This has been actioned with a small letter
	59	3.6. Cross-Cutting Interventions derives its ambition- should read, "it's"	This has been actioned an apostrophe has been inserted
	59	3.6.1. Performance Highlights for 2020/21 First sentence: ...to track its performance...- should be "it's"	This has been actioned an apostrophe has been inserted
	60	3.6.3 Measures Taken to improve Performance- The T in taken should be small letter	This has been actioned with a small letter
	60	3.6.3 Measures Taken to improve Performance To strengthen its processes- it should be "it's"	This has been actioned an apostrophe has been inserted
	60	4. Key Areas to Note bullet point2, should be 2020/21	This has been actioned, the year reads as “2020/21”
	60	Last sentence, last word, should be 2020/21.	This has been actioned, the year reads as “2020/21”
	61	first sentence, 2020/21	This has been actioned, the year reads as “2020/21”
	61	1.4 Future focus: 2021/2022- should be 2021/22	This has been actioned, the year reads as “2020/21”

CHAPTER	PAGES	QUERY	PME COMMENT
	62	2.2 Key highlights and achievements in 2020/2021 financial year: should be 2020/21	This has been actioned, the year reads as “2020/21”
	61	3.2 CHIEF OPERATIONS OFFICE CLUSTER Number 1 to 4 under this heading is not aligned, and the font size and block print (same as the heading 3.2) is not appropriate/consistent with the overall document	This has been actioned with the rest of the document
	62	2.2 Future focus: 2021/2022- should be 2021/22	This has been actioned, the year reads as “2020/21”
	63	3.2 Key highlights and achievements: The spacing between "a) Quality living environment improvement" and its information under is not consistent with the layout of points b, c and d	This has been actioned
	63	The use of the word "forged" under point b), is this appropriate?	This has been actioned, “from forged to formed”
	65	3.4 Future focus: 2021/2022- - should be 2021/22 ...Unit for the 2021/2022 is to implement... - should be 2021/22	This has been actioned, the year reads as “2020/21”
	66	.4 Future focus: 2021/2022- should be 2021/22	This has been actioned, the year reads as “2020/21”
	68	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS:- should be "2020/21"	This has been actioned, the year reads as “2020/21”
	68	b) Roll-out smart metering- should read: "Roll-out "of" smart metering"	This has been actioned, the year reads as “2020/21”
	68	g) CSW Recycling Programme ...positive results in the 2020/2021 financial year...- should be 2020/21	This has been actioned, the year reads as “2020/21”
	69	Table 15: Trading Services Cluster challenges and mitigations Bullet point 3. "Aging infrastructure threatening the" - this seems incomplete	Has been rectified
	74	FUTURE FOCUS: 2021/2022- should be 2021/22	This has been actioned, the year reads as “2020/21”
	75	"Infrastructure stabilization"- should this not be bullet point "a)", as in the intro para on pg74 it its item (i) Therefore "a) Improving productivity should be" b) as it is point (ii) in the intro	This has been actioned
	76	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: should be 2020/21	This has been actioned, the year reads as “2020/21”
	77 & 78	Table 17: HSET cluster performance against critical indicators 2020 / 2021 Performance- should be 2020/21	This has been actioned, the year reads as “2020/21”
	81	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been Yactioned, the year reads as “2020/21”
	83	2020/2021 KEY PRIORITY PROJECTS: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	86	Table 20: Achievement of 2020/2021 performance targets – Housing Programs - should be 2020/21	This has been actioned, the year reads as “2020/21”
	87	FUTURE FOCUS: 2020/2021 - should be 2020/21	This has been actioned, the year reads as “2020/21”

CHAPTER	PAGES	QUERY	PME COMMENT
	87	last para- Construction of these projects is anticipated to start in 2021/2022: - should be 2021/22	This has been actioned, the year reads as “2020/21”
	89	The three pilots will constructed during 2021/2022. - should be 2021/22	This has been actioned, the year reads as “2020/21”
	90	2020/2021 - should be 2020/21	This has been actioned, the year reads as “2020/21”
	100	FUTURE FOCUS: 2021/2022 In 20/21 financial year the Roads Provision 2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	103	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	104	2020/2021 KEY EY ACHIEVEMENTS AND SUCCESSES: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	104	1.1 Data Management- should be aligned with headings 1.2 and 1.3	This has been actioned, the year reads as “2020/21”
	115	2020/2021 KEY SUCCESSES AND ACHIEVEMENTS: and in the firs para of page 115 - should be 2020/21	This has been actioned, the year reads as “2020/21”
	115	2020/2021 KEY PRIORITY PROJECTS: should be 2021/22	This has been actioned, the year reads as “2020/21”
	116	Table 30: Development Engineering challenges and mitigations Replace 20/21 with 2020/21 "Many projects planned for 20/21 canned due to limited budget and don't appear on the 21/22 approved budget"	This has been actioned, the year reads as “2020/21”
	124	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	125	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS ...and have been requested for 2020/2021. should be 2021/22	This has been actioned, the year reads as “2020/21”
	130	Land Development plans prepared for 2020/2021: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	131	Customised GIS Projects prepared for 2020/2021 -should be 2020/21	This has been actioned, the year reads as “2020/21”
	132	LIST OF 2020/2021 PROJECTS - should be 2020/21	This has been actioned, the year reads as “2020/21”
	137	FUTURE FOCUS - 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	138	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS PRIORITY PROJECTS: 2020/2021 - should be 2020/21	This has been actioned, the year reads as “2020/21”

CHAPTER	PAGES	QUERY	PME COMMENT
	138	CHALLENGES AND MITIGATIONS: The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned
	140	ONGOING PROJECTS: 2020/2021- 2021/2022 - should be 2020/21- 2021/22	This has been actioned, the year reads as “2020/21”
	145	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2021/22	This has been actioned, the year reads as “2020/21”
	152	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	155	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	155	"This system will be implemented in the 21/22 Financial year with a target..." - should be 2021/22	This has been actioned, the year reads as “2020/21”
	155	"We provided sidewalks to the value of r6.8 million on four (04)..." - the r6,8 should be in capital letter	This has been actioned with a capital letter “R”
	155	FOCUS FOR 2021/2022- should be 2021/22	This has been actioned, the year reads as “2020/21”
	156	"Further, we are confidence that the other projects listed below will be completed by the end of next year." - should be "Confident"	This has been actioned
	156	Table 33: Public transport department future focus: Focus: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	159	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	160	para4: ...and R3,5 bn in FDI was attracted in 2020/2021 financial year, - should be 2020/21	This has been actioned, the year reads as “2020/21”
	165	Graph 24: eThekweni GVA broad sectors: - The values around the graph should be formatted consistently i.e. Community services R57 913 143 but Transport is typed as R33849 649- this should be R33 849 649- Please correct all formatting of numbers around the graph	This has been corrected
	169	"Over 75% of exports during 2020 were transport equipment (21bn);" - The 21bn should be R21bn	This has been corrected
	173	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS:- should be "2020/21"	This has been actioned, the year reads as “2020/21”
	174	"...new developers during the financial year 2020-2021" - should be 2020/21	This has been actioned, the year reads as “2020/21”
	176	CHALLENGES AND MITIGATIONS: The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned

CHAPTER	PAGES	QUERY	PME COMMENT
	176	FUTURE FOCUS: 2021/2022 2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - Should be 2021/22	This has been actioned, the year reads as “2020/21”
	177	COVID-19 pandemic in 2020/2021 which prohibited- should be 2020/21	This has been actioned, the year reads as “2020/21”
	178	2020/2021 CLUSTER PERFORMANCE - should be 2020/21	This has been actioned, the year reads as “2020/21”
	178	"...Scout Manager’s Feedback Workshop in June 2021 to engage o with Municipal trained scouts..." - Remove the letter "o".	This has been actioned
	180	FUTURE FOCUS: 2021/2022 -- Should be 2021/22	This has been actioned, the year reads as “2020/21”
	182	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: 2020/2021 CLUSTER PERFORMANCE - should be 2021/22	This has been actioned, the year reads as “2020/21”
	182	Table 39: Capital Projects challenges and mitigations CHALLENGES AND MITIGATIONS: The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned
	184	FUTURE FOCUS: 2021/2022 2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - Should be 2021/22	This has been actioned, the year reads as “2020/21”
	185	Table 40: Sector Development Programmes challenges and mitigations The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned
	185	"The Project Coordinator was appointed in 2020 but resigned in April 2021 to pursue another job opportunity. The recruitment process is underway to appoint a new Project Coordinator in the first quarter of 2021 ." - should this perhaps be 2022???	This has been actioned, the year reads as “2020/21”
	189	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	191	FUTURE FOCUS: 2021/2022 2020/2021 Key Highlights and Achievements: SmartXchange - Should be 2021/22 and 2020/21	This has been actioned, the year reads as “2020/21”
	192	Table 42: Innovation challenges and mitigations CHALLENGES AND MITIGATIONS: The layout/spacing of the headings Challenges Mitigations on the table is not consistent	This has been actioned

CHAPTER	PAGES	QUERY	PME COMMENT
		with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	
	193	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	194	Table 43: Waste Materials Recovery Cluster Initiatives challenges and mitigations CHALLENGES AND MITIGATIONS: The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned
	194	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	195	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	195	Table 44: EtheKwini Furniture Cluster challenges and mitigations CHALLENGES AND MITIGATIONS: The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned
	197	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	197	Table 45: EtheKwini Footwear and Leather Cluster challenges and mitigations CHALLENGES AND MITIGATIONS: The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned
	198	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	199	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21 FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	200	Table 46: KZN Clothing and Textiles Cluster challenges and mitigations CHALLENGES AND MITIGATIONS: The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left) FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned This has been actioned, the year reads as “2020/21”
	202	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2021/22	This has been actioned, the year reads as “2020/21”

CHAPTER	PAGES	QUERY	PME COMMENT
	204	FUTURE FOCUS: 2021/2022 2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	205	2020/2021 KEY PRIORITY PROJECTS: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	206	Table 49: Invest Durban challenges and mitigations The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left) And the title "Table 49: Invest Durban challenges and mitigations" should be to the left of the margin as is for other table headings	This has been actioned
	206	The section below shows relevant Investor names for 2020/2021. - should be 2020/21	This has been actioned, the year reads as “2020/21”
	210	Most Recent Accolades (2020/2021): should be 2020/21	This has been actioned, the year reads as “2020/21”
	211	FUTURE FOCUS 2020/2021 - should be 2021/22	This has been actioned, the year reads as “2020/21”
		2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	212	Table 50: Catalytic Projects unit challenges and mitigations The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned
	222	"Midway Crossing Mall development – To be completed 23 September 2021"- should this be 2022, as 2021 is the past.	This has been actioned, the year reads as “2022”
		"Rivertown upgrade – Construction to be completed by November 2021" - should this be 2022, as 2021 is the past and further why is the name "Rivertown upgrade" in bold ?	This has been actioned
	223	"...permits were issued in 2020/2021 to operate on council facilities..." - should be 2020/21	This has been actioned, the year reads as “2022”
	198	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	199	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21 FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	200	Table 46: KZN Clothing and Textiles Cluster challenges and mitigations CHALLENGES AND MITIGATIONS: The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the	This has been actioned This has been actioned, the year reads as “2020/21”

CHAPTER	PAGES	QUERY	PME COMMENT
		left, however in other tables the words are not to the left)	
		FUTURE FOCUS: 2021/2022 - should be 2021/22	
	202	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2021/22	This has been actioned, the year reads as “2020/21”
	204	FUTURE FOCUS: 2021/2022 2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2020/21”
	205	2020/2021 KEY PRIORITY PROJECTS: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	206	Table 49: Invest Durban challenges and mitigations The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left) And the title "Table 49: Invest Durban challenges and mitigations" should be to the left of the margin as is for other table headings	This has been actioned
	206	The section below shows relevant Investor names for 2020/2021. - should be 2020/21	This has been actioned, the year reads as “2020/21”
	210	Most Recent Accolades (2020/2021): should be 2020/21	This has been actioned, the year reads as “2020/21”
	211	FUTURE FOCUS 2020/2021 - should be 2021/22	This has been actioned, the year reads as “2020/21”
		2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as “2020/21”
	212	Table 50: Catalytic Projects unit challenges and mitigations The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned
	222	"Midway Crossing Mall development – To be completed 23 September 2021"- should this be 2022, as 2021 is the past.	This has been actioned, the year reads as “2022”
		"Rivertown upgrade – Construction to be completed by November 2021" - should this be 2022, as 2021 is the past and further why is the name "Rivertown upgrade" in bold ?	This has been actioned
	223	"...permits were issued in 2020/2021 to operate on council facilities..." - should be 2020/21	This has been actioned, the year reads as “2022”
	224	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as “2022”
	225	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2022”

CHAPTER	PAGES	QUERY	PME COMMENT
	226	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as “2022”
	226	Table 54: Business Licensing challenges and mitigations The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned
	227	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as “2022”
	229	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS:	This has been actioned, the year reads as “2022”
	230	Table 56: Agribusiness challenges and mitigations The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here, the words are to the left, however in other tables the words are not to the left)	This has been actioned
	232	FUTURE FOCUS: 2021/2022 - should be 2021/22 Table 57: Agribusiness future focus - Table is not appropriately formatted, all lines/boarder are not solid/complete	This has been actioned, the year reads as “2022”
	232	DEPARTMENT: BULK FRESH PRODUCE MARKET - There is not spacing before/above this heading	This has been actioned
	232	"...of approximately R1,8 billion rand for the..." - the word rand should be removed, or the R should be removed	This has been actioned, “R” has been removed
		2020/ 2021 KEY HIGHLIGHTS AND ACHIEVEMENTS - should be 2020/21	This has been actioned, the year reads as “2022”
	234	PERFORMANCE TRENDS- there should be a space between the table above and the heading "Performance trends"	This has been actioned with an appropriate space
	234	Table 58: Durban Fresh Produce Market Turnover 2016/17 to 2020/21 - - All the financial years in the row should be consist with the AR i.e. 2016/17 and not 2016/2017	This has been corrected
		2021/2022 FOCUS - should this not be "Future focus 2021/22" to be consistent with all other similar headings in the AR	This has been actioned, the year reads as “2022”
		2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as “2022”
	247	"▪ media coverage (including trade) during Easers" the letter m in the word media should be in capital letter. - correct the spacing between bullet points TV Campaigns and Media coverage	This has been actioned
	252	"The visitor arrivals are 1 100, compared to 2019 visitor numbers of 1.2 million indicating a decline of 100 000 compared to Winter Season 2019."	This has been actioned

CHAPTER	PAGES	QUERY	PME COMMENT
		- The numbers don't add up, the 1 100 should maybe be 1,1 million, then the decline of 100 000 would be correct.	
	255	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as "2022"
	258	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as "2022"
	260	2020/21 CLUSTER PERFORMANCE- Please correct all date formatting in the bullets points below this heading to ensure the date is in a consistent format. i.e. 2019/20 and not 2019/2020	This has been actioned
	265	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as "2022"
	267	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS - should be 2020/21 2020/2021 KEY PROGRAMMES - should be 2020/21	This has been actioned, the year reads as "2022"
	267	Table 65: Durban ICC challenges and mitigations The layout/spacing of the headings Challenges Mitigations on the table is not consistent with those of the other tables with challenges and mitigations (here the words are to the left, however in other tables the words are not to the left)	This has been actioned
	271	FUTURE FOCUS: 2021/2022 - should be 2021/22 "...financial forecast is achieved in the 2021/2022 financial period." - should be 2021/22	This has been actioned, the year reads as "2022"
	273	2020/2021 KEY HIGHLIGHTS AND ACHIEVEMENTS: - should be 2020/21	This has been actioned, the year reads as "2022"
		Table 66: uShaka Marine World challenges and recommended resolutions - the font is not consistent with the APR	This has been actioned
CHAPTER 4	280	FUTURE FOCUS: 2021/2022 - should be 2021/22	This has been actioned, the year reads as "2022"
	283	The first sentence after "Corporate & Human Capital" in () CHC should be typed.	This has been actioned
	283	In the second sentence in para 1 after CHC the word cluster should be inserted	This has been actioned
	285	Under " The Academy's outcomes " bullets should be inserted	This has been actioned
	286	Para after table 73 , makes reference to " 537 graduates benefited from the programme" but the 537 is inconsistent with the total in Table 73	Corrected
	286	Under career development after the development grant the full stop should be replaced with and, and the R in recruitment should change to small letters.	This has been actioned
	286	Under 2020/21 workplace skills plan , the first sentence " 2021/2 " should be changed to 2021/22 and the year should be inserted after April	This has been actioned
	286	Last paragraph after " work skills plan " in () WSP should be inserted	This has been actioned
	291	Page number missing on page 291	This has been actioned, page number has been inserted

CHAPTER	PAGES	QUERY	PME COMMENT
	291	Last bullet under " Future Focus 2021/2022" text in blue should be changed to black to be consistent with other text	This has been actioned
	292	Spacing after headings should be consistent , and this is applicable to all chapters	This has been actioned, an appropriate space has been applied
	292	Under sub-heading 2 " vacancy rate " the 11, 48% should be changed to Plan 5 reported results of 13, 67%. The 4% in the last para of the sub-heading should also be amended accordingly	???
	292	Under output indicator 2: the actual results of 14 is not indicated and the word "bever" should be corrected to never	This has been actioned to never
	293	Output indicator 3 , The actual results reported under Plan 5 should be inserted i.e. R 1 138 677	Has been inserted
	294	Under the heading E- Communications & Marketing strategy the word " fora " should be changed to " forums"	This has been changed to Forum
	295	Table 76 and all other chapters , where acronyms are being used the word must be typed out in full and the acronym inserted in () , for e.g.: EMA , TM , PWDs , EE should be typed out in full Table 78: SHL should be typed out in full	All mentioned queries have been attended to
	303	Bullet points must be consistent	This has been actioned, Bullets points are the same
	307	Under the unit key objectives the word organisational should be spelt as organizational Consistency should be maintained	This has been actioned from Organizational to Organisational
	307	Last paragraph , OD should be typed out in full and in () OD should be inserted	This has been actioned to Organisational Development
	309	The ODCM should be typed out in full and the acronym should be written in ()	This has been actioned,
	310	bullet point 3 after Graph 42 , the word " the " should be inserted before the word unit , the same applies to bullet 4	This has been actioned
	311	Should the "I" be removed from (VOiCE)?	This has been actioned, from VOiCE to VOCE
	315	Graph 45 , the 938 reported under 2020/21 should be fit into the figure	This has been actioned, the figure fits into one page

5. ANNUAL REPORT CHECKLIST

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
1. Financial Matters – Annual Financial Statements - Section 121 (3) MFMA	Financial reporting matters to be considered	
121 (3)(a) The annual financial statements (AFS) for the municipality and, if applicable, consolidated statements (with all entities) as submitted to the Auditor-General.	The AFS are to be in the form as required by the applicable accounting standards. MFMA Circular 18 with annexures, 23 June 2005, provides guidelines on the accounting standards for municipalities. <u>Have the required standards been met?</u>	Yes See Clauses 1&2 of the AG's Report, Page 364 of the Annual Report Yes See Clauses 1&2 of the AG's Report, Page 364 of the Annual Report
121 (3)(a) 121 (4) 121 (4)(b)	The above applies also to the AFS of municipal entities.	Yes See Clauses 1&2 of the AG's Report, Page 364 of the Annual Report
121 (3) (e) An assessment by the accounting officer on any arrears on municipal taxes and service charges, including municipal entities.	Has an adequate assessment been included? Is there sufficient explanation of the causes of the arrears and of actions to be taken to remedy the situation?	Yes. See Note 6, Pages 46-50 of the Annual Financial Statements. We have been notified that the suspension of disconnections arising from the Covid-19 pandemic continued until the end of the financial year and this contributed to an increase in provision for bad debts. We note the following interventions which have been implemented from 1 January 2022 to improve the collection: <ul style="list-style-type: none"> ▪ Full implementation of credit control procedures including disconnections. ▪ Encouraging customers to enter into payment arrangements. ▪ Consolidation of accounts. ▪ Profiling of customers and their property portfolio within the municipality. ▪ Transfer of payments within the portfolio of properties for a particular customer. ▪ Attaching rentals on leased properties. ▪ Continuing with implementation of legal process
	Is any other action required to be taken?	See item 2. under 6. Audit Report below (page 43)

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
<p>121 (3)(g) Particulars of any corrective action taken or to be taken in response to issues raised in the audit reports.</p>	<p>The conclusions of the annual audit are: -</p> <ul style="list-style-type: none"> ✓ an unqualified audit opinion with or without management issues, which means that the financial statements are acceptable; ✓ The objective of the municipality should be to achieve an unqualified audit opinion. ✓ Taking into account the audit report, audit opinion and the views of the audit committee, council considered: <ul style="list-style-type: none"> • To what extent does the report indicate serious or minor financial issues? • To what extent are the same issues repeated from previous audits? • Is the action proposed considered to be adequate to effectively address the issues raised in the audit report? • Has a schedule of action to be taken been included in the annual report, with appropriate due dates? 	<p>The Municipality achieved an unqualified audit with matters of emphasis.</p> <p>The Auditor General made material findings on compliance with key legislation relating to expenditure management, consequence management as well as procurement and contract management. Reasonable steps were again not taken by management to prevent irregular expenditure; the majority of which related to non-compliance with Supply Chain Management Regulations. 60. There was inadequate application and implementation of the SCM policy and regulations resulting in significant irregular expenditure.</p> <p>Management did not timeously monitor and implement actions to address SCM transgressions and consequence management contributing to the high irregular expenditure. This results in the repetition of prior year material non-compliance on consequence management and irregular expenditure.</p> <p>Some of the remedial actions are not addressing the root causes and do not contain the necessary preventative measures to ensure the finding does not recur. A few are either not adequately addressing the finding or are not sufficient to address the root causes. Improvements to these actions are therefore necessary.</p> <p>The Action Plan is attached as Annexure “B”</p>
	<p>Note that actions taken on audit issues are to be reported to the provincial legislature, the MEC for Cooperative Government & Traditional Affairs to report on any omissions by municipalities in addressing issues. Council should confirm that the audit report has been forwarded to the MEC.</p>	<p>The Audit Report was submitted to COGTA on 26th January 2022.</p>

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
<p>121 (3)(f) An assessment by the municipality's accounting officer of the municipality's performance against measurable performance objectives for revenue collection from each revenue source and for each vote in the approved budget.</p>	<p>The budget of the municipality must contain measurable performance objectives for revenue from each source and for each vote in the budget, taking into account the IDP (MFMA s17(3)(b)). The accounting officer must include these objectives in the annual report and report on performance accordingly.</p> <p>Has the performance met the expectations of council and the community?</p> <p>Have the objectives been met?</p> <p>What explanations have been provided for any non-achievement?</p> <p>What was the impact on the service delivery and expenditure objectives in the budget?</p>	<p>Yes. See Appendix K(i), Page 557; Appendix K(ii), Page 558 of the Annual Report.</p> <p>No, in 2020/21, COVID-19 was still the biggest challenge for cities globally. eThekweni Municipality did not escape the economic and financial impact of the pandemic. Financially, it had an impact on the collection rate and cash flow. The collection rate fell to a low 56% in April 2020 but has steadily increased to 94% in the 2020/21 financial year. Cash on hand also diminished to below 30 days but has since improved to 56 days at the end of the 2020/21 financial year. However, in terms of unencumbered cash, there were 16 days cash on hand.</p> <p>Yes, total revenue of R 39,465,112; excluding capital transfers and contributions, was achieved, compared to an adjusted budget of R 40,902,369. Actual revenue is 97% of the overall budget; which represents a variance of -3%.</p> <p>The was a -7% variance in operating expenditure due to low spending on various operational items because of COVID 19 lockdown restrictions.</p> <p>The COVID 19 pandemic has presented, amongst others, the following challenges and risks to the municipality and its entities:</p> <ul style="list-style-type: none"> ▪ Decrease in the revenue collection rate. ▪ Cash flow constraints. ▪ Reprioritization of expenditure to address the pandemic. ▪ Increasing community needs with limited funding available. ▪ Decrease in revenue generation for entities due to lockdown regulations. ▪ Going concern challenges for the entities and their ability to settle their obligations as they fall due. <p>The Municipality achieved a capital spend of R4.013 billion which represents 74%, of the capital budget. This represents a variance of 26% which is considered material in terms of National Treasury norms.</p>

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
121 (3)(i)(k) Any information as determined by the municipality, the entity or its parent municipality.	Review any other information that has been included in regard to the AFS.	
1. Financial Matters – Annual Financial Statements - Section 121 (3) MFMA	Financial reporting matters to be considered	
121 (3)(j) and 121 (4)(g) Recommendations of the audit committee in relation to the AFS and audit reports of the municipality and its entities.	Have the recommendations of the audit committee in regard to the AFS and audit reports been adequately addressed by the municipality and/or the entity? What actions need to be taken in terms of these recommendations?	Based on the processes and assurances obtained, the Audit Committee believes that internal controls are effective in some areas. However, Committee remains concerned about the long outstanding unresolved audit findings within the Municipality. The Audit Committee highlighted the following areas requiring improvement: a. Concerns were again raised about the relevance of some of the KPIs set for service delivery programmes and it reiterated that a review be performed in order to revise some of them. The Committee also believes that consequence management for non-performance must be instituted where necessary. b. Proper proactive planning, and transversal management and monitoring is required from all 3 lines of defence to ensure that irregular expenditure is effectively dealt with and prevented. In addition, consequence management must be taken seriously and recovery where necessary should take place. In order to curb the high levels of irregular expenditure, the Audit Committee again recommends a compulsory probity audit on all tenders above R50 million to be undertaken by the Internal Control unit as the second line of defence. c. While there have been marginal improvements in the number of unimplemented City Integrity & Investigations Unit's (CIU) recommendations, significant improvements are still required and therefore it is recommended that the Accounting Officer ensure that the City's Labour Relations Unit, the Line Management and other relevant parties (including the Disciplinary Board) urgently respond to and implement recommendations from the CIU. d. Overall financial management within the City remains insufficient due to lack of appropriate internal management accounts and inadequate interrogation of the variances on financial and non-financial numbers. There have also been concerns regarding the impairment of assets with the onset of COVID-19 impact

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
		<p>on value in use of assets. This has been evidenced by the failures of management to detect significant losses over the last three years. In order to improve the level of efficiencies within various Units (e.g., Electricity, Water & Sanitation) the monitoring mechanisms by management (e.g., production of timeous management accounts and adequate reviews of weekly and monthly financial and operational management reports in order to detect any abnormal deviations) additional work is still required.</p> <p>e. The Water Losses are significantly higher compared to the relevant benchmarks and the Accounting Officer is encouraged to continue with diligent efforts to manage and reduce these losses. In fact, water losses are unsustainably high at around 52% currently.</p>
2. Disclosures - Allocations received and made - Section 123-125 MFMA	Considerations	
<p>123 (1)(a)</p> <p>Allocations received by and made to the municipality.</p>	<p>The report should disclose:</p> <ul style="list-style-type: none"> ✓ Details of allocations received from another organ of state in the national or provincial sphere. ✓ Details of allocations received from a municipal, entity or another municipality ✓ Details of allocations made to any other organ of state, another municipality, or a municipal entity. ✓ Any other allocation made to the municipality under Section 214(1) (c) of the Constitution. <p>Have these allocations been received and made? Does the audit report confirm the correctness of the allocations received in terms of DORA and provincial budgets? Does the audit report or the audit committee recommend any action?</p>	<p>Yes. See pages 338-340 (Grant Performance); Appendix L (Conditional Grants Received), Pages 559-560 of the Annual Report; Note 21 (Unspent Conditional Grants and Receipts), Page 73; Note 31 (Government Grants and Subsidies), Pages 83-89 of the Annual Financial Statements.</p> <p>Yes. See Appendix Q (Declaration of Loans and Grants made by the Municipality), Pages 641-644 of the Annual Report.</p> <p>Yes. Yes.</p> <p>No.</p>

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
125 (1) Information in relation to outstanding debtors and creditors of the municipality and entities.	<p>Municipalities and entities are reminded of the requirement to include, in their annual financial statements, amounts owed to them and persistently delayed beyond 30 days, by national or provincial departments and public entities.</p> <p>It is also a requirement to report on whether the municipality or entity has met its statutory commitments, including the payment of taxes, audit fees, and contributions for pension and medical aid funds.</p> <p>Council should be satisfied that –</p> <ul style="list-style-type: none"> ✓ the information has been properly disclosed; ✓ conditions of allocations have been met; and ✓ that any explanations provided are acceptable. 	<p>See Note 6, Consumer Debtors, Pages 48-50 of the Annual Financial Statements.</p> <p>Yes. See Note 20 (Employee Benefit Obligations), Pages 66-73 of the Annual Financial Statements. See Note 46 (Additional Disclosures in terms of MFMA), Pages 108-112 of the Annual Financial Statements.</p> <p>Yes.</p>
2. Disclosures - Allocations received and made - Section 123-125 MFMA	Considerations	
123 (1)(c) Information in relation to the use of allocations received.	<p>Section 123 of the MFMA and MFMA guidance circular 11, require that the municipality provide information per allocation received per vote and include:</p> <ul style="list-style-type: none"> ✓ The current year and details of spending on all previous conditional grants, for the previous two financial years. Information is to be provided per vote. (For example, municipalities must report on all transfers received from provincial housing departments for housing subsidy grants for three financial years, and indicate how such funds were spent, and for what projects. Information stating whether the municipality has complied with the conditions of the grants, allocations in terms of section 214(1)(c) of the Constitution and allocations received from other than another organ of state. Where there is non-compliance, details of the reasons for non-compliance are to be provided. 	<p>Yes. Note 31, Pages 78-84 of the Annual Financial Statements.</p> <p>Yes. Note 31, Pages 83-89 of the Annual Financial Statements.</p> <p>1. Municipal Disaster Grant:</p>

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
	<ul style="list-style-type: none"> Information on whether allocations under the DORA were delayed or withheld and the reasons advanced for this. 	<p>R112,983 million was erroneously withheld. National Treasury is being engaged in this regard.</p>
<p>3. Disclosures in notes to AFS</p>	<p>Considerations relating to section 124</p>	
<p>Information relating to benefits paid by municipality and entity to Councillors, directors and officials.</p>	<p>Information on the following items is to be included in the notes to the annual report and AFS: -</p> <ul style="list-style-type: none"> salaries, allowances and benefits of political office bearers, Councillors and boards of directors, whether financial or in kind; any arrears owed by individual Councillors to the municipality or entity for rates and services, which at any time were outstanding for more than 90 days, including the names of Councillors; salaries allowances and benefits of the municipal manager, CEO of a municipal entity, CFO and every senior manager; contributions for pensions and medical aid; travel, motor car, accommodation, subsistence and other allowances; housing benefits and allowances; overtime payments; loans and advances, and; any other type of benefit or allowance related to staff. <p>Council should be satisfied that –</p> <ul style="list-style-type: none"> the information has been properly disclosed; conditions of allocations have been met; and that any explanations provided are acceptable. 	<p>Yes. See Note 34, Remuneration of Councillors; Pages 93-94 of the Annual Financial Statements.</p> <p>Yes. See Note 46, Pages 110-112 of the Annual Financial Statements.</p> <p>Yes. See Note 33, Page 85-87 of the Annual Financial Statements.</p> <p>See Note 33, Page 90 of the Annual Financial Statements. See Note 33, Page 90 of the Annual Financial Statements. See Note 33, Page 90 of the Annual Financial Statements. See Note 33, Page 90 of the Annual Financial Statements. N/A See Note 33, Page 90 of the Annual Financial Statements.</p> <p>Yes Yes Yes</p>

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS																																							
4. Municipal Performance	Considerations																																								
The annual performance reports of the municipality and entities.	Section 46, MSA requires municipalities to submit a performance report reflecting the performance of the municipality and each service provider, a comparison of the performance with targets set for the previous year and measures taken to improve performance. The report must form part of the annual report. Questions that may be considered are – ✓ Has the performance report been included in the annual report? ✓ Have all the performance targets set in the budgets, SDBIP, service agreements etc., been included in the report? ✓ Does the performance evaluation in the annual report compare actual performance with targets expressed in the budgets and SDBIP approved for the financial year?	Yes																																							
		Yes																																							
		Yes																																							
	In terms of key functions or services, how has each performed? E.g., have backlogs for water, sanitation, and electricity been reduced? What are the refuse collection volumes, library usage statistics etc.?	<table><tr><th>Unit</th><th>National Norm (%)</th><th>Actual (%)</th><th>No. of Households with Access</th></tr><tr><td>Basic Level of Water</td><td>92</td><td>83,56%</td><td>968,689</td></tr><tr><td>Basic Level of Sanitation</td><td>100</td><td>74,42%</td><td>862,785</td></tr><tr><td>Basic Level of Electricity</td><td>92</td><td>67,84%</td><td>738 643</td></tr><tr><td>Basic Level of Solid Waste Removal</td><td>100</td><td>102,61%</td><td>1 039 757</td></tr><tr><td>Basic Water delivery to Indigent Households</td><td>100</td><td>81,29%</td><td>592,432</td></tr><tr><td>Basic Sanitation delivery to Indigent Households</td><td>100</td><td>62,23%</td><td>453,525</td></tr><tr><td>Basic Electricity delivery to Indigent Households</td><td>100</td><td>32,53%</td><td>103 719</td></tr><tr><td>Refuse Removal service to Indigent Households</td><td>100</td><td>88,31%</td><td>628 289</td></tr></table>				Unit	National Norm (%)	Actual (%)	No. of Households with Access	Basic Level of Water	92	83,56%	968,689	Basic Level of Sanitation	100	74,42%	862,785	Basic Level of Electricity	92	67,84%	738 643	Basic Level of Solid Waste Removal	100	102,61%	1 039 757	Basic Water delivery to Indigent Households	100	81,29%	592,432	Basic Sanitation delivery to Indigent Households	100	62,23%	453,525	Basic Electricity delivery to Indigent Households	100	32,53%	103 719	Refuse Removal service to Indigent Households	100	88,31%	628 289
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	✓ To what extent has performance achieved targets set by council?	74.11% of the key performance indicators for basic service delivery were achieved.																																							

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
	<ul style="list-style-type: none"> ✓ Is the council satisfied with the performance levels achieved? ✓ Is the community satisfied with performance? Has a customer satisfaction survey been undertaken and, if so, how do the results align with the annual report contents? What were the outcomes of public consultation and public hearings? ✓ What actions have been taken and planned to improve performance? ✓ Is the council satisfied with actions to improve performance? ✓ Did the targets set in the budgets, SDBIP agree with the targets set in the performance contracts of the municipal manager and each senior manager? ✓ Does the report evaluate the efficiency of mechanisms applied to deliver the performance outcomes? ✓ Taking into account the audit report and opinion and the views of the audit committee, is performance considered to be efficient and effective? ✓ To what extent have actions planned for the previous year been carried over to the financial year reported upon? ✓ Have any actions planned in the reported year been carried over to the current or future years? If so, are any explanations been provided by the municipal manager and are these satisfactory? 	<p>No</p> <p>No. The customer satisfaction survey was not undertaken during the year under review.</p> <p>Various interventions have been proposed by management to improve performance.</p> <p>No</p> <p>Yes</p> <p>No</p> <p>The Auditor-General was unable to obtain sufficient appropriate audit evidence for the reported achievements of 2 of the 55 indicators relating to Plan 3: Creating a Quality Living Environment. This was due to the lack of accurate and complete records. The Auditor-General was unable to confirm the reported achievements by alternative means. Consequently, the Auditor-General was unable to determine whether any adjustments were required to the reported achievements in the annual performance report for the indicators.</p> <p>The Audit Committee raised concern about the relevance of the key performance indicators for service delivery programmes and advises that a review be performed in order to revise some indicators. The Committee also believes that consequence management for non-performance must be instituted where necessary.</p>
Audit reports on performance.	Section 45, MSA requires that the Auditor-General must audit the results of performance measurements, as part of the internal auditing processes and annually.	

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
	<p>Have the recommendations of internal audit been acted on during the financial year?</p> <p>Have recommendations by internal audit and/or the auditor-general been included in action plans to improve performance in the following year?</p>	<p>Yes</p> <p>Yes</p>
Performance of municipal entities and municipal service providers.	<p>The annual report of the municipality should provide an assessment of the performance of the municipal entities and all contracted service providers.</p> <p>This is in addition to the separate annual reports of the entities. The report should evaluate the effectiveness of these services and whether alternative mechanisms should be considered.</p> <p>Is the council satisfied with the evaluation and conclusions of the municipality?</p> <p>What other actions are considered necessary to be taken by the accounting officer?</p>	<p>The assessment of contracted service providers is included in the annual report. See Appendix I; Pages 547-553 of the Annual Report</p> <p>No</p> <p>Assessments must be undertaken and reported timeously by Departments to enable the proper analysis of performance. The Business Support Unit should urgently intervene in instances when suppliers underperform.</p>
5. General information	The following general information is required to be disclosed in the annual report.	
Relevant information on municipal entities.	The municipality should disclose all information relating to the municipal entities under the sole or effective control of the municipality. Information to be disclosed includes names and types of entities, members of the board, addresses, and contact details for entities, the purpose of the entity, the functions, and services provided the type and term of service level agreements with the entities.	<p>Yes</p> <p>Durban International Convention Centre. See Pages 316-318 of the Annual Report. uShaka Marine Theme Park. See Pages 319-320 of the Annual Report.</p>
The use of any donor funding support.	<p>What donor funding has the municipality received?</p> <p>✓ Have the purposes and the management agreements for the funding been properly agreed upon?</p> <p>✓ Have the funds been used in accordance with agreements?</p> <p>✓ Have the objectives been achieved?</p> <p>✓ Has the use of funds been effective in improving services to the community?</p>	<p>Various. See Note 30, Pages 78-84 of the Annual Financial Statements</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
	✓ What actions need to be taken to improve utilisation of the funds?	None
Agreements, contracts and projects under Private-Public-Partnerships.	Information similar to the details of municipal entities should be provided. Council should ensure that all details have been supplied.	No public private partnerships were entered into during the year.
Service delivery performance on key services provided.	This may be a high-level summary, in addition to detailed information on performance, which sets out overall performance under the strategic objectives of the municipality. Overall results on the strategic functions and services should be summarised. This should cover all services whether provided by the municipality, entities or external mechanisms.	See Appendix P: SDBIP Report on Page 640 of the Annual Report
Information on long-term contracts.	Details of all long-term contracts including levels of liability to the municipality should be included.	Not disclosed.
Information technology and systems purchases and the effectiveness of these systems in the delivery of services and for ensuring compliance with statutory obligations.	Details of significant IT activities should be outlined indicating the effectiveness of the IT projects and the quality of IT services. Council should consider how effectively the IT services support and facilitate performance of the municipality and whether value for money has been obtained. Details of any future IT proposals should be summarised. Council should comment and draw conclusions on the information provided.	Not disclosed.
Capital plan for addressing infrastructure backlogs	A summary of the long-term capital plans and how these address the backlogs of services in the municipality should be provided. This should include details of types and scale of backlogs, projected cost implications, strategies to address the backlogs and plans proposed and/or approved. The summary here should cross reference to the performance reports in the annual report and also will be highlighted in the coming budgets.	Not disclosed.

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
	Council should consider whether the plans appropriately address the backlogs and are consistent with the strategic policy directions of council and needs of the community.	
6. Other considerations recommended		
Timing of reports.	Was the report tabled in the time prescribed?	Yes.
Oversight committee or other mechanism.	What mechanisms have been put in place to prepare the oversight report?	The Municipal Public Accounts Committee was delegated the responsibility of preparing the oversight report.
Payment of performance bonuses to municipal officials.	<p>Refer to Section 57 MSA as amended. Bonuses based on performance may be awarded to a municipal manager or a manager directly accountable to the municipal manager after the end of the financial year and only after an evaluation of performance and approval of such evaluation by the municipal council. Preferably such evaluation should be considered along with the annual report. The basis upon which performance is evaluated for payment of bonuses should be reconciled with the municipal performance reported in the annual report.</p> <p>Have bonuses been paid based on achievements of agreed outputs and after consideration of the annual report by council?</p>	<p>Performance bonuses for the year under review have not yet been paid to any Section 57 Manager.</p> <p>Performance will be assessed based on achievements of agreed outputs and will only be paid after the adoption of the Oversight Report where applicable; subject to affordability.</p>
Public Consultative meetings: Organisations identified, consulted and feedback documented	Needs to be noted and should be included in the annual report	<p>The following stakeholders were engaged:</p> <ul style="list-style-type: none"> • Traditional Leaders at the Pinetown Civic Centre • People with Disabilities at Durban City Hall • Civil Society at Durban City Hall • Formal Business via MS Teams

INFORMATION REQUIRED TO BE INCLUDED IN ANNUAL REPORTS	COUNCIL CONSIDERATIONS AND QUESTIONS	RESPONSES/COMMENTS
	Feedback	A number of issues were raised during the public participation process. See Annexure A for feedback received
Annual report distribution points and feedback documented	Distribution points. Feedback	The Annual Report was posted on the Municipality's website and a link sent to all Councillors. It was also distributed internally through the 'Newsflash' which is accessed by employees. Submissions were received via email, through the public consultations and from Support Committees. See Annexure A for the feedback received.

6. AUDIT REPORT

1. NON-COMPLIANCE WITH LAWS AND REGULATIONS

1.1 Annual Financial Statements

The Auditor-General reported that the financial statements submitted for auditing were not prepared in all material respects in accordance with the requirements of Section 122(1) of the MFMA. There were material misstatements of property, plant and equipment and depreciation identified by the auditors in the submitted financial statement were subsequently corrected resulting in the financial statements receiving an unqualified audit opinion.

There were no other material adjustments to the financial statements.

During our engagement with the Chief Financial Officer, he provided a background to the finding as follows:

- During the audit of Capital Work in Progress (CWIP), it was established through physical verification, that assets categorised as CWIP were in use and not under construction.
- In line with the auditor's recommendation, management assessed the population of CWIP to identify assets that were incorrectly classified as CWIP.
- The identified items were either transferred to PPE, debtors or expensed and depreciation calculated and processed for the items capitalised.
- The consolidated financial statements were subject to audit by the AG following the material adjustments on the municipality's separate financial statements.

In our deliberation of the matter, we noted that Finance will be instituting the following control measures to address the finding:

- Additional controls will be implemented to ensure that assets are capitalized in line with the dates on the practical completion certificate and at the time of final payment.
- The accounts payable payment checklist for construction related contract payments will be updated to include the percentage of completion of projects. If the percentage of completion is close to 100%, the completion and final payment certificate will be required to be attached.
- CWIP will be reviewed monthly and projects in progress will be confirmed.

A further control measure introduced by Finance, to mitigate the risk, was the non-release of retentions until completion certificates are issued and submitted to Finance.

While we understand that Finance is putting controls in place, we are of the that the Deputy City Manager: Trading Services and the Deputy City Manager: Human Settlements, Engineering and Transport should be accountable for this repeat finding.

Having noted the measures instituted to address the material misstatements identified by the Auditor General in the 2020/2021 Audited Financial Statements,

COMMITTEE RECOMMENDS:

That Council notes that the Municipal Public Accounts Committee will review the outcome of the interim audit to establish whether the measures instituted have been successful in

resolving the issues of inadequate asset management and project management by line Units which resulted in the material finding.

1.2 Expenditure Management

The Auditor-General reported that reasonable steps were not taken to prevent irregular expenditure of R 768,27 million (2019-20: R1,07 billion) disclosed in note 50 to the annual financial statements of the municipality, as required by Section 62(1)(d) of the MFMA. The majority of the irregular expenditure was as a result of non-compliance with supply chain management (SCM) regulations.

We note that the Internal Control Unit has implemented a revised Unauthorised Irregular Fruitless Wasteful (UIFW) expenditure process to account for UIFW in an appropriate manner. Aligned to this is a reduction strategy which was approved by Council and submitted to National Treasury. This strategy will have the effect of fast tracking the UIFW expenditure to MPAC to determine write-off/recovery of the expenditure. In addition, all UIFW matters are considered acts of financial misconduct and will be referred to the Disciplinary Misconduct Board to advise on the Disciplinary processes to be implemented through Council.

The Office of the City Manager, we note, is working closely with the Human Capital Unit to ensure that action is taken in line with the City Integrity & Investigation Unit's recommendations. Furthermore, the Office does not only ensure implementation of the recommendations for the Office but independently scrutinises reports for the City Manager's attention, to check if processes were followed in terms of applicable legislation.

Having noted these interventions

COMMITTEE RECOMMENDS:

That Council notes the Municipal Public Accounts Committee will continue to monitor irregular expenditure and ensure that it is processed in terms of section 32 of the Municipal Finance Management Act.

ADOPTED.

1.3 Consequence Management

The Auditor-General reported that proceedings were not instituted by the council where the report of independent investigators confirmed the financial misconduct by a senior manager, as required by disciplinary regulation 5(6) for senior managers and municipal regulation 6(8) on financial misconduct procedures and criminal proceedings. The Auditor-General reported that appropriate action was not taken against officials of the municipality where investigations proved financial misconduct, as required by Section 171(4)(b) of the MFMA and municipal regulation 6(8) on financial misconduct procedures and criminal proceedings.

We engaged with Management on the current status of consequence management within the municipality on its plans to address the matter more effectively. In our engagement, Management advised of the following additional measures that it was instituting to address consequence management in the municipality:

- City Manager Circular to be issued to direct Unit Heads to conclude disciplinary hearings timeously.

- Introduction of an electronic monitoring schedule.
- Funding and capacitating the Employment Relations Department.
- Introduction of consequence management implementation in performance agreements for Heads and Deputy City Managers.
- Implementation of an observation program in disciplinary process to be coordinated by the Employment Relations Department.
- Training of Human Resource Officers and other officials on the disciplinary procedure collective agreement including refresher training.
- Reinforcement of Financial Misconduct Disciplinary Board Terms of Reference, where Heads of Units must appear before the Board to explain delays in finalising disciplinary matters.
- Board to seek intervention from Provincial and National Treasuries in cases of financial misconduct if consequence management is not implemented timeously.
- Use of SALGA Panel in instances of intimidation of Presiding Officers/Prosecutors.
- Central point for implementing consequence management in respect of officials from different Units implicated in one investigation report.
- Implementation of rotation system for Executive to chair disciplinary hearings.
- Finalise the supply chain management process for the appointment of service providers to augment the capacity of the City Integrity & Investigations Unit.

We are hopeful that these additional mitigation measures will go a long way in enforcing consequence management within the municipality,

Accordingly,

COMMITTEE RECOMMENDS:

That Council notes that the Municipal Public Accounts Committee will continue to monitor the implementation of consequence management and advise Council of progress in this regard.

ADOPTED.

1.4 Procurement and Contract Management

The Auditor-General reported that some of the goods and services of a transaction value above R200 000 were procured without inviting competitive bids, as required by SCM regulation 19(a). Deviations were approved by the accounting officer even though it was not impractical to invite competitive bids, as required by SCM regulation 36(1). Similar non-compliance was also reported in the prior year. The Auditor-General reported some of the invitations for competitive bidding were not advertised for a required minimum period of 30 days, as required by SCM regulation 22(1).

The Head: SCM at our engagement with him on the corrective action to address gaps in controls as reported by the Auditor-General above, alluded to various interventions in this regard which are summarised below:

- A root cause analysis for irregular expenditure has been conducted and action plans to address the root causes is underway.

- Probity checklists and process flows to guide departments on invoking the use of Section 36 will be prepared to assist them in addressing the specific elements of S36 to eliminate the use of S36 as a result of poor planning and ensure uniformity and consistency in the review and use of S36.
- A contract management framework will be developed to ensure guidelines and scope for contract management within the City. Contract management standard operating procedures will also be prepared.
- The contract management cycle will be automated to ensure enhanced controls over the cycle.
- Notice was issued to the Bid Specification Committee to ensure compliance with SCM regulation 22(1). The Supply Chain Management Policy is being reviewed to include procedures for advertising periods for task orders, as some of the matters reported by the AG were task orders.

As we support the proposed actions

COMMITTEE RECOMMENDS:

That Council notes that the Municipal Public Accounts Committee will monitor the implementation of the corrective actions to address the procurement and contract management findings by the Auditor-General; through monthly progress reports by the Head: Supply Chain Management.

ADOPTED.

1.5 Internal Control Deficiencies

The Auditor-General reported that the accounting officer and management did not ensure that systems of internal control were adequately implemented and monitored to ensure compliance with key legislation relating to expenditure management, consequence management as well as procurement and contract management. In addition, management did not ensure that proper review controls were in place to facilitate accurate and complete reporting in the annual financial statements. The Auditor-General reported that management did not implement proper record keeping to ensure that information supporting certain achievements in the annual performance reports as well compliance with SCM legislation is maintained. As a result, material findings were identified during the audit process.

We have noted the following actions being taken to strengthen internal controls:

- The city is committed to a clean audit and has adopted a Clean Administration & Clean Audit framework. An audit action plan is being finalised to address all audit issues raised.
- The implementation of action plans to correct these audit issues are closely monitored and reported to the audit committee, COGTA and National Treasury on a quarterly basis. The Mayor personally deals with these issues with the administrative leadership.

Having noted the measures to address the findings

COMMITTEE RECOMMENDS:

That Council notes that the Municipal Public Accounts Committee will monitor the implementation of the corrective actions to address the internal control deficiencies identified by the Auditor-General; through monthly progress reports by the Deputy Head: Internal Control & Business Systems.

ADOPTED.

1.6 Material Irregularities in Progress

The Auditor-General identified material irregularities during the audit and notified the accounting officer of these, as required by material irregularity regulation 3(2). By the date of this auditor's report, the responses of the accounting officer were not yet due for some material irregularities and for the remainder, Auditor-General had not yet completed the process of evaluating the responses from the accounting officer. These material irregularities will be included in the next year's auditor's report.

In response to the identified material irregularities (MIs), management advised as follows:

- The city is committed to a clean audit and has adopted a Clean Administration & Clean Audit framework.
- Responses will be provided as and when the MI is received. MIs received have been responded to.
- Root causes will be assessed and controls enhanced to reduce MIs.
- Further investigations and consequence management will be implemented, where required; and
- Reported to MPAC and the Financial Misconduct Board.

COMMITTEE RECOMMENDS:

That Council notes that the Municipal Public Accounts will review these material irregularities in the next audit and ensure that the necessary corrective actions are instituted by management.

ADOPTED.

2. MATERIAL DEBT IMPAIRMENTS, LOSSES AND WRITE-OFFS

Provision for Bad Debts

As disclosed in note 6 to the consolidated and separate financial statements, the municipality recognised a provision for bad debts of R8,05 billion (2019-20: R6,10 billion) on consumer debtors, as the recoverability of these amounts was doubtful.

Write-off of Debtors

As disclosed in note 51 to the consolidated and separate financial statements, material losses of R316,2 million (2019-20: R1,63 billion) were incurred by the municipality due to write offs on irrecoverable debts relating to rates, services, housing and sundry debtors.

We scheduled an engagement with Chief Financial Officer and the Head: Revenue Management to establish how management intends to arrest the escalating debt and losses.

We have asked the Chief Financial Officer to provide us with a composite presentation on the debt owed by the Ingonyama Trust so that we can understand the issues surrounding the historical debt and how such issues could possibly be resolved. Furthermore, we have requested him to establish the impact of historical debt and dormant accounts inherited from erstwhile local authorities on the municipality's debt book.

As we are of the view that the Finance, Security and Emergency Services Committee also needs to closely monitor the rising debt and losses as part of its oversight role,

COMMITTEE RECOMMENDS:

- 2.2.1 That the Finance, Security & Emergency Services Committee ensure effective oversight of the measures proposed by the Revenue Management Unit to address the material debt impairments, losses and write-offs.
- 2.2.2 That the Finance, Security & Emergency Services Committee submit quarterly progress reports to the Municipal Public Accounts Committees on the reduction of the material debt impairments, losses and write-offs.

ADOPTED.

2.3 Material Water Losses

As disclosed in note 51 to the consolidated and separate financial statements, material water losses of 188,09 million kilolitres (2019-20: 185,19 million kilolitres) were incurred by the municipality, which resulted in revenue losses of R1,75 billion (2019-20: R1,72 billion). These losses arose from ageing and deteriorating infrastructure as well as illegal connections.

We engaged with Head: Water & Sanitation Unit on the huge water losses and the actions his Unit is undertaking to reduce the water losses. The Head presented a progress report on the non-revenue water reduction interventions.

However, these interventions are the same measures that the Unit has been implementing without them delivering the desired outcome. We therefore doubt the effectiveness of the said interventions.

We note that the Unit supplies bulk and reticulated water to areas which do not have a spatial development plan; these being outside of the urban edge. The difficulty in metering households that receive reticulated water is also noted. Furthermore, all the water that is consumed without passing through a meter is categorised as non-revenue water; which accounts for a big portion of the non-revenue water.

The Head has also shared the financial constraints which prevent the Unit from attending to the aging water infrastructure. This being another contributory factor to the non-revenue water which is seen in the frequent water leaks and burst pipes.

Urgent action is required to address these challenges which are impacting on the Unit's ability to ensure continued water supply to its customers.

Therefore,

COMMITTEE RECOMMENDS:

- 2.3.1 That the Human Settlements & Infrastructure Committee ensure effective oversight of the measures proposed by the Electricity Unit to address the astronomical water losses.
- 2.3.2 That the Human Settlements & Infrastructure Committee submit quarterly progress reports to the Municipal Public Accounts Committees on the reduction of the water losses.
- 2.3.3 That the Water & Sanitation Unit investigate the possibility of deploying additional human resources and utilising technology to respond speedily to illegal connections, water leaks and burst pipes; which are contributing to the high water losses.
- 2.3.4 That the City Manager consider including an appropriately weighted key performance indicator in the performance agreements of all senior management responsible for the reduction of water losses; with the non-payment of performance bonuses should the target for the financial not be achieved.

ADOPTED.

2.4 Material Electricity Losses

As disclosed in note 51 to the consolidated and separate financial statements, material electricity losses of 1,22 billion kilowatt hours (2019-20: 811,47 million kilowatt hours) were incurred by the municipality, which resulted in revenue losses of R1,22 billion (2019-20: R762 million). These losses arose as a result of transmission and distribution losses as well as illegal connections.

We engaged with the Head: Electricity who attributed the increase in losses to three main factors, namely:

- Non-reading of meters from April to June 2020; which resulted in the estimation of consumption and credits in the new financial year (2020/21) as most businesses had been closed during this period. This then affected the calculation of losses.
- Increased theft of electricity due to the socio-economic impact of the Covid-19 pandemic.
- The moratorium on disconnections in response to the Covid-19 pandemic.

The Unit is hoping that the following measures will go a long way in reducing the increasing losses:

- The consistent meter readings are expected to stabilise the electricity loss calculation and resolve the anomaly in the reporting system.
- An iterative and lengthy process of interrogating the reporting systems.
- Increase meter sweep operations to identify and rectify meters that have been bypassed or tampered with.

Therefore,

COMMITTEE RECOMMENDS:

- 2.4.1 That the Human Settlements & Infrastructure Committee ensure effective oversight of the measures proposed by the Electricity Unit to address the high electricity losses.
- 2.4.2 That the Human Settlements & Infrastructure Committee submit quarterly progress reports to the Municipal Public Accounts Committees on the reduction of the electricity losses.

ADOPTED.

3. ANNUAL PERFORMANCE REPORT

3.1 Material Findings and Adjustment of Material Misstatements

3.1.1 Material Findings on Various Indicators

The Auditor-General was unable to obtain sufficient appropriate audit evidence for the reported achievements of 2 of the 55 indicators relating to this objective. This was due to the lack of accurate and complete records. The Auditor-General was unable to confirm the reported achievements by alternative means.

Consequently, the Auditor-General was unable to determine whether any adjustments were required to the reported achievements in the annual performance report for the indicators listed below:

Indicator No.	Indicator Description	Reported Achievement
3A.5	WS3.11 Percentage of Complaints/Callouts responded to within 24 hours (sanitation/wastewater)	40%
3A.6	WS3.21 Percentage of Complaints/Callouts responded to within 24 hours (water)	62%

We engaged with the Head: Water & Sanitation who informed us that the new system will provide the required evidence. As this system is managed by the Head: Sizakala Centres as part of the integration of the municipality's call centres,

COMMITTEE RECOMMENDS:

That Council notes that a presentation will be provided by the Head: Sizakala Centres on the integration of Customer Call Centres and the ability of the new Huawei Call Centre Management System to produce the necessary audit evidence required by the Auditor General to substantiate response times to complaints/callouts. The Head: Electricity and Head: Water and Sanitation be in attendance when this presentation is delivered; to enable them to provide the users' perspective of the functionality of the system.

ADOPTED.

3.1.2 Adjustment of Material Misstatements

The Auditor-General identified material misstatements in the annual performance report submitted for auditing. These material misstatements were in the reported performance information of plan 3 – creating a quality living environment.

As management subsequently corrected only some of the misstatements, the Auditor-General raised material findings on the usefulness and reliability of the reported performance information. Those that were not corrected are included in the basis for qualified opinion paragraph.

Management advises that the Municipality as part of its Performance Monitoring and Evaluation (PME) planned enhancements has introduced performance evidence verification processes to undertake performance validation on quarterly basis before the information is submitted to the Internal Audit for further auditing. This will assist in ensuring the accuracy and completeness of performance information reported.

COMMITTEE RECOMMENDS:

That Council notes that the Municipal Public Accounts Committee will monitor the effectiveness of these verification processes and their ability to ensure the accuracy and completeness of performance information reported during its quarterly reviews of the Service Delivery & Budget Implementation Plan (SDBIP).

ADOPTED.

8. CONCLUSION

Having performed the following tasks:

- ✓ Reviewed and analysed the Annual Report;
- ✓ Invited, received, and considered inputs from Councillors and Portfolio Committees, on the Annual Report;
- ✓ Considered the written comments received on the Annual Report from the public consultation process;
- ✓ Conducted Public Hearings to allow the local community or any organs of state to make representations on the Annual Report;
- ✓ Received and considered Council's Audit Committee views and comments on the annual financial statements and the performance report; and
- ✓ Prepared the draft Oversight Report, taking into consideration, the views and inputs of the public, representatives of the Auditor-General, organs of state, Council's Audit Committee and Councillors.

MPAC has pleasure in presenting the Oversight Report to Council for consideration and, thereafter, forwarding to the relevant Departments and Provincial Legislature:

COMMITTEE RECOMMENDS:

1. That Council approves the Annual Report of the eThekweni Municipality for the 2020/2021 Financial Year without reservations.
2. That Council having fully considered the Annual Report of the eThekweni Municipality for the 2020/2021 Financial Year, adopts the Annual Report in accordance with Section 46(4) of the Local Government Municipal Systems Act No 32 of 2000; and Oversight Report for the 2020/2021 Financial Year.
3. That the Oversight Report be made public in accordance with Section 129(3) of the Municipal Finance Management Act 56 of 2003.
4. That the Oversight Report be submitted to the Provincial Legislature in accordance with Section 132(2) of the Municipal Finance Management Act 56 of 2003.

ADOPTED.

9. ANNEXURES

Annexure A Report on 2020/21 Annual Report Public Participation Process

Annexure B 2020/21 Action Plan for Auditor General Findings

The Annual Report is circulated separately via a link.

The meeting terminated at 22h25 and the Speaker advised that the meeting would re-convene on Monday, 2022-04-04 at 11h00.

APPROVED AT THE MEETING OF THE ETHEKWINI COUNCIL ON 2022-05-31.

SPEAKER