

eThekweni Municipal Council

MINUTES

Meeting held Tuesday, 2022-05-31

No. 12

MINUTES

OF

ETHEKWINI MUNICIPAL COUNCIL

Meeting held Tuesday, 2022-05-31T10:00, at
Inkosi Albert Luthuli International Conventional Centre, Durban.

PRESENT : Councillors TE Nyawose, TM Kaunda (Mayor), PG Mavundla (Deputy Mayor), A Abdul, J Annipen, AD Beesley, A Beegte, 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, DMGcabashe, 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, M Ismail, LBS Jali, DM Khanyile-James, M Johnson, MA Jokweni, K Khambule, MH Khan, KNN Khubone, NL Khuzwayo, ZW Khuzwayo, SNC Khwela, A Kisson, 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, RP Maharaj, S Maharaj, FN Majola, TG Makhanya, HS Makhathini, MW Manqele, JB Maphumulo, NJ Maphumulo, TZ Mathe, SH Mazibuko, WM Mazibuko, W 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, 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, 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, V Ncukana, WP Ndiweni, NB Ndlela, AB Ndlovu, MF Ndlovu, PB Ndlovu, NS Ndlovu, V Ndlovu, SG Nene, TH Nene, SP Ngcobo, SB Ngcongo, S Ngema, DB Ngubane, LE Nkomeni, MS Nkosi, DR Nowbuth, XM Nqweniso, DM Nsundwane, SH Ntombela, PC Ntshangase, BT Ntuli, N Ntuli, PB Ntuli, ZN Ntuli, B Nxumalo, MR Nxumalo, PH Nxumalo, NN Nyanisa, MV Nzimande-Madlala, AAK Paruk, BW Phewa, DR Pillay, DT Pillay, P Pillay, GDA Pullan, B Radebe, A Rampersad, VG Reddy, T Sabelo, S Sewshanker, A Shaheed, BH Shange, LP Shange, MG Shange, TE Shezi, IM Shinga, JN Sibisi, N Sibiya, LC Sikhakhane, BSB Sindane, EL Singh, J Singh S Singh, PS Sishange, CN Sisoka, NI Sithole, BS Sivetye, EG Smith, ZR Sokhabase, Z Solomon, I Syed, BB Thusi, M Thusi, ME Thusi, ZN Tshazela, NT Tyelinzima, JC Van den Berg, HM Van Der Ryst, NB Vilakazi,

NI Webster, SM Windvogel, TV Xulu, T Xuma, NY Young, M Zondi, N Zondi, ON Zondi, TG Zungu, and there being One (01) vacancy.

ABSENT : Councillors MF Ismail, SE Mhlongo, TJ Mnguni, SR Moodley, MM Ngiba, K Sibisi, HP Shozi and AD Snyman.

AMAKHOSI
ABSENT : Inkosi S Mlaba), Inkosi JJ Shangase and Inkosi EB Shozi (All on Personal Commitments Leave).

OFFICIALS
PRESENT : Messrs/Mesdames TB Mbhele (Acting City Manager), M Mhlongo (Head: Legal & Compliance), B Mhlongo (Deputy Head: Office of the Speaker) and T Ndlovu (Senior Manager: Secretariat).

(At the commencement of the meeting 216 Councillors were present, comprising ANC - 95, DA - 56, EFF - 24, IFP - 15, ASA - 04, ABC - 02, ACC – 02; ACDP - 02, AIC -02, DLC - 01, ADEC - 01, APF - 01, ATM - 01, AL JAMA-AH - 01, JEP - 01, KZNI - 01, MF - 01, MOSA - 00, 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

It was noted that the Speaker has already declared the meeting open during the session of the Special budget meeting which preceded this ordinary meeting.

3. AFRICAN UNION AND NATIONAL ANTHEM

It was also noted that the Anthems have been sung at the commencement of the Special budget meeting which preceded this ordinary meeting.

4. OPPORTUNITY FOR PRAYER/MEDITATION

Likewise, the moment's silence was observed during the Special budget meeting which preceded this ordinary meeting.

5. OFFICIAL ANNOUNCEMENTS

The Speaker presented the following announcements prior to engaging on the business of the day:

- 5.1 The Municipal Council continues to work tirelessly to fastrack the restoration of critical services that were disrupted during the devastating April floods and those experienced in mid-May.
- 5.2 The Municipality sends its condolences to the family of the late famous South African Actor, Jamie Bartlett who was called to rest on 23 May 2022, and all other families that lost their loved ones during the month of May.
- 5.3 The Municipality recognizes May as the Africa Month, time when the African continent commemorates the founding of the Organisation of African Unity (OAU). The Municipality appreciates all initiatives that were embarked upon in celebration of the Africa month.
- 5.4 Councillors are advised of the Workshop scheduled by SARS to capacitate Councillors on tax matters and obligations, and to focus mainly on the following areas:
- Taxation of Councillors Remuneration
 - Claims against Cell phone and Data card allowance
 - Travel Allowance
 - Medical expenses
 - Donations
 - Season
 - Submission of Tax Return; and other related matters

The SARS workshop will be held virtually on **Friday, 03 June 2022@10h00**. The link will be circulated to all Councillors.

- 5.5 The attention of Councillors is drawn to the Rule of Order Bylaw 26(8)-(9) which indicates that a Councillor may not vote on a question unless they were present when the question was put to the meeting; and the during the taking of a vote, a Councillor may not leave or enter the Council Chamber.
- 5.6 Councillors are brought to the attention of Rule of Order Bylaw 16(1) (a)-(e) and (4), (5), (6),(7) and (9). As per these Rules, Councillors are requested to conduct themselves in a respectful manner, to refrain from interrupting the proceedings and are encouraged to conduct business with the highest decorum and integrity that the occasion and the residents of the municipality deserve.
- 5.7 Best wishes are extended Best to all Councillors celebrating their birthdays this month.

6. SPEAKER'S REPORT

In presenting his report, the Speaker advised that the report is submitted in line with the provision of section 13(f) of the Rules of Order By-Law, 2014, to outline activities that have been undertaken by the Municipal Council over the month of May 2022.

6.1 **WARD COMMITTEES 2021-2026**

In terms of Ward Committees, the Speaker highlighted the following:

eThekweni Municipality held Ward Committee elections on 13; 20 and 27 March 2022 as per the statutory requirement, it being noted that elections in Wards 39 and 97 were the only (2) that remained outstanding.

Following the elections held on the abovementioned dates, all elected Members were subjected to a verification process, to ascertain that they all met the membership criteria as outlined on the Rules regulating the establishment and operation of Ward Committees.

From the verification process, some Wards had vacancies since some members didn't meet the Membership Criteria, as indicated below:

The vacancies in the respective Wards will be filled upon the sitting of the Ward Committee meeting.

Ward Committee Members that qualified through the verification process were then invited for registration, in a registration process that had been scheduled for weekends, 14-15; 21-22 and 28-29 May 2022.

Over the three weekends, a total of **1 042** Members were registered, with **135** still outstanding due to several reasons.

Council to note the following process towards completing the establishment of Ward Committees is the Inauguration / Induction of all elected, qualifying Ward Committee Members.

The Inauguration / Induction is scheduled for **Sunday, 05 June 2022, at the Inkosi Albert Luthuli International Convention Centre (ICC).**

6.2 COMMUNITY ENGAGEMENTS / MEETINGS

In terms of the Councillors Code of Conduct, the Speaker advised that Councillors are required to at least convene quarterly, have report back sessions (meetings) with/to their respective constituencies, on service delivery matters and on decisions taken by the Municipal Council.

He advised that in line with the Back-to-Basics strategy, it is a requirement that Councillors report to the Speaker of Council on all community engagements held. It is however a concern that most Councillors have not been holding such engagements as per the statutory requirement.

It's concerning to note that from January 2022 to date, only the following meetings have been held:

MONTH	NUMBER OF MEETINGS HELD
January	0
February	25
March	2
April	4
May	3

Councillors were again urged to hold report back sessions as per the statutory requirement.

7. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED:

The following Councillors and Amakhosi be granted leave of absence as indicated: -

COUNCILLORS

Councillor J Essop	:	2022-05-31(Requested to leave at 15h00)
Councillor MH Khan	:	2022-05-31 (Personal commitment).
Councillor I Syed	:	2022-05-31 (Request to leave at 15h00)
Councillor KS Sibisi	:	2022-05-31 (Request to leave early)
Councillor F Ismail	:	2022-05-31 (Request to leave early)

AMAKHOSI

Inkosi S Mlaba	:	2022-05-31 (Personal Commitment)
Inkosi JJ Shangase	:	2022-05-31 (Personal Commitment)
Inkosi EB Shoji	:	2022-05-31 (Personal Commitment)

8. DECLARATION OF INTEREST

It was noted that none of the Members had any interest to declare on matters contained on the agenda.

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 07 June 2022.

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

FIRST REPORT OF THE EXECUTIVE COMMITTEE

(Meeting held 2022-05-17)

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

ABSENT : Executive Committee Members Y Govender (Leave- Personal Commitment), NI Madlala (Leave-Municipal Business) and T Sabelo (Leave- Personal Commitments).

1. REPORT OF HUMAN SETTLEMENTS AND INFRASTRUCTURE COMMITTEE:
MEETING HELD 2022-05-03

(Page R1)

1.1 Request for Budget Transfer and Reprioritization in the 2021/22 Financial Year
for the Engineering Unit (Roads and Stormwater Maintenance) (7/1/2/2):
(Page 72: Human Settlements and Infrastructure Committee - Agenda 2022-05-03)

Authority is sought to transfer and prioritize budget arising from savings identified and declared by the Roads Provision Department of the Engineering Unit. It is proposed to reallocate such savings to the Roads and Stormwater Maintenance (RSWM) Department's Low Volume Gravel Roads Upgrade Project (LVGRUP). The project to also include Julius Nyerere and Market Roads for road rehabilitation, as per the approval granted previously. Funds originally allocated for the Western Freeway rehabilitation would be reprioritized to undertake critical rehabilitation works on certain parts of Julius Nyerere Avenue and Market Road. Such funds reprioritization is necessary due to work required on the existing projects and this will be ratified in the June 2022 final adjustment budget process.

With the Committee being in concurrence,

COMMITTEE RECOMMENDS:

- 1.1.1 That approval be granted for the reprioritization of the Engineering Unit Capital Budget in the amount of R30 097 473.00 (Thirty Million and Ninety-Seven Thousand Four Hundred and Seventy-Three Rand) as set out in the Annexure 'A' of the report of the Acting City Manager dated 2022-03-29.
- 1.1.2 That approval be granted for the transfer of funds from the Roads Provision Department to reallocate such fund to the Roads and Stormwater Maintenance (RSWM) Department's Low Volume Gravel Roads Upgrade Project (LVGRUP) as set out in Annexure 'B' of the report by the Acting City Manager dated 2022-03-29.
- 1.1.3 That approval be granted for the transfer of funds from Roads Provision Department to Architecture Department as set out in the Annexure "C" of the report by the Acting City Manager dated 2022-03-29.
- 1.1.4 That approval be granted for the inclusions of Julius Nyerere Avenue and Market Road into the rehabilitation implementation list, to allow these Roads to be rehabilitated in the 2021/2022 financial year.
- 1.1.5 That it should be noted that this reprioritization budget submission will be incorporated in the Council's 2021/22 Adjustment Budget.

ADOPTED.

- 1.2 Proposed Granting of Rights to Use, Control, or Manage Lease on Remainder of Erf 301 Springfield, 50 Electron Road, in Extent 16,293m² as Depicted on SJ Plan No. 4742/9 (17/2/1/2/5):
(Page 151 : Human Settlements and Infrastructure Committee - Agenda 2022-05-03)

At the Support Committee level, the matter was approved through a majority vote. With 31 Councillors present, 24 Councillors (ANC – 14, IFP - 2, EFF - 3, ABC - 1, ADEC -1, PRM - 1, ACDP - 1 and ATM - 1) voted in support of the recommendations and 7 DA Councillors abstained.

With the Executive Committee being in concurrence,

COMMITTEE RECOMMENDS:

- 1.2.1 That the Municipal Council declares in terms of Section 14 of the Municipal Finance Management Act (MFMA) No.56 of 2003, that:
- 1.2.1.1 The Remainder of Erf 301 Springfield in extent of 16 293m² is not required to provide a minimum level of basic Municipal services and is considered to be a surplus to the requirements of the Municipality for the period of the proposed granting of the rights to use, control or manage the said property; and
- 1.2.1.2 The Municipality has considered fair market value of the asset, the economic and community value to be received in exchange for the asset, and the current market value of the property is R27 950 000.00 (Twenty Seven Million Nine Hundred and Fifty Thousand Rand) and assessed market rental of R369 425.00 (Three Hundred and Sixty Nine Thousand Four Hundred and Twenty Five Rand) per month has been considered.
- 1.2.2 That the Municipal Council approves the granting of rights to use control or manage the capital asset described as Remainder of Erf 301 Springfield in extent of 16 293m², as depicted on Plan No. SJ4742/9, in terms of Regulation 34 (1) (b), read with Regulation 36 and Regulation 41 of the Municipal Asset Transfer Regulation 2008, and the approval to consider the following:
- 1.2.2.1 A long-term right is proposed to be granted in respect of the capital asset;
- 1.2.2.2 The rental be assessed on the open market value;
- 1.2.2.3 The property described as Remainder of Erf 301 Springfield in extent of 16 293m², be leased by way of public tender in accordance with the provisions of the Preferential Procurement Policy Framework which supports Radical Economic Transformation Framework, at a basic rental of R369 425 per month, escalating by 7% per annum, and reviewable every 5 years for a period of 45 years;
- 1.2.2.4 All costs incidental to the transaction shall be borne by the lessee and all the developmental plans must be submitted to the Local Authority; and
- 1.2.2.5 The rental shall be suspended for up to three years from the date of registration of the lease to allow for the development of the property and, should the Developer not complete the development within a three-year period, an application be made to the Head: Real Estate to submit a request to full Council to consider an extension of time

to complete the development in accordance with suitable terms and conditions as recommended by the Head: Real Estate.

- 1.2.3 That subject to the adoption of .1 and .2 above and the approval by the Bid Adjudication Committee, authority be granted to the Head: Real Estate to sign all documents necessary to conclude the required lease agreement.

Commenting on the matter, DA pointed out that during deliberations at the Committee meeting, they supported the matter and did not abstain. This was noted accordingly.

Thereafter, the above recommendations were unanimously, **ADOPTED.**

- 1.3 Request for Authority to Transfer Funds from Savings Identified in Cleansing and Solid Waste Department Operating Budget to Fund Workshop Requirements in the 2021/2022 Financial Year SW 2022/010 (7/1/2/2):
(Page 329 : Human Settlements and Infrastructure Committee - Agenda 2022-05-03)

Authority is sought to transfer funds from savings identified in the Cleansing and Solid Waste (CSW) Operating Budgets to fund shortfalls for its specialized refuse fleet workshop. The Municipal Council at its meeting held 27 February 2020 approved funding in the amount of R560m for the CSW Fleet Replacement Programme over the next 4 financial years. The Covid-19 pandemic impacted cash flows, hence the 2020/2021 budget for CWS's Vehicle Replacement Budget was reduced.

As per the support by Executive Management, the CSW Unit requests authority to increase its 2020/21 budget to its original amount to overcome challenges detailed below:

- The Covid-19 pandemic has had a major impact on the Automotive Sector. Many countries are in different levels of lockdown to curb the spread of the virus which has further been exacerbated with the new Covid-19 strains being identified. This has impacted on the supply of critical materials required in the manufacturing process such as steel, rubber, electronic components and other components. As a result, despite good intentions, the 2020/2021 deliveries could not be practically met as originally anticipated and Council supported a roll over of R176m on an exceptional case at the end of June 2021. These deliveries arising from contractual commitments are being received in the 2021/2022 fiscal.
- Non-replacement or delayed replacement of fleet has a detrimental impact on the operations and maintenance budgets due to increased downtime and unavailability of sufficient fleet. The three (3) key impact resulting from unavailability are, overtime, maintenance and hiring costs as the major cost drivers. Therefore, CSW's replacement programme and Capital investment to support in reducing these cost drivers in the business.
- The reduction in the budget/cuts severely combined by the delays in delivery of the first batch fleet compromises the CSW's Vehicle and Plant Replacement Programme and impacts its ability to effectively execute its statutory mandate.

- It is noted that the Unit had anticipated a reduction in its maintenance of equipment/Fleet budget in the previous operational budget MTREF arising from receiving its new fleet. However, the delay and pressure of trying to keep afloat with a reduced budget and with aging trucks on the road is insufficient to sustain the Unit to the end of the financial year 2021-2022.
- Despite procurement for the new acquisitions being complete, the Unit cannot place orders as of current as budgets were cut on the capital and due to budget checking orders cannot be placed at current. It is unfortunate that these are specialized units requiring long lead times and deliveries in the main is likely not to be made this fiscal due to this challenge.
- The cost maintenance in general from the market has also increased arising from Covid and limited supply and the Unit is noting the higher cost of maintenance. Moreover, CSW's tyre budget was not fully provided for in its 3-year MTREF as only 50% of the requirement was provided. As an indication, CSW is on average requires approximately R97m to maintain its 650 compliment of fleet and, it was only provided R57m to do so. This has further exacerbated the challenge faced in ensuring the specialized workshop for refuse fleet can practically operate.
- As per the statutory requirement, the CWS Unit is mandated to make provisions for the collection and disposal of the City's waste. The capital budget cuts/adjustment approvals for the purchase of vehicles and delays with new fleet deliveries has negatively impacted the already reduced maintenance budget to a situation where CSW is at a risk of not being able to carry out its mandate which will have extreme consequences for the City.
- This report therefore seeks to highlight challenges at the CSW Unit regarding the operational cost driver reduction/relief from new acquisitions and the complications of increased market prices for general maintenance. Thus, the Unit motivates to transfer savings already identified within its operating budget to fund the shortfall projection in its maintenance of equipment, spares and tyres.

Attention is drawn to the fact that failure to replace vehicles and heavy plant will lead to greater down time which will result in staff being unproductive and inevitably will result in overtime to complete tasks. Furthermore, vehicle and heavy plant that have exceeded their useful life will result in higher expenditure for maintenance. Ultimately, it will become necessary to hire vehicles and heavy plant which in the medium-term will be more expensive than purchasing new vehicles and heavy plant.

At the support Committee level, the matter was approved through a majority vote. With 31 Councillors present, 24 Councillors (ANC - 14, IFP - 2, EFF - 3, ABC - 1, ADEC - 1, PRM -1, ACDP - 1 and ATM - 1) voted in support of the recommendations and 7 DA Councillors abstained.

At the Executive Committee level, the DA maintained the abstention vote while all other Parties were in support,

Accordingly,

COMMITTEE RECOMMENDS:

- 1.3.1 That approval be granted for the Deputy City Manager: Trading Services to transfer funds in the amount of R18 150 000.00 (Eighteen Million One Hundred and Fifty Thousand Rand) from the savings identified in the Cleansing and Solid Waste Operating budget to fund shortfalls for its specialized refuse fleet workshop requirements in the 2021/2022 financial year, as per details outlined in the report by the Acting City Manager dated 2022-02-15.
- 1.3.2 That Council notes that the Deputy City Manager: Trading Services has been tasked to facilitate submission of a detailed report outlining challenges related to refuse fleet workshop requirements facing the Unit and this to be presented to the Human Settlements and Infrastructure Committee.

Financial Implications:

No.	PROJECT REQUESTED			FUNDED FROM (LIST THE PROJECTS)		
	DESCRIPTION	VOTE	AMOUNT R'S	DESCRIPTION	VOTE	AMOUNT R'S
1.	Repairs & Maintenance to Equipment	79710.11570.1300.0 000.99088-2.0010	12 150 000	Maintenance of Buildings Repairs & Maintenance	68310.11560.11300.00 00.89926-13.0010	1 500 000
2.	Tyres	79700.14105.49.113 00.0000.99088-2.0010	6 000 000	Refuse Contractors	79285.10810.11.11300 .0000.MRC01.0010	13 000 000
				Maintenance of Buildings Repairs & Maintenance	79807.11560.11300.00 00.89725-1.0010	2 000 000
				Chemicals	79806.14105.16.11300 .0000.MRC01.0010	150 000
				Outdoor Control	79801.11560.11300.00 00.89725-2.0010	400 000
				Outdoor Control	79861.11560.11300.00 00.89725-2.0010	100 000
				Maintenance of Buildings Repairs & Maintenance	79861.11560.11300.00 00.92362.0010	1 000 000
	SAVINGS DECLARED		<u>18 150 000</u>			<u>18 150 000</u>

FC No.: 78/366/060

As some members were not in support of the recommendations; the matter was put to the vote. With 201 Councillors present, 134 Councillors (ANC - 91, EFF-24; ASA- 04; ABC - 02, ACC- 01; AIC- 02; ACDP-01; DLC – 01; ADEC – 00; APF-00;ATM-01;AL JAMA-AH - 00, JEP - 01, KZNI – 01; MF – 01; MOSA - 00;NFP-01;PFP – 01; PRM – 01; TA – 01 and UIM- 0) voted in favour; 00 Councillors voted against the matter and 67 Councillors (DA- 50; IFP- 15; ACDP-01 and VFP -01) abstained on the matter.

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

1.4 Request for Budget Reprioritization for Coastal and Stormwater Management Department, Engineering Unit 2021/2022 Financial Year (7/1/2/1):
(Page 414 : Human Settlements and Infrastructure Committee - Agenda 2022-05-03)

Authority is sought to reprioritize the Engineering Unit Capital Budget, whilst maintaining the currently approved budget quantum in each instance. Such reprioritization is to be ratified in the June 2022 final adjustment budget process. It has become necessary to reprioritize budget due to inadvertently removing from the 2021/2022 Adjustments of February 2022 the Tongaat - Hambanathi-Stormwater project currently in construction.

Active projects, with current contractual commitments, were submitted for retention in the 2021/2022 budget. Whilst in the process of drafting the final February 2022 adjustment budget, the project, “Tongaat - Hambanathi-Stormwater”, was inadvertently excluded by the Budget Office. On 28 February 2022 Council approved, inter alia, the Engineering Unit’s Capital Mid-Year Adjustment Budget for the 2021/2022 Financial Year. However, such budget did not reflect the aforementioned project which was previously in the 2021/2022 budget and has ongoing contractual commitments. Such omission was subsequently identified by the Department.

In order to rectify the above administrative error, a reprioritization report is now submitted for Council approval, so as to allow the project to continue and ensure contractual obligations are honoured. The details of the adjustments and circumstances relating to the adjustment are reflected in Annexure “A” of the report by the Head: Engineering dated 2022-03-29. In order to mitigate the risk as a result of the omission outlined, and in the absence of additional budget funding, it has become necessary to urgently reprioritize available capital budget thereby ensuring successful completion of the Tongaat - Hambanathi-Stormwater project.

It is proposed that the previously approved project which is currently in construction, be reintroduced into the approved budget. It must also be noted that the Tongaat - Hambanathi-Stormwater project is currently underway and was previously approved and funded.

With the Committee being in concurrence,

COMMITTEE RECOMMENDS:

- 1.4.1 That Council notes administrative error, that of inadvertently omitting the Tongaat Hambanathi Stormwater Project approval from the 2021/22 adjustment budget and therefore request for Council to grant authority for the Deputy City Manager: Engineering; Roads and Transport to reprioritize funds within the Engineering Unit Capital Budget in the amount of R1 001 000.00 (One Million and One Hundred Thousand Rand), to accommodate funding for the aforesaid project already in construction and budgeted for, as per the previous approval granted.
- 1.4.2 That it be noted that this reprioritization budget submission will be incorporated in the Council’s next adjustment budget for the financial year 2021/2022.

Financial implications:

	ACCOUNT NUMBER		AMOUNT	REASONS
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PROJECT DESCRIPTION (Funds Requested)	BUS UNIT	ITEM	FUNDING	COSTING	PROJECT	WARD NO.	R	
TONGAAT, HAMBANATHI-STORMWATER	46300	45230	91104	0000	P12805	61	1 001 000,00	
TOTAL: Funds requested							1 001 000,00	
PROJECT DESCRIPTION (Funded From)	ACCOUNT NUMBER					WARD NO.	NET SAVINGS ALLOCATED (AMOUNT)	REASONS
	BUS UNIT	ITEM	FUNDING	COSTING	PROJECT		R	
219 CLAYFIELD DRIVE, PHOENIX:	46300	45230	91104	0000	P13926Z	48	232 000,00	Project completed - Savings redirected to other works
TONGAAT MUNICIPAL FLATS, TO	46300	45230	91104	0000	P10247Z	61	390 000,00	
DIMBA ROAD, MPUMALANGA EAST	46300	45230	91104	0000	P10738	91	87 000,00	
IMBIZA STR(106356 STR) S/WATER	46300	45230	91104	0000	P14038	104	25 000,00	
MBONAMBI ROAD KWAMASHU G S/W	46300	45230	91104	0000	P14039	104	79 000,00	
Brokensha Road, Malvern, culve	46300	45230	91104	0000	P14086	63	48 000,00	Savings identified Anticipated spending R655 000
CASSIA ROAD/ SHANNO DRIVE	46300	45230	91104	0000	P10132	23	140 000,00	Savings identified Anticipated spending R600 000
TOTAL: Funded from							1 001 000,00	

ADOPTED.

1.5

Authority for Unforeseen Expenditure Arising from the April 2022 Flood Disaster WS2022/089:

(Page L3 : Human Settlements and Infrastructure Committee - Agenda 2022-05-03)

Project authority is sought for unforeseen expenditure arising from April 2022 floods disaster with a view to implementing urgent projects to respond to the recent floods disaster. The floods disaster response will result in unforeseen expenditure that will require adjustments to the approved budget for 2021/2022, in terms of Section 28 of the Local Government: Municipal Finance Management Act No. 56 of 2003

and the Municipal Budget and Report Regulations (Regulations 23). To also request for project authority for additional projects that were not included in the report submitted to the Executive Committee.

With the Committee being in concurrence,

COMMITTEE RECOMMENDS:

- 1.5.1 That approval be granted for project authority for the floods disaster projects within the Water and Sanitation Unit, subject to funding being identified by the Finance Department, as indicated in the table below:

1.5.1.1 Operating Budget estimates as at 22 April 2022:

EMERGENCY PROJECTS RESPONDING TO THE APRIL 2022 DISASTER				
DEPARTM ENT	TYPE OF DAMAGE/ WORK REQUIRED	LOCATION	2021/22 ESTIMATE R	2022/2023 ESTIMATE R
Water and Sanitation	Operational costs for the donated plant	Tonga	100,000	200,000
			100,000	200,000

1.5.1.2 Capital Budget Estimates as at 22 April 2022:

EMERGENCY PROJECTS RESPONDING TO THE APRIL 2022 DISASTER					
DEPART MENT	TYPE OF DAMAGE / WORK REQUIRED	LOCAT ION	2021/2022 ESTIMATE R	2022/2023 ESTIMATE R	2023/2024 ESTIMATE R
Water & Sanitation	Redesign & Functionality of the Tonga WTW	Tonga	5,000,000	25,000,000	25,000,000
Water & Sanitation	Purchase of Package Plant	Tonga		60,000,000	
Water & Sanitation	Bank washed away	Umdloti	3,000,000	0	
Water & Sanitation	Installation of donated plant	Tonga	350,000	0	
Water & Sanitation	Nyaninga to Tonga South pipeline	Tonga	5,000,000		
Water & Sanitation	Water dispenser project and filling points	City Wide	1,000,000		
			14 350,000	85,000,000	25,000,000

- 1.5.2 That it be noted that the relevant process would be followed for the ratification of unforeseen disaster related expenditure through a special adjustments budget.

- 1.5.3 That it be noted that a special adjustment budget will be submitted for approval as soon as estimated costs and funding sources for the current year are confirmed.

ADOPTED.

2. REPORT OF GOVERNANCE AND HUMAN RESOURCES COMMITTEE:
MEETING HELD 2022-05-11

(Page R34)

2.1 Travel and Subsistence Allowance Policy (4/5/18/P):
(Page 36: Governance and Human Resources Committee - Agenda 2022-05-11)

The revised Travel and Subsistence Allowance Policy is submitted for consideration and approval by Council. The Policy aims to provide clarity and economic efficiency in terms of international and domestic travel, including other travel-related matters. The policy will apply to Councillors and Officials within the eThekweni Municipality, travelling for Municipal Business purposes to represent eThekweni Municipality.

The current Travel and Subsistence Allowance Policy was approved in June 2016 and implemented to ensure provision of business travel arrangements. The Revised Travel and Subsistence Allowance Policy as contained in the report by the Head: City Administration dated 2022-03-03 has now been updated to ensure that travel costs are in line with cost containment measures and the National Treasury Circulars. The review commenced in January 2020 by following the recommended Municipal Policy drafting process and structure as detailed below:

- Draft Policy was circulated to relevant Municipal stakeholders on info-info for input and comments in June 2020.
- Revised Policy with stakeholder input was subsequently submitted to the Research and Policy Advocacy Department (RAPA) in October 2020, for technical guidance on drafting and reviewing of existing policies. The policy was approved and progressed to the next stage.
- The Policy was submitted to the Policy Technical Task Team (PTTT) in April 2021 for review and approval. Thereafter, was approved in October 2021 to progress to the next stage.
- The Policy was then submitted to the Legal and Compliance Unit in November 2021 for vetting, and was confirmed to be compliant with Legislation and other Municipal policies.
- There were no financial implications in the development of the Policy as internal resources were utilized. The other financial implications involved in the implementation of the Policy provisions will be catered for under the Unit's 2021/2022 operating budget and various budget provisions for travel arrangements.

During discussion on this item, Members had a view that this policy should be taken to the Committee workshop and to all Party caucuses in the first instance with a view to obtaining comments and inputs. Thereafter the Policy will be brought back on the agenda for the next Governance and Human Resources Committee for approval.

However, the Deputy City Manager: Governance and International Relations and the Senior Manager: Support Services appealed to this Committee that there was an urgent need for approval of this Policy in order for the relevant officials to implement the Policy and be able to provide international and domestic travel, including other travel-related matters.

On that basis, Members were in agreement that the Revised Travel and Subsistence Policy be approved for subsequent referral to the Executive Committee and Council, respectively, with a view to obtaining approval in May 2022. However, it was indicated that it will also be taken to the Committee workshop and all-Party caucuses together with other policies appearing on the agenda even after the approval by Council.

With the Committee being in concurrence,

COMMITTEE RECOMMENDS:

- 2.1.1 That the revised Travel and Subsistence Allowance Policy, as contained in the report by the Head: City Administration dated 2022-03-03, and which Policy is aimed at providing clarity and economic efficiency in terms of international and domestic travel, including other travel-related matters pertinent to Councillors and Officials Municipal business travel to represent eThekweni Municipality, be adopted.
- 2.1.2 That subject to the adoption of .1 above, authority be granted for the Head: City Administration to implement the revised Travel and Subsistence Policy.
- 2.1.3 That it be noted that there are no financial implications in the development of the Policy as internal resources were utilized, but that financial implications involved in the implementation of the Policy provisions will be catered for under the Unit's 2021/2022 operating budget and various budget provisions for travel arrangements

ADOPTED.

3. REPORT OF COMMUNITY SERVICES COMMITTEE: MEETING HELD 2022-05-12

(Page R39)

- 3.1 Request to Reprioritise Capital Budget 2021/2022 for the Replacement of Computers and Laptops – Community Participation and Action Support Unit (7/1/2/2 & 8/1/6/1): (Page 76: Community Services Committee - Agenda 2022-05-12)

The Committee noted a need presented to replace computers and laptops stolen during the period of the civil unrest in KwaZulu-Natal in July 2021. The Community Participation and Action Support Unit experienced extensive damage to offices in North Central (KwaMashu), South Central (Umlazi-Mega City), Central West and Pinetown where theft of computer equipment and vandalization of offices occurred, and the costs thereof estimated at R400 000.00 (Four Hundred Thousand Rand).

It was reported that the Unit's request was for 44 desktop computers and nine (9) laptops to be procured at an estimated amount of R1 075 718.05 (One Million and Seventy Five Thousand Seven Hundred and Eighteen Rand Five Cent). A budget of R682 550.00 (Six Hundred and Eighty Two Thousand Five Hundred and Fifty Rand) is available for the procurement of computers. However, this is insufficient due to price escalation of computers. The funding deficit is therefore R393 168.00 (Three Hundred and Ninety Three Thousand One Hundred and Sixty Eight Rand). It was noted that reducing the number of computers to be replaced would compromise the Unit's ability to perform administrative duties effectively and efficiently.

At the Support Committee level, the Democratic Alliance (9) voted against the matter and the Economic Freedom Fighters (4) abstained. The matter was approved by a majority vote of the ANC (10), IFP (2), DLC (1), NFP (1), TA (1), KZNI (1) and Action SA (1).

At the Executive Committee level, the DA (02) voted against the matter. The matter was then approved by a majority vote of the ANC (02), EFF (01), IFP (01) and ABC (01).

Accordingly,

COMMITTEE RECOMMENDS:

- 3.1.1 That authority be granted for the Head: Community Participation and Action Support to reprioritise funds from the Unit's 2021/2022 Capital Budget to procure and replace computers and laptops stolen from various offices during the period of civil unrest in the Province in July 2021.
- 3.1.2 That subject to the approval of 3.1 above, authority be granted for the Head: Community Participation and Action Support to incur expenditure in the amount of R400 000.00 (Four Hundred Thousand Rand) from the available budget to procure the required computers and laptops.

Financial Implications:

Due to the urgency to replace the computers stolen, the Unit intends utilising an amount of R400 000.00 from the budget allocation to fund the shortfall to procure computers.

Description	Project Number	Vote Number	Amount
	Transfer From:		
Furniture and Equipment	PC8400	32302.44520.30015.0000.PC8400.W016	R400 000.00
	Transfer To:		
Computer Equipment	PC8300	32302.44630.30015.0000.PC8300.W016	R400 000.00

FC Number: 2022/06/CA24

Commenting on the matter, the IFP mentioned that they were concerned about computer prices which seemed to have been inflated prices. The EFF mentioned that they support the matter but they expected the Municipality to recover loss of such computers from insurance policy that covers Municipal assets. Following deliberations, the Deputy Mayor confirmed the price range was accurate as this represented the price of a quality computer.

As some members were not in support of the recommendations; the matter was put to the vote. With 202 Councillors present, 130 Councillors (ANC - 89, EFF- 24; ABC - 02, ACC- 01; AIC- 02; DLC – 01; ADEC – 00; APF-01;ATM-01;AL JAMA-AH - 00, JEP - 01, KZNI – 01; MF – 01; MOSA - 00;NFP-01;PFP – 01; PRM – 01; TA – 01; UIM- 01 and VFP - 01) voted in favour; 55 Councillors (DA – 51 and ASA – 04) voted against the matter and 17 Councillors (IFP- 16 and ACDP- 01) abstained on the matter.

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

3.2 Request for Approval to Implement Parks, Leisure and Cemeteries Programmes for 2022 (2/3/2/1/2):
(Page 103: Community Services Committee - Agenda 2022-05-12)

The Executive Committee drew attention to the significance of cleanliness within the City and debris to be cleared following the recent floods. In this regard, the budget allocated for clean-ups was considered insufficient. It was also acknowledged that, generally, the Unit is under-funded thus compromising service delivery to the local communities. It was recommended that this matter be looked into to determine avenues to beef up some Unit votes.

In the meantime a proposal was made and agreed to that budget re-arrangements be effected by reducing budget for Trails by R300 000.00 thus remaining with R500 000.00. Then to beef the clean-ups budget to increase from R450 000.00 to R750 000.00. Meanwhile, the Human Settlements and Infrastructure Cluster undertook to support the Unit with additional resources where practical. This was noted with great appreciation.

Accordingly,

COMMITTEE RECOMMENDS:

- 3.2.1 That authority be granted for the Head: Parks, Recreation and Culture to coordinate and implement Parks, Leisure and Cemeteries' Programmes listed in the table below, for the 2021/2022 and the 2022/2023 financial years.
- 3.2.2 That subject to the approval of .1 above, authority be granted for the Head: Parks, Recreation and Culture to incur expenditure in the amount of 1 850 000.00 (One Million Eight Hundred and Fifty Thousand Rand) to implement and coordinate Parks Leisure and Cemeteries' Programmes.

Financial Implications:

It being noted that verge competition programme has been excluded from schedule and budget below since it has already been approved on item 1 of the report above.

Year	Programme	
2022	Cleanups	R750 000
	Arbour Week	R300 000
	Trails	R500 000
	Awareness Programmes	R300 000
	Roadside Ecology Programme	R0.00
	TOTAL	R1 850 000

FC Number: 32/255

ADOPTED.

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

SECOND REPORT OF THE EXECUTIVE COMMITTEE

(Meetings held 2022-05-24 & 26)

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 ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE: MEETING HELD ON 2022-05-19

(Page R1)

1.1 Allocation of Neighbourhood Development Partnership Grant (NDPG) Funding and Reprioritization of the Budget as a Result of Additional NDPG Award to Municipality (7/4/2):

(Page 75 : Economic Development and Planning Committee - Agenda 2022-05-19)

Authority is being sought to approve the allocation of Neighbourhood Development Partnership Grant (NDPG) funding and the reprioritization of capital budget funds that have become available to the Municipality due to the NDPG awarding new projects.

After undertaking an SCM projects (Mpumalanga Sizakala Centre and Bridge City Safe Hub), it became apparent that the allocation from NDPG was insufficient to meet the contractual obligations that might arise as the market was indicating higher than the estimated costs of the project. Further application was then made for additional funding and projects.

An additional one percent was offered on the Mpumalanga Sizakala Centre from the original award. The Supply Chain Management process will therefore have to be restarted. An additional R21.5 Million has been awarded for the Safe Hub Project, which resulted in the project being affordable, in line with market prices, thus allowing the project to proceed through SCM processes.

The Mpumalanga Boxer Node Precinct upgrade was also awarded a capital budget of R6.2 Million, which has necessitated the Municipality and Urban Settlement Development Grant (USDG) funding originally allocated to this project to be reprioritised to other projects.

Having noted the foregoing,

COMMITTEE RECOMMENDS:

- 1.1.1** That the Executive Committee notes the request for additional funds from the Neighbourhood Development Partnership Grant (NDPG) in the amount of R32 600 000.0 (Thirty Two Million Six Hundred Thousand Rand) and the proposed

reprioritization of funds in the amount of R9 304 339.87 (Nine Million Three Hundred and Four Thousand Three Hundred and Thirty Nine Rand Eighty Seven Cents) to meet the contractual Supply Chain Management (SCM) obligations.

- 1.1.2 That the reprioritization of projects budgets for the 2021/2022 financial year, be approved.
- 1.1.3 That subject to the approval of .1 and .2 above, authority be granted for the Deputy City Manager: Finance to issue financial clearance for the procurement process to continue with bid evaluation to be achieved through the requested reprioritization.
- 1.1.4 That authority be granted for the Head: Economic Development to immediately commence with the spending of R 9 304 339.87 (Nine Million Three Hundred and Four Thousand Three Hundred and Thirty Nine Rand Eighty Seven Cents) on the projects that are already in implementation, noting change of funding allocated to the Mpumalanga Boxer Node Precinct Upgrade to NDPG, which has already been received by National Treasury during the 2020/2021 financial year.
- 1.1.5 That subject to .4 above, a sum of R32 600 000.00 (Thirty Two Million Six Hundred Thousand Rand) be included in the adjustment budget for the 2021/2022 financial year.
- 1.1.6 That subject to .4 and .5 above, authority be granted for the Head: Economic Development to immediately commence spending the budget allocation to ensure that projects are implemented timeously and that the NDP Grant allocation is spent.

Financial Implications:

An additional amount of R32 600 000.00 (Thirty Two Million Six Hundred Thousand Rand) is proposed to be allocated in the 2021/2022 financial year following the approval of additional funding from NDPG. Further to this, a total of R9 304 339.87 (Nine Million Three Hundred and Four Thousand Three Hundred and Thirty Nine Rand and Eighty Seven Cents) will be reprioritised from the USDG funding allocation in the 2021/22 financial year.

ADOPTED.

- 1.2 Durban Fashion Fair Experience During Hollywood bets Durban July 2022-2025 (20/1/6/3):
(Page 87 : Economic Development and Planning Committee - Supplementary Agenda 2022-05-19)

Authority is being sought to partner with Gold Circle for the Fashion Experience through the Development Programme (Durban Fashion Fair) during the Hollywood bets Durban July. In addition, authority is sought to enter into a contractual agreement with Gold Circle as custodian of the Hollywood bets Durban July (HDJ).

The Hollywood bets Durban July is an annual horseracing event that occurs during the first week of July at the Greyville Racecourse. The event presents various activities such as music, fashion and entertainment experience for the attendees, drawing visitors from all over the world. The event enables the City and local businesses including SMMEs to generate revenue, which boosts local economy.

With the Committee being in support of the proposal,

COMMITTEE RECOMMENDS:

- 1.2.1 That the partnership to create and support the fashion experience via the Durban fashion Fair during the Hollywood bets Durban July for financial years 2022/23, 2023/24 & 2024/25, be supported.
- 1.2.2 That authority be granted for the Acting City Manager to conclude a contract with the event owner, Gold Circle for Hollywood bets Durban.
- 1.2.3 That the Head: Business Support, Tourism, Markets & Agribusiness Unit report back to Council on the outcomes and impact of this partnership.

Budget Implications:

The total budget implications for this 3-year partnership is R1 500 000.00 (One Million Five Hundred Thousand Rand) (excluding VAT) is provided for each financial year (2022/2023, 2023/2024 & 2024/2025), which will be provided in the vote number below:

Business Unit	Item. Sub	Fund	Costing	Project	Region
26503	16315	12120	0000	53500-45	0010

Amount : R500 000.00 each year

Financial year/s : 2022/23, 2023/24 & 2024/25

FC No. : 2023/32/03

ADOPTED.

- 1.3 Request for Authority for Destination Promotion Partnerships During Durban Travel Winter Season 20/1/4/3:
(Presentation: Economic Development and Planning Committee - Supplementary Agenda 2022-05-19)

Authority is sought to conclude agreements with various Destination Promotion and Programme Organizers for the Destination Promotion Leveraging sponsorship partnerships for financial years 2021/22 and 2022/23, 2023/24 and 2024/25.

The Destination Promotion Leveraging sponsorships partnerships will result in attracting visitors and increase numbers during off peak; boost accommodation occupancy in tourism products, profile destination through pre-event, during, and post event promotion in public relations value; brand exposure; media exposure and media leveraging; trade relations, and also boost the economy of the City within the value chain of tourism products.

The Executive Committee interrogated each event contained in the Table below to determine benefits and/or Return on Investment for the Municipality. The views against each event are recorded in the table below:

Event	Vote
Durban KwaZulu-Natal Flood Benefit Concert	DA (03) voted against this matter as they believed there were no proven evidence that the concert will benefit the City. That the Municipality should be sensitive to the plight of the flood victims during this period.

Event	Vote
	<p>The other Parties were in support as follows: ANC (05) EFF (01) IFP (01) ABC (01)</p> <p>Unanimous views were submitted in acknowledging a good gesture by the creative industry to support the Municipality by raising funds to contribute towards the floods disaster recovery plans. That this was a national event which will attract people from other countries and with the City of eThekweni to benefit as the Moses Mabhida Stadium will be the host venue. It was noted that the creative industry will take overall responsibility for the provision of budget, with the Municipality only providing venue. The event will assist to revive the City's economy and will also serve as healing to the floods victims and the eThekweni citizens in general.</p>
Hollywoodbets Durban July	Supported by all as the flagship event of Durban
Fact Durban Rocks	<p>DA (03) voted against this event as they maintain the view that the events list should be reviewed to only focus on events with proven benefits and that the Municipality should limit engaging into festivities using public funds.</p> <p>The other Parties were in support as the event was part of the side events of Durban July and that this helps to promote and grow Durban Artists: ANC (05) EFF (01) IFP (01) ABC (01)</p>
SA Music Conference and Mother of all Parties	<p>DA (03) voted against as they maintain the view that the events list should be reviewed to only focus on events with proven benefits.</p> <p>The other Parties were in support as the Conference was crucial to equip emerging Artists on the commercialization of their music and sustaining their music business to be profitable for a long-term. ANC (05) EFF (01) IFP (01) ABC (01)</p>
Any Given Sunday	<p>DA (03) voted against as they maintain the view that the events list should be reviewed to only focus on events with proven benefits. The other Parties were in support as the roadshow will profile Durban and its offerings and boost the tourism business. ANC (05) EFF (01) IFP (01) ABC (01)</p>
Ekasi Durban July Stakeholder Benefit	<p>DA (03) voted against as they maintain the view that the events list should be reviewed to only focus on events with proven benefits.</p> <p>The other Parties were in support as the event promotes township tourism and enable all stakeholders to share on the Durban July success. ANC (05) EFF (01) IFP (01) ABC (01)</p>

Event	Vote
Durban July Week Tourism Precinct Pop-Up Traveller Extravaganza	<p>DA (03) voted against as they maintain the view that the events list should be reviewed to only focus on events with proven benefits.</p> <p>The other Parties were in support as the event is aimed to prolong visitor stay post the Durban July event and thus a further boost on tourism spend.</p> <p>ANC (05) EFF (01) IFP (01) ABC (01)</p>
Durban July Township & Rural Tourism Promotion in various Regions	<p>DA (03) voted against as they maintain the view that the events list should be reviewed to only focus on events with proven benefits.</p> <p>The other Parties were in support as the event is aimed at spreading the Durban July theme across the Durban Regions for all areas to reap the benefits associated therewith.</p> <p>ANC (05) EFF (01) IFP (01) ABC (01)</p>
Ironman 70.3 Triathlon	Supported by all Parties, noting the event will attract international exposure and a major boost to domestic economic growth.

In conclusion, a request was made that the events should be structured such as to cater for diversity to embrace the diverse culture in the City of eThekweni. Mention was made floods have ravaged the City and with various people experiencing a significant loss. That the City needs to show resilience and continue sustaining businesses and noting that the tourism sector has been the hardest hit since the advent of the Covid-19 pandemic.

It was then requested that Municipal Clusters responsible for events coordination should work in collaboration to avoid duplications. In support of this view, it was confirmed that the Municipal Events Committee was in place for the purpose of collaborations. On the other hand, the attention was drawn to the fact that key focus areas of each Cluster will have to be taken into consideration since some of the events are responding to a specific mandate and/or strategic objective.

Accordingly, by the majority support,

COMMITTEE RECOMMENDS:

- 1.3.1 That Council approves funding and destination promotion partnership with Event Organisers for events occurring during the Durban Travel Winter season as listed in Table A for financial year 2021/2022 and in Table B for three (3) financial year period of 2022/2023; 2023/2024 and 2024/2025 below and detailed in the Report by the Acting City Manager dated 2022-05-20.
- 1.3.2 That Council notes socio-economic impact benefits that the City will derive from partnering with these destination promotion and programmes that would benefit the City and various tourism products as part of tourism recovery.
- 1.3.3 That authority be granted for the Acting City Manager to:

- 1.3.3.1 Engage in robust destination promotion and programmes leveraging to enhance and protect the City's competitive edge and lead Durban back to being the leader for Destination Promotion and Programmes and Tourism Destination;
- 1.3.3.2 Negotiate the appropriate Return on Investment (ROI) partnership mileage for event leveraging, commensurate to the financial investments with the respective event organizers.
- 1.3.4 That authority be granted for the Acting City Manager to conclude agreements with various Destination Promotion and Programme Organisers as listed in Table A in the report of the Head: Business Support, Tourism and Markets dated 2022-05-20, for the Destination Promotion Leveraging sponsorship partnerships against the City's right and benefits.
- 1.3.5 That the Head: Business Support Tourism and Markets report back to Council on the outcomes and impact of these partnerships.

TABLE A: Financial Year 2021/2022:

No.	Event Name	Date	Event Profile	Financial Implications	Projected Socio-economic Impact City Benefits
1.	Durban KwaZulu-Natal Flood Benefit Concert	18 June 2022	A national footage fundraising concert for the victims of the Durban-KZN floods victims in April. Will included local and national artist with a target of raising R10 Million. The money will be transferred into the City's account for distribution as per internal processes.	Venue Hire of Moses Mabhida Stadium and related costs. estimated at R1.37 Million as a direct payment to Moses Mabhida Stadium.	10 000 attendees R11 Million direct spend R27 Million GDP 55 jobs

TABLE B: Financial Year 2022/2023:

No.	Event Name	Date	Event Profile	Financial Implications	Projected Socio-economic Impact City Benefits
1.	Hollywoodbets Durban July:	02 July 2022	Hollywoodbets Durban July in an annual race horsering event that take place on first weekend of July at Greyville Racecourse. It offers a variety of activities taking place such as fashion, Music and entertainment and also a showcase of Durban lifestyle. This is Africa's greatest horse racing event it draws a number of visitors to the City, which in turn generates substantial revenue the City	R2 600 000.00 broken down as follows: • R600 000.00 for Horseracing and Marketing • R2 000 000.00 for Brand & Destination Activations	25 000 attendees R55 Million direct spend R120 Million GDP 250 jobs
2.	Fact Durban Rocks	02 July 2022 and 31 December 2022	The Fact Durban Rocks is an event that takes places bi-annually at the Moses Mabhida Stadium since July 2011. Promote and grow Durban artists and talent, increase domestic tourism to the City through its multiple performance stages. This FDR as become a household brand name all over the country & regionally.	R900 000.00 broken down as follows: • R450 000.00 for July event • R450 000.00 for December event	7000 attendees R800 000 direct spend R15 Million GDP 450 jobs
3.	South African Music Conference	01 - 03 July 2022	Three-day local creative industry empowerment workshop by music	R600 000.00	4 500

No.	Event Name	Date	Event Profile	Financial Implications	Projected Socio-economic Impact City Benefits
	(SAMC) and Mother of all Parties (MOAP)		industry legends & regulatory bodies in the music industry. It helps local talent to promote music that highlights Durban lifestyle & tourism products. The conference discusses the commercialization of local music. Exhibition of Durban emerging talent utilizing township lounges.		R500 000 direct spend R900 000 GDP 350 jobs
4.	Any Given Sunday	03 July 2022	A four-edition national road show of Durban destination brand building. This is concluded by a grand finale to Durban to a 2-day Durban explore extravaganza. It is packaged with various accommodation establishments, tour guides, tour operators, shuttle services.	R650 000.00	1 000 attendees R770 000 direct spend R1.9 Million GDP 80 jobs
5.	Ekasi Durban July Stakeholder Hosting	01 - 03 July 2022	This is a robust promotion of townships during to end off the Durban July weekend. It has great economic impact to business in townships and also destination exposure through the hosting of local and international stakeholders in various township tourism products and experiences.	R400 000.00	3 500 attendees R700 000 direct spend R1.7 Million GDP 450 jobs
6.	Durban July Week Tourism Precinct Pop-Up Traveller Extravaganza	Multiple dates from Wednesday to Monday	Narrative should cover various prescient in Florida Road, Chartwell Drive, Davenport, Central Experience including Wilson's wharf to revitalize the harbour's tourism brand following the sewage spill reputational damage.	R800 000.00	7 000 attendees R900 000 direct spend R1.7 Million GDP 850 jobs
7.	Durban July Township & Rural Tourism Promotion in various regions	From Friday to Monday in various prescient	This destination programme will visitor dispersal in the townships during the Durban July. It will be robustly promotion township tourism whereby the Durban July experience will be staged in various township tourism products. Spread to north, south, west and central to accommodate SMME's tourism owed products. This experience will include the elements of betting stations, fashions, entertainment that will include the township local talent. The product at which this will be done are those that are fully compliant with business operations requirements. This will absorb the numbers that cannot be accommodated at Greyville Racecourse due to the Covid limitations of 50%.	R1 000 000.00	10 000 R1.7 Million direct spend R3 Million GDP 360 jobs created

No.	Event Name	Date	Event Profile	Financial Implications	Projected Socio-economic Impact City Benefits
8.	Ironman 70.3 Triathlon:	October 2022	It is an international triathlon that profiles the City and iconic attraction beach front precinct of Durban. It gives the City international exposure through visits and internal media.	Request City Services, Land Use and electricity to the value estimate of R200 000. Land Use & Electricity,	24 000 attendees R19 Million direct spend R32 Million GDP 65 jobs
	TOTAL			R8 520 000.00 (Excl. VAT	

Financial Implications:

The total budget implications for the above listed events in:

1. Table A in the financial years 2021/2022 in the report of the Head: Business Support, Tourism and Markets dated 2022-05-20, is R1 370 000.00 (One Million Three Hundred and Seventy Thousand Rand)
2. Table B in the financial years 2022/2023, 2023/2024 and 2024/2025 in the report of the Head: Business Support, Tourism and Markets dated 2022-05-20, will be R7 150 000.00 (Seven Million One Hundred and Fifty Thousand Rand) excluding VAT, will be provided for by Durban Tourism in the following Vote number:

BU	ITEM. SUB	FUND	COSTING	PROJECT	REGION	Proposed Expenditure R	Financial Year
26723	16315	12120	0000	MRC01	0010	240 050.46	2021/2022
26723	16315	12120	0000	63100-10	0010	244 400.00	2021/2022
26723	16315	12120	0000	81220	0010	407 300.00	2021/2022
26723	16315	12120	0000	53500-49	0010	211 593.50	2021/2022
26723	16315	12120	0000	53500-45	0010	230 600.00	2021/2022
26723	16315	12120	0000	53500-43	0010	36 056.04	2021/2022
						1 370 000.00	
26723	11400	12120	0000	53500-41	0010	450 500.00	2022/2023
26723	16315	12120	0000	53500-41	0010	1 500 000.00	2022/2023
26723	16315	12120	0000	53500-43	0010	610 900.00	2022/2023
26723	16315	12120	0000	81215	0010	814 500.00	2022/2023
26723	16315	12120	0000	53500-49	0010	1 056 900.00	2022/2023
26723	16315	12120	0000	53500-48	0010	1 425 000.00	2022/2023
26723	16315	12120	0000	63215	0010	1 291 800.00	2022/2023
						7 150 000.00	
26723	11400	12120	0000	53500-41	0010	472 500.00	2023/2024
26723	16315	12120	0000	53500-41	0010	1 500 000.00	2023/2024
26723	16315	12120	0000	53500-43	0010	641 500.00	2023/2024
26723	16315	12120	0000	81215	0010	855 230.00	2023/2024
26723	16315	12120	0000	53500-49	0010	1 109 750.00	2023/2024
26723	16315	12120	0000	53500-48	0010	1 496 670.00	2023/2024
26723	16315	12120	0000	63215	0010	1 074 400.00	2023/2024
						7 150 000.00	

BU	ITEM. SUB	FUND	COSTING	PROJECT	REGION	Proposed Expenditure R	Financial Year
26723	11400	12120	0000	53500-41	0010	496 130.00	2024/2025
26723	16315	12120	0000	53500-41	0010	1 500 000.00	2024/2025
26723	16315	12120	0000	53500-43	0010	673 520.00	2024/2025
26723	16315	12120	0000	81215	0010	897 990.00	2024/2025
26723	16315	12120	0000	53500-49	0010	1 165 230.00	2024/2025
26723	16315	12120	0000	53500-48	0010	1 571 500.00	2024/2025
26723	16315	12120	0000	63215	0010	845 630.00	2024/2025
						7 150 000.00	

FC No.: 2022/13/23

<u>Amount:</u>	<u>Financial year:</u>
R1 370 000.00	2021/2022
R7 150 000.00	2022/2023
R7 150 000.00	2023/2024
R7 150 000.00	2024/2025

As some members were not in support of the recommendations; the matter was put to the vote. With 200 Councillors present, 147 Councillors (ANC - 89, EFF- 23; IFP- 14; ASA – 04; ABC - 02, ACDP- 01; AIC- 02; DLC – 01; ADEC – 00; APF-01; ATM-01; AL JAMA-AH - 00, JEP - 01, KZNI – 01; MF – 01; MOSA - 00; NFP-01; PFP – 01; PRM – 01; TA – 01; UIM- 01 and VFP - 01) voted in favour; 52 Councillors (DA – 52) voted against the matter and 01 Councillor (ACC- 01) abstained on the matter.

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

2. DIRECT EXCO REPORTS

2.1 REQUEST FOR TRANSFER OF FUNDS: LIBRARIES AND HERITAGE DEPARTMENT (7/1/3/2)

(Page 66)

Authority is sought to transfer an amount of R6 511 300.00 (Six Million Five Hundred and Eleven Thousand Three Hundred Rand) from various votes within the Libraries and Heritage Department to pay service providers for services rendered.

During consideration it was learned that most of the service providers owed include Cooperatives responsible for the provision of cleaning services in different libraries Municipal-wide. The non-payment of Cooperatives was considered a serious dent in their operations and financial sustainability. Therefore, it was agreed to support the transfer of funds for this purpose.

Upon enquiry, it was clarified that the costs of engaging Cooperatives have increased and thus a need to cover budget shortfall in this regard. Thereafter, general discussion ensued on the costs of the Cooperative business. It was submitted that the rate being paid to the Cooperatives was low leading to their inability to sustain the business. Mention was made that the Cooperatives of today were being exploited since the payment rate has been reduced to the lowest level compared to what was paid previous companies.

Regarding the payment rate for the Cooperatives, it was then agreed to conduct an investigation to determine reasonable payment rate for the Cooperatives, benchmarking this with the rate paid previously. That this exercised be fastracked during the course of the week to effect changes, if any, into the budget process in preparation for the annual budget approval by Council.

Thereafter, reverting to the funds transfer matter, the DA (02) abstained and with all other Parties being in support thereby saving the Cooperative business from collapsing.

Accordingly,

COMMITTEE RECOMMENDS:

2.1.1

That approval be granted for the transfer of funds from various vote numbers within Libraries and Heritage Department to pay service providers for service rendered amounting to R6 511 300.00 (Six Million Five Hundred and Eleven Thousand Three Hundred Rand) as set out in the Annexure “A” in the report by the Acting Head: Parks, Recreation and Culture dated 2022-02-28.

Vote Number: FROM	Description	Amount R
15121.15200.12120.0000.MRC01.W033	Buildings	200 000.00
15222.15200.12120.0000.MRC01.W027	Buildings	300 000.00
15438.15200.12120.0000.MRC01.W023	Buildings	500 000.00
15117.15200.12120.0000.MRC01.W065	Buildings	900 000.00
15447.15200.12120.0000.MRC01.W035	Buildings	1 000 000.00
15032.22200.12120.0000.48210.0010	Uniforms	400 000.00
15033.20305.12120.0000.MRC01.W027	Publications and Periodicals	1 300 000.00
15032.19930.12120.0000.35000-4.W028	International Travel	70 000.00
15032.21920.12120.0000.39460.0010	Accommodation	130 000.00
15032.21990.12120.0000.350000-4.W027	Other Transport	11 000.00
15032.22005.12120.0000.350000-4.W027	Air Transport	22 400.00
15032.16335.12120.0000.MRC01.0010	Signs	10 000.00
15032.22115.12120.0000.350000-4.W027	Air Transport	49 900.00
15032.22145.12120.0000.350000-4.W027	Accommodation	20 000.00
15032.22040.12120.0000.350000-4.W027	Accommodation	8 000.00
15032.22710.30.12120.0000.37150.0010		90 000.00
TOTAL		5 011 300.00
Vote Number: TO	Description	Amount R
15032.10640.12120.0000.MRC01.0010	Cleaning Services	5 011 300.00
Vote Number: FROM	Description	Amount R
15503.25030.17.12120.0000.MRC01.0010	Grant-in Aid	1 500 000.00

Vote Number: FROM	Description	Amount R
Vote Number: TO	Description	Amount R
15503.11760.12120.0000.38560.0010	Stage and Sound	
15503.11330.12120.0000.35000-1.0010	Artist and Performers	
15503.18950.10.12120.0000.38560.0010	Cleaning Services	
15505.11560.12120.0000.95560-10.0010	Building Maintenance	
15504.10640.12120.0000.MRC01.0010	Cleaning Services	
15504.11560.12120.0000.95296-10.W028	Building Maintenance	
Total		1 500 000.00
Grand Total		6 511 300.00

2.1.2

That subject to the approval of .1 above, the said transfer be reported on the Deputy City Manager: Finance's Virement Budget 2021/2022.

FC No.: 33/721

REFERENCE BACK

In terms of Rule of Order Bylaw 20(1)(c), Councillor J Annipen of the IFP, moved as a procedural motion and seconded by Councillor NC Gumede of the IFP, that the above recommendations of the Executive Committee be referred back to the Community Services Committee since the IFP requires further clarity on this matter.

Some Members were not in support of the reference back of the programme citing that this matter has been included in the list of items that were important to urgently consider because it affects service providers such as cooperatives who have already provided services but have been owed their payments by the City for more than 30 days due to budget cuts emanating from the Covid-19 and the recent floods related cost issues.

Therefore, as there were contrary views, the matter was put to the vote. With 198 Councillors present, 94 Councillors (DA-51, EFF-23, IFP-16, Action SA-03 and ACDP-01) voted in support of the reference back; 107 Councillors (ANC – 91; ABC – 02; ACC – 01; ADEC-00; AIC – 02; DLC-01; APF-01; ATM 01; AL JAMAH-AH-00; KZNI – 00; JEP-01; MF-01; MOSA -00; NFP-01; PFP – 01; PRM- 01, TA – 01; UIM- 01 and VF Plus-01) voted against; and 00 Councillor abstained on the matter.

Accordingly, the motion was, by the majority vote, **NOT CARRIED**

Reverting to the substantive matter, the IFP cited that this matter was an unfunded mandate which should have been taken away from the City a long time ago. It pointed out that Health and Libraries' Departments were robbing communities of funds on cleaning facilities of such unfunded mandates. On such basis, it was emphasised that IFP was abstaining from the matter.

As some members were not in support of the recommendations; the matter was put to the vote. With 196 Councillors present, 127 Councillors (ANC - 91, EFF- 21; ABC - 02, AIC- 02; DLC – 01; ACC- 01; ADEC – 00; APF-01; ATM-01; AL JAMA-AH - 00, JEP - 01, KZNI – 01; MF – 01; MOSA - 00; NFP-01; PFP – 01; PRM – 01; TA – 01 and VFP - 01) voted in favour; 00 Councillors voted against the matter and 69 Councillors (DA – 48; IFP- 15; ASA – 04; ACDP- 01 and UIM- 01) abstained on the matter.

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

2.2 REPRIORITIZATION OF CAPITAL BUDGET: HEALTH UNIT 2021/2022 (7/1/2/2)

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With the DA (03) abstaining, by the majority support,

COMMITTEE RECOMMENDS:

- 2.2.1 That approval be granted for the reprioritization of the Health Unit Capital Adjustment Budget to proceed with the implementation and completion of the Projects in the amount of R4 860 071.00 (Four Million Eight Hundred and Sixty Thousand and Seventy One Rand), as indicated in Table 1 on Pages 2, 3 and 4 in the Report of the Head: Health dated 2022-04-23.

The projects in Table 1 that were allocated funds during the budgeting process but do not require all the allocated funds as per Architecture's revised Budget:

Project Name	2021 Approved Budget	2021 Revised Budget	Savings	Project Name	Amount
Umlazi G Clinic Upgrade	R3 529 637	R800 000	2 729 637	Sea Cow Lake: Fencing & Guard House	R450 000
Glen Earl Clinic Upgrade	R937 000	R121 000	R816 000	Mntamntengayo: Fencing	R400 000
Isipingo Clinic Fencing	R560 000	R0.00	R560 000	Bluff: Gate and Fencing	R200 000
				Lovu Clinic: Paving	R12 000
Lamontville Clinic	R750 000	R300 000	R450 000	Pinetown Clinic: Installation of window burglar guards	R200 000
				Savannah Park Clinic & New Germany Clinic: Installation of window burglar guards	R200 000
Kloof Clinic Upgrade	R937 000	R500 000	R437 000	Umlazi N, Umzamo and Isipingo: Installation of window burglar guards	R200 000

Project Name	2021 Approved Budget	2021 Revised Budget	Savings	Project Name	Amount
				Luganda Clinic and Sea Cow Lake: Installation of Handrails & ramps	R200 000
Tshelimnyama Replacement Clinic	R56 000	R0.00	R56 000	Bester Clinic: Asphalt Paving	R10 000
				Shallcross Clinic: Fencing	R5 000
				Shallcross Clinic: Construction of guard house	R10 000
				Umzamo Clinic: Construction of guard house	R70 000
				Six (6) Particulate matter monitors (PM 10 & 2.5)	R1 331 964
				Supply, delivery, installation and calibration	R100 815
				Onsite training for 3 Technicians	R6 292
				Supply, delivery and installation of 3 Btex Gc Analyzers	R584 000
				Varios Clinis purchase of medical equipment to fulfill National core standards requirements	R200 000
				Umkomaas Clinic for consultant fees to close off project	R130 000
	R6 769 637	R1 721 000	R5 048 637		R4 860 071

2.2.2 That subject to the adoption of .1 above, the budget transfers of R4 860 071.00 (Four Million Eight Hundred and Sixty Thousand and Seventy One Rand) be reported on the Deputy City Manager: Finance's Adjustment Budget 2021/2022.

ADOPTED.

2.3 REQUEST TO SUPPORT INGOMA KAZWELONKE FESTIVAL THROUGH PARTNERSHIP AND SPONSORSHIP (13/2/1/2/1)

(Page 97)

Based on concerns similar to those raised in 3.7 above, the DA (03) abstained on this matter. With the majority being in support, also based on similar views submitted above,

COMMITTEE RECOMMENDS:

- 2.3.1 That Council approves sponsorship of Ingoma kaZwelonke Festival in the amount of R928 700.83 (Nine Hundred and Twenty Eight Thousand Seven Hundred Rand and Eighty Three Cents), through funds available for the 2022/2023 financial year, and with the event to be hosted at the People's Park Stadium.
- 2.3.2 That authority be granted for the Deputy City Manager: Community and Emergency Services to negotiate benefits and rights to leverage the destination and profile Durban with the event organizer of the Ingoma kaZwelonke Festival.

Financial Implications:

The total financial implications for Ingoma kaZwelonke Festival are provided for the 2022/2023 financial year towards venue hire of People's Park, seating stand and infrastructure.

Item	Amount	Vote Number
Venue Hire (People's Park)	R478 700.83	14001.18950.10.12120.38300.0010.0000
Sponsorship towards infrastructure and seating stand scaffolding	R450 000.00	14001.16325.12120.0010.0000.
Total	R928 700.04	

FC No: 32/261

As some members were not in support of the recommendations; the matter was put to the vote. With 200 Councillors present, 150 Councillors (ANC - 89, EFF- 24; IFP- 16; ASA- 04; ABC - 02, ACC- 01; AIC- 02; ACDP-01; DLC – 01; ADEC – 00; APF-01;ATM-01;AL JAMA-AH - 00, JEP - 01, KZNI – 01; MF – 01; MOSA – 00 ;NFP-01;PFP – 00; PRM – 01; TA – 01; UIM- 01 and VFP - 01) voted in favour; 00 Councillors voted against the matter and 50 Councillors (DA- 50) abstained on the matter.

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

The meeting terminated at 15h45.

NOTED AT THE MEETING OF THE ETHEKWINI COUNCIL ON 2022-06-30

SPEAKER