



24 April 2025

REPRESENTATIONS REGARDING THE 2025/2026 DRAFT BUDGET

For inquiries contact;

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Emalahleni Informal Settlements Cluster ("MASCOM") welcomes the invitation from the municipality for public comments following the notice given in terms of the requirements of section 34 and section 21(a)(b) of the Municipal Systems Act of 2000. MASCOM is making its representations in terms of the following legislative provisions:

- Constitution of the Republic of South Africa, 1996, section 152(a) and (e);
- Local Government Municipal System Act of 2000, Chapter 4, section 16(1)(a)(i) and (iv);
- Local Government Municipal Finance Management Act of 2003, Chapter 4, sections 22(a)(ii) and 23(1)(a).

MASCOM is a coalition of informal settlement communities located in the Emalahleni Local Municipality (ELM). They include Magagula, Lindokuhle, Somgodla, 5-Shaft, Mkataneni, Jooma, Benicon, Masakhane, Commando Park, Kwezela Farm, Elpaso, Spring Valley, Mgewana and Empumelweni. The communities are situated in wards, 18, 19, 21 and 32. MASCOM's objective is to realise improved and meaningful community participation in decision-making and project implementation processes at municipal level, to enhance the delivery of basic services and development in these communities.

The communities concerned do not fully enjoy the constitutionally guaranteed rights, in particular socio-economic rights, such as access to water, sanitation, safe and reliable energy and housing, amongst others. The representations will focus mainly on the basic services mentioned above. The representations will be based on the contents of the ELM 2025/2026 Draft Budget. MASCOM notes with concern that 14 of the 34 wards in the municipality were not mentioned in the draft budget document. They include wards 2, 3, 5, 6, 15, 18, 19, 25, 26, 27, 28, 30, 21 and 32.

MASCOM seeks clarity concerning the draft budget allocation for sanitation services as it relates to informal settlement communities. In 2023, the ELM provided sanitation facilities to the community of Lindokuhle in Vandyk, Ward 32. The services was extended to few other communities in the ward later. Despite some shortfalls in the form of the sanitation facilities, and poor maintenance thereof, MASCOM welcomed the development as a step in the right direction. The ELM had not been providing this service to unrecognised informal settlement communities before.

However, MASCOM is concerned that there is no allocation in the draft budget to further extend the roll out of the service to other wards and provide better maintenance. There is an amount of R171 000 000 allocated for sanitation consumption that is based on water consumption. MASCOM interprets

this to be referring to the service in formal townships. If this interpretation is correct, it means the sanitation service is not considered for informal settlement communities in the ELM 2025/2026 Draft Budget. MASCOM recommends that the budget explicitly reflects an allocation for the service in informal settlements. We refer you to section 152(b) of the Constitution of South Africa, 1996 (Constitution) concerning one of the objectives of local government.

MASCOM welcomes the statement that “most of contracted services will be gradually phased out; as the municipality will be capacitating and increasing own resources.” We call for accelerated process to phase out water provision through water tankers in informal settlement communities. Instead of transporting water, in the meantime, the municipality should consider constructing boreholes powered through electricity or solar energy, depending on what is appropriate. The budget for transportation of water should be redirected to realise the above recommendation. This would reduce long-term costs currently incurred.

The ELM 2025/2026 Draft Budget does not reflect much on human settlements related plans, particularly as it relates to informal settlement communities. We note, with a deem view, the exclusion of the Informal Settlements Upgrading Grant from the list of grants in the table outlining the capital expenditure for 2025/2026 financial year. MASCOM encourages the municipality to consider applying for the grant in order to align itself with the national government’s goal to eradicate informal settlements within a stipulated timeframe. Despite chasing the deadline for the eradication, it is a legally and morally correct thing to do.

MASCOM calls for project transparency concerning the Municipal Infrastructure Grant (MIG). We believe that transparency is crucial for accountability. We therefore, suggest that the municipality should be more explicit with examples of the infrastructure projects to be allocated budget from the MIG. It would be appreciated if mentioned could be made such as name of the streets to be tarred, the lengths and width. Project implementation timelines and funding details are crucial information. When such information is made clear and accessible the public is enabled to conclude if the project was successfully accomplished or not – to assess objectively if there was value for money.

Generally, road conditions in informal settlements are poor, especially during the rainy season. This affects mobility and access for those residing in informal settlements. This has various negative effects. MASCOM recommends that the municipality should make provision in the budget to address the matter. The municipality should also consider making applications for relevant grants for electrification of informal settlements.

MASCOM, notes the refuse budget increase from R215 000 000 to R224 000 000 and welcomes this in the interest of environmental concerns. Sadly, informal settlements have, generally, been neglected as far as this service is concerned. This is clear violation of section 24(a) of the Constitution. We propose that the informal settlement communities be considered for the service within this budget. It would be appreciated if a clear plan with a budget could be developed and made accessible for public consumption.

In conclusion, MASCOM is concerned that the draft budget reflects a projected budget decrease for 2026/2027. The capital budget for 2025/26 is R242 252 400 while the projected budget for the following financial year is R229 258 900. Should the budget not reflect consistent growth to match community needs? We urge the municipality to reconsider this matter.

We trust that our representation will receive your attention.