

EXECUTIVE COMMITTEE

of the

NEWCASTLE MUNICIPAL COUNCIL

MINUTES OF THE MEETING HELD IN THE EXCO ROOM,
MUNICIPAL BUILDING, SCOTT STREET, NEWCASTLE ON
WEDNESDAY, 28 NOVEMBER 2018 AT 09:00

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EXECUTIVE COMMITTEE MEETING

28 NOVEMBER 2018

ATTENDANCE REGISTER

PRESENT

Councillor	E	M	Nkosi	:	Chairperson
Councillor	V	V	Bam		
Councillor	E	J	Cronje		
Councillor	R	M	Molelekoa		
Councillor	M		Shunmugam		
Councillor	D	P	Sibiya		
Councillor	S	M	Thwala		
Councillor	N	A	Zwane		

ABSENT WITH APOLOGY

Councillor	R	N	Mdluli	:	ill
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OFFICIALS PRESENT

Municipal Manager	:	Mr	B	E	Mswane
Strategic Executive Director : Community Services	:	Mr	B	D	Nkosi
Strategic Executive Director : Corporate Services	:	Dr	N	Y	Mbatha-Mahlubi
Strategic Executive Director : Technical Services	:	Mr	S		Chauke
Acting Strategic Executive Director : BTO	:	Mr	S	M	Nkosi
Chief Audit Executive	:	Ms	S		Chenia
Acting Chief Risk Officer	:	Mrs	B		Mthombeni
Manager : Secretariat and General Administration	:	Mrs	Z		Ngubane
Manager : Monitoring and Evaluation	:	Mrs	N		Ticka-Ragunanan
Senior Administrative Officer	:	Ms	M		Mduna
Junior Administrative Officer	:	Ms	P		Thwala
Intern	:	Mr	S		Thwala

ALSO PRESENT

Chief Whip	:	Cllr	N	G	Mnguni
Representatives from uThukela Water (Pty) Ltd					
Representatives from MISA					

**RESOLUTIONS
OF THE
EXECUTIVE COMMITTEE
ADOPTED UNDER
DELEGATED POWERS**

B216 : OPENING

The Chairperson requested all to rise and observe a moment of silent prayer. He requested the Municipal Manager to read the notice convening the meeting and thereafter declared the meeting opened.

B217 : APPLICATIONS FOR LEAVE OF ABSENCE : (CS(A) 3/1/4/1)

The meeting was informed that Cllr. R.N. Mdluli had given notice to the effect that she would not be able to attend the meeting.

RESOLVED

That Cllr. R.N. Mdluli be granted leave of absence from attending the meeting.

SED:CS(A)
R.N. Mdluli

B218 : OFFICIAL NOTICES

The Municipal Manager reported on the audit outcome for 2017/2018 and indicated that at the meeting held on Monday, 26 November 2018, Newcastle Municipality received an un-qualified audit opinion. He indicated that the outcome will be tabled to Council once it is official.

NOTED**B219 : UNOPPOSED PROPOSALS BY MAYOR****NONE****B220 : CONFIRMATION OF MINUTES****RESOLVED**

That the minutes of the special meeting of the Executive Committee held on 31 October 2018, be confirmed.

Mover : V.V. Bam

Seconder : R.M. Molelekoa

B221 : QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN**NONE**

B222 : MOTIONS OF WHICH NOTICE HAD BEEN GIVEN

NONE

B223 : REPORTS OF ANY COMMITTEE**A.(i) Community Services Portfolio Standing Committee : Meeting held on 6 November 2018**

RESOLVED

That resolutions B93 to B 98(i), B 98(iv) to B 99, B101 to B113 of the Community Services Portfolio Standing Committee meeting held on 6 November 2018, be noted.

A.(ii) Cemeteries : (CS 7/2/2/15)

RESOLVED

That a report on all cemeteries be submitted to the Executive Committee.

SED:CS
D.P. Sibiya

A.(iii) Parking meters : (CS 12/9/8)

The Executive Committee express concerns on the appointment of the Service Provider with no financial capacity.

RESOLVED

- (a) That management make recommendations should the findings indicate that the appointed Service Provider is unable to provide services;
- (b) that the Service Provider provide tangible evidence of financial position and clear programme on the project and that the report be submitted to the Executive Committee within a period of 2 weeks.

SED:CS
D.P. Sibiya

A.(iv) Refurbishment and extension of the Newcastle Library : Status report: October 2018 : (CS(C&A) 16/3/4)

RESOLVED

That the matter will be referred to Legal Services.

SED:CS
D.P. Sibiya

B.(i) Corporate Services Portfolio Standing Committee : Meeting held on 6 November 2018

RESOLVED

That resolutions B102 to B112 of the Corporate Services Portfolio Standing Committee meeting held on 6 November 2018, be noted.

B.(ii) Window cleaning report : Corporate Services : Administration Directorate : (CS(A) 16/3/1 : CS(A) 16/2/8)

RESOLVED

That a full report be submitted to the Executive Committee. | **SED:CS(A)**
R.N. Mdluli

C. Development Planning and Human Settlements Portfolio Standing Committee : Meeting held on 13 November 2018

RESOLVED

That resolutions B140 to B172 of the Development Planning and Human Settlements Portfolio Standing Committee meeting held on 13 November 2018, be noted.

D.(i) Finance Portfolio Standing Committee : Meeting held on 15 November 2018

RESOLVED

That resolutions B125 to B130(i) as well as B131 to B135 of the Finance Portfolio Standing Committee meeting held on 15 November 2018, be noted.

D.(ii) Selling of the debtors book : (BTO 6/7)

RESOLVED

(a) That the heading, "selling of the debtors book" be amended to read as follows :-

"The feasibility study on the selling of the debtors book"

- (b) that the first paragraph of the preamble be amended to read as follows :-

“The committee requested that the matter of the feasibility study on the selling of the debtors book, be looked into by Budget Treasury Office, further stating that a special Finance Portfolio Standing Committee meeting be held for the presentations of Service Providers who expressed interest and subsequently to the Executive Committee.

E. Technical Services Portfolio Standing Committee : Meeting held on 16 November 2018

RESOLVED

That resolutions B127 to B140 of the Technical Services Portfolio Standing Committee meeting held on 16 November 2018, be noted.

B224 : URGENT MATTERS/ ADDITIONAL ITEMS

Presentation on bulk water supply volume by uThukela Water (Pty) Ltd : (MM 10/1/12)

The Representative from uThukela Water (Pty) Ltd, Mrs. H. Hickley gave a presentation on the status of water in Newcastle.

The Municipal Manager advised that the status of the shortage of water due to climate change should be communicated to communities by Council.

The Mayor appreciated the presentation by uThukela Water (Pty) Ltd and requested that the presentation be circulated to all councillors.

NOTED

B225 : BACK TO BASICS (B2B) PROGRAMME : (MM 10/1/6/12)

The Municipal Manager reported that a meeting was held with Eskom and CoGta where an new realistic agreement was entered into. He mentioned that CoGta would address Council on the new agreement and assured the Executive Committee that there is no risk for cut-off's.

RESOLVED

- (a) That the monthly reports on Back to Basics to the period ending September 2018 as submitted to the Department of Co-operative Governance, be noted;

MM

- (b) that the Quarter 1 2018/2019 Back to Basics report, including progress on the Support Plan, be noted;
- (c) that CoGta be advised to submit information on new KPI's timeously to ensure mainstreaming thereof to SDBIP's and performance agreements;
- (d) that the validation of STATSA information for planning and reporting purposes be escalated to CoGta for further guidance;
- (e) that the impact of the customisation of basic service delivery KPI's be noted in so far as the non-alignment to B2B reporting and the IDP is concerned be noted for further guidance by CoGta;
- (f) that the non-attendance of Traditional Leaders to Council meetings be addressed by CoGta, but the municipality continue to invite relevant Traditional Leaders accordingly;
- (g) that further guidance by CoGta on LED KPI's be obtained and that CoGta be requested not penalise municipalities for these KPI's until such time that clarity is received from CoGta;
- (h) that in line with the B2B assessment engagement held on the 21 November 2018 the action plan be revised to include :-
 - High levels of ESKOM debt
 - Low MIG Expenditure
 - Provincial Cross-border alignment with Mpumalanga;
- (g) that all Portfolio Standing Committees receive and interrogate SDBIP's on a monthly basis.

MM

CONCLUSION OF MEETING

There being no further business to discuss, the meeting concluded at 13:15.

CONFIRMED

2018-12-05
DATE


CHAIRPERSON

**RECOMMENDATIONS
OF THE
EXECUTIVE COMMITTEE
SUBMITTED TO THE
NEWCASTLE
MUNICIPAL COUNCIL
FOR CONSIDERATION**

A87 : REPORTS OF ANY COMMITTEE**A. Community Services Portfolio Standing Committee : Meeting held on 6 November 2018****Waste management : Report on overtime : (CS 5/4/2/8)****RESOLVED TO RECOMMEND**

- (a) That Human Resources assist in adjusting the shifts of street cleaners to improve efficiency;
- (b) that all vacant positions be filled and critical vacancies also be filled;
- (c) that budget availability check be done before advertising.

SED:CS
D.P. Sibiya

B. Corporate Services Portfolio Standing Committee : Meeting held on 6 November 2018**(i) Meeting dates : 2019 : Committees of Council : (CS(A) 2/3/1/2)****RESOLVED TO RECOMMEND**

- (a) That all Portfolio Standing Committee's dates be not scheduled on paydays;
- (b) that the attached schedule of future dates and frequency of meetings of Council, as amended be adopted;
- (c) that due to holidays all Portfolio Standing Committees take place in the second week of January 2019.

SED:CS(A)
R.N. Mdluli

(ii) Council representation : Executive as well as other sections 79 and 80 committees of the Council : (CS(A) 3/2/2/1)**RESOLVED TO RECOMMEND**

- (a) That Cllr. P.B. Mwali represent the Independent Party in the Corporate Services Portfolio Standing Committee;
- (b) that Cllr. N.N.G. Mahlaba represent the African National Congress in the Finance Portfolio Standing Committee;

SED:CS(A)
R.N. Mdluli

- (c) that Cllr. V.G. Zondo represent the African National Congress in the Municipal Public Accounts Committee.

SED:CS(A)
R.N. Mdluli

C. Development Planning and Human Settlements Portfolio Standing Committee : Meeting held on 13 November 2018

(i) Appropriation report for transfer fees : (DP&HS 6/7)

RESOLVED TO RECOMMEND

- (a) That Council note the amount of R3 794 400 million transferred by KZN Human Settlements to Newcastle for EEDBS purposed;
- (b) that an amount of R1.5 million be appropriated into the 2018/2019 financial year budget, for the purpose of paying the conveyancers, that are involved in the EEDBS Program;
- (c) that it be noted that the balance would be incorporated into 2019/2020 budget in order to complete the Title Restoration Program.

SED:DP&HS
M. Shunmugam

(ii) Reconciliation and payment of operation cost for 2nd quarter 2018/2019 financial year : Newcastle Municipality level 2 accreditation : (DP&HS 6/14/3 (1))

RESOLVED TO RECOMMEND

- (a) That it be noted that Newcastle Municipality will receive an amount of R 857 170.92 or the months of July, August and September 2018 for payment of operational cost In terms of Accreditation Protocol;
- (b) that Council notes that this grant is for operational cost as per Accreditation Implementation Protocol;
- (c) that in view of (a) above the amount R857 170.92 be appropriated in the 2018/19 operational budget.

SED:DP&HS
M. Shunmugam

- (iii) **Purchase of Boschoek farm for middle income housing, serviced site and house for military veterans : (DP&HS 14/3/3 : DP&HS 13/3/3/5/2)**

RESOLVED TO RECOMMEND

- (a) That Council supports the purchasing of the remainder of Boschoek farm 3345 measuring 132,617 hectares for middle income housing and serviced sites;
- (b) that in view of the (a) above the purchase price be determined by the competent professional valuer as soon as possible;
- (c) that it be noted that the funds required to purchase the above farm and service the site will be requested from KZN Department of Human Settlements;
- (d) that it be confirmed that the sites will only be used for the Development of Sustainable Human Settlements as well as other ancillary services;
- (e) that it be further noted that priority be given to residents of Siyahlala who did not qualify for Government Housing Subsidy, project overflow, serviced sites and the verified Newcastle Military Veterans members and other residents who qualify for housing;
- (f) that the Municipal Manager be authorised to enter into an agreement with the Provincial Department of Human Settlements in relation to the purchase of Boschoek Farm.

SED:DP&HS
M. Shunmugam

- (iv) **Amendment of a Council resolution for the proposed redevelopment of the Remainder of Erf 1098 Newcastle, Boschoek Weir Dam - Richview : (DP&HS 13/3/3-2968)**

RESOLVED TO RECOMMEND

- (a) That Council permit the publication of a tender by inviting interested parties/developers to tender their proposals towards the lease or purchase of the Remainder of Erf 1098 Newcastle Richview-Weir for re-development purposes;
- (b) that the property description to be changed in the Council resolution from Erf 2968 Newcastle, Richview-Weir into Erf 1098 Newcastle, Richview-Weir;

SED:DP&HS
M. Shunmugam

- (c) that in the case of lease Council approves a 20-30 year lease with a successful bidder with the aim that where the lease lapses, all improvements reverts back to Council.

SED:DP&HS
M. Shunmugam

D. Finance Portfolio Standing Committee : Meeting held on 15 November 2018

- (i) **Indigent application process : Write-off of debt : October 2018: (BTO 6/7)**

RESOLVED TO RECOMMEND

- (a) That debt owed by registered indigent account holders processed during the month of October 2018 in accordance with the attached schedules, amount to R6 951 760.36 be written off against the bad debt reserve;
- (b) that the Finance Portfolio Standing Committee revisits the period of processing the indigent applications.

SED:BTO
E.M. Nkosi

- (ii) **Deviations report in terms of paragraph 23.1(c) and 48.2 of the Municipal Supply Chain Management Policy for a month of September 2018 : (BTO 21/B)**

RESOLVED TO RECOMMEND

That, the report regarding the deviations and ratification of minor breaches of, procurement process in terms of paragraph 23.1; 24.1 and 48.2 of the Newcastle Municipality's Supply Chain Management Policy for month of September 2018, be noted.

SED:BTO
E.M. Nkosi

- (iii) **Withdrawals from municipal bank account (MFMA) : Quarter ended 30 September 2018 : (BTO 1/1/14)**

RESOLVED TO RECOMMEND

That the report submitted in terms of section 11(4)(a) of the Municipal Finance Management Act, N°. 56 of the 2003, for the quarter ended 30 September 2018, be noted.

SED:BTO
E.M. Nkosi

- (iv) **Municipal grants (MFMA) : Quarter ended 30 September 2018 : (BTO 6/11/2)**

RESOLVED TO RECOMMEND

That the report on municipal conditions grants for the quarter ended 30 September 2018, be noted.

SED:BTO
E.M. Nkosi

- (v) **Municipal investments (MFMA) : Quarter ended 30 September 2018 : (BTO 6/11/2)**

RESOLVED TO RECOMMEND

(a) That the report on municipal investments for the quarter ended 30 September 2018, be noted;

(b) that the Finance Portfolio Standing Committee hold an adjustment budget strategic planning session in the first week of December 2018.

SED:BTO
E.M. Nkosi

- (vi) **Municipal borrowings (MFMA) : Quarter ended 30 September 2018 : (BTO 6/11/2)**

RESOLVED TO RECOMMEND

That the report on municipal borrowings for the quarter ended 30 September 2018, be noted.

SED:BTO
E.M. Nkosi

- (vii) **Section 71 : Monthly budget statement : National reporting standard : Month three : 30 September 2018 : (BTO 6/1/1-2018/2019)**

RESOLVED TO RECOMMEND

That the Municipal Finance Management Act, Section 71 report for the month ended 30 September 2018, be noted.

SED:BTO
E.M. Nkosi

- (viii) **Section 52(d) : Quarterly budget statement : National reporting standard : First quarter : 30 September 2018 : (BTO 6/1/1-2018/2019)**

RESOLVED TO RECOMMEND

That the Municipal Finance Management Act, Section 52(d) report for the month ended 30 September 2018, be noted. **SED:BTO
E.M. Nkosi**

A88 : URGENT MATTERS/ ADDITIONAL ITEMS

- (i) **Global Mayor's Forum and 2018 Urban Innovation Conference and the 4th edition of Gangzhou Award : (MM 13/15/44)**

RESOLVED TO RECOMMEND

- (a) That the Executive Committee note the invitation;
- (b) that permission be granted for the Mayor to attend the Global Mayor's Forum, 2018 Urban Innovation Conference and the 4th Edition of Gaungzhou Award;
- (c) that the costs for flights, accommodation, food and local transportation in China will be borne by the conference organisers;
- (d) that the Mayor be accompanied by the local business delegation identified in liaison with the operating Chambers in town who can network and exchange business deals whilst in China;
- (e) that it be noted that cost association with (d) above be borne by individuals who may seek sponsors, etc. to cover the cost associated with travelling;
- (f) that Newcastle Municipality supports the Mayor with R20 000 daily allowance.

MM

(The DA requested that their dissenting vote be recorded.)

- (ii) **Water crisis in Newcastle : (TS 11/2/5)**

The Strategic Executive Director : Technical Services presented a report on the water crisis in Newcastle. He indicated that the purpose of the report is to sensitise Council on ever occurring water shortages that affect the community.

The Executive Committee proposed that a structural planning and specification committee be implemented to deal specifically with infrastructural matters.

The Executive Committee noted with concern issues of lack of understanding of the network system by Technical Services and they further indicated that the municipality should improve on the succession plan in order to transfer skills.

RESOLVED TO RECOMMEND

- (a) That the water infrastructural program be given a priority in terms of budget allocations;
- (b) that the content of this report be noted and once approved, the progress be reported to council timeously;
- (c) that the Legal Department plays a role on development of the Service Level Agreement (SLA) and to enforce contractual accountability of the Service Providers rendering a professional service for the municipality;
- (d) that the Executive Committee and the Strategic Executive Director : Technical Services ensures that the master plan, inclusive of all water sector plans, is budgeted for;
- (e) that a report with cost analysis be submitted to the Executive Committee;
- (f) that a process plan be submitted together with all the reports to the Executive Committee;
- (g) that the Strategic Executive Director : Technical Services submit a report of all consultants appointed by the department.

SED:TS
R.M. Molelekoa

(iii) Report by Municipal Infrastructure Support Agency (MISA) : (TS 6/14/1)

Mr. G. Matjila from MISA reported on the progress and indicated that MISA has secured an amount of R10 million for solar power projects for 24 boreholes in wards 1 and 21. He further mentioned that a tender for a 5 year reliability master plan has been advertised and funding secured. He, however, mentioned that the water conservative management plan was reported as concern by MISA.

Another concern raised was on the MIG under-expenditure which could result in funding be taken away.

RESOLVED TO RECOMMEND

- (a) That the report presented by MISA, be noted with concerns and all recommendations be taken into consideration;

SED:TS
R.M. Molelekoa

- (b) that the Municipal Manager, Strategic Executive Director : Technical Services, Acting Strategic Executive Director : Budget and Treasury Office, Supply Chain Manager and MISA convene an urgent meeting to discuss remedial action on the under-expenditure;
- (c) that a skills audit action plan be submitted to the Executive Committee.

SED:TS
R.M. Molelekoa

(iv) Filling of vacancies : (CS(HR 5/3/5)

After an "in committee" discussion, it was

RESOLVED TO RECOMMEND

That all critical positions be prioritised for advertising and filling in, thereof, subject to the availability of budget in line with the organogram.

SED:CS(A)
R.N. Mdluli

A89 : ANNUAL PERFORMANCE REPORT : 2017/18 (SUBJECT TO AUDIT BY AG) : (MM 2/1/2)

RESOLVED TO RECOMMEND

- (a) That the Annual Performance Report 2017/18 be noted, to be considered on receipt of the Auditor-General's Report, and to be tabled by January 2019 with the Annual Report 2017/18;
- (b) that uThukela Water (Pty) Ltd be invited to present their annual report to Council.

MM

A90 : QUARTER 1 PERFORMANCE REPORT : 2018/2019 (PRELIMINARY ASSESSMENT) : (MM 2/1/2)

RESOLVED TO RECOMMEND

- (a) That the quarter 1 performance report 2018/2019, be noted;
- (b) that the quarter 1 report be finalised against Internal Audit finding as considered by the Audit Committee for input in themed-year assessment for the 2018/2019 financial year;
- (c) that all KPI owners use the PMS checklist to support improved quality reporting processes;

MM

- (d) that the PMS checklist be used for verification within departments at a senior management level to comply with the Policy Framework for performance reporting;
- (e) that critical vacancies in departments be filled to support accountability and continuity in departments to improve performance reporting and standards;
- (f) that skills development and capacity on performance related processes be prioritised through the workplace skills plan for all KPI owners and M&E practitioners;
- (g) that measures to monitor performance at a departmental level be implemented to ensure more regular tracking of performance;
- (h) that standard operating procedure and KPI definitions be prepared for all KPI's;
- (i) that the roll-out of individual performance management systems, be fast-tracked;
- (j) that the role of M&E Unit be clarified in so far as support to departments are concerned, taking into account the possible conflict of roles and responsibilities;
- (k) that integration and communication within and between departments to be improved.

MM

A91 : MANAGEMENT ACTION PLAN TO THE AUDIT COMMITTEE CHAIRPERSONS REPORT : 2018/2019 : (MM 01/01/01)

RESOLVED TO RECOMMEND

- (a) That the Executive Committee note managements action plan to the Audit Committee Chairperson's report;
- (b) that all Strategic Executive Directors implement actions taken by the Audit Committee;
- (c) that the Executive Committee monitor all action plans.

SED:CS(A)
R.N. Mdluli

A92 : SUBMISSION OF REPORT BY STRATEGIC EXECUTIVE DIRECTORS TO AUDIT COMMITTEE : (MM 01/01/01)

RESOLVED TO RECOMMEND

- (a) That the Executive Committee note the report on the performance of Strategic Executive Directors;

SED:CS(A)
R.N. Mdluli

- (b) that all Strategic Executive Directors co-operate and attend all Audit Committee meetings;
- (c) that all Strategic Executive Directors submit reports to the Audit Committee by Friday, 30 November 2018.

SED:CS(A)
R.N. Mdluli

A93 : EVALUATION PANELS OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER : (MM 2/1/2)

RESOLVED TO RECOMMEND

- (a) That an Evaluation Panel for the purposes of evaluating the annual performance of the Municipal Manager, be constituted as follows :-

LEGISLATIVE REQUIREMENT	MEMBER OF PANEL	ALTERNATE
Executive Mayor or Mayor	The Honourable Mayor	The Honourable Deputy Mayor
Chairperson of the Audit Committee	Chairperson	Chairperson of Audit Committee to nominate
Member of the Executive Committee	Cllr. N.A. Zwane	Cllr. R.N. Mdluli
Mayor and/or municipal manager from another Municipality	Municipal Manager Dannhauser	Mayor
Member of ward committee as nominated by the Mayor	To be nominated by Mayor	To be nominated by Mayor

MM

- (b) that an Evaluation Panel for the purposes of evaluation the annual performance of the manager directly accountable to the Municipal Manager be deferred until evaluations become due;
- (c) that the Mayor or Municipal Manager be the Chairperson of the respective Evaluation Panels;
- (d) that the recommendations by each of the Panels be submitted to Council for consideration after the adoption of the Annual Report as per section 8 of the Local Government : Municipal Performance Regulations, 2006;
- (e) that assessments be conducted on a monthly and quarterly basis and reports be submitted accordingly.

A94 : PERFORMANCE AGREEMENTS FOR MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGERS : (MM 2/1/2)

RESOLVED TO RECOMMEND

- (a) That the performance agreements as concluded in terms of the section 57 of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act") and the Local Government : Municipal Performance Regulations for Municipal Managers and Managers Directly accountable to Municipal Managers, 2006 be noted;
- (b) that it be noted that the performance agreements were submitted to the MEC for CoGta;
- (c) that the performance agreements will be placed on the Municipal website and submitted to the National Minister accordingly.

MM

A95 : OVERTIME INVESTIGATION : NEWCASTLE MUNICIPALITY : (CS(HR) 5/4/2/8)

RESOLVED TO RECOMMEND

- (a) That the report be noted;
- (b) that, overtime be allocated as per the provisions of the Basic Conditions of Employment Act, Conditions of Service Collective Agreement;
- (c) that, Human Resources design a program that will workshop and educate Directors, Managers, Foremen, Supervisors and Team Leaders on the legal prescripts that governs overtime;
- (d) that, the Human Resources Management Directorate together with Salary Office must review and amend the Overtime Policy to be in line with changes in the Basic Conditions of Employment Act and Conditions of Service Collective Agreement;
- (e) that, no overtime should be worked without the approval of the Municipal Manager or his delegated representative (Strategic Executive Directors and Directors) in order to avoid the abuse of overtime by Superintendents, Foremen and Supervisors;
- (f) that, Employees over the threshold should not be entitled to overtime pay unless application for exemption has been done successfully with SALGBC;

SED:CS(HR)
R.N. Mdluli

- (g) that, employees in possession of exemption granted by the Bargaining Council will not receive payment in lieu of overtime but will be granted time off which cannot be in cashed;
- (h) that, a Payroll Officer be appointed in the Human Resources Management Unit to check and verify that all payment requests are done in line with the legal prescripts before actual payment is done by the Salary Office;
- (i) that, Internal Audit Unit audits payment of overtime across departments to ensure that it is in line with required legal prescripts and that controls to regulate overtime are regularly tested;
- (j) that, Departments be disallowed to do virement transfers for purposes of funding overtime;
- (k) that, Heads of Departments control and monitor overtime and submit quarterly reports to the Municipal Manager on measures employed in their respective departments to reduce overtime;
- (l) that, all practical measures be put in place to ensure that service delivery work is done during normal working hours;
- (m) that, only employees who have worked the full-working week would be entitled to work overtime;
- (n) that, employment contracts of, but not limited to, the following positions be reviewed by the Legal Section to ensure that they are aligned with the operational requirements of the municipality :-
 - (i) Traffic Officer
 - (ii) Security Officer
 - (iii) CCTV Control Room Operators
 - (iv) Fire Fighters
 - (v) Meter Readers
 - (vi) Meter Reader Assistants
 - (vii) Semi-Skilled Labourers
 - (viii) Multi-Skilled Labourers
 - (ix) Process Controllers
 - (x) Assistant Process Controllers
 - (xi) Pump Operators
 - (xii) Electricians
 - (xiii) Technicians
 - (xiv) Special Workman
 - (xv) Artisan Plumbers;
- (o) that funds saved on overtime be reserved for the filling of critical positions;

SED:CS(HR)
R.N. Mdluli

- (p) that, in any given month, no overtime be paid in excess of 35% of an employee's monthly salary;
- (q) that an investigation be done regarding the status quo of all employees currently on light duty as well as all employees who are incapable to perform their duties;
- (r) that all employees working according to a shift system or on weekends should be declared a 6 day worker;
- (s) that a biometric system be installed in all municipal buildings where employees report for duty or knock off duty;
- (t) that shift systems and compressed working week for all departments be explored;
- (u) that overtime payment be tied to the biometric system to ensure that times not worked e.g. coming late, leaving early, taking afternoon off, and extended lunch hour are deducted before the actual payment is made;
- (v) that a proper investigation be done in the Mechanical Workshop to determine staff shortage;
- (w) that all municipal vehicles be managed by the Technical Services Department;
- (x) that the use of EPWP employees be explored to arrest overtime;
- (y) that where fraudulent claims have been identified, such be dealt with in terms of the Disciplinary Code of Collective Agreement as well as Code of Conduct for Staff;
- (z) that following (z) above , a process of recovery in terms of Section 32 of the Municipal Finance Management Act (Act 56 of 2003) be undertaken and all staff identified be held accountable;
- (aa) that Human Resources investigate and advise on disciplinary actions against implicated employees;
- (bb) that the Municipal Manager works closely with the Mayor to deal with matter of consequence management.

SED:CS(HR)
R.N. Mdluli

A96 : VACANCY : CHIEF AUDIT EXECUTIVE : (CS(HR) 5/3/5)**RESOLVED TO RECOMMEND**

- (a) That a selection panel consisting of
- Mayor of Newcastle Municipality
 - Municipal Manager of Newcastle Municipality
 - Municipal Manager of Alfred Duma Municipality
- be approved;
- (b) that the advertisement must encourage applicants from the employment equity target group;
- (c) that the Council balance gender representative as per Employment Equity Plan 2016 - 2021.

SED:CS(HR)
R.N. Mdluli

A97 : UNSPENT CONDITIONAL GRANT : NEIGHBOURHOOD DEVELOPMENT PARTNERSHIP GRANT (NDPG) 2018/2019 : (BTO 6/1/1 - 2018/2019)**RESOLVED TO RECOMMEND**

- (a) That the Council notes that the roll-over application for NDPG has been declined by National Treasury;
- (b) that it be noted that the municipality has submitted another motivation to National Treasury in terms of S22(5)(b) of DoRA;
- (c) that it be noted that should the new application not be successful, municipality will be required to refund and amount of R12,1 million to the National Revenue Fund.

SED:BTO
E.M. Nkosi

A98 : MEC : KZN-GOGTA COMMENTS ON THE ASSESSMENT OF THE NEWCASTLE LOCAL MUNICIPALITY FINAL INTEGRATED DEVELOPMENT PLAN (IDP) REVIEW 2018/2019 : (DP&HS 13/15/6)**RESOLVED TO RECOMMEND**

- (a) That the MEC : KZN-CoGta comments on the assessment of the Newcastle Local Municipality Final Integrated Development Plan 2018/2019 Review, be noted;
- (b) that the IDP Steering Committee Action Plan on addressing the comments by the MEC : KZN-CoGta be noted, approved and adopted as a course of action towards ensuring the development of a credible 4th Generation IDP.

SED:DP&HS
M. Shunmugam

A99 : VIP TOILETS IN JBC AND NIC AREAS : (TS 11/4/1/7)

The Executive Committee raised a concern on the funds committed for roads and the impact on implementing projects and requested clarity on the plan for the roads where funds will be removed from.

The Strategic Executive Director : Technical Services assured the Executive Committee that all planned roads will be implemented in the next financial year.

RESOLVED TO RECOMMEND

That the Council approves the injection of funds for the implementation of the JBC VIP programme, hereby the additional funds of R11 million be allocated for the further eradication of VIP backlogs to ensure that the remaining households to get dignified Ventilated Improved Latrines as per National Water Act requirements, as per the table below :-

MOVE FROM			MOVE TO		
Vote Description	Vote N°.	Amount	Vote description	Vote N°.	Amount
M 55	070 150 008 551	3 000 000	JBC VIP toilets	010 701 010 481	11 000 000
MD35	070 150 008 651	2 000 000			
ME11(B)	070 150 008 951	1 000 000			
OA85(B)	070 150 009 251	3 000 000			
OC20	070 150 009 251	3 000 000			
OA103	070 150 009 451	1 000 000			
		11 000 000			11 000 000

SED:TS
R.N. Molelekoa