

# Newcastle Municipality

## AGENDA

*for the*

### **COUNCIL MEETING**

*Wednesday, 27 November 2013*

*at 14:00*

# NOTICE

## COUNCIL

### NOTICE OF MEETING

2013-11-22

TO ALL COUNCILLORS  
NEWCASTLE MUNICIPAL COUNCIL

Dear Councillor

#### COUNCIL MEETING

Notice is hereby given that a council meeting will be held in the **Conference Room, Show Hall, Hardwick Street, Newcastle** on **Wednesday, 27 November, 2013** at **14:00** for the purpose of considering the matters as contained in the agenda.

Yours faithfully



**K. MASANGE**  
**MUNICIPAL MANAGER**

# AGENDA

**Agenda** for the meeting of the NEWCASTLE MUNICIPAL COUNCIL  
to be held in the Conference Room, Show Hall, Hardwick Street,  
Newcastle on Wednesday, 27 November, 2013 at 14:00

ITEM 1

OPENING

ITEM 2

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

ITEM 3

OFFICIAL NOTICES

ITEM 4

UNOPPOSED PROPOSALS BY SPEAKER

ITEM 5

CONFIRMATION OF MINUTES

- Minutes of the meeting of the Newcastle Municipal Council held on 6 November 2013 (blue pages numbered 1 to 7)

# **NEWCASTLE MUNICIPALITY**

**MINUTES OF THE COUNCIL MEETING HELD IN THE  
CONFERENCE ROOM, SHOW HALL, HARDWICK STREET,  
NEWCASTLE ON WEDNESDAY, 6 NOVEMBER 2013  
AT 14:00**

## NEWCASTLE MUNICIPAL COUNCIL

MEETING : 6 NOVEMBER 2013

### ATTENDANCE REGISTER

#### PRESENT

Councillor	M F	Zikhali	:	Speaker
Councillor	M V	Buhali		
Councillor	D R F	Buthelezi		
Councillor	S S E	Buthelezi		
Councillor	E J C	Cronje		
Councillor	T J	de Jager		
Councillor	C L	Dube		
Councillor	J K	Gabuza		
Councillor	F J	Gama		
Councillor	T Z	Hadebe		
Councillor	T S	Hlabisa		
Councillor	M M E	Hlatshwayo		
Councillor	S B	Hlatshwayo		
Councillor	I	Keeka		
Councillor	L G	Khoza		
Councillor	C B	Kubheka		
Councillor	N P	Kunene		
Councillor	S B M	Lukhele		
Councillor	H S	Madonsela		
Councillor	H T	Malindi		
Councillor	A M M	Mashinini		
Councillor	N S	Matthews		
Councillor	J S	Mbatha		
Councillor	Z J	Mbatha		
Councillor	M N	Mbokazi		
Councillor	M O	Mdhlalose		
Councillor	R N	Mdluli		
Councillor	C N	Mkhize		
Councillor	H N	Mkhwanazi		
Councillor	M S	Mlangeni		
Councillor	G A	Mncube		
Councillor	N A	Msibi		
Councillor	T M	Mzoneli		
Councillor	R B	Ndimma		
Councillor	S G	Ndlovu		
Councillor	M E	Ngcobo		
Councillor	N J	Ngobese		
Councillor	C L	Nhlapho		
Councillor	B S	Ntombela		
Councillor	N T	Ntshangase		
Councillor	E M	Nyembe		
Councillor	T M	Nzuze		
Councillor	A F	Rehman		

(ii)

Councillor	D O	Shabalala
Councillor	M	Shunmugam
Councillor	D M	Sibilwane
Councillor	D E	Tshabalala
Councillor Dr	J A	Vorster
Councillor	S J	Zulu
Councillor	T M	Zulu
Councillor	M E	Zwane
Councillor	N A	Zwane

### **ABSENT WITH APOLOGY**

Councillor	V V	Bam	:	personal circumstances
Councillor	M M	Bhekiswayo	:	personal circumstances
Councillor	J M E	Damons	:	indisposed
Councillor	D X	Dube	:	personal circumstances
Councillor	S	Kubheka	:	out of town
Councillor	M G	Mlangeni	:	personal circumstances
Councillor	D J Z	Nkosi	:	indisposition
Councillor	S M	Thwala	:	indisposition
Councillor	E M	Zungu	:	personal circumstances

### **OFFICIALS PRESENT**

Acting Municipal Manager	:	Mr	E	Hauptfleisch
Chief of Operations	:	Mr	B E	Mswane
Strategic Executive Director : Budget and Treasury Office	:	Mr	M J	Mayisela
Strategic Executive Director : Community Services	:	Mr	M P	Sithole
Strategic Executive Director : DP&HS	:	Ms	N	Thusi
Strategic Executive Director : Electrical/Mechanical Ser.	:	Mr	L	Zincume
Strategic Executive Director : Technical Services	:	Mr	S B	Dube
Executive Manager : Legal Services	:	Mr	E M	Nkosi
Executive Manager : Audit	:	Ms	S	Chenia
Director : Administration	:	Ms	D R	Molefe
Manager : Administration	:	Ms	Z	Ngubane
Manager : Communication	:	Ms	Z	Masondo
Administrative Officer	:	Mrs	M E	Palmer
Intern	:	Ms	Z	Xulu
Senior Security Officer	:	Mr	B	Seethal

**1 : OPENING**

The Speaker declared the meeting properly constituted and opened the meeting.

**2 : APPLICATIONS FOR LEAVE OF ABSENCE : (A 3/1/4/1)**

The meeting was informed that the following councillors had given notice to the effect that it would not be possible for them to attend the meeting :-

V V	Bam	M G	Mlangeni
M M	Bhekiswayo	D J Z	Nkosi
J M E	Damons	S M	Thwala
D X	Dube	E M	Zungu
S	Kubheka		

**RESOLVED**

That Councillors

V V	Bam	M G	Mlangeni
M M	Bhekiswayo	D J Z	Nkosi
J M E	Damons	S M	Thwala
D X	Dube	E M	Zungu
S	Kubheka		

**SED:CS(A)**  
**B.S. Ntombela**

be granted leave of absence from attending the meeting.

**3. OFFICIAL NOTICES****(i) Invitation : Launch of Buffalo Flats Water Supply Works : (CS(A) 19/1)**

The Acting Municipal Manager informed the meeting that all councillors were invited to attend the official launch of the Buffalo Flats Water Supply which would be held on 7 November 2013 at 10:00 at the Mzamo Sportsfields, Osizweni.

**NOTED****(ii) National Ethics Management Training : (CS(A) 19/1)**

The Acting Municipal Manager informed the meeting that training for all councillors in National Ethics Management would be conducted under the auspices of CoGta on 21 and 22 November 2013 in the Conference Room, Show Hall, Newcastle.

Councillors are requested to diarise the dates and further notification will be given closer to the date.

**NOTED**

**4 : UNOPPOSED PROPOSALS BY SPEAKER**

The Speaker informed all councillors that pamphlets pertaining to the Independent Electoral Commissions (IEC) voter registration drive were available in the printing room, Civic Centre. He urged councillors to obtain the pamphlets for distribution in their respective wards.

**NOTED**

**5 : CONFIRMATION OF MINUTES**

**RESOLVED**

That the minutes of the meeting of the Newcastle Municipal Council held on 25 September 2013, be confirmed.

**6 : QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN**

**NONE**

**7 : MOTIONS OF WHICH NOTICE HAD BEEN GIVEN**

**NONE**

**8 : REPORTS OF THE EXECUTIVE COMMITTEE**

The Mayor, Cllr. A.F. Rehman, moved that the recommendations of the Executive Committee be considered and that resolutions of the committee adopted under powers delegated to the committee and where indicated, be noted.

**VIDE THE ANNEXED PART A AND PART B**

**9 : MUNICIPAL PUBLIC ACCOUNTS COMMITTEE : (CS(A) 3/1/4/5)**

**NONE**

**10 : PRESENTATION : E-EVALUATION : (BTO 15/1)**

Representatives from E-Evaluation gave a brief overview of the process involved in compiling the 2014 general valuations roll for the Newcastle Municipality as well as their communication strategy, whereafter, it was

**NOTED**



**CONCLUSION OF MEETING**

There being no further business to discuss, the meeting concluded at 14:30.

**CONFIRMED**

DATE

CHAIRPERSON

# **PART    A**

**MATTERS CONSIDERED BY  
THE NEWCASTLE  
MUNICIPAL COUNCIL  
UPON RECOMMENDATION  
OF THE EXECUTIVE  
COMMITTEE**

**CM41 : URGENT MATTERS**

- (i) **Proposed disposal of proposed portion from R/1 Newcastle to LanXess by private treaty sale : (DP&HS(H&L) 14/4 - R/1 LanXess)**

The item has been disposed of at the Council meeting held on 25 September 2013

**NOTED**

- (ii) **Re-advertisement : Strategic Executive Director : Budget and Treasury Office/Chief Financial Officer : (MM 5/3/5)**

The item has been disposed of at the Council meeting held on 25 September 2013

**NOTED**

- (iii) **Position of Chief of Operations : (MM 5/3/5)**

The item has been disposed of at the Council meeting held on 25 September 2013

**NOTED**

**A42 : REPORTS OF ANY COMMITTEE**

- A. **Community Services Portfolio Standing Committee : Meeting held on 19 September 2013**

- (i) **Subdivision and land surveying the land for Charlestown Community Hall: (CS(C&A) 16/2/3)**

**WITHDRAWN**

- (ii) **Construction of Charlestown Community Hall and Library : (CS 16/2/3)**

**WITHDRAWN**

- (iii) **Department Arts and Culture : Grant funding : 2013/2014 : (C&A 6/4/1)**

**WITHDRAWN**

**B. Development Planning and Human Settlements Portfolio Standing Committee : Meeting held on 9 October 2013**

- (i) **Proposed exchange disposal of the remainder of erf 670 Newcastle and portion 1 of erf 673 Newcastle (both municipal-owned) with erf 14144 Newcastle (owned by KZN Department of Public Works) : (DP&HS(H&L) 13/3/5/2 - 908/2 & 3))**

**RESOLVED**

- (a) That resolution A22 of 29 August 2013, be rescinded wherein it approved to sell the remainder of erf 670 Newcastle and portion 1 of erf 673 Newcastle to the KZN Department of Public Works and instead, approve the disposal of the two properties by way of an exchange with erf 14144 Newcastle, which is owned by KZN Department of Public Works;
- (b) that the acceptance of R730 000 and R570 000 for the remainder of erf 670 Newcastle and portion 1 of erf 673 Newcastle, respectively and totalling to an amount of R1 300 000 and payment of R1 518 000 to the KZN Department of Public Works for the Fernwood site, be approved;
- (c) that the simultaneous acquisition and disposal of the immovable properties by the municipality and Department of Education in terms of an agreement between the two parties and where the compensation payable is offset and only the difference is payable to the appropriate party. In this case the municipality will have to pay R218 000 as the difference to the Department of Education;
- (d) that the initiation of the rezoning and consolidation processes in connection with this matter and that the related costs be to the purchaser's account, be approved.

**SED:DP&HS**  
**M. Shunmugam**

**C. Finance Portfolio Standing Committee : Meeting held on 17 October 2013**

- (i) **Indigent application process : Write-off of debt : September 2013 : (BTO 6/7)**

**RESOLVED**

That debt owed by registered indigent account holders processed during the month of September 2013 amounting to R2 539 688,52, be written off against the bad debt reserve.

**SED:BTO**  
**A.F. Rehman**

(ii) **Indigent Policy : (BTO 6/7)**

**RESOLVED**

That the list of documentation required to be submitted to the municipality together with an indigent application form be approved for immediate use and after necessary updating be included in the indigent policy during the next review period, for implementation on 1 July 2014.

**SED:BTO**  
**A.F. Rehman**

# **PART    B**

**RESOLUTIONS ADOPTED  
BY THE EXECUTIVE  
COMMITTEE UNDER  
POWERS DELEGATED AND  
SUBMITTED TO THE  
COUNCIL FOR NOTING**

1. **SPECIAL EXECUTIVE COMMITTEE MEETING : 25 SEPTEMBER 2013 AT 13:30**

At the Council meeting held on 6 November 2013 the resolutions of the Executive Committee numbered

B 235 to B 237

were

**NOTED**

2. **EXECUTIVE COMMITTEE MEETING : 22 OCTOBER 2013**

At the Council meeting held on 6 November 2013 the resolutions of the Executive Committee numbered

B 238 to B 245 F(i) as well as  
B 245 F(iii) to B 255

were

**NOTED**

**B245 F(ii) : Incorrect billing : Consumer accounts : (BTO 6/8/12)**

The Mayor, as Chairperson of the Finance Portfolio Standing Committee, gave the background of events which lead to the recent incorrect billing of consumer accounts and advised that the Executive Committee requested that they be advised timeously should a similar scenario arise.

**NOTED**

**ITEM 6**

**QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**ITEM 7**

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**ITEM 8**

**REPORTS OF THE EXECUTIVE COMMITTEE**

The Mayor, Cllr. A.F. Rehman, will move that the recommendations of the Executive Committee be considered and that the resolutions of the said committee adopted under powers delegated to the committee and where indicated, be noted.

**FOR CONSIDERATION**

**MEETING HELD ON 2013-11-19**

Recommendations A 39 to A 41 (pages 4 to 8)

**SPECIAL MEETING HELD ON 2013-11-25**

The minutes will be circulated separately

**SPECIAL MEETING HELD ON 2013-11-26**

The minutes will be circulated separately

**FOR INFORMATION**

**SPECIAL MEETING HELD ON 2013-11-06**

Resolutions B 256 to B 259 (page 9)

**MEETING HELD ON 2013-11-19**

Resolutions B 260 to B 276 (pages 10 to 20)



SPECIAL MEETING HELD ON 2013-11-25

The minutes will be circulated separately

SPECIAL MEETING HELD ON 2013-11-26

The minutes will be circulated separately

**ITEM 9**

**MUNICIPAL PUBLIC ACCOUNTS COMMITTEE : (CS(A) 3/2/2/70)**

The Chairperson of the Newcastle Municipal Public Accounts Committee, Cllr. G.A. Mncube, will move that the following resolutions and recommendations of the MPAC be noted and considered :-

- Meeting held on 27 August 2013
- Meeting held on 7 November 2013

**FOR CONSIDERATION**

# **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

*of the*

## **NEWCASTLE MUNICIPAL COUNCIL**

MINUTES OF THE MEETING OF THE  
NEWCASTLE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE  
HELD IN THE EXCO ROOM, MUNICIPAL BUILDING,  
SCOTT STREET, NEWCASTLE ON TUESDAY,  
27 AUGUST 2013 AT 09:00

## MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

MEETING : 27 AUGUST 2013

### ATTENDANCE REGISTER

#### **PRESENT**

Councillor	N	T	Ntshangase	:	Acting Chairperson
Councillor	J	K	Gabuza		
Councillor	T	S	Hlabisa		
Councillor	I		Keeka		
Councillor	M	S	Mlangeni		
Councillor	D	E	Tshabalala		
Councillor	N	A	Zwane		

#### **ABSENT WITH APOLOGY**

Councillor	H	S	Madonsela
Councillor	G	A	Mncube

#### **ABSENT WITHOUT APOLOGY**


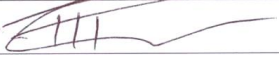
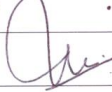


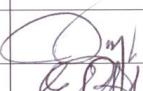


Councillor	D	X	Dube
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#### **OFFICIALS IN ATTENDANCE**

Chief of Operations	:	Mr	B	E	Mswane
Executive Manager : Legal Services	:	Mr	E	M	Nkosi
Strategic Executive Director : BTO	:	Mr	M	J	Mayisela
Strategic Executive Director : Corporate Services	:	Mr	E		Hauptfleisch
Manager : Internal Audit	:	Mr	S	V	Ngwenya
Managing Assistant	:	Mrs	Y	T	Du Toit
Senior Administrative officer	:	Mrs	F	J	Hadden
Intern : Administration	:	Ms	Z		Xulu

# N M P A C

## ATTENDANCE REGISTER FOR THE MEETING HELD ON 27 AUGUST 2013

NAME	SIGNATURE
Cllr G A Mncube (Chairperson)	Apology
Cllr D X Dube	
Cllr J K Gabuza	
Cllr T S Hlabisa	
Cllr I Keeka	
Cllr H S Madonsela	Apology
Cllr M S Mlangeni	
Cllr N T Ntshangase	
Cllr D E Tshabalala	
Cllr N A Zwane	
Mr K Masange	
Mr M J Mayisela	
Mr B E Mswane	
Mr E Hauptfleisch	
Miss D Hlophe	
Mr E M Nkosi	
Mr M P Sithole	
Mr S B Dube	
Mr T Mlanga	

Mr S V Ngwenya		
Mr W M Ndlela		
Mrs T du Toit		
N Ticka-Ragunanan		
Felicity Hadden		
T C Ndlela - CP Audit Com cndlela@gmail.com		
NAME	DEPT	SIGNATURE

**1 : OPENING**

Due to the absence of the Chairperson, Cllr. N.T. Ntshangase was unanimously elected Acting Chairperson. Cllr. M.S. Mlangeni requested all members to rise and observe a moment of silence.

**2 : APPLICATIONS FOR LEAVE OF ABSENCE**

The meeting was informed that Cllrs. H.S. Madonsela as well as G.A. Mncube had given notice to the effect that they would not be able to attend the meeting.

**RESOLVED**

That Cllrs. H.S. Madonsela as well as G.A. Mncube be granted leave of absence from attending the meeting.

**SED:CS(A)**  
**B.S. Ntombela**

**3 : OFFICIAL NOTICES**

**NONE**

**4 : UNOPPOSED PROPOSALS**

**NONE**

**5 : CONFIRMATION OF MINUTES**

Following a proposal by Cllr. Gabuza and seconded by Cllr. Mlangeni, it was

**RESOLVED**

That the minutes of the meeting of the Newcastle MPAC held on 2 August 2013, be confirmed.

**6 : MATTERS ARISING FROM PREVIOUS MINUTES**

**NONE**

**7 : QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN**

**NONE**

**8 : MOTIONS OF WHICH NOTICE HAD BEEN GIVEN****NONE****9 : URGENT MATTERS**

In view of certain problems being experienced with the receipt of agenda via the “dropbox system”, MPAC members requested the Strategic Executive Director : Corporate Services to pursue the matter with the Director : IT.

**NOTED****10 : EXECUTION OF RESOLUTIONS : (CS(A) 2/1/3/2)**

The Strategic Executive Director : Corporate Services advised the meeting that the schedule pertaining to execution of resolutions should be withdrawn as it was inadvertently included in the agenda.

Following discussion, it was

**RESOLVED**

- (a) That the report pertaining to execution of resolutions, which appeared in the agenda, be withdrawn;
- (b) that, in future, the reports pertaining to the execution of resolutions of MPAC, Council as well as the Executive Committee be a standing item on agenda of the MPAC;
- (c) that in order for MPAC to continue its oversight role, reports of the Audit Committee as well as the Risk Management report be submitted at the next meeting of the MPAC.

**SED:CS(A)**  
**B.S. Ntombela**

**11 : KWAZULU-NATAL LEGISLATURE : PUBLIC ACCOUNTS STANDING COMMITTEE : PROPOSED PROGRAMME FOR 2013****RESOLVED**

That MPAC attend the Provincial Public Accounts Standing Committee meetings in October 2013 during which the 2012/2013 audit outcomes of provincial government departments and public entities will be considered and that the dates of such meetings be conveyed to all MPAC members.

**SED:CS(A)**  
**B.S. Ntombela**

**12 : SECTION 71 : MONTHLY BUDGET STATEMENT : NATIONAL REPORTING STANDARD : MONTH ONE : 31 JULY 2013 : (BTO 6/1/1 - 2012/2013)**

The Strategic Executive Director : Budget and Treasury Office gave MPAC a brief overview of the section 71 monthly budget statement for the month ending 31 July 2013, whereafter, it was

**RESOLVED**

- (a) That the section 71 monthly budget statement for the month ended 31 July 2013 be workshopped with MPAC on 4 September 2013;
- (b) that the annual financial statements, the 10 point debt management plan as well as cashflow statements in spread sheet format be submitted for the purpose of the workshop referred to in (a) above.

**SED:BTO**  
**A.F. Rehman**

**13. CLOSURE**

There being no further business to discuss, the meeting concluded at 10:00.

**CONFIRMED**

DATE

CHAIRPERSON



# **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

*of the*

## **NEWCASTLE MUNICIPAL COUNCIL**

MINUTES OF THE MEETING OF THE  
NEWCASTLE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE  
HELD IN THE CORPORATE SERVICES BOARDROOM,  
NEDBANK BUILDING, HARDING STREET, NEWCASTLE  
ON THURSDAY, 7 NOVEMBER 2013 AT 09:00

## MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

MEETING : 7 NOVEMBER 2013

### ATTENDANCE REGISTER

#### **PRESENT**

Councillor	G	A	Mncube	:	Chairperson
Councillor	J	K	Gabuza		
Councillor	T	S	Hlabisa		
Councillor	H	S	Madonsela		
Councillor	M	S	Mlangeni		
Councillor	N	T	Ntshangase		
Councillor	D	E	Tshabalala		

#### **ABSENT WITH APOLOGY**

Councillor	I		Keeka	:	out of town
Councillor	N	A	Zwane	:	other commitment

#### **ABSENT WITHOUT APOLOGY**

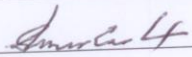
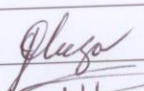
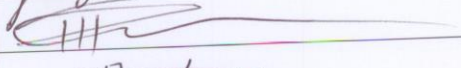
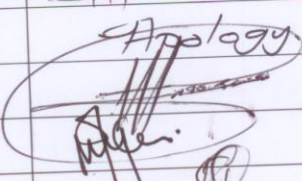
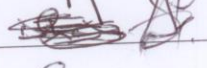
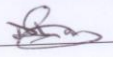
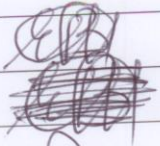
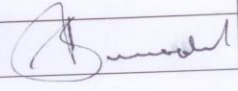
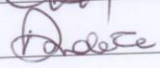
Councillor	D	X	Dube
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#### **OFFICIALS IN ATTENDANCE**

Chief of Operations	:	Mr	B	E	Mswane
Strategic Executive Director : Corporate Services	:	Mr	E		Hauptfleisch
Director : Administration	:	Mrs	D	R	Molefe
Manager : Administration	:	Mrs	Z		Ngubane
Acting Strategic Executive Director : BTO	:	Mr	B	N	Khumalo
Network Administrator	:	Mr	M	P	Hlatshwayo
Senior Administrative Officer	:	Mrs	F	J	Hadden
Intern : Administration	:	Ms	Z		Xulu

# NMPAC

## ATTENDANCE REGISTER FOR THE MEETING HELD ON 7 NOVEMBER 2013

NAME	SIGNATURE
Cllr G A Mncube (Chairperson)	
Cllr D X Dube	
Cllr J K Gabuza	
Cllr T S Hlabisa	
Cllr I Keeka	
Cllr H S Madonsela	
Cllr M S Mlangeni	
Cllr N T Ntshangase	
Cllr D E Tshabalala	
Cllr N A Zwane	
Mr K Masange	
Mr M J Mayisela	
Mr B E Mswane	
Mr E Hauptfleisch	
Miss D Hlophe	
Mr E M Nkosi	
Mr M P Sithole	
Mr S B Dube	
Mr T Mlanga <sup>H</sup>	



**1 : OPENING**

Cllr. M.S. Mlangeni requested all members to rise and observe a moment of silence, whereupon the Strategic Executive Director : Corporate Services apologised to the members for the late change in venue.

At this stage Cllr. Mlangeni expressed concern that he had not received an SMS advising of the change of venue. The Chief of Operations advised that it should be acknowledged that technology is not guaranteed, however, Cllr. Mlangeni should communicate with the Director : Administration regarding his problem.

**NOTED****2 : APPLICATIONS FOR LEAVE OF ABSENCE**

The meeting was informed that Cllrs. I. Keeka as well as N.A. Zwane had given notice to the effect that they would not be able to attend the meeting.

**RESOLVED**

That Cllrs. I. Keeka as well as N.A. Zwane be granted leave of absence from attending the meeting.

**SED:CS(A)**  
**B.S. Ntombela**

**3 : OFFICIAL NOTICES****Introduction : Manager : Administration**

The Director : Administration introduced the newly appointed Manager : Administration, Mrs. Zanele Ngubane to the MPAC.

**NOTED****4 : UNOPPOSED PROPOSALS****NONE****5 : CONFIRMATION OF MINUTES**

Following a proposal by Cllr. H.T. Madonsela and seconded by Cllr. M.S. Mlangeni, it was

**RESOLVED**

That the minutes of the meeting of the Newcastle Municipal Public Accounts Committee held on 27 August 2013, be confirmed.

**6 : MATTERS ARISING FROM PREVIOUS MINUTES**

**NONE**

**7 : QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN**

**NONE**

**8 : MOTIONS OF WHICH NOTICE HAD BEEN GIVEN**

**NONE**

**9 : URGENT MATTERS**

**iPads/laptops : Problems experienced with receipt of agenda via dropbox system**

The Director : Administration introduced, Mr. M.P. Hlatshwayo, Network Administrator to MPAC who briefed MPAC with regard to the gadgets used by councillors. Cllr. Gabuza advised the Network Administrator that it is the first time councillors were experiencing problems with their gadgets.

The Network Administrator advised that councillors should visit the IT offices with their complaints, whereupon the Chairperson expressed the fact that he would not visit the office due to the attitude of the staff employed there. The Network Administrator promised to investigate the matter with regard to the staff.

He further advised that councillors should not expect that their problems would be solved immediately as at times the department endeavours to fix the gadgets at the offices, however, often it is established that major repair is needed resulting in the gadgets being sent to the service provider for repairs and this normally takes some time before they are returned.

**NOTED**

**10 : EXECUTION OF RESOLUTIONS : MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (CS(A) 2/1/3/2)**

**NOTED**

**11 : EXECUTION OF RESOLUTIONS : COUNCIL / EXECUTIVE COMMITTEE : (CS(A) 2/1/3/2)**

**RESOLVED**

- (a) That the execution of resolutions of Council and the Executive Committee be held in abeyance and be considered at a special meeting of MPAC to be scheduled during November 2013;
- (b) that the Municipal Manager, Chief of Operations, Executive Manager : Legal Services as well as the Strategic Executive Directors to be in attendance at the meeting referred to in (a) above in order to clarify matters pertaining to the execution of resolutions as had been delegated to them.

**ALL SED's**

**12 : SECTION 71 : MONTHLY BUDGET STATEMENT : NATIONAL REPORTING STANDARD : MONTH TWO : 31 AUGUST 2013 : (BTO 6/1/1 - 2013/2014)**

**RESOLVED**

That the Director : Administration co-ordinate a date in liaison with the Strategic Executive Director : Budget and Treasury Office for a workshop pertaining to section 71 monthly budget statements for August 2013 and September 2013, inclusive of the milestones for the latter months as well as those areas which had not been covered, such workshop to be held on 21 November 2013 at 09:00.

**SED:BTO  
A.F. Rehman**

**13 : ANNUAL PERFORMANCE REPORT 2012/2013 : (MM 2/1/2)**

**RESOLVED**

That a presentation be made with regards to the Annual Performance Report 2012/2013 on the same date of the proposed workshop of the section 71 monthly budget statements.

**MM**

**14 : REPORT : ATTENDANCE OF MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OF ETHEKWINI MUNICIPALITY : (CS(A) 3/2/2/2/70)**

**RESOLVED**

- (a) That the report pertaining to the visit of the Municipal Public Accounts Committee to eThekweni Metro Council be accepted and be approved in principle;

**SED:CS(A)  
B.S. Ntombela**

- (b) that implications which could affect the performance of the Newcastle Municipal Public Accounts Committee be investigated;
- (c) that a letter of appreciation be written, on behalf of MPAC, to the eThekweni Metro Council for permitting MPAC to learn best practices and observe the proceedings of the MPAC meeting.

**SED:CS(A)**  
**B.S. Ntombela**

**15 : PROGRESS REPORT ON IMPLEMENTATION OF MANAGEMENT ACTION PLAN TO AUDITOR-GENERAL REPORT : 2011/2012**

**RESOLVED**

That the Annual Performance Report 2011/2012 as submitted to the office of the Auditor-General, be noted.

**SED:BTO**  
**A.F. Rehman**

**FURTHER RESOLVED**

That in future, Strategic Executive Directors who submit items to Executive Committee first discuss the items with the Strategic Executive Director : Corporate Services with a view to establish whether the report had been submitted to the Executive Committee prior to the reports having been submitted to the MPAC.

**All SED's**

**16 : ANNUAL FINANCIAL STATEMENTS**

The Chief of Operations advised ManCo that discussions of the Annual Financial Statements should be held in abeyance until such time that the same have been discussed with the Auditor-General.

**NOTED**

**17. CLOSURE**

Cllr. N.T. Ntshangase closed the meeting with a prayer, the time being 11:40.

**CONFIRMED**

DATE

CHAIRPERSON



# **PART A**

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

EXECUTIVE COMMITTEE

MEETING

19 NOVEMBER 2013

A39 : REPORTS OF ANY COMMITTEEA. Finance Portfolio Standing Committee : Meeting held on 11 November 2013(i) Indigent process : October 2013 : (BTO 6/7)RESOLVED TO RECOMMEND

That debt owed by registered indigent account holders processed during the month of October 2013, be written off against the bad debt reserve and the report be submitted thereafter.

SED:BTO  
A.F. Rehman

(ii) Municipal borrowings (MFMA) : Quarter ended 30 September 2013 : (BTO 6/3/1/2)RESOLVED TO RECOMMEND

That the report submitted on the loan register for the quarter ended 30 September 2013, be noted.

SED:BTO  
A.F. Rehman

(iii) Municipal grants (DORA) : Quarter ended 30 September 2013 : (BTO 6/14/1)RESOLVED TO RECOMMEND

That the report submitted on the grant register for the quarter ended 30 September 2013, be noted.

SED:BTO  
A.F. Rehman

(iv) Municipal investments : Quarter ended 30 September 2013 : (BTO 6/11/2)RESOLVED TO RECOMMEND

That the report submitted on investments for the quarter ended 30 September 2013, be noted.

SED:BTO  
A.F. Rehman

(v) Withdrawals from municipal bank account : Quarter ended September 2013 : (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 2003,

SED:BTO  
A.F. Rehman

pertaining to withdrawals from municipal bank accounts for the quarter ended 30 September 2013, be noted.

SED:BTO  
A.F. Rehman

**B. Community Services Portfolio Standing Committee : Meeting held on 12 November 2013**

**Pauper and destitute burials : Draft policy : (CS 12/9/4)**

**RESOLVED TO RECOMMEND**

- (a) That the draft pauper and destitute burials policy be workshopped with all councillors on 21 November 2013 at 09:00;
- (b) that the workshop referred to in (a) above also addresses the challenges being experienced with the burial of indigents inclusive of the cost implications.

SED:CS  
N.P. Kunene

**C. Development Planning and Human Settlements Portfolio Standing Committee : Meeting held on 15 November 2013**

**(i) Proposed lease of agreement on erf 9460 Newcastle for gardening/agriculture purposes : (DP&HS 14/4 - 9460)**

**RESOLVED TO RECOMMEND**

- (a) That the five year lease contract with the applicant for vegetable gardening purposes, be noted;
- (b) that the fixed five year lease term at a market related rental of R900 per month escalated at 5% per annum as determined by internal valuers, be approved;
- (c) that due to the fact that this is an already established business the rental must be effected immediately on the date of signature of the lease agreement;
- (d) that the property should be properly fenced by the applicant and the area be kept neat to the satisfaction of the Council;
- (e) that the subject property be used for small scale vegetable gardening and no permanent structure shall be erected;
- (f) that any complaints received from the public regarding to any un-authorised activity taking place on site, will result in the lease agreement being terminated by the Council.

SED:DP&HS  
M. Shunmugam

- (ii) Proposed lease agreement for a piece of land from erf 15048 Newcastle to Indalo Nop (MKMVA Agricultural Programmes) for agricultural projects : (DP&HS(TP) 14/4 - 15048)

**WITHDRAWN**

**A 40 : ADVERTISING OF VACANT POSTS IN THE ILANGA NEWSPAPER : MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGER : (CS(HR) 5/3/2/1)**

**RESOLVED TO RECOMMEND**

- (a) That in terms of a legislative provision in respect of the recruitment of Municipal Managers and section 56 managers, advertisements be placed in the national newspapers in order to attract a pool of candidates nationwide;
- (b) that advertisements in the Illanga newspaper pertaining to (a) above be left to the discretion of the municipality;
- (c) that with regard to the advertising of other vacant positions, use be made of the free newspapers circulating within the municipal area.

**SED:CS(HR)**  
**B.S. Ntombela**

**A41 : IMPLEMENTATION OF THE LOCAL GOVERNMENT MUNICIPAL RATES ACT, N<sup>o</sup>. 6 OF 2004 : BID N<sup>o</sup>. RE 116/2012 : (BTO 6/2/B : BTO 6/2/4)**

**RESOLVED TO RECOMMEND**

- (a) That Newcastle Municipality implement the Local Government : Municipal Property Rates Act, N<sup>o</sup>. 6 of 2004 and undertake a re-valuation of all properties, prepare a valuation roll and undertake valuation roll maintenance in its jurisdiction and to levy rates on the new valuation rolls which will be in effect and valid from 1 July 2014 to 30 June 2018;
- (b) that subject to the adoption of (a) above :-
  - (i) the date of implementation shall be 1 July 2014
  - (ii) the date of valuation shall be 1 August 2013
  - (iii) the municipality shall levy different rates for different categories of properties
  - (iv) in determining the criteria of a particular category -

**SED:BTO**  
**A.F. Rehman**

- (a) the actual use of the property shall be used. A change in use of a property will result in a change of category
- (b) in the case of vacant land, the permitted use in terms of any legislation will determine the category
- (c) in the absence of any legislation which regulates the use of properties, the category will be determined on the most feasible use;
- (v) based on the rates policy, properties used for multiple purposes may be assigned a category of property based on 9(1)(b), the dominate use of 9(1)(c);
- (vi) the following categories of properties be adopted for the purpose of differential rating -  
  
Annexure "A" - refers to the categories of property in terms of the rates policy;
- (vii) rates by-laws for the implementation of the draft Rates Policy to be prepared and published in the Provincial Gazette;
- (viii) a communication strategy be adopted and implemented to support the public participation process, media publications and Provincial Gazette notices to comply with the implementation of the Act;
- (ix) a bid has been advertised and a service provider has been appointed to undertake a general valuation and valuation roll maintenance and to perform the functions of the Municipal Valuer and in terms of the bid appointment;
- (x) the Council hereby approves the contract for the valuation roll bid and the appointment of a municipal valuer in terms of the Act which is such that the contract is to extend beyond the three years permitted in terms of the budgetary requirements of the Municipal Finance Management Act, the municipality must follow section 33 of the said act;
- (xi) in terms of section 33 of Act 6 of 2004, the nominated municipal valuer of the appointed service provider be designated as municipal valuer subject to -
  - (a) the provisions of the Act
  - (b) the conditions of the bid specifications and the memorandum of agreement between the municipality and the service provider

**SED:BTO**  
**A.F. Rehman**

- (c) all other contract and agreements related to the appointment of the service provider. | **SED:BTO**  
**A.F. Rehman**

# **PART B**

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



EXECUTIVE COMMITTEE

SPECIAL MEETING

6 NOVEMBER 2013

## SPECIAL EXECUTIVE COMMITTEE MEETING

6 NOVEMBER 2013

### ATTENDANCE REGISTER

#### PRESENT

Councillor	R	N	Mdluli	:	Acting Chairperson
Councillor	T	Z	Hadebe		
Councillor	N	P	Kunene		
Councillor	S	B	M Lukhele		
Councillor	R	B	Ndimma		
Councillor	B	S	Ntombela		
Councillor Dr	J	A	Vorster		

#### ABSENT WITH APOLOGY

Councillor	A	F	Rehman	:	other commitment
Councillor	M		Shunmugam	:	other commitment

#### ALSO PRESENT

Councillor	M	F	Zikhali	:	Speaker
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#### OFFICIALS PRESENT

Acting Municipal Manager	:	Mr	E	Hauptfleisch
Chief of Operations	:	Mr	B E	Mswane
Executive Manager : Legal Services	:	Mr	E M	Nkosi
Strategic Executive Director : Budget and Treasury Office	:	Mr	M J	Mayisela
SED : Electrical/Mechanical Services	:	Mr	L	Zincume
Strategic Executive Director : Technical Services	:	Mr	S B	Dube
Director : Administration	:	Ms	D R	Molefe
Audit Executive	:	Ms	S	Chenia
Manager : Administration	:	Mrs	Z	Ngubane
Administrative Officer	:	Mrs	M E	Palmer
Intern	:	Ms	Z	Xulu

**B256 : OPENING**

Due to the absence of the Mayor, the Deputy Mayor, Cllr. R.N. Mdluli, chaired the meeting.

**B257 : APPLICATIONS FOR LEAVE OF ABSENCE : (CS(A) 3/1/4/1)**

The meeting was informed that Cllrs. A.F. Rehman as well as M. Shunmugam had given notice to the effect that they would not be able to attend the meeting.

**RESOLVED**

That Cllrs. A.F. Rehman as well as M. Shunmugam be granted leave of absence from attending the meeting.

**SED:CS(A)**  
**B.S. Ntombela**

**B258 : CONFIRMATION OF MINUTES**

**RESOLVED**

That the minutes of the meeting of the Executive Committee held on 22 October 2013 be confirmed.

**B259 : URGENT MATTERS**

**Debtors account : Blazing Sun INV 35 (Pty) Ltd : (BTO 6/7)**

**NOTED**

**CONCLUSION OF MEETING**

There being no further business to discuss, the meeting concluded at 13:50.

**CONFIRMED**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**CHAIRPERSON**

EXECUTIVE COMMITTEE

MEETING

19 NOVEMBER 2013

## EXECUTIVE COMMITTEE MEETING

19 NOVEMBER 2013

### ATTENDANCE REGISTER

#### PRESENT

Councillor	A F	Rehman	:	Mayor
Councillor	N P	Kunene		
Councillor	S B M	Lukhele		
Councillor	R N	Mdluli		
Councillor	R B	Ndimba		
Councillor	B S	Ntombela		
Councillor	M	Shunmugam		
Councillor Dr	J A	Vorster		

#### ABSENT WITH APOLOGY

Councillor	T Z	Hadebe	:	out of town
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#### OFFICIALS PRESENT

Municipal Manager	:	Mr	K		Masange
Chief of Operations	:	Mr	B	E	Mswane
Executive Manager : Audit	:	Ms	S		Chenia
Strategic Executive Director : Budget and Treasury Office	:	Mr	M	J	Mayisela
Strategic Executive Director : Community Services	:	Mr	M	P	Sithole
Strategic Executive Director : Corporate Services	:	Mr	E		Hauptfleisch
SED : DP&HS	:	Ms	N		Thusi
SEDirector : Electrical/Mechanical Services	:	Mr	L		Zincume
Strategic Executive Director : Technical Services	:	Mr	S	B	Dube
Director : Administration	:	Mrs	D	R	Molefe
Director : IDP	:	Mr	T		Mhlanga
Director : IT	:	Ms	N		Vinkhumbo
Manager : Administration	:	Mrs	Z		Ngubane
Manager : Executive Support	:	Ms	H		Manqele
Manager : Communications	:	Ms	Z		Masondo
Manager : Performance Management	:	Mrs	N		Ticka-Ragunanan
Assistant : Communications Office	:	Ms	N		Mhlungu
Administrative Officer	:	Mrs	M	E	Palmer
Intern	:	Ms	S		Sithole

**B260 : OPENING**

The Mayor requested all members to rise and observe a moment of silence.

**B261 : APPLICATIONS FOR LEAVE OF ABSENCE : (CS(A) 3/1/4/1)**

The meeting was informed that Cllr. T.Z. Hadebe had given notice to the effect that he would not be able to attend the meeting.

**RESOLVED**

That Cllr. T.Z. Hadebe be granted leave of absence from attending the meeting.

**SED:CS(A)**  
**B.S. Ntombela**

**B262 : OFFICIAL NOTICES**

**(i) SALGA Provincial Members Assembly : (CS(A) 19/1/1/28)**

The Strategic Executive Director : Corporate Services informed the meeting that the Newcastle Municipality had received an award at the recent SALGA Provincial Members Assembly, which would be handed to the office of the Mayor.

**NOTED**

**(ii) Word of welcome : (CS(A) 20/6)**

The Mayor extended a warm welcome to the recently appointed Audit Executive, Miss. S. Chenia, Manager : Communications, Ms. Z. Masondo, Strategic Executive Director : Electrical/Mechanical Services, Mr. L. Zincume and the Manager : Administration, Ms. Z. Ngubane.

**NOTED**

**B263 : UNOPPOSED PROPOSALS BY MAYOR**

**NONE**

**B264 : CONFIRMATION OF MINUTES**

**RESOLVED**

That the minutes of the special meeting of the Executive Committee held on 6 November 2013 be confirmed.

**B265 : QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN**

**NONE**

**B266 : MOTIONS OF WHICH NOTICE HAD BEEN GIVEN**

**NONE**

**B267 : REPORTS OF ANY COMMITTEE**

**A. Corporate Services Portfolio Standing Committee : Meeting held on 5 November 2013**

**RESOLVED**

That resolutions B78 to B89 of the Corporate Services Portfolio Standing Committee meeting held on 5 November 2013, be noted.

**B.(i) Finance Portfolio Standing Committee : Meeting held on 11 November 2013**

**RESOLVED**

That resolutions B124 to B134 of the Finance Portfolio Standing Committee meeting held on 11 November 2013, be noted.

**(ii) Bad debt write-off : (BTO 6/7)**

**RESOLVED**

That the item be referred back for discussion at the Newcastle Municipal Council meeting scheduled for 27 November 2013.

**SED:BTO  
A.F. Rehman**

**C.(i) Community Services Portfolio Standing Committee : Meeting held on 12 November 2013**

**RESOLVED**

That resolutions B58 to B67 of the Community Services Portfolio Standing Committee meeting held on 12 November 2013, be noted.

(ii) **Progress report : Establishment of an animal pound and identification of communal grazing land : (CS 12/8/2)**

**RESOLVED**

- (a) That the progress report, pertaining to the establishment of an animal pound and identification of communal grazing land, be noted, however, that the resolution of the Executive Committee numbered B254 D (iv)(c) dated 6 November 2013 also be noted;
- (b) that prior to undertaking the extensive public participation and feasibility study, the Community Services Portfolio Standing Committee visit the Richmond Municipal pound en-route to the SALGA Games, a report in this regard to be submitted;
- (c) that the Pound By-laws be promulgated with all other Community Services by-laws.

**SED:CS**  
**N.P. Kunene**

D.(i) **Technical Services Portfolio Standing Committee : Meeting held on 13 November 2013**

**RESOLVED**

That resolutions B90 to B101 of the Technical Services Portfolio Standing Committee meeting held on 13 November 2013, be noted.

(ii) **New service connections : Electricity : (TS 11/3/3/)**

**RESOLVED**

- (a) That an amount of R1 378 000 be transferred from the 2013/2014 operational budget to the capital budget for new service connections;
- (b) that it be noted that is in line with section 28(2) (f) of the Municipal Finance Management Act, which states that an adjustment budget may correct errors in the annual budget.

**SED:TS**  
**R.N. Mdluli**



**E.(i) Development Planning and Human Settlements Portfolio Standing Committee : Meeting held on 15 November 2013**

**RESOLVED**

That resolutions B155 to B169 as well as B171 to B172 of the Development Planning and Human Settlements Portfolio Standing Committee meeting held on 15 November 2013, be noted.

**(ii) Request for municipal support : Events in Newcastle Municipality to promote Economic Development and Tourism Activities : (DP&HS (ED) 19/1/5/42)**

**RESOLVED**

- (a) That the Angling Open Competition and International Hot Air Balloon Fiesta form part of the preliminary list of Newcastle Events identified for financial and non-financial support by the municipality;
- (b) that the application for financial support from the Angling Open Competition to be hosted by Stillwater's Angling Club in an amount of R40 000 be approved and this be funded under Promotions, cost centre 010 121 010 311;
- (c) that the application for financial support for the hosting of the International Hot Air Balloon Fiesta in an amount of R150 000, be approved for one year only and will be subject to review and that it be a requirement that the organisers submit a detailed budget, which will be considered as part of the events budget during the mid-year budget adjustment process;
- (d) that it be noted no submission has been received from the political structure as per the Executive Committee resolution B213 E (xiv) (d) and (e) of the meeting held on 17 September 2013 to facilitate the finalisation of the municipal events list;
- (e) that in terms of (d) above, the office of the Speaker be requested to facilitate submissions from all political structures and complete list of events with motivations be forwarded to the department by no later than 30 November 2013;
- (f) that it be noted that the Ezemvelo KZN Wild Life will be hosting an annual event at Ntshingwayo Dam on 1 January 2014 and would like the Newcastle

**SED:DP&HS  
M. Shunmugam**

Municipality to play a role in the event as the event has tourism benefits for the area;

- (g) that it be noted that the KZN Department of Economic Development and Tourism supports a number of events in Durban and Pietermaritzburg and wish to expand this support to other areas in the Province, Newcastle is prioritised for the event to be hosted during March/April 2014.

**SED:DP&HS**  
**M. Shunmugam**

**(iii) Application of special consent to establish a tavern : Erf 888 section R Madadeni : (DP&HS 13/3/4/1 - R/888)**

**RESOLVED**

- (a) That in terms of section 67 of the Town Planning Ordinance N°. 27 of 1949, as amended, the application for special consent to establish a tavern on erf 888 Madadeni Section R, not be approved, based on the following :-
- (i) that numerous reasonable objections were received from members of the public
  - (ii) that there is a possibility that once permission has been granted, the noise generated may cause a disturbance to abutting properties and crime levels could increase. Approving this application would be giving preference to a single individual whilst depriving the community as a whole, as indicated by the numerous objections
  - (iii) the rapid increase of taverns in the Madadeni area needs to be taken into consideration, where the sense of a residential suburb essentially need to be maintained
  - (iv) the site is located within a residential area of Madadeni and in so much as Council is to encourage and develop local businesses it should not neglect the likely impacts such a development would have on the immediate surrounding;
- (b) that the owners be informed of Council's decision not to approve the special consent application and also be informed of his right of appeal to the Appeal Board in terms of Section 67 of the Ordinance, within 28 days of being notified of Council's decision. The appeal should be forwarded to The Provincial Planning and Development Commission at Private Bag X9038, Pietermaritzburg, 3200.

**SED:DP&HS**  
**M. Shunmugam**

- (iv) **Application for the subdivision of the remainder of erf 624, N°. 43 Harding Street, Newcastle in terms of KwaZulu-Natal Planning Development Act, N°. 6 OF 2008 : (DP&HS(TP) 13/3/5/2 - 624)**

**RESOLVED**

That in terms of the KwaZulu-Natal Planning Development Act, N°. 6 of 2008, the subdivision of the remainder of erf 624 Newcastle into two portions, the remainder and portion 2 of erf 624, be approved, based on the following reasons :-

- it will promote sustainable use of existing land resources
- it will optimise the use of existing resources
- it will discourage the phenomenon of “urban sprawl”
- it will encourage growth of the local economies

**SED:DP&HS**  
**M. Shunmugam**

- (v) **Comprehensive progress report on Jonhstown, Blauwbosch and Cavan Projects : (DP&HS(TP) 13/15/12)**

**RESOLVED**

- (a) That the progress report on various completed, active and planned projects on JBC development node be noted;
- (b) that the JBC Steering Committee be re-established and terms of reference for the committee be approved at the first JBC Steering Committee meeting;
- (c) that the JBC Development Steering Committee be re-established to assist in the facilitation and monitoring of development within the Johnstown, Blauwbosch and Cavan development area;
- (d) that once the Steering Committee referred to in (c) above has been identified, the terms of reference for the committee be drafted and submitted to Council for approval;
- (e) that the appointment of the Chairperson and Deputy Chairperson for the Steering Committee be confirmed at the first sitting of the committee;
- (f) that the frequency of JBC Steering Committee meetings be on a quarterly basis;
- (g) that the nominated members of the Steering Committee as indicated in the report be re-confirmed

**SED:DP&HS**  
**M. Shunmugam**

at the first sitting of the Steering Committee meeting and a report in this regard be submitted to Council.

SED:DP&HS  
M. Shunmugam

(vi) **Progress report : Identification of new landfill site for Newcastle Municipality : (DP&HS(TP) 11/4/5/1)**

**RESOLVED**

- (a) That the progress on the identification of a site to establish a landfill site, be noted;
- (b) that Greenwich Farm which emerged as the most favourable through a desk study and a limited invasive investigation, be accepted for further investigation;
- (c) that the Environmental Impact Assessment process be commenced with once the preliminary and de-tailed investigations have been finalised.

SED:DP&HS  
M. Shunmugam

(vii) **Presentation : Economic Development : (DP&HS (ED) 14/4/48)**

The Chairperson as well as the Executive Committee expressed their concern that the Economic Development directorate had failed in their duties by not informing the portfolio councillor of various developments taking place in Newcastle and that this, in their opinion, is not acceptable.

**NOTED**

(viii) **Progress on the provision of fuel : Newcastle Airport : (DP&HS(ED) 17/7/1)**

**RESOLVED**

That the item be referred back and that representatives from Engen be invited to enter into discussions with the municipality pertaining to fuel facilities and provision of fuel at the Newcastle Airport.

SED:DP&HS  
M. Shunmugam

(ix) **Status of KwaMathukuza transit camp : (DP&HS 18/4/4/2/2)**

**RESOLVED**

- (a) That Council notes the take-over of the Transit Camp constructed by Motheo Construction at Kwa-Mathukuza with funds received from KwaZulu-Natal Department of Human Settlements;

SED:DP&HS  
M. Shunmugam

- (b) that the 120 units (Transit Camp) be retained until the KwaMathukuza 10% extension is finalised;
- (c) that the 120 current occupants of the Transit Camp be allowed to form part of the beneficiaries of the KwaMathukuza extension project when qualifying;
- (d) that funds be made available in the 2013/2014 mid-year budget review to finance maintenance of the Transit Camp to avoid health hazards in the Transit Camp.

**SED:DP&HS**  
**M. Shunmugam**

**(x) Facilitation of the EEDBS (Enhanced Extended Benefit Scheme) in the Newcastle Municipality : (DP&HS 18/6/2/2)**

**RESOLVED**

- (a) That, the Council's conveyancers, DBM Attorneys be allowed to continue and effect the said transfers;
- (b) that the VAT amount of R140,00 per transfer be paid to DBM Attorneys through Council funds from cost centre 010 995 010 020.

**SED:DP&HS**  
**M. Shunmugam**

**B268 : URGENT MATTERS**

**(i) Report on the unsolicited bid : Ncandu Dam Project : (MM 11/2/2/1/1)**

**RESOLVED**

- (a) That the resolution of the Executive Committee numbered B255 of 6 November 2013, be rescinded;
- (b) that the proposed Ncandu Dam Project be supported, in principle, without any obligation and expectations;
- (c) that the Accounting Officer submit a comprehensive report back to the Executive Committee after due process has been completed;
- (d) that it be noted that there are no financial commitments to Council at this stage.

**MM**

**(ii) Objection : Arcelor Mittal Steel : (BTO 15/3/2)**

With regard to the objection received from Arcelor Mittal Steel pertaining to the valuation of their property the Strategic Executive Director : Budget and Treasury Office informed the meeting that the property in question had originally been valued at R1,2 billion. After an objection it was revalued at R750 million. Following discussion, it was

**RESOLVED**

That the discussions surrounding the write-back of the rates already levied against erf 8914 with regard to the valuation objection by Arcelor Mittal, be confirmed and that the said write-back was condoned from the date of implementation of the new valuation roll implemented in terms of the Municipal Property Rates Act, N<sup>o</sup>. 6 of 2004.

MM

(iii) **Shortlisting : Strategic Executive Director : Budget and Treasury Office : (MM 5/3/5)**

Following an "in committee" discussion, it was

**RESOLVED**

- (a) That a special Executive Committee be scheduled for 26 November 2013 at 08:00 for the purpose of interviewing shortlisted candidates for the position Strategic Executive Director : Budget and Treasury Office;
- (b) that the following candidates be invited to the interview referred to in (a) above :-
  - Budhripersadh R.
  - Hlongwe B.E.

MM

(iv) **Media and press releases : (MM 10/3/1)**

**RESOLVED**

That, in terms of protocol, no councillors or official may address the media on behalf of the municipality without prior consultation with the Mayor and/or Municipal Manager.

MM

**B269 : PRESENTATION : NATIONAL TREASURY : SUPPLY CHAIN MANAGEMENT POLICY AMENDMENT : (BTO 10/1/12)**

Advocate S. Mthethwa gave a presentation on the Municipal Bids Appeal Tribunal. Following discussion, it was

**RESOLVED**

- (a) That the Newcastle Municipality, in principle, approve of the formation of the Municipal Bids Appeal Tribunal and that the Supply Chain Management Policy be amended accordingly;
- (b) that qualified persons be invited to apply for positions on the Tribunal;

**SED:BTO**  
**A.F. Rehman**

(c) that with regard to (b) above, Provincial Treasury be approached to train selected candidates.

**SED:BTO**  
**A.F. Rehman**

**B270 : STAFF MOVEMENTS : OCTOBER 2013 : (CS(A) 5/1/1/1)**

**NOTED**

**B271 : SALGA : CIRCULAR 10/13 : (CS(A) 5/6/2/2)**

**RESOLVED**

That circular 10/13 as received from the SALGA be noted and referred to the various political party caucuses for information.

**SED:CS(A)**  
**B.S. Ntombela**

**B272 : REVISED PIP AND CASH FLOW FOR WATER SERVICES AUTHORITY AND PROJECT MANAGEMENT UNIT : (MM 2/1/2)**

**RESOLVED**

That resolution B227 of the Executive Committee held on 17 September 2013 be rescinded and instead the revised cash flows and PIP's be referred to the mid-year review process in consultation with the Manager : Performance Management.

**MM**

**B273 : QUARTER 1 PERFORMANCE REPORT : SDBIP AND CAPITAL STATUS REPORT : (MM 2/1/2)**

**RESOLVED**

- (a) That the quarter 1 performance report (un-audited) comprising of the SDBIP and capital status per department, be noted;
- (b) that the capital status reports be presented by directorates at a special meeting of the Executive Committee to be held on 25 November 2013.

**MM**

**B274 : SECTION 71 : MONTHLY BUDGET STATEMENT : NATIONAL REPORTING STANDARD : MONTH FOUR : 31 OCTOBER 2013 : (BTO 6/1/1 - 2013/2014)**

**RESOLVED**

- (a) That the fourth month's operational results for the period up to 31 October 2013 be noted;

**SED:BTO**  
**A.F. Rehman**

- (b) that the Strategic Executive Directors at all times remain within the financial guidelines of the Municipal Finance Management Act;
- (c) that the Strategic Executive Directors commit themselves to maintaining a credible budget target for revenue and expenditure;
- (d) that the Strategic Executive Directors acknowledge the significance of the 2013/2014 approved capital budget as a service delivery barometer.

**SED:BTO**  
**A.F. Rehman**

**B275 : BUDGET GUIDELINES : 2014/2015 : (BTO 6/1/1 - 2014/2015)**

**RESOLVED**

- (a) That the 2014/2015 MFREF budget guidelines, which will inform preparation of the 2014/2015 budget, be approved;
- (b) that the proposals of electricity tariffs and bulk purchases only be approved as an interim guide, pending final decision by NERSA;
- (c) that provisioning for grant revenue which will be based on the 2013 MTREF Division of Revenue allocations, pending the final 2014 Division of Revenue Act in February 2014, be noted.

**SED:BTO**  
**A.F. Rehman**

**B276 : RE-SUBMISSION OF THE COMMUNITY SERVICES TOP STRUCTURE : (CS 2/1/2)**

**RESOLVED**

That the item be referred back.

**SED:CS**  
**N.P. Kunene**

**CONCLUSION OF MEETING**

There being no further business to discuss, the meeting concluded at 14:20.

**CONFIRMED**

**DATE**

**CHAIRPERSON**