

RUSTENBURG
LOCAL MUNICIPALITY

M I N U T E S OF THE (03A/2019) *ADJOURNED COUNCIL* MEETING OF THE
RUSTENBURG LOCAL MUNICIPALITY HELD ON TUESDAY 13TH AUGUST 2019 AT
10:08 IN THE COUNCIL CHAMBER, UPPER LEVEL, CIVIC CENTRE, RUSTENBURG.

PRESENT

Cllr Mabale-Huma S S K	-	Speaker
Cllr Khunou M E	-	Executive Mayor
Cllr Bothomane P		
Cllr Chauke O R		
Cllr Cronje J C		
Cllr Damoyi M		
Cllr Du Plessis G		SSK
Cllr Edwards I		
Cllr Fetmani E M		
Cllr Gegula D		
Cllr Habi A S		
Cllr Jikeka P		
Cllr Jongela A S		
Cllr Kgaladi L P		
Cllr Kombe O		
Cllr Kwanaite A M		
Cllr Legopelo J B		
Cllr Lekoro B F		
Cllr Lerm M F E		
Cllr Mafoko S D		
Cllr Magadane G L		
Cllr Magadla E B		
Cllr Majolo W L		

Cllr Makgale T A
Cllr Makhaula V N
Cllr Malan P A
Cllr Malinga M
Cllr Malla AD
Cllr Mashishi-Ntsime J I
Cllr Masilo T I
Cllr Masondo N G
Cllr Matboge A L
Cllr Matlhoko A M
Cllr Megalanyane S T
Cllr Mhlungu S B M
Cllr Miny C
Cllr Mjekula E N
Cllr Mmolotsi C N
Cllr Mnisi B P
Cllr Mnisi A L
Cllr Mntombi S P
Cllr Moatshe F S
Cllr Mogotsi H B
Cllr Mohube M
Cllr Mokgatle O O
Cllr Mokotedi K G
Cllr Mokwele L P
Cllr Molatlhegi P R
Cllr Moleme K G
Cllr Molotsane D M
Cllr Molubi J N
Cllr Monageng V N
Cllr Monaise K I
Cllr Morei K

Cllr Mosoeu S M S
Cllr Motlhamme G S
Cllr Motshwane J
Cllr Mpolokeng B J
Cllr Mqanqeni N V
Cllr Ngwato J D
Cllr Njikelane M
Cllr Nkosi L M
Cllr Ntimba M S
Cllr Nkgoang L I
Cllr Nkgwang V K
Cllr Nongqoqo M I
Cllr Omarjee M
Cllr Pelesi K L
Cllr Radebe M W
Cllr Rantho M R
Cllr Rootman A P
Cllr Seleka A
Cllr Sephai J L
Cllr Setshoane F L
Cllr Snyders L B
Cllr Tjie P
Cllr Tlhapi P A
Cllr Tshabalala T E
Cllr Tsienyane P
Cllr Venter P A G
Cllr Wolf J
Cllr Wolmarans S
Cllr Xatasi N S
Cllr Xhinela Z

SSK

OFFICIALS

Mr Komane E	-	Director: Local Economic Development
Mr Ditsele G	-	Chief Financial Officer
Mr Boikanyo K	-	Director: Public Safety
Ms Halenyane M	-	Director: Planning and Human Settlement
Ms Hlatswayo L	-	Manager: Office of the Speaker
Mr Kgosimore P	-	Manager: Office of the Executive Mayor
Ms Roboji Y	-	Director Corporate Support Services
Mr Khumalo O J	-	Sergeant-at-arms: Public Safety
Ms Manuel B	-	Manager: Office of Municipal Manager
Mr Masilo O	-	Director: Technical & Infrastructure Service
Mr Molotsane L	-	Unit Head: Legal & Valuation
Ms Rampete N	-	Director: Community Development
Mr Pholose A	-	Manager: Administrative Support Services
Ms Makona P	-	Section Manager: Committee Work Administrative Support Services
Mr Jansen van Vuuren J	-	Section Manager: Administrative Support Services
Ms Letshwiti M	-	Committee Administrator Administrative Support Services
Ms Khunou B	-	Administrative Assistant: Administrative Support Services
Ms Dintwe T	-	Administrative Assistant: Administrative Support Services
Ms Khunou N	-	Administrative Officer Administrative Support Services
Ms Mokwatsi R	-	Administrative Officer Administrative Support Services
Ms Rapelego	-	Typist Administrative Support Services

SSK

Ms Mahupela D - Typist
Administrative Support Services

Mr Mkhuzangwe S - Council Interpreter

55K

(i)

1. OPENING AND WELCOME:

- 1.1 It be noted that the meeting was opened with a prayer by Cllr Snyders L B where-after the Honourable Speaker welcomed members present.
- 1.2 It be noted that the Speaker recapped the Adjourned Council meeting from the Ordinary Council meeting of the 30th July 2019 where members of Council agreed in the last Council sitting that the meeting will reconvene on the 13th August 2019.
- 1.3 It be noted that the Speaker explained about the inclusion of the two (2) additional reports which were urgent items, in the agenda of the Adjourned Council meeting 30 of July 2019.
- 1.4 It be noted that the Speaker welcomed the following Councillors: Johan Cornel Cronje from Ward 16 and Hendrick Baleseng Mogotsi from Ward 26, the Speaker extended her welcome to Councillor Madhla Simon Ntimba who is replacing Cllr Napoleon Webster, who was the PR councillor for Forum 4 Service Delivery (F4SD) and further requested the former Councillor Napoleon Webster to leave the chamber as he was no longer recognised as the member of the Council of Rustenburg Local Municipality
15. It be noted that the Speaker acknowledged the presence of the Member of Parliament Mr Kenny Morolong and the Community seated in the gallery.

2. APPLICATION FOR LEAVE OF ABSENCE:

- 2.1. That leave of absence be granted to the following Councillors: Coetzee M and Sikwane K.
- 2.2 It be noted that the following Councillors requested to be recused: Chauke at 14:00; Malan at 10:45, Makgale at 18:00, Mataboge A L at 12:00 and Mohube M M at 11:30.
- 2.3 It be noted that following Councillors will arrive late: Moleme K G, Tshabalala T E, Setshwane F and Xhinela Z (They all arrived)

3. OFFICIAL NOTICES:

- Invitation to the launch of Women's Ward Forum that will be held at the Old Town Hall on the 22nd August 2019 at 10h00;
- Notification to Councillors about the Office of the Premier bursary forms that are available at the Special Projects Office in the Office of the Executive Mayor;
- Cllr Bothomane P mentioned that as the meeting was adjourned on 30th July 2019, upon the receipt of the agenda he noticed that there were additional reports that were not part of the agenda of the 30th July 2019;
- Cllr Bothomane P referred to the Rules of Order - rule number 38, 39, 40 and 41; and also referred to rule number 11;

SSK

(ii)

- Cllr Bothomane P referred to a similar situation with regards to the Council meeting of 30th January 2018 that was reconvened on 1st February 2018, where-after a legal opinion was sought and it was decided that the meeting be nullified;
 - Cllr Matlhoko A also mentioned that no additional items were supposed to be added in the agenda, as per the rules;
 - Cllr Matlhoko A further recommended that the meeting be cancelled, and the Speaker convene a meeting afresh in accordance with the rules;
 - Cllr Mpolokeng J of the Economic Freedom Fighters requested a Multi-Party caucus followed by Cllr Mohube MM who requested caucus for the Democratic Alliance, prior to the Multi Party Caucus
- It be noted that Councillor Matlhoko gave the following report from the Multi-Party caucus:
- That the Economic Freedom Fighters feel strongly that Council was not in line with the rules of Council as the items did not correspond with the order of the agenda of the adjourned Council of 30th July 2019;
 - That the Economic Freedom Fighters conclude that should the Council meeting continue they would take Council to Court;
- Cllr Du Plessis gave the following report from the Democratic Alliance caucus:
- That four (4) new items have been added to the agenda of the adjourned meeting and that Council will decided on the urgency of those items as only urgent items can be added to the agenda;
 - Cllr Du Plessis further sought clarity on the issue of the changed numbering of items as they do not correspond with the previous agenda;
- Cllr Bothomane P gave the following feedback:
- That Forum 4 Service Delivery councillors would observe the overall proceedings of the meeting but he (Cllr Bothomane P) would not sit in the meeting. He further stated that he viewed the adjourned Council meeting as null and void;
 - It be noted that Councillor Bothomane P requested to be recused from the meeting;
 - It be noted that the Economic Freedom Fighters staged a walkout and;
 - It be noted that the Speaker ruled out that the Adjourned Council meeting of 13 August 2019 was legal as it was in line with the Rules Of Order and continued with the meeting.

SSK

(iii)

4. **PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER:**

That the following Councillors be congratulated on their birthdays:

JULY

Cllr Mntombi S P	10 July
Cllr Damoyi M	13 July
Cllr Xatasi N	17 July
Cllr Moatshe F S	20 July
Cllr Fetmani E M	21 July

AUGUST

Cllr Tshabalala	10 August
Cllr Miny C F M	11 August
Cllr Njikelane M	16 August
Cllr Malla A D	17 August
Cllr Moleme K G	18 August
Cllr Webster N	18 August
Cllr Molatlhegi P R	23 August
Cllr Nongqoqo M I	24 August
Cllr Radebe M W	27 August

5. **PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY OTHER MEMBERS:**

- It be noted that the Speaker congratulated Cllr Mashishi-Ntsime J and Cllr Nkgoang L I who graduated from Wits Business School;
- It be noted that the Executive Mayor congratulated Mr Komane and his entire team on collection of revenue and further congratulated the Local Economic Development Directorate for hosting a successful Tourism Summit;
- It be noted that Cllr Babe N B, would like to thank the Executive Mayor for leading Council and further recited a poem in honour of women.

6. **DECLARATION OF INTEREST BY MEMBERS RELATING TO ANY ITEM:**

None.

7. **MINUTES OF THE PREVIOUS MEETINGS:**

Minutes of the (05/2019) Special Council meeting held on 24 May 2019;
Minutes of the (02/2019) Ordinary Council meeting held on 28 May 2019; and
Minutes of the (06/2019) Special Council meeting held on 25 June 2019;

ESK

(1)

122. **DONATION OF PORTIONS 3, 8 AND 16 OF THE FARM WATERVAL 303 JQ TO RUSTENBURG LOCAL MUNICIPALITY (RLM)**

(Directorate: Community Development)

(JN)

PURPOSE OF REPORT

The purpose of this report is to request Council to accept the donation of Land by **Sibanye Rustenburg Platinum Mines Proprietary Limited**.

RECOMMENDED:

ACTION

- | | |
|---|------|
| 1. That the report on the donation of land by Sibanye Rustenburg Platinum Mines (Pty) Ltd be noted; | CC |
| 2. That Council notes the outstanding comments by READ on the land transaction; | CC |
| 3. That the donation of portions 3, 8 and 16 of the Farm Waterval 303 JQ by Sibanye Rustenburg Platinum Mines (Ltd) Pty be accepted in principle; | CC |
| 4. That the Accounting Officer be mandated to sign the Donation agreement once all the parties have finalized negotiations; and | OMM |
| 5. That DMR provide the confirmation to the Municipality as per the Service Level Agreement. | DPHS |

123. **LEASING OF MUNICIPAL SPORTING FACILITIES**

(Directorate: Community Development)

(CB)

PURPOSE OF THE REPORT

The purpose of this report is to request Council to waive the land valuation requirement in the leasing of sports facilities to various sporting clubs in Rustenburg and to authorise the Municipal Manager to enter into a lease agreement with the clubs indicated herein.

RECOMMENDED:

ACTION

- | | |
|---|----|
| 1. That the report be referred back. <u>SSK</u> | CC |
|---|----|

124. **REPORT ON DCD PORTFOLIO COMMITTEE LOCO INSPECTION TO VARIOUS SPORTS FACILITIES CONDUCTED ON 19 FEBRUARY 2019**

(Directorate: Community Development)

(CB/cb)

PURPOSE OF THE REPORT

The purpose of this report is to present to Council feedback on the in-loco inspection that was conducted by members of the Community Development Portfolio Committee and officials from the Directorate Community Development on 19 February 2019. *Annexure A* contains pictures from the different clubs on some of the programmes and the status of their facilities including pictures taken during the in-loco inspection.

RECOMMENDED:

ACTION

1. That Council takes note of the report.

CC

125. **REQUEST FOR COUNCIL TO ENTER INTO A WORKING RELATION MANAGEMENT AGREEMENT WITH THE RUSTENBURG SWIMMING CLUB**

(Directorate: Community Development)

(/cb)

PURPOSE OF THE REPORT

The purpose of this report is to request Council to authorise the Acting Municipal Manager to enter into an agreement with the Rustenburg Swimming Club in terms of the utilisation of the of Marais Street Swimming Pool.

RECOMMENDED:

ACTION

1. That the report be referred back and the financial statements of the Rustenburg Swimming Club be attached to the report.

CC

126. **PROGRESS REPORT ON THE STRATEGY AND IMPLEMENTATION PLAN TO ADDRESS ELECTRICAL LOSSES**

(Directorate: Infrastructure and Technical Services) (vpb)

PURPOSE OF THE REPORT

The purpose of the report is to report the progress on the strategy and implementation plan to address electrical losses to the Performance Audit Committee.

RECOMMENDED: CC

ACTION

1. That the report be noted.

SSK

CC

127. **PROGRESS REPORT - ELECTRIFICATION OF FORMAL SETTLEMENTS AND INFILLS (POST CONNECTIONS)**

(Directorate: Technical and Infrastructure Services)

PURPOSE OF THIS REPORT

The purpose of the report is to inform Council on progress on the status of electrification of formal settlements and installation of Infills (Post connections) in the greater Rustenburg Electrical supply area.

RECOMMENDED:

ACTION

1. That the progress report on the electrification of formal settlements and identified infills in Ramochana and Boitekong areas to be electrified is noted. CC

128. **PROGRESS REPORT - ELECTRIFICATION OF FORMAL SETTLEMENTS - DINIE ESTATE AND ESKOM INEP PROJECTS**

(Directorate: Technical and Infrastructure Services)

PURPOSE OF THIS REPORT

The purpose of the report is to inform Council on progress on the status of electrification of formal settlements including the Eskom (Integrated National Electrification) INEP projects.

RECOMMENDED:

ACTION

1. That the progress report on the electrification of formal settlements – Dinie Estate Rural and the the presentation on the Eskom INEP projects, is noted. CC

129. **MEMORANDUM OF UNDERSTANDING BETWEEN RAND WATER AND THE RUSTENBURG LOCAL MUNICIPALITY**

(Directorate Technical and Infrastructure Services)

(jdj)

PURPOSE OF THE REPORT

The purpose of the report is to obtain approval from Council to delegate the Acting Municipal Manager to enter into a Memorandum of Understanding with Rand Water.

RECOMMENDED:

ACTION

1. That the report be withdrawn. SSK CC

130. **PROGRESS ON THE IMPLEMENTATION OF THE AGRICULTURAL DEVELOPMENT SUPPORT PROGRAMME (ADSP)**

(Directorate: Local Economic Development)

(DVS)

PURPOSE OF THE REPORT

The purpose of the report is to provide Council with an update on the implementation of the Council approved Agricultural Development Support Programme.

RECOMMENDED:

ACTION

1. That the progress report on the implementation of the Agricultural Development Support Programme is noted. CC

131. **REPORT ON THE BUSINESS SUPPORT PROGRAMME FOR CO-OPERATIVES**

(Directorate: Local Economic Development)

PM

PURPOSE OF THE REPORT

The submission relates to item number 126, tabled on the 30th January 2018: BUSINESS SUPPORT PROGRAMME FOR CO-OPERATIVES

“That the progress report on the business support services to the local SMMEs and Cooperatives be submitted to Council at the end of each quarter”

RECOMMENDED:

ACTION

1. That the report on the Business Support Programme for co-operatives, is noted. CC

132. **CLOSE OUT REPORT: NATIONAL HOSPITALITY YOUTH TOURISM LEARNERSHIP PROGRAMME**

(Directorate: Local Economic Development)

TGM

PURPOSE OF THE REPORT

This report gives an update on the conclusion of the National Hospitality Youth Learnership Programme initiated by the National Department of Tourism.

RECOMMENDED

ACTION

1. That the close out report on the: National Hospitality Youth Tourism Learnership Programme, be noted. CC
2. That the resolution to submit the quarterly reports on the National Hospitality Youth Learnership Programme be rescinded. CC

SSK

133. **UPDATE ON THE REPORT ON THE PHATSIMA AGRICULTURAL PROJECT TURNAROUND STRATEGY BY SIBANYE STILLWATER**

(Directorate: Local Economic Development)

(DVS)

PURPOSE OF THE REPORT

The purpose of the report is to provide updated information on the Council Resolution of 27 March 2019, Item 93.

RECOMMENDED:

ACTION

1. That the report be referred back for inclusion of additional information;

CC

134. **UPDATE REPORT ON INFORMAL TRADING WITHIN THE JURISDICTION OF RUSTENBURG LOCAL MUNICIPALITY**

(Directorate: Local Economic Development)

(KM)

PURPOSE OF THE REPORT

The purpose of the report is to provide the status quo on informal trading activities within the jurisdiction of Rustenburg Local Municipality.

RECOMMENDED:

ACTION

1. That the update report on Informal Trading within Transport Complex Trading Areas be noted.

CC

135. **BOITEKONG CLUSTER MASTER PLAN**

(Directorate: Planning and Human Settlement)

(13/1/4) (0012146) M.M

PURPOSE OF THE REPORT

This report seeks to obtain Council approval on the draft Boitekong Cluster Master Plan (see attached Annexure A) and to authorise facilitation of the public participation process in line with the Municipal Systems Act, 2000 (Act 32 of 2000).

RECOMMENDED:

ACTION

1. That the Draft Boitekong Cluster Master Plan be noted;
2. That the Draft Boitekong Cluster Master Plan be subjected to public participation; and
3. That the public participation meeting be conducted on Wards 12; 19; 20; 21; 22; 24; 37; 38; 39; 40; 41 and 43.

CC

DPHS

DPHS

SSK

136. **APPLICATION FOR A VENTSHAFT SERVITUDE - SIBANYE STILLWATER: ERF 1534 BOKAMOSO**

(Directorate: Planning and Human Settlements)

(PL)

PURPOSE OF THE REPORT

The purpose of this report is to request Council to consider an application for the registration of a ventilation shaft servitude on Erf 1534 Bokamoso, in favor of Sibanye Stillwater.

RECOMMENDED:

ACTION

- | | |
|---|------|
| 1. That the report on the application for a vent shaft servitude in favour of Sibanye Stillwater: Erf 1534 Bokamoso is noted; | CC |
| 2. That a portion of Erf 1534 Bokamoso is not needed to provide the minimum level of basic municipal services in terms Section 14 of the MFMA be approved; | CC |
| 3. That the application to acquire a portion of Erf 1534 for the use and registration of a vent shaft servitude in favour of Sibanye Stillwater; | CC |
| 4. That the application be dealt with in accordance with provision of Section 79(18)b of the Local Government Ordinance, Ordinance 17 of 1939 for public participation; and | DPHS |
| 5. That the applicant be responsible for all the costs (transfer, subdivision and registration). | DPHS |

137. **REPORT ON STATUS OF BY-LAWS ENFORCEMENT IN RUSTENBURG**

(Directorate: Public Safety)

14/1 DG/dg

PURPOSE OF THE REPORT

The purpose of this report is to provide council with status of By-Law enforcement in Rustenburg as envisaged by council resolution number 4 dated 31/1/17.

RECOMMENDED:

ACTION

- | | |
|---|----|
| 1. That the report be referred back to Portfolio Committee Public Safety to address the shortcomings. | CC |
|---|----|

SSK

138. **SUPPLY CHAIN MANAGEMENT: BIDS AWARDED ABOVE R200 000- JANUARY 2019**

(Directorate: Budget and Treasury)

PURPOSE OF THE REPORT

The purpose of the report is to provide Council with the progress regarding the implementation of the supply chain management system for the month of January 2019.

RECOMMENDED:	<u>ACTION</u>
1. That the report of the awards above R200 000 be noted;	BTO
2. That the report be submitted to National Treasury and Provincial Treasury;	BTO
3. That the report be published on the municipal website;	BTO
4. That all reports on Supply Chain awards above R 200 000 should contain the following information: <ul style="list-style-type: none">• Bid specifications;• Minutes of all the bid committees;• Information on the appointment letters and the Service Level Agreements;• Financial implications stating whether provision was made on the budget; and	BTO
5. That external legal advice be sought	BTO

139. **SUPPLY CHAIN MANAGEMENT: BIDS AWARDED ABOVE R200 000- FEBRUARY 2019**

(Directorate: Budget and Treasury)

PURPOSE OF THE REPORT

The purpose of the report is to provide Council with the progress regarding the implementation of the supply chain management system for the month of February 2019.

RECOMMENDED:	<u>ACTION</u>
1. That the report of the awards above R200 000 be noted;	BTO
2. That the report be submitted to National Treasury and Provincial Treasury;	BTO
3. That the report be published on the municipal website;	BTO

SSK

(8)

4. That all reports on Supply Chain awards above R 200 000 should contain the following information: BTO

- Bid specifications;
- Minutes of all the bid committees;
- Information on the appointment letters and the Service Level Agreements;
- Financial implications stating whether provision was made on the budget; and

5. That external legal advice be sought. BTO

140. **SUPPLY CHAIN MANAGEMENT: BIDS AWARDED ABOVE R200 000- MARCH 2019**

(Directorate: Budget and Treasury)

PURPOSE OF THE REPORT

The purpose of the report is to provide Council with the progress regarding the implementation of the supply chain management system for the month of March 2019.

RECOMMENDED:

ACTION

1. That the report of the awards above R200 000 be noted; BTO

2. That the report be submitted to National Treasury and Provincial Treasury; BTO

3. That the report be published on the municipal website; BTO

4. That all reports on Supply Chain awards above R 200 000 should contain the following information: BTO

- Bid specifications;
- Minutes of all the bid committees;
- Information on the appointment letters and the Service Level Agreements;
- Financial implications stating whether provision was made on the budget; and

5. That external legal advice be sought. BTO

SSK

141. **REPORT ON LATE SUBMISSION OF MONTHLY BUDGET STATEMENT REQUIRED IN TERMS OF SECTION 71 AND SECTION 52(d) OF THE MUNICIPAL FINANCE MANAGEMENT ACT, ACT 56 OF 2003 (MFMA)**

(Directorate: Budget and Treasury Office)

PURPOSE OF THE REPORT

This report is submitted to provide Council with background on root causes of late submission of monthly and quarterly budget statements in compliance with Section 71 and Section 52 (d) of the MFMA 56 of 2003.

Apart from the legislative requirement to report, it is of utmost importance that directorates have sufficient and correct management information available to take informed decisions when policies, the IDP and SDBIP are implemented.

RECOMMENDED:

ACTION

- | | |
|--|----|
| 1. That the report be referred to the Municipal Public Accounts Committee to get the reasons for the late submission and report at the next Council meeting. | CC |
|--|----|

142. **MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT, ACT 56 OF 2003 (MFMA) – JULY 2018**

(Directorate: Budget and Treasury Office)

PURPOSE OF THE REPORT

This report is submitted to enhance sound financial management and inform the Accounting Officer, Senior Managers and Council of the financial result for period ending 31st July 2018.

Apart from the legislative requirement to report, it is of utmost importance that directorates have sufficient and correct management information available to take informed decisions when policies, the IDP and SDBIP are implemented.

RECOMMENDED:

ACTION

- | | |
|--|----|
| 1. That the report be referred to the Municipal Public Accounts Committee to get the reasons for the late submission and report at the next Council meeting. | CC |
|--|----|

SSK

143. **MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT, ACT 56 OF 2003 (MFMA) – AUGUST 2018**

(Directorate: Budget and Treasury Office)

PURPOSE OF THE REPORT

This report is submitted to enhance sound financial management and inform the Accounting Officer, Senior Managers and Council of the financial result for period ending **31st August 2018**.

Apart from the legislative requirement to report, it is of utmost importance that directorates have sufficient and correct management information available to take informed decisions when policies, the IDP and SDBIP are implemented.

RECOMMENDED:

ACTION

- | | |
|--|----|
| 1. That the report be referred to the Municipal Public Accounts Committee to get the reasons for the late submission and the report at the next Council meeting. | CC |
|--|----|

144. **MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 71 AND SECTION 52(d) OF THE MUNICIPAL FINANCE MANAGEMENT ACT, ACT 56 OF 2003 (MFMA) – SEPTEMBER 2018**

(Directorate: Budget and Treasury Office)

PURPOSE OF THE REPORT

This report is submitted to enhance sound financial management and inform the Accounting Officer, Senior Managers and Council of the financial result for period ending **30th September 2018**.

Apart from the legislative requirement to report, it is of utmost importance that directorates have sufficient and correct management information available to take informed decisions when policies, the IDP and SDBIP are implemented.

RECOMMENDED:

ACTION

- | | |
|--|----|
| 1. That the report be referred to the Municipal Public Accounts Committee to get the reasons for the late submission and the report at the next Council meeting. | CC |
|--|----|

SSK

145. **MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT, ACT 56 OF 2003 (MFMA) – OCTOBER 2018**

(Directorate: Budget and Treasury Office)

PURPOSE OF THE REPORT

This report is submitted to enhance sound financial management and inform the Accounting Officer, Senior Managers and Council of the financial result for period ending **31st October 2018**.

Apart from the legislative requirement to report, it is of utmost importance that directorates have sufficient and correct management information available to take informed decisions when policies, the IDP and SDBIP are implemented.

RECOMMENDED:

ACTION

- | | |
|--|----|
| 1. That the report be referred to the Municipal Public Accounts Committee to get the reasons for the late submission and the report at the next Council meeting. | CC |
|--|----|

146. **MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT, ACT 56 OF 2003 (MFMA) – NOVEMBER 2018**

(Directorate: Budget and Treasury Office)

PURPOSE OF THE REPORT

This report is submitted to enhance sound financial management and inform the Accounting Officer, Senior Managers and Council of the financial result for period ending **30 November 2018**.

Apart from the legislative requirement to report, it is of utmost importance that directorates have sufficient and correct management information available to take informed decisions when policies, the IDP and SDBIP are implemented.

RECOMMENDED:

ACTION

- | | |
|--|----|
| 1. That the report be referred to the Municipal Public Accounts Committee to get the reasons for the late submission and the report at the next Council meeting. | CC |
|--|----|

SSK

147. **MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 71 AND SECTION 52(d) OF THE MUNICIPAL FINANCE MANAGEMENT ACT, ACT 56 OF 2003 (MFMA) – DECEMBER 2018**

(Directorate: Budget and Treasury Office)

PURPOSE OF THE REPORT

This report is submitted to enhance sound financial management and inform the Accounting Officer, Senior Managers and Council of the financial result for period ending **31st December 2018**.

Apart from the legislative requirement to report, it is of utmost importance that directorates have sufficient and correct management information available to take informed decisions when policies, the IDP and SDBIP are implemented.

RECOMMENDED:

ACTION

1. That the report be referred to the Municipal Public Accounts Committee to get the reasons for the late submission and the report at the next Council meeting; CC

148. **MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT, ACT 56 OF 2003 (MFMA) – JANUARY 2019**

(Directorate: Budget and Treasury Office)

PURPOSE OF THE REPORT

This report is submitted to enhance sound financial management and inform the Accounting Officer, Senior Managers and Council of the financial result for period ending **31st January 2019**.

Apart from the legislative requirement to report, it is of utmost importance that directorates have sufficient and correct management information available to take informed decisions when policies, the IDP and SDBIP are implemented.

RECOMMENDED:

ACTION

1. That the report be referred to the Municipal Public Accounts Committee to get the reasons for the late submission and the report at the next Council meeting. CC

SSK

149. **MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT, ACT 56 OF 2003 (MFMA) – FEBRUARY 2019**

(Directorate: Budget & Treasury)

PURPOSE OF THE REPORT

This report is submitted to enhance sound financial management and inform the Accounting Officer, Senior Managers and Council of the financial result for period ending **28th February 2019**.

Apart from the legislative requirement to report, it is of utmost importance that directorates have sufficient and correct management information available to take informed decisions when policies, the IDP and SDBIP are implemented.

RECOMMENDED:

ACTION

1. That the report be referred to the Municipal Public Accounts Committee to get the reasons for the late submission and the report at the next Council meeting. CC

150. **PROGRESS REPORT ON IMPLEMENTATION OF THE IDP, BUDGET AND PMS PROCESS PLAN FOR JULY 2018 – MAY 2019**

(Office of the Municipal Manager)

OMM/mgm

PURPOSE OF THE REPORT

The purpose of this item is to report to Council on the implementation of the IDP, Budget and PMS process plan for the period July 2018 to May 2019.

RECOMMENDED:

ACTION

1. That the progress report on implementation of the IDP, Budget and PMS process plan for July 2018 to May 2019 be noted. OMM

151. **(PMS) POLICY FRAMEWORK 2019/2020**

(Office of the Municipal Manager: PMS)

PURPOSE OF THE REPORT

The purpose of the report is to request Council to approve the Reviewed Performance Management System Policy Framework for 2019/20.

The framework has been designed to provide logical flow of information. The stakeholders and their functions; roles and responsibilities are outlined therein. The framework also outlines the planning and implementation cycles

SSK

RECOMMENDED:

ACTION

- 1. That the report on the Revised Performance Management System Policy Framework 2019/2020 be noted; CC
- 2. That it be noted that the Directorate Corporate Support Services is responsible for individual performance management; and CC
- 3. That Council approve the Revised Performance Management System Policy Framework 2019/2020. CC

152. **TABLING OF THE 3RD QUARTER PERFORMANCE REPORT 2018-2019**

(Office of the Municipal Manager - PMS)

PURPOSE OF THE REPORT

The purpose of the report is to present to Council the 3rd quarter performance report for the 2018/2019 financial year.

RECOMMENDED:

ACTION

- 1. That the report be referred back and be submitted to Council explaining: OMM
 - The reasons for the late submission of the report to Council; and
 - The reasons for the report not to be audited.

153. **TABLING OF THE TIME SCHEDULE FOR THE REVIEW OF THE IDP, BUDGET AND PMS 2020/2021**

(Office of the Municipal Manager - MGM)

(3R)

PURPOSE OF THE REPORT

The purpose of this report is to seek Council's approval of the time schedule for the annual review of the IDP, Budget and PMS 2020/2021.

RECOMMENDED:

ACTION

- 1. That the report of the time schedule for the review of the IDP, Budget and PMS 2020/2021 be noted; CC
- 2. That Council approve the time schedule in terms of the MSA, of 2000 and MFMA of 2003. CC

SSK

154. **ADDITIONAL INFORMATION ON THE EXTENSION OF APPOINTMENT PERIOD OF THE ACTING MUNICIPAL MANAGER**

(Directorate: Corporate Support Services)

(Personnel) (JPM//rts)

PURPOSE OF THE REPORT

The purpose of the report is to consider the external legal opinion relating to the appointment of the Acting Municipal Manager.

RECOMMENDED:

ACTION

1. That Council take note of **ADDITIONAL INFORMATION ON THE EXTENSION OF APPOINTMENT PERIOD OF THE ACTING MUNICIPAL MANAGER**; and **CC**
2. That Council approves the extension of the period of appointment of Mr Edward Komane as the Acting Municipal Manager on a month-to-month basis from 13th August 2019 until the position of the Municipal Manager is filled. **CC**

155. **ADDITIONAL INFORMATION ON THE APPOINTMENT OF SECTION 56 EMPLOYEES: ACTING DIRECTOR: ROADS AND TRANSPORT**

(Directorate: Corporate Support Services)

(Personnel) (JPM//rts)

PURPOSE OF THE REPORT

The purpose of the report is to consider the external legal opinion relating to the appointment of the Acting Director: Roads and Transport.

RECOMMENDED:

ACTION

1. That Council take note of **ADDITIONAL INFORMATION ON THE APPOINTMENT OF SECTION 56 EMPLOYEES: ACTING DIRECTOR: ROADS AND TRANSPORT** **CC**
2. That Mr Obed Moleele be appointed as the Acting Director: Roads and Transport on a month-to-month basis from 14 August 2019. **CC**
3. That the vacant position of Director Roads and Transport be advertised. **DCSS**

SSK

156. **REPORT: INVESTIGATION OF RNT / UPS AND KSP CONTRACTS**
(OMM) (S/L)

PURPOSE OF THE REPORT

The purpose of the report is to take the council on board about the investigation that is taking place concerning the three companies namely, RNT, Umkhonto Professional Services (UPS) and KSP Group.

RECOMMENDED:

ACTION

- | | |
|---|-----|
| 1. That the Council take note of the report; | CC |
| 2. That progress report be submitted to every Ordinary Council meeting until the matter is finalised. | OMM |
-

157. **OFFICE OF THE MUNICIPAL MANAGER: - MIG FUNDED PROJECTS EXPENDITURE REPORT AS AT 30 MAY 2019**
(Office of the Municipal Manager) FN/

PURPOSE OF THE REPORT

The purpose of the report is to (i) present to Council the Municipal Infrastructure Grant (MIG) funded projects expenditure report as at 30 May 2019; and also to present to Council, the addition of R30million to the current allocation, which adjust the allocation from R230 086 000 to R260 086 000 for the 2018/19 Financial Year.

RECOMMENDED:

ACTION

- | | |
|---|----|
| 1. That the report on the Municipal Infrastructure Grant (MIG) funded projects expenditure report as at 30 May 2019 be noted; and | CC |
| 2. That it be noted that an expenditure progress report for the month of June 2019, will be submitted once all invoices are paid. | CC |
-

158. **RUSTENBURG LOCAL MUNICIPALITY'S STRATEGY TO SUPPLY ELECTRICITY TO INFORMAL SETTLEMENTS**
(Directorate Technical and Infrastructure Services)

PURPOSE OF THE REPORT

The purpose of the report is to present Council with innovative options to provide electrification and energy mix solutions to informal settlements within its licensed area of supply.

SSK

RECOMMENDED:

ACTION

- 1. That the report on the “Rustenburg Local Municipality’s Strategy to Supply Electricity to Informal Settlements”, be noted; and CC
- 2. That option 5 (Integrated Solution for informal settlements. Container houses pre-wired with COC certified and gas cabinet fitted with gas stove and 9 kg cylinder which are all municipal assists as per Annexure A of the report) be approved for further exploration as a long-term option. CC

159. **TABLING OF THE TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2019/2020**

(Office of the Municipal Manager: Strategy and Planning)

PURPOSE OF THE REPORT

The purpose of this report is to request Council to note the Top Layer SDBIP for 2019/2020.

RECOMMENDED:

ACTION

- 1. That the report on “**TABLING OF TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2019/2020**” is noted; and CC
- 2. That the Top Layer SDBIP 2019/2020 is noted. CC

160. **REQUEST FOR VARIOUS APPROVALS FOR THE EXECUTIVE MAYOR, CLLR. MPHOU KHUNOU RELATING TO HIS PARTICIPATION IN THE UNIVERSITY OF CALIFORNIA BERKELEY LEADERSHIP FOR IMPACT AND INNOVATION PROGRAMME SCHEDULED FOR 09 -20 SEPTEMBER 2019 IN CALIFORNIA, USA**

(Office of the Executive Mayor)

PURPOSE OF THE REPORT

The purpose of the report is to request Council for various approvals for Cllr. Mpho Khunou relating to his participation in the university of California Berkeley Leadership for impact and innovation programme scheduled for 09 -20 September 2019 in California, USA.

RECOMMENDED:

ACTION

- 1. Council authorizes SALGA to register the Executive Mayor, Cllr. Mpho Khunou for the University of California Berkeley Leadership For Impact and Innovation Programme scheduled for 09 -20 September 2019; CC

SSK

(18)

- | | | |
|----|---|-----------|
| 2. | Council grants time off to the Executive Mayor, Cllr. Mpho Khunou in order for him to attend the full duration of the programme; and | CC |
| 3. | Council authorises payment of a pier diem allowance to the Executive Mayor, Cllr. Mpho Khunou for the duration of his stay in California, USA in line with Council policies and procedures. | CC
BTO |

161. **ERRONEOUS TRANSFER OF FUNDS TO BOJANALA PLATINUM DISTRICT MUNICIPALITY**

(Directorate: Budget and Treasury Office)

GD

PURPOSE OF THE REPORT

- The purpose of the report is to:
- provide the Council with the background and update on funds transferred into our Rustenburg Housing Grant Bank Account from the Bojanala Platinum District Municipality (BPDM).

RECOMMENDED:

ACTION

- | | | |
|----|---|-----|
| 1. | That Council note the report on erroneous transfer of funds by the Department of Local Government and Human Settlement to Bojanala Platinum District Municipality; and | CC |
| 2. | That the Acting Municipal Manager should write a letter to the Department of Local Government and Human Settlement requesting funding and transfer of the committed R134 million for the Lethabong Ext 2 project. | AMM |

SSK

162. **REQUEST TO AUTHORISE THE ACCOUNTING OFFICER TO SIGN THE MOU AND DEED OF DONATION: SUNRISE VIEW**

(Office of the Municipal Manager)

(FN)

PURPOSE OF THE REPORT

The purpose of the report is to request Council to grant the Accounting Officer authorization to enter into a Memorandum of Understanding with Impala Platinum Limited on the Sunrise View Flooding Project, as well as sign deed of donation from the 19 houses which have been prone to flooding over the years.

RECOMMENDED:

ACTION

- | | | |
|----|---|-----|
| 1. | That the report on the request to authorise the Accounting Officer to sign the MoU and the Deed of Donation: Sunrise View be noted; | CC |
| 2. | That the Accounting Officer be authorized to sign the Memorandum of Understanding as it relates to Sunrise View Flooding Project; | OMM |
| 3. | That the Accounting Officer sign the 19 Deed of Donations; and | OMM |
| 4. | That a progress report be submitted to every Ordinary Council meeting until the matter is finalised. | OMM |

163. **REPORT OF THE SELECTION PANEL FOR THE MUNICIPAL MANAGER POSITION**

(Directorate: Corporate Support Services)

(YR/yr)

PURPOSE OF THE REPORT

The purpose of the report is to provide Council with a report on the recruitment and selection process of the Municipal Manager.

RECOMMENDED:

ACTION

- | | | |
|----|---|----|
| 1. | That the report be noted; and | CC |
| 2. | That the vacant position of the Municipal Manager be re-advertised as the Selection Panel in assessing the shortlisted candidates could not identify a suitable candidate for appointment as a Municipal Manager. | CC |

SEK

164. **APPOINTMENT OF PERFORMANCE AUDIT COMMITTEE MEMBERS**
(Office of the Municipal Manager) (5/...../R) (CM)

PURPOSE OF THE REPORT

The purpose of the report is to request Council to approve appointment of the candidates recommended for the filling of two vacant positions of the Performance Audit Committee (PAC), as per council resolution Item 57 "Filling of two performance audit committee members positions", dated 26 March 2019.

RECOMMENDED:	<u>ACTION</u>
1. That the report noted;	CC
2. That Council appoint two (2) new members of the Performance Audit Committee to fill the vacant positions of the committee for three years:	CC
(a) Ms Lerato Moyo	
(b) Mr Stanley Ngobeni	

165. **FINAL REPORT ON THE PUBLIC PARTICIPATION PROCESS OF THE DRAFT AMENDED INFORMAL TRADING BY-LAW, COMMUNITY FACILITIES BY LAW AND STREET TREES MANAGEMENT BY LAW**
(Office of the Speaker) (SS)

PURPOSE OF THE REPORT

The purpose of the item is to provide Council with a final report on the Public Participation Process for the Draft Amended Informal Trading By-Law, Community Facilities By-Law and Street Trees Management By-Law

RECOMMENDED:	<u>ACTION</u>
1. That the report be withdrawn.	ROO

166. **NON-ATTENDANCE OF COUNCIL SITTINGS AND PORTFOLIO COMMITTEE MEETINGS BY COUNCILLORS: JANUARY – MARCH 2019**
(Office of the Speaker) (LH/oit)

PURPOSE OF THE REPORT

The purpose of the report is to inform Council in terms of the Code of Conduct of Councillors regarding councillors who did not attend three or more consecutive council sittings or/and portfolio committee meetings.

RECOMMENDED:	<u>ACTION</u>
That the report be withdrawn. <u>SSK</u>	ROO

167. **PROGRESS REPORT ON DEBT OWED BY MUNICIPAL COUNCILLORS: CLLR L.M. NKOSI**

(Office of the Speaker)

(LH/oit)

PURPOSE OF THE REPORT

The purpose of the item is to provide Council with a progress report regarding debt owed by Municipal Councillors. In this item, specific attention is given to Councillor Nkosi due to the complexity of her matter.

RECOMMENDED:

ACTION

- | | |
|--|-----|
| 1. That the report be noted; | CC |
| 2. That citing Legal, Planning and Human Settlements and Budget and Treasury comments, consideration should be given towards the date of occupation for Cllr Nkosi where it relates to debt owing; and | BTO |
| 3. That any debt accumulated prior to her occupation should be written off. | BTO |

168. **PROGRESS REPORT ON COUNCIL RESOLUTIONS FOR JANUARY TO JUNE 2019**

(Directorate: Corporate Support Services)

(MPM/mpm)

PURPOSE OF REPORT

The purpose of the report is to submit to Council progress on outstanding Council resolutions for the period January to June 2019 as resolved by Council.

RECOMMENDED:

ACTION

- | | |
|--|-----|
| 1. That the progress report on Council Resolutions for the period January to June 2019; is noted; | CC |
| 2. That the following items be submitted at the next Ordinary Council meeting; | DCS |
| <ul style="list-style-type: none">• Councillors appointed as the Chairperson of Portfolio Committees• Mr Mokgwamme's appointment at Ventersdorp Municipality;• Item 115 Progress on the development of the Strumosa, Waste Drop Off Facility;• Item 117 Request by Chairperson to be recused from the Multi-Party Committee: Allegations of - Corruption Involving Councillors;• Standing item on municipal services arrears of councillors over a period of 3 months;• Standing item on municipal services arrears for employees over a period 3 months; and | |

SSK

3. That all items related to implementation of Council resolutions should serve at the Mayoral Committee meeting prior to submission to Council. DCSS

SSK

(iv)

17. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETINGS:

17.1 Motion 02/2019: Criminal Case of Theft Lodged against Mr Abinaar Modikela Matlhoko (Cllr Matlhoko)

That the Speaker conduct an investigation and advise Council.

17.2 Motion 04/2019: Allegations of Fraudulent Sale of Municipal Land by Cllr Jane Mpolokeng (Cllr Mpolokeng)

- That the Speaker of Council investigates and establishes if Cllr Mpolokeng J has breached the Councillors code of Conduct;
- That the Speaker tables her findings before Council;
- That a criminal case be opened against Cllr Mpolokeng; and
- That a progress report regarding the criminal case be submitted to Council.

18. NEW MOTIONS OR PETITIONS:

18.1 Motion 05/2019: The Economic Freedom Fighters' (EFF) Motion of No Confidence against Councillor M. Khunou, the Executive Mayor of Rustenburg Local Municipality (RLM)

That in terms of Rule 58 (4) the motion falls off as the mover and the seconder of the motion are not present at the meeting.

19. QUESTIONS:

-None.

20. ADOPTION OF MINUTES:

Minutes of the (03/2019A) Adjourned Ordinary meeting of Council held on **13 August 2019**.

21. CLOSURE:

The business of the meeting was concluded at 14h00.

SPEAKER: 

DATE APPROVED: 19/08/2019