

## **RUSTENBURG**

### **LOCAL MUNICIPALITY**

M I N U T E S OF THE (09/2018S) ***SPECIAL COUNCIL*** MEETING OF THE RUSTENBURG LOCAL MUNICIPALITY HELD ON TUESDAY **26<sup>th</sup> October 2018** AT 10:15 IN THE COUNCIL CHAMBER, UPPER LEVEL, CIVIC CENTRE, RUSTENBURG.

#### **PRESENT**

**Cllr Mabale-Huma S S K**

- **Speaker**

**Cllr Khunou M E**

- **Executive Mayor**

Cllr Babe N B

Cllr Bothomane P

Cllr Damoyi M

Cllr Du Plessis G

Cllr Edwards I

Cllr Fetmani E M

Cllr Gegula D

Cllr Habi A S

Cllr Jongela A S

Cllr Kgaladi L P

Cllr Kwanaite A M

Cllr Legopelo J B

Cllr Lekoro B F

Cllr Lerm M F E

Cllr Letlape S M

Cllr Mafoko S D

Cllr Magadane G L

Cllr Magadla E B

Cllr Majolo W L

Cllr Makhaula V N

Cllr Malla AD

SSK

Cllr Mashishi-Ntsime J I

Cllr Masilo T I

Cllr Mataboge A L

Cllr Matlhoko A M

Cllr Megalanyane ST

Cllr Mhlungu S B M

Cllr Miny C

Cllr Mjekula E N

Cllr Mmolotsi C N

Cllr Mnisi A L

Cllr Mntombi S P

Cllr Moatshe F S

Cllr Mohube M

Cllr Mokgatle O O

Cllr Mokwele L P

Cllr Moleme K G

Cllr Molubi J N

Cllr Monageng V N

Cllr Moraka S S

Cllr Morei K B

Cllr Mosoeu S M S

Cllr Motlhamme G S

Cllr Motshwane J

Cllr Mpolokeng B J

Cllr Mqanqeni N V

Cllr Mvula p

Cllr Nel D

Cllr Ngwato J D

Cllr Njikelane M

Cllr Nkgwang V K

Cllr Nkgoang L I

Cllr Nkosi L M

Cllr Nongqoqo M I

Cllr Pelesi K L

Cllr Radebe M W

Cllr Rantho M R

Cllr Seleka A

Cllr Sephai J L

Cllr Setshwane F

Cllr Sikwane C K

Cllr Snyders L B

Cllr Tjie P

Cllr Tsamai A

Cllr Tshabalala T E

Cllr Tsienyane P

Cllr Venter P

Cllr Wolf J

Cllr Webster N

Cllr Xhinela Z

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## OFFICIALS

Ms Sithole N	-	Municipal Manager
Mr Molotsane L	-	Unit Head: Legal & Valuation
Ms Mdlhuli V	-	Acting: Chief Finance Officer
Mr Bergh P	-	Acting Director: Technical & Infrastructure Service
Ms Rampete N	-	Director: Community Development
Mr Komane E	-	Director: Local Economic Development
Mr Moleele O	-	Acting: Director Roads & Transport
Ms Halenyane M	-	Director: Planning and Human Settlement
Mr Mahapela P	-	Acting Director: Corporate Support Services
Mr Mokhwiti F	-	Acting Director: Public Safety
Mr Khumalo O J	-	Sergeant-at-arms: Public Safety
Ms Hlatswayo L	-	Manager: Office of the Speaker
Mr Kgosimore P	-	Manager: Office of the Executive Mayor
Mr Pholose A	-	Unit Manager: Administration Administrative Support Services
Mr Jansen van Vuuren J	-	Section Manager: Administration Administrative Support Services
Ms Khunou N	-	Administrative Officer: Administrative Support Services
Ms Dintwe T	-	Administrative Assistant: Administrative Support Services
Ms Khunou B	-	Administrative Assistant: Administrative Support Services
Ms Letshwithi M	-	Committee Administrator Administrative Support Services

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- |                 |   |   |
|-----------------|---|---|
| Ms Mogakwe K    | - | Typist<br>Administrative Support Services                           |
| Ms Rapelego M   | - | Acting: Administrative Assistant<br>Administrative Support Services |
| Mr Mkhuzangwe S | - | Council Interpreter   |

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1. **OPENING AND WELCOME:**

- 1.1 It be noted that the meeting was opened with a prayer by Cllr Masilo T where-after the Honourable Speaker welcomed all Councillors present, officials and members of the community seated in the Public Gallery;

The Speaker acknowledged the presence of Cllr Magadane Gloria Lesedi who replaces the late Cllr Mataboge G and further welcomed her as part of Rustenburg Municipal Council.

2. **APPLICATION FOR LEAVE OF ABSENCE:**

- 2.1 That application for leave of absence be granted to the following Councillors: Chauke O, Coetzee M, Malan P, Molatlhegi P R, Monaise K I, Mnisi A P B, Phillips C, Jikeka P and Mqaqeni N V, Tlhapi P P and Xatasi N S.
- 2.2 It be noted that the following Councillors requested to be recused: Lekoro B (Left), Motshwane J (Left), Magadla G L, Nkosi L M and Radebe M W.
- 2.2 It be noted that the following Councillors will arrive late: Majolo W L (Arrived) , Tjie P (Arrived) and Setshoane F (Arrived).

3. **REPORT:** Attached

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## INDEX

ITEM	HEADING	CC
255.	Report on the implementation of Internal Audit Findings on the supply and distribution of Wheeled Bins Project as per item 14 of the 30 <sup>th</sup> January 2018	DCD
256.	Draft Rustenburg Local Municipality Informal Trading By-Laws: amendment of the Street Trading By-Laws	CC
257.	Intension to extend the contract replacement of Ac Pipes, upgrading of water meters and aged connections – Karlienpark And Zinniaville	CC
258.	Progress report – funding for the upgrade of substations - transactional advisors: turnkey project at risk	DTIS
259.	Appointment of section 56 employees: Acting Director: Roads and Transport	CC
260.	Disposal of aged municipal fleet in line with the Rustenburg Local Municipality Fleet Management Policy	DTIS
261.	Disposal of aged Municipal fleet in line with the Rustenbug Local Municipality Fleet Management Policy	BTO
262.	Request Council approval to access an overdraft facility (50 million ) in line with Section 45 of MFMA	BTO
263.	Evaluation report: Director Community Development probation	CC
264	Roads & Transport - Rustenburg Rapid Transport Public Transport Network Grant Budget proposal for Rustenburg Local Municipality	DR&T
265.	4 <sup>th</sup> Quarter Performance Report 2017-2018	OMM
266.	Application in terms of Section 14 of the MFMA, Act 56 Of 2003 – various portions of land for the Education Hub	DPHS
OSK		

255. **REPORT ON THE IMPLEMENTATION OF INTERNAL AUDIT FINDINGS ON THE SUPPLY AND DISTRIBUTION OF WHEELED BINS PROJECT AS PER ITEM 14 OF THE 30<sup>TH</sup> JANUARY 2018**

(Directorate: Community Development)

(JM/nr)

**PURPOSE OF REPORT**

The purpose of this report is to give Council a report on the implementation of internal audit findings on the supply and distribution of wheeled bins project as per item 14 of 30 January 2018, Item 203 of 31 July 2018 and Item 249 of 25 September 2018.

**RESOLVED:**

**ACTION**

That the item be referred back to the Joint Portfolio Committee  
Community Development and Budget & Treasury and further be re-  
submitted to the Ordinary Council sitting at the end of November 2018;

DCD  
BTO

256. **DRAFT RUSTENBURG LOCAL MUNICIPALITY INFORMAL TRADING BY-LAWS: AMMENDMENT OF THE STREET TRADING BY-LAWS**

(Directorate: Local Economic Development)

(KM)

**PURPOSE OF THE REPORT**

- To request Council to consider and approve the amendment of the Street Trading By-Laws into the draft Informal trading By-Laws
- To request Council to give permission for the draft Informal Trading By-Laws to go through public participation process

**RESOLVED:**

**ACTION**

1. That the report **DRAFT RUSTENBURG LOCAL MUNICIPALITY INFORMAL TRADING BY-LAWS: AMENDMENT OF THE STREET TRADING BY-LAWS**, be noted; CC
2. That the draft Informal Trading By-Laws be subjected to public participation; DLED  
OSP
3. That after public participation, the draft Informal Trading By-Laws be submitted to Council for approval. DLED

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257. **INTENSION TO EXTEND THE CONTRACT REPLACEMENT OF AC PIPES, UPGRADING OF WATER METERS AND AGED CONNECTIONS – KARLIENPARK AND ZINNIIVILLE**

(Directorate: Infrastructure and Technical Services) (ZMP)

**PURPOSE OF REPORT**

The purpose of the report is for Council to approve the replacement of AC pipes, upgrading of water meters and aged connections in Karlienpark and Zinniaville as part of Rustenburg CBD and Extensions AC pipe replacement tender **RLM/DI/0030/2017/18**;

**RESOLVED:**

**ACTION**

- |   |             |
|---|-------------|
| 1. That the item with regards to the intension to extend the contract replacement of AC pipes and upgrading of water meters and aged connections in Karlienpark and Zinniaville be noted. | DTIS<br>BTO |
| 2. That the intention to extend the contract be subjected to Public Participation in terms of section 116 of MFMA .   | DTIS<br>BTO |

**NB: IT BE NOTED THAT CLLR BOTHOMANE P DOES NOT AGREE WITH THE DECISION OF COUNCIL TO SEEK A LOAN AND EXTEND A CONTRACT;**

- Cllr Bothomane P is not in agreement with the changing of the heading of the item and ;
- The explanation of the report requesting action in terms of Section 116 of the MFMA
- The allocation of R 13.2m with VAT instead of R9.6m with R1.2m VAT;
- No action against unnamed contractor with outstanding work;

**NB: IT BE NOTED THAT THE ECONOMIC FREEDOM FIGTHERS DO NOT ALIGN THEMSELVES WITH THE RESOLUTIONS.**

258. **PROGRESS REPORT – FUNDING FOR THE UPGRADE OF SUBSTATIONS - TRANSACTIONAL ADVISORS: TURNKEY PROJECT AT RISK**

(Directorate: Technical and Infrastructure Services)

**PURPOSE OF THE REPORT**

The purpose of this report is to update council on progress made to date with the possible source of funding and the implementation of several critical electrical projects.

**RESOLVED:**

**ACTION**

That the item be withdrawn

DTIS

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259. **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 request Council to appoint an Acting Director: Roads and Transport for a period not exceeding three months.

**RESOLVED:**

**ACTION**

- |  |    |
|--|----|
| 1. That Council take note of the report;   | CC |
| 2. That Council approve that Mr F Ntlhamu be appointed as Acting Director: Roads and Transport from 29 <sup>th</sup> October 2018 for a period not exceeding three (3) months. | CC |

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**NB: THAT CLLR BOTHOMANE P SUPPORT THE APPOINTMENT WITH RESERVATIONS.**

260. **DISPOSAL OF AGED MUNICIPAL FLEET IN LINE WITH THE RUSTENBUG LOCAL MUNICIPALITY FLEET MANAGEMENT POLICY**

(Directorate: Budget and Treasury) (VM)

**PURPOSE OF THE REPORT**

The purpose of the report request Council approval on the auctioning of municipal fleet in line with the requirements of the Municipal Fleet Management Policy

**RESOLVED:**

**ACTION**

- |   |             |
|---|-------------|
| 1. That the report is noted;  | CC          |
| 2. That the item be referred back to the Portfolio Committee Directorate Technical and Infrastructure Services for loco Inspection on the vehicles and further be submitted to the next Council meeting in November 2018; | BTO<br>DTIS |
| 3. That the report should contain full description on the vehicles to be disposed of;   | DTIS        |
| 4. That the report should provide further details of asset registers;   | BTO<br>DTIS |
| 5. That a separate report be submitted on the purchasing of new fleet and fuel arrangements.  | BTO<br>DTIS |

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**261. DISPOSAL OF REDUNDANT AND OBSOLETE ITEMS**

(Directorate: Budget and Treasury)

**PURPOSE OF THE REPORT**

The purpose of the report is to request Council approval on the disposal of redundant and obsolete items of the Municipality.

**RESOLVED:****ACTION**

- |   |     |
|---|-----|
| 1. That the report is noted;  | CC  |
| 2. That the report be submitted to the Portfolio Committee Budget and Treasury for loco inspection; | BTO |
| 3. That the report be submitted to the next Council sitting in November 2018.                       | BTO |

**262. REQUEST COUNCIL APPROVAL TO ACCESS AN OVERDRAFT FACILITY (50 MILLION ) IN LINE WITH SECTION 45 OF MFMA**

(Directorate: Budget &amp; Treasury)

**PURPOSE OF THE REPORT**

The purpose of the report is to request Council approval for the Municipality to access an overdraft facility of R 50 000 000.00 (R 50 million) from ABSA in line with section 45 of the Municipal Finance Management Act, 56 of 2003.

**RESOLVED:****ACTION**

- |   |     |
|---|-----|
| 1. That the report is noted;  | CC  |
| 2. That the report be referred back to the Portfolio Committee; Budget & Treasury and be submitted at the next ordinary Council meeting in November 2018. | BTO |

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263. **EVALUATION REPORT: DIRECTOR COMMUNITY DEVELOPMENT PROBATION**

(Office of the Municipal Manager)

OMM

**PURPOSE OF THE REPORT**

The purpose of the report is to submit to Council an evaluation report pertaining to the performance of the Director of Community Development (Nelly Rampete) for the probation period of six (6) months that ended on 4th July 2018 and was extended to the end of September 2018.

**RESOLVED:**

**ACTION**

- |    |  |    |
|----|--|----|
| 1. | That the report on the evaluation report: Director for Community Development probation period ending 4 <sup>th</sup> July and extended to end September 2018 be noted;           | CC |
| 2. | That the Director for Community Development be considered to have successfully completed her probation period;   | CC |
| 3. | That the remuneration of the Director for Community Development be reviewed as at the end of the probation period in line with the Council resolution of the 28th November 2017; | CC |
| 4. | That the Director for Community Development be placed on the second notch with effect from 1 <sup>st</sup> October 2018 .  | CC |
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264. **ROADS & TRANSPORT - RUSTENBURG RAPID TRANSPORT PUBLIC TRANSPORT NETWORK GRANT BUDGET PROPOSAL FOR RUSTENBURG LOCAL MUNICIPALITY**

(Directorate: Roads & Transport)

**PURPOSE OF THE REPORT**

This report serves to provide the Public Transport Network Grant (PTNG) for the Medium Term Expenditure Framework 2019/20 submitted to by Rustenburg Local Municipality (RLM) and National Treasury (NT) and Department of Transport (NDoT) as required from cities implementing integrated public transport network.

**RECOMMENDED:**

**ACTION**

- |    |  |    |
|----|--|----|
| 1. | That the report on the Roads & Transport - Rustenburg Rapid Transport Public Transport Network Grant Budget Proposal for Rustenburg Local Municipality be noted; | CC |
|----|--|----|

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|----|---|-----|
| 2. | That the report be referred to the Portfolio Committee Roads & Transport to ensure that all the outstanding information is enclosed;  | R&T |
| 3. | That an augmented report on financial allocations, expenditure and the extent of work done on the operationalisation of the RRT system be submitted at the end of January 2019. | R&T |

265. **4<sup>TH</sup> QUARTER PERFORMANCE REPORT 2017-2018**

(Office of the Municipal Manager)

**PURPOSE OF THE REPORT**

The purpose of the report is to present to Council the 4<sup>th</sup> quarter performance report for the 2017/2018 financial year.

**RESOLVED:**

**ACTION**

- |    |  |     |
|----|--|-----|
| 1. | That report be referred back to the Portfolio Committee Integrated Development Planning and be submitted to ordinary Council meeting in November 2018; | IDP |
| 2. | That quarterly reports be submitted as prescribed by Legislation.  | IDP |

266. **APPLICATION IN TERMS OF SECTION 14 OF THE MFMA, ACT 56 OF 2003 – VARIOUS PORTIONS OF LAND FOR THE EDUCATION HUB**

(Directorate: Planning & Human Settlement)      PL

**PURPOSE OF THE REPORT**

This report seeks to request Council to make a determination in terms of Section 14 (2) (a) of the Municipal Finance Management Act (MFMA), Act 56 of 2003, in respect of various portions of land that needs to be made available for the Education Hub.

**RESOLVED:**

**ACTION**

- |    |  |      |
|----|--|------|
| 1. | That the report is noted;  | CC   |
| 2. | That the report be referred back to the portfolio committee Planning and Human Settlement. | DPHS |

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5. Minutes of the (09/2018S) Special Council meeting of the Rustenburg Local Municipality, held on 26<sup>th</sup> October 2018.

6. **CLOSURE.**

The business of the meeting was concluded at 15H45.

SPEAKER:



DATE APPROVED: 06/11/2018

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