

RUSTENBURG LOCAL MUNICIPALITY

**MINUTES OF THE (02/2020) ORDINARY VIRTUAL COUNCIL MEETING OF THE
RUSTENBURG LOCAL MUNICIPALITY HELD ON TUESDAY THE 28th JULY 2020 AT
10:10**

PRESENT

Cllr Mabale-Huma S S K

- Speaker

Cllr Khunou M E

- Executive Mayor

Cllr Babe N B

Cllr Bothomane P

Cllr Chauke O R

Cllr Coetzee M

Cllr Cronje J C

Cllr Damoyi M

Cllr Du Plessis G J

Cllr Edwards I

Cllr Gegula D

Cllr Jikeka P

Cllr Jongela S

Cllr Kgaladi P

Cllr Kombe O J

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 Majolo W L

Cllr Makgale T A

Cllr Makhaula V N

SSK

Cllr Malan P A
Cllr Malatji M W
Cllr Malinga M
Cllr Malla A D
Cllr Mashishi-Ntsime J I
Cllr Masilo T I
Cllr Mataboge A L
Cllr Matlhoko A M
Cllr Megalanyane S T
Cllr Mekgoe T S
Cllr Mhlungu S B M
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 M
Cllr Mokotedi K G
Cllr Mokwele L P
Cllr Molatlhegi P R
Cllr Molubi J N
Cllr Monageng V N
Cllr Monaise K I

Cllr Morei K B
Cllr Motlhamme G S
Cllr Mqanqeni N V
Cllr Ngwato J D
Cllr Nhacuangue N
Cllr Njikelane M
Cllr Nkgoang L I
Cllr Nkosi L M
Cllr Nongqoqo M I
Cllr Omarjee M
Cllr Pelesi K L
Cllr Rantho M R
Cllr Rootman A P
Cllr Seleka A
Cllr Sephai J L
Cllr Snyders L B
Cllr Tjie P
Cllr Tlhapi P A
Cllr Tshabalala T E
Cllr Tsienyanane P
Cllr Venter P A G
Cllr Wolf J
Cllr Xatasi N S
Cllr Xhinela Z

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OFFICIALS

Mr Ditsele G	-	Chief Financial Officer
Mr Masilo O	-	Director: Technical & Infrastructure Services
Ms Rampete N	-	Director: Community Development
Ms Halenyane M	-	Director: Planning & Human Settlement
Mr Boikanyo K	-	Director: Public Safety
Mr Komane E	-	Director: Local Economic Development
Mr Moleele O	-	Acting Director: Roads and Transport
Ms Roboji Y	-	Director: Corporate Support Services
Mr Kgosiore P	-	Manager: Office of the Executive Mayor
Ms Hlatswayo L	-	Manager: Office of the Speaker
Mr Jansen van Vuuren J W	-	Acting Unit Manager: Administrative Support Services
Ms Manthata J	-	Supervisory Typist Administrative Support Services
Ms Khunou B	-	Administrative Assistant: Administrative Support Services
Ms Khunou N	-	Administrator: Administrative Support Services
Ms Dintwe T	-	Administrative Assistant: Administrative Support Services
Ms Makonye T	-	Typist Administrative Support Services
Mr Mkhuzangwe S	-	Council Interpreter

SSK

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1. OPENING PRAYER AND WELCOME:

The meeting was opened with a prayer by Cllr Mataboge A L, where-after the Honourable Speaker welcomed all members present.

2. APPLICATIONS FOR LEAVE OF ABSENCE:

2.1 It be noted that leave of absence be granted to the following Councillors: Bothomane (arrived), Kwanaite A M, Miny C, Molotsane D M and Sikwane C K;

2.2 It be noted that the following Councillor requested to be recused: Snyders L B at 12h00, it be noted further that Cllr Snyders L B, returned at 14H30

3. OFFICIAL NOTICES:

3.1 It be noted that the Honourable Speaker introduced the new Economic Freedom Fighters Cllr Malatsi M W who replaces Cllr Motshwane J.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER:

4.1 None.

That the following Councillors be congratulated on their birthdays:

MARCH

Cllr Tjie P	01 March
Cllr Snyders L B	08 March
Cllr Matlhoko A M	12 March
Cllr Rantho M R	15 March
Cllr Mogotsi H B	15 March
Cllr Edwards I	20 March
Cllr Magadla E B	21 March
Cllr Lekoro B F	23 March
Cllr Megalanyane	23 March
Cllr Mabale-Huma S S K	27 March
Cllr Seleka A	27 March

APRIL

Cllr Motlhamme G	01 April
Cllr Babe N B	05 April
Cllr Ntimba M S	17 April
Cllr Mhlungu S B M	22 April
Cllr Mosoeu S M S	28 April

SSK

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MAY

Cllr Masondo N G	01 May
Cllr Mekgoe T S	02 May
Cllr Molotsane D M	03 May
Cllr Chauke O R	04 May
Cllr Mnisi A B P	12 May
Cllr Sephai J L	13 May
Cllr Tlhapi P A	22 May

JUNE

Cllr Kwanaite A M	01 June
Cllr Tsienyanane P H	01 June
Cllr Rootman A P	07 June
Cllr Majolo W L	11 June
Cllr Kgaladi P L	19 June
Cllr Bothomane P	27 June
Cllr Monaise K I	27 June
Cllr Morei K B	29 June
Cllr Magadane G L	30 June

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
Cllr Nhacuangue N	27 July

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY OTHER MEMBERS:

- 5.1 It be noted that Cllr Kombe conveyed his message of condolences to those who have lost their lives due to the Covid-19 pandemic and further requested that a moment of silence be observed. A moment of silence was observed to honour the people who passed on because of Covid-19 virus.
- 5.2 It be noted that Cllr Bothomane P of the F4SD conveyed his message of condolence to the Mokoe family, on the passing on of the husband of the former Rustenburg Local Municipality Councillor mme Emelda Mokoe and further congratulated the venerable Chief Justice of the Republic of South Africa; Justice Mogoeng Thomas Reetsang Mogoeng on his views against hatred and discrimination which he expressed his love for the people of both Israel and Palestine, and therefore holds him in high esteem for refusing to apologise for praying for peace of Jerusalem.

SSK

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

6.1 None.

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

--- Minutes of the (01/2020) Ordinary Council meeting held on 31 January 2020;

Jew correction on 5.1 refers

--- Minutes of the (02/2020S) Special Council meeting held on 26 February 2020;

--- Minutes of the (03/2020S) Special Council meeting held on 02 March 2020;

--- Minutes of the (04/2020S) Special Council meeting held on 22 May 2020;

--- Minutes of the (05/2020S) Special Council meeting held on 12 June 2020;

--- Minutes of the (06/2020S) Special Council meeting held on 18 June 2020;

--- Minutes of the (07/2020S) Special Council meeting held on 30 June 2020;

8. **REPORT OF THE EXECUTIVE MAYOR:**

SSK

INDEX

NO	HEADING	CC
112.	Report on Business Support Programme for Cooperatives and SMMEs	CC
113.	Progress Report: Agriculture Development and Support Programme	CC
114.	Operationalization of the Visitors Information Centre	LED
115.	Rustenburg Enterprise Development Programme	CC
116.	Review Of The Rustenburg Land Use Management Scheme, 2005: Proposed Rustenburg Land Use Scheme, 2020	CC
117.	The North West Business Licensing Act, No. 3 Of 2019 – Report Back: Update Report – Constitutionality Of The Act And Impact On Municipality	CC
118.	Proposal To Establish An Incubation In Rustenburg Local Municipality With Lepharo For The Manufacturing And Industrial Development Sector	CC
119.	Proposal To Use Portion Of The Rustenburg Showgrounds As The Farmer Production Support Unit For Rustenburg Local Municipality	CC
120.	Progress Report: Acquisition Of Alternative Land To Resettle The Residents Of Rietvlei	CC
121.	Formalization Of Mbeki Sun And Popo Molefe As Located On Portions Of The Farm Paardkeraal 279 Jq	CC
122.	Request For A Debt Write-Off: Acquisition Of Land For Upgrading Of Informal Settlements: Popo Molefe Informal Settlement In Paardekraal	DPHS
123.	Approval Of The Wastewater Risk Abatement Plan (W2RAP)	CC
124.	Bulk Services Contributions Agreements – Approval Of Agreements	CC
125.	Request Council Approval To Enter Into A Memorandum Of Agreement With The Department Of Sports And Recreation South Africa (SRSA) For The Construction Of An Outdoor Gym As A Donation To The Municipality	DCD
126.	Annual Salary Inflationary Increment For The Municipal Manager, Managers Reporting Directly To The Municipal Manager And Managers In The Political Offices	CC
127.	Establishment of an AFS and Internal Controls Unit with the Budget and Treasury Office	CC

SSK

(v)

I N D E X
H E A D I N G

NO		CC
128.	Implementation of Council Resolution As Per Item 215, 1 st November 2019 (2 & 3): Evaluation Report Of Municipal Manager For Probation Period Ended 1 st June 2020	CC
129.	Legal Status Of Water Services Trust	CC
	SSK	

(1)

112. **REPORT ON BUSINESS SUPPORT PROGRAMME FOR COOPERATIVES AND SMMEs**

(Directorate: Local Economic Development) (TS)

PURPOSE OF THE REPORT

The submission relates to item number 126, tabled on January 2018. The recommendation for the submission read as follows: *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*

RESOLVED:

ACTION

1. That the REPORT ON BUSINESS SUPPORT PROGRAMME FOR COOPERATIVES AND SMMEs, is noted; and CC
2. That a more comprehensive report be submitted at the next council sitting inclusive of attachments on portfolio of evidence on details of training programs, financial implications, and a project plan. LED

NB: IT BE NOTED THAT CLLR BOTHOMANE P DOES NOT SUPPORT THE NOTING OF AN INCOMPLETE ITEM.

IT BE NOTED THAT THE ECONOMIC FREEDOM FIGHTERS DOES NOT ALIGN THEMSELVES WITH THE RECOMMENDATIONS.

113. **PROGRESS REPORT: AGRICULTURE DEVELOPMENT SUPPORT PROGRAMME**

(Directorate: Local Economic Development) (MEM)

PURPOSE OF THE REPORT

This is a progress report on the implementation of the Council approved Agriculture Development Support Programme.

RESOLVED:

ACTION

1. That the PROGRESS REPORT on AGRICULTURE DEVELOPMENT SUPPORT PROGRAMME, is noted; and CC
2. That a further report confirming whether all projects fall within the jurisdiction of Rustenburg be submitted to the next Council sitting. LED

SSK

114. **OPERATIONALIZATION OF THE VISITORS INFORMATION CENTRE**
 (Directorate: Local Economic Development) (MEM)

PURPOSE OF THE REPORT

The purpose of the report is to present to Council a Operationalization Plan in respect of Visitors Information Centre, the Tourism Information and Development Centre and the Rustenburg Flea Market. All three facilities are located within the premises of the Visitors Information Centre

RESOLVED:

ACTION

That the report is referred back.

LED

115. **RUSTENBURG ENTERPRISE DEVELOPMENT PROGRAMME**
 (Directorate: Local Economic Development) TS

PURPOSE OF THE REPORT

The purpose of the report is to seek Council resolution in support of the development Rustenburg Enterprise Development Programme

RESOLVED:

ACTION

- | | |
|--|-----|
| 1. That the report on RUSTENBURG ENTERPRISE DEVELOPMENT PROGRAMME is noted; | CC |
| 2. That the Rustenburg Enterprise Development Programme is approved subject to further revision by the Directorate Local Economic Development, other Directorates and a further report be submitted at the next Council sitting; and | ALL |
| 3. That Council approve Directorate Local Economic Development to engage the Public and Private Sector stakeholders to support the programme; | CC |

SSK

- 116 **REVIEW OF THE RUSTENBURG LAND USE MANAGEMENT SCHEME, 2005:
PROPOSED RUSTENBURG LAND USE SCHEME, 2020**
(Directorate: Planning and Human Settlement) M.M

PURPOSE OF THE REPORT

The purpose of the report is to adopt the draft Rustenburg Land Use Scheme for public participation in line the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) read with the Rustenburg Local Municipality Spatial Planning and Land Use Management By-law, 2018.

RESOLVED:

ACTION

- | | |
|---|------|
| 1. That the report on review of the Rustenburg Land Use Management Scheme, 2005: proposed Rustenburg Land Use Scheme, 2020 is noted; | CC |
| 2. That the draft Rustenburg Land Use Scheme, 2020 be noted; | CC |
| 3. That draft Rustenburg Land Use Scheme, 2020 be subjected to public participation for a period of 60 days in line with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) read with the Section 12 of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-law, 2018; and | DPHS |
| 4. That the Rustenburg Land Use Management Scheme be subjected to Public Participation and Covid-19 Regulations | DPHS |

SSK

117. **THE NORTH WEST BUSINESS LICENSING ACT, No. 3 OF 2019 – REPORT BACK:
UPDATE REPORT – CONSTITUTIONALITY OF THE ACT AND IMPACT ON
MUNICIPALITY**

(Directorate: Local Economic Development)

(PDM/pdm)

PURPOSE OF THE REPORT

The report seeks to present the external legal opinion on the North West Business Licensing Act, No. 3 of 2019 to Council, in accordance with item 8 (2) of 31 January 2020.

RESOLVED:

ACTION

- | | |
|---|-----|
| 1. That the report be noted; | CC |
| 2. That the reports from the external legal firm on the Constitutionality of the new Business Act, No. 3 of 2019 is noted. | MM |
| 3. That an engagement be sought with the MEC for Economic Development, Conservation and Tourism to apply to have powers conferred to the Rustenburg Local Municipality, to become a business licensing authority in line with, Section 10 of the Municipal Systems Act and section 6(5) of the North West Business Act; and | OMM |
| 4. That a separate report on the financial implication and legal advice on the constitutionality thereof be submitted to the next Council meeting. | OMM |

**NB: THAT CLLR BOTHOMANE P OF F4SD HAS RESERVATIONS ABOUT THE
STATEMENTS ON THE LACK OF FINANCIAL IMPLICATIONS**

**IT BE NOTED THAT THE ECONOMIC FREEDOM FIGHTERS DOES NOT
ALIGN THESELVES WITH THE REPORT**

SSK

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118. **PROPOSAL TO ESTABLISH AN INCUBATION IN RUSTENBURG LOCAL MUNICIPALITY WITH LEPHARO FOR THE MANUFACTURING AND INDUSTRIAL DEVELOPMENT SECTOR**

(Directorate: Local Economic Development)

(TM)

PURPOSE OF THIS REPORT

This report serves to request Council to authorise the Municipal Manager to enter into a Memorandum of Agreement (MOA) between the Rustenburg Local Municipality (RLM) and LEPHARO Incubation Programme (association incorporated under Section 21, trading as LEPHARO). The MOA is proposed for Rustenburg Local Municipality to support and develop local manufacturing enterprises to be sustainable and competitive.

RESOLVED:

ACTION

- | | |
|---|-------------|
| 1. That the report on the PROPOSAL TO DEVELOP AN INCUBATION PROGRAMME IN RUSTENBURG LOCAL MUNICIPALITY BY LEPHARO , is approved; | CC |
| 2. That the MEMORANDUM OF AGREEMENT BETWEEN RUSTENBURG LOCAL MUNICIPALITY AND LEPHARO BE DRAFTED AND FINALISED , be noted; and | CC |
| 3. That the Municipal Manager be authorised to conclude a Memorandum of Understanding with LEPHARO for incubation of the SMMEs. | MM/
DLED |

NB: IT BE NOTED THAT CLLR BOTHOMANE OF F4SD DOES NOT AGREE TO THE APPOINTMENT AS IT DENIES OTHERS A FAIR OPPORTUNITY

IT BE NOTED THAT THE ECONOMIC FREEDOM FIGHTERS DOES NOT AGREE WITH THE ITEM

SSK

119. **PROPOSAL TO USE PORTION OF THE RUSTENBURG SHOWGROUNDS AS THE FARMER PRODUCTION SUPPORT UNIT FOR RUSTENBURG LOCAL MUNICIPALITY**

(Directorate: Local Economic Development)

(MEM)

PURPOSE OF THE REPORT

The purpose of the report is to seek approval of Council for the use of part of the Rustenburg Showgrounds to be utilized as the Farmer Production Support Unit (FPSU).

RESOLVED:

ACTION

- | | | |
|----|---|---------|
| 1. | That the report on the PROPOSAL TO USE A PORTION (ABOUT 5 HECTARS) OF THE RUSTENBURG SHOWGROUNDS AS THE FARMER PRODUCTION SUPPORT UNIT FOR RUSTENBURG LOCAL MUNICIPALITY, is noted; | CC |
| 2. | That Council approve the PROPOSAL TO USE A PORTION (ABOUT 5 HECTARES) OF THE RUSTENBURG SHOWGROUNDS AS THE FARMER PRODUCTION SUPPORT UNIT FOR RUSTENBURG LOCAL MUNICIPALITY; | CC |
| 3. | That Council approve that the Farmer Production Support Unit at the Rustenburg Showgrounds be managed by the Municipality' Directorate for Local Economic Development in collaboration with the Department of Rural Development and Land Reform; | DLED |
| 4. | That part of the revenue generated from the operations of the Farmers Production Support Unit be used to fund some of its operations not covered by the Agri-Parks' allocation and the operations expenditure and revenue be budgeted through the Municipality's normal Budget processes; and | LED/BTO |
| 5. | Municipal Manager be authorized to sign necessary documentation relating to the Agri-Park Support for the Farmer Production Support Unit at the Rustenburg Showgrounds. | OMM |

NB: IT BE NOTED THAT THE ECONOMIC FREEDOM FIGHTERS DOES NOT ALIGN THEMSELVES WITH THE ITEM

SSK

120. **PROGRESS REPORT: ACQUISITION OF ALTERNATIVE LAND TO RESETTLE THE RESIDENTS OF RIETVLEI**

(Directorate: Planning and Human Settlement)

(RB)

PURPOSE OF THE REPORT

The purpose of the report is to provide progress on the acquisition of alternative land to resettle the residents of Rietvlei; by indicating the relocation plan and provision of basic services for the identified land, as well indicate why the Municipality ended up buying a Portion 48(a Portion of Portion 39) of the farm Rietvlei 271 JQ.

RESOLVED:

ACTION

1. That the progress report: acquisition of alternative land to resettle the residents of Rietvlei, is noted; and CC
2. That additional information regarding the purchase of the property be included in the report to be submitted to the next council sitting. DPHS

121. **FORMALIZATION OF MBEKI SUN AND POPO MOLEFE AS LOCATED ON PORTIONS OF THE FARM PAARDKERAAL 279 JQ**

(Directorate: Planning and Human Settlement)

(RB)

PURPOSE OF THE REPORT

The purpose of the report is to request permission from the Council to continue with the formalization of Mbeki Sun and Popo Molefe on Council's property. The formalization will be by way of formal township establishment processes to be submitted in terms of Section 17(7) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By – Law, 2018.

RESOLVED:

ACTION

1. That the report of formalization of Mbeki Sun and Popo Molefe as located on portions of the farm Paardekraal 279 JQ is noted; CC
2. That permission be granted regarding the formalization of Mbeki Sun and Popo Molefe on Portions 39, Remainder of Portion 26, Portion 109, Remainder of Portion 16, Portion 106, Remaining Extent of Portion 25, Portion 84 (a portion of Portion 25), Portion 85 (a portion of Portion 25), a portion of Portion 86 (a portion of Portion 25) and a portion of Portion 87 (a portion of Portion 25) of the farm Paardekraal 279 JQ; CC

SSK

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3. That the Municipal Manager be authorized to sign the power of attorney giving permission to formalise Mbeki Sun and Popo Molefe by way of formal township applications to be submitted in terms of Section 17(7) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By – Law, 2018; and OMM
4. That the Municipal Manager be mandated to sign all documents applicable with regard to the formalization of Mbeki Sun and Popo Molefe. OMM

122. **REQUEST FOR A DEBT WRITE-OFF: ACQUISITION OF LAND FOR UPGRADING OF INFORMAL SETTLEMENTS: POPO MOLEFE INFORMAL SETTLEMENT IN PAARDEKRAAL**

(Directorate: Planning and Human Settlement)

(PL)

PURPOSE OF THE REPORT

The purpose of the report is to request Council to consider and approve the write-off of debt owed by the owner of some of the portions of land on which Popo Molefe Informal Settlement is located. This is to allow for the acquisition of the land and formalization of the informal settlement.

RESOLVED:

ACTION

That the item is withdrawn.

DPHS

123. **APPROVAL OF THE WASTEWATER RISK ABATEMENT PLAN (W2RAP)**
(Directorate Technical and Infrastructure Services) (ZM/)

PURPOSE OF THE REPORT

To seek approval of the Wastewater Risk Abatement Plan 2018.

RESOLVED:

ACTION

That the Wastewater Risk Abatement Plan is approved.

CC

SSK

124. **BULK SERVICES CONTRIBUTIONS AGREEMENTS – APPROVAL OF AGREEMENTS**

(Directorate – Technical and Infrastructure Services)
in order to provide in the need of housing.

(JdJ)

PURPOSE OF THE REPORT

The purpose of the report is to request Council to delegate the powers that is delegated to the Municipal Planning Tribunal to approve the bulk services contribution agreements to the Municipal Manager for the interim while a new Municipal Planning Tribunal is established.

RESOLVED:

- | | <u>ACTION</u> |
|---|----------------------|
| 1. That the report on “BULK SERVICES CONTRIBUTIONS AGREEMENTS – APPROVAL OF AGREEMENTS” is noted. | DTIS |
| 2. That the approval of the bulk services contribution agreements be delegated to Council for the interim while the Municipality is in the process to establish a Municipal Planning Tribunal; and | DTIS |
| 3. That the powers which are delegated to the Municipal Manager to approve the Bulk Service Contributions will revert to the Municipal Planning Tribunal immediately after its appointment is done. | DTS |

125. **REQUEST COUNCIL APPROVAL TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF SPORTS AND RECREATION SOUTH AFRICA (SRSA) FOR THE CONSTRUCTION OF AN OUTDOOR GYM AS A DONATION TO THE MUNICIPALITY**

(Directorate: Community Development)

(LJ/cb)

PURPOSE OF THE REPORT

The purpose of this report is to inform Council about the donation from the Department of Sports and Recreation South Africa (SRSA) to construct an outdoor gym within the jurisdiction of the Rustenburg Local Municipality. This item therefore requires approval from Council to enter into a Memorandum of Agreement (MOA) with SRSA in order to conclude the acceptance of the project. Find attached draft MOA.

RESOLVED:

That report be referred back.

SSK

ACTION

DCD

126. ANNUAL SALARY INFLATIONARY INCREMENT FOR THE MUNICIPAL MANAGER, MANAGERS REPORTING DIRECTLY TO THE MUNICIPAL MANAGER AND MANAGERS IN THE POLITICAL OFFICES
(Directorate: Corporate Support Services) (YR/yr)

PURPOSE OF THE REPORT

The purpose of the report is to propose that the annual salary inflationary increment for the Section 56 employees be implemented.

RESOLVED:

ACTION

That the item be referred back

DCS

127. ESTABLISHMENT OF AN ANNUAL FINANCIAL STATEMENTS (AFS) AND INTERNAL CONTROLS UNIT WITHIN THE BUDGET AND TREASURY OFFICE (BTO)
(Directorate: Corporate Support Services) (YR/yr)

PURPOSE OF THE REPORT

The purpose of the report is to recommend the establishment of an Annual Financial Statements (AFS) and Internal Controls Unit within the Office of the Chief Financial Officer in the Budget and Treasury Office (BTO).

RESOLVED:

ACTION

1. That the item be withdrawn and be taken through the necessary internal processes of the Municipality; and DCS
2. That the report be submitted to the Special Council sitting at the end of August 2020. CC

NB: NOTED THAT CLLR BOTHOMANE P OF THE F4SD DOES NOT AGREE WITH THE WITHDRAWAL OF THE ITEM

55K

128. **IMPLEMENTATION OF COUNCIL RESOLUTION AS PER ITEM 215, 1st NOVEMBER 2019 (2 & 3): EVALUATION REPORT OF MUNICIPAL MANAGER FOR PROBATION PERIOD ENDED 1ST JUNE 2020**
 (Office of the Executive Mayor) (MEK)

PURPOSE OF THE REPORT

The purpose of the report is to submit to Council an evaluation report pertaining to the performance of the Municipal Manager for the probation period of six months ended 1st June 2020 in line with Special Council Resolution 215, 1st November 2019.

RESOLVED:

ACTION

- | | | |
|----|---|----|
| 1. | That the report on the evaluation of the Municipal Manager, is noted; | CC |
| 2. | That Mr Victor Sello Makona successfully completed his probation period in line with Special Council Resolution of the 1 st November 2019; and | CC |
| 3. | That the remuneration of the Municipal Manager be moved to the second notch. | CC |

129. **LEGAL STATUS OF WATER SERVICES TRUST**
 (Office of the Municipal Manager) (SLM)

PURPOSE OF THE REPORT

The purpose of the report is to bring to the attention of the Municipal Council the legal opinion concerning the current legal status of the Rustenburg Water Services (RWST) as well as to request the Council to introduce remedial action for compliance with the provisions of the Municipal Finance Management Act, Act 56 of 2003.

RESOLVED:

ACTION

- | | | |
|----|---|-----|
| 1. | That the report on legal status of Water Services Trust is noted; | CC |
| 2. | That the Council take note of the legal opinion dated 22 June 2020 attached to the report; | CC |
| 3. | That there be formal interactions with the Rustenburg Water Services Trust on the basis of the legal advice; | OMM |
| 4. | That as soon as the board comply with the legal opinion the item be submitted at Special Council sitting at the end of August 2020; | OMM |

SSK

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5. That the Executive Mayor convene a meeting with board of directors and OEM
after the outcome of the meeting, a report be submitted to the a Special
Council meeting at the end of August 2020.

SSK

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I N D E X

NO	HEADING	MC/ CC
130.	Determination Of Upper Limits Of Salaries, Allowances And Benefits Of Different Members Of Municipal Councils	CC
131.	Replacement Of Councilor Johannes Motshwane By Councillor Matome Walter Malatjie	CC
132.	The Formation Of A Demarcation Committee	CC
SSK		

130. **DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCILS**
(Office of the Speaker) LH/oit

PURPOSE OF THE REPORT

The purpose of this report is to submit the attached Government Gazette Notice No.43246 on Remuneration of Public Office Bearers Act, 1998(Act No.20 of 1998) Notice No.475 of 24 April 2020 for consideration by Council.

RESOLVED:

ACTION

- | | |
|---|-----|
| 1. That the report is noted; | CC |
| 2. That the draft notice of the Minister on determination of upper limits of salaries, allowances and benefits of different members of Municipal Councils be noted; and | CC |
| 3. That the concurrence of the MEC be obtained, prior to implementation; | OSP |
| 4. That upon approval, the implementation of Upper Limits, as in 2 above, be implemented as per Government Gazette No. 43246 dated 24 April 2020. | OSP |

NB: THE DEMOCRATICE ALLIANCE IS NOT IN FAVOUR OF THE PAYMENT OF THE UPPER LIMITS

131. **REPLACEMENT OF COUNCILOR JOHANNES MOTSHWANE BY COUNCILLOR MATOME WALTER MALATJIE**
(Office of the Speaker) (LH/oit)

PURPOSE OF THE REPORT

The purpose of the item is to inform Council of the replacement made by the EFF on Councillor Johannes Motshwane by Councillor Matome Walter Malatji.

RESOLVED:

ACTION

- | | | |
|------------------------------|-----|----|
| 1. That the report is noted. | SSK | CC |
|------------------------------|-----|----|

132. **THE FORMATION OF A DEMARCATION COMMITTEE**
(Office of the Speaker)

(LH/oit)

PURPOSE OF THE REPORT

The purpose of the item is to provide the Council with the nominated names of the multiparty demarcation committee

RECOMMENDED:**ACTION**

- | | |
|--|----|
| 1. That the report be noted. | CC |
| 2. That the submission of Demarcation Committee by Party Whips be accepted; | CC |
| 3. That Council appoints a Chairperson of the Demarcation Committee | CC |
| 4. That the report of the Committee be submitted at the next Council meeting | CC |
| 5. That the whips of Political Parties deal with the matter of chairpersonship and report at the next council sitting; and | CC |
| 6. That the Speaker be the interim chairperson of the committee. | CC |

SSK

(vii)

I N D E X

NO	HEADING	CC
133.	Progress Report On Council Resolutions For January To June 2020 SSK	DCS

133. **PROGRESS REPORT ON COUNCIL RESOLUTIONS FOR JANUARY TO JUNE 2020**
(Directorate: Corporate Support Services) (/nk)

PURPOSE OF REPORT

The purpose of the report is to submit to council a progress report on outstanding Council resolutions for the period January to June 2020.

RECOMMENDED:

ACTION

1. That the item be referred back to include all the outstanding resolutions.

DCS

SSK

(viii)

9. **SUBMISSION OF REPORT BY COUNCIL REPRESENTATIVES FROM BOJANALA DISTRICT MUNICIPALITY:**
10. **REPORTS BY THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE:**
11. **REPORTS FROM THE AUDIT COMMITTEE:**
12. **REPORT ON SALGA ACTIVITIES:**
13. **SUBMISSIONS BY THE TRADITIONAL LEADERS:**
14. **REPORTS BY THE SPEAKER:**
15. **REPORTS BY THE SINGLE WHIP:**
16. **REPORT BY THE MUNICIPAL MANAGER ON IMPLEMENTATION OF COUNCIL RESOLUTIONS:**
17. **MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETINGS:**
18. **NEW MOTIONS OR PETITIONS:**
 - It be noted that the motion forwarded by the Democratic Alliance did not form part of the agenda of the 28 July 2020;
 - It be noted that the Speaker announced that the motion will be included in the agenda of the ordinary Council meeting in September 2020
19. **QUESTIONS:**
20. **ADOPTION OF MINUTES:**

It be noted that the minutes of the (02/2020) Ordinary Virtual Council meeting of the Rustenburg Local Municipality held on 28th July 2020 were adopted.
21. **CLOSURE:**

The business of the meeting was concluded at 17H11

SPEAKER

DATE APPROVED: 29/07/2020