

## **RUSTENBURG**

### **LOCAL MUNICIPALITY**

MINUTES OF THE (03/2017) ORDINARY (ADJOURNED) COUNCIL MEETING OF THE RUSTENBURG LOCAL MUNICIPALITY HELD ON TUESDAY 02<sup>ND</sup> MAY 2017 AT 10:10 IN THE COUNCIL CHAMBER, UPPER LEVEL, CIVIC CENTRE, RUSTENBURG.

#### **PRESENT**

<b>Cllr Mabale-Huma S S K</b>	-	<b>Speaker</b>
<b>Cllr Khunou M E</b>	-	<b>Executive Mayor</b>
Cllr Ackermann L		
Cllr Babe N B		
Cllr Bothomane P		
Cllr Chauke O R		
Cllr Damoyi M		
Cllr du Plessis G J		
Cllr Edwards I		
Cllr Fetmani E M		
Cllr Gegula D		
Cllr Habi A S		
Cllr Jongela A S		
Cllr Kgaladi P		
Cllr Kombe O J		
Cllr Kwanaite A M		
Cllr Ledwaba-Kabelo B D		
Cllr Legopelo J B		
Cllr Lekoro B F		
Cllr Letlape S M		
Cllr Mafoko S D		
Cllr Magadla E B		

Cllr Majolo W L  
Cllr Makhaula V N  
Cllr Malan P A  
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 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 Mohube M 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 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 Nkgoang L I  
Cllr Nkgwang V K  
Cllr Nkosi L M  
Cllr Nongqoqo M I  
Cllr Pelesi K L  
Cllr Phillips C  
Cllr Radebe M W  
Cllr Rantho M R  
Cllr Seleka A  
Cllr Sephai J L  
Cllr Sikwane C K  
Cllr Snyders L B  
Cllr Tjie P  
Cllr Tlhapi P A  
Cllr Tsamai A  
Cllr Tshabalala T E  
Cllr Tsienyane P  
Cllr Venter P A G  
Cllr Vosloo J M  
Cllr Wolf J  
Cllr Xatasi N S  
Cllr Xhinela Z

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## OFFICIALS

Ms Sithole N S	-	Municipal Manager
Mr Sheriff F	-	Acting Director: Technical & Infrastructure Service
Mr Lefutswe E T	-	Acting: Chief Financial Officer
Mr Malatsi P	-	Deputy: Chief Financial Officer
Ms Sefike L	-	Acting Director: Community Development
Mr Rapoo M	-	Acting: Roads & Transport
Mr Kotsedi S S	-	Director: Public Safety
Mr Segatle F S	-	Director: Corporate Support Services
Mr Mothuloe T	-	Acting Director: Local Economic Development
Mr Rademeyer J	-	Manager: Office of the Municipal Manager
Mr Matima N	-	Manager: Office of the Speaker
Mr Mesesa T	-	Acting Manager: Office of the Executive Mayor
Mr Pholose A	-	Unit Manager: Administrative Support Services
Mr Jansen van Vuuren J W	-	Section Manager: Administration Administrative Support Services
Ms Makona P	-	Section Manager: Committee Work, Reproduction and Distribution 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 Rapelego M	-	Typist: Administrative Support Services

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1. **OPENING PRAYER AND WELCOME:**

It be noted that the meeting was opened with a prayer by Cllr Kgaladi L where-after the honourable Speaker welcomed all present.

The honourable Speaker officially welcomed the Municipal Manager of the Rustenburg Local Municipality – Ms Sithole N S.

It be noted that a Special Council meeting will be held on Friday 05<sup>th</sup> May 2017 to approve the oversight report and the agendas for the meeting will be distributed.

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

2.1 That leave of absence be granted to the following Councillors: Cllr Coetzee M, Jikeka P, Masondo N G, Mataboge G M, Setshoane F L and Wolmarans S D.

It be noted that Cllr Mohube MM will be recused at 17:45 and Cllr Chauke O R at 17h00.

3. **OFFICIAL NOTICES:**

None.

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

That the following Councillors be congratulated on their birthdays:

**MAY**

Cllr Masondo N G	01 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
Cllr Tsamai A	27 May

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

5.1 Cllr Matlhoko A congratulated the ANC alliance for holding a successful May Day in Bloemfontein;

5.2 Cllr Monaise KI congratulated the Deputy President of the Economic Freedom Fighters - Floyd Shivambo on his marriage and further congratulated AMCU on having their meeting without any disruptions;

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(ii)

- 5.3 That the Economic Freedom Fighters Regional Organiser in Bojanala be congratulated for the marriage;
- 5.4 That a message of condolences be conveyed to the Monaise family in Ward 28 for the passing on of Kenny Monaise;
- 5.5 That Cllr Sephai JL be congratulated in advance for his marriage;
- 5.6 That a message of condolences be conveyed to the Rangaka family for the passing on of Mr DD Rangaka;
- 5.7 That the Regional Chairperson of the Economic Freedom Fighters be congratulated on his birthday that was on the 30<sup>th</sup> April 2017;
- 5.8 That a message of condolences be conveyed to the 16-year-old boy who was killed in Coligny.

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

None.

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

- Minutes of the (02/2017) Ordinary Council meeting held on 31 March 2017;
- Minutes of the (04/2017S) Special Council meeting held on 04 April 2017: That the name of Cllr Ackermann L be included in the minutes.

8. **REPORT OF THE EXECUTIVE MAYOR FOR DISCUSSION AND URGENT REPORTS THAT MIGHT BE TABLED:**

Items 110 - 143

A. **PRESENTATION ON IMQS**

**RECOMMENDED:**

**ACTION**

- |    |  |    |
|----|--|----|
| 1. | That the presentation on IMQS made by the Municipal Manager – Ms N Sithole, be noted;                  | CC |
| 2. | That an update report on the implementation of the presentation be submitted to Council monthly;       | MM |
| 3. | That the progress report on the functionality of the team on the IMQS be submitted to Council monthly. | MM |

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(iii)

## I N D E X

NO	HEADING	CC
110.	Progress on the implementation of Consequence Management	CC
111.	Progress on implementation of the Audit Action Plan 2015-2016	CC
112.	Report by the Accounting Officer on implementation of Council resolutions	CC
113.	Review: Rustenburg Local Municipality Spatial Planning and Land Use Management by-law 2015	CC
114.	Reduction of telephone and printing costs	CC
115.	Revision of integrated Waste Management Plan (IWMP)	CC
116.	Report disaster risk management plan (reviewed 2017)	CC
117.	Cashan 28 unregistered servitude	CC
118.	Proposal to enter into a land exchange in terms of which the RLM exchanges Erf 2252 RTB Ext 9 township for 106 erven in Boitekong Ext 11 township	CC
119.	Report back on the rapid land release strategy: An amendment on the land disposal policy	CC
120.	Report back on the offer to donate land to the Rustenburg Local Municipality – PTN 8 Farm Boschoek 103 JQ	CC
121.	R&T: Report on the bus acquisition to be undertaken by an interim bus operating company for Phase 1A operations of the RRT Project	CC
122.	Supply Chain Management: Approved Deviations for March 2017	CC
123.	Supply Chain Management Awards Above R100 000: January – March 2017	CC
124.	Application to lease with an option to purchase land: Molen Street	CC
125.	Financial Recovery Plan	CC
126.	Revenue Enhancement Report	CC
127.	Report on all the awards made on MIG funded projects 2015/16 and 2016/17	CC

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**I N D E X**

NO	HEADING	CC
128.	Revenue Management – Measures to improve collection on outstanding debts	CC
129.	Implementation of Council Resolutions	CC
130.	Processing of outstanding reports to Council by the Accounting Officer as per council resolutions for period: August 2016 till April 2017	CC
131.	Progress report on the appointment of Director: Rustenburg Roads and Transport, Director: Planning and Human Settlement, Director: Technical and Infrastructure Services and Director: Community Development	CC
132.	Update on the formation of the Disciplinary Board	CC
133.	Performance Audit Committee report for the financial year 2016/2017 (4 <sup>th</sup> quarter 2015/16 and 1 <sup>st</sup> quarter 2016/17)	CC
134.	Performance Audit Committee report for the financial year 2016/2017 (2 <sup>nd</sup> quarter 2016/17)	CC
135.	Implementation of Council resolution – 28 February 2017 Item 45: Filling of two Performance Audit Committee members' positions	CC
136.	Status Quo: Ward Based report on the status of community facilities	CC
137.	2017 Report on election of LLF Chairperson	CC
138.	Report back on the disposal of capital assets: Karlienpark, Rustenburg Ext 7 (Noord) & Rustenburg Ext 12 (Zinniaville) & Geelhoutpark Ext 6	CC
139.	Progress report on vetting of qualifications of employees	CC
140.	Progress report on the Performance Management Policy	CC
141.	Progress Report on debt owed by Municipal employees and councillors: March 2017	CC
142.	Progress Report- Credit Control on Metered Services: March 2017	CC

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**I N D E X**

<b>NO</b>	<b>HEADING</b>	<b>CC</b>
143.	Monthly Budget Statement in terms of Section 71 of the Municipal Finance Management Act, Act 56 Of 2003 and Quarterly Financial Information in terms of Section 52(D) of the Municipal Finance Management Act, Act 56 of 2003	CC
144.	Allegations against Councillors for misconduct at Ward Committee Establishment meetings	CC
145.	The SALGA Women's Commission and Nomination of Women's Commissioner and Chairperson of Women's Caucus	CC
146.	The SALGA North West Provincial Working Groups	CC
147.	Quarterly report: Attendance of Council sittings and Portfolio Committee by Councillors	CC
148.	Determination of upper limits	CC
149.	The Draft Rules of Order By-law	CC
150.	Augmented organogram of Municipal Public Accounts Committee	CC
151.	Report on dispute over tender number: RLM/DTIS/0041/2015/16	CC
SSK		



110. **PROGRESS ON THE IMPLEMENTATION OF CONSEQUENCE MANAGEMENT**  
(Office of Municipal Manager)

**PURPOSE OF THE REPORT**

The purpose of the report is to inform Council about the status with regard to all resolutions taken by the very same Council on consequence management, the procedure to follow in the application of consequence management

**RECOMMENDED:**

**ACTION**

That the report be withdrawn.

CC

111. **PROGRESS ON IMPLEMENTATION OF THE AUDIT ACTION PLAN 2015-2016**  
Office of the Municipal Manager (IDP) MGM/bnd

**PURPOSE OF THE REPORT**

The purpose of this report is to report progress on implementation of the Audit Action Plan to address the issues raised by the Auditor General on the Annual Report 2015-2016.

**RECOMMENDED:**

**ACTION**

1. That the audit action plan be noted;

CC

2. That measures be taken to implement the audit action plan and progress report be presented to Council monthly with Internal Audit comments.

OMM

112. **REPORT BY THE ACCOUNTING OFFICER ON IMPLEMENTATION OF COUNCIL RESOLUTIONS**  
(Office of the Municipal Manager) (TL/30 MAR 2017)

**PURPOSE OF THE REPORT**

The purpose of the report is to report to council the progress in terms of the implementation of the council resolutions for council minutes of 28 February 2017 and 07 March 2017.

**RECOMMENDED:**

**ACTION**

1. That the report noted;

CC

2. That non-implementation of council resolutions be dealt in line with the resolutions on the appointment of an investigator to look into allegations regarding the misconduct by senior managers.

MM

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(2)

113. **REVIEW: RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW 2015**

(Directorate: Planning and Human Settlement)

(14/R)(364)M.M

**PURPOSE OF THE REPORT**

To obtain permission from Council to review the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law 2015 and authorise facilitation of the public participation process in terms of the Municipal Systems Act, 2000 (Act 32 of 2000), so as to amend certain sections within the By-law.

**RECOMMENDED:**

**ACTION**

- |    |  |      |
|----|--|------|
| 1. | That the report be noted.  | CC   |
| 2. | That Rustenburg Local Municipality Spatial Planning and Land Use Management by-law, 2015 be reviewed;  | DPHS |
| 3. | That the reviewed Rustenburg Local Municipality Spatial Planning and Land Use Management by-law, 2015 be submitted to Council at the end of June 2017. | DPHS |

114. **REDUCTION OF TELEPHONE AND PRINTING COSTS**

(Budget and Treasury Office)

**PURPOSE OF THE REPORT**

The purpose of this report is to indicate measures to be put in place to reduce the costs of Telephones and printing.

**RECOMMENDED:**

**ACTION**

The report be withdrawn. CC

115. **REVISION OF INTEGRATED WASTE MANAGEMENT PLAN (IWMP)**

(Director: Community Development)

(WS)

**PURPOSE OF REPORT**

The purpose of the report is to request council to approve the draft revised Integrated Waste Management Plan (IWMP) and subject the plan to a public participation process.

**RECOMMENDED:**

**ACTION**

- |    |   |    |
|----|---|----|
| 1. | That the report on the revision of IWMP be noted; | CC |
|----|---|----|

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(3)

- |    |   |     |
|----|---|-----|
| 2. | That the IWMP be subjected to public participation before approval;                                   | DCD |
| 3. | That all the challenges highlighted in the report be dealt with by the Accounting Officer;            | MM  |
| 4. | That a report on all previous resolutions be presented to Council at the end of June 2017;            | CC  |
| 5. | That a report on the status of the new landfill site be submitted to Council at the end of June 2017. | CC  |

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116. **REPORT: DISASTER RISK MANAGEMENT PLAN (REVIEWED 2017)**  
(Directorate Public Safety) BE

**PURPOSE OF THIS REPORT**

The purpose of this report aims to submit the outcomes of public participation in regard to the review of disaster risk management plan. It further request Council to approve the reviewed disaster risk management plan of the Rustenburg Local Municipality

**RECOMMENDED:**

**ACTION**

- |    |   |    |
|----|---|----|
| 1. | That the report be noted;   | CC |
| 2. | That the reviewed Disaster Risk Management Plan of Rustenburg Local Municipality be approved. | CC |

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117. **CASHAN 28 - UNREGISTERED SERVITUDE.**  
(Directorate: Infrastructure Development & Management) (serame )

**PURPOSE OF THE REPORT**

The purpose of this report is to inform Council on the progress made regarding the servitudes that needs to be registered over existing stands in Cashan 28.

**RECOMMENDED:**

**ACTION**

- |    |  |      |
|----|--|------|
| 1. | That the report back on Unregistered Servitudes in Cashan Extension 28 be noted.                                   | CC   |
| 2. | That Directorate Planning and Human Settlement complete the process of registration of the servitude by June 2017; | DPHS |
| 3. | That progress reports be submitted to Council.   | DPHS |

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(4)

118. **PROPOSAL TO ENTER INTO A LAND EXCHANGE IN TERMS OF WHICH THE RUSTENBURG LOCAL MUNICIPALITY EXCHANGES ERF 2252 RUSTENBURG EXTENSION 9 TOWNSHIP FOR 106 ERVEN IN THE BOITEKONG EXTENSION 11 TOWNSHIP, OWNED BY GLENCORE OPERATION SOUTH AFRICA PTY LTD**  
(Directorate: Planning and Human Settlements) (MEM)

**PURPOSE OF THE REPORT**

The purpose of this item is to comprehensively inform the council of the RLM of the facts relevant to this matter, the history of this matter and recent developments relevant to the matter, as well as the applicable legislative precepts.

**RECOMMENDED:**

**ACTION**

That the report be withdrawn.

CC

- 119. **IMPLEMENTATION OF RAPID LAND RELEASE STRATEGY**  
(Directorate: Planning and Human Settlements) (EM)

**PURPOSE OF THE REPORT**

The report serves to inform Council on the status of the property, Remaining extent of Portion 1 of Farm Rietvly 271 JQ.

**RECOMMENDED:**

**ACTION**

1. That the status of the Remaining extent of Portion 1 of the Farm Rietvly 271 JQ, be noted; CC
2. That alternative land be sought to resettle people of Rietvlei; DPHS
3. That a progress report be submitted in the next Council meeting. DPHS

- 120. **REPORT BACK ON THE PROGRESS OF OFFER TO DONATE LAND TO THE RUSTENBURG LOCAL MUNICIPALITY – PORTION 8 OF FARM BOSCHOEK 103 JQ**  
(Directorate: Planning & Human Settlements) M Pharasi

**PURPOSE OF THE REPORT**

This report serves to give Council a progress report on the donation of land, portion 8 of farm Boschoek 103 JQ, by the Department of Rural Development and Land Reform to the Rustenburg Local Municipality.

SSK

**RECOMMENDED:**

**ACTION**

- |    |   |            |
|----|---|------------|
| 1. | That the report back on the progress donation of land, portion 8 of farm Boschoek, by the Department of Rural Development and Land Reform to the Rustenburg Local Municipality, be noted; | CC         |
| 2. | That the Municipal Manager be mandated to sign all documents to finalize the transfer of the properties to the Rustenburg Local Municipality.   | MM<br>DPHS |

121. **ROADS & TRANSPORT: REPORT ON THE BUS ACQUISITION TO BE UNDERTAKEN BY AN INTERIM BUS OPERATING COMPANY FOR PHASE 1A OPERATIONS OF THE RUSTENBURG RAPID TRANSPORT PROJECT**

(Directorate: Roads and Transport)

**PURPOSE OF THE REPORT**

The purpose of the report is to request Council to mandate the Accounting Officer to conclude the Vehicle Acquisition Agreement (“VAA”) with the Rustenburg Rapid Transport Trust (“RRTT”) and Rustenburg Transit (RF) (Pty) Ltd (“BOC”) and the BOC to procure 30 vehicles for Phase 1A of the Rustenburg Rapid Transport (“RRT”). This report further motivates for an initial deposit of 30 buses to be funded through the Public Transport Network Grant (PTNG) within the 2016/17 financial the remainder amortized over either 7 or 9-year period.

**RECOMMENDED:**

**ACTION**

- |    |  |    |
|----|--|----|
| 1. | That the report be referred to the Special Council to be held of Friday 05 May 2017;                                     | CC |
| 2. | That a full presentation on the operation of the Rustenburg Rapid Transport project be made at the next Council meeting. | CC |

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**It be noted that Cllr Bothomane P did not agree to the resolutions on Item 121**

122. **SUPPLY CHAIN MANAGEMENT: APPROVED DEVIATIONS FOR MARCH 2017**

(Directorate: Budget and Treasury)

**PURPOSE OF THE REPORT**

To report on the deviations approved by the accounting officer in terms of the council’s supply chain policy for the month of March 2017

SSK

**RECOMMENDED:**

**ACTION**

1. That the list of deviations approved by the accounting officer on grounds as specified on paragraph 36(1) a or b of the SCM Policy for the Month of March 2017 be noted; CC
2. That the report be forwarded to the Provincial Treasury and National Treasury as per MFMA; BTO
3. That the Acting Chief Financial Officer, in compliance with Regulation 6(4) makes this report public in the manner prescribed in Section 21(a) of the Local Government: Municipal System Act No 32 of 2000, for access by the public. BTO

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123. **SUPPLY CHAIN MANAGEMENT AWARDS ABOVE R100 000: JANUARY – MARCH 2017**

(Directorate: Budget and Treasury)

**PURPOSE OF THE REPORT**

The purpose of the report is to provide the management and Council with the progress regarding the implementation of the supply chain management system for the second quarter ending 31 March 2017.

**RECOMMENDED:**

**ACTION**

1. That the report of the awards 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. It be noted that reports from MPAC on the implementation of 25% procurement of local content is still outstanding and should be submitted to Council at the end of May 2017; MPAC
5. That all future reports on supply chain awards should indicate implementation of local content; BTO
6. That a report on all awards from PMU for the 2014/2015 and 2015/2016 financial years be submitted to Council at the end of May 2017. OMM

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(7)

7. That quarterly reports be submitted on the awards of less than R100 000 BTO  
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124. **APPLICATION TO LEASE WITH AN OPTION TO PURCHASE LAND: MOLEN STREET**

(Directorate: Planning & Human Settlement) (8/2/1/4) (787)(MP)

**PURPOSE OF THE REPORT**

This report served before the Portfolio Committee on 16 November 2016 where it was referred back for the Directorate to include outstanding documents.

**RECOMMENDED:**

**ACTION**

That the report be referred to the Portfolio Committee Planning and Human Settlement.  
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CC

125. **FINANCIAL RECOVERY PLAN**

(Budget and Treasury Office)

**PURPOSE OF THE REPORT**

The purpose of this report is to update Council on the progress of drafting Financial Recovery Plan in line with Section 142 of MFMA, No. 52 of 2003.

**RECOMMENDED:**

**ACTION**

1. That the report be noted;
2. That the Financial Recovery Plan be approved
3. That the Financial Recovery Plan be a standing item in all Portfolio Committee meetings;
4. That all arrangements of business in debts be handled through the office of the Municipal Manager;

ALL

CC

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OMM

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SSK

126. **REVENUE ENHANCEMENT REPORT**  
(Directorate: Budget and Treasury)

**PURPOSE OF THE REPORT**

The purpose of the report is to update Council on the progress and the findings on the revenue enhancement of the municipality.

**RECOMMENDED:**

**ACTION**

- |   |      |
|---|------|
| 1. The report be noted;   | ALL  |
| 2. Further investigation be done on the supply point with high consumption. | DTIS |
| 3. That a proper detailed progress report be submitted to Council monthly;  | CC   |

127. **MIG AWARDS FROM 2015/16 AND 2016/17 FINANCIAL YEARS**  
(Directorate: Budget and Treasury)

**PURPOSE OF THE REPORT**

The purpose of the report may be to provide the management and Council with the progress regarding the awards for MIG projects 2015/16 and 2016/17 financial years.

**RECOMMENDED:**

**ACTION**

- |   |             |
|---|-------------|
| 1. That the report be referred for the following to be submitted at the next Council meeting;<br>a) Awards for financial year 2014/2015<br>b) Reports on 25% local content an all bids<br>c) Report on repetitive appointments of contractors<br>d) A policy on Contractor Development Programme; | BTO         |
| 2. That the Municipal Infrastructure Grants paid to the Municipality be included in the report specifying committed and outstanding amounts.  | BTO<br>DTIS |

128. **REVENUE MANAGEMENT – MEASURES TO IMPROVE COLLECTION ON OUTSTANDING DEBTS**  
(Directorate: Budget and Treasury)

LM/pm

**PURPOSE OF THE REPORT**

The report is in response to Council resolution 99(15), of 04<sup>th</sup> April 2017, that states “that new measures be implemented to collect outstanding arrears and that monthly progress report thereon be submitted to Council.”

SSK



**RECOMMENDED:**

**ACTION**

- |   |     |
|---|-----|
| 1. That the report be noted;  | All |
| 2. That the Councilors continue to encourage communities to pay for services. | CC  |

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129. **PROGRESS REPORT: COUNCIL RESOLUTIONS FOR 31 MARCH 2017 BY VARIOUS DIRECTORATES AND EXECUTIVE OFFICES.**  
(Directorate: Corporate Support Services) (JWJvV /nk)

**PURPOSE OF THE REPORT**

The purpose of the report is to submit to council a progress report on council resolutions for the meetings for 31 March 2017 by various Directorates and Executive Offices.

RECOMMENDED:

**ACTION**

That the progress report on Council Resolutions for 31 March 2017 by various Directorates and Executive Offices be noted.	CC
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130. **PROCESSING OF OUTSTANDING REPORTS TO COUNCIL BY ACCOUNTING OFFICER AS PER COUNCIL RESOLUTIONS FOR PERIOD: AUGUST 2016 TILL APRIL 2017**  
(Office of the Municipal Manager)

**RECOMMENDED:**

**ACTION**

- |   |    |
|---|----|
| 1. That the report noted;   | CC |
| 2. That Municipal Manager review the report and re-submit it at the next Council meeting. | MM |

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131. **PROGRESS REPORT ON THE APPOINTMENT OF DIRECTOR: RUSTENBURG ROADS & TRANSPORT, DIRECTOR: PLANNING AND HUMAN SETTLEMENT, DIRECTOR: TECHNICAL & INFRASTRUCTURE SERVICES, DIRECTOR: COMMUNITY DEVELOPMENT**  
(Office of the Municipal Manager) (JPM)(ss)

**PURPOSE OF THE REPORT**

The purpose of the report is to provide progress regarding the appointment of the above mentioned positions.

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<b>RECOMMENDED:</b>	<b><u>ACTION</u></b>
1. That the report be noted;	CC
2. That Council approve the re-advertisement of the position of Director Road and Transport, Director Planning and Human Settlement, Director Technical and Infrastructure Services, Director Community Development;	CC
3. That a detailed report on the composition of the panel that sat be submitted at the next Council meeting;	MM
4. That progress reports on filling of vacant positions of senior management be submitted at the next Council meeting;	MM
5. That all previous applicants be considered during the selection process.	MM

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**It be noted that Cllr Bothomane P did not agree to the resolutions on Item 131**

132. **DISCIPLINARY BOARD FUNCTIONING DOCUMENTATION**  
(Office of Municipal Manager)

**PURPOSE OF THE REPORT**

The purpose of the report is to inform Council about the status regarding the functionality of the Disciplinary Board. The draft terms of reference of the Disciplinary Board,

<b>RECOMMENDED:</b>	<b><u>ACTION</u></b>
1 That the report be noted;	CC
2 That the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, Government Gazette 37699, notice no. R430 dated 30 May 2014 be noted;	CC
3 That the MFMA Circular No. 76: Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings dated October 2015 be noted;	CC
4 That the terms of reference of the Disciplinary Board be noted.	CC
5. That the work of the Board be prioritised and progress reports be submitted in every Council meeting.	OMM

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133. **PERFORMANCE AUDIT COMMITTEE REPORT FOR THE FINANCIAL YEAR 2016/2017 (4<sup>th</sup> Quarter 2015/16 and 1<sup>st</sup> Quarter 2016/17)**  
(Office of the Municipal Manager PAC)

**PURPOSE OF THE REPORT**

The main purpose of this report is to update Municipal Council regarding the review of the 2015/16 Annual Financial Statements by the PAC and the PAC meetings held on the 12 January 2017 for the first quarter of the 2016/17 financial year.

<b>RECOMMENDED:</b>	<b><u>ACTION</u></b>
1. That the report be considered and noted;	CC
2. That the management should develop and implement remedial actions plans to improve performance and the audit opinion;	OMM
3. That all the reports as per the recommendations of committee be presented at every Council meeting starting from end May 2017;	OMM
4. That consequence management be prioritised.	OMM

134. **PERFORMANCE AUDIT COMMITTEE REPORT FOR THE FINANCIAL YEAR 2016/2017 (2<sup>nd</sup> Quarter)**  
(Office of the Municipal Manager – PAC)

**PURPOSE OF THE REPORT**

The main purpose of this report is to update Municipal Council regarding the PAC meetings held on 20 February 2017 for the second quarter of the 2016/17 financial year.

<b>RECOMMENDED:</b>	<b><u>ACTION</u></b>
1. That the report be considered and noted;	OMM
2. That the management should develop and implement remedial actions plans to improve performance and the audit opinion;	OMM
3. That all the reports as per the recommendations of committee be presented at every Council meeting starting from end May 2017;	OMM
4. Consequence management be prioritised;	OMM
5. That the Municipal Manager report to the committee on quarterly basis as per the Municipal Manager framework attached.	OMM

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SSK

135. **IMPLEMENTATION OF COUNCIL RESOLUTION – 28 FEBRUARY 2017 ITEM 45: FILLING OF TWO PERFORMANCE AUDIT COMMITTEE MEMBERS POSITIONS**  
(Office of the Municipal Manager) (...../...../R) (CM)

**PURPOSE OF THE REPORT**

The purpose is to report to Council on the progress of the implementation of the council resolution dated 28 February 2017:

<b>RECOMMENDED:</b>	<b><u>ACTION</u></b>
1. That the progress report be noted;	CC
2. That Council note the Annexure of applications received;	CC
3. That Council appoint the following two members for a period of three years: (a) Hendrikus Maritz (b) William Elias Huma	CC

- 
136. **STATUS QUO: WARD BASED REPORT ON THE STATUS OF COMMUNITY FACILITIES**  
(Directorate: Community Development) (LG)

**PURPOSE OF THE REPORT**

The purpose of this report is to submit to Council the ward based status of all Community Facilities and the financial implications as per Council resolution, item 272 of 2<sup>nd</sup> December 2016.

<b>RECOMMENDED:</b>	<b><u>ACTION</u></b>
1. That the report be noted;	CC
2. That a comprehensive maintenance plan be developed.	DCD

- 
137. **2017 REPORT ON ELECTION OF LOCAL LABOUR FORUM CHAIRPERSON**  
(Directorate: Corporate Support Services) (kct)

**PURPOSE OF REPORT**

Inform LLF members as a Bargaining Unit of the Rustenburg Local Municipality about the rotation and election of the Chairperson between the parties on annual basis as mentioned in the organizational Rights Agreement, clause 11.8.3 (11.8.3.2) the position of the chair person and vice chairperson of the meeting shall rotate annually between the parties

SSK

**RECOMMENDED:**

**ACTION**

- |  |     |
|--|-----|
| 1. That the report be noted;   | LLF |
| 2. It be noted that in terms of the main collective agreement Cllr Mafoko S D has been duly nominate and elected as the new Chairperson of the Local Labour Forum 2017/2018;       | LLF |
| 3. It be noted that in terms of the main collective agreement Mr Motshwari L has been duly nominate and elected as the new Deputy Chairperson of the Local Labour Forum 2017/2018; | LLF |
| 4. It be noted that both the chairperson and the Deputy Chairperson will resume their positions at the next Local Labour Forum.  | LLF |

- 
138. **DISPOSAL OF CAPITAL ASSETS: KARLIENPARK, RUSTENBURG EXT 12 (ZINNIIVILLE) AND RUSTENBURG EXT 7 (NOORD)**  
(Directorate: Planning & Human Settlements) M Pharasi

**PURPOSE OF THE REPORT**

This report serves to give Council a quarterly progress report on the disposal of capital assets: Geelhoutpark Ext 6, Rustenburg Ext 12 (Zinniaville) and Rustenburg Ext 7 (Noord).

**RECOMMENDED:**

**ACTION**

- |   |      |
|---|------|
| 1. That the report back on progress of disposal of residential 1 stands in Geelhoutpark Ext 6, Rustenburg Ext 7 (Noord), Rustenburg Ext 12 (Zinniaville) and Karlienpark, be noted. | DPHS |
|---|------|

- 
139. **REPORT ON THE VETTING OF QUALIFICATIONS OF EMPLOYEES AS PER ITEM 295 OF 2 DECEMBER 2016**  
(Directorate: Corporate Support Services) (JPM)(Personnel)

**PURPOSE OF THE REPORT**

The purpose of the report is to inform Council on the progress regarding the implementation of vetting of qualifications of employees.

**RECOMMENDED**

**ACTION**

- |  |    |
|--|----|
| 1. That the report on vetting of qualifications on employees be noted; | CC |
| 2. That progress report be submitted at the next Council Meeting.      | CC |

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SSK

140. **PROGRESS REPORT ON PERFORMANCE MANAGEMENT POLICY**  
(Directorate: Corporate Support Services) (FS/ss)

**PURPOSE OF THE REPORT**

The purpose of the report is to inform Council of the progress regarding implementation and cascading of Performance Management Policy to all employees.

**RECOMMENDED:**

**ACTION**

That the report be noted.

CC

141. **PROGRESS REPORT ON DEBT OWED BY MUNICIPAL EMPLOYEES AND COUNCILLORS: MARCH 2017**  
(Directorate Budget and Treasury Office)

**PURPOSE OF THE REPORT**

The purpose of the report is to comply with Council's resolution of October 2015, item 377 (5): "That a detailed progress report on collection of debts owed by Municipal employees and councillors be submitted to Council on a monthly basis"

**RECOMMENDED**

**ACTION**

That the report be noted.

All

142. **PROGRESS REPORT- CREDIT CONTROL ON METERED SERVICES: MARCH 2017**  
(Directorate Budget and Treasury Office)

**PURPOSE OF THE REPORT**

The purpose of the report is to inform and provide information on the credit control actions taken against defaulting customers, and the collection thereof, in line with the approved Credit Control and debt collection Policy.

**RECOMMENDED**

**ACTION**

That the contents of the report be noted.

ALL

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SSK

143. **MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANGEMENT ACT, ACT 56 OF 2003 AND QUARTERLY FINANCIAL INFORMATION IN TERMS OF SECTION 52(D) OF THE MUNICIPAL FINANCE MANGEMENT ACT, ACT 56 OF 2003**

(Directorate: Budget and Treasury)

**PURPOSE OF THE REPORT**

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**

That the report be noted.

ALL

144. **ALLEGATIONS AGAINST COUNCILLORS FOR MISCONDUCT AT WARD COMMITTEE ESTABLISHMENT MEETINGS**

(Office of the Speaker)

(PN/oit)

**PURPOSE OF THE REPORT**

The purpose of the item is to inform the Rules of Order Committee of the allegations brought forward against Cllr J Mpolokeng and Cllr L B Snyders for misconduct during the establishment of Ward Committees in Ward 13 and Ward 43 respectively.

**RECOMMENDED:**

**ACTION**

1. That the report be noted;

CC

2. That the following names were submitted by different political parties to form part of the Investigating Committee:

CC

1. Cllr S D Mafoko
2. Cllr A Tsamai
3. Cllr B D Ledwaba-Kabelo
4. Cllr N G Masondo
5. Cllr A M Matlhoko

3. That the Municipal Manager investigate the conduct of officials on the wards mentioned;

CC

4. That Cllr S D Mafoko be appointed as the chairperson of the committee.

CC

SSK

145. **NOMINATION OF WOMEN’S COMMISSIONER AND CHAIRPERSON OF WOMEN’S CAUCUS**

(Office of the Speaker)

(PNM/oit)

**PURPOSE OF THE REPORT**

The purpose of the item is to inform Council about the nomination of SALGA Women’s Commissioner and Chairperson of Women’s Caucus at local level.

**RECOMMENDED:**

**ACTION**

- |  |    |
|--|----|
| 1. That the report be noted;   | CC |
| 2. It be noted that Cllr Ledwaba-Kabelo BD has been nominated as the SALGA Women’s Commissioner; | CC |
| 3. That Council approves the establishment of a Women’s Caucus.                                  | CC |

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146. **THE SALGA NORTH WEST PROVINCIAL WORKING GROUPS**

(Office of the Speaker)

(PNM/oit)

**PURPOSE OF THE REPORT**

The purpose of the item is to inform Council about the SALGA Provincial Working Groups which are forums through which organised local government members can consult with one another, at a political level, to contribute in so far as providing ideas, advice, political insight and support on the assigned areas of focus to SALGA political governance structures, namely the Provincial Executive Committee.

**RECOMMENDED:**

**ACTION**

- |   |    |
|---|----|
| 1. That the report be noted;  | CC |
| 2. That Council approve the names of Councillors who were nominated to serve in the SALGA Working Groups. | CC |

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147. **QUARTERLY REPORT: ATTENDANCE OF COUNCIL SITTINGS AND PORTFOLIO COMMITTEES BY COUNCILLORS**

(Office of the Speaker)

**PURPOSE OF THE REPORT**

The purpose of the item is to report to Council in terms of the Rules of Order by-law of 16 May 2011 in terms of Chapter Two Section 36 states that the Speaker must report attendance of Councillors to all Council meetings quarterly.

SSK



**RECOMMENDED:**

**ACTION**

That the report be referred back and be re-submitted in the correct format.

OSP

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

**PURPOSE OF THE REPORT**

The purpose of this report is to submit the attached Government Gazette Notice No.40763 on Remuneration of Public Office Bearers Act, 1998(Act No.20 of 1998) Amendment Notice No.1600 of 21 December 2016 as approved on the 03 April 2017 for Council consideration and resolution.

**RECOMMENDED:**

**ACTION**

1. That the report be 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; CC
3. That Council approve the implementation of Upper Limits as per Government Gazette No. 40763 dated 03 April 2017 subject to the concurrence by the MEC, in accordance with Grade 5. CC

149. **THE DRAFT RULES OF ORDER BY-LAW**  
(Office of the Speaker)

**PURPOSE OF THE REPORT**

The purpose of this report is inform the Rules of Order Committee on the submission from public participation process that was held from 20 March 2017 to 19 April 2017.

**RECOMMENDED:**

**ACTION**

That the report be referred back to include all wards that were excluded during the public participation process.

CC

SSK

150. **AUGMENTED ORGANOGRAM OF MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**  
(Office of the Municipal Public Account Committee) lm

**PURPOSE OF THE REPORT**

The purpose of the report is to request Council to re-align the organogram of the Municipal Public Accounts Committee and approve the amendments for incorporation in the organisational structure of the municipality.

**RECOMMENDED:**

**ACTION**

That the report be referred to the Municipal Manager to finalise.

MM

- 151. **REPORT ON DISPUTE OVER TENDER NUMBER: RLM/DTIS/0041/2015/16**  
(Office of the Speaker: Municipal Public Accounts Committee)lm

**PURPOSE OF THE REPORT**

Municipal Public Accounts Committee's mandate is to ensure proper use of municipal resources and this forms the basis for consideration of the matter by the Municipal Public Accounts Committee for its relevance and appropriateness of **Annexure A**

**RECOMMENDED:**

**ACTION**

That the item be withdrawn.

SSK

CC

9. **REPORTS BY THE SPEAKER:**

(Items 144 – 149)

10. **REPORT BY THE SINGLE WHIP:**

None.

11. **REPORTS: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

(Items 150 – 151)

12. **INFORMATION BY THE MUNICIPAL MANAGER:**

None.

13. **MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETINGS:**

None.

14. **NEW MOTIONS OR PETITIONS:**

None.

15. **QUESTIONS:**

15.1 **QUESTIONS FROM PREVIOUS MEETINGS:**

QUESTIONS 01/2017 – 05/2017

15.1.1 It be noted that both the Democratic Alliance and the Economic Freedom Fighters reported that the questions they submitted were not fully responded to;

15.1.2 That the Municipal Manager be allowed to review the questions and provide updated responses;

15.1.3 That the responses be submitted to the relevant parties before the next Council meeting.

SSK

16. **ADOPTION OF MINUTES:**

It be noted that the minutes of the (03/2017) Ordinary (adjourned) Council meeting of the Rustenburg Local Municipality held on Tuesday 02<sup>nd</sup> May 2017 were adopted.

17. **CLOSURE:**

The business of the meeting was concluded at 19h10.

SPEAKER: 

DATE APPROVED: 05/05/2017