

# **RUSTENBURG LOCAL MUNICIPALITY**

MINUTES OF THE (04/2017) COUNCIL MEETING OF THE RUSTENBURG LOCAL MUNICIPALITY HELD ON TUESDAY THE 30<sup>TH</sup> MAY 2017 AT 10H16 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 Babe N B		
Cllr Bothomane P		
Cllr Chauke O R		
Cllr Coetzee D		
Cllr Damoyi M		
Cllr du Plessis G J		
Cllr Edwards I		
Cllr Fetmani E M		
Cllr Gegula D		
Cllr Habi A S		
Cllr Jikeka P		
Cllr Jongela A S		
Cllr Kgaladi P		
Cllr Kombe O J		
Cllr Ledwaba-Kabelo B D		
Cllr Legopelo J B		
Cllr Lekoro B F		
Cllr Mafoko S D		
Cllr Magadla E B		
Cllr Majolo W L		
Cllr Makhaula V N		
Cllr Malan P A		

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Cllr Malinga M  
Cllr Malla A D  
Cllr Mashishi-Ntsime J I  
Cllr Masilo T I  
Cllr Masondo N G  
Cllr Mataboge A L  
Cllr Mataboge G M  
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 A L  
Cllr Mntombi S P  
Cllr Moatshe F S  
Cllr Mokgatle O O  
Cllr Mokotedi K G  
Cllr Mokwele L P  
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 Motshwane J  
Cllr Mqanqeni N V  
Cllr Nel D  
Cllr Ngwato J D  
Cllr Njikelane M  
Cllr Nkgoang L I  
Cllr Nkgwang V K  
Cllr Nongqoqo M I  
Cllr Pelesi K L  
Cllr Phillips C  
Cllr Rantho M R  
Cllr Seleka A  
Cllr Sephai J L  
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 Wolmarans S D  
Cllr Xatasi N S  
Cllr Xhanela Z

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## OFFICIALS

- Ms Sithole N S - Municipal Manager
- Mr Lefutswe T - Acting Chief Financial Officer
- Mr Sheriff F - Acting Director: Technical & Infrastructural Services
- Ms Sefike L - Acting Director: Community Development
- Mr Segatle S - Director :Corporate Support Services
- Ms Mokebe E - Acting Director: Planning & Human Settlement
- Mr Kotsedi SS - Director: Public Safety
- Mr Kola J R - Director: Local Economic Development
- Rapoo MK - Acting Director: Roads and Transport
- Mr Pholose A - Manager: Administrative Support Services  
Corporate Support Services
- Mr Mesesa T - Acting Manager: Office of the Executive Mayor
- 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 Dintwe T - Administrative Assistant:  
Administrative Support Services
- Ms Khunou N - Administrative Officer  
Administrative Support Services
- Ms Rapelego M - Typist  
Administrative Support Services
- Ms Lesele R - Data Capturer:  
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 Monageng V N whereafter the Speaker welcomed all members present. The Speaker further extended her welcome to the members of the community in the gallery.

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

That leave of absence be granted to the following Councillors: Cllr Ackerman L, Kwanaite AM, Letlape SM, Mnisi BP, Mohube MM, Molatlhegi PR, Moleme KG, Monaise (to arrive late), Motlhamme GS, Mvula P, Nkosi LM, Radebe MW, Setshoane FL and Sikwane CK

That the following Councillors be recused during the proceedings of the meeting: Cllr Wolmarans SD at 11h00 (medical check-up), Mataboge AL at 16h00 (bereavement), Snyders LB and du Plessis GJ at 17h30, Ledwaba-Kabelo B at 11h00 (medical check-up), Mathhoko AM at 12h00 (medical check-up) and Molotsane DM.

3. **OFFICIAL NOTICES:**

It be noted that the launch of Service Delivery Blitz scheduled for 31 May 2017 at 10h00 has been postponed to a date that will be communicated.

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

That the following Councillors be congratulated on their birthdays:

Cllr Kwanaite A M	01 June
Cllr Tsienyane P H	01 June
Cllr Ledwaba BD	07 June
Cllr Majolo W L	11 June
Cllr Kgaladi P L	19 June
Cllr Ackermann L	24 June
Cllr Bothomane P	27 June
Cllr Monaise K I	27 June
Cllr Morei K B	29 June

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

- 5.1 It be noted that the Democratic Alliance conveyed a message of condolences Cllr Monaise who lost his father;

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- 5.2 It be noted that more than 100 residents of Rustenburg will be participating at the coming 92<sup>nd</sup> Comrades Marathon to be held on the 04<sup>th</sup> June 2017 in Durban, the favourites are being Gift Kalebe and David Radebe, both from Rustenburg;
- 5.3 That Cllr Sephai J be congratulated on his recent wedding;
- 5.4 It be noted that the Economic Freedom Fighters conveyed a message of condolences to the Monaise family;
- 5.5 It be noted that Cllr Kombe OJ, on behalf of the coalition conveyed a message of condolences to Cllr Monaise and his family;
- 5.6 It be noted that the Economic Freedom Fighters conveyed a message of condolences to the families of the kids and women who were brutally killed;
- 5.7 It be noted that the Economic Freedom Fighters congratulated the NEC of the African National Congress for failing to remove the President;
- 5.7 It be noted that the Executive Mayor conveyed a message of condolences to the Single Whip and his families for the loss of his sister as well as to the family of Cllr Monaise;
- 5.8 That a message of condolences be conveyed to the family of Cllr Wolf whose sister's body was found burnt next to Zinniaville and that ladies should be vigilant of these criminals;
- 5.9 That a message of condolences be conveyed to the family of Cllr Nkgoang Latelang for the passing on of his uncle;
- 5.10 It be noted that the Forum 4 Service Delivery conveyed a message of condolences to the families of all councillors who lost their loved ones as well as the women and children who have been brutally murdered;

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

None.

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

That the minutes of the (03/2017) Ordinary (Adjourned) Council meeting held on 02 May 2017 and the minutes of the (05/2017S) Special Council meeting held on 05 May 2017.

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

**PART 1: RECOMMENDATIONS**

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156.	Road and Transport: Expenditure Report on the Public Transport Network Grant – April 2017	CC
157.	Report on the Operations and Maintenance for the 2016/2017 Financial Year: Roads and Stormwater Unit	CC
158.	Progress Report on the Operationalisation of the Rustenburg Municipal Court	CC
159.	Report Policy Framework and Guidelines for Implementation of Fire Brigade Services Reservists Program (Rustenburg)	CC
160.	Report: Fireworks and Explosives By-Laws	C
161.	Rustenburg Local Municipality Fire Brigade Services By-Law (Reviewed 2017)	CC
162.	Action Plan - Electrification of Informal Settlements	CC
163.	Exchange of Land: Part of the Remainder of Erf 2483 Rustenburg With A Part of Kock Street Rustenburg, Cnr Kock and Nelson Mandela Drive Rustenburg	CC
164.	Strategic Lekgotla Report – January 2017	CC
165.	3 <sup>rd</sup> Quarter Performance Report 2016/2017	CC
166.	Progress Report- Credit Control on Metered Services: April 2017	CC
167.	Progress Report on Debt Owed by Municipal Employees and Councillors: April 2017	CC
168.	Supply Chain Management: Approved Deviations for April 2017	CC
169.	Report on the implementation of Centralisation Of Quotations	CC
170.	Progress Report: Financial Loss	CC

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**I N D E X**

<b>NO</b>	<b>HEADING</b>	<b>MC/ CC</b>
171.	Progress Report on the Appointment of an Investigator to Investigate Outstanding Council Resolutions from 2 December 2016 to 7 March 2017	CC
172.	Application for a Long Terms Lease Between Rustenburg Platinum Mines (Sibanye Rustenburg Platinum Mines Property Limited) with Rustenburg Local Municipality: Portion of the farm Rustenburg Town and Townlands 272 JQ K5/K6 Shaft	CC
173.	Request for the extension of contracts for electrical material in terms of section 116(3) (a) & (b) of the MFMA (Act 56 of 2003)	CC
174.	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 56 Of 2003	CC
175.	2017/2018 Medium Term Income and Expenditure Framework (MTREF)	CC
176.	Final Draft Integrated Development Plan (IDP for 2017/2022	CC
177.	Establishment of Fresh Produce Market through leveraging of resources from Public and Private Sector for Rustenburg Local Municipality	CC
178.	Accounting Officer report on the Implementation of Council resolutions for period: August 2016 till May 2017	CC
179.	Report on Legal Expenses Incurred by The Rustenburg Local Municipality: Panel of Attorneys	CC
180.	Progress report on the appointment of Directors: Road and Transport, Planning and Human Settlement and Technical and Infrastructure Services and Community Development	CC
181.	Report on the appointment of the Chief Financial Officer	CC
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185.	Appointment of Section 57 employees: Acting Director Roads and Transport	CC
186.	Appointment of Section 57 employees: Acting Director Technical & Infrastructure Services	CC
187.	Quarterly report: Attendance of Council sittings and Portfolio Committee by Councillors	CC
188.	Submission of reports by Council Representatives from Bojanala Platinum District Municipality	CC
189.	Office of the Speaker expenditure for 2015/16 and 2016/17	CC
190.	Meeting of Whips of different Political Parties to discuss the issue of referring the matter of Cllr Jane Mpolokeng to the Human Rights Commission	CC
191.	Report: Compilation of the Oversight Report on the Annual Report 2015\2016 of the Rustenburg Local Municipality	CC
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154. **PROGRESS REPORT FOR OPERATIONS OF WATERVAL LANDFILL SITE - CC**  
(Director: Community Development) (MK)

**PURPOSE OF REPORT**

The purpose of the report is to inform Council about the progress on the operations of Waterval landfill site to date.

**RECOMMENDED:**

**ACTION**

- |     |   |     |
|-----|---|-----|
| 1.  | That the report on the status of Waterval Landfill site be noted;   | DCD |
| 2.  | That the Landfill Operation and Maintenance Management be implemented by the end of June 2017 subject to the responsiveness of bidders. | DCD |
| 3.  | That a progress report detailing the following be submitted to the next council meeting:  | DCD |
| 3.1 | Two (2) months' monitoring by the municipality as contained in the waste licensing conditions;  |     |
| 3.2 | March 2017 audit as advised by the Rural, Environment and Agricultural Development (READ);  |     |
| 3.3 | Status of security at the landfill site.  |     |

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155. **ROADS AND TRANSPORT: QUARTERLY REPORT ON THE IMPLEMENTATION OF THE RUSTENBURG RAPID TRANSPORT PROJECT FOR THE PERIOD QUARTER ENDING 30 MARCH 2017- CC**  
(Directorate: Roads and Transport)

**PURPOSE OF THE REPORT**

The purpose of the report is to provide progress to date on the implementation of the Rustenburg Rapid Transport (RRT) for the quarter ending March 2017. The Rustenburg Local Municipality (RLM) is also required on a quarterly basis to report progress, milestones and challenges to the Department of Transport (DoT) on the implementation of the RRT project. The report as per the required formant is attached as **Annexure A**.

**RECOMMENDED:**

**ACTION**

That the report be noted.

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156. **ROAD AND TRANSPORT: EXPENDITURE REPORT ON THE PUBLIC TRANSPORT NETWORK GRANT – APRIL 2017- CC**  
(Directorate: Roads and Transport)

**PURPOSE OF THE REPORT**

The purpose of the report is to provide expenditure performance on the Public Transport Network Grant (PTNG) and cash flows until 30 June 2017 with the aim of ensuring there are no unspent funds by 30 June 2017.

**RECOMMENDED:**

**ACTION**

- |  |     |
|--|-----|
| 1. That the report be noted;   | CC  |
| 2. That the expenditure be accelerated in the financial year;  | R&T |
| 3. That the matter of main contractors who are not performing be dealt with by the Municipal Manager by the end of May 2017; | MM  |
| 4. That a progress report be submitted to the next Council meeting.  | R&T |

157. **REPORT ON THE OPERATIONS AND MAINTENANCE FOR THE 2016/2017 FINANCIAL YEAR: ROADS AND STORMWATER UNIT - CC**  
(Directorate: Roads and Transport)

**PURPOSE OF THE REPORT**

The purpose of the report is to inform the Council about the operations and maintenance of the the Unit Roads and Stormwater under Directorate Roads and Transport for this financial year 2016/2017

**RECOMMENDED:**

**ACTION**

- |   |     |
|---|-----|
| 1. That the report on the operations and maintenance be noted;  | CC  |
| 2. That the repairs and maintenance programme on potholes be accelerated;                             | R&T |
| 3. That the repairs and maintenance programme on stormwater be submitted at the next Council meeting. | R&T |

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158. **PROGRESS REPORT ON THE OPERATIONALISATION OF THE RUSTENBURG MUNICIPAL COURT- CC**  
(Directorate: Public Safety) 14/1 DG/dg

**PURPOSE OF THE REPORT**

To report progress to council as directed by resolution no. 79 of the council sitting of the 04 April 2017.

<b>RECOMMENDED:</b>	<b><u>ACTION</u></b>
1. That the report be noted;	CC
2. That the Municipal Manager pay special attention to ensure the effective functioning of the Municipal Court;	MM
3. That quarterly reports on the functionality of the Municipal Court be submitted to Council.	DPS

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159. **REPORT POLICY FRAMEWORK AND GUIDELINES FOR IMPLEMENTATION OF FIRE BRIGADE SERVICES RESERVISTS PROGRAM (RUSTENBURG) - CC**  
(Directorate Public Safety) (BEM)

**PURPOSE OF THIS REPORT**

The purpose of this report aims to submit the outcomes as it was subjected to public participation of. Policy Framework and Guidelines for implementation of Fire Brigade Services Reservists and further request Council to approve the Policy Framework and Guidelines for implementation of Fire Brigade Services Reservists of the Rustenburg Local Municipality.

<b>RECOMMENDED</b>	<b><u>ACTION</u></b>
1. That the report be referred back for public participation process;	DPS
2. That the policy and by-law on public participation be submitted at the next Council meeting.	DPS

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160. **REPORT: FIREWORKS AND EXPLOSIVES BY-LAWS- CC**  
(Directorate Public Safety) (BEM)

**PURPOSE OF THIS REPORT**

The purpose of this report aims to submit the outcomes as it was subjected to public participation of. FIREWORKS AND EXPLOSIVES BY-LAWS and further request Council to approve the FIREWORKS AND EXPLOSIVES BY-LAWS of the Rustenburg Local Municipality.

**RECOMMENDED:**

**ACTION**

That the report be referred back for public participation process.

DPS

161. **RUSTENBURG LOCAL MUNICIPALITY FIRE BRIGADE SERVICES BY-LAW**  
**(REVIEWED 2017) - CC**  
(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 Fire Brigade Services Bylaw. It further request Council to approve the reviewed Fire Brigade Services Bylaw of the Rustenburg Local Municipality

**RECOMMENDED:**

**ACTION**

That the report be referred back for public participation process.

DPS

162. **ACTION PLAN - ELECTRIFICATION OF INFORMAL SETTLEMENTS- CC**  
(Directorate: Technical and Infrastructure Services) (EP/FS)

**PURPOSE OF THE REPORT**

The purpose of the report is to provide guidelines regarding the electrification of unproclaimed areas or informal settlements in line with Department of Energy's Integrated National Electrification Programme (INEP).

**RECOMMENDED:**

**ACTION**

1. That confirmation of the categories of informal settlements within RLM be provided;
2. That an investigation be conducted into the installation of the electrification model in informal settlements, Category 1, in accordance with national standards;

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| 3. That a funding model and a programme for the electrification of informal settlements, Category 1, be submitted to Council for approval.     | BTO  |
| 4. That an investigation be conducted on proper tamper proof metering system.;   | DTIS |
| 5. That the Directorate Technical and Infrastructure Services benchmark with other cities in terms of electrification of informal settlements; | DTIS |
| 6. That alternative energy solutions on electrification of informal settlements be investigated;   | DTIS |
| 7. That progress reports be submitted to Council on a monthly basis.   | DTIS |

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163. **EXCHANGE OF LAND: PART OF THE REMAINDER OF ERF 2483 RUSTENBURG WITH A PART OF KOCK STREET RUSTENBURG, CNR KOCK AND NELSON MANDELA DRIVE RUSTENBURG - CC**

(Directorate: Planning and Human Settlements)

(Serame)

**PURPOSE**

The purpose of this report is to inform Council about the exchange of land between Rustenburg Hospital (Pty) Ltd (known as Peglerae Hospital) and Rustenburg Local Municipality, a part of Kock Street for a part of the remainder of Erf 2483 Rustenburg.

**RECOMMENDED:**

**ACTION**

- |   |      |
|---|------|
| 1. That the report be noted;  | DPHS |
| 2. That a part of Erf 2483 Rustenburg is not needed for minimum level of basic municipal services;        | DPHS |
| 3. That a part of the Remainder of Erf 2483 Rustenburg be exchanged for a part of Kock Street Rustenburg; | DPHS |
| 4. That the applicant will be responsible for all the costs (transfer, subdivision and registration);     | DPHS |
| 5. That it be noted that the two properties in question are comparable in size.                           | DPHS |

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164. **STRATEGIC LEKGOTLA REPORT – JANUARY 2017- CC**

(Office of the Municipal Manager)

MMD/mmd

**PURPOSE OF THE REPORT**

The purpose of this report is to request council to note the strategic lekgotla report as per item “98 of the 4 April 2017, resolution 2. *“That the report on Strategic Lekgotla be submitted to Council at the end of May 2017”*

**RECOMMENDED:**

**ACTION**

- |  |    |
|--|----|
| 1. That the report of the January 2017 Strategic lekgotla be noted;  | CC |
| 2. That the milestones and timelines for immediate recovery contained in the report be reviewed by the Accounting Officer and a progress report in this regard be submitted at the next Council meeting; | AO |
| 3. That the vision, mission, priorities and objectives as contained in the report be approved.   | CC |

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165. **3<sup>RD</sup> QUARTER PERFORMANCE REPORT 2016/2017- CC**

(Office of the Municipal Manager)

**PURPOSE OF THE REPORT**

The purpose of the report is to present to Council the 3<sup>rd</sup> quarter performance report for the 2016/2017 financial year.

**RECOMMENDED:**

**ACTION**

That the 3rd quarter performance report for 2016-2017 financial year be noted. CC

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166. **PROGRESS REPORT – CREDIT CONTROL ON METERED SERVICES: APRIL 2017-**

CC

(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**

- |  |     |
|--|-----|
| 1. That the contents of the report be noted; | ALL |
|--|-----|

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2. That attention be drawn to the fact that only 18 demands were handled in the month of April 2017, which reflects that credit control policy was not executed adequately; BTO
3. That all matters identified in the report be dealt with in line with the Recovery plan. BTO

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167. **PROGRESS REPORT ON DEBT OWED BY MUNICIPAL EMPLOYEES AND COUNCILLORS: APRIL 2017- CC**  
(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 councilors be submitted to Council on a monthly basis"

**RECOMMENDED:**

**ACTION**

1. That the report be noted; BTO
2. That the report be modified to indicate monthly movements. BTO
3. That the report relating to debts owed by municipal employees, current councilors and councilors who served in the previous term, be submitted to Council in full compliance with the Credit Control and Debt Collection Policy; BTO
4. That the Accounting Officer consider the report, review all previous resolutions and enforce the legislation. AO

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168. **SUPPLY CHAIN MANAGEMENT: APPROVED DEVIATIONS FOR APRIL 2017- CC**  
(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 April 2017

**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 April 2017 be noted; All

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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

169. **PROGRESS REPORT ON THE IMPLEMENTATION OF THE CENTRALISATION OF QUOTATIONS- CC**

(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 centralisation of quotations

**RECOMMENDED**

**ACTION**

1. That the report of the awards be noted; BTO
2. That the report as per annexure be investigated and where required consequence management be applied to contraventions; AO
3. That the report on the findings and actions taken be submitted to the next Council meeting. AO

170. **PROGRESS REPORT: FINANCIAL LOSS - CC**

(Directorate Budget and Treasury Office)

**PURPOSE OF THE REPORT**

The purpose of this report is to update Council in line with Council resolution 241(3) dated 25<sup>th</sup> October 2016 and Council resolution 16 dated 31<sup>st</sup> January 2017.

**RECOMMENDED:**

**ACTION**

1. That the report be noted; ALL
2. That after the finalisation of the case the names of the companies or individuals who were recipients of fraudulent transactions be made public. BTO
3. That it be investigated if further disciplinary actions should be taken against managers within the Budget and Treasury office; AO

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4. That a progress report be submitted on a monthly basis.

BTO

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171. **PROGRESS REPORT ON THE APPOINTMENT OF AN INVESTIGATOR TO INVESTIGATE OUTSTANDING COUNCIL RESOLUTIONS FROM 2 DECEMBER 2016 TO 7 MARCH 2017- CC**

(Office of the Municipal Manager) (Legal & Valuation Unit)

(SLM/pms)

**PURPOSE OF THE REPORT**

The purpose of this report is to provide the Council with a progress report on the appointment of the Investigator to investigate outstanding council resolutions from the 2 December 2016 until the 7 March 2017.

**RECOMMENDED:**

**ACTION**

- 1. That the Council take note of the report; CC
- 2. That a further report will be provided to council after the investigations have been completed. CC
- 3. That the report of investigation be completed within the stipulated period of legislation. OMM

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172. **APPLICATION FOR A LONG TERMS LEASE BETWEEN RUSTENBURG PLATINUM MINES (SIBANYE RUSTENBURG PLATINUM MINES PROPERTY LIMITED) WITH RUSTENBURG LOCAL MUNICIPALITY: PORTION OF THE FARM RUSTENBURG TOWN AND TOWNLANDS 272 JQ K5/K6 SHAFT- cc**

(Office of the MM) (Unit Legal & Valuation Services) 6/2/1/3 (26989) DMO/pms

**PURPOSE OF THE REPORT**

The report seeks to solicit council resolution for the final approval of the application to enter into an agreement for a long terms lease of nine years and eleven months (9 years and 11 months) with Rustenburg Platinum Mines (Sibanye Rustenburg Platinum Mines). The applicants intends to enter into a lease agreement with the Municipality and has in the course of time already established the K5 and K6 shafts on a portion of the farm Town and Townlands 272 JQ.

**RECOMMENDED:**

**ACTION**

That the report be referred back to the PFC: IDP.

OMM

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173. **REQUEST FOR THE EXTENSION OF CONTRACTS FOR ELECTRICAL MATERIAL IN TERMS OF SECTION 116(3) (A) & (B) OF THE MFMA (Act 56 of 2003) - CC**

(Directorate: Technical and Infrastructure Services)

**PURPOSE OF THE REPORT**

The purpose of the report is to request the council to approve the public participation process for extension of contracts of Electrical Material Suppliers in line with Municipal Finance Management (MFMA) Act, Act 56 of 2003 Section 116(3) (a) & (b) in order to ensure a continued provision of Electrical Material to the stores until new suppliers are appointed on the new tenders.

**RECOMMENDED:**

**ACTION**

- |    |  |             |
|----|--|-------------|
| 1. | That for The Notification In Terms Of An Advertisement In Accordance With Section 116(3) (a) & (b) Of The MFMA (Act 56 Of 2003) For The Extension Of Existing Contracts for suppliers for electrical store material (as and when needed) be noted;   | ALL         |
| 2. | That the duration of the agreement for the various contracts <b>for the Supply and delivery of Prominent Electrical Material to the Municipal stores as and when needed</b> be extended for a period not exceeding three (3) Months or until the new appointment letters are signed to enable the Municipal Stores to procure Electrical Material in the event that the stock level at the stores reaches the minimum quantity. That the process of amendment of contracts be undertaken as per the MFMA Act, Act 56 of 2003 Section 116(3) (a) & (b). | DTIS<br>BTO |
| 3. | That the Municipal Manager undertake investigation on the issue of refusal to fill critical positions at the Electrical Department, take appropriate action and report to Council.   | AO          |

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174. **MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT , ACT56 OF 2003 AND QYARTERLEY FINANCIAL INFORMATION IN TERMS OF SECTION 52D OF THE MUNICIPAL FINANCE MANAGEMENT ACT OF 56 OF 2003- CC**

(Directorate: Budget and Treasury Office)

**PURPOSE OF THE REPORT**

This report the legislative requirement to report , it is of outmost importance that directorates have sufficient and correct management information available to make informed decision when policies , the IDP and SDBIP are implemented ;

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**RECOMMENDED:**

**ACTION**

That the report be noted.

CC

175. **2017/2018 MEDIUM TERM INCOME AND EXPENDITURE FRAMEWORK- CC**  
**(MTREF)**

(Directorate: Budget and Treasury Office)

VM/pm

**PURPOSE OF THE REPORT**

1. The requirements for the compilation and submission of the Budget are contained in Chapter 4 of the MFMA and Municipal Budget and Reporting Regulations.
2. The purpose of tabling the 2017/18 budget to council is to consider the Income and expenditure per category, the tariffs to realize the budgeted income and to inform council about the limitations regarding the budget.

**RECOMMENDED:**

**ACTION**

It be noted that after clarification by the Accounting Officer on the budget, the report is referred to a Special Council meeting to be held on Friday, 02 June 2017.

BTO

176. **INTEGRATED DEVELOPMENT PLAN (IDP FOR 2017/2022) - CC**

(Office of the Municipal Manager)

(MGM) (3/R)()

**PURPOSE OF THE REPORT**

To table to the council of Rustenburg the final draft 2017/2022 integrated development plan (IDP), attached as **Annexure A** and obtain approval to publicize the adopted document.

**RECOMMENDED:**

**ACTION**

1. That the report be noted;

CC

2. That the IDP for 2017/22 be approved.

CC

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SSK

177. **ESTABLISHMENT OF FRESH PRODUCE MARKET THROUGH LEVERAGING OF RESOURCES FROM PUBLIC AND PRIVATE SECTOR FOR RUSTENBURG LOCAL MUNICIPALITY - CC**

(Directorate: Local Economic Development)

**PURPOSE OF THE REPORT**

The Purpose of this Report is to seek Council approval to leverage resources from both the public and private sector for establishment of Fresh Produce Market in Rustenburg Local Municipality.

**RECOMMENDED:**

**ACTION**

- |  |     |
|--|-----|
| 1. That the report be noted;   | CC  |
| 2. That collaboration be sought with the Provincial Rural, Environment and Agricultural Development (READ) on the implementation of the project; | OMM |
| 6. That a Project Steering Committee be established.   | OMM |

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178. **ACCOUNTING OFFICER REPORT ON THE IMPLEMENTATION OF COUNCIL RESOLUTIONS FOR PERIOD: AUGUST 2016 TILL MAY 2017- CC**

(Office of the Municipal Manager)

**PURPOSE OF THE REPORT**

The purpose of the report is to report to council on the implementation of Council resolutions for the period August 2016 to May 2017.

**RECOMMENDED:**

**ACTION**

- |   |    |
|---|----|
| 1. That the report noted;   | CC |
| 2. That monthly progress reports be submitted on the implementation of Council resolutions;   | MM |
| 3. That an assessment of the previous political term of office council resolutions be conducted for completeness and a report will be tabled to Council on a regular basis. | MM |

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SSK

179. **REPORT ON LEGAL EXPENSES INCURRED BY THE RUSTENBURG LOCAL MUNICIPALITY: PANEL OF ATTORNEYS- CC**  
(Office of the MM) (Legal & valuation Services) (SLM/pms)

**PURPOSE OF THE REPORT**

The purpose of this report is to inform the Council about the legal expenses incurred by the Municipality as a result of the number of litigation as well as to indicate to the status of the cases that were handled by the Municipality.

<b>RECOMMENDED:</b>	<b><u>ACTION</u></b>
1. That the report be noted;	CC
2. That the report be referred back for a detailed breakdown of expenses;	OMM
3. That a separate report be submitted to Council on illegal squatting;	OMM DPHS
4. That a separate report be submitted on the status of all the cases;	OMM
5. That a report be submitted on the use of external panel of attorneys versus the internal unit.	OMM

180. **PROGRESS REPORT ON THE APPOINTMENT OF DIRECTOR: ROADS & TRANSPORT, DIRECTOR: PLANNING & HUMAN SETTLEMENT, DIRECTOR: TECHNICAL AND INFRASTRUCTURE AND DIRECTOR: COMMUNITY DEVELOPMENT- CC**  
(Directorate: Corporate Support Services)

**PURPOSE OF THE REPORT**

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

<b>RECOMMENDED:</b>	<b><u>ACTION</u></b>
1. That council take note of the report;	CC
2. That progress on the appointment of Director: Local Economic Development be included.	DCS

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SSK

181. **PROGRESS REPORT ON THE APPOINTMENT OF CHIEF FINANCIAL OFFICER-  
CC**

(Directorate: Corporate Support Services)

(Personnel) (JPM/I/Idur)

**PURPOSE OF THE REPORT**

The purpose of the report is to provide progress regarding the appointment of the Chief Financial Officer.

**RECOMMENDED:**

**ACTION**

- |  |    |
|--|----|
| 1. That council take note of the interviews that were conducted for the appointment of the Chief Financial Officer;  | CC |
| 2. That Council appoints Mr K Maposa as Chief Financial Officer for a period of five (5) years, subject to a probation period of six (6) months;                     | CC |
| 3. That after six (6) months an assessment be done of his performance and a determination be made thereafter;  | CC |
| 4. That the remuneration be determined at the 1 <sup>st</sup> notch;   | CC |
| 5. That the Deputy Chief Financial Officer be appointed as Acting Chief Financial Officer until the commencement of duties of the appointed Chief Financial Officer. | CC |

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**N.B: IT BE NOTED THAT CLLR KOMBE OJ ACCEPTS THE RESOLUTION ON ITEM 181 WITH RESERVATIONS.**

182. **APPOINTMENT OF SECTION 57 EMPLOYEES: ACTING DIRECTOR COMMUNITY DEVELOPMENT- CC**

(Director: Corporate Support Services)

**PURPOSE OF THE REPORT**

The purpose of the report is to request Council to appoint an Acting Director Community Development.

**RECOMMENDED:**

**ACTION**

- |  |    |
|--|----|
| 1. That the report be noted;   | CC |
| 2. That Ms Sefike L be appointed as Acting Director Community Development on a month to month basis for a period not exceeding three (3) months, effective from the 1 <sup>st</sup> June 2017. | CC |

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SSK

183. **APPOINTMENT OF SECTION 57 EMPLOYEES: ACTING DIRECTOR LOCAL ECONOMIC DEVELOPMENT- CC**  
(Directorate: Corporate Support Services)

**PURPOSE OF THE REPORT**

The purpose of the report is to request Council to appoint an Acting Director Local Economic Development.

**RECOMMENDED:**

**ACTION**

- |    |  |    |
|----|--|----|
| 1. | That the report be noted;  | CC |
| 2. | That Mr Rademeyer J be appointed as Acting Director Local Economic Development from the 1 <sup>st</sup> June 2017 on a month to month basis for a period not exceeding three (3) months. | CC |

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184. **APPOINTMENT OF SECTION 57 EMPLOYEES: ACTING DIRECTOR PLANNING AND HUMAN SETTLEMENT- CC**  
(Directorate: Corporate Support Services)

**PURPOSE OF THE REPORT**

The purpose of the report is to request Council to appoint an Acting Director Planning and Human Settlement.

**RECOMMENDED:**

**ACTION**

- |    |   |    |
|----|---|----|
| 1. | That the report be noted.   | CC |
| 2. | That Ms Motlhamme E be appointed as Acting Director Planning and Human Settlement from the 1 <sup>st</sup> June 2017 on a month to month basis for a period not exceeding three (3) months. | CC |

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SSK

185. **APPOINTMENT OF SECTION 57 EMPLOYEES: ACTING DIRECTOR ROADS AND TRANSPORT- CC**

(Director: Corporate Support Services)

**PURPOSE OF THE REPORT**

The purpose of the report is to request Council to appoint an Acting Director Roads and Transport.

**RECOMMENDED:**

**ACTION**

- |    |   |    |
|----|---|----|
| 1. | That the report be noted.   | CC |
| 2. | That Mr Rapoo M be appointed as Acting Director Roads and Transport from the 1 <sup>st</sup> June 2017 on a month to month basis for a period not exceeding three (3) months. | CC |

186. **APPOINTMENT OF SECTION 57 EMPLOYEES: ACTING DIRECTOR TECHNICAL & INFRASTRUCTURE SERVICES- CC**

(Director: Corporate Support Services) (SS/mp)

**PURPOSE**

The purpose of the report is to request Council to appoint an Acting Director Technical and Infrastructure Services.

**RECOMMENDED:**

**ACTION**

- |    |   |    |
|----|---|----|
| 1. | That the report be noted.   | CC |
| 2. | That Mr Sheriff F be appointed as Acting Director Technical and Infrastructure Services from the 1 <sup>st</sup> June 2017 on a month to month basis for a period not exceeding three (3) months. | CC |

187. **QUARTERLY REPORT: ATTENDANCE OF COUNCIL SITTINGS AND PORTFOLIO COMMITTEES BY COUNCILLORS- CC**

(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 for rectification of attendance registers.

OSP

188. **SUBMISSION OF REPORTS BY COUNCIL REPRESENTATIVES FROM BOJANALA PLATINUM DISTRICT MUNICIPALITY- CC**

(Office of the Speaker)

(PN/oit)

**PURPOSE OF THE REPORT**

The purpose of the item is to propose to Council the reporting mechanism for the Rustenburg Councillors who have been seconded to serve at Bojanala Platinum District Municipality.

**RECOMMENDED:**

**ACTION**

1. That the report be noted; CC
2. That the Speaker in consultation with the different party Whips of Councillors that are seconded to Bojanala Platinum District Municipality appoint two (2) Councillors – one will be a Convenor and the other a Coordinator; OSP
3. That quarterly reports be submitted to the Office of the Speaker. OSP

189. **OFFICE OF THE SPEAKER EXPENDITURE FOR 2015/16 AND 2016/17- CC**

(Office of the Speaker)

(PN/oit)

**PURPOSE OF THE REPORT**

The purpose of the item is to inform Council about the expenditure of the Office of the Speaker for the budget allocation of 2015/16 to 2016/17 financial years.

**RECOMMENDED:**

**ACTION**

That the report be withdrawn and a detailed report in accordance with the expenditure be submitted at the next Council meeting. OSP

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SSK

190. **MEETING OF WHIPS OF DIFFERENT POLITICAL PARTIES TO DISCUSS THE ISSUE OF REFERRING THE MATTER OF CLLR JANE MPOLOKENG TO THE HUMAN RIGHTS COMMISSION- CC**  
(Office of the Single Whip)

**PURPOSE**

To convene a meeting of whips of different political parties to discuss the issue of referring the matter of Cllr Mpolokeng to the Human Rights Commission and to make recommendations to Council.

**RECOMMENDED:**

**ACTION**

- |   |     |
|---|-----|
| 1. That the report be noted;  | OSW |
| 2. That an external body be appointed to speedily investigate this matter and report back to Council. | OSW |

- 
191. **REPORT: COMPILATION OF THE OVERSIGHT REPORT ON THE ANNUAL REPORT 2015\2016 OF THE RUSTENBURG LOCAL MUNICIPALITY - CC**  
(MPAC LM) (02015/2016)

**PURPOSE OF THE REPORT**

The purpose of this report is to present to Council the draft Oversight Report on the Annual Report 2015/2016. This report sets the scope for the review and recommendations of the Oversight Report for full consideration of the Annual Report 2015/2016 by Council to take resolutions on the basis of the delegated oversight work by the Municipal Public Accounts Committee in its meeting open to the public.

**RECOMMENDED:**

**ACTION**

- |  |    |
|--|----|
| 1 That the review and analysis in the Oversight Report on the Annual Report 2015/16, be noted;   | CC |
| 2 That council having made full consideration of the Annual Report 2015/2016 of the municipality and representations thereto, adopt the Oversight Report on the Annual Report 2015/2016 in terms of Section 129 (1) of the Municipal Finance Management Act No 56 of 2003; | CC |
| 3 That Council approves the Annual Report 2015/2016 with reservations in terms of Section 129 (1) (a) of the MFMA;   | CC |
| 4 That the Accounting Officer publicise the Oversight Report on the Annual Report 2015/2016 in terms of Section 129 (3) of the MFMA;   | AO |

SSK

- |    |   |                   |
|----|---|-------------------|
| 5  | That the Accounting Officer submit the Oversight Report to the Speaker of the North West Provincial Legislature and any other Relevant Authorities;   | AO                |
| 6  | That Council and the Accounting Officer take into consideration representations arising from public participation that require further clarifications, and report be submitted on <b>31 June 2017</b> ;   | CC<br>AO          |
| 7  | That the Accounting Officer submit a report to Council on clarifications of any outstanding matters, <b>30 July 2017</b> ;  | CC<br>AO          |
| 8  | That the Accounting Officer take appropriate actions for under-performance by all Section 57 Managers regarding 5.7 and submit a report to Council by <b>31 July 2017</b> ;   | AO                |
| 9  | That the Accounting Officer implement employee in service training and take appropriate actions for contravention of the Supply Chain Management Policy, and report to Council on <b>31 July 2017</b> ;   | AO                |
| 10 | That the Accounting Officer implement proper Record Keeping in accordance with National Archives and Records Service of South Africa Act 43 of 1996. And report to Council by <b>30 August 2017</b> ;   | AO                |
| 11 | That the Accounting Officer comply with GRAP 24 in representation of budget information in the financial statement and submit the progress report to Council by <b>31 July 2017</b> ;   | AO                |
| 12 | That the Accounting Officer ensure compliance by the municipality to rectify issues raised by the Auditor General in the Audit report in terms of Section 131 (1) of the MFMA on monthly basis report be submitted to Council on <b>quarterly basis</b> ; | OEM<br>AO<br>MPAC |
| 13 | That Directorate should avail themselves for Quarterly Interactions with MPAC;  | AO                |
| 14 | That the Accounting Officer report to MPAC regarding progress on implementation of prior year's oversight report recommendations;   | AO                |
| 15 | That the revenue enhancement /protection plan to be evaluated biannually;   | AO                |
| 16 | That the Accounting Officer ensure that the <b>Rustenburg Water Services Trust</b> complies with SCM policy as required by Section 111 of the MFMA when contracts of the entity are awarded;  | AO                |

SSK

(20)

- |     |  |     |
|-----|--|-----|
| 17  | That the Accounting Officer ensure that construction projects of the <b>Rustenburg Water Services Trust</b> are registered with the Construction Industry Development Board (CIDB), as required by Section 22 of the CIDB Act and CIDB Regulation 18;  | AO  |
| 18  | That the Audit Committee advises the Accounting Officer with regard to the <b>Rustenburg Water Services Trust</b> of risk management matters, internal financial controls and internal audits, performance management and performance evaluation as required by Section 166 (2) (a) of the MFMA; | AO  |
| 19. | That the Municipal Manager ensures that the audit committee follows legislation by reviewing the annual financial statements of the <b>Rustenburg Water Services Trust</b> as required by Section 166 (2) (b) of the MFMA.   | AO  |
| 20. | That the Annual Plan as contained in the report be approved;   | CC  |
| 21. | That quarterly reports on the implementation of the Annual Plan be submitted to Council;   | OMM |
| 22. | That the review of the organogram within the MPAC office be prioritised and a report be submitted to the next Council meeting.   | OMM |

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SSK

8.2. **PART II: REPORTS FOR NOTING:**

None.

9. **REPORTS BY THE SPEAKER:**

Items 187 to 189 refer.

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

Item 190 refers.

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

Item 191 refers.

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

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

None.

14. **NEW MOTIONS OR PETITIONS:**

None.

15. **QUESTIONS:**

15.1 **QUESTIONS FROM PREVIOUS MEETINGS:**

None.

16. **ADOPTION OF MINUTES:**

It be noted that the minutes of the (04/2017) Ordinary Council meeting of the Rustenburg Local Municipality held on **30 May 2017** were adopted.

17. **CLOSURE:**

The business of the meeting was concluded at 18h40.

SPEAKER: 

DATE APPROVED: 01/06/2017