

**RUSTENBURG**

**LOCAL MUNICIPALITY**

**M I N U T E S** OF THE (03/2018S) *SPECIAL COUNCIL* MEETING OF THE RUSTENBURG LOCAL MUNICIPALITY HELD ON TUESDAY 28<sup>th</sup> MARCH 2018 AT 10:12 IN THE COUNCIL CHAMBER, UPPER LEVEL, CIVIC CENTRE, RUSTENBURG.

**PRESENT**

**Cllr Mabale-Huma SSK - Speaker**

**Cllr Khunou M E – Executive Mayor**

Cllr Babe N B

Cllr Bothomane P

Cllr Coetzee M

Cllr Damoyi M

Cllr Edwards I

Cllr Gegula D

Cllr Habi A S

Cllr Kgaladi P

Cllr Kombe O J

Cllr Ledwaba-Kabelo B D

Cllr Lekoro B F

Cllr Letlape S M

Cllr Mafoko S D

Cllr Makhaula V N

Cllr Malan P A

SSK

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 Megalanyane S T  
Cllr Mhlungu S B M  
Cllr Miny C  
Cllr Mjekula E N  
Cllr Mmolotsi C N  
Cllr Moatshe F S  
Cllr Mokgatle O O  
Cllr Mokwele L P  
Cllr Molubi J N  
Cllr Monageng V N  
Cllr Morei K B  
Cllr Mosoeu S M S  
Cllr Mqanqeni N V  
Cllr Nel D  
Cllr Ngwato J D  
Cllr Njikelane M  
Cllr Nkgoang L I  
Cllr Nongqoqo M I  
Cllr Omarjee M  
Cllr Pelesi K L  
Cllr Phillips C  
Cllr Rantho M R  
Cllr Seleka A  
Cllr Sephai J L  
Cllr Snyders L B

SSK

Cllr Tlhapi P A

Cllr Tsamai A

Cllr Tshabalala T E

Cllr Tsienyane P

Cllr Venter P A G

Cllr Wolmarans S D

Cllr Xatasi N S

SSK

## OFFICIALS

Ms Sithole N	-	Municipal Manager
Mr Mashile K	-	Director: Technical & Infrastructure Service
Ms Rampete N	-	Director: Community Development
Mr Maposa K	-	Chief Financial Officer
Mr Moleele O	-	Acting: Director Roads & Transport
Ms Halenyane M	-	Director: Planning & Human Settlement
Mr Mfolwe B	-	Acting Director: Public Safety
Mr Khumalo O J	-	Sergeant of Arms: Public Safety
Mr Molotsane L	-	Unit Manager: Legal and Evaluations
Mr Komane E	-	Director: Local Economic Development
Mr Nontyi V	-	Acting Manager: Office of the Speaker
Mr Kgosimore P	-	Manager: Office of the Executive Mayor
Mr Pholose A	-	Acting Director: Corporate Support Services
Ms Khunou B	-	Administrative Assistant Administrative Support Services
Ms Khunou N	-	Section Manager: Administration Administrative Support Services
Ms Makona P	-	Section Manager: Committee Work Administrative Support Services
Ms Mkwatsi R	-	Admin Officer: Administrative Support Services
Ms Rapelego M	-	Typist: Administrative Support Services
Mr Mogakwe K	-	Typist: Administrative Support Services
Mr Mkhuzangwe S	-	Interpreter: Administrative Support Services

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SSK

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**1. OPENING AND WELCOME:**

- 1.1 It be noted that the meeting was opened with a prayer by Cllr Mokwele L P thereafter the Honourable Speaker welcomed all members present including members of the community in the public gallery
- 1.2 It be noted that the Speaker recapped that the purpose of the Special Council meeting is for Council to adopt the Annual Report which went for Public Participation;
- 1.3 It be noted that the Speaker informed Council about the request from members of the public to come and address Council on the Annual Report and further invited those who will be making presentations in the Council Chamber

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

- 2.1 That leave of absence be granted to the following Councillors: Chauke O, DuPlessis G, Letlape S M, Mashishi Ntsime J I(arrived), Tsamai A (returned) and Webster N
- 2.2 It be noted that all members of the Economic Freedom Fighters tendered their apology and written apologies will be submitted within seven (7) days and further be noted that their apology was accepted by members of Council collectively;
- 2.3 It be noted that the following Councillors requested to be recused: Malan P A(left), Miny C (left), Ledwaba-Kabelo B D (12h00) and Snyders L B (13h00);
- 2.4 It be noted that all tendered apologies were accepted by members of Council and the Speaker further advised that all written apology be submitted within (7) seven working days to the office of the Speaker.

**3. INTRODUCTION OF COMMUNITY REPRESENTATIVES:**

- 3.1 It be noted that the following representatives of the community were offered the opportunity by the Speaker to make presentations:
- 3.2 Ms Johanda Hugo;
- 3.3 Mr Frans Rootman: Munsolve;
- 3.4 Mr Kgomotso Khunou;
- 3.5 Mr Chris Trytsman: Branch Chairperson- Afriforum.
- 3.6 It be noted that Councillors were allowed to engage with the presentations from members of the community;
- 3.7 It be noted that members of the community were then recused by the Speaker to allow Council to consider the Annual Report.

**4. REPORT:**

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## INDEX

NO	HEADING	CC
101.	Tabling of the Oversight Report on the 2016/17 Annual Report  SSK	CC

101. **TABLING OF THE OVERSIGHT REPORT ON THE 2016/17 ANNUAL REPORT**  
 (Municipal Public Audit Committee) /DN

**PURPOSE OF THE REPORT**

The purpose of the report is to table the Oversight Report on the 2016/17 Annual Report.

**COUNCIL RESOLVED:**

**ACTION**

- |      |  |    |
|------|--|----|
| 1.   | That the review and analysis in the Oversight Report on the Annual Report 2016/17, is noted;   | CC |
| 2.   | That council having made full consideration of the Annual Report 2016/2017 of the municipality and representations thereto, adopt the Oversight Report on the Annual Report 2016/2017 in terms of Section 129 (1) of the Municipal Finance Management Act No 56 of 2003 and; | CC |
| 3.   | That Council approves the Annual Report 2016/2017 of the Municipality with reservations in terms of Section 129 (1) (a) of the MFMA. These reservations include but are not limited to:<br>Findings relating to:   | CC |
| 3.1  | Property, plant and equipment  |    |
| 3.2  | Service charges  |    |
| 3.3  | Commitments.   |    |
| 3.4  | Irregular expenditure  |    |
| 3.5  | Unauthorised and fruitless and wasteful expenditure  |    |
| 3.6  | Material losses  |    |
| 3.7  | Restatement of corresponding figures   |    |
| 3.8  | Strategic planning and performance management  |    |
| 3.9  | Procurement and contract management  |    |
| 3.10 | Human resource management  |    |
| 3.11 | Expenditure management   |    |
| 3.12 | Asset management   |    |
| 3.13 | Consequence management   |    |

SSK

3.14 Internal control deficiencies

4. That Council approves the Annual Report 2016/2017 of the Municipal Entity - Rustenburg Water Service Trust with reservations in terms of Section 129 (1) (a) of the MFMA. These reservations include but are not limited to:  
Findings relating to:  
  
4.1 Performance objectives and indicators
5. That the Accounting Officer publicise the Oversight Report on the Annual Report 2016/2017 in terms of Section 129 (3) of the MFMA; MM
6. That the Accounting Officer submit the Oversight Report to the Speaker of the North West Provincial Legislature and any other Relevant Authorities; MM
7. That the Accounting Officer must adhere to the requirements of GRAP 17 and MSCOA to ensure the residual value of PPE, depreciation, corresponding figures and adequate records on assets are correct as expressed in the audit plan 2017/2018; MM
8. That officials who are involved with Supply Chain Management receive adequate training relating to supply chain policies and regulations; MM
9. That the Water Conservation and Demand Management Plan be furnished to Council; MM
10. That the impairment regarding receivables be included in monthly budget statements; MM
11. That the annual performance objectives and indicators be established and included in the Rustenburg Water Service Trust multi-year business plan; MM
12. That before the submission of the 2017/2018 annual financial statements to the Auditor General the statements must undergo a quality assurance inspection; MM
13. That consequence management be taken against any official in regards to contravention of supply chain policies and regulations; MM
14. That the Accounting Officer ensure compliance with Section 65(2)(e) of the MFMA; MM
15. That the Accounting Officer ensure compliance with Section 63(2)(c) of the MFMA; MM

SSK



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16. That the Accounting Officer ensure that all Key Performance Indicators comply with National Treasury guidelines; MM
17. That the Accounting Officer comply with Section 67(1)(d) of the Municipal System Act; MM
18. That the Accounting Officer do a complete review of the Municipalities Internal Controls; MM
19. That an adequate risk management strategy be put in place by the Accounting Officer; MM
20. That a Plan be furnished to Council regarding Records Management system with time-lines. MM
21. That the Municipal Public Account Committee follow up the findings which arose from the site visits and report to Council at the end of May 2018; MPAC
22. That monthly meetings be scheduled to interrogate and measure progress on irregular, unauthorised, fruitless and wasteful expenditure by the following: MPAC  
MM
  - 22.1 Municipal Public Account Committee;
  - 22.2 Municipal Manager;
  - 22.3 Internal Audit;
  - 22.4 Legal and Valuation Unit;
  - 22.5 Budget and Treasury Office;
  - 22.6 Auditor General also to be invited;
23. That the Municipal Public Account Committee investigate the Regulation 32 appointments and report to Council at the end of July 2018; MPAC
24. That a full report on the capacitation of the Municipal Public Account Committee be submitted at the next Council meeting, dealing with the following: MM
  - 24.1 Review of the organogram;
  - 24.2 Tools of trade;
  - 24.3 Other needs required to ensure that MPAC functions optimally.

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4. **ADOPTION OF MINUTES:**

It be noted that the minutes of the (03/2018S) Special Council meeting of the Rustenburg Local Municipality held on 28<sup>th</sup> March 2018 were adopted.

5. **CLOSURE:**

The business of the meeting was concluded at 13:30.

SPEAKER

A handwritten signature in black ink, appearing to be 'S. M. M. M.', written over the word 'SPEAKER'.

DATE APPROVED: 06/04/2018