

**RUSTENBURG
LOCAL MUNICIPALITY**

M I N U T E S OF THE (09/2020S) SPECIAL VIRTUAL COUNCIL MEETING OF THE
RUSTENBURG LOCAL MUNICIPALITY HELD ON TUESDAY THE 27th OCTOBER
2020 AT 10:00

PRESENT

Cllr Mabale-Huma S S K	-	Speaker
Cllr Khunou M E	-	Executive Mayor
Cllr Babe N B		
Cllr Bothomane P		
Cllr Coetzee M		
Cllr Cronje J C		
Cllr Damoyi M		
Cllr Du Plessis G		
Cllr Edwards I		
Cllr Gegula D		
Cllr Jongela A S		
Cllr Kgaladi P		
Cllr Kombe O J		
Cllr Lekoro B F		
Cllr Lerm M F E		
Cllr Mafoko S D		
Cllr Makgale T A		
Cllr Makhaula V N		
Cllr Malla A D		
Cllr Mashishi-Ntsime J I		
Cllr Masilo T I		
Cllr Megalanyane S T		
Cllr Mhlungu S B M		
Cllr Miny C		

SSK

Cllr Mjekula E N
Cllr Mmolotsi C N
Cllr Mnisi AB P
Cllr Moatshe F S
Cllr Mogotsi H B
Cllr Mokgatle O O
Cllr Mokotedi K G
Cllr Mokwele L P
Cllr Molatlhegi P R
Cllr Molubi J N
Cllr Monageng V N
Cllr Mosoeu S M S
Cllr Mqanqeni N V
Cllr Nhacuangue N
Cllr Njikelane M
Cllr Nkgoang L I
Cllr Nongqoqo M I
Cllr Pelesi K L
Cllr Rantho M R
Cllr Rootman A P
Cllr Seleka A
Cllr Sephai J L
Cllr Snyders L B
Cllr Tlhapi P A
Cllr Tshabalala T E
Cllr Tsienyane P
Cllr Venter P A G
Cllr Wolf J
Cllr Wolmarans S D
Cllr Xatasi N S

OFFICIALS

Mr Makona S V	-	Municipal Manager
Mr Masilo O J	-	Director: Technical and Infrastructure
Mr Ditsele G	-	Chief Financial Officer
Ms Mdlhuli V	-	Deputy Chief Financial Officer
Ms Sefike L	-	Acting Director: Community Development
Ms Halenyane M	-	Director: Planning & Human Settlement
Mr Boikanyo K	-	Director: Public Safety
Mr Komane E	-	Director: Local Economic Development
Mr Marome P	-	Acting Director: Corporate Support Services
Mr Moleelo O	-	Acting Director: Roads & Transport
Mr Molotsane L	-	Head: Legal and Valuation
Mr Kgosimore P	-	Manager: Office of The Executive Mayor
Mr Magae B	-	Manager: Communications
Mr Mahlangu S	-	Acting Manager: Speakers Office
Ms Tebeli M	-	Manager: Office of the Chief Whip
Mr Jansen van Vuuren J W	-	Acting Unit Head: Administrative Support Services
Ms Makona P	-	Section Manager: Committee Work
Ms Manthata J	-	Supervisory Typist
Ms Khunou B	-	Administrative Assistant: Administrative Support Services
Ms Khunou N	-	Administrative Officer Administrative Support Services
Mr Mkhuzangwe S	-	Council Interpreter

SSK

(i)

1. **OPENING AND WELCOME:**

1.1 The meeting was opened with a prayer by Cllr Snyders L B where-after the Honourable Speaker welcomed all members present;

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

2.1 That leave of absence be granted to the following Councillors: Mohube M M, Malan P, Matlhoko A, Ntimba M S and Ormajee M;

2.2 It be noted that Councillor Miny C requested to be recused should the meeting proceed beyond 15:30 (remained connected until the meeting was adjourned.);

2.2. It be noted that Councillor Bothomane P and Mnisi A B P will join the meeting. (They did join)

3. **REPORT:** Attached

SSK

INDEX

NO	HEADING	CC
195.	Appointment of Municipal Electoral Officer (MEO) and Sub-Municipal Electoral Officer (SUB - MEO)	CC
196.	Expropriation of 6 Hectares of Portion 48 (a Portion of Portion 39) of the Farm Rietvlei 271JQ	CC
197.	Memorandum of Agreement between the South African Roads Agency SOC Limited (SANRAL) and the Rustenburg Local Municipal – Management, Control, Maintenance and Rehabilitation of the Specified Sections as Indicated in Annexure B of the Agreement for the National Road R24 and the National Road N4 Interchange	CC
198.	Application to Rustenburg Local Municipality to Grant Eskom Permission to Erect the proposed Mfidikwe 88/11KV Substation and Loop and Loop Out Lines in Bokamoso	CC
199.	Tabling of the Amended 2020/2021 Service Delivery and Budget Implementation Plan (SDBIP)	CC
200.	Progress Report On The Covid19 Expenditure as at The End of August 2020	CC
201.	Infrastructural and Operational Status of The Municipal Fire House Built at Marikana	CC
202.	Legal Status of the Rustenburg Water Services Trust	CC
203.	Extension of Bospoort Water Treatment Works	CC
204.	Report about the Threat of Disconnection of Electricity Supply of Waterkloof Electrical Substation	CC
SSK		

195. **APPOINTMENT OF MUNICIPAL ELECTORAL OFFICER (MEO) AND SUB-MUNICIPAL ELECTORAL OFFICER (MEO)**

(Office of the Speaker)

(0013358)

(SS)

PURPOSE OF THE REPORT

The purpose of this report is to inform Council about the appointment of Municipal Electoral Officer (MEO) and Sub Municipal Electoral Officer (MEO).

RESOLVED:

ACTION

- | | | |
|----|--|----|
| 1. | That the report on the appointment of Municipal Electoral Officer (MEO) and Sub- Municipal Electoral Officer (MEO) is noted; | CC |
| 2. | That Council give written consent to the IEC for the appointment of the following suitable persons: | CC |
| | 2.1 Ms Mmabotseba Ruele as the Municipal Electoral Officer; and | |
| | 2.2 Mr Khularo Ramantsi as the Sub-Municipal Electoral Officer; | |
| 3. | That the Accounting Officer notifies the IEC in writing about the nominations for the positions of MEO and Sub-MEO. | MM |

196. **EXPROPRIATION OF 6 HECTARES OF PORTION 48 (A PORTION OF PORTION 39) OF THE FARM RIETVLY 271 JQ.**

(Directorate: Planning and Human Settlement)

(0013407)

(RB)

PURPOSE OF THE REPORT

The purpose of the report is to provide progress on the acquisition of a land that was identified for purchase and to resettle the residents of Rietvly. This report also seeks to request Council to expropriate the 6 hectares in line with Section 25 of the Constitution of the Republic of South Africa 1996.

RESOLVED:

ACTION

- | | | |
|----|---|----|
| 1. | That the Expropriation of 6 hectares of Portion 48 (a Portion of Portion 39) of the farm Rietvly 271 JQ is, noted; | CC |
| 2. | That the Expropriation of 6 hectares of Portion 48 (a Portion of Portion 39) of the farm Rietvly 271 JQ is approved; | CC |
| 3. | That the Accounting Officer is authorized to expropriate 6 hectares of Portion 48 (a Portion of Portion 39) of the farm Rietvly 271 JQ. | MM |

NB: IT BE NOTED THAT THE DEMOCRATIC ALLIANCE DOES NOT SUPPORT THE RECOMMENDATIONS.

NB: IT BE NOTED THAT THE FREEDOOM FRONT PLUS DOES NOT SUPPORT THE RECOMMENDATIONS

OSK

197. **MEMORANDUM OF AGREEMENT BETWEEN THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED (SANRAL) AND THE RUSTENBURG LOCAL MUNICIPALITY - MANAGEMENT, CONTROL, MAINTENANCE AND REHABILITATION OF THE SPECIFIED SECTIONS AS INDICATED IN ANNEXURE B OF THE AGREEMENT FOR THE NATIONAL ROAD R24 AND THE NATIONAL ROAD N4 INTERCHANGE**

(Directorate: Technical and Infrastructure Services) (0013418) (jdj)

PURPOSE OF THE REPORT

The purpose of the report is to obtain approval from Council to delegate the Municipal Manager to enter into a Memorandum of Agreement with SANRAL with regard to the management, control, maintenance and rehabilitation of the specified sections of the National Road R24 and the National Roads N4 interchange.

RESOLVED:

ACTION

- | | |
|---|------|
| 1. That the report “memorandum of agreement between the South African National Roads Agency soc Limited (SANRAL) and the Rustenburg Local Municipality - management, control, maintenance and rehabilitation of the specified sections of the National Road R24 and the National Road N4 interchange” is noted; | CC |
| 2. That the Municipal Manager is delegated to enter into the Memorandum of Agreement between SANRAL and the Rustenburg Local Municipality subject to Council approving a proper implementation plan; | CC |
| 3. That a further report be submitted at the next Council sitting, dealing with the implementation plan. | DTIS |

NB: FORUM FOR SERVICE DELIVERY HAVE RESERVATIONS ON THE REPORT BECAUSE IT IS NOT IN THE 2020/2021 ANNUAL BUDGET

SSK

198. **APPLICATION TO RUSTENBURG LOCAL MUNICIPALITY TO GRANT ESKOM PERMISSION TO ERECT THE PROPOSED MFIDIKWE 88/11KV SUBSTATION WITH LOOP IN LOOP OUT LINES IN BOKAMOSO**

(Directorate: Infrastructure and Technical Services)

(0013417)

(VPB)

PURPOSE OF THE REPORT

The purpose of the report is to obtain permission from Council to grant Eskom permission to erect the proposed Mfidikwe 88/11kV Substation with Loop in Loop out 88kV Lines, on Rustenburg Local Municipality's owned land.

RESOLVED:

ACTION

- | | |
|---|---------------|
| 1. That the report "application to Rustenburg Local Municipality to grant ESKOM permission to erect the proposed Mfidikwe 88/11kV substation with loop in loop out lines in Bokamoso" is noted; | CC |
| 2. That Council grant Eskom permission to erect the above mentioned infrastructure (Proposed Mfidikwe 88/11kV Substation with Loop in Loop out 88kV Lines) on Rustenburg Local Municipality's land; | CC |
| 3. That Council grant Eskom servitude area requested of 2.25ha; | CC |
| 4. That the valuation of the property be done; | OMM
BTO |
| 5. That upon acquiring resolution and subsequently receiving a signed option document, Eskom must effect the registration and the payment for the servitude; | DPHS
BTO |
| 6. That Eskom conduct all Town Planning, Land Surveying services and EIA requirements in order to finalize the substation position; | DPHS
DCD |
| 7. That the Proposed Mfidikwe 88/11kV Substation with Loop in Loop out 88kV Lines be constructed after all conditions between Rustenburg Local Municipality and Eskom have been met to enable the electrification of the entire 3918 residential stands in development. | ESKOM
DTIS |

SSK

199. **TABLING OF THE AMENDED 2020/2021 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)**

(Office of the Municipal Manager)

(0013420)

(BND)

PURPOSE OF THE REPORT

The report is tabled to the Municipal Council for approval of the amended Service Delivery and Budget Implementation Plan (SDBIP) 2020/2021.

RESOLVED:

ACTION

- | | | |
|----|---|-----|
| 1. | That the report on “tabling of the amended 2020/2021 Service Delivery and Budget Implementation Plan (SDBIP)” is noted; | CC |
| 2. | That the amended 2020/2021 SDBIP is approved; | CC |
| 3. | That members of the public be duly notified of amendments to the 2020/2021 SDBIP; | OMM |
| 4. | That the Revised approved SDBIP be publicised on the municipal website. | OMM |

200. **PROGRESS REPORT ON THE COVID19 EXPENDITURE AS AT THE END OF AUGUST 2020**

(Office of the Municipal Public Accounts Committee)

(001385)

(FM)

PURPOSE OF THE REPORT

- 2.1 The purpose of this report is to table the progress report on the COVID19 expenditure as at the end of August 2020 before the Municipal Public Accounts Committee for scrutiny and consideration en route to Council.
- 2.2 This report has been received from Budget and Treasury Office as per the Municipal Public Accounts Committee Terms of Reference on Financial Performance and subsequently to Council.

RESOLVED:

ACTION

- | | | |
|----|---|------|
| 1. | That the report is noted; | CC |
| 2. | That the Municipal Public Accounts Committee undertake a Loco Inspection or visit all projects funded through Water Infrastructure Service Grant (WISG) in which costs were incurred by the Municipality, to ascertain value for money as a result of Covid19 pandemic; | MPAC |
| 3. | That the financial performance reports be submitted to the Municipal Public Accounts Committee in line with the adopted Municipal Public Accounts Committee Annual Work Programme; | BTO |
| 4. | That a progress report be submitted at the next Council sitting. | CC |

SSK

201. **INFRASTRUCTURAL AND OPERATIONAL STATUS OF THE MUNICIPAL FIRE HOUSE BUILT AT MARIKANA**

(Office of the MPAC)

(0013384)

(FM)

PURPOSE OF THE REPORT

The purpose of this report is to outline a report to Municipal Public Accounts Committee regarding infrastructural and operational status of the Municipal Fire House built at Marikana.

RESOLVED:

ACTION

- | | | |
|----|---|------|
| 1. | That the report on infrastructural and operational status of the Municipal Fire House built at Marikana is noted; | CC |
| 2. | That the management conduct an audit with regard to all municipal buildings/facilities to manage risks of vacant and idle buildings and resolve on their effective utilisation in pursuit of value for money and adequate service delivery provision; | OMM |
| 3. | That the proposed organizational structure of the Marikana Fire House be dealt with during the review of the organizational structure; | DCS |
| 4. | That the Marikana Fire House facility be refurbished and maintained regularly to enable the administrative and management efficiency; | DTIS |
| 5. | That the management furnish Council with comprehensive funded maintenance plan of the Marikana Fire House facility by the end of November 2020; | DPS |
| 6. | That the management facilitates the engagement of finalizing the electrification of the Marikana Fire House facility with ESKOM; | DTIS |
| 7. | That the management allocate all required resources such as tools and equipment including fire engine in order to turn the facility to be more service friendly; | DPS |
| 8. | That the Municipality continues providing security services through the contracted Security Service Provider at Marikana Fire House, until the facility is fully occupied and operational; | DPS |
| 9. | That the status report on the infrastructural and operationalisation of the Phatsima Fire House be submitted at the next MPAC meeting. | DPS |

SSK

202. **LEGAL STATUS OF THE RUSTENBURG WATER SERVICES TRUST**

(Office of the Municipal Manager)

(0013422)

SLM

PURPOSE OF THE REPORT

The purpose of the item is to bring to the attention of the Municipal Council the outcome of the meeting of the 13th August 2020 that was held between the Executive Mayor and the Board of Trustees of the Rustenburg Water Services Trust as per resolution on Item 129 that was tabled before Council on the 28th of July 2020.

RESOLVED:

ACTION

- | | | |
|----|---|-----|
| 1. | That the Council take note of the Report; | CC |
| 2. | That the Rustenburg Water Service Trust undertake to make an in-person appointment of the position of Chief Executive Officer for an interim period of six (6) months; | OMM |
| 3. | That the Rustenburg Water Service Trust Supply Chain Management activities would be done in consultation with Bid Committees of the Municipality until Rustenburg Water Service Trust internal structures are formalised; | OMM |
| 4. | That Council notes that the Rustenburg Water Service Trust Board of Trustees agrees for the establishment of a fully- fledged municipal entity. | CC |

203. **EXTENSION OF BOSPOORT WATER TREATMENT WORKS**

(Office of the Municipal Manager - Compiled by the RWST)

(0013421)

PURPOSE OF THE REPORT

The purpose of the report is to inform Council of the capacity constraint at the Rustenburg Waste Water Plant, the negative impact this has on water quality and the impact on the Water balance in the Rustenburg Local Municipality. Council to take note and approve the extension of the Rustenburg Waste Water Plant.

RESOLVED:

ACTION

- | | | |
|----|-----------------------------------|----|
| 1. | That the report is referred back. | CC |
|----|-----------------------------------|----|

SSK

204. **REPORT ABOUT THE THREAT OF DISCONNECTION OF ELECTRICITY SUPPLY OF WATERKLOOF ELECTRICAL SUBSTATION**

(Office of Municipal Manager)

SLM

PURPOSE OF THE REPORT

The purpose of this report is to inform the Council about Eskom's notification threats of disconnection of electricity supply to Waterkloof Electrical Substation on the 23 October 2020 starting at 15h00 as well as to inform the Council about the management and the disposal of the threats to disconnect the electricity supply.

RESOLVED:

ACTION

- | | | |
|----|---|-----------|
| 1. | That the report is noted; | CC |
| 2. | That a report on the disputed R100 million debt owed to Eskom be submitted at the next Council sitting; | OMM |
| 3. | That a report on the outcome of the meeting with Eskom be submitted at the next Council sitting; | OMM |
| 4. | That the Executive Mayor is authorised to consult with the Eskom Board and a report be submitted at the next Council sitting. | CC
OEM |

SSK

(iii)

4. **APPROVAL OF MINUTES:**

Minutes of the (09/2020S) Virtual Special Council meeting of the Rustenburg Local Municipality, held on 27th **OCTOBER 2020** are approved.

5. **CLOSURE.**

The business of the meeting was concluded at 13:15.

SPEAKERS



DATE APPROVED: 28/10/2020
