

**RUSTENBURG
LOCAL MUNICIPALITY**

M I N U T E S OF THE (04/2021S) VIRTUAL *SPECIAL* COUNCIL MEETING OF THE
RUSTENBURG LOCAL MUNICIPALITY HELD ON WEDNESDAY 07 MAY 2021 AT
10H23.

PRESENT

Cllr Mabale-Huma S S K

- **Speaker**

Cllr Khunou M E

- **Executive Mayor**

Cllr Babe N B

Cllr Bothomane P

SSK

Cllr Cronje J C

Cllr Du Plessis G

Cllr Edwards I

Cllr Fetmani E M

Cllr Gegula D

Cllr Jongela S

Cllr Kgaladi P

Cllr Kombe O J

Cllr Langeni E

Cllr Legopelo J B

Cllr Lekoro B F

Cllr Lerm M F E

Cllr Mafoko S D

Cllr Majolo W L

Cllr Makgale T A

Cllr Makhaula V N

Cllr Malan P A

Cllr Malatji M W

Cllr Mashishi-Ntsime J I

Cllr Masilo T I

Cllr Mataboge A L

Cllr Megalanyane S T
Cllr Mekgoe T S
Cllr Mhlungu S B M
Cllr Miny C
Cllr Mjekula E N
Cllr Mnisi B P
Cllr Moatshe F S
Cllr Mogotsi H B
Cllr Mohube M M
Cllr Mokwele L P
Cllr Molotsane D M
Cllr Molubi J N
Cllr Monageng V N
Cllr Morei K B
Cllr Mosoeu S M S
Cllr Motlhamme G S
Cllr Mpolokeng B J
Cllr Mqanqeni N V
Cllr Nhacuangue N
Cllr Njikelane M
Cllr Nkgoang L I
Cllr Nongqoqo M I
Cllr Omarjee M
Cllr Pelesi K L
Cllr Radebe M W
Cllr Rantho M R
Cllr Rootman 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
Cllr Xhanela

SSK

OFFICIALS

- Ms Roboji Y - Director: Corporate Support Services
- Ms Rampete N - Director: Community Development
- Mr Komane E - Director: Local Economic Development
- Mr Moleele O - Acting Director: Roads & Transport
- Mr Boikanyo K - Director: Public Safety
- Ms Khiba N - Acting Manager: office of the Municipal Manager
- Mr Kgosimore P - Manager: Office of the Executive Mayor
- Ms Hlatshwayo L - Manager: Office of the Speaker
- Ms Tebeli M - Manager: Office of the Single Whip
- Mr Molotsane L - Head: Legal & Valuation
- Mr Griff K - Legal Adviser: Contracts
- Mr Magae B - Manager: Communications
- Mr Marumola F - Researcher: MPAC
- Ms Mokgophe M - Acting Unit Head: Corporate Support Services
- Ms Makona P - Section Manager:
Committee Work
- Mr van Vuuren J - Section Manager
Administration
- Ms Letshwiti M - Committee Administrator:
Administrative Support Services
- Ms Rapelego M - Administrative Assistant:
Administrative Support Services
- Ms Khunou N - Admin Officer:
Administrative Support Services
- Ms Mokwatsi R - Admin 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 Mataboge A L where-after the Honourable Speaker welcomed all members present.
- 1.2 It be noted that Council resolved that resolutions 91, 92, 93, 94, 95, 96, 97 and 98 of the 30th of March 2021 be rescinded and that items 104, 105, 106, 107, 108, 109, 110 and 111 be referred to an adjourned meeting which will be held on a date that will be communicated.

2. APPLICATION FOR LEAVE OF ABSENCE:

- 2.1 That leave of absence be granted to the following councillors: Chauke O and Mokotedi K G.
- 2.2 It be noted that the following Councillor requested to be recused: Mohube at 11h00 (Left)

3. REPORTS:

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(ii)

I N D E X

NO	HEADING	CC
104.	Review of the Report on the Investigation of the Unauthorised Expenditure for the 2014/2015	CC
105.	Review of the Report on the Investigation of the Unauthorised Expenditure for the 2015/16 Financial Year	CC
106.	Review of the Report on the Expenditure of MIG Funded Projects for the 01 st Quarter Performance for 2020/2021 Financial Year	CC
107.	Report Back - Municipal Public Accounts Committee Investigation Report in Respect of the Motion of the Democratic Alliance – Appointment of the Meter Readers	CC
108.	Report on the Investigations of Allegations on Sale of Municipal Land by Councillor Jane Mpolokeng	CC
109.	Progress Report: Election of Representatives: Bojanala Platinum District Municipality	CC
110.	Report on the Ward Committee Policy	CC
111.	Progress Report on Council Resolutions for January to December 2019, January to November 2020, January to February 2021	CC
112.	Status Quo on Informal Trading with the Rustenburg Local Municipality	CC
113.	To Obtain Permission from Council as to Allow the Municipal Manager to Sign the Special Power of Attorney Regarding the Township Establishment Application – Ptn 8 Boschoek 103 JQ	CC
114.	Determination on the Acquisition of Portion 68 (A Portion of Portion 16) of the Farm Boschoek 103 JQ	CC
115.	Third (3 rd) Quarter Performance Report 2020-2021	CC
116.	Roads & Transport - Final Draft Public Transport Fare Policy for the Rustenburg Rapid Transport Project - 2020/21	CC
	SSK	

104. **REVIEW OF THE REPORT ON THE INVESTIGATION OF THE UNAUTHORISED EXPENDITURE FOR THE 2014/2015**
(Office of the Municipal Public Accounts Committee) (FM)

PURPOSE OF THE REPORT

The purpose of this item is to table the reviewed report on the investigation of the unauthorized expenditure incurred during the 2014/2015 financial year before Council for consideration.

This reviewed report serves as a response to Council Resolution No 3 of Item 234, of the Ordinary Virtual Council meeting of the 24th November 2020 that mandated the MPAC to investigate the unauthorized expenditure for 2014/2015 financial year.

This reviewed report is in consistence with the provisions of Section 28 of the Municipal Finance Management Act, No. 56 of 2003 read with the Municipal Budget and Reporting Regulations.

RESOLVED :

ACTION

- | | |
|--|----|
| 1. That Council resolution 91 of 30 March 2021 be rescinded; and | CC |
| 2. That the item be referred to an Adjourned Council meeting to be held on a date that will be communicated. | CC |

105. **REVIEW OF THE REPORT ON THE INVESTIGATION OF THE UNAUTHORISED EXPENDITURE FOR THE 2015/16 FINANCIAL YEAR**
(Office of the Municipal Public Accounts Committee) (FM)

PURPOSE OF THE REPORT

The purpose of this item is to table the reviewed report on the investigation of the unauthorized expenditure incurred during the 2015/2016 financial year before Council for consideration.

This reviewed report serves as a response to Council Resolution No. 3 of 235, of the Ordinary Virtual Council sitting of the 24th November 2020 that mandated the MPAC to investigate the unauthorized expenditure for 2015/2016 financial year.

This reviewed report is in consistence with the provisions of Section 28 of the Municipal Finance Management Act, No. 56 of 2003 read with the Municipal Budget and Reporting Regulations.

SSK

RESOLVED:

ACTION

- 1. That Council resolution 92 of 30 March 2021 be rescinded; and CC
- 2. That the item be referred to an Adjourned Council meeting to be held on a date that will be communicated. CC

106. REVIEW OF THE REPORT ON THE EXPENDITURE OF MIG FUNDED PROJECTS FOR THE 01st QUARTER PERFORMANCE FOR 2020/2021 FINANCIAL YEAR

(Office of the Municipal Public Accounts Committee)

(FM)

PURPOSE OF THE REPORT

The purpose of this report is to table the review of the report on the expenditure of Municipal Infrastructure Grant (MIG) funded projects for the 01st Quarter performance of 2020/2021 financial year before Council.

This report is reviewed by the Municipal Public Accounts Committee (MPAC) in accordance with the provisions of Section 116 Municipal Finance Management Act (MFMA) and MFMA Circular No. 62.

RESOLVED:

ACTION

- 1. That Council resolution 93 of 30 March 2021 be rescinded; and CC
- 2. That the item be referred to an Adjourned Council meeting to be held on a date that will be communicated. CC

107. REPORT BACK - MUNICIPAL PUBLIC ACCOUNTS COMMITTEE INVESTIGATION REPORT IN RESPECT OF THE MOTION OF THE DEMOCRATIC ALLIANCE – APPOINTMENT OF THE METER READERS

(Office of the MPAC)

(FM)

PURPOSE OF THE REPORT

The purpose of this report is to outline the outcomes of the investigation conducted by the Municipal Public Accounts Committee (MPAC) on matters related to the Democratic Alliance motion which served before Council meeting on the 29th September 2020.

RESOLVED:

ACTION

- 1. That Council resolution 94 of 30 March 2021 be rescinded; and CC
- 2. That the item be referred to an Adjourned Council meeting to be held on a date that will be communicated. CC

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108. **REPORT ON THE INVESTIGATIONS OF ALLEGATIONS ON SALE OF MUNICIPAL LAND BY COUNCILLOR JANE MPOLOKENG**

(Office of the Speaker)

(SS)

PURPOSE OF THE REPORT

The purpose of the item is to update the Council on the report of the investigation of allegation of sale of Municipal land by Councillor Jane Mpolokeng.

RESOLVED:

ACTION

- | | |
|--|----|
| 1. That Council resolution 95 of 30 March 2021 be rescinded; and | CC |
| 2. That the item be referred to an Adjourned Council meeting to be held on a date that will be communicated. | CC |
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109. **PROGRESS REPORT: ELECTION OF REPRESENTATIVES: BOJANALA PLATINUM DISTRICT MUNICIPALITY**

(Office of the Speaker)

(LH/oit)

PURPOSE OF THE REPORT

The purpose of the report is to provide Council with the current status quo of its elected representatives at the District Council.

RESOLVED:

ACTION

- | | |
|--|----|
| 1. That Council resolution 96 of 30 March 2021 be rescinded; and | CC |
| 2. That the item be referred to an Adjourned Council meeting to be held on a date that will be communicated. | CC |
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110. **REPORT ON THE WARD COMMITTEE POLICY**

(Office of the Speaker)

(SS)

PURPOSE OF THE REPORT

The purpose of the report is to update the Council on the final draft on Ward Committee policy review.

SSK

RESOLVED:

ACTION

- 1 That Council resolution 97 of 30 March 2021 be rescinded; and CC
2. That the item be referred to an Adjourned Council meeting to be held on a date that will be communicated. CC

111. **PROGRESS REPORT ON COUNCIL RESOLUTIONS FOR JANUARY TO DECEMBER 2019, JANUARY TO NOVEMBER 2020, JANUARY TO FEBRUARY 2021.**

(Directorate: Corporate Support Services) (/nk)

PURPOSE OF REPORT

The purpose of the report is to submit to Council progress on outstanding Council resolutions for the period January to December 2019, January to November 2020 and January to February 2021 as resolved by Council on the 18th January 2021 per item 05.

RESOLVED:

ACTION

1. That Council resolution 98 of 30 March 2021 be rescinded; and CC
2. That the item be referred to an Adjourned Council meeting to be held on a date that will be communicated. CC

112. **REQUEST TO COUNCIL FOR THE APPROVAL OF TEMPORARY INFORMAL TRADING PERMITS**

(Directorate: Local Economic Development) (KM)

PURPOSE OF THE REPORT

The purpose of the report to update council on the activities of Informal Trading within the Rustenburg Local Municipality

RESOLVED:

ACTION

1. That the report is noted; CC
2. That Directorate Local Economic Development be authorized to issue temporary permits in areas where the Municipality has not provided for informal trading spaces subject to consent by the land owners where informal trading takes place in other properties other than the Municipal-own property; DLED

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| 3. | In line with recommendation number 2, Directorate Human Settlements and Planning assist with special consent for informal traders to be issued with temporary permits; | DPHS |
| 4. | That all Directorates work together in line with recommendation 2 above, to ensure that informal traders are formalised; | DIRS |
| 5. | That a separate report on trading with illegal goods be submitted to the next ordinary Council sitting; | DLED |
| 6. | That a separate report on the criteria to be followed to issue temporary permits be submitted to the next ordinary Council; and | DLED |
| 7. | That a separate report on how proper amenities will be provided to informal traders be submitted to the next ordinary Council. | DLED |

113. **APPLICATION FOR COUNCIL AUTHORISATION FOR TOWNSHIP ESTABLISHMENT APPLICATION – PORTION 8 OF THE FARM BOSCHOEK 103 JQ**

(Directorate: Planning and Human Settlement)

(RB)

PURPOSE OF THE REPORT

The purpose of the report is to obtain permission from Council as to allow the Municipal Manager to sign the Special Power of Attorney regarding the township establishment application.

RESOLVED:

ACTION

- | | | |
|----|--|-----------|
| 1. | That the report is noted; | CC |
| 2. | That a request for permission from Council to allow the Municipal Manager to sign the Special Power of Attorney regarding the township establishment application – Portion 8 of the Farm Boschoek 103 JQ is approved; | CC |
| 3. | That the authorisation will be in line with the provisions of Section 17 (7) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2018 read together with the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013); and | CC |
| 4. | That the Municipal Manager be authorised to sign all documentation to allow for the township establishment process. | CC
OMM |

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114. **DETERMINATION ON THE ACQUISITION OF PORTION 68 (A PORTION OF PORTION 16) OF THE FARM BOSCHOEK 103 JQ**
(Directorate: Planning and Human Settlement) (RB)

PURPOSE OF THE REPORT

The purpose of the report is to get a determination from Council regarding the acquisition of Portion 68 (a Portion of Portion 16) of the farm Boschoek 103 JQ.

RESOLVED:

ACTION

- | | | |
|-----|--|-------------|
| 1. | That the report regarding the determination from Council to acquisition of Portion 68 (A Portion of Portion 16) of the farm Boschoek 103 JQ is noted; | CC |
| 2. | That Council makes a determination that only a portion of the land is suitable for human settlement: | CC |
| 2.1 | That the HDA and NW COGHSTA be asked to assist with the negotiation and acquisition of the portion that is suitable for Human habitation and once a decision has been received, a final report submitted to Council; | OMM
DPHS |
| 3. | That Council makes a determination that the land is not needed for human settlements; | CC |
| 3.1 | That the Administration be tasked to look for alternative accommodation for those in need for human settlement; and | OMM
DPHS |
| 4. | That a separate report to further clarify the dispute of R3.5 million be submitted to Council at the end of May 2021. | DPHS |

115. **THIRD (3RD) QUARTER PERFORMANCE REPORT 2020-2021**
(Office of the Municipal Manager – Strategy and Planning)

PURPOSE OF THE REPORT

This report serves to table to Council the 3rd Quarter Report for the financial year 2020/2021.

RESOLVED:

ACTION

- | | | |
|----|--|----|
| 1. | That the 3rd Quarter Performance Report 2020/2021 is noted; and | CC |
| 2. | That the 3 rd Quarter Performance Report 2020/2021 is approved. | CC |

SSK

116. **ROADS & TRANSPORT - FINAL DRAFT PUBLIC TRANSPORT FARES POLICY FOR THE YARONA BUS SERVICE - 2020/21**
(Directorate: Roads & Transport)

PURPOSE OF THE REPORT

This report serves to provide a Final Transport Fare Policy for the initial Phase1A service of the Rustenburg Rapid transport project known as *Yarona Rustenburg* bus service. The fare policy is meant to propose the transport tariffs that would be charged commuters as they use transport service.

RESOLVED:

ACTION

- | | |
|--|----|
| 1. That the report on the final draft of Public Transport Fares Policy for Yarona Bus Services - 2020/21 is noted; and | CC |
| 2. That the report on the final draft of Public Transport Fares Policy for Yarona Bus Services - 2020/21 is approved. | CC |

ESK


(iii)

4. **APPROVAL OF MINUTES:**

Minutes of the (04/2021S) Virtual Special Council meeting of the Rustenburg Local Municipality, held on **07 May 2021**.

5. **CLOSURE.**

The business of the meeting was concluded at 12h56.

SPEAKER: 

DATE APPROVED: 10/05/2021
