

**RUSTENBURG
LOCAL MUNICIPALITY**

M I N U T E S OF THE (03/2022) ORDINARY COUNCIL MEETING OF THE
RUSTENBURG LOCAL MUNICIPALITY HELD ON TUESDAY THE **31 MAY 2022** AT
08H21.

PRESENT

Cllr Mogomotsi K	-	Speaker
Cllr Mabale-Huma S S K	-	Executive Mayor
Cllr Bogatsu P N		
Cllr Bossau A A		
Cllr Bridger A T		
Cllr Coetzee M		
Cllr Cronje J C		
Cllr de Beer J C		
Cllr du Plessis G J		
Cllr Dumani MC		
Cllr Edwards I		
Cllr Fulani W		
Cllr Gaonakala M I		
Cllr Grove A S		
Cllr Gumede J S		
Cllr Keyser J		
Cllr Kgotse P C		
Cllr Khoeli L		
Cllr Kombe O J		
Cllr Langeni E		
Cllr Lebelo S M		
Cllr Lebethe P O		
Cllr Letlape M S		
Cllr Macone I S		
Cllr Majolo W L		



Cllr Mohulatsi T P
Cllr Makhato A
Cllr Malan P A
Cllr Malinga M
Cllr Manyaku E S
Cllr Marekoa B B
Cllr Mashiakgomo K D
Cllr Matjene T E
Cllr Melanzi J A
Cllr Mkhohwa S P
Cllr Mmapitsa O C
Cllr Moatshe F S
Cllr Moduke T O
Cllr Mogwera J G
Cllr Mokapi C T
Cllr Mokgatle O J
Cllr Mokgosi T C
Cllr Mokhaba NE
Cllr Morapedi M P
Cllr Mooketsi T Z
Cllr Morei K B
Cllr Moreki B I
Cllr Mosete M E E
Cllr Mosito A M
Cllr Motshegwe S M
Cllr Mpele J B
Cllr Mputle V
Cllr Myoli V N

Cllr Nageng V B
Cllr Nhacuangue N
Cllr Nke H S R R
Cllr Nkgwang V K
Cllr Nkgweng G
Cllr Notshaya N G
Cllr Phalole M D
Cllr Phiri K B
Cllr Phutu K K
Cllr Pooe M M
Cllr Pule E S T
Cllr Pule L J
Cllr Qobeka J
Cllr Ralokwakweng J O
Cllr Rampou D T
Cllr Rangwaga M J
Cllr Rootman A P
Cllr Salang J
Cllr Seleka A S
Cllr Sentsho S L
Cllr Serongoane P H
Cllr Sethonga D M
Cllr Shomang V
Cllr Snyders L B
Cllr Tause S S
Cllr Vena E K
Cllr Xhinela Z
Cllr Zimba K M

OFFICIALS

Mr Makona V	-	Municipal Manager
Mr Ditsele G	-	Chief Financial Officer
Mr Mahapela P	-	Acting Director: Corporate Support Services
Ms Rampete N	-	Director: Community Development
Ms Halenyane M	-	Planning & Human Settlement
Mr Boikanyo K	-	Director: Public Safety
Mr Rapoo T	-	Acting Director: Roads & Transport
Mr Komane E	-	Director: Local Economic Development
Ms Manuel B	-	Manager: Office of the Municipal Manager
Ms Tebeli M	-	Manager: Office of the Speaker
Mr Mfuloane D	-	Manager: Office of the Executive Mayor
Mr Griff K	-	Acting Head: Legal & Valuation
Mr Makinita J	-	Sergeant-at-Arms
Mr Matebesi T	-	Communications Office
Mr Marumola F	-	Manager: Municipal Public Accounts
Ms Makona P	-	Acting Unit Manager: Administrative Support Services
Mr van Vuuren J	-	Section Manager: Administrative Support Services
Ms Mokwatsi R	-	Administrator: Administrative Support Services
Ms Rapelego M	-	Administrative Assistant: Administrative Support Services

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- Ms Khunou B - Administrative Assistant:
Administrative Support Services
- Ms Letshwiti M - Committee Administrator:
Administrative Support Services
- Ms Mogakwe K - Typist
Administrative Support Services
- Mr Mkhuzangwe S - Council Interpreter

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1. **OPENING PRAYER AND WELCOME:**

1.1 The meeting was opened with a prayer by MMC Marekoa B B where-after the Honourable Speaker welcomed all members present.

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

2.1 It be noted that the Speaker submitted a prolonged leave of absence for Cllr Petlele S P who will be at work after three (3) months as per the doctor's directive and further advised that Cllr Malinga M and Moatshe F S assist with their presence in council activities;

2.2 It be noted that Cllr Nkgweng G M is appointed as the interim Single Whip of Council in the absence of Cllr Mabe L L;

2.3 That leave of absence be granted to the following Councillors: Rothman T, Nortje J J, Motlhamme G S, Monaise K I and Mtoto M;

2.4 It be noted that the following Councillor requested to be recused: Bogatsu P N at 09:00;

2.5 It be noted that the following Councillors requested to be late: Mokgatle OJ (arrived), Mokapi C T (arrived), Rangwaga M J (arrived), Gumede J S (arrived), Lebethe P O L (arrived), Zimba K M (arrived), Manyaku E S (arrived), Nageng B V (arrived), Mohulatsi T P (arrived) and Ralokakweng J O (arrived).

3. **OFFICIAL NOTICES:**

None.

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

That the following Councillors be congratulated on their birthdays:

MAY

Cllr Notshaya N G	01 MAY
Cllr Mogomotsi K	04 MAY
Cllr Bossau A A	18 MAY
Cllr Grove A S	20 MAY
Cllr Phiri K B	27 MAY
Cllr Moduke T O	31 MAY
Cllr Petlele S P	31 MAY

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JUNE

Cllr Melanzi J A	06 JUNE
Cllr Rootman A P	07 JUNE
Cllr Motshegwe S M	08 JUNE
Cllr Dumani M C	23 JUNE
Cllr Majolo W L	11 JUNE
Cllr Nortjie J J	18 JUNE
Cllr Monaise K I	27 JUNE
Cllr Makhuto A	27 JUNE
Cllr Morei K B	29 JUNE
Cllr Pule L J	30 JUNE

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY OTHER MEMBERS:

- 5.1 The Executive Mayor conveyed a message of well wishes to the 50 learners of David Brink who were in an accident on the N4 highway and further conveyed a message of condolences to the family of a teacher from Rutanang Primary School who was shot and killed;
- 5.2 It be noted that Cllr Nke HSRR of Arona congratulated Cllr Gaonakala on his marriage;
- 5.3 It be noted that Cllr Kombe O on behalf of BCM congratulated the international authorities for discovering Glencore corruption and also urged the South African authorities to diligently follow-up on the matter;
- 5.4 Cllr Nkgwang V K conveyed a message of condolences to the family of Hilary Gardee who was brutally murdered in Mpumalanga and further conveyed a message of condolences to the following EFF members who passed on in Mpumalanga: Andronichah Malete, Nozuko Maodi, Melita Mashamaite and Johannes Mashamaite;
- 5.5 Cllr Nkgwang V K furthermore conveyed a message of condolences to the family of Gomolemo Nkgetsi from ward 09 Rustenburg;
- 5.6 Cllr Mokgosi T C on behalf of the EFF congratulated the EFF in Mahikeng for winning ward 05.

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

None.

7. MINUTES OF THE PREVIOUS MEETINGS:

- Minutes of the Ordinary Council meeting held on 29 to 30 March 2022;
- Minutes of the Special Council meeting held on 08 April 2022;
- Minutes of the Special Council meeting held on 19 April 2022;



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- Minutes of the Special Council meeting held on 10 May 2022;
- Minutes of the Special Council meeting held on 17 May 2022.

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8. **REPORTS OF THE EXECUTIVE MAYOR**

I N D E X

NO	HEADING	CC
89.	Tabling of the progress report in respect of the establishment of the Performance Management System (PMS) Policy Framework 2022/2023	CC
90.	Final Integrated Development Plan (IDP) for 2022/2027	CC
91.	Monthly budget statement in terms of Section 52(d) and 71 of the Municipal Finance Management Act, Act 56 Of 2003 (MFMA) – March 2022	CC
92.	Tabling of the 2022/23 Medium Term Revenue and Expenditure Framework (MTREF)	CC
93.	Rustenburg Water Services Trust (RWST): Resignation of the Chief Executive Officer (CEO) and appointment of nominee candidates to serve as trustees	CC

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89. **TABLING OF THE PROGRESS REPORT IN RESPECT OF THE ESTABLISHMENT OF THE PERFORMANCE MANAGEMENT SYSTEM (PMS) POLICY FRAMEWORK 2022/2023**

(Office of the Municipal Manager: PMS)

PURPOSE OF THE REPORT

The purpose of the report is to request Council to note the progress made to date in drafting the Performance Management System (PMS) Framework for 2022/2023.

The framework has been designed to provide logical flow of information. The stakeholders and their functions; roles and responsibilities are outlined therein. The framework also outlines planning and implementation cycles.

RESOLVED:

ACTION

- | | |
|---|-----|
| 1. That cognisance is taken of the legislative requirement to establish a Performance Management System (PMS) Policy Framework; | CC |
| 2. That the progress report in respect of the establishment of the Performance Management System (PMS) Policy Framework 2022/2023 is noted; | CC |
| 3. That the item be referred to the Local Labour Forum for consideration. | DCS |

90. **FINAL INTEGRATED DEVELOPMENT PLAN (IDP) FOR 2022/2027**
(Office of the Municipal Manager) (MGM) (2/4/1)()

PURPOSE OF THE REPORT

To table to the Council of Rustenburg the final draft 2022/2027 Integrated Development Plan (IDP) and obtain approval to publicize the adopted document.

RESOLVED:

ACTION

- | | |
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| That the report is referred back and be submitted to a Special Council meeting to be convened in seven (7) days. | OMM |
|--|-----|



91. MONTHLY BUDGET STATEMENT IN TERMS OF SECTION 52(d) AND 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT, ACT 56 OF 2003 (MFMA) – MARCH 2022

PURPOSE OF THE REPORT

The purpose of this report is to provide Council with the financial result for period ending 31st March 2022 in order to enable oversight on management of the resources of the municipality, as required by Section 52(d) and 71 of the MFMA.

RESOLVED:	<u>ACTION</u>
1. That the late submission of the MFMA section 52(d) report is noted;	CC
2. That Council condone the late submission of the Section MFMA 52(d) report;	CC
3. That this report which is submitted in compliance with Section 52(d) of the MFMA and the MBRR as at 31 st March 2022, is noted by Council;	CC
4. That the report be placed on the municipal website;	BTO
5. That the Annexure A to the report be submitted to Provincial Treasury;	BTO
6. That Council should take note of the non-compliance with Regulation 56(a) of the MBRR by the Rustenburg Water Services Trust.	CC

92. TABLING OF THE 2022/23 MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF)

(Directorate: Budget and Treasury Office)

GD

PURPOSE OF THE REPORT

The purpose of this report is to table the 2022/23 MTREF to Council for approval in accordance with section 23 (2) and 24 (1) and (2) of the Municipal Finance Management Act 56 of 2003 (MFMA) and Municipal Budget and Reporting Regulations (MBRR).

RECOMMENDED:	<u>ACTION</u>
1. That Council take note of the tabling of the 2022/23 Medium Term Revenue and Expenditure Framework (MTREF);	CC
2. That the report be referred back and be submitted to a Special Council meeting to be convened in seven (7) days.	BTO

TABLED AT THE MEETING

93. **RUSTENBURG WATER SERVICES TRUST (RWST): RESIGNATION OF THE CHIEF EXECUTIVE OFFICER (CEO) AND APPOINTMENT OF NOMINEE CANDIDATES TO SERVE AS TRUSTEES**
(Office of the Municipal Manager) SVM/bm

PURPOSE OF THE REPORT

The purpose of the report is to inform council about the resignation of the Chief Executive Officer (CEO) of the Rustenburg Water Services Trust and the appointment of nominee candidates to serve as trustees.

RESOLVED:

ACTION

1. That the report Rustenburg Water Services Trust (RWST): Resignation of the Chief Executive Officer (CEO) and Appointment of Nominee Candidates to serve as Trustees be noted; CC
2. That the resignation of the Chief Executive Officer of the Rustenburg Water Services Trust, Mr Pet Maas, be noted; CC
3. It be noted that the Speaker divided the house on the following two (2) motions to establish a Section 79 Committee: CC
 1. That a multi-party committee be established;
 2. That a panel of six (6) councillors be established;
4. It be noted that after division of the house, the following results were registered: CC

In favour of 1: 35
In favour of 2: 43
Against: 0
Abstained:0
Absent: 12
5. It be noted that the following Councillors were nominated to serve on the Section 79 Committee: CC
 - Cllr Sentsho S L,
 - Cllr Lebelo S M,
 - Cllr Nkgweng G N,
 - Cllr Tause S S,
 - Cllr Grove A S and
 - Cllr Rootman A P;



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6. That Cllr Tause S S is appointed as the Chairperson of the Section 79 Committee; CC
7. That the following Terms of Reference are applicable to the Section 79 Committee; CC
 - Shortlisting of the applications for the positions of Trustees of the Rustenburg Water Services Trust;
 - Screening of the applicants;
 - Conduct interviews of the shortlisted candidates
 - Prepare a report to Council and recommend appointment of 4 Trustees within fourteen (14) days;
 - That the interviews be conducted publicly
8. That Council expedite the appointment of the new Board members; CC
9. That National Treasury be informed about the late appointment of the Board; MM
10. After gaining National Treasury approval, that the newly appointed Board be granted extension to approve the draft submitted 2022/23 budget; CC
11. That Mr Tlou E of Tlou Attorneys be recommended as the interim Administrator of Rustenburg Water Services Trust; CC
12. That Mr Tlou's name be submitted to the Master of the High Court as an interim Administrator of the Rustenburg Water Services Trust; OMM

IT BE NOTED THAT BOTHO COMMUNITY MOVEMENT DOES NOT ALIGN ITSELF WITH THE APPOINTMENT OF MR TLOU E AS THE INTERIM ADMINISTRATOR

IT BE NOTED THAT CLLR NKE HSRR RECUSED HIMSELF ON RESOLUTIONS 11 & 12

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9. **SUBMISSION OF REPORTS BY COUNCIL REPRESENTATIVES FROM BOJANALA DISTRICT MUNICIPALITY:**

None.

10. **REPORTS FROM THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE:**

None.

11. **REPORTS FROM THE AUDIT COMMITTEE:**

None.

12. **REPORT ON SALGA ACTIVITIES:**

None.

13. **SUBMISSIONS BY THE TRADITIONAL LEADERS:**

None.

14. **REPORTS BY THE SPEAKER:**

None.

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

None.

16. **REPORT BY THE MUNICIPAL MANAGER ON IMPLEMENTATION OF COUNCIL RESOLUTIONS:**

None.

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

None.

18. **NEW MOTIONS OR PETITIONS:**

--- MOTION NO. 1/2022 ENFORCING SECTION 79 OF THE STRUCTRES ACT 117 OF 1998 TO PROMOTE THE FUNCTIONALITY OF THE MPAC COMMITTEE

18.1 It be noted that the motion was presented by Cllr de Beer and seconded by Cllr Rootman;

18.2 That the motion be referred for consideration to the next Ordinary Council meeting.



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19. **QUESTIONS:**

None.

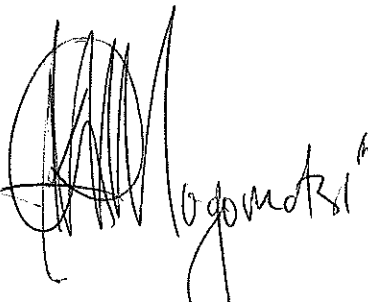
20. **ADOPTION OF MINUTES:**

Minutes of the (03/2022) Ordinary meeting of Council held on **31 May 2022** were approved.

21. **CLOSURE.**

The business of the meeting was concluded at 15:00.

SPEAKER:



06 June 2022

DATE APPROVED: 01-06-2022