

**RUSTENBURG
LOCAL MUNICIPALITY**

M I N U T E S OF THE (04/2022A) *ADJOURNED SPECIAL* COUNCIL MEETING OF
THE RUSTENBURG LOCAL MUNICIPALITY HELD ON TUESDAY THE 23rd AUGUST
2022 AT 10H20, COUNCIL CHAMBER, RUSTENBURG CIVIC CENTRE.

PRESENT

Cllr Mogomotsi K	-	Speaker
Cllr Mabale-Huma SSK	-	Executive Mayor
Cllr Mabe L L	-	Single Whip
Cllr Bogatsu P N		
Cllr Bossau A A		
Cllr Bridger A T		
Cllr Coetzee M		
Cllr Cronje J C		
Cllr de Beer J M		
Cllr Edwards I		
Cllr du Plessis G J		
Cllr Dumani M C		
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		

K-M

Cllr Macone I S
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 Mkholwa S P
Cllr Moduke T O
Cllr Mogwera J G
Cllr Mohulatsi T P
Cllr Mokgatle O J
Cllr Mokhaba N E
Cllr Mooketsi T Z
Cllr Morapedi M P
Cllr Morei K B
Cllr Moreki B I
Cllr Mosete M E E
Cllr Motlhamme G S
Cllr Motshegwe S M
Cllr Mpele J B
Cllr Mputle V
Cllr Mtoto M

Cllr Nageng V B
Cllr Nhacuangue N
Cllr Nke H S R R
Cllr Nkgwang V K
Cllr Nortje J J
Cllr Phalole M D
Cllr Phiri K B
Cllr Pooe M M
Cllr Pule L J
Cllr Qobeka J
Cllr Ralokakweng J O
Cllr Rampou D T
Cllr Rootman A P
Cllr Rothman T
Cllr Salang J
Cllr Seleka A S
Cllr Sethonga D M
Cllr Shomang V
Cllr Snyders L B
Cllr Tause S S
Cllr Xatasi N S
Cllr Xhanela Z
Cllr Zimba K M

K-M

OFFICIALS

Mr Makona V - Municipal Manager

Mr Ditsele G - Chief Financial Officer

Mr Boikanyo K - Director: Public Safety

Mr Moleele O - Acting Director: Roads and Transport

Mr Mahapela P - Acting Director: Corporate Support Services

Ms Tebeli M - Manager: Office of the Speaker

Mr Mfuloane D - Manager: Office of the Executive Mayor

Mr Grief K - Acting Head: Legal and Evaluation

Mr Matebesi T - Communications Office

Mr Makinita J - Sergeant-at-Arms

Ms Makona P - Acting Unit Manager:
Administrative Support Services

Mr van Vuuren J - Section Manager
Administrative Support Services

Ms Khunou N - Administrative Officer:
Administrative Support Services

Ms Mokwatsi R - Administrative Officer:
Administrative Support Services

Ms Rapelego M - Administrative Assistant:
Administrative Support Services

Ms Khunou B - Administrative Assistant:
Administrative Support Services

Ms Dintwe T - Administrative Assistant:
Administrative Support Services

Ms Letshwiti M - Committee Administrator:
Administrative Support Services

Mr Mkhuzangwe S - Council Interpreter

K.M.

1. OPENING PRAYER AND WELCOME:

- 1.1 The meeting of the adjourned special Council meeting of the 23rd August 2022 was opened with a prayer by Cllr Phiri K B;

2. APPLICATIONS FOR LEAVE OF ABSENCE:

- 2.1 That leave of absence be granted to the following Councillors: Cllr Myoli V N, Cllr Vena E K, Cllr Sentsho S L, Cllr Notshaya N G, Cllr Letlape M S, Cllr Phutu K K, Cllr Nkgweng G , Cllr Mokgosi T C, Cllr Lebethe P O L, Cllr Monaise K I , Cllr Majolo W L and Cllr Mokapi C T;
- 2.2 It be noted that the following Councillors requested to be recused: Cllr Cronje J C at 14:00, Cllr Malan P A at 15:00, Cllr Edwards I at 15h45, Cllr Melanzi J A at 14h00 and Cllr Sethonga D M at 13h00;
- 2.3 It be noted that the following Councillors will arrive late: Cllr Xatasi N S (Arrived), Cllr Nke H S R R (Arrived) Cllr Rangwaga M J (Did not arrive) and Cllr Pule E S T (Did not arrive);
- 2.4 It be noted that Council approved the prolonged leave of Cllr Petlele S P up to January 2023.

3 REPORTS:

- 3.1 It be noted that during the sitting of the (12/2022S) Special Council meeting on 10th August 2022, the quorum collapsed whilst Council was in-committee, discussing item 164;
- 3.2 The Speaker ruled that Council resume the discussions of item 164 in-committee.



(ii)

I N D E X

NO	HEADING	CC
154.	Roads & Transport: Review of Public Passenger and Goods Transportation By-Law	CC
155.	Update Report: Application in Terms of Section 14 of the MFMA, Act 56 of 2003 Various Portions of Land for the Education Hub	DLED
156.	Relocation of Municipal Sewer Line Servitude on Portion 82 of the Farm Waterval 303 JQ	DPHS
157.	Annual Review - Housing Sector Plan (2019)	DPHS
158.	Maintenance of Public Parks and Open Spaces Through Partnership with both the Public and Private Sectors	DCD
159.	Report: Memorandum of Agreement between Rustenburg Local Municipality and Anglo-American Rustenburg Platinum Mines limited	DPS
160.	Write Off of Stolen, Obsolete and Untraceable Stock Items for Period Ending 30 June 2021	BTO
161.	Memorandum of Agreement Between Rustenburg Local Municipality and Productivity SA	BTO
162.	Green Drop 2022 Report: Rustenburg Local Municipality Performance	DTIS
163.	Progress Report on the Application to Lease Erven 131 and 1360 Safarituine Extension 6 for Parking Purposes in Terms of Section 14 (2) of the Municipal Finance Management Act (Act 56 of 2003)	DPHS
164.	Chief Financial Officer's Response to Material Irregularity: Penalties Paid as a Result of Late Submission of Vat Returns Raised by the Auditor General of South Africa in the 2021/2022 Audit Period	BTO
165.	Acquisition of Portions 25 and 52 Kroondal 304 JQ	DPHS

154. **ROADS & TRANSPORT: -AMENDMENT OF PUBLIC PASSENGER AND GOODS TRANSPORTATION BY-LAW**
 (Directorate: Roads and Transport) 1/1/3/1/7(0013862)

PURPOSE OF THE REPORT

The purpose of this report is to provide motivation for final approval of the public passenger and goods transportation By-law, which was approved for public Participation in October 2021.

RESOLVED:	<u>ACTION</u>
1. That the report on the Amendment of Public Passenger and Goods Transportation By-Law - 2022 be noted; and	CC
2. That the Rustenburg Local Municipality approves the Amendment of Public Passenger and Goods Transportation By-Law – 2022 subject to Public Participation processes.	CC

155. **UPDATE REPORT: APPLICATION IN TERMS OF SECTION 14 OF THE MFMA, ACT 56 OF 2003 VARIOUS PORTIONS OF LAND FOR THE EDUCATION HUB**
 (Directorate: Local Economic Development) (EK) 8/2/1/1 0013829

PURPOSE OF THE REPORT

The purpose of the report is to provide an update to Council on the progress to date with regard to the recruitment for investment in the development of the university precinct in Rustenburg.

RESOLVED:	<u>ACTION</u>
1. That the report be referred back and be submitted at the ordinary Council sitting of the 27 th September 2022.	DLED

156. **RELOCATION OF MUNICIPAL SEWER LINE SERVITUDE ON PORTION 82 OF THE FARM WATERVAL 303 JQ**
 (Director: Planning and Human Settlement) 0014836 7/1/2/14 RB

PURPOSE OF THE REPORT

Purpose of this report is to allow the registered owner of Portion 82 of the farm Waterval 306 JQ to relocate the municipal sewer line servitude. The reason is to ensure that the new sewer line is protected from encroachments or the erection of illegal structures within the municipal sewer line.

RESOLVED:	<u>ACTION</u>
1. That the report be referred back to the Portfolio Committee and be submitted at the ordinary Council sitting of the 27 th September 2022.	DPHS

157. **ANNUAL REVIEW - HOUSING SECTOR PLAN (2019)**
(Directorate: Planning and Human Settlement) 7/1/2/14(0014684) (M.G)

PURPOSE OF THE REPORT

The purpose of the report is to update progress made with regards to the provision of human settlements. This is done to update the Housing Sector Plan (2019) which was approved by Council. The report will highlight progress on how the Directorate has curbed housing backlog up to the second quarter of 2021.

RESOLVED:

ACTION

1. That the report be referred back to the portfolio committee and be submitted at the ordinary Council sitting of the 27th September 2022.

DPHS

158. **MAINTENANCE OF PUBLIC PARKS AND OPEN SPACES THROUGH PARTNERSHIP WITH BOTH THE PUBLIC AND PRIVATE SECTORS**
(Directorate: Community Development) (0014662) (LM)

PURPOSE OF THE REPORT

The purpose of the report is to request Council to approve the proposed strategy on maintenance and upgrading of Parks and Open Spaces through Partnerships within the jurisdiction of Rustenburg Local Municipality.

RESOLVED:

ACTION

1. That the report be referred back and be submitted at the ordinary Council sitting of the 27th September 2022.

DCD

159. **MEMORANDUM OF AGREEMENT BETWEEN RUSTENBURG LOCAL MUNICIPALITY AND ANGLO AMERICAN RUSTENBURG PLATINUM MINES LIMITED**
(Directorate: Public Safety) 7/1/2/11 0014741 (me/bo)

PURPOSE OF THE REPORT

The report aims to request Council to grant Municipal Manager an authority to sign Memorandum of Agreement between Rustenburg Local Municipality and Anglo American Rustenburg Platinum Mines Limited in terms of Section 12 of Fire Brigade Services Act 99 of 1987

RESOLVED:

ACTION

1. That the report be referred back and be submitted at the ordinary Council sitting of the 27th September 2022.

K-M

160. **WRITE OFF OF STOLEN, OBSOLETE AND UNTRACEABLE STOCK ITEMS FOR PERIOD ENDING 30 JUNE 2021**

(Directorate: Budget and Treasury Office)

GD

PURPOSE OF THE REPORT

The purpose of the report is to request Council to approve the write-off of stolen, obsolete and untraceable inventory items.

RESOLVED:

ACTION

1. That the report be referred back and be submitted at the ordinary Council sitting of the 27th September 2022;

BTO

161. **MEMORANDUM OF AGREEMENT BETWEEN RUSTENBURG LOCAL MUNICIPALITY AND PRODUCTIVITY SA**

(Directorate: Local Economic Development)

(PDM)

PURPOSE OF THIS REPORT

The purpose of the report is to request Council authorise the Municipal Manager to enter into a Memorandum of Agreement (MOA) between the Rustenburg Local Municipality (RLM) and the Productivity SA. The MOA is proposed for Rustenburg Local Municipality to support and develop local sustainable enterprises.

RESOLVED:

ACTION

1. That the report be referred back and be submitted at the ordinary Council sitting of the 27th September 2022;

CC

162. **GREEN DROP 2022 REPORT: RUSTENBURG LOCAL MUNICIPALITY PERFORMANCE**

(Directorate: Technical and Infrastructure Services)

13/2/7 0014824

(ZM/zm)

PURPOSE OF THE REPORT

The purpose of the report is to inform Council about the outcomes of the national Green Drop Certification programme, an incentive based regulatory programme of the Department of Water and Sanitation conducted in 2021 as per its official report released on the 1st April 2022 by Minister Senzo Mchunu that Rustenburg Local Municipality is mandated to participate because of its Water Services Authority status.

RESOLVED:

ACTION

1. That the report be referred back and be submitted at the ordinary Council sitting of the 27th September 2022;

K M

163. **PROGRESS REPORT ON THE APPLICATION TO LEASE ERVEN 131 AND 1360 SAFARITUINE EXTENSION 6 FOR PARKING PURPOSES IN TERMS OF SECTION 14 (2) OF THE MUNICIPAL FINANCE MANAGEMENT ACT (ACT 56 OF 2003)**

(Directorate: Planning and Human Settlement) 0013825 8/2/1/6

R Barnard

PURPOSE OF THE REPORT

The purpose of this report is to provide progress to Council regarding the application to lease Erven 131 and 1360 Safarituine Extension 6 for parking purposes by the developer of Erf 1 Safarituine Extension 6 in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003).

RESOLVED:

ACTION

1. That the report be referred back to the Portfolio Committee and be submitted at the Ordinary Council sitting of the 27th September 2022; DPHS

IT BE NOTED THAT CLLR KOMBE O J ASKED THE FOLLOWING QUESTIONS IN LINE WITH RULE 46 OF THE RULES OF ORDER BY-LAW:

- That clarity be given on the valuation report attached to the item;
- That Municipal Manager submit the response to the Executive and Speaker within seven (07) days;
- That the response be tabled at the ordinary Council sitting of 27 September 2022

IT BE NOTED THAT ITEM 164 WAS DISCUSSED IN-COMMITTEE

164. **CHIEF FINANCIAL OFFICER'S RESPONSE TO MATERIAL IRREGULARITY: PENALTIES PAID AS A RESULT OF LATE SUBMISSION OF VAT RETURNS RAISED BY THE AUDITOR GENERAL OF SOUTH AFRICA IN THE 2021/2022 AUDIT PERIOD.**

(Directorate Budget and Treasury Office)

(GD)

PURPOSE OF THE REPORT

The purpose of this report is to make written representation to the municipal Council on the allegations raised with regard to material irregularity raised by the Auditor General of South Africa (AGSA): Penalties paid as a result of late submission of VAT returns.

RESOLVED:

ACTION

1. That the item be referred back and be resubmitted to Council in fourteen (14) days. BTO

(5)

IT BE NOTED THAT THE FOLLOWING DO NOT ALIGN THEMSELVES WITH THE RESOLUTION:

- The Speaker- Cllr Mogomotsi K;
- The Democratic Alliance;
- The Freedom Front Plus;
- Councillors : Cllr Moduke T O , Cllr Sethonga D M, Cllr Vena E K, Cllr Tause S S, Cllr Kombe O J and Cllr Notshaya N G

165. **ACQUISITION OF PORTIONS 25 AND 52 KROONDAL 304 JQ**

(Directorate: Planning and Human Settlement) 0013826 8/1/1/1/6

(RB)

PURPOSE OF THE REPORT

The purpose of the report is to obtain permission from Council to continue with the acquisition of Portion 25 and Portion 52 Kroondal 304 JQ.

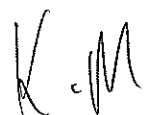
RESOLVED:

ACTION

1. That the report be referred back and be submitted at the ordinary Council sitting of the 27th September 2022; DPHS

IT BE NOTED THAT CLLR KOMBE O J ASKED THE FOLLOWING QUESTIONS IN LINE WITH RULE 46 OF THE RULES OF ORDER BY-LAW:

- That clarity be given on why the Municipality intends to purchase land that has land claims;
- That Municipal Manager submit the response to the Executive and Speaker within seven (07) days; and
- That the response be tabled at the ordinary Council sitting of 27 September 2022.



(iii)

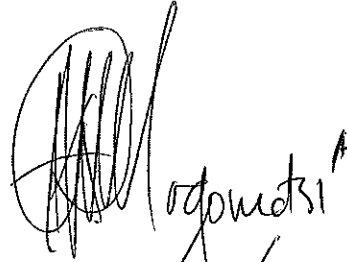
3. **ADOPTION OF MINUTES:**

Minutes of the (04/2022A) *Adjourned Special* meeting of Council held on **23rd August 2022** were approved.

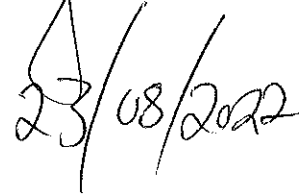
4. **CLOSURE:**

The business of the meeting was concluded at 12h10.

SPEAKER:

A handwritten signature in black ink, appearing to be 'Mogometsi', written over a circular stamp or mark.

DATE APPROVED:

A handwritten date '23/08/2022' written in black ink.