

***CONFIDENTIAL***

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**AGENDA  
for an  
ORDINARY MEETING**

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**MANGAUNG  
METROPOLITAN  
MUNICIPAL COUNCIL**

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**COUNCIL CHAMBERS  
FIRST FLOOR  
BRAM FISCHER BUILDING  
BLOEMFONTEIN**

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**WEDNESDAY  
MARCH 29, 2017  
AT 10:00**

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**MANGAUNG  
METROPOLITAN  
MUNICIPALITY**

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## **MANGAUNG METROPOLITAN MUNICIPALITY**

**Bram Fischer Building  
BLOEMFONTEIN**

**MARCH 14, 2017**

### **ALL MEMBERS OF THE METROPOLITAN MUNICIPAL COUNCIL OF THE MANGAUNG METROPOLITAN MUNICIPALITY**

Ladies and gentlemen

Notice is hereby given in terms of the provisions of  
Section 29(2) of the Local Government:  
Municipal Structures Act, 1998 (Act No 117 of 1998) and  
Rule 6.1 of the Council's Standing Rules and Orders that

### **ORDINARY MEETING OF THE MANGAUNG METROPOLITAN MUNICIPAL COUNCIL**

will be held in the

**COUNCIL CHAMBER  
FIRST FLOOR  
BRAM FISCHER BUILDING  
BLOEMFONTEIN**

On

**WEDNESDAY, MARCH 29, 2017**

at 10:00

To consider the items as set out in this agenda.



.....  
**ACTING CITY MANAGER  
MR S MORE**



.....  
**SPEAKER  
COUNCILLOR MA SIYONZANA**

### **Note by Secretariat**

**1. Attendance Register:**

Every member attending a meeting shall sign his/her name in the attendance register kept for this purpose before the commencement of the meeting.

**2. Leave Register:**

In order to streamline administrative processes Councillors are friendly requested to submit applications for leave of absence in the appropriate register kept for this purpose. Members are requested to fill in this register 12 hours before the commencement of the meeting (Rule 22.2) (Yellow Form).

**3. Name-plates:**

Councillors are friendly requested to please take along their name-plates and to display it throughout the meeting.

**4. Apologies during the course of the Council meeting:**

Councillors are friendly requested to complete in full and submit the relevant apology form for this purpose (Yellow Form).

**5. Code of Conduct:**

Councillors are reminded of item 3, Schedule 1 of the Code of Conduct for Councillors which reads as follows, namely:

Attendance at Meetings: A councillor must attend each meeting of the municipal council and of a committee of which that councillor is a member, except when:

- (a) leave of absence is granted in terms of an applicable law or as determined by the rules and orders of the council; or
- (b) that councillor is required in terms of this Code to withdraw from the meeting.

**6. Meeting rules:**

- i. All Councillors must arrive at **least 15 minutes before the commencement** of the Council and all other Committee meetings;
- ii. Cellular phones **must be in silent mode** and **speaking on a cellular phone during the meeting is prohibited**; (Rule 50.2a)
- iii. A Councillor who speaks must **confine his or her speech strictly to the matter under discussion**; (Rule 31)
- iv. Unless expressly otherwise determined, a Councillor **may speak only once on a matter**; (Rule 32)
- v. No speech shall exceed **five (5) minutes** in length without the consent of the Speaker. (Rule 34.1)

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CONFIRMATION OF MINUTES**

- |    |                                      |  |
|----|--------------------------------------|--|
| 1. | Ordinary meeting (inaugural meeting) | Thursday, August 18, 2016  |
| 2. | Special meeting                      | Thursday, September 1, 2016<br>(Initially scheduled for August 31, 2016) |

**41.1**

**THE IMPLEMENTATION OF NATIONAL PRIORITY CATALYTIC PROJECTS IN MANGAUNG METROPOLITAN MUNICIPALITY USING DIFFERENT TENURE OPTIONS TO DELIVER MEGA, HIGH IMPACT, INTEGRATED AND SUSTAINABLE HUMAN SETTLEMENTS THAT FACILITATE SPATIAL, SOCIAL AND ECONOMIC INTEGRATION**

Annexure: Report dated February 13, 2017 received from the HOD: Human Settlements, recommended by Acting City Manager. (Pages 1 – 43)

**RECOMMENDATION**

- (a) That Council takes note of the National Priority Catalytic Projects due to be implemented in Mangaung Metropolitan Municipality using different tenure options to deliver mega, high impact, integrated and sustainable human settlements that facilitate spatial, social and economic integration;
- (b) That Council takes note that the following is the list of projects that have been assessed and approved as a National Priority Catalytic Projects in Mangaung Metropolitan Municipality
  - i. Airport Development Node
  - ii. Estoire Mixed Development
  - iii. Caleb Motshabi – Kgotsong Mixed Development
  - iv. Vista Park Extension II
  - v. Vista Park Extension III
- (c) That Council takes note that additional projects may from time to time be added to the list of projects for implementation by the Programme Manager subject to their approval as Catalytic Projects and such additional projects including funding thereof shall be added by way of an annexure to the agreement/s and initialled accordingly by the parties;
- (d) That the Council endorses the National Priority Catalytic Projects and undertakes steps to facilitate the implementation of same within mixed development paradigm, Inter-Governmental Framework Act, 2005 and in accordance with the signed Implementation Protocol and the Memorandum of Agreement;
- (e) That Council ensures that the identified catalytic projects are aligned to the Municipal Integrated Development Plan, the Municipal Spatial Development Framework, the Built Environment Performance Plan and the Municipal Human Settlements Plan;
- (f) That Council makes available to the Programme Manager all relevant information pertaining to the programme;
- (g) That Council ensure active support for the programme from various Departments within the Municipality responsible for the provision and/or implementation of municipal and community services as required by the programme;
- (h) That Council where necessary, re-priorities municipal plans, processes and projects in order to achieve the objectives of the identified catalytic projects located within the Municipality's area of jurisdiction;

- (i) That Council priorities and make available funding from the relevant funding sources including the Urban Settlements Development Grant for the provision of bulk infrastructures, including link and connector services that are required for the implementation of the catalytic Projects that must be implemented within its area of jurisdiction;
- (j) That Council participates in all future planning pertaining to the Programme as well as in the Catalytic Projects Programme Steering Committee;
- (k) That Council through delegation to the City Manager, appoints representatives to the relevant National and Provincial Intergovernmental Committees that will be convened to facilitate and maintain the operational coordination between the parties in the implementation of the Programme and
- (l) That Council prioritise and expeditiously facilitates all approvals required for the implementation of the National Priority Catalytic Projects Programme.

#### 41.2

#### **TRANSFER OF HOUSES IN THABA NCHU AND THE ISSUING OF THE TITLE DEEDS AS PART OF HUMAN SETTLEMENTS MEDIUM TERM STRATEGIC FRAMEWORK (MTSF 2014-2019): OUTCOME 8: SUSTAINABLE HUMAN SETTLEMENTS AND IMPROVED QUALITY OF HOUSEHOLD LIFE**

Annexure: Report dated October 20, 2016 received from the HOD: Human Settlements, supported by Acting City Manager. (Pages 1 – 26)

#### **RECOMMENDATION**

- (a) That Council takes note that the Human Settlements Medium Term Strategic Framework prioritise the issuing of the title deeds and the eradication of the backlog by 2019;
- (b) That Council takes note that the North West Housing Corporation will transfer about 444 old stock properties free of charge to occupants in Thaba Nchu;
- (c) That Council takes note that the North West Housing Corporation has already appointed a conveyance to do the transfers of all the fully paid properties in Thaba Nchu;
- (d) That Council takes note that the new stock (instalment sales) will only be transferred on final payment of the purchase price;
- (e) That the Council takes note that the Provincial Department of Human Settlements will assist with the transfer cost of the new stock (instalment sales) through the *Enhanced Discount Benefit Scheme (EEDBS)* programme;
- (f) That Council takes note that for leased properties, an occupancy audit will be conducted and the lessee interviewed with a view to determine whether she/he is interested in buying the house;



- (g) That Council takes note that the North West Housing Corporation, the Provincial Department Human Settlements and the Municipality must provide personnel to assist with the beneficiary verification and occupancy audit before the preparation of the deeds documents;
- (h) That Council takes note that for this process, eviction will be held in abeyance or be instituted as a very last resort (*where circumstances so direly desires*) because the main objective with this process is to regularise the occupants and issue title deeds;
- (i) That Council takes note that where there are disputes relating to ownership, estate and balance owing, these cases will be isolated and dealt with by the North West Housing Corporation's legal services on their own merits;
- (j) That Council signs the Power of Attorney documents and grant exemption to this transfer process in terms of the issuing of the clearance certificate once the properties have been properly verified;
- (k) That Council takes note that the actual numbers involved in this process will be confirmed once the verification process is complete and
- (l) That Council takes note that the Mangaung Metropolitan Municipality, the Provincial Department of Human Settlements and the North West Housing Corporation will develop and implement a Communication Strategy to inform the residents in Thaba Nchu about this process.

#### 41.3

#### **TOWARDS ACHIEVING MEDIUM TERM STRATEGIC FRAMEWORK TARGETS: (2014-2019): DEREGISTRATION AND RE-REGISTRATION PROJECT IN BOTSHABELO AND THABA NCHU REGIONS: MESSRS MOROKA ATTORNEYS**

Annexure: Report dated February 09, 2017 received from the HOD: Human Settlements, recommended by Acting City Manager. (Pages 1 – 51)

#### **RECOMMENDATION**

- (a) That Council take note of the progress made to date with regards to the deregistration and re-registration of the title deeds projects for Botshabelo and Thaba Nchu Regions as the City's efforts towards achieving Medium Term Strategic Framework Targets (2014-2019);
- (b) That the Council take note of the challenges associated with this projects as well as the amount of work still to be done until the end of the current MTSF period relating to Title Deeds Restoration Programme;
- (c) That Council takes note that all properties still registered in the name of the Municipality will be exempted from the payment of property rates and as such clearance certificates will be issues to identified beneficiaries on the list;
- (d) That Section 11.3(c) of the Property Rates Policy 2016/2017 be applied where the sites/property belong to a land reform beneficiary or his or her heirs;

- (e) That Section 13.1(a) which gives automatic rebate to qualifying, registered indigents be applied and clearance certificates be issued to identified beneficiaries on the list;
- (f) That approval be granted to process the expropriation with the Municipality being amenable on the issue of minimal compensation where the needs arise;
- (g) That where the rightful owners of the properties do not want to occupy the properties any longer after being tracked down and want compensation, the Municipality consider/determine a fair and equitable compensation for each one of them;
- (h) That where the rightful owner wants to take occupation of their properties after being tracked down, the Municipality relocate the existing occupants to new/alternative sites;
- (i) That in an event the rightful owners are untraceable, the Municipality open dedicated trust fund account and keep the compensation funds into account for the period permissible in terms of the applicable law and
- (j) That the latest Council approved Property Rates Policy be used to deal with the issuing of clearance certificates on categories of beneficiaries affected by non-payment of rates and taxes.

#### 41.4

#### **DECLARATION OF AREAS IDENTIFIED AS INTEGRATED ZONES WITHIN MANGAUNG METROPOLITAN MUNICIPALITY AS RESTRUCTURING ZONES FOR THE DEVELOPMENT OF SOCIAL HOUSING**

Annexure: Report dated February 13, 2017 received from the HOD: Human Settlements, supported by Acting City Manager and recommended by the Executive Mayor (Pages 1 – 3)

#### **RECOMMENDATION**

- (a) That the Council designate Hillside View, Vista Park II, Vista Park III, Brandkop 702, Cecilia Park, Airport Node, Thaba Nchu-Botshabelo Node, Waaihoek Precinct, Oranjesig, Raceway, Estoire, Brandkop Racetrack and Lourier Park Extension 2 remainder as restructuring zones for the development of social housing and
- (b) That after Council's resolution, the land parcels in recommendation (a) above be submitted to the Provincial Department of Human Settlements for proper gazetting and submission to the National Department of Human Settlements as a matter of procedure.

**42****REPORTS OF THE SPEAKER****42.****INVESTIGATION REPORT OF RULES COMMITTEE**

Annexure: Report dated March 20, 2017 received from the Secretary of Council and supported by the Acting City Manager and approved by the Chairperson of Rules Committee and the Speaker. (Pages 1 – 2)

**RECOMMENDATION**

- (a) That Council take note of the report;
- (b) That Council considers that based on the Standing Rules and Orders of Council, Rule 52 regarding dress code formal and traditional, it is quite therefore traditional wear has a broad interpretation and
- (c) That according to this Rule, the Committee's findings are that the EFF has not violated any rule of the Council, in absentia in all these meetings.

**43****REPORTS TO BE DEALT WITH IN COMMITTEE****43.1****APPOINTMENT OF SENIOR MANAGERS**

The report will be availed at the meeting.

**43.2****VACANCY: HEAD: STRATEGIC PROJECTS AND SERVICE DELIVERY REGULATION**

The report will be availed at the meeting.

**43.3****APPOINTMENT OF CENTLEC AUDIT COMMITTEE**

The report will be availed at the meeting.

**43.4****RESIGNATION AND TERMINATION OF EMPLOYMENT CONTRACT OF THE HEAD:  
STRATEGIC PROJECTS AND SERVICE DELIVERY REGULATION: MR GM  
MOHLAKOANA**

The report will be availed at the meeting.

#### 44. NOTICE OF MOTIONS

#### 45. QUESTIONS IN TERMS OF RULE 38 OF THE STANDING RULES AND ORDERS (Volume 3)

1. Annexure: Response dated September 8, 2016 received from the Acting City Manager to questions raised by **Councillor D Leech** from a letter dated September 2, 2016 with regard to **illegal usage of residential erf situated at 27 Boerneef Street, Langenhoven Park.** (Pages 1 – 5)
2. Annexure: Response dated September 8, 2016 received from the Acting City Manager to questions raised by **Councillor GG Lebisa** from a letter dated September 2, 2016 with regard to **status of pound in Mangaung Metropolitan Municipality.** (Pages 1 – 2)
3. Annexure: Response dated September 16, 2016 received from the Acting City Manager to questions raised by **Councillor FR Botes** from a letter dated August 24, 2016 with regard to **contractors appointed during the 1<sup>st</sup> of July 2015 to 30<sup>th</sup> June 2016 by Mangaung Metropolitan Municipality.** (Pages 1 – 8)
4. Annexure: Response dated September 16, 2016 received from the Acting City Manager to questions raised by **Councillor GDP Kotze** from a letter dated September 5, 2016 with regard to **event held at Mahungra car Wash on the 3<sup>rd</sup> of September 2016.** (Pages 1 – 3)
5. Annexure: Response dated September 16, 2016 received from the Acting City Manager to questions raised by **Councillor GDP Kotze** from a letter dated September 5, 2016 with regard to **memorium Cemetery maintenance.** (Pages 1 – 3)
6. Annexure: Response dated September 16, 2016 received from the Acting City Manager to questions raised by **Councillor TI Ferreira** from a letter dated September 2, 2016 with regard to **zoo and matters related to relocation to Kwaggafontein.** (Pages 1 – 2)
7. Annexure: Response dated September 25, 2016 received from the Acting City Manager to questions raised by **Councillor S Pretorius** from a letter dated September 2, 2016 with regard to **disclosure of qualifications of all members of the Mayoral Committee.** (Page 1)
8. Annexure: Response dated September 25, 2016 received from the Acting City Manager to questions raised by **Councillor LE Rasoeu** from a letter dated September 2, 2016 with regard to **remuneration of the staff component.** (Pages 1 – 4)

9. Annexure: Response dated September 29, 2016 received from the Acting City Manager to questions raised by **Councillor T van der Walt** from a letter dated September 2, 2016 with regard to **complete list of tenders and contractors in Mangaung Metropolitan Municipality.** (Pages 1 – 17)
10. Annexure: Response dated November 21, 2016 received from the Acting City Manager to questions raised by **Councillor AP Terblanche** from a letter dated November 10, 2016 with regard to **alleged misuse of SALGA vehicles.** (Page 1)
11. Annexure: Response dated October 21, 2016 received from the Acting City Manager to questions raised by **Councillor FR Botes** from a letter dated September 2, 2016 with regard to **problems with refuse collection in Ward 25.** (Pages 1 – 2)
12. Annexure: Response dated November 11, 2016 received from the Acting City Manager to questions raised by **Councillor JM De Bruin** from a letter dated October 19, 2016 with regard to **Municipality and contractors meter readers.** (Pages 1 – 2)
13. Annexure: Response dated November 11, 2016 received from the Acting City Manager to questions raised by **Councillor DMC McKay** from a letter dated October 15, 2016 with regard to **illegal dumping and pile of refuse around Lourierpark.** (Pages 1 – 2)
14. Annexure: Response dated November 21, 2016 received from the Acting City Manager to questions raised by **Councillor D Leech** from a letter dated October 27, 2016 with regard to **student house regulations within Mangaung Metropolitan Municipality.** (Pages 1 – 2)
15. Annexure: Response dated November 21, 2016 received from the Acting City Manager to questions raised by **Councillor D Leech** from a letter dated November 2, 2016 with regard to **steel structure remainder of Erf 62 Langenhoven Park, 25A Boerneef Street.** (Pages 1 – 2)
16. Annexure: Response dated October 21, 2016 received from the Acting City Manager to questions raised by **Councillor R van der Merwe** from a letter dated October 10, 2016 with regard to **damage to lampposts' and robots in Mangaung Metropolitan Municipality.** (Pages 1 – 2)
17. Annexure: Response dated November 24, 2016 received from the Acting City Manager to questions raised by **Councillor D Leech** from a letter dated November 2, 2016 with regard to **stormwater drain at 4 Sangiro Street Langenhovenpark.** (Pages 1 – 2)
18. Annexure: Response dated November 21, 2016 received from the Acting City Manager to questions raised by **Councillor TD Masoeu** from a letter dated November 21, 2016 with regard to **appointments in the Office of the Speaker.** (Pages 1 – 2)
19. Annexure: Response dated September 12, 2016 received from the Acting City Manager to questions raised by **Councillor BJ Viviers** from a letter dated September 12, 2016 with regard to **office equipment procured for the last twelve months.** (Pages 1 – 3)

20. Annexure: Response dated November 24, 2016 received from the Acting City Manager to questions raised by **Councillor GG Lebitsa** from a letter dated November 1, 2016 with regard to **occupation of Douglas Street and Peet Avenue by taxis in the CBD.** (Pages 1 – 2)
  
21. Annexure: Response dated November 21, 2016 received from the Acting City Manager to questions raised by **Councillor T van der Walt** from a letter dated October 18, 2016 with regard to **rezoning of erven 9027, 9028, R/9044, 9046 and 21418, Ext 55 Universitas.** (Pages 1 – 10)
  
22. Annexure: Response dated November 11, 2016 received from the Acting City Manager to questions raised by **Councillor DMC McKay** from a letter dated October 15, 2016 with regard to **Sewerage system in Fauna.** (Pages 1 – 2)
  
23. Annexure: Response dated November 21, 2016 received from the Acting City Manager to questions raised by **Councillor JM De Bruin** from a letter dated November 21, 2016 with regard to **EIA and housing matters in the Gatvol settlement in Heidedal.** (Page 1 )
  
24. Annexure: Response dated December 2, 2016 received from the Acting City Manager to questions raised by **Councillor R van der Merwe** from a letter dated October 26, 2016 with regard to **speed-humps in front of Brebner High School (Gascony Street).** (Pages 1 – 2)
  
25. Annexure: Response dated November 28, 2016 received from the Acting City Manager to questions raised by **Councillor JM De Bruin** from a letter dated October 26, 2016 with regard to **stormwater and sewerage systems in Pine Haven.** (Pages 1 – 2)
  
26. Annexure: Response dated November 21, 2016 received from the Acting City Manager to questions raised by **Councillor T van der Walt** from a letter dated November 12, 2016 with regard to **drought and flooding disaster plans and the impact of stormwater maintenance on this.** (Pages 1 – 3)
  
27. Annexure: Response dated November 21, 2016 received from the Acting City Manager to questions raised by **Councillor JM De Bruin** from a letter dated October 31, 2016 with regard to **heavy vehicle transporting manganese in Estoire.** (Pages 1 – 6)
  
28. Annexure: Response dated November 21, 2016 received from the Acting City Manager to questions raised by **Councillor AP Terblanche** from a letter dated November 21, 2016 with regard to **speed-humps, blocked sewerage and Bloemspruit waste water treatment plant.** (Pages 1 – 2)
  
29. Annexure: Response dated November 24, 2016 received from the Acting City Manager to questions raised by **Councillor TI Ferreira** from a letter dated October 3, 2016 with regard to **fireworks permits issued in the last twelve months.** (Page 1)

30. Annexure: Response dated December 21, 2016 received from the Acting City Manager to questions raised by **Councillor FR Botes** from a letter dated October 24, 2016 with regard to **legal costs incurred during financial years 2015/2016 and 2016/2017 for claims based on contracts.** (Pages 1 – 2)
31. Annexure: Response dated January 16, 2017 received from the Acting City Manager to questions raised by **Councillor LE Rasoeu** from a letter dated December 8, 2016 with regard to **structure erected in Batho.** (Pages 1 – 6)
32. Annexure: Response dated January 16, 2017 received from the Acting City Manager to questions raised by **Councillor T van der Walt** from a letter dated December 14, 2016 with regard to **enquiry relating to a structure erected in Batho.** (Pages 1 – 6)
33. Annexure: Response dated January 23, 2017 received from the Acting City Manager to questions raised by **Councillor T van der Walt** from a letter dated October 24, 2016 with regard to **sewerage infrastructure damage due to paving project in Batho.** (Pages 1 – 2)
34. Annexure: Response dated February 13, 2017 received from the Acting City Manager to questions raised by **Councillor FR Botes** from a letter dated January 16, 2017 with regard to **stadium swimming pool.** (Pages 1 – 2)
35. Annexure: Response dated February 13, 2017 received from the Acting City Manager to questions raised by **Councillor FR Botes** from a letter dated January 16, 2017 with regard to **transporter of waste must be registered.** (Pages 1 – 2)
36. Annexure: Response dated February 13, 2017 received from the Acting City Manager to questions raised by **Councillor FR Botes** from a letter dated February 7, 2017 with regard to **cleaning the interior of reservoirs.** (Pages 1 – 2)
37. Annexure: Response dated February 13, 2017 received from the Acting City Manager to questions raised by **Councillor JM De Bruin** from a letter dated February 3, 2017 with regard to **area behind Solid Waste.** (Page 1)
38. Annexure: Response dated February 13, 2017 received from the Acting City Manager to questions raised by **Councillor JM De Bruin** from a letter dated February 3, 2017 with regard to **stormwater drains in Bloemside.** (Page 1)

#### 46. CLOSING OF AN ORDINARY COUNCIL MEETING

MS R MAMATELA  
SECRETARIAT UNIT





***CONFIDENTIAL***

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# **ANNEXURE**

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## **MANGAUNG METROPOLITAN COUNCIL**

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**ITEM 42.1  
INVESTIGATION REPORT OF  
RULES COMMITTEE (Pages 1 – 2)**

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**WEDNESDAY  
MARCH 29, 2017**

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## **MANGAUNG METROPOLITAN MUNICIPALITY**

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Members are kindly requested  
to retain this annexure for use  
with the minutes

Bram Fischer Building  
BLOEMFONTEIN  
MARCH 22, 2017

Your Ref:

Our Ref:

Room 701, Bram Fischer Building

Date: 20 March 2017

Council item

Speaker, Clr Mxolisi Siyonzana

## **INVESTIGATION REPORT OF RULES COMMITTEE**

### **1. Purpose**

The purpose is to report back to Council regarding the findings of the Rules Committee on the matter of dress code as referred to it by the Speaker.

### **2. Introduction**

During one of its sittings, Council received a concern regarding the issue of dress code which some members were Councillors that others were not dressed in a manner that reflects the decorum of the Council chamber and reference was made to the Councillors of the EFF. Based on that, the Speaker referred the matter to the Rules Committee for investigations and report back to Council. This report is therefore done in compliance with that referral. A meeting was then arranged with members of the EFF by the Chairperson of the Rules Committee on the 4<sup>th</sup> October 2016. The meeting failed to materialise as the councillors of EFF did not attend the meeting. They stated that the invitation did not meet Rule 6 (service of notices) of the Standing Rules and Orders.

The matter was then elevated for discussions to two meetings of Rules Committee held on the 4<sup>th</sup> October 2016 and later on the 7<sup>th</sup> October 2016. All the members of the EFF serving in the Rules Committee did not attend and no apologies nor leaves of absence were submitted.

### **3. Deliberations**

The issue of rules and orders of the Municipality is governed by both the Constitution and the Systems Act. Firstly, Section 160(6) of the constitution provides that a Municipal Council may make by-law which prescribes rules and orders for its internal arrangements, its business and proceedings as well as its establishment, composition, procedures, powers and functions of its

committees. Secondly, Section 14(2) of the Systems Act provides that an MEC for local government, on request by organised local government representing local government in the Province or after consulting the Minister and organised local government, may by notice in the Provincial Gazette, make standard draft by-laws concerning any matter for which municipal councils in the province make by-laws. In the MMM case, a process of development and proclamation of the Standing Rules and Orders was undertaken and eventually the current Standing Rules and Orders were approved and promulgated in terms of Sections 14(3)(a) and (4) of the Systems Act.

*The dress code is dealt with in clause 52 of the Standing Rules and Orders which states as follows. "councillors and other persons attending a meeting of the Council must be dressed in traditional or formal dress to the dignity of the Council. Provided that, if in the opinion of the Speaker, a councillor or any other person is not dressed properly, the Speaker may exclude that person from the Council meeting. No councillor shall be allowed to wear any clothing or accessory containing party political regalia to any Council or Committee meeting.*

The findings of the Committee on the matter are that there is no violation of Rule 52.

#### 4. Recommendations

It is therefore recommended that -

- 1) That Council takes note of the Report;
- 2) That Council considers that based on our Standing Rules and Orders Rule 52 regarding dress code formal and traditional it's quite therefore traditional wear has a broad interpretation.
- 3) According to this Rule the Committee findings are that the EFF has not violated any Rules of Council, in absentia in all this meetings.



Me. Bonga Mncube

Secretary of Council Speakers

Date: 20-03-2017

Supported / not supported




Mr. Sello More

Acting City Manager

Date: 20/03/2017

Approved / ~~not approved~~



Cllr Mapaseka Mothibi - Nkoane

Chairperson: Rules Committee

Date: 20/03/2017

Approved / not approved



Cllr Mxolisi Siyonzana

Speaker

Date: 20/03/2017