

**CONFIDENTIAL**

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**MINUTES**  
of an  
**ORDINARY MEETING**

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**MANGAUNG**  
**METROPOLITAN**  
**MUNICIPAL COUNCIL**

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**VIRTUALLY ON MS TEAMS**

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**TUESDAY**  
**OCTOBER 27, 2020**  
**AT 16:00**

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**MANGAUNG**  
**METROPOLITAN**  
**MUNICIPALITY**

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**MINUTES OF AN  
ORDINARY MEETING**

**of the**

**MANGAUNG METROPOLITAN MUNICIPAL COUNCIL**

**held**

**VIRTUALLY ON MS TEAMS**

**on**

**TUESDAY, OCTOBER 27, 2020**

**at 16h00**

- 1 **SPEAKER**  
**COUNCILLOR SIYONZANA MA**
- 2 **ACTING EXECUTIVE MAYOR**  
**COUNCILLOR MASOETSA LA**
- 3 **CHIEF WHIP**  
**COUNCILLOR MANGCOTYWA ZE**

**MEMBERS OF MAYORAL COMMITTEE (MMC) (SECTION 80 CHAIRPERSONS)**

- 4 **COUNCILLOR JONAS-MALEPHANE VE**
- 5 **COUNCILLOR MAHASE MM**
- 6 **COUNCILLOR MONYAKOANA NP**
- 7 **COUNCILLOR MORAKE MA**
- 8 **COUNCILLOR NKHABU M**
- 9 **COUNCILLOR NOTHNAGEL J**
- 10 **COUNCILLOR PONGOLO XD**
- 11 **COUNCILLOR THIPENYANE G**
- 12 **COUNCILLOR TITI-ODILI LM**

## SECTION 79 CHAIRPERSONS

- 13 COUNCILLOR MOTHIBI-NKOANE MM
- 14 COUNCILLOR NKOE MJ
- 15 COUNCILLOR SHOUNYANA MM
- 16 COUNCILLOR TLADI MM

## PR & WARD COUNCILLORS

- 17 COUNCILLOR BOLT W
- 18 COUNCILLOR BOTES FR
- 19 COUNCILLOR BRITZ JF
- 20 COUNCILLOR CAMPHER ZMC
- 21 COUNCILLOR NB CEZULA
- 22 COUNCILLOR CHAKA NS
- 23 COUNCILLOR DAVIES M
- 24 COUNCILLOR DE BRUYN MAP
- 25 COUNCILLOR DENNIS ME
- 26 COUNCILLOR DYOSIBA S
- 27 COUNCILLOR FERREIRA TI
- 28 COUNCILLOR GAILELE IL
- 29 COUNCILLOR GOLIATH EK
- 30 COUNCILLOR KGANAKGA M
- 31 COUNCILLOR KHOLOMBA KJ
- 32 COUNCILLOR KHUNOU LM
- 33 COUNCILLOR KLAASEN RS
- 34 COUNCILLOR KOTZE GDP
- 35 COUNCILLOR LEBONA NJ
- 36 COUNCILLOR LEECH D
- 37 COUNCILLOR LOTRIET PA

- 38 COUNCILLOR MADELA BNV
- 39 COUNCILLOR MAJARA LJ
- 40 COUNCILLOR MAKHALANYANE TS
- 41 COUNCILLOR MALELEKA PT
- 42 COUNCILLOR MAPHATHE LM
- 43 COUNCILLOR MARAIS P
- 44 COUNCILLOR MASOEU TD
- 45 COUNCILLOR MLAMLELI SM
- 46 COUNCILLOR MATETHA NR
- 47 COUNCILLOR MCKAY DMC
- 48 COUNCILLOR MICHAELS SO
- 49 COUNCILLOR MOFOKENG MJ
- 50 COUNCILLOR MOGAPI KT
- 51 COUNCILLOR MOHAPI TD
- 52 COUNCILLOR MOHIBIDU PM
- 53 COUNCILLOR MOHLOKI MM
- 54 COUNCILLOR MOHULATSI MM
- 55 COUNCILLOR MOKHOANATSE EM
- 56 COUNCILLOR MOKOAKOA MI
- 57 COUNCILLOR MOKOLOKO PR
- 58 COUNCILLOR MONONYANE MB
- 59 COUNCILLOR MOOPELO TM
- 60 COUNCILLOR MOREENG KC
- 61 COUNCILLOR MORURI MM
- 62 COUNCILLOR MOTHUPI ML
- 63 COUNCILLOR MOTLOUNG MV
- 64 COUNCILLOR MVALA-MAJOLA DS

- 65 COUNCILLOR NAILE TJ
- 66 COUNCILLOR NDZUZO T
- 67 COUNCILLOR NJIBA-LEBAJOA MA
- 68 COUNCILLOR OLIVIER GJ
- 69 COUNCILLOR PETERSEN JE
- 70 COUNCILLOR POONE-RANKHOLO PP
- 71 COUNCILLOR PRETORIUS JC
- 72 COUNCILLOR PRETORIUS S
- 73 COUNCILLOR RAMABOLU MJ
- 74 COUNCILLOR RAMAINOANE TD
- 75 COUNCILLOR RAMPAI CF
- 76 COUNCILLOR RANCHOBE T
- 77 COUNCILLOR RANTAI JH
- 78 COUNCILLOR RASILE MM
- 79 COUNCILLOR RASOEU LE
- 80 COUNCILLOR SEBOLAO JE
- 81 COUNCILLOR SEFUME NR
- 82 COUNCILLOR SEFUTHI NM
- 83 COUNCILLOR SEKAKANYO DM
- 84 COUNCILLOR SELEBELI MG
- 85 COUNCILLOR SELEKE PL
- 86 COUNCILLOR SEWISA OP
- 87 COUNCILLOR SNYMAN VAN DEVENTER E
- 88 COUNCILLOR TERBLANCHE AP
- 89 COUNCILLOR THATHO MV
- 90 COUNCILLOR THWALA ZJ
- 91 COUNCILLOR TLALE ME
- 92 COUNCILLOR TSIANE MMP

- 93 COUNCILLOR VAN DER MERWE R
- 94 COUNCILLOR VAN DER WALT TB
- 95 COUNCILLOR VAN NIEKERK HJC
- 96 COUNCILLOR VIVIERS BJ
- 97 COUNCILLOR QWEMA MB

**MEMBERS OF BAROLONG TRADITIONAL COUNCIL**

None of the members present

- 1 SETLOGELO M
- 2 MOROKA PE
- 3 MOLETSANE KC
- 4 SETLOGELO MB
- 5 MANYASHE V
- 6 MOKAKE KP
- 7 RANCHO TB
- 8 SESING LD
- 9 MOROKA MP
- 10 MOHAPI M

**OFFICIALS PRESENT:**

1	CITY MANAGER	ADV MEA TB
2	CHIEF FINANCIAL OFFICER	MR MOFOKENG SE
3	HEAD: ENGINEERING SERVICES	MR NDLOVU M
4	HEAD: PLANNING	MR MTHEMBU BS
5	HEAD: SOLID WASTE AND FLEET MANAGEMENT	MR MORE S
6	HEAD: SOCIAL SERVICES	MR NKUNGWANA MG
7	HEAD: HUMAN SETTLEMENTS	ADV PHALADI MJN
8	HEAD: CORPORATE SERVICES	MR NKAISENG D
9	HEAD: ECONOMIC AND RURAL DEVELOPMENT	MR MAINE TA
10	CHIEF METRO POLICE	MR KGAMANYANE K
11	ACTING CEO: CENTLEC	MR SEKOBOTO M
12	CFO: CENTLEC	MR MATSIMELA M
13	GM: COMMITTEE SERVICES	MR MOTHEKHE M
14	SENIOR ADMINISTARTIVE OFFICER	MS MAMATELA R

### **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)
- vi. Council members are reminded to uphold high level of good conduct during Council proceedings (No disruptions, no interruptions, no howling, no swearing to other Council members, less movement in the Chamber, no abuse of the PA system).



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**6**  
**MINUTES**  
**(OPEN COUNCIL)**

**99.**  
**OPENING**

**The meeting commenced at exactly 16h00.**

**Prior to officially opening the meeting, the Speaker requested Councillor R van der Merwe to lead the Council with a short prayer.**

**The meeting was officially opened.**

**NOTED.**

**100.**  
**NOTICE OF THE MEETING**

**The Speaker read the notice of the ordinary Council meeting on page 2 of the agenda.**

**Councillor JF Britz asked whether the Council was forming a quorum and the Speaker stated that he checked with the IT Unit and they confirmed that the Council was quorating.**

**Councillor BJ Viviers commented as follows:** “Thank you, Mister Speaker. Unfortunately, can we get more clarity, on the list of MS Teams, there is only 36 participants and a lot of them are administration. Please investigate that as I don’t think that we should just accept the word from IT. Thank you, Mister Speaker.”

**Councillor E Snyman van Deventer stated that she agreed with Councillor BJ Viviers and that it would not be in order to just accept what the IT had said and for the Speaker to ensure that the Council was a quorum.**

**The Speaker commented as follows:** “The challenge in Mangaung Councillors like to sit in twos and threes and thus creating a problem. When looking at MS Teams, it is written 52 but I can tell you we are not 52. Anyway, what I will do, I will give you a report after 2 minutes.”

**The Speaker report back as follows:** “Councillor BJ Viviers and Councillor E Snyman van Deventer requested me to investigate and they did not want to take my word. Yes, I did so, for instance the laptop I am using now is of Dr JP van der Merwe. We have such Councillors using the gadgets of other Councillors, they sat with them and using those laptops. In short, we really do quorate. Fortunately, if you read the numbers now, it is written 55, but we are above 60 and that is why it is always a problem when I am supposed to count. Anyway, we are quorating.”

**Councillor BJ Viviers responded:** “Unfortunately Mister Speaker, we don’t have certainty now, but if Councillors can live with that and hopefully you will agree that on the first point that we vote on, you will again that each and every Councillor must vote and I think at that stage if a name and a vote is given we will have more clarity if indeed we are a quorum. Thank you, Mister Speaker.”

**Councillor JF Britz remarked on a point of clarity:** “Mister Speaker a few meetings ago, when you had the meeting at the office and I couldn’t attend as a result of covid-19, you said I am not in the meeting because I am not there. The same applies here, if people are not logged in and their names are not on the screen, they are not in the meeting. According to my list in front of me, currently in this meeting it is 56 people. You must speak to your IT people, we cannot ... (inaudible, poor sound connection) it must show on the screen, electronically it is possible if they know what they are doing. Thank you, Mister Speaker.”

**The Speaker responded:** “Thank you Councillors. Councillor JF Britz, do you know the power of a person that is holding a mic? I am holding a mic and I am saying to you... (inaudible- mic muted) I was responding to Councillor JF Britz and I was saying, for me not to accept the point raised by Councillor JF Britz, it is for two reasons:

1. DA came to my office and they complained, they said they had Councillors from Botshabelo and Thaba Nchu who cannot connect, there is a problem with connectivity.
2. EFF from time to time are also complaining about connectivity.

So sometimes Councillors will choose to sit with other Councillors. If I am going to deny those Councillors, that will be problematic because Mangaung when coming to connectivity, it is not yet ready in all areas. There are some areas where connectivity is very strong. If you can remember, when I connected from my house, from time to time you will be saying that you can’t hear me because of connectivity at my house is very low. And that is why I come here. I am happy that the Councillors of EFF decided to come here and I know they are here because I can see them, but they are not connected. Thank you Councillor JF Britz.”

**Councillor JE Sebolao commented:** “Thank you, Mister Speaker. I just wanted to check with you, I heard you saying you are using Dr JP van der Merwe’s gadgets. What could be the problem that you are using Dr JP van der Merwe’s gadgets and other Councillors are using the same gadget when we were supposed to have been provided tools of trade? What is the problem, why are we not getting what we supposed to work with? because the GM of Corporate during our training he told us in a meeting that he was going to order tools of trade for all Councillors; it is now October, we are still waiting for those things and we are expected to work. How are we going to work when we don’t have these things? Thank you, Mister Speaker.”

**The Speaker responded:** “Thank you, Councillor, you have a valid point. I am working on it.”

**Councillor M Kganakga raised her point of clarity as follows:** “none of the DA Councillor who are sharing devices, all our Councillors are on their own devices. Your statement is incorrect; your answer to Councillor JF Britz is incorrect even when the DA went to you, we are not sharing devices with the low connectivity in Botshabelo and Thaba Nchu.”

**The Speaker responded:** “Councillor M Kganakga, you have leaders in the DA, they came to me. Ask Councillor BJ Viviers and Councillor TM Masoeu, they will tell you. They came to my office; they spoke to me and I understood them. It is not something that comes from my mind. They complained about it.”

**NOTED.**

101.

**APPLICATIONS FOR LEAVE OF ABSENCE**

All relevant leave of absence and apologies were recorded and minuted as such in the attendance list on the first four (4) pages of the minutes.

NOTED.

102.

**ACCEPTANCE OF THE AGENDA**

**Councillor GDP Kotze on a point of order remarked:** "It has been four years now and I think the City Manager is making mockery of your office especially the Councillors of this Council and I refer you to the Rule 38 questions of the agenda. In the beginning of this year the City Manager requested that our outstanding list of all Rule 38 questions and today again, not all the questions are again answered and so I must say it is a disgrace to this Council and that he is making a mockery of your office and that he is making a mockery of the Councillors. Can he maybe just attend to that again. Thank you, Chairperson."

**Councillor FR Botes on a point of order:** "Mister Speaker, on point 102, acceptance of the agenda, I want to ask your permission if you will allow me to speak on item 111, it is very important and I think it is for the whole Council and please allow me to speak on that, I won't be long. We must please get clarity. Thank you, Mister Speaker."

**The Speaker explained that the Council will deal with all those Rule 38 questions when they reach that specific item and that they were dealing with the acceptance of the agenda.**

**The Council accepted the agenda with the amended sequence as the official business of the Council meeting.**

NOTED.

103.

**ANNOUNCEMENTS**

**The Speaker thereupon explained that as this was the ordinary Council meeting, they would then deal with motion of sympathy and congratulations. Furthermore, he explained how Council will deal with this item and that not all Councillors from one party will be given a chance to speak (i.e. more than 5 speakers).**

NOTED.

104.

**MOTION OF SYMPATHY AND CONGRATULATIONS**

**Councillor XD Pongolo passed his motion of sympathy as follows:** “Thank you, Honourable Speaker. I want to pass my sympathy to the families of the late Councillor A Mapota, ukuhlanga lungehlanga, lala ngenxeba Ntombi e bhelu, Radebe Mthimkulu, nxelimbhela. I also want to extend to my best friend “Oi-oi” Councillor Mohlabane and Councillor NA (Matebello) Ratsiu. We want to say to their families; we will never forget our comrades. Whatever we are doing, we will make sure their memories are still with us always. Their names will never die like sakhamose. Their names will always rise among the leadership of the ANC.

Honourable Speaker, allow me also to continue on a Country as a whole where our people are being victimised by covid-19 and this disease Honourable Speaker, is continuing to cripple us. It is taking the very prominent members of the African National Congress.

Honourable Speaker, as we are on a month of transport, I also wanted to sympathise with those who have fallen on our roads because of accidents. Honourable Speaker allow me to say, those drinking on the roads, we are requesting them, we are saying now, it is enough. We cannot carry on with people killing other people on the road, the innocent ones. So, we are saying, don’t drink and drive. Be always careful because we are going to festive season whereby everybody will be on the road. Let us respect each other and we can live longer. Speed kills Honourable Speaker.

Lastly Honourable Speaker, let me post my sympathy to OR Tambo, the person who was denied to live in a Country of birth, where all the regimes; actually the regime of DA came in and chased the people out of their Country. As I am speaking to you now Honourable Speaker, we are saying to the family of OR Tambo akuhlanga lunge hlanga, Lalani nge xheba sikunya nani ka lexhesha. Ndiyabulela Speaker, enkosi.”

**Councillor R van der Merwe addressed the Council as follows:** “Thank you, Honourable Speaker. This is the first ordinary meeting we have had in a very long time. The other meetings were special meetings. Today presents the first opportunity the DA, as well as the whole City Council have, to congratulate the following residents of Mangaung for outstanding achievements.

The first is Professor Klaus Von Delft, retired professor of German at the University of the Free State. According to all his students, life values such as integrity, humility, and respect for life in all its forms, generosity, loyalty, fair play, and hard work were instilled by him in his students. Prof Von Delft’s great contribution was made in the black communities of Mangaung. He launched a variety of projects designed to attract and engage black youth. Through Prof Von Delft’s efforts, students from all communities had the opportunity to travel to Germany and gain a broader perspective of life. Prof Von Delft did not merely talk about youth preparedness for life, he acted on these commitments.

Leana Lategan retired this year, after forty-one years at NALN (Nasionale Letterkundige Museum en Navorsingsentrum). Lategan wrote over a hundred articles for various magazines, gave radio talks, did book reviews and created mini museums for visitors during her forty-one years of dedicated service. Sincere thanks to you for all that you did, and meant, to Mangaung and its residents.

## 6D

Professor Nico Luwes, retired head of Drama and Theatre Craft at the University of the Free State, is hereby congratulated on receiving an award from the South African Academy of Arts and Science. He is a member of the Free State Arts Festival Steering Committee, as well as enjoying membership of various panels which focus on Drama Selection of New Dramatic Works. In addition to the post of Head of the Drama Department, a post he occupied for 30 years, he was also actor, director, creative writer, lecturer and academic.

Professor Das Steyn, professor emeritus, has also been awarded a prize by the South African Academy of Arts and Science, in the field of City and Regional Planning. The prize celebrated his many publications, his role in the South African Planning Group, and his contribution to the Planning Literature as well as the Academic Development of Urban and Regional Planning.

Harold Verster, Chief Executive of the Free State Cheetahs will be retiring, after a fifty-year association with Free State Rugby. Verster not only played for the Free State in 1974 and 1975, but also advanced to full membership of the South African Rugby Union. In 2011, he was elected to the position of Chief Executive of Free State Rugby Union. Harold contributed to the high regard in which the Free State Rugby Team was held by rugby fans across the whole Country. Under Harold's leadership, the Free State Rugby Team developed their attractive running style of play. He guided the team to five Currie Cup wins.

Dr Huibrie Verster retired this year, after 33 years of service. Her retirement marked the dissolution of the world-renowned Bloemfontein Youth Choir. Verster's choir won the first prize in an International Choir Festival in Belgium shortly after the launch of the choir. Thereafter, the choir won many first prizes in International Youth Choir Festivals all over the world. She also partakes in countries such as Sweden, Mexico, Norway, Japan, Salt Lake etc. She was at the forefront and achieved world fame, at the helm of her choir's performances.

Lastly, we note with great sadness, that Volksblad have ceased print publication in August. From then the newspaper will appear in electronic form, as is the case with most newspapers the world over. Volksblad is the oldest Afrikaans newspaper in the world and is hundred and sixteen years old. It was established in 1904. The closure of two Afrikaans print newspapers and five magazines entails the job losses of over five hundred employees, involved in both the print media and distribution sectors. Fortunately, Volksblad will not disappear, and Marietjie Gericke and other reporters can continue to keep Mangaung public abreast of the latest news, albeit in electronic format. The end of Volksblad in printed format will, however, leave a void in the hearts of many Volksblad readers. Thank you, Honourable Speaker."

**Councillor MV Thatho addressed the Council:** "Thank you, Mister Speaker. AIC would like to pass the motion of sympathy to our three colleagues who died in past weeks. They are gone from our side... (inaudible – bad ambient noise)

**Councillor TM Moopelo addressed the Council:** "Thank you, Honourable Speaker. Honourable Councillors, officials of Mangaung. Let me take this opportunity to greet this august house. It is with great pain and sadness to be delivering this motion of sympathy as a result of death of one of our own Councillor Amanda Mapota...(inaudible – bad ambient noise) the African National Congress has lost one of its own forces (voices), a volunteer, selfless leader, former unionist, a worker, a civil ... ...(inaudible – bad ambient noise)

She believed in the upliftment of our communities and the poor in particular, the blacks. As resilient and selfless reminding us of women who came before us for our revolution. May we continue to emulate her selflessness and commitment in serving our people. Revolutionaries do not die, they multiply. Fair thee well Mme Amanda Mapota. May your silent spirit continue to guide us. Long live the undying spirit of our comrade long live! Thank you, Honourable Speaker.”

**The Speaker remarked:** Councillors, I am saying your executive powers and your administrative powers as well as your legislative powers rest with Council. Let me repeat *rest with Council*. I said to IT people, whenever we have a Council meeting, they must attend this Council so that they can assist and each and every time we must go up and down and ask them to come here. It seems as if somebody is directing them not to come here. Somebody is undermining this Council.

When we started, everybody was here, but not anymore. We have serious problems here that are IT related, and they are not here. The poor boy called Lunga, he is the only one that listens to us; everybody else is not here and I am saying, I am making a serious allegation, it is done deliberately. Somebody is trying to sabotage this Council meeting. I am raising this with serious concern, and I would like at 8 o'clock everybody working in the IT Department must come to my office, tomorrow morning at 8h00, I want everybody that is working in the IT Department to come to my office. It is a serious matter.”

**Councillor JE Sebolao requested to address the Speaker however, the Speaker explained to him that it was not the item to address him as another Councillor was already pointed to address Council and should Councillor JE Sebolao wanted to speak, he must have indicated as such at the beginning of the item when they were requested to draw items for discussion.**

**Councillor JE Sebolao continued speaking...(inaudible – bad audio connection)**

**Councillor LE Rasoeu addressed the Council as follows:** “Thank you, Mister Speaker. My message is titled a time for different political preposition (inaudible – bad sound connection). I would also like to start by conveying our sincere condolences to the Mapota family and the African National Congress. Councillor A Mapota ...”

**The Speaker interjected to request Mr Lunga Bam from IT to request everyone working at IT to come to the Council Chamber in Bram Fischer Building.**

**Councillor LE Rasoeu continued:**

“On behalf of the Democratic Alliance, we start by conveying our condolences to the family of Mapota. Councillor A Mapota is not to be mourned but to be celebrated when life well lived. She was a mature and a polished politician she was as attested by a non-partisan politics. As we ...(inaudible – bad sound connection) family and loved one, we wanted to take warm comfort in the knowledge that this is not just your loss but our loss too and a loss to the people of Mangaung Metro in these trying times. Councillor A Mapota remains a manifestation of the definition of politics at a higher calling for us left behind. Her departure reminds us of the urgency of now. As recent events have shown South Africa is at pivotal and consequential crossroads in the democratic dispensations ...(inaudible – bad sound connection);



Mister Speaker that moment calls for a blend of ... (inaudible – bad sound connection) principles, limitless commitment and morality. The departed lived by her virtues and we promise to live by them. May her soul rest in peace.

Mister Speaker, a time for different political proposition. The appointment of the administrator/Exco representative, so called Advocate Mofokeng and enabling terms of reference as formulated by Free State COGTA and Treasury, Mister Speaker are contrary to Section 139 (5) (a) and (c) of the Constitution of the Republic of South Africa. Please note that this person, Mr Mofokeng is not an administrator since the Metro Council was never dissolved in terms of Section 139 (5)(b); he is a Provincial Executive Council Representative.

Mister Speaker, South Africa is a Constitutional Republic and the Metro itself is established in terms of the Constitution. Any attempt by the Metro or the Provincial Executive to engage in processes or actions that are utter duress to the Constitution, it is not only an assault to the Constitution, but Mister Speaker also that negates the foundation of South Africa as a Constitutional Republic. In sum, the appointment of the administrator or the Exco representative in the person so called Advocate Mofokeng goes contrary to Constitutional provisions and I refer to Mr Mofokeng as Advocate since because when he was introduced, we asked persistently for his CV to be circulated or presented to Council, to this day, nothing has come out, it was only a summary of his CV and his team. But most importantly, according to the Terms of Reference, number one, specifically 6.1 – the Exco Representative or the Team, they have to furnish Council with a report on a monthly basis, we are 10 months since we are placed under whatever we are; we have never since seen a report...”

**The Speaker interjected to ask Councillor LE Rasoeu what he was doing, and he responded it was motion of sympathy and congratulations. The Speaker indicated that he was talking about Terms of Reference, Administrators, their CVs etc. and the Council was on item of motion of sympathy and congratulations. The Speaker then called Councillor LE Rasoeu out of order as he was dealing with issue on other items and he then allowed Councillor LE Rasoeu to continue as follows:**

“Now, in this time of a different political dispensation Mister Speaker, the ANC did a lot for democracy or the democratic dispensation. It is understandable that the citizen of the Republic has invested their trust to the ANC for a better future. For successive election there has been a question of the jury being out... (inaudible – bad sound connection) however with the 5<sup>th</sup> Municipal elections approaching, it is time that we get real and honest with the citizen of South Africa with regard to the performance or the non-performance of the ANC especially at local government sphere.

Over the last 27 years, we have a lot of municipalities placed under administration almost without exception. All these municipalities have been under the control of the ANC. Of course, not placing them under administration ... (inaudible – bad sound connection). Placing municipalities under administration is the best story to tell in the Free State. Mangaung is another example, this Municipality is worse than before it being placed under administration. The sooner the so called Exco representative ... (inaudible – bad sound connection)...”

**The Speaker requested Mr L Bam from IT Department to cut Councillor LE Rasoeu and gave Councillor EM Mokhoanatshe to address the Council.**

**Councillor EM Mokhoanatse addressed the Council:** “First and foremost I would like to pass deepest condolences for Agency for New Agenda to the family ...”

**Councillor LE Rasoeu and Councillor T van der Walt interjected on a point of order without being afforded a chance to speak.**

**Councillor EM Mokhoanatse continued:** “Honourable Speaker, like I said, first and foremost I would like to pass our deepest condolences to the family of Councillor A Mapota ...”

**Councillor BJ Viviers raised a point of order however Speaker said he will address him later and requested him to allow Councillor EM Mokhoanatse to speak.**

**Councillor EM Mokhoanatse continued:** “We would like to pass our deepest condolences to the family of Councillor A Mapota. We hope in this hour of need they shall always remember that she was there for the service of the people...”

**Councillor EM Mokhoanatse was again interjected by Councillors speaking on the background.**

**The Chief Whip requested that those Councillors be assisted by IT Department because they had login another meeting and thus not being aware, they were now in the correct meeting.**

**On a point of order, Councillor BJ Viviers remarked:** “Now it is quite clear that we don’t have a quorum after what the Chief Whip had said. Thank you, Mister Speaker.”

**Councillor PP Poone-Rankholo indicated that more than 30 Councillors were on another platform, the link sent was wrong as there are more than three meetings.**

**Councillor E Snyman van Deventer remarked:** “Mister Speaker, they must ask the other Councillors to use the link that was emailed to us then they would come to this platform, however I now have a big problem, it means either you or IT actually lied to us at the beginning of this meeting. If there are Councillors on two other platforms, how can we have a quorum.”

**The Speaker responded:** “Councillor E Snyman van Deventer, the Chief Whip was saying these Councillors were not part of the meeting, but we could hear them that they are part of the meeting, they were disrupting the meeting. We can hear them in a platform where we are. So, they were part of the meeting, there are no issues.”

**Councillor BJ Viviers on a point of clarity remarked:** “it would be fair Mister Speaker and in the interest of justice that you now do a roll call. I am telling you; we are not quorating. Thank you, Mister Speaker.”

**Councillor MAP De Bruyn remarked:** “Mister Speaker I just want to point out, you must seriously have a meeting with IT on how these meetings are hosted...”

**The Speaker interjected to indicate that IT was sabotaging the meeting hence he will be having a talk with them.**

**Councillor MAP De Bruyn responded:** “It is not only IT but Councillors doing it. Everyone in the meeting has equal administrative rights in the meeting. Everyone can mute and unmute anyone which is not correct. Everyone should be participants and one administrator to mute and unmute and to give everyone a fair chance. So, the whole manner in which these meetings are being hosted since the beginning of covid-19, that why every time the meeting turns into chaos.”

**Councillor JE Sebolao remarked** ...(inaudible – bad audio connection)

**Councillor BJ Viviers requested the Speaker to confirm the quorum before continuing with the meeting.**

**On a point of order, Councillor PP Poone-Rankholo stated:** “In addition of what Councillor BJ Viviers was saying, how can the Speaker continue whereas I said more than 40 Councillors are in a different platform, they are awaiting to be assisted. It is not their problem; it is technical problem and each and every Councillors has the right to participate here. Now, can the Speaker reconsider and allow all Councillors to be participants before you begin with the meeting.”

**The Speaker responded:** “Councillor PP Poone-Rankholo, you know what my problem is; your statement is saying to us this meeting is unlawful. I am going to read the list and those who are present must indicate because legally this meeting is challenged.”

**The Speaker thereupon called the name of each Councillor to ensure and confirm that they were forming a quorum.**

**Note by Secretariat (65 Councillors in the meeting)**

**Councillor EM Mokhoanitse continued:** “Thank you, Mister Speaker. I have already indicated our condolences to the family of the late Councillor A Mapota.

I would like to proceed to congratulated message which is related to the late OR Tambo. I personally have known Oliver Reginald Tambo from 1976 when he swerved the ranks of the ANC after the uprising in Soweto. He accepted us as militant youth who could not understand why there was no struggle taking place in the Country. At the time I was only 16 years old; throughout my 14 years in exile, I have known OR as a humble but resolute man. A man of impeccable; he lived a very frugal life. He always put the wellbeing of other members before his. I remember well when the antiapartheid in Poland wanted to start the campaign to isolate apartheid South Africa, impose sanctions; they propose that OR to be the face of this campaign. He refused and instead he recommended that the Nelson Mandela be the face of that campaign, that is how the antiapartheid movement worldwide started the free Mandela Campaign.

He always reminded us that he was not the President of the ANC but the acting President after spending almost 25 years in exile. He only accepted the office of the President of the ANC at Kabwe Conference in 1985 which I attended after he was persuaded to do so. He always maintained that the leadership of the ANC is inside the Country and in Robben Island. He carried the ANC on his very small but broad shoulders. I believe that in this true man, this true revolutionary, South Africa has indeed become very poor and I want to believe also that the likes of OR would probably be emerge in the afterlife. Thank you, Honourable Speaker.”

**Councillor GDP Kotze addressed the Council:**

“Thank you, Mister Speaker. The year 2020 is described as the year of the virus that brought us covid-19. As a public representative of the Democratic Alliance will I start to thank everybody that fought against this virus at the forefront. Thank you to all the doctors, nurses, medical volunteers, social workers, policemen and women, our soldiers, Afri-forum, all non-profit organisations and off course all Councillors that helped to combat this virus.

I would also like to sympathise with residents who lost a love one, a colleague or a friend. Who lost their jobs and no income due to retrenchments? This was a very tough year for everyone in the world as it has affected our lives tremendously.

Congratulations to the Hawks and the NPA for bringing the corrupters to book and backing the Democratic Alliance claims for the past five years that Councillor SM Olly Mlamleli is a corrupt official that does not care to serve the people but only her gangster friend Ace Magashule.

I am going take this opportunity to mention the name of Herman Wilken, a resident in Ward 24 that was tragically killed by a motorist in Bloemfontein when he is riding his bicycle. I will never forget his friendliness and when he said goodbye with the words: God seen jou! What angers me is that the motorist that killed him has not been apprehended yet.

Our condolences also go out to the families of the employees at the Cheetah rugby union, Jeanette Mofamo, Eldar Mofo and Tumi Morakile, who lost their lives due to a major accident in OR Tambo street. This due to a drunken motorist not adhering to traffic laws and having a drink while driving.

Mister Speaker, the residents of Mangaung are not safe and we as the DA are overly concerned and raise the question: where are our Metro Police? Streetlights are not working, traffic lights are out and, in the evenings, the Mangaung Metro, sounds like a racetrack. Mr City Manager and the Chief of Police, there is blood on your hands because of your incompetence to keep the Metro safe.

I conclude Mister Speaker with an urgent message to all South Africans. This covid-19 pandemic has brought the best but also the worst out of the rainbow nation. My concern is that our democracy is now under threat more than ever. I urge law abiding citizens to stand up against the corrupt and those that want to bring change by trampling on our constitution of South Africa. We as the Democratic Alliance condemn the corruption and the burning of farms. Residents of Mangaung, where the EEF dance, democracy burns and where the ANC governs, democracy is plagued with corruption. Thank you, Mister Speaker.”

**Councillor M Nkhabu addressed the Council as follows:**

“Thank you, Honourable Speaker. On the motion of sympathy, I would like to sympathise with Oliver Tambo’s family and the entire South African citizen. Tambo was a Marxist of note. Oliver Reginald Kaizana Tambo was born on the 27<sup>th</sup> of October 1917...”

**Some Councillors continue speaking disrupting Councillor M Nkhabu’s speech.**

**The Speaker then mentioned that this was evident that Councillors should be in one venue, Indaba as Councillors were doing all that deliberately.**

**Councillor M Nkhabu continued:** “Thank you, Honourable Speaker. I would like to pass motion of sympathy to one of our own President Oliver Reginald Kaizana Tambo, the Marxist of note. President Oliver Reginald Kaizana Tambo was born on the 27<sup>th</sup> of October 1917, he died on the 24<sup>th</sup> of April 1993 on the eve year of our democratic elections, he should have been 103 years of age this year.

Oliver Tambo, as we call him the President, his education: Oliver Tambo was initially wanted to study medicine and no tertiary institution accepted black students in that field. He opted to study sciences at the then called College of Fort Hare, currently known as the University of Fort Hare. Oliver Tambo was academically fit, a lawyer, a teacher at the very same time. He was a long serving President of our beloved African National Congress from 1967 Morogoro (Tanzania) special conference until the unbanning in 1991.

The ANC as the caring organisation made it a point that they chose a portfolio that Oliver Tambo chaired based on the health-related matters. That conference of 1991 elected Oliver Tambo for the first-time as the national chairperson. We are the sole beneficiaries of what Tambo fought for. Oliver Tambo as the President stood the test of time. He was a unifier, commissar and a combatant. May the President Oliver Tambor revolutionary soul continue to rest in peace. Thank you, Honourable Speaker.”

**The Speaker passed his motion of sympathy as follows:**

“Councillors, it is very problematic to hold a meeting in these platforms. I was in Legislature today and those meetings went well, we had two meetings there but here in Mangaung it is a different story.

Let me join Councillor on Comrade A Mapota. I had an opportunity to be part of those who gave a farewell to Councillor A Mapota. She was buried in the land where the trial of twins of Vuyisile was held, ityala lamawele; a land where King Hintsa was buried. A land where Mqoboli former Chaplain General of the ANC was also buried. The people of that land, when they saw members of this Council and ANC, they were so proud but at the very same time they congratulated, and they mourn the loved one Comrade A Mapota.

We saw the good work she did there and even here at Ward 11. She led a Ward where a lot of problems in that Ward were resolved by herself. She turned her house to be an office. Her kids spoke to us and said, they shared their mother with the community of Ward 11. We are saying to Councillor A Mapota, MaRadebe, lala ngoxolo. As well as Councillor Mohlabane and Councillor NA Ratsiu, your pain I am taking to the families, it is not only yours, we as the members of this Council had opportunity to work with them. I know Councillor Mohlabane and Councillor NA Ratsiu when they were sick, we had an opportunity to visit them at their homes and we have seen the work that they were doing also there.

When you look at these three Councillors you then realised the work that this Council supposed to do because these three Councillors, each and every part of Council is facing serious challenges of service delivery and they were not afraid to face the people.

I still remember Councillor Mohlabane in one Council meeting, he did not come because in his Ward, the communities were burning tyres, and some threaten to burn his shop because of issues of service delivery. Sithi lalani ngenxeba.”

**NOTED.**

**105.**

**CONFIRMATION OF MINUTES**

1. **Special meeting: Friday, February 28, 2020**
2. **Ordinary meeting: Tuesday, March 10, 2020 (initially scheduled for March 5, 2020)**
3. **Special meeting: Friday, August 7, 2020**
4. **Special meeting: Friday, August 14, 2020 (continuation of 7 August 2020)**
5. **Urgent meeting: Wednesday, August 26, 2020**

**Councillor ME Dennis remarked:** “Mister Speaker on page 6B of the minutes of minutes of 28<sup>th</sup> February 2020, item 16.1 submission of the outstanding components of the consolidated annual report of the Mangaung Metropolitan Municipality of 2018/2019 financial year, the first paragraph, it is mentioned of an attached document. I could not find the attached document, but I could be grateful if I can be given to all Councillors.

In the minutes of the ordinary meeting of the 10<sup>th</sup> of March 2020, I draw your attention to page 11C, point (c), it states that Council note that Directorate has initiated a consequence management process through disciplinary action against implicated officials within the Traffic Division. My question is, has this materialised and can Council have a report on this matter?

On the same set of minutes of page 13H on Councillor XD Pongolo’s speech, I want to thank him for the advice to go to the Police make case against the corrupt person and as you know now, the Mayor was arrested. Thank you, Mister Speaker.”

**Noted by Secretariat: the presentation done by the office of the Auditor General is available on the Municipality’s website on the documentation of the meeting.**

**The Speaker asked Councillor ME Dennis that whether she wanted the arrest of the Mayor to be in the minutes and she responded yes, it should be put in the minutes because it was a fact.**

**The Speaker further asked if it was written like that or Councillor ME Dennis was just making an addition and she responded that Councillor XD Pongolo said in the Council that if they thought there was anybody corrupt, they should open a case and that was exactly what the DA did, made a case, Hawks came and arrested Executive Mayor Councillor SM Mlamleli therefore she just wanted to thank Councillor XD Pongolo.**

**The Speaker requested Councillor ME Dennis not to make any additions to the minutes**

**Councillor FR Botes remarked:**

“Thank you, Mister Speaker. The only remark on my side regarding the minutes. If you look into the minutes of the 7<sup>th</sup> of August 2020, if you page through, you will count 24 people absent with leave, if you go to page 6E example of my own, on two occasions I have asked certain things and mentioned certain things but if you page to the front page, you will see 24 people absent from the meeting.

My question to you Mister Speaker is, what do you think will happen if the Auditor-General or somebody goes through these minutes to see the reality of this Council and on the one hand they said they are absent from the meeting but the 24 Councillors were making certain statements or remarks. Only a suggestion, I think it is not correct what happened on the 7<sup>th</sup> of August 2020 but nevertheless I think the Auditor-General people will ask questions in this regard. Thank you, Mister Speaker.”

**The Speaker responded that the matter would be looked at and note be taken that some Councillors were part of the meeting and then they left and maybe the minutes need to be corrected.**

**Note by Secretariat: note be taken of page 6 of the minutes of Special Council meeting held on the 7<sup>th</sup> August 2020 as well as the letter dated 5<sup>th</sup> August 2020 emailed to all Councillors regarding the attendance of Councillors at various venues in Bram Fischer.**

**Councillor XD Pongolo move for adoption of the minutes with corrections and was seconded by the Deputy Executive Mayor, Councillor LA Masoetsa.**

**It was thereupon**

**RESOLVED** that the three sets of minutes of the meetings held (as mentioned above), copies of which had been furnished to members, be taken as read and confirmed.

**The Acting Executive Mayor, Councillor LA Masoetsa presented items on the agenda as follows:**

“Thank you, Honourable Speaker. Let me take this opportunity to greet all Councillors and also thank Council for the opportunity to address you today. I must also greet all the people of Mangaung and remind all of us that we are still under the national state of disaster in relation to covid-19. We urge all our people to continue to observe and abide by all the stipulations to the regulation of Disaster Management Act.

Honourable Speaker, I am saying this and extending my appeal after noting some worrying trends of some of the people who are now behaving as if things are normal. As a result, we see behaviours that are in violation with the regulations especially social gathering where many people come in, to small spaces and thereby compromising on the social distancing. It is my appeal that we should be careful and that we take seriously the warning of the experts when they say that if things continue this way, we may experience a second wave of the pandemic.

We have seen a spike in the areas of Dewetsdorp, Wepener, Heidedal, Rocklands, Universitas, Pellesier and Bergman Square. This is a worrying development as we see this happening already in the Western and European countries. We cannot reverse our gains that may lead to us going back to hard lockdown levels.

Honourable Speaker and fellow Councillors, we meet all time when we are left with few days before the by-elections in two of our Wards in Botshabelo due to the passing away of our two late Councillors. We have been meeting with the people in those Wards and as we have always appreciated that what they are saying and we are confident of the trust that our people have in us and they would once more vote our candidates into office.

Honourable Speaker, we meet at the time when Free State and Mangaung would be receiving a delegation of NCOP as part of NCOP Provincial week. We as the City will be engaging with them on Thursday, 29<sup>th</sup> of October 2020. We all know that as part of their oversight duties, NCOP regularly visits provinces and municipalities to engage on issues of service delivery. However due to covid-19 regulations, this year’s program will not be like others before where there is extensive and mass mobilisation in terms of engagement. I will be representing the City together with some members of the Mayoral Committee.

Honourable Speaker, because life is a phenomenon that exist because of time, space and inherent contradictions, I have noted that the City is presented with a number of contradictions some of them necessary given time we find ourselves in perhaps the noble in Xhosa print by AC Jordaan *Ingqumbo Yeminyanya*, the rest of the ancestors is closer to what I am saying, it is precluded and I quote: *‘the old order changed yielding place to new, yet God reveals himself in many ways’*.

To me Honourable Speaker, as the new order cometh, we have seen a lot of tribulation and trials. Councillors passing away because of covid-19, Council struggling to meet to do it work given the changes witnessed in this Chamber. I am reminded of former President Mandela when he said, I quote: *‘after climbing a great hill, one only finds that there are many more hills to climb’*.



## 7A

We are climbing these hills because we believe that it is our revolutionary duty to continue the works started by our own people during the Bambatha rebellions and many other repressive wars that sort to visit upon our people, great suffering, unemployment, inferiority and poverty whilst the character of the national democratic revolution has slightly changed and this epoch, our people in majority still live in squalor, poverty and unemployment; this Municipality must do all it can to restore the dignity of its people. Central to its agenda it must be to create employment and reduce poverty. Although the City reclaiming program, we must restore township economy and retain spazas, small shops to South Africans whilst not victimising people of foreign origin legally documented to live and work in our Country. We must as former President Mbeki remarked, never be desponded because the weather is bad nor should we turn triumphalist because the sun shines, we remain the children of Africa and Africa remains our own.

Honourable Speaker, I now wish to turn to the agenda of the Council and table the items with exception of items 1, 2, 4 and 5 to be withdrawn. I also table your items Honourable Speaker and the rest I table. Thank you, Honourable Speaker.”

**The Speaker asked whether the Acting Executive Mayor was also tabling item of the Audit Committee under items of the Speaker and that no item was withdrawn?**

**Acting Executive Mayor reiterated which items were withdraw, i.e. items 1, 3, 4, and 5 and the rest including Speaker’s items were tabled.**

**The Speaker asked the whips of political parties how would they like the voting system to be whether individually or per party?**

**Councillor BJ Viviers responded that he wanted to second the proposal of the Speaker to vote per party however on the first item they could vote individually and thereafter it should be per party vote and he was seconded by Councillor E Snyman van Deventer.**

**Councillor GDP Kotze raised a point of order as follows:** “Mister Speaker some of the points that have been withdrawn now, it is for the third time that they have been withdrawn from the Council meeting and may the Acting Executive Mayor just give us clarity on those points why it’s for the third time those points have been withdrawn?”

**The Speaker responded that in the next Council meeting he would be asked to do so.**

**Councillor M Kganakga raised a point of order as follows:** “Mister Speaker, how is the Acting Executive Mayor going to explain about things they took out of the agenda now in the next Council meeting because those would not be in the agenda, why can’t he just tell us now?”

**The Speaker explained that, that was what the Standing Rules and Orders stipulated that you would explain in the next ensuing Council.**

**Councillors were given opportunity to draw items for discussions.**

**NOTED.**

1.

**APPROVAL OF MUNICIPAL REDUNDANT ASSETS TO BE SOLD AT AUCTION**

**WITHDRAWN.**

2.

**AIRPORT DEVELOPMENT NODE CATALYTIC LAND DEVELOPMENT PROGRAMME  
INDEPENDENT PANEL REVIEW – NT CITIES SUPPORT PROGRAMME**

**Councillor BJ Viviers addressed the Council:** “Thank you, Mister Speaker. This report clearly mentions, it is not for the first time this Council deliberate on the Airport Development Node, I am further going to call it the ADN and it was deliberated already in this Council back in 2011. The question that should be asked is why then was this report not placed before the Council in 2012, before the ANC governed Municipality spent millions of Rands on the development node that clearly now on the initial development. The approach was not feasible and economical and financial risk for the Mangaung Municipality.

Why did you allow the HOD, Mr Kabagamba to waste taxpayers money? What is the value for money that we have received so far? Well, safe to say, except for two 2 billboards of our ex-Mayor, Councillor SM “Olly” Mlamleli advertising the ADN, few bulldozers that moved around few coops of gravel and millions that were spent to consulting services really up until today, there is nothing to show.

What strike one immediately is this idea of the AND as with the Naval Hill Master Development Plan, it comes just before local government elections creating pipedreams for the residents of Mangaung that never materialised. Empty, election campaign promises. Where is the outdoor facility on Naval Hill? There is no tell. Where are the water reservoirs that would have supplied greater Mangaung that we are so in great need of, why the hawkers stands’ at Botshabelo vacant? Just a few examples of the ANC election deceit that never materialised.

You members of this house, you grasp that the DA is pro-development of this Metro Municipality. Development brings with it, opportunities, jobs, economic growth and stability. The DA agrees that except for grants from Province, National and National Treasury are crucial but funds must be raised from public and private investments and these funds must fund these type of projects so that Mangaung Metro Municipality truly can be at the heart of it all. The harsh reality is that we need to get the basics right and currently greater Mangaung is a rubbish dump with little waste removal; all the basic service delivery services are in a disarray; our finances are in a disarray.

We are under administration and to add insult to injury, the report also suggest that the township proclamation process must be suspended. Could the reason be that the Municipal Planning Tribunal (MPT) currently does not exist and effectively no development in Mangaung Metro Municipality...(inaudible – audio disconnection) it time to have the political will and strong believe that Mangaung can be mended. That unfortunately is now up to the ANC led Metro. Get the basics right, clean our Metro, provide basic infrastructure and services and this Metro will be the Utopia that we all know it could be.

The DA will today give you the benefit of the doubt and we will support the item because the development in Mangaung Metropolitan Municipality is crucial; unfortunately if the past should be taken as the measure, and noting the cadre deployment resulting persons in positions that don't have the ability to do their jobs, your faction fights and the fact that your party is more important than the residents of our Metro, the oughts' are strong in favour that you will fail on the ADN also."

**Councillor MAP De Bruyn addressed the Council:** "Thank you, Mister Speaker. Firstly, as Freedom Front Plus we will always be in support of the bettering and the development of Mangaung Metro Municipality if it is done so responsibly and well with the Metro's financial status. But we have to ask ourselves how is it possible for a project dating back 2011 already that we only received the report in 2020 stating that the necessary planning procedures and impact studies were not done prior to spending more than R140 million so far? Clearly the officials appointed to do this project, did not perform their duties responsibly and they should be held accountable for this.

Having said that Mister Speaker, if you look at the Metro's current financial situation, it only makes sense to put this project completely on hold until such time that the Metro can cover financially. At this stage we cannot even afford basic service delivery let alone developments of this magnitude. If the Metro receives 100% grant for this project, it cannot even afford 5% viability at this stage and losses can occur due to inevitable corruption.

To continue with this project Mister Speaker, in any form at this stage will be gambling with the ratepayers' money and well-being and will be irresponsible to say the least. As Council we have an obligation to our citizen to act in their best interest and therefore the Freedom Front Plus cannot be in-favour of this item at this stage. Thank you, Mister Speaker."

**Councillor VE Jonas-Malephane addressed the Council:** "Thank you, Honourable Speaker. Acting Executive Mayor, Chief Whip and fellow Councillors.

We are tabling this item before the august Council with an intention to highlight many of deficiencies and challenges posed by the airport node. Honourable Speaker we all know that ADN started in 2012, the previous term of Council and it was led by the then HOD of Planning who committed Council to more than R142 million in the form of investments in bulk infrastructure, the spatial and detail layout planning.

Honourable Speaker, in pursuit the implementation of development, we discovered that the reason there is no progress, it is because critical studies that were supposed to have been undertaken were not done instead Council moved on to spend such huge amounts. These studies were essential to advice Council whether it should proceed with the development or not carry on.

Honourable Speaker, the studies that were paramount to guide Council related to understand the integration of public and infrastructure finance, the involvement of the public private partnership and the willingness of partnering with beneficiary communities' private sector and property developers to implement the development.

Honourable Speaker, to be more specific, we discovered additionally, the following studies were not undertaken, pre-feasibility and feasibility studies to:

1. Review economic and market opportunities
2. To undertake financial modelling exercise, test viability and maximise benefits for the City
3. To conduct impact analysis to evaluate cost versus returns
4. To address whether the airport node will not result in the CBD be severely compromised which will lead to further regress of the centralisation and urban fragmentation.

Other studies lead to housing marketing demands analysis to determine the housing uptake in the development and also economic rational study to guide if the investor community needs will be addressed. To also determine whether the development is optimal in current fiscal conditions.

Briefly Honourable Speaker, it is our submission to Council that the development approach be pursued which will also likely expose the Municipality to vast expenses that will not result in integration of urban form or addressing the needs of employment or housing of the most marginalised. The market assessment and economic analysis aligned to prescriptive zoning which was thought of in 2012 were basically unfounded.

Honourable Speaker, this indicate that if this Council continue to implement the Airport Development Node in its current form without these studies being undertaken thus result inherent risks in economic and financial risks of the Mangaung Metropolitan Municipality. It has also Honourable Speaker became evident that there is a resultant ...(inaudible) ultimately unnecessary ...(inaudible) cost for the Municipality as well as negative impact of the .....(inaudible) spatially.

In addition to these, it is also important that Council delays calls of action on the township proclamation of the Airport Development Node. This will afford the Mangaung Metropolitan Municipality the opportunity to address and identify better position for the Airport Development Node for both infrastructure funding application and private sector attractiveness. Honourable Speaker, in other words the Municipality will be in position to ensure that any land release and land use strategy is best positioned for market effectiveness and for the overall development of Mangaung Metropolitan Municipality.

Having highlighted all those in our submission, that Council notes the work we have done to determine whether Airport Development Node is working or will work in future. So, Honourable Speaker, as the Department we are asking the Council to support our recommendation as is and the report that I am tabling as is with support of the Human Settlement Department. Thank you, Honourable Speaker.”

**The Speaker remarked:** “Thank you, Councillor VE Jonas-Malephane, what I know is that Mr Kabagamba said he wanted back then to make a Sandton of Bloemfontein. I remember when he was showing us, he said: *you see, what you see in Sandton, is what you going to see here in Bloemfontein.*”

The Speaker thereafter called each Councillors to indicate their vote for this item and after the voting he announced the results.

**Councillor BJ Viviers remarked:** “Thank you, Mister Speaker. I just want to confirm especially with reference to Councillor W Bolt, he had connectivity problems that is why he came in late. Can I just please ask you that you also take him in account on our vote especially going forward with votes as we going to mention it now further, and then the same for Councillor KC Moreeng. Thank you, Mister Speaker.”

The Speaker thereupon confirmed attendance numbers for each party and that moving forward to other items, Whips will indicate the votes for their parties, namely:

ANC – 45

DA – 18

EFF – 5

Freedom Front Plus – 2

ANA – 1

AIC – 1

Thereafter *it was thereupon with **69 votes in favour, 2 votes against and 0 abstained,***

***RESOLVED*** that the recommendation as set out in the agenda be accepted, adopted and approved, by the Council.

## **RESOLVED**

- (a) That the Mangaung Metropolitan Council approves both the National Treasury Scoping and Panel Review Reports;
- (b) That Mangaung Metropolitan Council note that the Airport Development Node in its current form is not a catalytic programme and if implemented may result in economic and financial risk for the Mangaung Metropolitan Municipality;
- (c) That the Mangaung Metropolitan Municipality note that there has been significant investment in the Airport Node both in respect of the investment in bulk infrastructure and the spatial and detailed layout planning that have been undertaken;
- (d) That Mangaung Metropolitan Council permit Economic and Rural Development department to continue to work with National Treasury, Free State Provincial Human Settlements and HAD to ultimately realize ADN as catalytic programme that will attract public and private investment;
- (e) That the Mangaung Metropolitan Council suspends the township proclamation process until such time the ‘missing’ components in the Catalytic Land Development Programme Lifecycle (viz. Phase 1 : Spatial Planning and Phase 2 Catalytic Programme Preparation Stage 2.1 – Programme Conceptual Planning or Development Concepts Refinement, Stage 2.2 – Programme Pre-feasibility Study, Stage 2.3 – Programme Feasibility Study, Stage 2.3 – Programme Feasibility Study) are addressed;

- (f) That the Mangaung Metropolitan Council approves and implement all other recommendations highlighted in both Scoping and Panel Review Reports;
- (g) That the Mangaung Metropolitan Council approves that the implementation of the Panel Review recommendations be supported through the USDG via HAD, namely, the feasibility study, market analysis and housing needs for the ADN Development Node catalytic land development programme;
- (h) That the Mangaung Metropolitan Council approves the establishment of an ADN CLDP Steering Committee with clear terms of reference and constituted by the Executive Mayor as the chairperson, MMCs: Economic Development, Planning, Human Settlements and Engineering Services and Finance and
- (i) That the Mangaung Metropolitan Council establishes a Technical Working Team (led by HOD: Economic and Rural Development) of dedicated Heads of Departments, Provincial Intervention Team and senior officials from internal audit, risk and compliance, City Manager, HAD, Deste, Provincial Human Settlement Department and private sector.

**3.  
WRAP AROUND PROJECT: APPLICATION FOR A CONSENT TO EFFECT FURTHER IMPROVEMENTS, ADDITIONS OR ALTERATIONS TO THE LEASED PREMISES AS WELL AS THE AMENDMENT OF A CONTRACT SIGNED BETWEEN THE MANGAUNG METROPOLITAN MUNICIPALITY AND THE FREE STATE RUGBY UNION IN RESPECT OF PORTION 2 OF ERF 26408, WILLOWS, BLOEMFONTEIN (FREE STATE TOYOTA RUGBY STADIUM)**

**WITHDRAWN**

4.

**REPORT ON THE IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY FOR THE QUARTER ENDING SEPTEMBER 2020**

**WITHDRAWN**

5.

**APPROVAL OF THE DONATIONS POLICY FOR MANGAUNG METROPOLITAN MUNICIPALITY**

**WITHDRAWN**

6.

**PURPOSE: TO REQUEST COUNCIL APPROVAL ON THE DRAFT FLEET POLICY: FLEET MANAGEMENT POLICY OF MANGAUNG METROPOLITAN MUNICIPALITY**

**Councillor GDP Kotze addressed the Council as follows:** “Thank you, Mister Speaker. The Democratic Alliance will not support this item today and these are the reasons why:

We have already had the published Fleet Management Policy in 2012 and now if you go and look at the recommendations in 2012, this policy needs to be reviewed annually. Another thing is this policy did not serve in front of any Section 80 Committee meeting. Another thing is last year on the 30<sup>th</sup> of August during that Council meeting, this policy was also tabled, and we also requested that it be referred back to the Section 80 Committee, and that has not been done.

Now our other concern is, what had the HOD for Fleet Management done for the past four years to manage fleet of the Mangaung Metro Municipality because what is added to this policy now is for Municipal officials to take vehicles home. There is a lot of annexures that are not added to this report. Therefore, we will not support this item and we request that this policy be referred back to the relevant Section 80 or 79 Committee. Thank you, Chairperson.”

**Councillor JF Britz seconded the proposal by Councillor GDP Kotze to refer back the report to the relevant Section 80 or 79 Committee.**

**Note by Secretariat: Councillor JE Sebolao drawn the item for discussion however he was inaudible due to a bad audio connection and therefore his speech is not minuted and unfortunately his speech was not submitted to Secretariat for Record purposes.**

**Councillor BJ Viviers raised a point of order however the Speaker stated that he did not allow him to speak.**

**Councillor AP Terblanche raised a point of order however he was not recognised by the Speaker.**

**Councillor MI Mokoakoa addressed the Council as follows:**

“Thank you, Honourable Speaker. The item served in study group and also served in the Section 80 Committee...(inaudible – bad ambient noise) We have sharply revised our policy to respond to contemporary issues and also to ensure that the City will remain in control and of course are able to facilitate various processes in relation to the broader fleet management.

Our approach for fleet management is two-fold. The first overall Fleet Policy talks mainly to acquisitions. Management and ...(inaudible) fleet we are setting parameters for these key issues relating to fleet so that we are also able to hold whoever uses our fleet to account.

The second one relates to fulltime Councillors; remember that currently all Councillors including the Executive Mayor only rely on upper limits for the access to fleet facilities hence our constant disagreements on fleet with them. We want to make policy provisions in order to legitimise their current use of Municipal vehicles, and also in order to adhere to cost containment pressure introduced by National Treasury.

Both the Section 80 and study group had made their contributions to the policy and the Department had since long ago effected the changes and that is my submission Honourable Speaker. I support the item.”

**On a point of order, Councillor BJ Viviers remarked:**

“Thank you, Mister Speaker. I called you now privately. This is not fair, and this is not correct. Councillor JE Sebolao couldn't deliver his speech, we could not hear him; we couldn't hear a word that he was saying. We are already 3h30 in this meeting and your IT team has done nothing to sort out these problems. This is not fair Mister Speaker. Sort out your house please.”

**The Speaker responded:** “Thanks Councillor BJ Viviers. The IT staff are not here, but however the weather is bad that is why the network is creating these problems.”

**Councillor BJ Viviers interjected the Speaker as follows:**

“Mister Speaker now you are being biased. You cannot give that problem the reason of the weather. I have been working through this weather. Where is your IT system, get your house in order...”

**The Speaker interjected to state that, that was the reason why he wanted to meet with the IT staff the following morning as they were not even present in the Council Chambers.**

**The Councillors voted for the proposal raised by Councillor GDP Kotze that the item be referred back to the relevant Section 80 or 79 Committee: 22 voted in favour, 50 voted against and 1 abstained.**

**During the course of voting for the item as submitted by the Acting Executive Mayor, Councillor TD Masoeu confirmed that they were now 21 DA Councillors in the meeting.**



**The Chief Whip raised a point of order as follows:**

“Honourable Speaker when Councillor BJ Viviers proposed that we vote on the first item and that number would then determine eventual voting, we cannot go back and count after every item, and that is how I understood him. We voted for the first item and you counted all of us political parties and so we cannot go back to that again, that was his proposal. Thank you, Honourable Speaker.”

**Councillor TD Masoeu remarked:** “Mister Speaker, I am sure you are aware alluded the fact that there is a problem with network and the weather. Councillors are coming in and out and that is the challenge for all of us. If you check DA, it is 21.”

**The Speaker indicated that he counted, they were 21 and Councillor TD Masoeu stated that it was not 18 Councillors.**

**Councillor E Snyman van Deventer requested the Speaker to reiterate or confirm the votes in favour under the proposal to refer the item back and the Speaker confirmed 22 votes.**

**After the Speaker announced the voting results for item as tabled by the Acting Executive Mayor, Councillor BJ Viviers remarked:** “Mister Speaker I am partially covered. On the amendment its funny, it was 50 suddenly it is 45, I am referring to the ANC and to what the Chief Whip had said. Thank you, Mister Speaker.”

**The Speaker responded that the EFF voted against the item be referred back and now they abstained hence the difference.**

Thereafter *it was thereupon with **45 votes in favour, 23 votes against and 6 abstained,***

**RESOLVED** that the recommendation as set out in the agenda be accepted, adopted and approved, by the Council.

**RESOLVED** that Council deliberate and approve the draft Fleet Policy for Mangaung Metropolitan Municipality, set out in the body of the report as attached.

**7. ESTABLISHMENT OF MANGAUNG METROPOLITAN MUNICIPALITY INVESTMENT PROGRAM PREPARATION FACILITY AND THE INITIATION OF THE PROCESS OF RECRUITMENT AND APPOINTMENT OF THE HEAD: STRATEGIC PROJECTS AND SERVICE DELIVERY REGULATION**

**Councillor TI Ferreira addressed the Council:**

“Thank you, Honourable Speaker. We can see that this is an initiative, of National Treasury, and a grant of National Treasury. It really looks like a good initiative, but we as the DA have some issues with the Mangaung Municipality’s compliance, with regards to the procedure that has been followed.

First this point should have gone to the relevant Section 80 Committee to be discussed. They should have discussed the fact the head of our Strategic Projects has been vacant since 2017. One of the requirements of the National Treasury is that there must be no reported vacancies of senior management positions for more than six months to which the Municipality obviously does not comply.

Secondly, if we look at the funding of the grant; for the first year we see 25% co-funding from the Municipality, it means 25% will be from the Municipality. Second year 50% co-financing by the Municipality and on the third year 75% co-financing from the Municipality.

Mister Speaker, do we have the funding to co-fund this grant, because the last I heard we were under administration and bankrupt, or is it just empty promises for the election next year? We also see under the discussion the Municipality will co-funding the grant through borrowing money. No business is going to borrow money at this stage to the Municipality. Seems like the ANC likes to borrow money and then at the same time make that money disappear. So, because of the points mentioned we as the DA want the point to be revered back to the relevant Section 80 Committee for debate and planning and for the funding and appointments of this grant. Thank you, Mister Speaker.”

**Councillor DMC McKay seconded Councillor TI Ferreira that the item be referred back to the relevant Section 80 Committee.**

**The Chief Whip addressed the Council as follows:**

“Thank you, Honourable Speaker. Our Municipality is a Mayoral system. The Acting Executive Mayor can initiate an item and take it straight to Council because we are a Mayoral system. It is not mandatory or a matter of must for him to take an item through to the Section 80 Committee. So, this item was initiated by the Acting Executive Mayor because of the urgency of the item and the fact that these projects that we are talking about are key and if you remember at the time when this position was still occupied by Mr G Mohlakoana we were moving with speed and so he initiated this particular item in order to expedite the implementation of key projects in the Municipality for the sake of the people of Mangaung. Therefore, as the ANC, we say the Acting Executive Mayor has the right to take an item to Council. We support the item as is. Thank you, Honourable Speaker.”

**On a point of clarity, Councillor BJ Viviers remarked:**

“Mister Speaker, I just want to note that this platform is not working. We have indifferences of the amount of Councillors. You are not allowing Councillor JE Sebolao. I want to note that the ANC is only 45 Council. I will ask other opposition parties that we should leave this meeting so that you do not have a quorum. We cannot continue in this way.”

**The Councillors voted for the proposal raised by Councillor TI Ferreira that the item be referred back to the relevant Section 80 Committee: 23 voted in favour, 50 voted against and 1 abstained.**

Thereafter *it was thereupon with 50 votes in favour and 24 votes against,*

**RESOLVED** that the recommendation as set out in the agenda be accepted, adopted and approved, by the Council.

**RESOLVED: It is hereby resolved that Council:**

- (a) Take note of National Treasury’s Cities Investment Programme Preparations Facility (CIPPF);
- (b) Approves the establishment of the CIPPF in Directorate Strategic Projects and Service Delivery Regulation;
- (c) Approves the advertisement and recruitment for the filling of the vacant position Head: Strategic Projects and Service Delivery Regulation as the responsible Directorate for implementation of CIPPF;
- (d) The City Manager be authorised to formally inform National Treasury on the establishment of the Programme Management Unit Department in MMM.

**8.**

**REQUEST FOR COUNCIL TO APPROVE CORRECTION OF THE TARIFF LEVIED AS MONTHLY MARKET RELATED RENTAL FOR LOURIEPARK TOWNHOUSES – 2020/2021 FINANCIAL YEAR**

**Councillor DMC McKay addressed the Council:**

“Thank you, Mister Speaker. As the Ward Councillor for the area which includes Lourie Park, I welcome this correction to the tariffs on behalf of the DA. We stand by the correction of the tariff to R3,519 per month for households earning above R7,500 or above any future upper limits, however we would like Council to take note that this tariff adjustment only applies to those residents that earn above the aforementioned threshold and should not be used as a blanket tariff for all residents occupying the flats.

It was clearly stated from the onset that households earning below R7,500 per month or below any future upper limits, that their rental be determined may be fixed at 30% of their income or at an annual increase of 10% of their original contract, unless their financial situation had changed or their employment ceased beyond their control. I mention this as in the past this tariff has been used as a *'blanket method'* to render eviction notices on non-complying residents, even though they did not fall into that category and their original contracts were still in place, to which they were complying.

The aforementioned was brought to the attention of the then Acting General Manager, Ms M Seleke as far back as 21 August 2017, via a letter to which I still have not received any comprehensible reply. Several questions were asked to which I have only received a reply on two, thus I will be re-submitting the rest via Rule 38 of the Standing Rules and Orders. Hopefully I will receive answers to them within this term of office or within this century.

Lastly Mister Speaker, I would like to take this opportunity to place on record that the municipality investigate the alleged corruption pertaining to the Lourier Park flats. It is alleged that new occupants have never been on the list at Human Settlements and yet have been allocated flats due to their connections or because they paid a bribe to the caretaker. Allegedly these allegations have been brought to the attention of the management on several occasions by the residents and I personally have lodged a complaint on behalf of the tenants pertaining to the caretaker in the aforementioned letter dated 21 August 2017. I therefore formally request an investigation into these allegations. I trust you will look into this. That said, the DA will vote in favour of this item as it stands. Thank you, Mister Speaker.”

**Councillor MM Tladi addressed the Council:**

“Thank you, Honourable Speaker. The Council that approved the tariffs was in May 28, 2020, five months later we get this kind of a report or an item that speaks of an error. Yes, we do agree we have to rectify this mistake for the sake of our community. We cannot allow our people to pay that kind of an amount. We do agree but Mister Speaker where is consequence management? There is lack of consequence management because someone errored, who errored? City Manager we need a written report from the two HODs, the HOD of Human Settlement and of Finance to tell us who errored there because we cannot come to Council five months later to say that there was an error. No, it is not acceptable; here in this City, now we are working with consequence management. We need that report to come to Council; but we do agree that we have to rectify that error. Thank you, Honourable Speaker.”

**The Speaker mentioned that the number of ANC Councillors present in the meeting had increased to 50.**

**On a point of order, Councillor BJ Viviers remarked:** “I also have my questions on the 50 but could you confirm on the others political parties. Thank you, Mister Speaker.”

**The Speaker stated that they were still there.**

**On a point of order, Councillor BJ Viviers if EFF requested the Speaker to confirm if the EFF was still in the Council Chamber as well as the count on the ANC.**

The Speaker responded that the EFF left the Council Chambers and the ANC Councillors present were 50 and that as Councillor BJ Viviers wanted to leave the meeting, the ANC Councillors started calling each other and thus on its own forming a quorum.

*It was thereupon with 73 votes in favour and 1 abstained,*

**RESOLVED** that the recommendation as set out in the agenda be accepted, adopted and approved, by the Council.

**RESOLVED**

- (a) That Council takes note of the historical tariffs that has been levied at Lourier Park scheme over the previous years,
- (b) That Council takes note that the introduction of market related rental at Lourier Park Scheme was informed by the successful refurbishment projects as well as Council Resolution No 109H – 25/10/2007 (Annexure B)
- (c) That Council takes note that the introduction of market related rental in (b) above took into cognisance the Rental Housing Act Unfair Practices Regulations 2008 and
- (d) That Council approves the correction of the monthly tariff amount of R5 462-00 (Five Thousand and Sixty-Two Rand) for Lourier Park Scheme market related rental to read R3 519-00 (Three Thousand Five Hundred and Nineteen Rand) per month retrospective from 2020/07/01.

1.

**AUDIT COMMITTEE REPORT FOR MANGAUNG METROPOLITAN MUNICIPALITY: REPORT NO 01-2020/21: 20 JULY 2020**

**Councillor GDP Kotze addressed the Council:**

“Thank you, Chairperson. The role to be played by the Audit Committee has been legislated in the MFMA and is critical to provide a mechanism for the rendering of impartial advice and recommendations to the municipal manager and council on financial and non-financial matters, to improve accountability and governance over the activities of municipalities and municipal entities.

Chapter 7 Section 52 (d) reads the mayor must within 30 days of the end of each quarter submit a report to the council on the implementation of the budget and the financial state of affair of the municipality. This report is very late?

The Audit Committee, being a committee of Council, should through its chairperson report to the municipal council after each Audit Committee meeting. Why do we only receive this report now?

Upon receipt of this report, Council should interrogate the information and ask relevant questions to the Audit Committee in order to assess whether they can rely on the information being presented to them. Mister Speaker, why is the Audit Committee not in attendance today? Due to the non-attendance of the Audit Committee will I refer the question to you Mister Speaker:

1. Is the Audit Committee satisfied with financial governance including the skills and competence of the finance function and the processes around the reporting? A letter will be delivered to the Chairperson of the Audit Committee.
2. Is the Audit Committee satisfied with the financial position of the Municipality?
3. If not, what could be done to improve the financial position of the Municipality?
4. What are the main reasons within performance management that the Audit Committee is concerned about and how can these be addressed?

The Metro has been placed under administration and downgraded twice in the past year. One of the most pervasive challenges is the lack of implementation of findings/recommendations raised by the Audit Committee. Where the Audit Committee feels that its recommendations have not been considered / implemented, it has the right to inform the Municipal Public Accounts Committee, the relevant MEC or even the Provincial Premier.

1. Did the chairperson informed MPAC, the relevant MEC or Provincial Premier?

To conclude Mister Speaker, the Audit Committee is appointed by Council and Councillors are accountable to the community. When selecting members of Audit Committees, Council should consider personal qualities, skills and experience as well as independence, all of which are critical. We as the DA would like to introduce the members to the public and media.

The appointed members are:

- the Chairperson, Mr Godfrey Mahlatsi, CEO Free State Provincial Treasury,
- Mrs Palesa Kaota, Municipal Manager Qwa-qwa District,
- Mrs Takatso Lebenya, Municipal Manager Thabo Mofutsanyana District Municipality and
- Mrs Patience Mdaka, Head of the Mangaung Metro Internal Audit Department.

Some of these Municipalities are under administration. We really do hope the members are independent. Thank you, Mister Speake.”

**Councillor MM Tladi addressed the Council:**

“Thank you, Honourable Speaker. Let me acknowledge the report of the Audit Committee. The Audit Committee is raising three important issues. They are saying that there is lack of representation at the EMT meetings. At EMT meetings they are not inviting the Internal Audit, we have to take that into account. The second issue is being resolved, the one on appointment of the Audit Committee. Issue number three, the Audit Committee is saying that their reports are not serving in Council.

Honourable Speaker, we have to make sure that the reports of the Audit Committee do serve in Council otherwise we will not be complying with the law. Let us do the right thing and bring those reports to the Council because 2018/2019 has already passed and so let the report of Audit Committee come to serve in Council. Otherwise, next time when the report of Audit Committee serves in Council, we are expecting the Chairperson of the Audit Committee to come and present their report. Others must come to Council and let EMT invite the Internal Audit, but this is a big report but let the other outstanding reports that were submitted by Audit Committee to come to Council because if those reports are not coming to Council, it is going to affect our audit outcome and let the EMT invite Internal Audit because it is going to cause a problem for us as the City if Internal Audit is not part of the EMT. Thank you, Honourable Speaker.”

**Councillor E Snyman van Deventer addressed the Council:**

“Thank you, Mister Speaker, I am not going to do my whole speech because Councillor GDP Kotze and Councillor MM Tladi basically covered everything. In view of what they said, we need to look at the Audit Committee, what they are doing and how they are doing it and inform them they are a Committee of Council and they must report to Council. Thank you, Mister Speaker.”

**Councillor MM Mothibi-Nkoane addressed the Council:**

“Thank you, Honourable Speaker. On the issue of the Audit Committee, I acknowledge and accept the report of the Audit Committee and I just want to raise the issue that improving the accountability, is one of the key performances of Mangaung Metro Municipality and in that regard, may the Audit Committee be given the opportunity to do just that and be able to assist Mangaung Metro Municipality to be efficiently and effectively on its course. Thank you, Honourable Speaker.”

*It was thereupon with **50 votes in favour, 22 votes against and 2 abstained,***

## 12B

**RESOLVED** that the recommendation as set out in the agenda be accepted, adopted and approved, by the Council.

**RESOLVED** that Council in terms of provisions of Section 166(2) of the MFMA consider and approve the report.

### 2.

#### **REVIEW AND PROPOSED AMENDMENTS TO STANDING RULES AND ORDERS**

##### **Councillor E Snyman van Deventer addressed the Council:**

“Thank you, Mister Speaker. I am going to repeat what I said in our Committee meeting and that is we are now undermining democracy. We are limiting the involvement of residents in decision making. We are basically murdering democracy. To include public holidays, Saturdays and Sundays in the definitions, that means the Speaker can call a meeting at 16h00 on a Friday afternoon for a Monday. That basically renders any consultation impossible, we will have a meeting, even caucus meetings will be difficult.

To say it is necessary for urgent matters or in a case of disaster, that is not sufficient motivation. To approve the R100 000 for a funeral, it is not urgent but if it is a real urgency or a disaster, Mister Speaker I can assure you, no opposition party will prevent such a meeting from taking place.

Another problem is the change from 75% to majority, that also in unacceptable. It will also undermine the fruitful participation of opposition party Councillors in the work of decision making of Council because you will only at the Council meeting be allowed to peruse what is going on.

Just to add to that, the interesting thing is, in the determination of date, time and venues of meetings, there it says that meetings of that nature will not ...as explained there, will not take place on a public holiday, Saturday or Sunday but notice for that, we include public holidays, Saturday and Sundays. It is just a typical ANC discrepancy. Thank you, Mister Speaker.”

##### **Councillor BJ Viviers addressed the Council:**

“Councillor MA Siyonzana, the introduction to this item reads that these amendments will help with the smooth running of the Municipality and assist the effectiveness and efficiency of the operations of the Municipality. The biggest smokescreen ever and not at all the truth. The harsh reality is that you and your administration do not have the ability to stick to timelines and cannot give proper notice of meetings. Yesterday documents were still loaded electronically on certain points of the agenda.

These amendments Councillor MA Siyonzana, it is only there to comfort you. Please remember that the Municipality consist of the Political arm, the Administrative arm and very important it's Community. Unfortunately, in Councillor MA Siyonzana's Council the Community does not matter, and it is only about himself and his party.



## 12C

The reasons for proper notice of Council Meetings are two-fold:

1. To allow members of this house to prepare adequately.
2. For members of this Council as representative of the Community to receive the Communities mandate.

Now with the alterations Councillor MA Siyonzana you are depriving ...”

**The Speaker interjected to stated that he had allowed Councillor BJ Viviers, but he was the Speaker of Council.**

**Councillor BJ Viviers continued:**

“The Speaker is depriving members of this house of the two functions as mentioned above. In typical Siyonzana Speaker’s style, you will now call a Council Meeting on Friday and sit on Monday. I have been serving as a Councillor with you as the Speaker of this house now already for almost a decade. During the years as the Speaker, you have oppressed the members of this house several times.

First you oppressed our freedom of speech, our speeches may only be 5 minutes now, not 10 minutes. You have oppressed us in the way that we may not ask questions during Council meetings regarding the functioning of the Municipality. We must now ask Rule 38 questions in writing and most of them are not being answered by your administration, especially if it harms the interest of your party.

By your guidance, your administration can promptly attend to these amendments to the Standing Rules and Orders to comfort you, but important matters like a Burial Policy are not being attended to. I foresee that the first urgent matter on your agenda that will be forced upon us will be a further burial of R 100 000,00 and again we will waste rates payer’s money and surely it will result in wasteful and fruitless expenditure.

Therefore, Councillor MA Siyonzana, I say again you do not care about the community only about yourself and your party and therefore on this item I will call you Councillor MA Siyonzana and not Honourable Speaker because what you are doing is not honourable.

Today you have taken away the last bit of democracy and credibility that your Standing Rules and Orders still had...”

**Councillor XD Pongolo raised a point of order, however the Speaker indicated that he will respond to Councillor BJ Viviers.**

**Councillor BJ Viviers continued:**

“The legacy of oppression and Kingdom style of running this Council, will come back to haunt you in the years to come. Remember our history. King Dingane Zulu much like yourself he ruled over his Kingdom. It was only his way or the highway. Anybody who went against him would be executed. A lot of similarities so far.

Unfortunately, Dingane Zulu lacked the military and leadership skills of his half-brother Shaka Zulu. In January 1840 King Mpande with the help of Voortrekkers and many of Dingane's own men who deserted him for Mpande's army overthrown King Dingane Zulu. King Mpande has given meaning to the words of President Mandela: *'if you want to make peace with your enemy, you have to work with your enemy. Then he becomes your partner'*. Late President Nelson Mandela also said: *'for to be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others'*.

The Democratic Alliance will vote against the item on the agenda as it is oppressive and undemocratically in nature. Next year if we take over this Municipality, be it on our own or majority in coalition, we will make sure that our Standing Rules and Orders are democratic, non-oppressive and reasonable.

Mister Speaker, if history is our measure the legacy that you have left today will take you on the path of King Dingane Zulu. Thank you, Mister Speaker."

**The Speaker remarked:** "Let me just indicate that this is a report of the Rules Committee and the Speaker doesn't sit in the Rules Committee and Councillor BJ Viviers sits in the Rules Committee. The Speaker is not part of the discussions. The discussions are those of the Committee. This report comes from a Section 79 Committee which is the Committee of Council.

Now, the Councillor cannot come here and say after they had discussed and resolved because himself is part of this Committee, he knows very well that the Speaker cannot change the recommendations of the Committee itself, they know that. they also know that these Committees were appointed by Council just like your Oversight Committee. The report of the Oversight Committee, the Speaker cannot change it. He is part of the people who discussed and agreed on these recommendations.

Two, the Speaker has a track record of not being a dictator in this Council. I accommodate all of them and sometimes I will postpone a Council meeting because they are requesting. I always make sure that parties in Council ..."

**Councillor M Kganakga raised a point of order, however Speaker responded:**

"Please allow me as you had allowed others, I was personally attacked. The manner in which he described me, he described me as a dictator. He made an example about Dingane. I am saying from time to time, all these political parties come to the office of the Speaker and the Speaker will give them a hearing. At times my political party will even say to me, you are too soft to the opposition, but because I have a firm view, that if you want to build this Council, everybody who serves in Council matters regardless of political affiliation.

I am coming from a party that talks about freedom of speech, tolerance, accepting the views of others, win debates. The Councillor knows that he is actually taking an item that he failed to convince those who are serving with him and now he comes and say I am the one that influence them when I was not part of the meeting. He knows that and I think he is less than frank in his utterances. It cannot be right for a Councillor to come in this Council meeting and pretend as if he is telling the truth when he knows those are lies.

**Councillor BJ Viviers requested a point of order after the Speaker finish speaking however Speaker stated that he allowed him to speak.**

**The Speaker continued:** “This Council had appointed Committees of Council and all political parties are represented in those Committees. This Committee has seen a gap, and these are house rules. The house rules are different from policy that involve communities. House rules are designed for Councillors who are serving in Council on how to run Council meetings. These are house rules and so if a Councillor failed to convince others, he must not come here and say the Speaker is not honourable when the Speaker has nothing to do with this item.

The Chairperson is going to respond. This item as I read it talks to practicalities. Councillors are using rules to play politics. Councillors are using rules to make sure that they frustrate the processes. If there is that gap and the Chairperson of the Committee feels that sometimes you fail to convene meetings because of this, you cannot come here and accuse the Speaker for that. You were part of the meeting when I was not part. You were part of the discussions on this item and I was not part. If you were not part, it is your choice because you are part of this Committee. You are actually supposed to come here and even assist the Chair of the Committee to respond to the questions. You are actually misleading the community and you are doing it deliberately...(inaudible – interrupted whilst speaking)

**At this point Councillors raised point of order and the Speaker said that they allowed Councillor to speak and therefore he should be allowed to respond. He continued as follows:**

“He attacked me personally and described me as a dictator. You cannot say I am a dictator on an item when I was not part of the discussions ... (inaudible- Councillors shouting point of order)

**At this point Councillor JF Britz, Councillor GDP Kotze, Councillor AP Terblanche and Councillor T van der Walt were all shouting and talking without being recognised by the Speaker as the Speaker continued speaking ...(inaudible – as his mic was muted).**

**Councillor BJ Viviers continued speaking without being recognised by the Speaker as the Speaker continued speaking ...(inaudible – as his mic was muted).**

**Councillors continued calling for point of order and the Speaker requested that Councillor XD Pongolo to allow him to finish and he remarked:**

“I am saying Councillors had allowed Councillor BJ Viviers to say that I am a dictator and I am responding. I am saying ... (inaudible- Councillors interjected as Speaker was speaking) I was not part of the discussions... (inaudible- Councillors interjected as Speaker was speaking) this is a report of the Rules Committee and I think Councillors, you are disrupting when a Councillor speaks ... (inaudible- Councillors interjected as Speaker was speaking)

When the Chairperson of Council is speaking, in terms of your own rules, no one must disrupt the Chairperson. I am saying when the Chairperson is on the platform ...(inaudible – as his mic was muted).

**The Speaker requested IT to check who was muting his mic whilst he was speaking.**

**The Speaker continued:** "I am just saying, Councillors, you know the truth."

**The Speaker allowed Councillor MM Mothibi-Nkoane to speak however she was interjected by Councillor M Kganakga who raised a point of order. She remarked as follows:**

"Thank you, Mister Speaker. Firstly, I don't think that it is right that you should rant and raven this Council, that is not right. When the Council started, you, yourself threaten us as Councillors by first muting us, getting us out of the room and telling us you are the might, that is typical behaviour of a dictator. Thirdly, these rules you want to change are going to only benefit you as the speaker of Council, not the opposition, not me as a Councillor and certainly not Councillor BJ Viviers as a Councillor. You ranting and raving ..."

**The Speaker interjected to indicate that he thought Councillor M Kganakga was raising a point of order but that was not a point of order that she was discussing as she had a different view.**

**As Speaker was addressing what Councillor M Kganakga said, Councillors were talking, and the Speaker remarked:**

"Councillors, you know why I am quiet; when I am speaking, there is a tendency from Councillor AP Terblanche, when I speak, he disrupts, and he knows the Rules. I am not a dictator; I can charge him. I can set an example. When the Chairperson speaks, no one must speak in terms of the Rules of this Council. Deliberately he will come in and he will not say anything but to make sure that he disrupts me. You can even give him a platform now, he is not going to say anything, but he is mastering undermining me. He is told to undermine me. I am saying to you Councillor AP Terblanche, watch your steps.

Councillor AP Terblanche, you are speaking whilst I am speaking! I want you to record that; I am speaking now; you are speaking, and you know the Rules. You are not supposed to do that. if your caucus is not advising you, you will see yourself outside this Council. It is not a threat; I have been tolerating you, I am a human being as well. I cannot allow one Councillor to undermine me in a manner in which you are undermining me. You came to my office today; you were complaining about somebody that is undermining you and you are doing this to me. You are coming to this Council; you are telling officials that you are senior than them; that is what you are doing."

**On a point of order, Councillor JF Britz remarked:**

"Mister Speaker in all respect now, can I ask you an honest question, how many times in this Council when you don't get your way, you said you are going to change the Rules, you said: *I am going to change the Rules*, now you play innocent here...(inaudible) No man! Don't mislead us please. Thank you, Mister Speaker."

**The Speaker responded:** "I am saying Councillor, I am not sitting in the Rules Committee and let us give the Chairperson of the Committee to speak. I am not part of that Committee. I am the Speaker of Council. I am the head of this Council."

**Councillor MM Mothibi-Nkoane addressed the Council:** “Thank you, Honourable Speaker. The Acting Executive Mayor, the Chief Whip of the Council, fellow Councillors, all protocol observed.

Honourable Speaker, allow me as I start talking, let me first start with the attendance and the quorum at the Committee meetings of Section 79, I refer to one of the meetings of the Rules Committee where a quorum was reached for the meeting whereafter the meeting was opened and agenda adopted, opposition members led by Councillor BJ Viviers pulled out of the meeting indicating that they cannot assist the ANC to form a quorum for the meeting.

They further indicated that if the meeting was to continue wanted to continue, it would be illegal, and that meeting collapsed. I am surprised today he is talking about being friendlier with your enemies so that you work together whereas is the opposite of what he is doing when he is in the Committee.

To me, there were no justified reasons why they pulled out of the meeting. The Standing Rules and Orders is very clear on what ...(inaudible) can leave a meeting when the meeting is in process. I further want to clarify to the opposition that they are not doing favour to the ruling party during meetings to form quorum, but it is their legislative duty to attend meetings, remain in the meetings once the meetings started and assist in forming quorums for meetings.

I want also to remind and refer Councillors to Schedule 1 of the Municipal Systems Act which deals with code of conduct for Councillors and maybe we should have a look into that, thoroughly. Section 2 of the code requires Councillors to perform the functions of their office in good faith, honestly and transparently and further at all times act in the best interest of the Municipality. Section 4(b) of the code further provides that Municipal Council may impose a fine on a Councillors for failing to remain in attendance at such meetings. Thank you, Honourable Speaker that you allowed me to give you the background of what is happening in Section 79 Committee.

On proposed amendments to the Standing Rules and Orders...”

**On a point of order, Councillor GDP Kotze remarked:** “Mister Speaker I would just like to bring to the attention of the Chairperson, she sounds like she is brain washed by fellow colleagues and she must practise what she preach. Thank you, Mister Speaker.”

**The Speaker remarked:** “Can you see Councillor GDP Kotze, you know very well that you just wanted to disrupt. You know very well that was not a point of order and you are disrupting... (inaudible as Councillor GDP Kotze was talking) I am saying, when somebody is delivering a speech then you saying ... (inaudible as Councillor GDP Kotze interrupted) You are now undermining me again, you don't allow me to speak. As usual, you don't want to hear the truth. At the moment she did not talk about anything...she talks about the legislative ... (inaudible as Councillor GDP Kotze interrupted). You are speaking whilst I am speaking Councillor GDP Kotze. I think on that one Adv TB Mea, I think Councillor GDP Kotze we will deal with him according to the law..... (inaudible as Councillor GDP Kotze interrupted).”

**At this point, Councillors were shouting and talking without being recognised.**

**Councillor E Snyman van Deventer on a point of order remarked:** “Thank you, Mister Speaker. What is happening now is a disgrace. I can understand their frustration with the Speaker, but it is unacceptable the way some of the Councillors; what they are doing at the moment.”

**Again, at this point, Councillors continued shouting and talking without being recognised. As Councillor BJ Viviers also raised a point of order, the Speaker responded that he had an opportunity to speak and all Councillors listened to him and therefore he should allow Councillor MM Mothibi-Nkoane to speak.**

**The Speaker further asked how would Councillor BJ Viviers feel when he wanted to speak and all Councillors shouted point of order and that Councillor MM Mothibi-Nkoane also want to speak however Councillor BJ Viviers keeps on shouting point of order; that what Councillor BJ Viviers was doing was deliberate as he did not want Councillor MM Mothibi-Nkoane to speak.**

**Councillor MM Mothibi-Nkoane continued:**

“Thank you, Honourable Speaker. The truth hurts and the same Councillor GDP Kotze, if you remember well when we were amending the Rule that changed from 96 hours to 48 hours, he is the one, the same who went to Section 79 Committee, signed the attendance register and came back running back to you to say we didn’t form a quorum. Today again, he is still opposing as if he was inside in that Committee this past two Section 79.

Honourable Speaker, if I now come to the amendment of our Standing Rules and Orders on proposed amendments to the Standing Rules and Orders, there is a reason I am repeating it, for the smooth and efficient effective management of its affairs the Council will be required from time to time to review its Standing Rules and Orders. The proposed amendments are made in order to make sure that some provisions and words in Standing Rules and Orders are clear and unambiguous.

The words ‘day and hour’ have to be amended to ensure Councillors count days and hours properly after they received their Council documents. In terms of subrule 8.3 it is unreasonable and unnecessary to want to stick to 75% threshold for the urgent matters to be discussed. The percentage as it stands make the work of the Council difficult unnecessary because in most cases urgent are very important for the Municipality hence the proposal of the simple majority requirement and the proposal of the insertion of subrule 13.8 is highly recommended on the basis that since the declaration of the state of national disaster, meetings are mainly held electronically in order to prevent the spread of the covid-19 pandemic. The insertion of further subrule 50 assist in clarifying when determining time and venue meetings on which days Council cannot hold its sittings and the factors that must be looked into when such determinations are made by either the Speaker or a Chairperson of a Committee.

As the ANC, Honourable Speaker, we therefore present these recommendations as they are or the amendments as they are. I Support the item as is. Thank you, Honourable Speaker.”

**On a point of clarity, Councillor PA Lotriet commented:** “Mister Speaker, I just want to know this, if the 75% Rule, if we want to change that, my question is wouldn’t it be fair then to have a 75% majority to change that Rule? Thank you, mister Speaker.”

**Councillor BJ Viviers raised a point of order:** “Mister Speaker, you said I was misleading the community and this Council, I just want to state, we can go back on the minutes that at several Council meetings you stated, you in person that you will alter the Rules especially with days and hours and that is what you are doing today. Thank you, mister Speaker.”

**Councillor T van der Walt on a point of clarity:** “Mister Speaker, this is a by-law, the Standing Rules and Orders is a bylaw. A bylaw must be public participated.”

**The Speaker explained as follows:** “Thank you Councillors. This is a policy; it doesn’t need for public participation. If you read the Constitution, it is having *day and business day* and that is what is happening today. There are matters where it is just a day, there are matters where it is a business day. For instance, if you are taking the Municipality to administration, they talk about you must write to NCOP in so many days, it is just a simple day, but you will have a situation where they would talk about business day.

Secondly, house rules in Parliament don’t need 2/3 majority, but if you want to change the Constitution etc, you need a 2/3 majority, and these are house rules, they don’t need 2/3 majority it is a simple majority. Let me repeat, Councillor BJ Viviers you were part of this Committee, you participated, you lost the debates in a Committee, you couldn’t convince other Councillors. I was not part of that meeting; don’t mislead the public of Mangaung.”

*It was thereupon with **50 votes in favour, 23 votes against and 1 abstained,***

**RESOLVED** that the recommendation as set out in the agenda be accepted, adopted and approved, by the Council.

## **RESOLVED**

It is therefore resolved that:

1. Council approves the proposed amendments to the Standing Rules and Orders as proposed under paragraph 4 above, namely;
  - 1.1 A new definition of the word “day” in the definition.
  - 1.2 The new definition of the word “hour” be inserted in the definition clause.
  - 1.3 The sub-section 8.3 be amended.
  - 1.4 The insertion of a new sub-section 50A, namely, the Determination of time and venue of meetings.
2. City Manager and Head: Corporate Services should ensure that the amendments are promulgated and published in the Provincial Gazette in terms of Section 13 of the Systems Act.

**None.**

**NOTED**

The Speaker indicated that the item will be discussed in committee and the live broadcast on Facebook be taken off and allowed 20 minutes caucus.

Councillor BJ Viviers asked how the reports would be shared, whether via emailed and the Speaker confirmed that it will be via emails and Councillors can log out and come back after 20 minutes caucus.

**Note by Secretariat:** Detailed minutes under this under are captured separately, as the item was discussed In Committee.

NOTED.

**1.  
APPOINTMENT OF THE CENTLEC BOARD**

*It was thereupon with 50 votes in favour, 24 votes against and 0 abstained,*

**RESOLVED** that the recommendation as set out in the agenda be accepted, adopted and approved, by the Council.

**RESOLVED**

1. that Council approves the appointment of Centlec Board of Directors members.
2. The following members should be appointed as members to the Centlec Board of Directors, namely:

No	Name	Highest Qualification	Capacity
1	Choeu Chose	<ul style="list-style-type: none"> <li>• BA (Honours)</li> <li>• Masters in International Relations</li> <li>• Diploma in Company Direction</li> </ul>	Deputy Chairperson

2	Ngubeni Themba	<ul style="list-style-type: none"> <li>• B Tech in Water Care</li> <li>• Post Graduate Diploma in Business Administration</li> </ul>	Ordinary member
3	Moroka Kenosi	<ul style="list-style-type: none"> <li>• B. Iuris</li> <li>• LLB</li> </ul>	Chairperson
4	Skwintshi Yoliswa	<ul style="list-style-type: none"> <li>• BSc in Computer Science and Geographic Information</li> <li>• BSc (Honours) in Computer Science</li> <li>• Advanced Management Program</li> </ul>	Ordinary member
5	Mazibuko Thandi	<ul style="list-style-type: none"> <li>• Bachelor of Commerce</li> <li>• Advanced Certificate in Fraud Examination</li> </ul>	Deputy Chairperson



## 13A

6	Tsiki Relebohile	<ul style="list-style-type: none"><li>• National Diploma in Civil Engineering</li><li>• B. Tech in Civil Engineering</li><li>• Masters in Civil Engineering (current)</li></ul>	Ordinary member
7	Adv. Teboho Manye	<ul style="list-style-type: none"><li>• LLB</li></ul>	Practicing Advocate

3. That Council approves the appointment of Mr Kenosi Moroka as the Chairperson of the Centlec Board of Directors.
4. That Council approves the appointment of Me. Mazibuko Thandi as the Deputy Chairperson of the Centlec Board of Directors.
5. That Council approves that the member should be remunerated according to the tariffs approved by Council in line with National Treasury guidelines, a one-day preparation fee and sitting allowance, which shall be linked to the annual tariffs increase of National Treasury.
6. That transport and accommodation costs for attending meetings or any business of the Municipality by the member should be for the account of the Municipality.
7. That Council condones the actions and decisions of the outgoing members of the Centlec Board of Directors for the period 1<sup>st</sup> to 30<sup>th</sup> October 2020.

## 2.

### APPOINTMENT OF MEMBERS OF MUNICIPAL PLANNING TRIBUNAL (MPT)

*It was thereupon with **50 votes in favour, 24 votes against and 0 abstained,***

**RESOLVED** that the recommendation as set out in the agenda be accepted, adopted and approved, by the Council.

### RESOLVED

1. That Council approves the appointment of members of the Municipal Planning Tribunal comprising of the following members:

(a) The five (05) external professionals

No	Surname	Name	Qualifications	Capacity
1	Lockman	Stefani Bernedette	<ul style="list-style-type: none"><li>• LLB Baccalaures</li><li>• Legum Degree</li><li>• Project Management (NQF7)</li></ul>	Ordinary member
2	Ngququ	Zwelibanzi William	<ul style="list-style-type: none"><li>• B Proc</li></ul>	Ordinary member
3	Mofokeng	Majoro Marvin	<ul style="list-style-type: none"><li>• Bachelor of Law (current study)</li></ul>	Chairperson

**13B**

4	Mashalaba	Yandisa Bavulele	<ul style="list-style-type: none"> <li>• Bachelor of Science</li> <li>• Masters in Urban and Regional Planning</li> <li>• PhD Urban and Regional Planning</li> <li>• Registered Professional Planner (SCPLAN)</li> </ul>	Ordinary member
5	Thiso	Lelethu	<ul style="list-style-type: none"> <li>• National Diploma in Civil Engineering</li> <li>• B. Tech Civil Engineering</li> <li>• Certificate in Business of Consulting</li> </ul>	Ordinary member

(b) The five (05) internal members

- 1) Head Planning
- 2) Head Human Settlements
- 3) Head Engineering
- 4) Executive Managers: Engineering Wires
- 5) GM: Legal Services

2. That Council approves the appointment of Mr Majoro Mofokeng as the Chairperson and the Head: Planning as deputy Chairperson of the Municipal Planning Tribunal respectively.

3. That Council approves the appointment of members of the Municipal Appeals Tribunal comprising of the following members:

(a) The two (02) external professionals

No	Surname	Name	Qualifications
1	Kumalo	Makiso John	National Diploma Town and Regional Planning BSc Town and Regional Planning Registered Professional Planner (SACPLAN)
2	Ehlers	Leon Ehlers	Bachelors Degree Town and Regional Planning Registered Town Planning Consultant (SACPLAN)

(b) The three (03) internal members

- 1) The Executive Member of Council (Executive Mayor)
- 2) City Manager
- 3) Chief Financial Officer

4. That Council approves the appointments of the Executive Mayor as the Chairperson of the Municipal Appeals Tribunal.

## 13C

5. That Council approves that the Municipal Planning Tribunal and Municipal Appeals Tribunal serve a period of five years, in line with the applicable by-laws.
6. That Council approves that members of the Municipal Planning Tribunal and Municipal Appeals Tribunal be remunerated at the applicable National Treasury rates for Chairperson and members of Committees and Commissions.
7. That Council note that the internal officials and the executive member of Council are excluded from the payment of remuneration to serve as members and
8. That the City Manager is mandated to ensure that the administrative arrangements are put in place for the proper functioning of the Municipal Planning Tribunal and Municipal Appeals Tribunal.

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<b>MOTIONS</b>
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None.

### NOTED

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<b>QUESTIONS</b>
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### QUESTIONS IN TERMS OF RULE 38 OF THE STANDING RULES AND ORDERS

#### Councillor FR Botes remarked:

“Thank you, Mister Speaker. I think this is a very serious question from our side and that is not only from the opposition or from the DA, it is from the total Council. You know for how many years we struggle now with Rule 38, can I quickly refresh your mind in one or two sentences.

I am sitting with the agenda point and the minutes in front of me, on 24<sup>th</sup> May 2018, you can look on the minutes, pages 10, 11 and 12; so many Councillors raised concerns regarding the Rule 38 questions which are not answered, they didn't get it back etc, on that specific meeting, you and Councillors decided to hold a meeting on that Thursday but I can't remember the date exactly but it must be more or less the 26<sup>th</sup> of May at 10h00 in your boardroom and that meeting the City Manager did not attend and that was off. On the 2<sup>nd</sup> of August 2018, item 69 Council meeting, we discussed this again, we did not reach a point.

So Mister Speaker with these two aspects in short, we cannot carry on as a Metro Municipality like that to say we must wait for our Rule 38 questions and I think all the Councillors can speak for themselves but in my case I do a proper planning investigations. I am sitting with seven outstanding Rule 38 questions and you know what is strange for me when we ask more or less the straight forward questions then we will receive the feedback after a month six or 10 weeks, it doesn't matter how long it takes sometimes, but the moment we ask a question and it is a sort of a critical one, and you touch on the toes of the ANC and it touches on corruption, then you will never get the answers back.

I am sitting with evidence as I am speaking here tonight, and so I am pleading tonight and I understand you mentioned that you will take Rule 38 questions over in your office, but Mister Speaker I must mention that it is now quite a long time that we must submit also to your office and still we did not get responses. You know, we have been sitting with these problems now for many years.

In my case as I have mentioned in the beginning, it is two years and five months still, you establish a sort of a Committee or panel to discuss it in your Boardroom, after two years and five months, no progress. How long must we still wait? I am not cross with you tonight but really, I am pleading tonight on behalf of every Councillor, we must do something to correct this chaos of Rule 38 questions. Please, I hope you will give us guidance now, although it is 22h00 but I think we are still quite capable to listen to you tonight, please Mister Speaker. Thank you for the opportunity but it is a crucial point, I appreciate.”

**The Speaker responded as follows:**

“Thank you, Councillor. I think Councillor are really raising this matter, I will ask, and I will have a panel that works on these matters more especially the outstanding ones. I will come back to you Councillor FR Botes, and I will have to call all the whips so that we can come with corrective measures, soon. Early next week either Monday or Tuesday. I will call a multiparty, all the whips so that they can advise me on what to do on these matters. Thank you, Councillors.”

**NOTED.**

112	<b>CLOSING OF THE ORDINARY COUNCIL MEETING</b>
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**The meeting officially closed at 22h10.**

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**CITY MANAGER  
ADVOCATE TB MEA**

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

**SECRETARIAT UNIT  
COMMITTEE SERVICES**