

Date: 21 July 2023

File Reference: 4/4/1

Author: Adv N Mpangane

Report Number:

Designation: AHOD

APPROVAL

- 1st Level: EMT (Not Applicable)
- 2nd Level: Section 80 Committee (Not Applicable)
- 3rd Level: MAYCO (Not Applicable)
- 4th Level: Council (27 July 2023)

SUBJECT: ELECTION OF THE COUNCIL WHIP

1. PURPOSE

- 1.1 The purpose of this report is to elect the Council Whip for the Mangaung Metropolitan Council in terms of Section 41A of the Local Government: Municipal Structures Act, Act 117 of 1998 (herein after referred as the “Structures Act”).

2. BACKGROUND

- 2.1 The Mangaung Metro is a Category A Municipality with a Mayoral Executive System as contemplated in Sections 7 and 9 of the Structures Act, The Mayoral Executive System allows for the exercise of the executive authority through an Executive Mayor in whom the executive leadership of the municipality is vested and who is assisted by a Mayoral committee.

3. DISCUSSION

- 3.1 On 25 April 2023, council in terms of council resolution 62.2 – 25/4/2023 designated Cllr Vumile Edwin Nikelo to act as Council Whip, after seven (7) former councillors were expelled by their own political party triggering declaration of seven (7) vacancies on 18 April 2023 by the MEC of CoGTA in the province. Subsequent thereto, PR list of the affected party was updated, replacements made with three (3) councillors declared elected on 20 April 2023 by the Electoral Commission. Further thereto, the Electoral Commission conducted the by elections on 19 July 2023 to fill the four (4) ward

vacancies as published in the General Notice 183 of 2023 of the Electoral Commission and published in Provincial Gazette No. 08 of 2023.

- 3.2 The outcome of the by election were announced and new ward councillors were then declared elected on 21 July 2023. To that end, as things stands in the municipality, there are no impediment to the Municipal Council electing permanent leadership, including the Council Whip to ensure political instability subsides and different political parties represented in council work in cohesion and harmony with common goal of provision of services and improving service delivery to communities. It is therefore recommended that council elects the Council Whip to assist the Speaker in maintaining order and decorum during council meetings, forging sound relations between political parties and resolve any disputes that may arise between political leadership in the municipality.

4. LEGISLATIVE PROVISIONS

Schedule 3 of the Structures Act, prescribes the below-mentioned procedure to be followed when electing Council Whip -: namely

(a) Nomination

- The person presiding at the meeting must call for the nomination of candidates.

(b) Formal Requirements

- A nomination must be made on the form determined by the Municipal Manager;
- The form on which a nomination is made must be signed by two members of the Municipal Council; the proposer and seconder;
- A person who is nominated must indicate acceptance of the nomination by signing either the nomination form or any other form of written confirmation.

(c) Announcement of names of candidates

- At a meeting to which this schedule applies, the person presiding must announce the names of the persons who have been nominated as candidates but may not permit debate.

(d) Single candidates

- If only one candidate is nominated, the person presiding must declare that candidate elected.

(e) Election procedure

If more than one candidate is nominated –

- (i) a vote must be taken at the meeting by secret ballot;
- (ii) each councillor present at the meeting may cast one vote; and
- (iii) the person presiding must declare elected the candidate who receives majority of the votes.

(f) Elimination procedure

- If no candidates receive a majority vote, the candidates who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with item 6. This procedure must be repeated until a candidate receives most of the votes.

5. DELEGATIONS

5.1 The delegations to the Council Whip are defined in the Structures Act.

5. IMPLICATIONS

5.1 Financial

Council Whip is elected and appointed as full-time councillor and his or her salaries and benefits are defined and provided *in Determination of Upper Limits of salaries and benefits for councillors* determined annually by the Minister for CoGTA.

5.2 Legal

The election of the Council Whip must be through a secret ballot.

5.3 Community & Service Delivery

Urgent filling of the vacancy of the Council Whip in accordance with the legislative requirements is crucial to ensure harmony and compliance with tabling of compliance by the City of Mangaung.

6. RECOMMENDATION

6.1 It is recommended that Council take note of the report and elect one councillor to serve as the Council Whip on a full-time basis.

7. SUPPORTED BY:



Adv NG Mpangane

ACTING HOD: CORPORATE SERVICES

DATE 25-07-2023

8. APPROVED BY:



Ms N Demalisile

ACTING CITY MANAGER

DATE 25/07/2023.

RECOMMENDATION

It is recommended that Council take note of the report and elect one councillor to serve as the Council Whip on a full-time basis.

9. RATIFIED BY:


Ms Gugu Malaza

NATIONAL CABINET REPRESENTATIVE

DATE 25 July 2023

10. ANNEXURES

10.1 GENERAL NOTICE 183 OF 2023 BY THE ELECTORAL COMMISSION.

10.2 PROVINCIAL GAZETTE NO 08 2023 PROCLAMATION OF BY ELECTIONS.

10.3 LETTER FROM IEC CONFIRMING THE BY ELECTIONS HELD ON 19 JULY 2023



**LETTER FROM IEC
CONFIRMING THE
BY-ELECTIONS HELD ON
19 JULY 2023**



SOUTH AFRICA

Mangaung Metro Municipality

Room 42

1st Floor BFN City Hall

Corner Press Brand & Nelson Mandela

Bloemfontein

9301

Our Ref: 2023/July/18

Enquires : 051 447 6783

Cell : 078 473 7848

21 July 2023

The Acting Municipal Manager

Ms Ngaka Dumalile

Mangaung Metro Municipality

Room 201

2nd floor Bram Fischer Building

Bloemfontein

9301

Dear AMM

BY-ELECTIONS WINNERS – 19 July 2023 Wards (7, 29, 49 & 50)

Electoral Commission

Electoral Commission

Electoral Commission

info@elections.org.za www.elections.org.za



SOUTH AFRICA

In terms of Section 25(1)(d) of the Local Government : Municipal Structures Act, 1998, and following the declaration by the Acting Municipal Manager of Mangaung Metro Municipality of ward vacancies in wards 7, 29, 49 and 50 on the 9th of May 2023 the Electoral Commission conducted a ward by-election in Mangaung Metro Municipality in ward 7, 29, 49 and 50 on the 19th of July 2023.

The Following councilors were duly elected in the following wards:

1. Ward 7, **Mr. Siza Clement Sehloho**, ID 7501128011089 of the African National Congress.
2. Ward 29, **Mr. Dikololo Elias Matzeph**, ID 6707165800089 of the African National Congress.
3. Ward 49, **Mrs. Mohanuwa Julia Lekhwale**, ID 6807250777085 of the African National Congress.
4. Ward 50, **Mr. Thabo Nicholus Monaro**, ID 7707075844087 of the African National Congress.

Accordingly all the above mentioned candidates are hereby declared duly elected with effect from the 20th of July 2023.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Lehloka', written over a horizontal line.

TM Lehloka (Regional Assistant Manager)

Mangaung Metro

A handwritten signature in black ink, appearing to read 'K Rapulungane', written over a horizontal line.

Municipal Electoral Officer

21/07/2023

Electoral Commission of South Africa



PROVINCIAL GAZETTE
No. 8 OF 2023
PROCLAMATION OF
BY-ELECTIONS

Provincial Gazette

Free State
Province



Provinsiale Koerant

Provinsie Vrystaat

Published by Authority

Uitgegee op Gesag

NO. 22	FRIDAY, 09 JUNE 2023	NR.22	VRYDAG, 09 JUNIE 2023
PROVINCIAL NOTICES		PROVINSIALE KENNISGEWINGS	
08	Free State Provincial Road Traffic Act 1998 (Act No 2 of 1998) Notice of Increase of Motor Vehicle Registration and Licensing Fee 2		
09	Application for the Subdivision of Erf 28307 Woodland Hills, Subsequent Consolidation of the Proposed Subdivision of Erf 28307 with 28306 Woodland Hills and the Amendment of the Zoning "Special Use 14" within the Bainsvlei Town Planning Scheme..... 16		
10	By-Elections in terms of Section 25(3) of the Local Government: Municipal Structures Act, 1998 as Amended: Mangaung Metropolitan Municipality Ward 07, 29, 49 and 50..... 17	10	Tussenverkiesing ingevolge Artikel 25(3) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 soos Gewysig: Mangaung Metropolitaanse Munisipaliteit Wyk 07, 29, 49 and 50..... 17
GENERAL NOTICES		ALGEMENE KENNISGEWINGS	
29	Matjhabeng Municipal Land Use Planning By-Law 2015..... 18	29	Matjhabeng Verordening op Munisipale Grongebruiksbeplanning 2015..... 18
NOTICES		KENNISGEWINGS	
	Applications for Public Road Carrier Permits: Advert 300..... 19		
	Notices of Determination: The Conversion of Certain Rights into Leasehold or Ownership Act, 1988 (Act No. 81 of 1988).... 68		Kennisgewing van Bepaling: Wet op die Omskepping van Sekere Regte tot Huurpag of Eiendomsreg, 1988 (Wet No. 81 van 1988)..... 68
	Notice is given, in terms of Section 49(1) of Ngwathe Planning Bylaw, 2018 Published in Provincial Notice No. 74 of 2018 and Relevant Sections of Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) for the Following.. 69		
	Notice of Intention to Transfer Liquorlicense of Cd's Pub & Grill Fsp/023915 free State Gamblingand Tourism Act No. 6 of 2010 As Amended..... 69		

Full Names	Position
Mr. Molwantwa Selogilwe	COGTA Spatial Planning
Mr. David Mngcolwani	DALRRD (Deeds Office)
Ms. Rosalind Mdubeki	DALRRD (Surveyor General)
Mr. N.L. Maimela	Phumelela Director Corporate Services
Mr. Ralebanya Francis	Phumelela Chief Financial Officer
Mr. Leslie Mokoena	Phumelela Director Technical Officer
Mr. Samson Mahlanqu	Phumelela Auxiliary / Housing Manager

The commencement date of the Phumelela Municipal Planning Tribunal will be the date of publication of this notice. The appointment will be for a period of five (5) years and not exceeding 10 years. The *domicilium citandi et executandi* for the purpose of accepting land development applications, legal proceedings and giving or sending notices are the following addresses:

Physical Address : Municipal Spatial Planning Office
Corner Kuhn and Prinsloo Street
Vrede
Enter Postal Address : Private Bag x5
Vrede
9835

Mr. N.L. Maimela
Acting Municipal Manager
Phumelela Local Municipality

<p>[PROVINCIAL NOTICE NO. 11 OF 2023]</p> <p>BY-ELECTIONS IN TERMS OF SECTION 25(3) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 AS AMENDED: MANGAUNG METROPOLITAN MUNICIPALITY WARD 07, 29, 49 AND 50</p> <p>Under the powers vested in me by section 25(3) of the Local Municipal Structures Act, 1998 (Act No 117 of 1998) as amended, I, Moses Ketso Makume, Member of the Executive Council responsible for Local Government in the Free State Province, and after consultation with the Electoral Commission, hereby call a by-election and set 19 July 2023 as the date for the by-elections to be held in Ward 07, 29, 49 and 50 of Mangaung Metropolitan Municipality.</p>	<p>[PROVINSIALE KENNISGEWING NR. 11 VAN 2023]</p> <p>TUSSENVERKIESING INGEVOLGE ARTIKEL 25(3) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998 SOOS GEWYSIG: MANGAUNG METROPOLITAANSE MUNISIPALITEIT WYK 07, 29, 49 AND 50.</p> <p>Kragtens die bevoegdheid my verleen by artikel 25(3) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998) soos gewysig, skryf ek Moses Ketso Makume, Lid van die Plaaslike Regering in die Vrystaat Provinsie 'n tussenverkiesing uit en bepaal ek, na oorleg met die Verkiesingskommissie, 19 Julie 2023 as die dag en datum waarop die tussenverkiesing in Wyk 07, 29, 49 and 50 van die Metropolitaanse Munisipaliteit van Mangaung gehou moet word.</p>												
<p>[GENERAL NOTICE NO. 29 OF 2023]</p> <p>MATJHABENG MUNICIPAL LAND USE PLANNING BY-LAW 2015</p> <p>Under the powers in terms of Section 35(1) of the Spatial Planning and Land Use Management Act, Act 16 of 2013, vested in the Municipal Planning Tribunal of the Matjhabeng Municipality, and Section 62(4) of the Matjhabeng By-law on Municipal Land Use planning, 2015, the following approvals was granted:</p> <table border="1" data-bbox="119 1787 782 2027"> <thead> <tr> <th>Reference Number</th> <th>Application description</th> <th>Approval Date</th> </tr> </thead> <tbody> <tr> <td>MPT 22/2022</td> <td>1. The Rezoning of Erf 1014, Naudeville Ext. 2. Welkom from "Residential (Special)" to "Institutional". 2. Special Consent to use</td> <td>14/12/2022</td> </tr> </tbody> </table>	Reference Number	Application description	Approval Date	MPT 22/2022	1. The Rezoning of Erf 1014, Naudeville Ext. 2. Welkom from "Residential (Special)" to "Institutional". 2. Special Consent to use	14/12/2022	<p>[ALEGEMENE KENNISGEWINGNR NR.29 VAN 2023]</p> <p>MATJHABENG VERORDENING OP MUNISIPALE GRONGEBRUIKSBEPLANNING 2015</p> <p>Kragtens die bevoegdheid, kragtens Artikel 35(1) van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, Wet No. 16 van 2013, verleen aan die Matjhabeng Munisipale Beplanningsribunaal, en Artikel 62(4) van die Matjhabeng Verordening op Munisipale Grondgebruiksbeplanning, 2015, was die volgende goedkeuring toegeken:</p> <table border="1" data-bbox="805 1787 1495 2027"> <thead> <tr> <th>Verwysingsnommer</th> <th>Aansoek beskrywing</th> <th>Goedkeuringsdatum</th> </tr> </thead> <tbody> <tr> <td>MPT 22/2022</td> <td>1. Die Hersonerig van Erf 1014, Naudeville Uitbreiding 2, Welkom van "Residensieel (Spesiaal)" na "Institusioneel" 2. Spesiale Vergunning om</td> <td>14/12/2022</td> </tr> </tbody> </table>	Verwysingsnommer	Aansoek beskrywing	Goedkeuringsdatum	MPT 22/2022	1. Die Hersonerig van Erf 1014, Naudeville Uitbreiding 2, Welkom van "Residensieel (Spesiaal)" na "Institusioneel" 2. Spesiale Vergunning om	14/12/2022
Reference Number	Application description	Approval Date											
MPT 22/2022	1. The Rezoning of Erf 1014, Naudeville Ext. 2. Welkom from "Residential (Special)" to "Institutional". 2. Special Consent to use	14/12/2022											
Verwysingsnommer	Aansoek beskrywing	Goedkeuringsdatum											
MPT 22/2022	1. Die Hersonerig van Erf 1014, Naudeville Uitbreiding 2, Welkom van "Residensieel (Spesiaal)" na "Institusioneel" 2. Spesiale Vergunning om	14/12/2022											



**GENERAL NOTICE 183 OF 2023
BY THE ELECTORAL
COMMISSION**

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

ELECTORAL COMMISSION

NOTICE 1883 OF 2023

MUNICIPAL BY-ELECTIONS – 19 July 2023

OFFICIAL LIST OF VOTING STATIONS

The Electoral Commission hereby gives notice in terms of section 19(5) and 22(1) of the Local Government: Municipal Electoral Act, 2000 (Act 27 of 2000), that copies of a list containing the address of each voting station as well as the route, including the locations and estimated times of each mobile voting station, will be available for inspection during office hours at:

- The office of the relevant Municipal Electoral Officer for each municipality where a By-Election is to take place, as listed below;
- The office of the relevant Provincial Electoral Officer of the designated venues listed below;
- The Head Office of the Commission of Election Hours, Riverside Office Park, 1303 Heuwel Avenue, Centurion.

By-Elections will take place in the following municipal wards:

- Eastern Cape – EC142 – Sengqu – Ward 21402005
- Free State – M41 – Mungoing – Wards 49400007; 49400029; 49400049 and 49400050
- KwaZulu Natal – KZ085 – Mthonjaneni – Ward 52805006
- KwaZulu Natal – KZ086 – Ikandla – Ward 52806002
- North West – NW073 – Rustenburg – Ward 63703011
- Western Cape – WC044 – George – Wards 10404016; 10404020 and 10404027

The municipal venue(s) designated for the inspection of the lists are:

Municipality	MEO Name	Address
EC142 - Sengqu	M Mosehane (Acting)	12A Brunner Street Lady Grey
M41 - Mungoing	K Kaputungane	City Hall Building 1 st Floor Room 42 President Brand Street Bloemfontein
KZ085 - Mthonjaneni	B D Mondo	Mthonjaneni Municipality 23 Reinhold Street (next to Tuxan Hall) Maitsoth
KZ086 - Ikandla	L S Buthezi	Ikandla Municipality 292 Marae Road Ikandla