

**CONFIDENTIAL**

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**MINUTES  
Of a  
SPECIAL MEETING**

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**MANGAUNG  
METROPOLITAN  
MUNICIPAL COUNCIL**

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

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**THURSDAY  
14 DECEMBER 2023  
AT 12:00**

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**MANGAUNG  
METROPOLITAN  
MUNICIPALITY**

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**MINUTES OF A  
SPECIAL MEETING  
of the  
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL  
held IN THE COUNCIL CHAMBER, FIRST FLOOR, BRAM FISCHER BUILDING  
BLOEMFONTEIN  
on  
THURSDAY, 14 DECEMBER 2023 at 12:00**

**ATTENDANCE REGISTER**

<b>OFFICE BEARERS COUNCILLORS</b>			
<b>#</b>	<b>NAME</b>	<b>PARTY</b>	<b>LEAVE</b>
1	<u>Speaker</u> Cllr Mathae (Bongani Lawrence)	ANC	
2	<u>Executive Mayor</u> Cllr Nthatisi (Gregory Mosala Solomon)	ANC	
3	<u>Deputy Executive Mayor</u> Cllr Titi-Odili (Lulama Magdelina)	ANC	
4	<u>Council Whip</u> Cllr Nikelo (Vumile Edwin)	ANC 28	
<b>SECTION 79 CHAIRPERSONS</b>			
5	<u>Rules</u> Cllr Mokgothu (Tona Kenosi Wilfred)	ANC 2	
6	<u>Municipal Public Accounts Committee</u> Cllr Makoloane (Itumeleng Justice)	ANC 36	
7	<u>Petition and Community Liaison</u> Cllr Morake (Molefi Andries)	ANC	
8	<u>Remunerations</u> Cllr Tladi (Motshewa Martha)	ANC	
9	<u>Public Places and Street Naming</u> Cllr Mogotloane (Thabo Joel)	ANC 39	
<b>INTERIM MMC: CHAIRPERSON OF SECTION 80 COMMITTEES</b>			
10	<u>Economic Development and Spatial Planning</u> Cllr Jonas (Vuyelwa Eunice)	ANC	
11	<u>Waste and Fleet Management</u> Cllr Mosala (Motlhokung Theodorah)	ANC 11	
12	<u>Performance Management, Monitoring and Compliance</u> Cllr Tsoleli (Sibongile Pearm)	ANC	
13	<u>Infrastructure and Engineering</u> Cllr Soqaga (Vusumzi Simon)	ANC	
14	<u>Finance</u> Cllr Kruger (Caprice Logan)	ANC 16	
15	<u>Human Settlements</u> Cllr Nhlapo (Ntombi Anna)	ANC	

16	<u>Rural Development</u> Cllr Twala (Pani Sidney)	ATM	Absent with apology
17	<u>Community Services</u> Cllr Qai (Alfred)	AIC	Absent with apology
18	<u>Corporate Services</u> Cllr Letawana (Manthuse Maria)	ANC	
PR COUNCILLORS			
#	NAME	PARTY	LEAVE
19	Cllr Campher (Zaandre MC)	DA	
20	Cllr Davies (Maryke)	DA	Absent with apology
21	Cllr De-Huis (Dikeledi Jane)	EFF	
22	Cllr De Kock (Valerie Belinda)	FFPlus	
23	Cllr Denner (John Henry)	FFPlus	Absent with apology
24	Cllr Dennis (Magdalena Elizabeth)	DA	Absent with apology
25	Cllr Ferreira (Thomas Ignatius)	DA	Absent with apology
26	Cllr Klaasen Raynie Sarah	DA	
27	Cllr Letsoko (Mantwa Sanah)	EFF	
28	Cllr Lipale (Gopolang Jeremiah)	EFF	
29	Cllr Makau (Pitso Elias)	EFF	
30	Cllr Malebo (Deliwe Lettia)	EFF	
31	Cllr Maliela (Motiki Edwin)	DA	
32	Cllr Masoeu (Thapelo David)	DA	
33	Cllr Matsoetlane (Maditaba Joyce)	ANC	
34	Cllr Mogotsi (Mamahlope Elisa)	EFF	
35	Cllr Mohlamme (Lebohang Lerato)	DA	Absent with apology
36	Cllr Mokoena (John Itumeleng)	AASD	Absent with apology
37	Cllr Mongale (Mojalefa William)	AASD	

38	Cllr Moreeng (Kabelo Christopher)	DA	
39	Cllr Mtshakazane (Eunice Xoliswa)	EFF	
40	Cllr Njiva-Lebajoa (Mamotse)	DA	
41	Cllr Phohleli (Tsholwane Eddy)	EFF	
42	Cllr Phupha (Ntsoaki Agnes)	PA	
43	Cllr Ramatlama (Mpho Joseph)	EFF	
44	Cllr Rampai (Pule Joseph)	ACDP	
45	Cllr Rasoeu (Lempe Ernest)	DA	Absent without apology
46	Cllr Sebolao (Jankie Elisha)	EFF	Absent without apology
47	Cllr Shale (Nkahiseng Reginah)	EFF	
48	Cllr Snyman-Van Deventer (Elizabeth)	FFPlus	Absent with apology
49	Cllr Terblanche (Arthur Phillip)	DA	
50	Cllr Thomas (Johannes Beleme)	EFF	
51	Cllr Thwala (Zwelinjane Jonathan)	DA	Absent with apology
52	Cllr van der Ross (Kevin Etienne)	PA	
53	Cllr van Rensburg (Corize)	DA	
54	Cllr Viviers (Benhardus Jacobus)	DA	
55	Cllr Vorster (Braam)	FFPlus	
56	Cllr Wewege (Mare-Lize)	FFPlus	
<b>WARD COUNCILLORS</b>			
#	NAME	PARTY WARD	LEAVE
57	Cllr Sefaki (Samuel)	ANC 1	
58	Cllr Machachamise (Tshepiso Oudious)	ANC 3	

59	Cllr Supi (Mahoko Harold)	ANC 4	
60	Cllr Lecoko (Lehlohonolo Nathaniel)	ANC 5	
61	Cllr Moiloa (Tshidiso Petrus)	ANC 6	
62	Cllr Sehloho (Siza Clement)	ANC 7	
63	Cllr Nyaphudi (Likeleli Julia)	ANC 8	Absent without apology
64	Cllr Tlhakung (Betty Masetlhabi)	ANC 9	
65	Cllr Setlai (Teboho Lesley)	ANC 10	
66	Cllr Hashatsi (Rafedile)	ANC 12	
67	Cllr Siteo (Nombulelo Dorcas)	ANC 13	
68	Cllr Lekgetho (Lebogang Winston)	ANC 14	
69	Cllr Mohibidu (Pulane Martha)	ANC 15	
70	Cllr Mohatle (Mampone Sally)	ANC 17	
71	Cllr McKay (David Mark Campbell)	DA 18	
72	Cllr Peter (Seth Qondile)	ANC 19	
73	Cllr Pretorius (Werner)	DA 20	
74	Cllr Lotriet (Pieter Adam)	DA 21	Absent with apology
75	Cllr Leech (Dulandi)	DA 22	Absent with apology
76	Cllr van der Walt (Tjaart Botha)	DA 23	
77	Cllr Kotze (Gerhardus Dirk Petrus)	DA 24	
78	Cllr Botes (Francois Rossouw)	DA 25	
79	Cllr van Niekerk (Hendrik Johannes Christiaan)	DA 26	
80	Cllr Banyane (Zachous Nechodemus)	ANC 27	

81	Cllr Matsephe (Dikololo Elias)	ANC 29	
82	Cllr Tukula (Teboho Daniel)	ANC 30	
83	Cllr Mabena (Mere Joel)	ANC 31	
84	Cllr Menyatso (Thabang Victory)	ANC 32	
85	Cllr Mohono (Tshidiso Augustine)	ANC 33	
86	Cllr Tshwane (Kabi Daniel)	ANC 34	
87	Cllr Fantisi (Teboho Samuel)	ANC 35	
88	Cllr Ramolele (Mmota Simon)	ANC 37	
89	Cllr Matsoso (Molahloane Florenciah)	ANC 38	
90	Cllr Pholoholo (Ntebaleng Petunia)	ANC 40	
91	Cllr Dintlhwane (Mantja Agnes)	ANC 41	
92	Cllr Mothupi (Maqoma Lazarus)	ANC 42	
93	Cllr Nkiane (Mpho Elizabeth)	ANC 43	
94	Cllr Pretorius (Selmé)	DA 44	Absent with apology
95	Cllr Mathe (Lisiwe Jeanette)	ANC 45	
96	Cllr Majoro (Mpho Samuel)	ANC 46	
97	Cllr Maartens (Jan-Rudolf)	DA 47	
98	Cllr Pretorius (Johannes Christiaan)	DA 48	Absent with apology
99	Cllr Lekhwele (Mohanuwa Julia)	ANC 49	
100	Cllr Monare (Thabo Nicholus)	ANC 50	
101	Cllr Mohulatsi (Mamoorosi Margaret)	ANC 51	

**PRESENT  
OFFICIALS**

- |  |                  |
|--|------------------|
| 1. City Manager  | Mr S More        |
| 2. HOD: Technical Services   | Mr IR Masobeng   |
| 3. HOD: Planning, Economic and Rural Development<br>and Human Settlement | Ms N Chakane     |
| 4. HOD: Corporate Services   | Mr M Duma        |
| 5. HOD: Public Safety and Security                                       | Mr KI Kgamanyane |
| 6. HOD: Community Safety   | Dr KT Thinda     |
| 7. Head: Office of Speaker   | Mr K Tsitsi      |
| 8. Chief of Staff  | Mr Z Mangcotywa  |
| 9. Head in Deputy Executive Mayor's Office                               | Ms B Mncube      |
| 10. Head in Council Whip's Office  | Mr T Mohapi      |
| 11. Head MPAC Office   | Mr MD Sekakanyo  |
| 12. Acting Manager: Council Support                                      | Ms R Mamatela    |
| 13. Secretariat  | Ms K Nziweni     |
| 14. Secretariat  | Ms L Ruiters     |

**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) (Leave 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 (Leave 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)**

**195.**

**OPENING**

**(MOMENT OF SILENT CONTEMPLATION FOR MEDITATION AND PRAYERS)**

The meeting commenced at 12h04

Speaker declared the meeting officially opened. He welcomed Cllr J Maartens, the newly elected Councillor for Ward 47.

Cllr J Maartens was afforded an opportunity to greet the Council.

The Speaker then acknowledged the HOD's who were joining the Council for the first time.

The Speaker passed sincere gratitude to the community of Mangaung for the response given during the past weeks when the City went through severe thunderstorms. That Council was able to gather most households whose personal belongings and properties were affected of which some were without homes and even one life was lost. That the Municipality's infrastructure also collapsed leaving most of the communities for a maximum of 72 hours without electricity supply, and VIP toilets badly affected.

That while the Municipality is busy meeting the basic needs such as shelter for affected people, it is further faced with a challenge of repairing worn-out infrastructure as some areas are without water and electricity for period of time and thus apologise in that regard.

That the Municipality has teamed up with National Departments and Provincial COGTA to assist including The Gift of the Givers, who also offered their assistance and the Executive Mayor will bring a report in this regard. Council passed their heartfelt condolences to the family that lost a 7 year old child.

The Speaker thereon requested all to stand for a moment of silence for the life lost.

The Speaker confirmed that 74 Councillors were present in the Council meeting.

**NOTED.**

**196.**

**NOTICE OF THE MEETING**

Speaker read the notice as outline on page 2 of the agenda and confirmed that notices were placed in all relevant media platforms.

**NOTED.**

197.

**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 pages of the minutes.

**NOTED.**

198.

**ACCEPTANCE OF THE AGENDA**

Cllr GJ Lipale requested that item 205.1 be removed or be amended because Ms Mthembu declined the offer to sign the acceptance letter and therefore the second person in terms of the previous report should be the one filling up the position.

On a point of order, Cllr MM Tladi indicated that the report should be dealt with In Committee.

Cllr MJ Ramatlama remarked: "I am in agreement with Cllr GJ Lipale by saying can we give the MM to clarify the item because on the 4<sup>th</sup> December and MMM he addressed the City on seeking guidance on how to handle the matter of the CFO. Secondly page 11 of the report adopted by this house says in an instance where the recommended candidate is not available to occupy the position, the second and third candidate will be considered."

The Speaker mentioned that the item under In Committee should not be discussed however Councillors were free to adopt the agenda and when dealing with In Committee item, it would only be then that they can discuss it further.

On a point of clarity, Cllr BJ Viviers remarked: "I understand the predicament, personally have not seen the report however clarity should be provided maybe if we can get to the In Committee part and allow the matter that was raised by EFF be clarified then we can have the debate whether it should be removed or not."

Cllr MW Mongale proposed that Council should discuss In Committee items prior other items and was seconded by Cllr GDP Kotze.

The Deputy Executive Mayor moved for the adoption of the agenda as is and was seconded by Cllr MT Mosala.

Cllr DMC McKay stated that a point should be added to the agenda where the Executive Mayor would answer to clarify questions requested in several Council meetings and at the last meeting, the Executive Mayor said he would add the responses to those clarity seeking questions, which would have resolved a lot of issues raised or been resolved had the Council Whip called a whippy meeting.

Cllr DMC McKay proposal was seconded by Cllr BJ Viviers seconded

The Council voted as follows on the proposals raised:

1<sup>st</sup> Proposal: agenda as is and remove the recruitment process of the CFO: 10 votes in favour and 50 against.

2<sup>nd</sup> Proposal: adopt agenda with amendment to include the responses of the Executive Mayor: 18 votes in favour.

3<sup>rd</sup> Proposal: In Committee items to be discussed first: 7 voted in favour.

4<sup>th</sup> Proposal: Adopt agenda as is: 48 in favour, 33 against and 0 abstained.

The Speaker declared that the agenda was adopted as is.

NOTED.

199.

#### ANNOUNCEMENTS

Cllr GDP Kotze stated that at the previous Council meeting the Speaker instructed the Council Whip to have an urgent meeting with all the whips regarding the hacking of the ICT system however, that meeting did not take place. He even went as far as writing to the Council Whip.

Cllr ME Mogotsi made the following announcement: That on the 10<sup>th</sup> February 2024 at Moses Mabhida Stadium, the EFF will be launching the manifesto and therefore invited the community of Mangaung. That Mr Mbalula had created story that some EFF members joined the ANC and that was all lies.

Cllr ME Mongale said that he wished that the Council meeting could have taken place two (2) days earlier because, the previous day, as there was a march organised on the death of Machaka who stayed in Rocklands, who was kidnaped and killed. That Council must not be ignorant on such matters but should pronounce itself especially when a girl child is involved. It was not only Machaka but a sequence of events were someone killed and kids kept on disappearing in Mangaung and therefore the Municipality must not keep quiet in such instances. The Executive Mayor be urged to give urgent attention as arrests needs to be done.

The Deputy Executive Mayor announced that the Mangaung Metro Municipality would be hosting a boxing tournament that supports activism against Gender Based Violence and support the victims.

Furthermore that on the 15<sup>th</sup> December 2023, a young man Katlego Senokoane who was killed during the disaster in Ward 46 at the grandmother's house, would be buried and the funeral would start at 9h30. Thirdly, the Executive Mayor organised a Mayoral prayer and invited all churches in all seven (7) towns at Rantlai Molemole Stadium, and the service would only take 3 hours on the 16<sup>th</sup> of December 2023.

Cllr CL Kruger announced that in Ward 16, they would be having a Cairo festival 2023, under the leadership of Benji Williams. That all details were on Mr Banji Williams' Facebook page and the community was invited to join. She further reminded Council and members of the community that on the 8<sup>th</sup> January 2024, the ANC would be celebrating its birthday and the celebration would take place on the 13<sup>th</sup> January 2024 at Mpumalanga.

**NOTED.**

**200.**

**DECLARATION OF INTEREST**

**None.**

**NOTED.**

The Executive Mayor tabled the items as outlined in the agenda as follows:

- Mangaung had a system attack which was under intensive investigation. He stated that from quarters of DA, before the Municipality could even know there was such an attack, Cllr GDP Kotze approached Volksblad on the issue and made serious allegations that the Municipality's ICT system was under attack and that it has being held at ransom. He was perplexed how this matter reached the quarters of DA before reaching administration.
- That he apologise to communities with regards to the water situation that the Municipality is subjected to. That the administration and his office had been inundated with calls and therefore they were doing the best to deal with the issue and thus hoped that administration was halfway through.
- That the Municipality was up in arms in dealing with the killings including the disaster that happened as well as the burial of the deceased. That National Departments were in town interacting with the administration.
- That the recommendation of item 201.5 be amended.

On a point of order, Cllr W Pretorius explained that regarding the time or minute given as per Speaker's ruling according to the standing rules and orders Rule 34.3.

The Speaker explained why he ruled as such.

NOTED.

1.

**MMM PLACEMENT REPORT: FORMER PERSONEL OF THE DISESTABLISHED NALEDI LOCAL MUNICIPALITY & IKHOMOTSENG/SOUTPAN COMMUNITY AND MOTHEO DISTRICT MUNICIPALITY**

**Cllr JB Thomas addressed the as follows:** "Cllr BL Mathae, I rise today to address a matter of great concern in the manner which the placement committee was constituted it has come to our attention that the committee was not constituted in a proper manner with the approved policy set by the Council as stipulated in the Council approved policy. The Appeals Committee should consist of four members which are two officials and one representative from each union, the report indicates that the committee was formed with eight members deviating from the established policy this discrepancy renders the decision of the Appeals Committee alter varus as it was not properly constituted according to our guidelines.

Therefore we propose that the report be referred back to the Local Labour Forum, for the establishment of the new Appeals Committee ensuring adherence to the new appeals committee. As the EFF we believe in upholding the principles and policies set forth by the esteemed Council and it is imperative that due process should be followed to maintain that, in addition to our concerns about the placement committee it is with deep regret that we must address the issue of incompetency displayed in this matter.

## 7A

The deviation of the Placement Policy composition is a clear reflection of incompetency of our guidelines, the proper functioning of committee is essential effective governance of the Municipality and any deviation from the established policies undermines trust placed in our decision making processes. We as the EFF express our disappointment in the incompetency displaced and urge the to Council take action to rectify this situation, it is our collective responsibility to make sure that the residents of Mangaung receives the governance they deserve we trust that corrective measures will be taken promptly.”

**Cllr MW Mongale interjected to say that he agrees with Cllr JB Thomas on placement process not done correctly especially the Appeals Committee to be made up of four people which two is officials and one from different unions. That they did not do their job and also they undermined the Council resolution and they as Councillors did not want to face litigations. That the document was very confusing hence the Executive Mayor refused to sign or approve the document hence the City Manager also refused to approve the document. That the document have been brought to Council prematurely, therefore it should be taken back to the LFF which must give a clear instruction to not temper with the Council resolution.**

**Cllr MM Letawana remarked:** “Honourable Speaker, as we table the final report on the placement of Naledi and those from Motheo District as well as those who are coming from Masilonyana Municipality, let me highlight that amalgamation has proven that it is a complex issue that requires intervention, and in the intervention the stake will always seek to improve efficiency and better opportunities are given to the people and it ensures that there is fair distribution.

The financial and physical report on 2019 made a conclusion of the amalgamation of the Municipalities and one is that the demarcation processes are costly and in most instances they have negative effects, and the core drivers that plays a major role in the above processes is that you have got the integration as well as consolidation of programs being one of the challenges and number two rates and taxes being one of those listed challenges. In most instances demarcation prose disruption of service delivery these are the lessons learned from the exercise which needs increased conversation on Municipal amalgamation, the ANC supports the item we are not here to represent the labour component.”

**Cllr MS Mohatle remarked:** “Honourable Speaker, we acknowledge the pain as women we have gone through in the Free State about kids dying, sad to be woman in Free State. Regarding the amalgamation investigations were done properly there is no union which has doubts about what has been done and we as a Council don't need to debate it but to note it as it is.”

**Executive Mayor confirmed that he did approve the report presented for adoption.**

**Cllr MW Mongale indicated that things should be done the right way in Council, that reports brought to Council must be duly signed.**



**Speaker indicated that the Executive Mayor was on record that he approved the report for consideration and approval.**

**Council Whip interjected to say that the Executive Mayor had alluded that he is personally submitting the report for approval.**

**Executive Mayor then responded as follows:** “Councillors, sometimes we should learn to allude on advice and learn for future preference. The criticism that has been put in front of us is the style on how we write documents but I do take the criticism, I did instruct that the Deputy Executive Mayor must sign the document.”

**The Councillors voted as follows on the item to be referred back: 14 voted in favour, 49 against and 19 abstained.**

**It was thereupon**

**RESOLVED**

That the Municipal Council:

- (a) Took note of this report, annexures thereto and the placement of the placed affected employees by the Placement Committee and the Appeals Committee.
- (b) Took note after the Appeals Committee has attended to all the appeals and has given its outcome, the process of the placement is regarded to have been finalised and Placement Policy of 2022, as agreed to by LLF on 24 November 2022 and approved by Council on 19 December 2022, ceases to exist but the aggrieved parties, can rely on its applicability during the whole process of placement by exercising their rights to pursue their matters externally if they do not agree with their placement.
- (c) Took note that since the incorporation of the former Naledi Local Municipality and the community of Ikhomotseng/Soutpan into the Mangaung Metro Municipality, the new structure has not been adopted by Council as envisaged and provided for by the Policy. However, the LLF concluded that the employees be placed on the current organogram of the Municipality notwithstanding the provisions of sub-clause 5.1 of the Policy, whereafter upon approval of the new organogram issues of geographical relocation regarding certain positions may be looked into.
- (d) Took note that the Council resolution of 2012 that sought to terminate the Rapid Progression Policy was never implemented and therefore the Policy is still in force. Therefore, the Placement Committee agreed that, where applicable, for the purposes of placement, the qualifying employees will be placed on relevant positions of consideration.

## 2. REPORT ON ETSOSE BATJHA PROJECT

**Cllr GDP Kotze addressed the Council as follows:** “Chairperson, This item should have served before council in 2014 because this was a two years pilot project, which the ANC mismanaged for 10 years. This project employed 13 learners to ensure that they get NQF3 qualification from a accredited service provider and undergo trade Testing.

During 2013 these learners were placed on the payroll and 10 years later the total cost per month on salaries is R 145 000. Lets calculate for a period of 10 years, it cost the taxpayer of Mangaung more than R 10 million to date give or take. The report states that Council will have to terminate the existence of this project because the Mangaung Metro Municipality received no value for the funds spend nor did it deliver services to residents of Mangaung.

When the festive season is over, 13 families will have no income because the breadwinners will fall in line with the unemployed. This metro was placed under section 139 (7) of the constitution because of financial instability due to mismanagement of Adv Tankiso Mea, Olly Mlamleli and Mr Siyonzana. No consequences for them because it is in the nature of the ANC to protect the corrupt and maladministration. I thank you.”

**Cllr PJ Rampai stated that if one went through the report, it was really not looking good because since this project started, people have been getting paid while sitting at home, the termination of the contract was December 2023. Therefore what was going to happen to those bread winners. That the item should be taken back for further investigation.**

**Cllr B Vorster addressed the Council:** “I want to ask three (3) questions to the Executive Mayor:

1. Will there be consequence management regarding this project and unauthorised expenditure?
2. Are there any similar projects currently running that we as Council does not know of and
3. If there will be a report tabled before Council with the status of these projects to prevent what is currently happening now and to prevent unauthorised expenditure.”

**Cllr LW Lekgetho stated that the item was supposed to develop the youth as was introduced by Council and it was supposed to run for two (2) years. The sad part was that, every time the opposition gets the chance, they like to blame however this was a pilot project between two Cities. As the ANC, they ask Council to take note of what the NCR wrote.**

**Cllr DL Malebo addressed Council as follows:** “Cllr BL Mathae, I stand before you to address the matter with great significance, the project initiated on the 2014 with Belgium and this joint venture was done with a noble intension for our youth in Mangaung the opportunity to enhance their skills, unfortunately it has not fulfilled its purpose. Over the years it has become evident that the project has not yielded the outcomes despite the optimism of the collaborative efforts and it has become a fruitless and wasteful expenditure.

Considering the circumstances it is with a heavy heart that we propose to terminate contract with immediate effect. We support the report with amendments that we terminate the contract with immediate effect, and the last payment be end of December 2023.”

**Cllr MW Mongale addressed the Council as follows:** “Cllr BL Mathae, on page 4 of 4 the Executive Mayor signed but not indicate approved/not approved. There are too many *PP* on the documents. There is an existing agreement between the Municipality and the affected 13 employees and on the report it says the contact was renewed in October and it will end in January 2024 you are raising concerns. If the project started in 2011 and for the entire 12 years we have not found a solution and the lifespan of the project was for two years and the report says that they could not find the credited service provider, how did you enter in an agreement with the City of Gant in Belgium with no accredited service provider.”

**Council voted as follows on the first proposal by Cllr DL Malebo: 23 voted in favour, 49 against and 4 abstained.**

**Council voted as follows on the item as is: 61 voted in favour, 10 against and 4 abstained.**

**It was thereupon**

**RESOLVED** that:

(a) The Council took note of this report and annexures thereto.

(b) The Council resolved as follows:

**Termination of the Existence of the Project:**

- That one (1) month notice of termination be served on the Etsose Batjha Project and 13 employees in December 2023 and that the Municipality ceases to support the project; and
- That the last month of the payment of the monthly stipends to the 13 Etsose Batjha Project employees be in January 2024, notwithstanding that the last month was October 2023, as provided for in the settlement agreement concluded at the SALGBC.

**3. AMENDMENT OF MACRO ORGANIZATIONAL STRUCTURE APPROVED ON 7 NOVEMBER 2022 AND SEPARATION OF PLANNING, ECONOMIC, RURAL DEVELOPMENT AND HUMAN SETTLEMENT DEPARTMENT INTO TWO DEPARTMENTS AND CONVERSION OF POSITION AT OFFICE OF CITY MANAGER INTO the HEAD OF DEPARTMENT PROJECT MANAGEMENT OFFICE (PMO)**

**Cllr NR Shale addressed the Council as follows:** “It is hurting to realise that in this Municipality especially when the audit committee come to Council about strict control that will help us to manage overtime of workers, now we are asked to approve another directorate from rural we cannot afford to please Mangaung whilst the City is bleeding financially and it means that we will have a new HOD and they are going to appoint new staff while the people in Mangaung are swimming in sewage all over the streets full of potholes. As the EFF we are not supporting this item.”

**Cllr NA Phupha remarked as follows:** “On paragraph 3.5, - no records and minutes provided on the deliberations, how are we going to believe that Minister gave the thumbs up to dismantle this structure when we approved this structure we had a document from the Minister that showed us how the MMM structure should be structured. Today we are rescinding the resolution of November 2023 without the proof from the Minister, what is the issue in getting that document of the Minister. We still have the resolution regarding the office bearer staff that is not yet implemented therefore when are the resolutions of Council implemented because if we can change them as much as we want we believe that other resolutions would have already taken place.”

**Cllr MM Letawana** stated that before she can speak on the item she wanted clarity first on recommendation 5.3 will it be in committee or will it be discussed.

**Cllr VB Dekock addressed Council as follows:** “Ek gaan nie vandag baie praat nie. Currently, our planning department is opening with a staggering vacancy rate of 68% similarly the Economic Rural Department is grappling with a 66% vacancy rate undermining its ability to effectively promote economic growth + development within our city.

Lastly our Human Settlement Department, responsible for providing adequate housing solutions is experiencing a 56% vacancy rate, impeding the progress of socio-economic transformation in our communities.

In the light of this, can we really afford the appointment of more managerial staff such as HOD, MMC and local government experts? Can the current managerial staff not just manage the department as is and rather address the vacancy rate in order for work to be done !! Sonder personnel is daar nie veelomte bestuur nie.

In conclusion, the Freedom Front Plus is not in favour of the proposed amendment to our organizational structure. We urge a more systematic + strategic approach to address the vacancies within the respective departments. Thank you Chairperson.”

**Cllr MM Letawana continued to address Council as follows:** “the purpose of the organisational structure is to clarify the decision making processes it is done at an appropriate level, the purpose here is to help the organisation to achieve its aim and objectives. On the 7<sup>th</sup> November 2022 this Council approved the macro structure and in that there are three departments that we combined, according to the item the proposed reconfiguration is meant to ensure that we realise the Council vision driven by its strategy. The Municipal staff regulation presents us with the opportunity to review the structure to make it possible for the reconfiguration to respond to constitutional legislative mandate, the reduction as proposed came as result of a pilot prototype and the collapsed directorates were subjected to the test and the analyses’ and the results. The ANC supports the seven recommendations goes as they are proposed.”

**Cllr SP Tsoleli remarked:** “we are seeking to convert a position that was already adopted by this Council, what we are seeking is informed by the number of issues that have been identified in the City and the City is an under spender of all forms of grants essentially as the money is returned to Treasury. The reason is that we have limited management capacity to accelerate our spending and if we do not spend it means that our community will suffer in terms of delivering services, the PMO will coordinate all infrastructure projects to serve strategies of socioeconomical development and it will unlock strategic funding from other spheres of government and coordinate and harmonise planning of projects to serve common strategic objectives. This position will take the City to another level in terms of our goal setting, analysing and evaluating and monitoring our strategic objectives, we appeal to the Council to approve the recommendations as they are stated.”

**Cllr MW Mongale indicated that** “as the AASD we oppose to the separation of the Departments given fact that position advertised and filled and too soon to have identified if there is a need for any adjustment and realignment, at the moment we have not given the incumbent a chance to run the office now we are separating the functions it is unacceptable. The other issue is that I have raised an issue of the need of a strategic workshop and it was going to inform us on the position that we need as the Municipality and we have agreed to reduce positions from 9 to 7 positions all of a sudden we are not regressing because we are no more under a recovery plan now we are becoming reckless and start to spend more money, while the community is suffering and not getting services and this position is unnecessary it is just a duplication of functions.”

**Point of order, Cllr MA Morake indicated:** “I understand the frustration and concerns but take into consideration that we have a local government as our key driver for Human Settlement and there are commitments that National has done to fulfil that, we have Chaleb Motshabi, Vista Park 2&3, Airport Node and the bridge at Waaihoek and those are the key projects that must be monitored because there is a budget that National has availed for Mangaung at the value of 3 to 4 billion.”

**On a point of order, Cllr BJ Viviers highlighted that the chairperson clearly said he is only allowing people who have drawn the item but the point of order must not be misused to make a speech.**

**Executive Mayor then responded as follows:** “Those who are in the infrastructure field knows that in the institution from national to local, they do hire project management unit and the money that are spend there to sustain that private company, the move that is taken is to reduce the amount and pay individual to monitor.

On the recommendation the key functions when I joined this Council a prototype structure was approved and the project management was included in the structure, the only problem that had to be resolved was whether or not this structure must be permanent or be attached to the office of the City Manager and I want to outline some of the aspects that has been overlooked.

From bullet 1-5 nothing has been impacted but bullet 6 says *coordination and support*, it emphasis the coordination and support until the end, as to the separation of the big department, it is something that had to be done subject to the type of challenges that we are faces with.”

**Cllr MS Mohatle remarked as follows:** “When looking at the components and the makeup of the Department before the recommendation of separating it because it is too much, we should bear in mind that we are still under administration and it shows that we will improve our service delivery therefore as the ANC we support the recommendations as is.”

**Cllr GDP Kotze addressed the Council as follows:** “Chairperson, I will start with the question: Why have council not yet approved the Financial Recovery Plan that was already signed by the Minister of Finance in August of this year. It seems that cadre deployment carries more weight than to save this metro from total bankruptcy.

For the past 7 years the SDBIP report states that Human Settlements is the most underperforming department and was incorporated into another department because on its own it was a disaster. Two months after the NCR left the building this council want to separate it again. Maybe we need to inform the Minister of Finance and invite him to come and do oversight again.

The Democratic Alliance raise the concern that our salary budget is overloaded and the metro is struggling to pay salaries. A very important section is the financial impact this will have on the metro.? This metro has a very big vacancy rate and some of our municipal officials are overworked and every year the expectation from HOD’s are increasing.

The Mayoral Committee had a meeting on the 24th of October with the Minister of Cogta and several proposals were approved. Councillors received an invite to be part of the programme with the Minister of Cogta. On that day we received this notice from Chairperson of council.

Good Morning Honourable Councillors; Due to unforeseen circumstances, the Councillors' programme with the Minister of Cogta, Honourable Thembi Nkadimeng, which was scheduled to take place at 14:00 is cancelled. I wish to offer an apology for any inconvenience this might have caused.

The unforeseen circumstances was that the Democratic Alliance would have raised several questions regarding the Financial Recovery Plan and if we can afford this proposal.

To conclude, the Democratic Alliance request that the report be referred back to get more information on the financial implications for this approval. I thank you.”

**On a point of order, Cllr MW Mongale indicated that it must be corrected that Mangaung is not under administration, however we are under Sec 139(7) which in National Intervention.**

**Council voted as follows on the first proposal with amended recommendations seconded by Cllr ZN Banyane: 49 voted in favour, 31 against and 0 abstained.**

**Council voted as follows on the second proposal to refer the item back made by Cllr D Kotze and seconded by Cllr DMC McKay: 20 voted in favour, 49 against and 12 abstained.**

**It was thereupon**

**RESOLVED**

That the Municipal Council:

- (a) Noted and approved proposed amendment to the MMM macro staff establishment approved on 7 November 2022, (three Departments namely Planning, Economic & Rural Development, and Human Settlements were clapped into one Department.
- (b) Approved that the three Departments mentioned in paragraph 5.1 above be separated into two (2) stand-alone Departments, namely **Department of Economic and Rural Development** and **Department of Planning and Human Settlements** respectively.
- (c) Approved that upon council approval of the separation of the two Departments, an acting appointment to the position must be considered by council until the position is filled.
- (d) Approved converting of the position of Head of Department Office of the City Manager to become the Project Management Office (PMO) that report directly to the City Manager.
- (e) Approved that the recruitment, selection and appointment processes commence to fill the two positions (**Department of Municipal Planning and Human Settlements** and **Head of Department: Project Management Office**
- (f) The two vacant positions be advertised as of 17 December 2023 until 07 January 2024.

- (g) Approved and established Selection Panels to conduct the recruitment, selection and appointment process constituted as follows:

**Head of Department: Project Management Office**

- i. City Manager - Chairperson
- ii. LG Expert in Engineering and Technical Services
- iii. MMC responsible for IDP

**Head of Department: Municipal Planning and Human Settlements**

- i. City Manager – Chairperson.
- ii. LG Expert in Municipal Planning and Human Settlements.
- iii. MMC responsible for Human Settlements.

**The Speaker then allowed for a 15 minute body-break.**

**4.**

- 1. REQUEST FOR APPROVAL FOR THE AMENDMENT OF COUNCIL RESOLUTION NUMBER 162.5-19/08/2022 CONCERNING THE APPROVAL OF AN AUTHORISED OFFICIAL TO DEAL WITH CATEGORY 2 LAND USE AND DEVELOPMENT APPLICATIONS IN TERMS OF SPATIAL PLANNING AND LAND USE MANAGEMENT ACT NO.16 OF 2013 (SPLUMA) AND MANGAUNG LAND USE PLANNING BYLAW 2021;**
- 2. REPORT TO COUNCIL ON THE NUMBER OF APPLICATIONS PROCESSED BY AUTHORISED OFFICIAL IN TERMS OF SECTION 108 OF THE MANGAUNG LAND USE PLANNING BY- LAW.**

**After body-break the Speaker confirmed that there were 58 Councillors present in the meeting.**

**Cllr TB van der Walt stated that this item was to correct the resolution that was taken and then part two is a report for noting not approving, in the Section 80 we made a decision to appoint the MPT members why has this critical item not yet been brought to Council.**

**Cllr MW Mongale interjected that the report is duly signed and the context of the report are also in good standard.**

**Cllr VE Jonas stated that she submits the item as it is and request Council to approve the item as is.**

**The Speaker announced the voting results as follows: 68 were in favour, 0 against and 10 abstained.**

**It was thereupon**



**RESOLVED**

- (a) That Mangaung Metropolitan Municipality amended its decision of 19 August 2022 by replacing the HOD: Planning as an authorised official with the General Manager: Town and Regional Planning;
- (b) That the HOD: Planning be delegated the authority to appoint a committee of not more than (2) officials registered with South African Council for Town Planners (SACPLAN) as professional town planners to assess category 2 applications and make recommendations to an Authorised Official;
- (c) That all opposed/objected category 2 applications be referred to MPT for consideration;
- (d) That an authorised official through the HOD: Planning will provide Council with a report of all considered applications on a quarterly basis; and
- (e) That Council took note of the report on the number of applications, (22) processed by the Authorised Official since the appointment which is 19 August 2022 to 30 June.

**5.****SPATIAL DEVELOPMENT FRAMEWORK**

**Cllr TB van der Walt addressed the Council;** “This item must not serve in Council as annexures were not attached to the item and were not received within time as per rule 6 furthermore the other of the SDF vision was send out late is still not the one served in Council or approved. The gazette item that is attached there is more questions than answers, on page 8 and 9 on volume two does it show that it was gazetted can the original gazette be provided and according to my knowledge it was not gazetted on the 20<sup>th</sup> October. On page 9 it is a cut and paste because it was supposed to be a Government gazette therefore this is forgery, this item cannot be approved. The Planning Department should move the SDF to the General Manager of Town Planning and make sure that sufficient staff is appointed therefore the DA proposes that this item should be brought back to the committee for the finalisation.”

**Cllr MW Mongale remarked:** “I agree with everything Cllr van der Walt said as the absence of the gazette also want to highlight the part of where there are 2 signatures whereby the person signed than the new incumbent also signed therefore there was no handover.”

**Cllr VE Jonas addressed the Council;** “The Spatial Development framework provides a strategic or desire spatial feature for Mangaung over 20 years, the Mangaung designed the spatial until the year 2036 and the amendment is gathered by the Tribunal. The Municipal cannot develop nor make amendments outside the Tribunal Act without concerning the other parties, we submit this spatial development framework of 2020 and it is not new it is an old one therefore there is no amendments and no review.

## 10A

I request the Council to approve this item and we as the ANC we remove two recommendations which are 6.2 and 6.3 than 6.1 we want to amend by saying Council must take note of the current approved spatial development framework.”

**Cllr DMC McKay seconded the proposal of Cllr Van der Walt.**

**Cllr SP Tsoleli stated:** “I also second Cllr Jonas and also to emphasize that the SDF was adopted and approved by this Council in 2020. Still using the SDF approved by the Council, she has explained that this document that we are just discussing all the necessary processes were followed. When we were passing the budget and the IDP for this current financial year there questions raised in this house on this matter and those questions were based on the process plan and the gazette is for the process plan that is under review for 2023/2024 therefore we are still using the SDF that was approved by this Council. For us to use this budget there is a prerequisite and SDF should be part and approved, part of the SDF were not adopted because of the questions raised and we are bringing it back to say those questions asked were not necessary we therefore support the recommendation.”

**Council voted as follows on the first proposal with amended recommendations: 49 voted in favour, 29 against and 1 abstained.**

**Council voted as follows on the second proposal to refer the item back: 28 voted in favour, 48 against and 1 abstained.**

**It was thereupon**

**RESOLVED**

That Council:

- (a) Took note of the approved current Spatial Development Framework.

6.

**REPORT ON LAND USE AND DEVELOPMENT APPLICATION PROCESSED BY THE AUTHORISED OFFICIAL FROM 01 JULY 2023 TO SEPTEMBER 2023**

**Cllr R Hashatsi addressed the Council:** “Greetings Honourable Councilors and Honourable Speaker, the Executive Mayor and the Deputy Executive Mayor, community of Mangaung and the media.

Honourable Speaker, the report is submitted in terms of section 108 of Mangaung Land Use Planning Bylaws for the period of three months, starting from 01 July 2023 to September 2023.

Honourable Speaker, Chapter 6 of SPLUMA, part B, Section 35, Sub-section 2 simply states that municipality may authorize certain land use and development applications to be considered and determined by an official in the employment of the municipality.

Honourable Speaker, we have complied with section 35 (2) SPLUMA read together with section 78 (1) of Mangaung land use planning By Laws 2021 which requires the appointment of an official to consider and deal with category 2. The HOD planning was appointed as an authorized official on the 19 August 2022 Council resolution 162.5. The report with details concerning all applications considered and processed by the authorized official from 01 July 2023 to 30 September 2023 is also attached within the report.

Honourable Councilors, In terms of legislation these is an update on detailed applications processed by an authorized official in terms of section 108 of the land use management by laws gazetted on 26 November 2021. In terms of financial implications there are none financial implications.

Legality, Honourable Speaker, this report is to comply with section 108 as gazette 26 November 2021. Honorable Councilors in terms of communications. This is to inform and update council on the processed land use and land development applications processed by authorized official for period 01 July 2023 to 30 September 2023. Honorable Councilors and community of Mangaung, in terms of service delivery, these report is to execute the legislative mandate in terms of spatial planning and land use management ACT, ACT 16 of 2013 (SPLUMA) also to farmers and business people in Mangaung with these report we are saying we have heard all your request and application therefore service delivery is on your doorstep to channel the economic future of these metro, as the ANC lead government, pele reya pele ka ditshebeletso tsa fana ka mobu sechabeng. Therefore honorable Speaker as the ANC we support these report for noting by Council.”

**It was thereupon**

**RESOLVED** that Council took note of the report concerning the land use development application processed by the Authorised Official from 01 July to September 2023.

7.

**REPORT ON DEVELOPMENT APPLICATIONS PROCESSED BY THE MANGAUNG PLANNING TRIBUNAL (MPT) JULY 2022 TO JULY 2023 TO SEPTEMBER 2023**

**Cllr MW Mongale stated that all the issues raised last time those mistakes should not be repeated.**

**Cllr SQ Peter addressed the Council;** “Councillors should note that the role of MPT is to approve applications, refuse or postpone the decision or refer the land involvement back for further investigations and then provide the report back to Council. In terms of this report our previous report in the last quarter did not have certain aspects therefore as the Section 80 we made a decision that we need to include some sections there further to that we have to get details of the applicants based on the POPI Act we could not do that however the report is clear.”

**It was thereupon**

**RESOLVED** that Council took note of the report from the Municipal Planning Tribunal.

8.

**REPORT ON THE EMERGENCY INCIDENTS (THUNDERSTORM): 6 – 7 DECEMBER 2023**

**Cllr GDP Kotze addressed the Council as follows:** “Chairperson, at our first Public Safety Committee meeting in 2021, after Local Government Elections, I asked the then serving Chairperson Cllr Mogotloane, where do you see Public Safety in two years’ time? His reply was in short that he has no idea what I was asking. This report shows that the ANC has no interests in our public safety. In September 2022, this committee had a meeting and none of the invited HOD’s, nor the City Manager or CFO attended that meeting. The next day I published statement with the heading: The National Intervention team is unconcerned about the safety of Mangaung residents.

On Friday, the trend continued with invited HODs and the City Manager not attending the meeting. On Monday, a follow up meeting was scheduled but had to be postponed. The City Manager could not attend because he was attending a meeting with the MEC regarding available funds for Disaster management in Mangaung. Tuesday came and once again the meeting was postponed but this time not even the chairperson or representatives from the Executive Mayor’s office pitched up.

The available budget for disaster management is R70 000 and that is a disgrace. People in townships lost everything and they are fighting with each other over sheets of metal and what is left after the storms. Residents of Mangaung was left in the dark for days, their houses flooded but the HOD’s and City Manager does not even have the decency to attend meetings for public safety.

## 11B

Chairperson, the Mangaung Metro is going into recess for the festive season, and we are concerned what will happen if another disaster strike? During the festive season in 2021, there was a water crisis and my colleague, Cllr Rossouw Botes, struggled to get officials to assist. The festive season of 2022, disaster strike again with no electricity. Water cannot be pumped, no water tankers, residents of Pellissier, Fichardtpark and surrounding areas were without electricity for days. Sewerage is major problem during the festive season and Councillors struggle to get it unblocked because no one answers their phones because we are in recess.

The new appointed HODs start working on the 1st of December and to date councillors have not received an updated list of the Hod's and general managers that can assist us with service delivery. Through you Chairperson, City Manager, can we please get an updated list of all the Hod's and general managers and a list of officials that will be on standby during the festive season.

To conclude Chairperson, recommendation (c) reads that in terms of National Framework for the Disaster Management, the municipality proper budget in line with such the 0.5% of its own revenue for a disaster occurrence. The DA ask that the report be referred back to the section 80 committee for the city manager and CFO must give an exact amount of what will be available for disaster management. We cannot fail the residents at the next disaster because they are going to pay the price with their lives'. I thank you."

**Deputy Executive Mayor remarked as follows:** "The HOD Public Safety was present and we received a report that whenever Section 80 sits even if we invite the HOD's they do not avail themselves, we had a follow-up meeting on Monday but because of different meeting with stakeholders we were unable to sit. The meeting of Tuesday was the same but the postponement was send on Monday via email unfortunately most of the Councillors did not see the email, to show that the issue of disaster is serious I was on a zoom meeting with the Deputy Minister and all departments should see that it is a thorny issue. As the Department of Public safety we cannot work on this issue of disaster alone we need all other departments as well and we all know that a disaster just happens and we do not have a budget on it but because of the national framework in terms of the disaster management it does indicate that in reality.

In Mangaung for years we have not been using the 0.5% in all operational budget that we have, therefore we are requesting that the Council must grant that 5% and be put aside for disaster because climate change is something that we will leave with it. In all the areas of Mangaung the floods are still happening because of our area now being in the status of section 129 subsection 7 however immediately when one declares a disaster in section 129 you do not have money but in our case the MFMA is covering us that we can use the section 129 of the MFMA considering the approval of the deviation.

## 11C

We would like to add recommendation D that in three months we in three months we need a proper that how it will deal with the processes that are emitted during the disaster because we know that we are still expecting the assistance from different civil society from provincial government and from national government as we speak we have lots community who doesn't have houses lot of communities who doesn't have clothes lot of communities who doesn't have food but it's our responsibility as this council to see how can we assist those communities.

Yesterday the provincial government launches when they are going to get donation, but remember the provincial government is not working only for Mangaung where we have plus/minus 800 population they are working for all five region of the Free State, because what is happening now is also happening in other regions now. We know we will also have to do something for our people and also our infrastructure. A Councillors has just mentioned that it's even for infrastructure, the issue of sewer, is also the issue of water, is also we have to deal with the metals that's affecting our people now that disaster is closing and it's cut across all the Department and it's all it's not only delayed with only one department.

That is why we are humbling ourselves as the portfolio committee we're here in front of me and requesting that we must be happy this time not only focusing when there is a disaster and it's well now we are discussing that we're supposed to have something aside for the disaster management now we are requesting that the council to grant us it is quicker that really they must we must use the section 29 and also align ourselves with the national framework of the disaster management and also put that the recommendation that definitely wanted reported to be here and also requested to manager as we are we have an outstanding follow up of calling all the HOD's to be what is meant end speaker we're working with the HD of substance activity in the community services which is at the one now who are busy communicating with the city manager with the department national department of human settlement provincial government of copter all gift shop they give us and all of them is civil society that are really here to assist us and I just I don't also want to forget every cross who are our volunteer recording people who are really get tech with this disaster in those days on rubber speaker as the ANC we are submitting and we're supporting this item people. I Proposed additional recommendation.

**Cllr DMC McKay seconded the proposal.**

**Cllr MW Mongale remarked as follows:** “We should have a contingency plan for disaster management and that contingency plan cannot be formulated by only Municipality, it also has some provincial structures in it and we have the privilege of the army; they should form part of the disaster operational plan where we are able to know when disaster strikes, how are we going to respond.

During floods one does not have the privilege of thinking, you only have one choice you must ac. There was this crises that we had in the township, almost all of the township is dark, it's like the electricity goes away with lightning, for example, when we were in Ward 47, we realized that even in the middle class community, when the wind blows just before the rain, the electricity was gone.

Now, that tells you that, they did not put in proper transformers. Centlec should respond to the crises but they cannot respond if the Council does not give them the mandate to respond.

Other thing that I cannot support, is dealing with minor issues that might end up leading to disaster failure for example, collection of refuse, keeping refuse at parks and sewer that cannot be fixed on time, fresh water that is leaking that end up being contaminated by the sewage which might lead to malaria and other diseases. All these issues we need to find a contingency plan of dealing with them, because under disaster management there are things that you can do, either you remove the hazard.

It is the duty of the Municipality to look after its citizens. We need to find a way of building a structure; we cannot wait for disaster to happen and silence does not mean that it will not happen. This is an opportunity for us maybe to partner with Red Cross to train a lot of people on issues of reacting to disaster, how do you respond to a disaster if we don't do training, even community members they must be trained around those issues so that should there be a disaster, you know that we have enough personnel who will respond to it.”

**Cllr VB De Kock addressed the Council;** “Can we please ask for the following proper, working call centers, not only in disaster management but every single day. Even though I always applaud Centlec for their WhatsApp function, which I hope Mangaung will incorporate; even they had disappointed with the system that bombed out in the crisis.

In disaster management, more lines should be available and that should be budgeted for. There should be disaster call centers, something that Mangaung does not have. On the budget we propose a disaster fund, so money not spent must stays in a fund and accumulate interest. These funds should also be properly budgeted for to make provision for preemptive measures such as stormwater maintenance, tree cutting etc.”

**Cllr KD Tshwane seconded the proposed recommendation by the Deputy Executive Mayor.**

**Cllr MJ Ramatlama addressed the Council:** “We will like to convey our heartfelt condolences to Senokwane family we would also want to send our salutations to the selfless battalion Centlec for working around the clock in restoring the electricity in the greater parts of Bloemfontein. It is unfortunate that I have to bring this matter to your attention and to the Municipal Manager, that on Monday we received a call from the victims of the thunderstorms of 2020 from Botshabelo and Thaba Nchu they told us that they are still waiting for the leadership to come back to them after pictures were taken of their houses. They told us even the office of the President thorough the hotline promised to prioritize the case but even to date it has not reverted back to them.

Their plea is that when we help the people of Bloemfontein, we must also help them and I doubt this will happen, because the sucking of the VIP toilets have not happened yet and for it to happen, it does not need a Council resolution, not a single house received a plastic to cover or protect the remaining furniture but we have a disaster management team which only exist when there is a disaster, which is wrong.

## 11E

On the synopses of the incident, not only two mud houses collapsed in Thaba Nchu, an RDP has also collapsed. Not only a private building roof that was blown away, the admin block of a new school in Ward 46 was blown away and the very same wind passed the admin block of Kopanong high school but it is still intact. Can we trust the very same contractor to fix it with their shady work?

We are in support of the report, but we plead not to deviate tax payers money to their own pockets like they did with Nelson Mandela funeral. R300 million and the R500 billion packages for Covid 19 and the R36 million of Hoffman Square and like they did with the taxi rank, let us prioritize our people not our pockets we agree with the Deputy Mayor in getting a comprehensive report after three months.”

**Council voted as follows: For the referral back of the item: 15 voted in favour. For the inclusion of recommendation (d): 63 voted in favour and for the approval of the four (4) recommendations: 6 voted in favour**

### **It was thereupon RESOLVED**

- (a) That Council took note of the report as well as the following matters.
- (b) That the Council terms of SCM Policy read with Section 29 of the MFMA consider and approves a deviation to expend during emergency occurrences.
- (c) That in terms of National Framework for the Disaster Management, the Municipality properly budget in line with such the 0.5% of its own revenue for a disaster occurrences.
- (d) *That a closeup report be presented to Council after 3 months.***



9.

**REQUEST FOR FURTHER EXTENSION OF THE TERM OF THE PREVIOUS AUDIT COMMITTEE MEMBERS**

**Cllr TKW Mokgothu addressed the Council:** “Mister Speaker, in terms of the MFMA section 166 subsection 1, each Municipality have an audit committee the subsection 2 of the same MFMA states that this committee should amongst other things advice the Council on matters relating to: effective Governance, compliance with law regulations governing the municipalities and internal audits, therefore the absence of this important committee denies the Council to get an independent advice on the above-mentioned matters.

It is against this background that Council is requested to ample its wisdom for the last time to extend the term of our current committee which comes to an end on the 30<sup>th</sup> November 2023. We propose that the extension of this committee should be effective the 1st of December 2023 until the 31<sup>st</sup> of March 2024 therefore we would request that all Council members in supporting us to make sure that we support this recommendation. As the ANC we present this report with its recommendations as they are.”

**Cllr DJ De-huis remarked as follows:** “The Audit Committee that has been serving in this Municipality and the only thing that we are good in this Municipality is to extend. Now that we have the City Manager, we must have a proper Audit Committee to come and service this Municipality. Like the recommendation stated, as the EFF we won’t change anything we agree with it.”

**Cllr W Pretorius stated:** “We would like to thank the committee and the chairperson for all the dedicated work that they have been doing and for bringing a lot of accountability, transparency as well as service delivery to Mangaung. When looking at the audit report, especially the one of last year December 2022, it was comprehensive and this year in June it was comprehensive and therefore thank you for bringing a lot of accountability to the Municipality.

The Democratic Alliance will support this item but it is again concerning that we are again left with appointments. We do understand that there's a new City Manager there will be some delays but I find it very strange this afternoon while listening to the to the governing party of Mangaung, African National Congress speaking when it comes to Executive Mayor speaking and the MMC speaking it seems like the ANC does not know that they are the drivers of the bus.

The Municipality is the driver and we are the passengers and residents but at times we ask in what direction is the bus going and the governing party would ask who is driving the bus. We had the water crises last week on the very same day, if I was the MMC of infrastructure I would call a press conference and go to the pump station and invite the media house and show them that them what the real issues were. Let’s be transparent and call the media or call the opposition parties.”

**It was thereupon unanimously**

**RESOLVED**

- (a) That Council extended the term of the previous Audit Committee members from the 1<sup>st</sup> December 2023 to 31 March 2024, to allow the newly appointed City Manager adequate
- (b) Time to implement Council resolution number 132.4 which mandated him to restart the process of appointing new members of the Audit and Performance Committee as the custodian, and allow the current Audit Committee to conclude its work on the 2022/23 audit process.

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**REPORTS FROM THE SPEAKER**

1.

**REPLACEMENT OF WARD COUNCILLOR AT WARD 47, BY-ELECTION HELD ON 29 NOVEMBER 2023**

**Cllr MJ Mabena remarked:** “We welcome Cllr J Maartens, but I am worried we replaced Councillors and had by-elections. When we welcomed Councillors the house was full but there are those who assisted us to fill in the vacancy, the sits are empty, he must not fall into a trap of being the enemy of progress and serve the people as he have stated.”

**Council Whip remarked:** “Congratulations and welcome Cllr J Maartens in the Mangaung Chambers and as all the Whips in Mangaung, we are looking forward in working with you. We are different political parties outside the Council but once we come in these chambers, we are Councillors of Mangaung and our decisions is none partisan but mostly based on the will of the people of Mangaung.”

**Cllr BJ Viviers remarked:** “Welcome Cllr J Maartens. He has proven to the DA his commitment to the residents, he attends to the needs to of the residents of Ward 47, regarding the issues of service delivery which is not attended too properly by the ANC. The residents of Ward 47 deserve a Ward Councillor who cares about them and attends to their service delivery issue. We thank the public representatives, actives and members of the DA who have assisted in the ward with a successful by-election causing the DA not only to retain the ward but to grow our voters percentages. Lastly, our sincere condolences to Cllr CL Logan and her party for not reclaiming Ward 47.”

**It was thereupon**

**RESOLVED** that Council noted the outcome of the by elections held on 29<sup>th</sup> November 2023 and that new ward councillor (Cllr J Maartens) was declared elected by the Independent Electoral Commission.

2.

**RECESS FOR COUNCILLORS FOR THE DECEMBER 2023/JANUARY 2024 FESTIVE SEASON**

**Cllr MJ Mabena remarked:** “We had a long short year, with ups and downs and we managed the situation, due to the dedication and hard work of Councillors, I propose that we support and grant this item...”

**Council Whip interjected that as we are going of recess some PR Councillors would be going on vacation however it is unfortunate for Ward Councillors as they are working 24/7 and they are committed to the people, as we all travel and as we all are busy with other things let us be safe.**

**It was thereupon**

**RESOLVED**

- (a) That the Council granted recess to all Councillors commencing from December 15,
- (b) 2023 up to 15 January 2024 and
- (c) That it be noted that during the recess period, no committee meetings or public hearings or any other Councillor(s) engagement would be fulfilled.

203	<b>REPORTS FROM MPAC</b>
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None.

**NOTED.**

204	<b>REPORTS FROM AUDIT COMMITTEE</b>
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1.

**AUDIT COMMITTEE REPORT FOR QUARTERS 1 AND 2 TO THE COUNCIL OF MANGAUNG METROPOLITAN MUNICIPALITY FOR THE 2023/24 FINANCIAL YEAR**

**Cllr GDP Kotze addressed the Council as follows:** “Chairperson, in the minutes of the meeting held on 30 October, the ICT status report is a 4 to 5 liner paragraph that just mention that the report be deferred to the next Audit Committee report. This after the information system was hacked on the 24th of October and some systems that is still off-line. The Financial recovery Plan has not been approved yet, but it was on the agenda for our section 80 committee for corporate services on Monday 11 December. The item was withdrawn after I spent the weekend preparing for the item. In the draft FRP, line item 10 under Phase1 Financial rescue several Key Assessment findings were stated, and it reads.

The ICT department has had instability and lack of leadership as there has been no Chief Technology Officer (CTO) since 2019 and no permanent managers since 2011. There is therefore no ICT strategy or centralisation and oversight of ICT. As a result, key systems are not in place such as document management system, contract management system and time and attendance.

Municipality does not have a list of licences and software currently in place and are paying for licences that are not being utilised as indicated by their excessive software license fees. The internal audit department does not have the resources and skills to carry out ICT audits. Several remedies were proposed with timelines attached and the due dates are the end of December 2023.

The ICT policies were reviewed at the end of April 2023 and was on the agenda for Monday’s meeting but was also withdrawn from the agenda and residents ask why the information system of Mangaung got hacked. It has been Almost two months and councillors are still left in the dark on how the system was hacked. The Mayor and city manager said it was a Ransomware hack, the new appointed Hod says aikona, it was municipal officials that hacked the system because of supply chain management and procurement payments. Two reports served before MPAC but this council still waits for a report. Yes, the Hawks are busy with an investigation, but residents are complaining of estimated accounts, and they must just keep on paying for services not delivered.

In all the previous Audit Committee reports, concerns were raised regarding the ICT systems, but it did not bother the administration. We are in a financial crisis with a information system that is off-line, how are we going to implement the FRP or councillors do proper oversight.

To conclude chairperson, the essential qualifications for ICT is

1. CompTIA A+
2. Cisco Certified Network Associate

3. CompTIA Security+
4. Microsoft Fundamentals
5. CompTIA IT Fundamentals (ITF+)
6. CompTIA Network+

This report clearly states that the ANC administration has the essential IT qualification of Stupid Plus. I thank you.”

**Executive Mayor then responded as follows:** “We are sitting with a crisis with a Municipality that has a tendency that are very foreign and intervene as well as disruptive, we have an opposition and we know the role of the opposition if there is any task this opposition must do in this Council is to not wish us to succeed because that will give them numbers and image but sabotage it is something we cannot tolerate.

The same way the opposition dig deep in our individual life we dig deep in their individual life and we have systems in doing so therefore Cllr Kotze is an IT person but the information his giving to this Council is rested in those officials that are in those offices meaning he has a mole there and the preliminary assessment tells us that what we are suffering is from within.

I was not joking when I said some of the intense investigation must be made if the opposition is intending to sabotage us you know it should not be the expense of the people of this Country and pretend they're doing something good, I hope I'm understood I've cautioned before that when the information is inside and we're dealing with I do not expect it that it must have falsely barras in it if there are issues work on them stop sabotaging us and the people of Mangaung.”

**On a point of order, Cllr GDP Kotze stated that in 2018 the system of Mangaung also crashed due to a trip switch in the server room, for two weeks the Municipality was offline, information was sent to India to recover the data, and it was six months before the elections therefore get your house in order.**

**Speaker then interjected as follows:** “The City Manager and the team are hard at work supported by the Executive Mayor together with the security agencies to establish the varsity and the collapse of the system, we will equally implore our Council Whip to make a follow up with that meeting so that he can call the whippers and to let you know the extend which we have discovered some of the things.

Our law enforcement agencies are working round the clock but the unfortunate part is that the attack to the system is not foreign but it is internal and it is engineered from internal there are no external people who are trying to hack us our own internal people are hacking the system because they have a particular ulterior motive to obtain. It is not in our hands to say those words we will leave it to security agencies because at the time they are convinced an arrest has to be made because some people have been implicated in whatever way but we will gladly let them do their work therefore we wanted the Council Whip to feel confident about that matter and yourself members of the opposition can appreciate the extend that other role players are playing in helping us to get our houses in order.

We have had support from other institutions externally even the provincial CoGta and the provincial Salga but we not happy that our system can easily be accessible to employees who are working for us therefore we are working round a clock to get to the bottom of this and at the right time the Executive Mayor will come to Council and present a report which report carries the potential of either pointing fingers to south or north but we will dig deep.”

**Cllr W Pretorius addressed the Council:** “Dear Speaker, the Report of the Audit Committee provides a clear blueprint for the administration and political leadership to steer the Municipality in the right direction -to deliver services. It is however unfortunate that MMM is slow to implement the resolutions. If one looks back to the Audit reports of 12 December 2022, and the previous report of 2 June 2023, no progress has been made on several items.

From the report, and more so from the answers provided to the inquiries by the audit committee to the administration, it remains apparent that the administration continues to steer away from accountability, transparency and the delivery of services to residents, but most shockingly it is in the answers that the administration provide. Whilst reading the report, the words of the late Helen Suzman come to mind, I quote: *“It is not my questions that embarrass South Africa, it is your answers.”* This can be applied to the critical questions of the Audit Committee to the administration. It is not the questions of the Audit Committee that embarrass South Africa, but the answers of the administration of Mangaung.”

***Now what are these embarrassing answers?***

**Capital Expenditure:**

For one, the lack of planning, evaluation and execution of capital expenditure in Mangaung. According to the financial reports discussed during the last audit committee meeting on 30 October 2023, the City has only spent 2.58%, being R29.74 million, of a budgeted R1.15 billion. Furthermore, the City is failing to spend an allocated R937 million received from national government on capital projects. Only spending 1.82% of the allocated funds by September 2023. The DA has been calling for improved oversight and accountability within MMM for the lack of spending of the conditional grant funding. When the City does not utilize its grants effectively it robs residents of opportunities, of jobs and of better service delivery. Effective capital expenditure can ensure an improved road network, the delivery of stable energy to houses and businesses, the delivery of reliable and high quality drinking water, and the upgrading of informal settlements to provide dignity to thousands of residents. It is clear that capital expenditure in Mangaung must be vastly accelerated to improve the lives of residents of Mangaung.

**Excessive Overtime:**

Excessive overtime remains a great concern. R54.5 million was spent on overtime during the 1st quarter of 202/2024. Amounting to R36 million more than what was budgeted for. One could to an extent turn a blind eye to these numbers if services were actually rendered on the ground,

but that is unfortunately not the case in all departments. The DA welcomes the request of the Audit Committee that the City Manager submit a plan to the committee indicating:

1. How overtime will be reduced?
2. What led to the overtime spending during quarter 1 of the 2023/24 financial year,

3. Why the abuse of overtime is one of the possible contributors towards such excessive overtime and how this issue will be addressed?

Yes, indeed, a lack of fleet and the high vacancy rate impacts service delivery negatively and contributes to excessive overtime, but how many times must these challenges be identified by the administration before solution are sought? Budget for fleet, get the Human Resource Department up and running, and appointed fit-for-purpose people who can get the job done. Furthermore, Council is eagerly awaiting the tabling of the draft overtime policy.

**Lack of Performance Assessments:** The City continues to operate without the necessary mechanisms in place to monitor the performance of its most senior official – the City Manager, the CFO, and Heads of Departments. Looking at the Resolution 24 of the Audit Committee, the City will not be able to keep its employees accountable if the top leadership themselves remain unaccountable. Without effective performance assessments for all employees, top to bottom, service delivery in Mangaung will never improve. Now that we have permanent appointments in the majority of these top positions it is high time performance agreements are entered into and assessments done. The challenge faced is that in the past CMs and HODs were only wanting to be assessed after they have left the employment of MMM. The question that needs to be answered – why was performance agreements not entered with the various Acting City Managers and acting HODs since the intervention? If not, why not? And going forward, when will the Executive Mayor finalise performance agreements with the new CM and HODs?

***Other concerning issues:***

- Resolution 34 - Most importantly the report from the intervention team on the UIF & WE – still awaited.
- The bulk-water meters – that all 6 bulk-water meters would be refurbished or installed by the end of the 2022.23 financial year. WANT to add here – the reliable supply of high quality drinking water to residents of Mangaung.
- Resolution 53.2 – Freshco – SHRA exco prepared report to be tabled to MMM Council. Meeting of the 25th of October 2023 for finalization of the item.

The DA supports the recommendations included in the report by the Audit Committee. These recommendations seek to bring more accountability, stability, transparency and, service delivery to the residents of Mangaung.”

**Cllr B Vorster remarked:** “The FF Plus would like to thank the committee for the work that they are doing and for the reporting that they are doing however the concerns in the report that overtime is still concerned about it and that is an indication that there is no improvement therefore we ask the new City Manager and the HOD’s to take this report to heart because they are here to advice implement their recommendations and then you will see improvement.”

**Cllr GJ Lipale remarked:** “There are so many concerns in this report and it seems as if no one is taking these findings in consideration in terms of human resource because there are lot of actings and some vacancies are not occupied or maybe someone who does not have the qualifications in terms of executing the job.

Again overtime that we have been talking about all these years people are doing overtime for all these years however there is nothing visible showing of overtime being worked also the committee is concerned about vacancy still excising of the Chief Technology Officer whereby we were caught in our systems being hacked and we are always caught in wanting there is no improvement and we have extended the time of the audit committee they are just being paid and they are doing their job but someone is not taking them serious.”

**It was thereupon unanimously**

**RESOLVED** that Council discussed and approved the report in accordance with the provision of MFMA Section 166(2) and Regulation 14(4)(a)(iii) of the Local Government Municipal Planning and Performance Management Regulations of 2001.

205	<b>IN COMMITTEE REPORTS</b>
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1.

**CONDONATION OF ACTING HEADS OF DEPARTMENTS FINANNCCE AND TECHNICAL SERVICES, APPOINTMENT OF ACTING CFO AND RECRUITMENT OF CFO**

**The Speaker requested Officials and the live streaming team to be excused to discuss the In-Committee items.**

**Note by Secretariat:** Detailed minutes under this item are captured separately; as the item was discussed In Committee and therefore only the voting results and resolutions are captured.

**The Speaker announced voting as follows: For the recruitment of CFO 49 were in favour, 22 against and 0 abstained.**

**The second voting for the Acting CFO, Ms N Sitishi: 49 were in favour, 12 against and 10 abstained.**

**The third voting was for the appointment of Acting PMO, Mr L Ntlabezo, under item 201.3, above: 49 were in favour, 22 against and 0 abstained.**

**RESOLVED** that Council:

- (a) Considered and condoned executive decision made by the Executive Mayor regarding extension of acting appointments of Mr Revelation Itumeleng Masobeng and Ms Nomathamsanqa Sitishi (well known as “*Thami*”) as Heads of Department Technical Services and Finance respectively.



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- (b) Approved and extended acting appointment of Ms Nomathamsanqa Sitishi General Manager: Financial Accounting and Reporting to act as the acting Chief Financial Officer for a period of three (3) months.
- (c) Approved that Ms Nomathamsanqa Sitishi be paid acting allowances and benefits associated with the position she will be acting on from the date of extension of her acting.
- (d) Approved that Executive Mayor should immediately request concurrence of the MEC CoGTA on the appointment.
- (e) Approved and established selection panel for the recruitment, selection and appointment of the Chief Financial Officer constituted as follows:
  - i. City Manager: Mr Sello More – Chairperson
  - ii. MMC Responsible for Finance – Cllr Caprice Logan Kruger
  - iii. Municipal finance and governance specialist – Mr DR Barlow

**2.**

**REQUEST FOR WAIVER OF REMUNERATION FOR THE NEWLY APPOINTED HEADS OF DEPARTMENTS AT MANGAUNG METROPOLITAN MUNICIPALITY**

**WITHDRAWN.**

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**CLOSING OF THE SPECIAL COUNCIL MEETING**

**The meeting officially closed at 19h00.**

**SECRETARIAT UNIT  
COMMITTEE SERVICES**