

CONFIDENTIAL

**MINUTES
of an
ORDINARY MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

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

**WEDNESDAY
NOVEMBER 1, 2023
AT 14:00 (INITIALLY SCHEDULED FOR 31
OCTOBER 2023)**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**



**MINUTES OF AN
ORDINARY MEETING OF THE
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL
HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, BRAM FISCHER BUILDING
BLOEMFONTEIN
ON**

WEDNESDAY, 1 NOVEMBER 2023 AT 14:00

(INITIALLY SCHEDULED FOR 31 OCTOBER 2023)

ATTENDANCE REGISTER

#	NAME	PARTY	LEAVE
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 Magdeline)	ANC	
4	<u>Council Whip</u> Cllr Nikelo (Vumile Edwin)	ANC 28	
SECTION 79 CHAIRPERSONS			
5	<u>Rules</u> Cllr Mokgothu (Tona Kenosi Wilfred)	ANC 2	
6	<u>MPAC</u> Cllr Makoloane (Itumeleng Justice)	ANC 36	
7	<u>Petitions 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	
MEMBERS OF MAYORAL COMMITTEE			
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>IDP and Performance</u> Cllr Tsoleli (Sibongile Pearm)	ANC	
13	<u>Technical Services</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	
17	<u>Community Services</u> Cllr Qai (Alfred)	AIC	
18	<u>Corporate Services</u> Cllr Letawana (Manthuse Maria)	ANC	

PR COUNCILLORS			
19	Cllr Campher (Zaandre MC)	DA	Only from 15h00
20	Cllr Davies (Maryke)	DA	Only from 16h00
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	
25	Cllr Ferreira (Thomas Ignatius)	DA	
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 (Mamahlape 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	Only until 16h15
39	Cllr Mtshakazane (Eunice Xoliswa)	EFF	
40	Cllr Njiva-Lebajoa (Mamotse)	DA	Absent with apology
41	Cllr Phohleli (Tsholwane Eddy)	EFF	
42	Cllr Phupha (Ntsoaki Agnes)	PA	
43	Cllr Ramatlama (Mpho Joseph)	EFF	
44	Cllr Rampai (Pule Joseph)	ACDP	Only until 22h38
45	Cllr Rasoeu (Lempe Ernest)	DA	

46	Cllr Sebolao (Jankie Elisha)	EFF	
47	Cllr Shale (Nkahiseng Reginah)	EFF	
48	Cllr Snyman van Deventer (Elizabeth)	FFPlus	
49	Cllr Terblanche (Arthur Phillip)	DA	
50	Cllr Thomas (Johannes Beleme)	EFF	Absent with apology
51	Cllr Thwala (Zwelinjane Jonathan)	DA	Absent with apology
52	Cllr van der Ross (Kevin Etienne)	PA	Absent without apology
53	Cllr van Rensburg (Corize)	DA	
54	Cllr Viviers (Benhardus Jacobus)	DA	
55	Cllr Vorster (Braam)	FFPlus	
56	Cllr Wewege (Mare-Lize)	FFPlus	
WARD COUNCILLORS			
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 Moilola (Tshidiso Petrus)	ANC 6	
62	Cllr Sehloho (Siza Clement)	ANC 7	
63	Cllr Nyaphudi (Likeleli Julia)	ANC 8	
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	
76	Cllr van der Walt (Tjaart Botha)	DA 23	Only from 15h00
77	Cllr Kotze (Gerhardus Dirk Petrus)	DA 24	
78	Cllr Botes (Francois Rossouw)	DA 25	Absent with apology
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 Ramolelle (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	
95	Cllr Mathe (Lisiwe Jeanette)	ANC 45	
96	Cllr Majoro (Mpho Samuel)	ANC 46	
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98	Cllr Pretorius (Johannes Christiaan)	DA 48	Absent with apology
99	Cllr Lekhwele (Mohanuwa Julia)	ANC 49	
100	Cllr Monare (Thabo Nicholas)	ANC 50	
101	Cllr Mohulatsi (Mamoorosi Margaret)	ANC 51	

OFFICIALS PRESENT

1	City Manager	Mr S More
2	Acting Chief Financial Officer	Ms N Sitishi
3	Acting HOD: Human Settlements	Ms N Mabunda
4	Acting HOD: Technical Services	Mr R Masobeng
5	Acting HOD: Public Safety and Security	Ms Ma Mafisa
6	Centlec: Chief Executive Officer	Mr M Sekoboto
7	Chief of Staff	Mr Z Mangcotywa
8	Head Office of Deputy Executive Mayor	Ms B Mncube
9	GM: Communications	Mr Q Khedama
10	Acting GM: Committee Services	Ms X Qilo
11	Transport Specialist	Mr C Manyungwana
12	Secretariat Official	Ms R Mamatela
13	Secretariat Official	Ms KD Mokoena
14	Secretariat Official	Ms K Nziweni

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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**MINUTES
(OPEN COUNCIL)**

171.

OPENING

(MOMENT OF SILENT CONTEMPLATION FOR MEDITATION AND PRAYERS)

The meeting commenced at 14h11.

Prior to officially declaring the meeting open, the Speaker confirmed that 80 Councillors were in attendance and thus forming a quorum as per Rule 12 of the Council's Standing Rules and Orders.

The Speaker whereupon officially declared the meeting opened and requested all to observe a moment of silence contemplation for mediation and prayers.

NOTED.

172.

NOTICE OF THE MEETING

The Speaker read the notice of the meeting as on page 2 of the agenda.

Cllr BJ Viviers referred and read Section 2B, Section 19 of the Municipal Systems Act on the publication of the Council meetings Section 20 of the Municipal Systems Act as well as the Council's Standing Rules and Orders, Rule 3.1. and 6.1. Based on the provisions as alluded to, he raised the following questions:

1. Whether the notice of the Ordinary Council meeting was given to the public and media?
2. And if the answer was yes under 1, then how?
3. Did the notice of postponement of the meeting of the 31st of October comply with legislation as referred to earlier?
4. That the Speaker must convince Council with reference to the notice of the meeting to the public and media and the notice of postponement inclusive of Council members on the postponement that Council is complying with legislation as mentioned, otherwise Council could be conducting an invalid Council meeting?
5. That reasons be provided why the Council meeting was postponed as that action caused especially the Executive Mayor, to not comply with legislation with reference to some of the item on the agenda?

The Speaker responded that the reply would not be at that time, however it would be provided in writing.

On a point of personal explanation, Cllr BJ Viviers, stated that the Speaker can reply at the time he needs to however the predicament they had was that they needed an answer to ensure that they were having a valid Council meeting as there were important items that should be approved. That should the Speaker be unable to provide answers, the DA caucus be afforded an opportunity to a 10-minute caucus on the matter and all other opposition parties were invited to the caucus.

The Speaker indicated that Cllr BJ Viviers did not have the right to convene caucuses of other political parties.

On a point of order, Cllr D Leech stated that if the Speaker was a real Speaker, he would understand what her colleague said.

On a point of order, the Council Whip remarked: "Thank you Speaker, I repeat thank you Speaker of Mangaung Metro Municipality. I think it is wrong for Cllr D Leech to stand up in the Council and ask you if you are the right Speaker, though she knows very well you are the Speaker; because if you were not the Speaker, then Cllr D Leech was not supposed to be in this house, when you convened this meeting.

On the same breath, Mister Speaker, one thing I want to say again, to Cllr BJ Viviers, play to the gallery, he asked if the meeting was convened properly, he is here. Why is he here if the meeting was not properly convened, he should have stayed at home because he was not properly convened and so, it means he was properly convened to this meeting and as a result, he must sit down and allow Speaker to proceed with the meeting. Thank you, Mister Speaker."

The Speaker indicated that Cllr D Leech did finish her speech however she would need to withdraw what she said.

On a point of order, Cllr MW Mongale remarked: "Thank you, Cllr BL Mathae, we need to put things into proper perspective today, for proper running of the meeting. When another speaker is on the floor and maybe as a chairperson, you feel that it is not respectful when another party calls for point of order whilst another speaker is talking, it needs to go to Rules Committee. Remember we agreed that we are going to review the Standing Rules and Orders, we wanted to avoid that anarchy. I agree with you, it is chaotic, chairing a meeting where point of order is called haphazardly, but I am saying, there will be no point of order, on a point of order; it is unacceptable. It is your call as the one who is chairing the meeting. When someone stands and raised a point of order, it is the first point of order, you must allow it. After the speaker is finished thereafter you must overrule it or sustain it, it is your powers. No one should try to assist you chair this Council. I am correct, I am helping you, you can disregard but tomorrow they will remember at least I tried to help the Council to have order and I will tell everybody, say, I, Cllr MW Mongale told you so."

The Speaker thanked Cllr MW Mongale for being a good example. That he was correct, and his articulation was a correct reflection of the Council's Standing Rules and Orders.

The Speaker thereon ruled that Cllr D Leech withdraw the articulation she made to the Chairperson of the meeting. Cllr D Leech stated that she was not going to withdraw as they did not recognise him as the Speaker. That he might be the convener, the Chairperson of the day's Council meeting but he was not procedurally elected.

The Speaker thereon asked Cllr D Leech to withdraw her statement and Cllr D Leech replied: "I have the mandate of my caucus to not withdraw as we do not recognise you as the elected Speaker."

Cllr D Leech requested the Speaker to allow her to continue her point of order as allowed by legislation and for the Speaker to indicate whether the Council meeting was valid or not.

The Speaker ordered that Cllr D Leech to sit however she continued addressing the Speaker.

The Speaker referred Cllr D Leech to Rule 35 of the Council's Standing Rules and Orders and read as follows:

35. Disorderly conduct of councillor and the duty of the chairperson

35.1.

If at any meeting of the council or committee a councillor conducts himself or herself in an improper fashion, behaves in an unseemly manner or persistently obstructs business to be carried out or challenges the ruling of the Speaker or chairperson on any point of order or declines to withdraw an expression when required to do so by the chairperson or indulges in tedious repetition or unbecoming language or commits any breach of these rules, the chairperson shall direct such councillor to conduct himself or herself properly and, if speaking, to discontinue his/her speech and resume his/her seat, is he/she was standing.

He continued as follows: "Now Cllr D Leech, you are contravening the provisions of the section. I have asked you on two occasions to withdraw what you said. I am now going to ask you on the last count to withdraw what you said. Alternatively, I may order you to leave the meeting."

Cllr D Leech requested that the Speaker grant the DA the 10-minutes caucus before she could answer the Speaker.

The Speaker thereon ordered Cllr D Leech to leave the meeting. Thereafter the Speaker ordered the City Manager to get Law Enforcement Officers to remove Cllr D Leech from the meeting.

Cllr GDP Kotze as well as Cllr MW Mongale raised a point of order however Speaker indicated that he would afford the Councillors to speak after Cllr D Leech had been assisted out of the Council meeting.

The Speaker then granted a 10-minute break whilst waiting for Law Enforcement.

The Council Whip requested a caucus of the multiparty whippers in Committee Room A, thereafter he gave feedback that they had agreed to request the Speaker to allow the DA caucus.

After the DA caucus, the Council Whip was requested to give feedback first and thereafter the DA.

Council Whip addressed the Council as follows: “Honourable Speaker, we have noted with serious concern as a multiparty whippers the level of discipline decaying amongst Councillors and indeed we spoke hard on it to say, all political parties, in the main, the two (2) major political parties in this Chamber, DA and ANC to start engaging and talking seriously in their respective caucuses about the issues of discipline.

We have also noted that as multiparty whippers that the Speaker sometimes is too harsh on other members from other benches and rather too soft towards his purported political party. We would also like to request the Speaker to be impartial. When running the Council.

The other issue that is critical, we have also noted the issue, even though it is for the second time it happened, with members of the DA, we agreed that as much as we are going to talk hard on issues of discipline, we also allow Cllr D Leech to participate in the Council, so that she is not removed.

In the same breath of what we have indicated and inline with the procedural issues raised by Cllr BJ Viviers, we respect the authority of the Chairperson of this meeting. When the Speaker, because he is protected in terms of our laws, including our Standing Rules and Orders, has ruled over a particular matter, it must be respected in order to continue with the meeting. We know as Councillors, in case we feel that we are not happy with the decision taken by the Speaker when ruling on the matter, there are processes to follow in terms of the recourse on any matter that has been discussed. In a nutshell, that is how we agree as Multiparty Whippers in relation to everything that has happened today. As a results, we agreed that the Speaker to continue with proceedings of the day. Thank you, Honourable Speaker.”

Cllr TD Masoeu confirmed the report given by the Council Whip, the decision remained, the Speaker was in charge of the Council meeting, and it is final and they would respect it. That the Speaker when making a ruling, he must answer the question. That indeed processes were in place in case there were disagreements.

The Speaker prior to making his ruling, he referred the Council to the following provisions:

- **Section 35 of the Standing Rules and Orders, dealing with a disorderly conduct of the Councillors and the duty of the Chairperson/Speaker. He then read the Section 35.1 as follows:**

35.1.

If at any meeting of the council or committee a councillor conducts himself or herself in an improper fashion, behaves in an unseemly manner or persistently obstructs business to be carried out or challenges the ruling of the Speaker or chairperson on any point of order or

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declines to withdraw an expression when required to do so by the chairperson or indulges in tedious repetition or unbecoming language or commits any breach of these rules, the chairperson shall direct such councillor to conduct himself or herself properly and, if speaking, to discontinue his/her speech and resume his/her seat, is he/she was standing.

35.2

In an event of persistent disregard of the directions of the Speaker or Chairperson, the Speaker or Chairperson shall direct such Councillor to retire from the venue where the meeting is being held for the remainder of the meeting, and shall, if necessary, cause him/her to be ejected there from.

35.3

The Speaker or a Chairperson may exclude from a meeting, for such period of time during the meeting as he/she may deem fit, any member who has so committed an act of misconduct or behaved in an unseemly manner or persistently obstructed the business of the meeting or disregarded the authority of the chair, provided that a formal process will be initiated after the conclusion of the meeting.

35.4

Where a councillor refuses to retire or in the event of more than one councillor having to be ejected from the meeting, and such councillor/s refuse/s to leave the meeting, the Speaker shall request the Sargent at Arms to facilitate the removal of such councillor/s from the chamber. If this cannot be done orderly, the chairperson of a meeting may adjourn proceedings for a period not exceeding 15 minutes, in order for the relevant councillors to retire or to be ejected from the venue of the meeting. If, at the resumption of proceedings, the councillor/s have not left / been ejected, the meeting may be adjourned for another 10 minutes to address the situation. The chairperson may rule that after the second adjournment the meeting will reconvene at another venue and any councillor/s ordered to retire or so evicted or ordered to be evicted will be refused entry to the alternative venue. The Sargent at Arms of the council will ensure that such councillor/s do/does not enter such an alternative venue.

The Speaker thereon addressed the Council on the report back from the Council Whip

and Cllr TD Masoeu: "I take exception on the conduct of Councillors. I am not here to be liked personally by members; I am here to do my work. If in the opinion of learned Councillors, I do not do my work diligently, then you have the right to draw my attention to that, but to demean my standing and my persona, that is not going to be allowed. I take exception of what the report says, we will only allow Cllr D Leech to be part of this meeting provided that she is not going to speak on any other matter before the meeting. I do so advisedly because, we do not have Law Enforcement Officers who are clad in a proper identifiable uniform and so we will not eject Cllr D Leech from the meeting. Alternatively, I had the right to conclude that this meeting must be held at an alternative venue, but I take Council from the request and the decision of the Multiparty Whippers. So, we will not make exception once again for an unbecoming behaviour. Cllr D Leech, it is recorded in this meeting that, we will not eject you, but you will be refused the right to speak for purpose of today's gathering and that is my ruling."

On a point of clarity, Cllr TD Masoeu stated that Cllr D Leech was scheduled to address the Council on an item within her portfolio, as she sits in that portfolio Committee.

The Speaker responded that he had made a ruling that Cllr D Leech would not be ejected from the meeting, however she will not speak in any of the item submitted for the business of the day and that his party would make alternative arrangements. To instil discipline, and order in the Council meeting, Council would have to observe few things of which part would be to honour the directive of the Chairperson.

Cllr MW Mongale remarked: “I think you are now defeating the purpose of our Multiparty Whippery caucus; the aim was not to create winners and losers and we are not saying somebody is right or wrong. Our process was about harmonising the relations, because our relationship in this Council is extending towards 2026, we are going to need each other along the journey and out of the spirit of Ubuntu, we must also have a way of saying, I accept the Multiparty proposal and I allow Cllr D Leech to participate, and maybe we need to put a rider on it to say, in any meeting in the future, there should never be any attack of whatever form on the Speaker of the Council.

We have even requested that prior meetings of the Council, we need a meeting of Multiparty Whips with the Speaker of the Council in trying to harmonise the relations and another one between the Executive Mayor and the Multiparty.

The aim is to harmonise the situation, we do not want to win, we want to be active participants and to feel that we are part of the Council. We do not want a situation of they and us, we want unity in this Council. The only way for us to get that unity, is by all of us accepting a situation of win-win. There shouldn't be winners and losers. I am humbly pleading with you, with all humility to say can you accept the proposal of Multiparty and not out of disrespect. I am aware of your powers...”

The Speaker interjected to indicate that Cllr MW Mongale's point was sustained. The Speaker reiterated that he made a ruling and would not back down.

Cllr TD Masoeu requested a 30-minute DA caucus and the Speaker indicated that he would not allow any caucus on the matter. Cllr TD Masoeu explained that the request was based on the ruling of the Speaker. The Speaker then granted a 5-minute caucus, on the basis of the ruling.

After the DA caucus, Cllr TD Masoeu apologise for taking 25 minutes for caucus as it was not an easy decision to make.

Cllr BJ Viviers provided feedback as follows: “Thank you, Cllr BL Mathae. We do honour you as the Chairperson of this meeting. The Constitution of South Africa does give you the right of freedom of speech, even in this Council. In the Bill of Rights, you have a right of freedom of speech, we always had it in this Council. We say nice and bad things to each other.

Unfortunately, in the Standing Rules and Orders, you don't have the right to take away, a Councillors freedom of speech, a Councillor's right to participate in the Council meeting, to give valuable contributions. If you are doing it without having the right to do that, I am just trying to say, then you could have just as well, got the Sergeant of Arms and taken her out anyway, that you can do in terms of the Standing Rules and Orders, I do not have a problem with that, but now you are turning it around saying: 'you can sit here, but hash', you say nothing and not be part of what we are doing here. It is a Councillor who has prepared a speech and want to give valuable information to this Council and to the public outside there. It will not be right, and it is not for me to tell you what to do or not, Cllr BL Mathae as Chairperson of this meeting. I am now begging you, because I know somewhere you will agree with me, it will never be your intention to take away any of the Councillors' here freedom of speech. I am humbly asking you now, afford the opportunity to the Councillor to practise her freedom of speech. Otherwise, if you don't, you have effectively taken her out by the Sergeant of Arms anyway. That will be my request to you, please. I think that just make sense, please don't trample our freedom of speech's right. Thank you, Cllr BL Mathae."

The Executive Mayor remarked: "Thank you, Honourable Speaker. When the Multiparty went out to meet and saw it fit that they would come back to the Council and ask you to relent your ruling, what crosses my mind is that, did the Multiparty not see it fit to track back to see where the problem started; it is when the said Councillor disrespected you and did not recognise your sitting as the Chairperson. I want to believe that the Multiparty Whippers should have started having concluded that they will appeal to your conscience to allow the proceedings, to ask the said Councillor to apologise. The condition with which I think gives the Multiparty to address themselves in the manner that they did to you, should also include making sure that they appeal to the same Councillor to stand up and apologise and that is the basis of contradiction."

The Speaker responded:

- That he would not bend the rules as the custodian from being the chairperson, of those rules and therefore the request was dismissed and not allowed.
- That on three (3) counts, Cllr D Leech was asked to withdraw the statement that she made, and she did not do that and therefore as the Speaker, he evoked a Section 35 of the Council's Standing Rules and Orders for her to retire from the Council meeting when she resisted and thereon ruled that the Sergeant of Arms must come in to remove her.
- Then Councillors requested a Multiparty Whippers caucus and after listening to their advice, he then conceded to their request that Cllr D Leech would not be removed.
- That similarly as the Speaker, he held the right to postpone the meeting to a different venue where Cllr D Leech would not be allowed to enter.
- That he would not bend the rules as and when it pleases some members.
- That he did not want to follow a formal investigation process as it would not end well as the report of the investigation will then serve before Council with its recommendation.
- That the resolution thereon would be forwarded to MEC COGTA.

- That Councillors were aware that there are new regulations which governed the Councillor's Code of Conduct, and the law allowed the MEC COGTA to disqualify a Councillor if he/she deemed fit to do so.
- That he made a ruling, Cllr D Leech would sit in Council meeting, observe the proceedings and she would not speak.

NOTED.

173.

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.

174.

ACCEPTANCE OF THE AGENDA

Cllr TL Setlai moved for the adoption of the agenda as is.

Cllr GDP Kotze raised the following as a point of clarity: "Thank you Chairperson. As everybody here is aware that our information system is currently offline and several motions have been forwarded to offices of the Speaker, City Manager or then Acting City Manager and the Executive Mayor, and these motions have not yet been tabled in Council and they were sent to the offices in June/July already. If we can get clarity when would those motions be tabled in Council and because of the system that is offline, can we get guidance on how to get motions to be tabled at next Council meetings. Thank you."

The Speaker stated that he would get back to the point of clarity as raised by Cllr GDP Kotze.

Cllr E Snyman Van Deventer indicated that Rule 38 question were not included in the agenda and thus requested that the new City Manager must ensure that Rule 38 questions would be answered at the next ordinary Council meeting and the Speaker responded that the matter would be taken up with City Manager.

Cllr BJ Viviers requested clarity on the following

- That whether the indigent list that was circulated on WhatsApp would continue with that format?
- That on the ruling undertaken by Speaker, whether he would continue with misconduct charges in terms of code of conduct?

Cllr MF Matsoso seconded the acceptance of the agenda.

The Speaker responded as follows:

- That they would definitely ensure that Rule 38 questions were responded to and there could be a technical glitch between the outgoing City Manager and the new City Manager, however the City Manager would promptly attend to that.
- That he made a ruling that Cllr D Leech will not speak and he merely referred to a formal process which was enlisted on the Council's Standing Rules and Orders; that if in the opinion of the Speaker of Council or the Chairperson felt strongly that a formal process be initiated, the formal process is outlined in the new regulation that governed Code of Conduct for Councillors and had far reaching implications for all Councillors.

The Speaker declared that the agenda was duly adopted as is.

NOTED.

175.

ANNOUNCEMENTS

The Speaker prior to allowing Councillors to submit their announcements, he requested Cllr MM Mohulatsi and Cllr JE Sebolao to stand. That on the 13th of October 2023, they undertook to investigate the request by Cllr JE Sebolao on the despairing remarks made by Cllr MM Mohulatsi, and indeed Cllr MM Mohulatsi made the remarks and therefore she must apologise to Cllr JE Sebolao. Cllr MM Mohulatsi indeed apologised.

The Speaker requested Cllr GDP Kotze to stand and that on the 13th of October 2023, in terms of the Standing Rules and Orders, Rule 35.1 – 35.4, there was an undue altercation between him and the Chairperson. That he was requested to refrain from the engagement which had obscene gestures and therefore Cllr GDP Kotze should apologise because of those obscene gestures which he displayed publicly to the meeting obscene. Cllr GDP Kotze apologised.

Cllr MT Mosala announced as follows as MMC of Waste and Fleet Management: that on the 17th November 2023, the Municipality would be launching the greening and cleaning project with the Deputy Minister of DFFE (Department of Forestry, Fisheries and Environment), Honourable Makhotso Magdeline Sotyu at Southern Landfill site and therefore the community of Mangaung Metro is invited to partake in the launch of greening and cleaning to be able to bring back the glory of Mangaung Municipality being the cleanest City in the Country.

Cllr GDP Kotze raised a concern for the DA, that in 2018, the ICT system of the Municipality went offline for two (2) weeks, and they requested a forensic audit on the system crash. After several attempts for the past years, the DA then tried to assist the management to protect the information.

After what had happened and with the information that was received the previous day, and after talking to their National and Provincial leaders, they would be laying complaints with the information Regulator against all Mangaung officials who served in the Municipality for the past five (5) years.

Cllr MJ Ramatlama made the following announcement: “Motsamaisa wa Mosebetsi, e re ke lebohe. Ke ne ke batla ho etsa tsebiso ena ke labile baahi ba lebatowa la *five one*, motseng wa Phase 7.

Motsamaisa wa Mosebetsi, baahi esale ba tlaleha tlhoko ya metsi ho tloha kgweding ya ho feta, letsatsi e ne e le labotshelala, le letsatsing lena metsi a ntse a seyo. Keathaba ho bona ka thoko ho wena, ho nale MM (Municipal Manager); re ne re kopa hore a etse bonnete ba hore, di-official tsa hae dimathela motseng oo hobane, malapa a moo, a etelelswe pele ke bomme le bana bao eleng hore ha ba kgone ho ka lo kga metsi sebakeng se tsebahalang ka 7de Laan. Ke yona kopo, le kgoeletso le tsebiso ho lona ba Lekgotla. Kelebohile.”

NOTED.

176.

MOTION OF SYMPATHY AND CONGRATULATION

Councillor passed their motion of sympathy as follows:

Cllr PS Twala: The African Transformation Movement (ATM) in MMM passed their sincere condolences to the Twenani Family at Eastern Cape on passing of their beloved, Unathi known as Maestro Sir Gabs Twenani who would be laid to rest the coming weekend (4 November 2023). He was also part of the regional leadership of ATM in the Eastern Cape.

Cllr CL Kruger: “The ANC in the Mangaung region would like to pass their vote of sympathy to the family of Denver Stanley Swart. He was the grandson of the late Comrade Peter Swart who was fondly known as one of the disciples of Nelson Mandela. Denver Swart was also involved in a lot of community activities and a dedicated member of the ANC; active in Ward 47 as well as Ward 16. For that, we would want to wish the family. Comrade Denver was laid to rest last Saturday. We would like to convey our message of support to the family. Thank you.”

Cllr MS Ramolelle: “Thank you Mister Speaker. As ANC caucus, we would like to sympathise with these families. The family of Mme Selloane, who was raped by five men on the 28th October 2023 and died on the 31st October 2023, that is yesterday.

Family of Cllr TS Fantisi, who was attacked by the community of Ward 37, because they wanted to organise things for their Ward and put everything in order, but the people did not see it that way.

At Ward 35, there are two (2) young boys who passed on the previous weekend because of gun shots, condolences to the two families, Mqoki and Marumo Family.

Mister Speaker, I wasn't to pass our sympathy to the Palestinians. As the ANC, we are in solidarity with the Palestinians, and we undermine whatever is happening against them. Actually, what is happening, is evil and uncalled for. Palestinians are human beings like us, and they deserve to be treated as human beings. We are saying, away with the evil system that is used against the Palestinians. Thank you."

The congratulatory messages were conveyed as follows:

Cllr DMC McKay: "Thank you Chairperson. As I congratulate the Springboks with heartfelt, gratuitous congratulations, I would like to remind you that behind every Springbok there are hardworking, loving spouses, partners and families. The Bokke won because of the love and support behind the scenes. They already won before they stepped on the field because of you and them.

As reality struck, that we are once again the Champions of the World, my heart started to feel so much compassion and love, that I felt compelled to say a prayer for the wives, partners and children of every Springbok. Imagine what it's been like for them when it was soo nail-biting for us. They literally carried not on South Africa but Africa on their shoulders! In saying that, I would like us all present here today to take note of how a fully inclusive group of South Africans, of all ages, genders and races, working towards a common goal, led by great selfless MEN and women, have achieved such an awesome result and it is unfair of us ordinary South Africans to keep demanding the Springboks to give us hope through their victories, when we don't meet them halfway.

Our Municipality is in deep trouble because we are not being allowed to work as an inclusive group, our inputs and advice is discarded as opposition tactics. This divided house is falling. I so hope you can see the light Mr Executive Mayor because the rest of Mangaung can and we are now all tired of the lame excuses and empty promises given for sub-standard services, if any at all. We all know it is due to ANC infighting, nepotism, deployed cadres and their personal agendas. Mr Executive Mayor, I challenge you to choose the political unpopular road, the way less travelled by your predecessors, to bring about a lasting change that will include all residents of Mangaung for once.

Yes, it's true that apartheid did divide South Africa once before and it broke us. Your government, however, has divided us again and as a result, not only Mangaung, but the Provinces and the Country are broken once again.

- What now Mr Executive Mayor, MMC's, Councillors and municipal officials alike?
- Will you work your hardest in your job?
- Will you be a world class public servant?
- Will you roll your sleeves up and help to fix and build this Municipality?
- Will you vote for the best political leaders to run this Municipality?
- Will you stop paying bribes or accepting bribes?

6K

We should all take a feather from the Springbok caps and follow their example. It is time you start working in and building world class teams. It is time you start putting in your best efforts in your job. It is time you start serving the public as if you're competing with the best in the world. It's time you work and listen to good advice from opposition parties to build a champion Municipality. It starts with you! The Springboks have given us everything and now it is up to us. Let's build a Springbok economy. Let's build a Springbok society.

To the Springboks, the pride of our nation, I want to say thank you. Thank you for continuing the fight. Thank you for fighting when the prospects of winning seemed so slim and thank you for showing us as a Country and a people that victory is possible for South Africa, if only we have the courage and the will to seize it. Thank you for reminding us of who we are, and who we are meant to be.

In closing I wish you all to rally behind the South African Cricket team with the same passion and enthusiasm that was afforded to the Bokke. Thank you."

Cllr LE Rasoeu: "Councillors, today, it is two (2) years since we had elections for this August house and of course if the past two (2) years has something to be proud about, your guess is as good as mine.

Mr Chairperson, from worlds to networks, rebuilding Mangaung collaboratively. This is a congratulatory message to the new executive as well as their administrative head. The trouble we are in, Mangaung lies in rings and its gates have been burned with fire, come let us rebuild Mangaung and that we will no longer be in disgrace. Mangaung is a home, a place we call home, we raise families and advance the course of making the lives of fellow citizens better as we pursue our politics.

Councillors, Mangaung is a cross-sectional City, which is to say, a City strategically situated in the region in which it is found and serves as a hub for culture, politics, economics and other social dynamics; such a city hold a special place on the body politics of the nations on which they are found. Our Mangaung is not an exception to this rule of the thumb.

We have however known and lived to it all as Mangaung has descended into dysfunctionality through squabbling in the ruling party and a consequence cascade of administrative and managerial disconnect that manifested in the Municipality or the City Mangaung. The squabbling and disconnect thus referred to, resulted in the City whose walls were broken. A City that could not leave to its promise of providing adequate services to those who need them. A City that could not serve as a model of municipal governance, to the rest of the Republic and the world to that matter. These developments left the City in disgrace; we have lived through it all; we have painstakingly taken it upon ourselves, to rebuild the walls of our City through the arduous task that has let us to having a functional executive structure and the administrative head of the City.

We are here now, Councillors, we have to extend our goodwill, politically and otherwise to the new team, for when they save the City from disgrace, to improve services and collaborative, consultative and representative governance, all of us without exceptions, will be saved from disgrace.

As we urge the governing party to instil discipline within its ranks, that seem to have spilled into this Council and let to the destruction of our walls or the City.

We pledge from the opposition ranks, that without fail, we will continue playing our role of diligently holding the executive, administration and the majority to account. This we plan to do through aggressive oversight that ensure that citizens get value for every tax rand, that laws, procedures, by-laws and regulations are adhered to the latter; that priorities on service delivery, especially that kind of service delivery that provides safety nets to the most vulnerable while affirming their citizenship. We plan to do oversight that ensures even executive committee members are held singularly, severally liable and accountable for the decisions that they make. Ensure that even public participation is at the core of our City's governance and through government for the people. That said, allow me to leave you with a wise counsel freely dispense to humanity in JF Kennedy inaugural address in Washington DC in 20 January 1961: *with a good conscience, our only sure reward, with history, the final judge of our deeds, let us go forth to lead the land we love asking his blessings and his help but knowing that, here on earth God's work must truly be our own.* Thank you, Chairperson."

Cllr JE Sebolao wished Mamelodi Sundowns the best of luck as they would be playing in the evening, representing South Africa and holding the flag up high in Africa and the world and hoped that they would win and go to the final.

Cllr PJ Rampai: "Thank you, Mister Speaker. The ACDP South Africa congratulates the Springbok and Proteas on their victorious games.

Motsamaise wa Dipuisano, hona ho bontsha hore, ha ho kgathaletsehe hore ba hlaha dihlopeng dife, but they had swallowed their prides, their colour of skin and who they are. They have shown us that they need each other. We congratulate them on their hard-fought 12th or 11th victory at the final of the Rugby World Cup tournament against tough and determined All Blacks, New Zealand.

Mister Speaker, batho bana ba bontshitse hore na re hlaha hokae re le bo rradipolotiki, empa ba re bontshitse ho kopana, le hore rona mona Mangaung re ka kopana, ra aha Mangaung, re tlohelle diphoso tsa rona.

Mister Speaker, ACDP is ready to support, the appointed administration in Mangaung.

Lastly, I would like to quote from the Holy Book, *'the fear of the Lord is the beginning of wisdom, unless the Lord builds a house, they who built it, labour in vain. Unless the Lord guards the City which is Mangaung, the watchman keeps awake in vain.* Thank you, Motsamaise wa Dipuisano."

Cllr MW Mongale: "Thank you, Cllr BL Mathae. I think I must join South Africans and the Councillors who have congratulated 'Die Bokke', the Springboks. I need to also state that, it was one game that was highly charged with emotions, a tri that was to be and that never be, that nearly caused people with sugar diabetes and high blood pressure to be hospitalised.

6M

When I was watching that game, I was worried with people with chronic ailments and I said, *'this final is not for the sick'*. All those who are sick must go and sleep, they will get a report tomorrow, because we don't want to bury people; it was dangerous, but South Africa being South Africa rose to the occasion. There is one element that we saw from the Springboks, it is an organisation run well, having a plan, can be criticized and be able to accept criticism and will be able to grow from strength to strength. We all know that they were criticized after losing the first game, all reasons were given, but they never lost focus because they knew what the plan was.

I wish Mangaung had a boom squat; we will be far because I had goose bumps every time when I see the boom squat. I am saying, we have our own Die Bokke in Mangaung, Retshegofaditswe "Ox" Nche and Jacobus Reinach. The reality is that Mangaung has been able to produce such people, thanks to Grey College, Louis Botha and other schools that are being run well.

We hope and pray that while we are celebrating, we are not going to go to honeymoon, but we should also take a leave out of those successes and say, what is that we can learn out of Die Bokke, that we can take to Mangaung Municipality; so that it can be able to be on the right track. I am raising this because I was watching when the cup was lifted and when the captain took the cup to the middle. When the President approached, after a while, there was darkness and I said wow President's! darkness follows you all over. Later I realised that the darkness was not permanent, it was for the crickets, for proper celebration.

I was feeling sorry for President as if it is me, that the lights are being switched off in my presence and people are going to blame my Country because it is the one that always comes with darkness, but I was relieved when I realised that there was light at that stadium and I said, hope has come to South Africa. Thank you Die Bokke! Thank you Die Bokke! And thank you Die Bokke!"

Cllr E Snyman van Deventer: Dankie Agbare Speaker. Eerstens names die Vryheid Front Plus wil ons ook die Springbokke geluk wens met hulle oorwinning. Ek moet saam met Raadslid MW Mongale stem, hulle het vir ons vir drie wedstryde na mekaar hartaanvalle amper gegee. Ek is ook 'n krieket ma en dus moet ek ook die Suid Afrika krieketspan wat tans in Indie speel, ook geluk wens met hul 5 uit 6 oorwinnings tot dusver.

En dan dankie aan Raadslid Sebolao wat ons herinner het aan Sundowns se seges en dus wil ons hulle ook voorspoed toewens.

En dan laastens, as u my sal vergun, ek het nie mooi gehoor wat die Raadslid gese het in verband met die slagoffer van die verkragtig wat gister oorlede is nie, ek het nie daarvan geweet nie en dus wil ek ook namens die VF Plus ons simpatie met daardie gesin en dan ook rondom daardie omstandighede ook bring.

Dit is wonderlik om sportsmanne geluk te wens, ons doen goed in sokker en doen goed in rugby en ons doen goed in krieket maar as ons 'n maand na vroue maand, nee darem twee maande nog met sulke gebeure sit, 'n vrou wat verkrag word, dit is net verskriklik en ons moet

ons as 'n raad kennis neem daarvan, en elke raadslid het 'n verpligting om ook in sy of haar wyk of in sy of haar omgewing die boodskap uit te bring dat geweld teenoor vrouens en kinders onaanvaarbaar is. Dankie Speaker."

Cllr ND Siteo addressed the Council: "Thank you, Honourable Speaker. The African National Congress would like to congratulate both our national teams of Rugby and Cricket for doing well in a global stage. One should highlight the hard-fought victory of Springboks against New Zealand. It was not an easy game at all because the New Zealanders had planned around our bomb squad.

These congratulations could not come at a better time, than the birthday of the late former ANC president, President Oliver Reginald Tambo. The leader whom through their struggle and fight for freedom, South Africa manage to change all white dominant sports to have a quota. To cite an example, the coach of Springboks, Rassie Erasmus and his family was attacked in different angles for making the great Siya Kolisi the captain of the team. It's quite evident that coach Rassie knew that Siya has leadership qualities hence under his captaincy; the Country won two (2) Webb Ellies cups back to back.

We also like to wish well the Proteas in their today's game against the same, New Zealand, in order to improve their chances for world cup semi-finals.

Lastly, we want to indicate that when the God's of Africa are with you, no matter the circumstances, you shall rise about the rest.

France versus Springbok - 1 point win

England versus Springbok - 1 point win

New Zealand versus Springbok - 1 point

Menemene tekele, mongwalo o teng leboteng. South African was meant to win this. Thank you."

The Speaker echoed the sentiments by Cllr LE Rasoeu: "Today Councillors, marks 305 days of the year. We are on our 44th week but incidentally, today is the 1st of November 2023. You would recall that, we had our elections on the 1st of November 2021. This marks the second year of office, in service of your people Councillors. We wish to congratulate you. I think you deserve a good round of applause."

NOTED.

177.

CONFIRMATION OF MINUTES

The Speaker remarked: "Councillors, I wish to draw your attention to the note on this item. Our system has been compromised; there has been an attack on our server, to the extent that it has affected everything. There was no communication either through mails or telephone, because our ICT Division, had to respond swiftly.

We have asked for the services of South African Intelligence Unit and Hawks, to investigate. All that we can say at this stage, we are unable to ascertain the extent of the damage to our internal ICT, but more importantly, our server, where our data is commonly stored.

We will in due course, through the office of Executive Mayor, once we established all relevant facts, convene Councillors and give them update as to what is it that has been done to circumvent the complete loss of the data; if we are in a position to recover our data, we will also do so, but if we have lost everything, we will also bring it to the attention of Councillors.

The MMC for Corporate Service, through the Office of the Executive Mayor, will be in touch with all Councillors, so that they can give details of the extent through which, we are able to bring back our systems of communications back online. The new City Manager will also be helpful in putting in place, alternative mechanisms for communication, outside and internal clients. We do not have some of the minutes and will be presented at the next ordinary meeting as per our calendar.”

Cllr MW Mongale stated that what was happening in the Municipality was unacceptable and it exposed all Councillors that they have been in honeymoon. That how can the ICT system for such a big institution not have a backup system, where it is easily hacked and there was no anti-hacking. That some of the history of the Country was in the Mangaung, the heritage must be preserved. That something fishy was happening, and therefore had doubts when Hawks got involved as they had a record of failure; they had never arrested anyone, with direct link with sitting President, they only arrest when sitting President leaves the office. That he was disappointed as he thought the Municipality would go for private investigation so that those who were relevant could be arrested.

The Speaker thereon made Council aware that the Reserve Bank was also hacked two weeks ago including the Department of Justice, that no system was perfect. The Municipality was not immune from cyber-attacks. That he was in agreement that the Municipality needed to develop early warning system to track even before an incident takes place. That cyber-attack was more like criminals, inkabi, they have all footprints. That cyber-attack was now common in municipalities, Moqhaka Municipality was attacked in April 2023 and therefore, it was an indication to other municipalities to at least learn from Mangaung that even the Metro can be hacked, so that they improve their firewall and anti-cyber-attack.

NOTED.

178.

DECLARATION OF INTEREST

None.

NOTED.

The Executive Mayor presented his reports as follows: “Thank you, Honourable Speaker and fellow Councillors. Let me start by echoing the congratulation of the Springboks and invite the critics of the democratic gains in this Country to listen to a composer of a song dedicated to Siya Kolisi, by Afrikaans composer but sang in English, Mr Robbie Wessels. At first glance, it is not a very sound impressive musical item, but listening to the content of it, you would then understand my departure point. The content is telling and addressing itself to how we should see and express ourselves as South Africans.

I also congratulate the anticipated sounding success of our matriculants and wish them a success, and declare in advance that (my son is part of those), the team of this year should emulate the work done by predecessors, those that walked the path before them and let them make the Country proud in same way many are doing.

I would like to echo the solidarity sentiments with the people of Palestine, this is an unjust and unwarranted war imposed upon them by yet, another apartheid regime of Israelites, of no particular origin to the land of the weary. I hope the international community will express itself and attend to the matter of the people of Palestine and make sure that the cunning of the people and the senseless killing comes to an end. The expression and the arrogance with which the Israelites are expressing themselves at the level of the United Nations must be condemned with all the strongest term we can.

Honourable Speaker, after reading all the works of the Council, I watched this animal program, animals were migrating from a dry waterless area to greener pastures. I discovered that at the point of migration, even those that are carnivorous stopped eating one another, they tend to depend on each other to find their path to greener pastures. In their movement, they move in order of precedence: in front leading, is the elephant using its task to break whatever is in front, then immediate after elephant, it is the buffalo, to pave way and move all off the way, immediately after, then hippopotamus, with its body trampling on the rubbles on the ground to smoothen the path in their destination to greener pastures and water. Animals by their weight and sizes will be doing so.

The elephant in front, being in a path never travelled before, when it gets injured on the road, the animals behind, laugh at the elephant, saying such a stupid elephant, if it was us/me I would have taken a detour and avoid the danger as if the elephant knew there was danger there. In the mist of the animals, there is also a springbok, but the story is now the elephant.

Honourable Speaker, there was never democracy in South Africa before; with the effort from the people like Oliver Tambo, that was celebrated earlier and the many leaders of the democratic process in this Country, we are where we are today. The Siya Kolisi of today, Wayne van Niekerk, who were never given opportunity to be part of the mainstream, are today and we are celebrating this Country as black and white, thanks to the elephant, that today gets so insulted by the animals behind it. The howlers and hacklers, the hyenas and the jackals, who cannot understand that the path the elephant is perusing was never travelled before.

7A

Honourable Speaker, we never knew that democracy will be full of hilly-bellies of today. We never knew that our democracy would have, thugs, thieves, opportunists, people of no origin telling us what to do and what not to do, when they are not even at the helm of direction with which the process must go to. By so saying, I am inviting all the elephants and all animals behind the elephant to behave and begin to give unwarranted and unlimited support to the elephant for the destination that the elephant is piercing for us, does not only entirely be a beneficiation to the elephant but to all and so, let the hyenas, scavengers realise that we are aware of their intention and purpose to defeat this path that the elephant is busy leading us to and let them be part of the mainstream.

Honourable Speaker, I would like to table before you the items that must be considered by Council from 1 – 5 and I have capable MMCs to deal with items before the Council. On this note, should I have trampled on sensitive toes, I would like to apologise in advance, but I have said it anyway. Thank you, Honourable Speaker.”

NOTED.

1.

SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN – MFMA SECTION 52(D) FIRST QUARTER REPORT 01 JULY – 30 SEPTEMBER 2023

The Speaker stated that Councillors must be mindful of Rule 34.1 on the 5 minutes length of speech in terms of the Standing Rules and Orders.

Cllr SP Tsoleli delivered her speech as follows: “Thank you, Honourable Speaker, Executive Mayor, Deputy Executive Mayor, MMCs and fellow Councillors.

Honourable Speaker, the MFMA Section 52(D), first quarter report is tabled in this Council with a reconfigured macro structure as compared to the previous financial year macro structure. The City had nine (9) departments, for 2022/23 and now with the new macro structure, we are sitting at seven (7) departments. This restructuring comes with its own challenges especially with departments having to realign its human and capital resources.

As a Chairperson of Section 80 Committee: IDP and Performance Management, I can confidently assure this August house that this report was 100% dissected and interrogated by the Committee. There are a lot of challenges as reflected in this report and the only way to curb these challenges is with one common objective, which is provision of improvement of services to our communities.

Moreover, Honourable Speaker, the first quarter report shows that the City is sitting at 51% in terms of its commitment to providing reliable and quality services to its residents. This is a significant improvement when compared to a first quarter report from the previous financial year which was 44%.

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Honourable Speaker, the provisions of the key performance indicators and targets projects for each quarter is the integral part of the implementation and entrenchment of our performance management system.

Furthermore, mechanism in acceleration of non-performing programs were emphasised enough to the Executive Management Team to expedite the spending of the grants and all the appointments of the contractors.

Honourable Speaker, in the previous SDBIP as we have presented it here in the house, I just want to go a little bit back. Somlomo, xa be si presenta le report, kwi quarter ephelileyo, I stood up kulendlu, nda chaza okokuba, ikhona inkqubela ekuziseni iservices kubantu base Mangaung. Ndiye ndacacisa into yokuba iMangaung iqhubeka phambili ngentsebenzo. Zikhona indlela ezilungisiweyo, kwavalwa ne potholes.

U Councillor we AASD, Cllr MW Mongale, no Councillor we DA, baye bema phakathi kulendlu bathi, inokuba apho mna ndihamba khona, ndihamba kwindlela apho kungahambi bantu kuzo.

Ndima apha ngalo mzuzu Honourable Speaker, ndifuna ukuphendula, nokuba cacisela into yokuba njengoko besitsho ukuba akukho nkqubela ekulungisweni kwindlela nokuvalwa kwe potholes, ndifuna uku chaza okokuba ayiyonyani leyo. Ngabo abona bantu baphila apho singaphili khona thina, bahlali base Mangaung. Honourable Speaker ndifuna ukuzisa ezindlela apha phambi kwabo, ndibabonise okokuba inkqubela yona ikhona; kwaye nokuvalwa kwe potholes phakathi kwe Mangaung.

Phaya e Thaba Nchu, Honourable Speaker kwi sub-region yethu ka Maspala, sine ndlela ezithe zalungiswa kwavalwa ne potholes. Okokuba bafuna ukuya bayokwenza ioversight mabaye bayozibonela bavumelekile baye, ukusukela e Zone 1 ukuya e Zone 3. Ndiyaxolisa Honourable Speaker kuba indlela zase Thaba Nchu azina magama. Phaya e Zone 2, kukho indlela ezithe zavalwa, kwavalwa ne potholes phaya eMotlatla, indlela ezimbini zilungisiwe kwavalwa ne potholes.

Honourable Speaker, masize apha kule ndawo ba kuyo e Bloemfontein, pha e Taelo Molusioa, kule 6 months iphelileyo, kuye kwa resealwa indlela kwade kwavalwa ne potholes. Nase Freedom Square main road nayo iye ya lungisiwa kwavalwa. Ndithetha nange Singozo Street, nayo iye yavalwa.

Xa uhamba e Church Street, usehla usenyuka ipotholes ziye zavalwa. Xa ungena nge Vereeniging Road ukusukela kulendawo kulungiswa kuyo ukuba apha ngasezivenkileni nalapho kulungisiwe, kwavalwa ne potholes. Mahambe Honourable Speaker, bathathe itour baye e Monument Road, nalapho ku lungisiwe. Kuyabonakala okokuba siyazizisa iservices ebantwini base Mangaung.

IPellesier Intersection, nayo iye yalungisiwa yavalwa. Xa usiya e Wilgehof nalapho indlela zilungisiwe, kwalungiswa ipotholes ne stormwater drainage siye sa upgradwa.

Xa ungena nge Botshabelo Honourable Speaker, iJazzman Mokgothu, nayo iye ya lungiswa, kwavalwa ipotholes. Xa ungena ngaphakathi kwe Section H, kuye kwalungisiwa igravel road nendlela eya e graveyard nayo ilungisiwe kwavalwa. Xa ungena nge Section J nalapho kuye kwalungisiwa kwavalwa ne potholes.

Lonto ke Honourable Speaker, ibonisa okokuba inkqubela phambili ikhona e Mangaung. Bendifuna nje ukucacisa lonto Honourable Speaker kuba kaloku bathi thina sihamba kwindawo ezingahambi bantu, kucacile okokuba ngabo abona bantu bahamba kwindlela ezingahambi bantu kwaye ndiyabacela baye bayozijonga zonke ezindlela ndizichazileyo Honourable Speaker, okokuba ayonyeni na.

Ngalomazwi Honourable Speaker, ndithi le report mayamkelwe kwaye nathi siyi ANC siyayamkela. Ndiyabulela Honourable Speaker.”

Cllr DMC McKay addressed the Council: “Thank you, Cllr BL Mathae. Sir, through you, to the Executive Mayor. Let’s not dilly-dally around the truth, this report is nothing but a smart attempt at window dressing by combining, deleting and creating new department to visually impair what is really going-on. May I remind you that moving chess pieces round on an old, dilapidated chess board, does not change the condition of the cracked and chipped pieces. Not that 51% performance as a Metro is anything to gloat about. As the saying goes, all that glistens is not gold, in this case it is most likely a turmeric encrusted stool that has run aground from one of several rivers of sewerage that have recently become part and parcel of our once proud City.

Sir, residents don’t need beautification of entrances to the City, nor are visitors fooled by the lame attempts, as within 1km or less into any suburban or township area in Mangaung, residents and travellers alike, will have to wade through rivers of sewerage and fight back heaps of refuse not collected before reaching the safety of their domicile only to be faced with no water or continuous power failures. This in addition to losing a tyre in one of the several thousand potholes or being robbed or shot at a traffic light while wearing a mask as they cannot breathe due to the toxic thick black smoke that emanates, more often than not, from the various landfill sites throughout Mangaung.

Sir, please you know as well as I do, that none of the essential basic services I have vividly described above have improved. Simply put, sewerage blockages are at epidemic level. Burst pipes are literally costing us millions of rands in revenue while clean water is streaming down the drain. Refuse collection is sporadic at best, the landfill sites are unsafe and toxic for the neighbourhoods around them and Law Enforcement is nowhere to be found.

In saying that I see Law Enforcement gave themselves 2 stars for outstanding performance for a mere 35 patrols over a three (3) months period. I can mention off-hand that the average neighbourhood watch group does more than that in a single week, at an average of 4 patrols per day. So, no! that is not an achievement.

On the landfill sites people are dying daily and even murdered. This past weekend two bodies were discovered shot in an illegal dwelling on the Southern Landfill site while three (3) people were gunned down on Saturday night in Dinaweng when they went to fetch fuel for a generator to watch the Rugby World Cup. This is the reality. Millions have been spent on the Metro Police in vehicles, weapons, ghost workers, etc. since its inception and all they can claim is 35 patrols and installation of 2 speed reduction cameras that nobody is monitoring, and no fines have been issued. Shocking!

In closing Sir, your administration has wilfully tried to deceive the residents of Mangaung once again. You have dismally failed to deliver any basic services and it does not look like there is any light at the end of the tunnel. Once again, I implore of you Sir, rise-up and take the road less travelled by your predecessors, to bring about delivery of quality basic services that will include all residents of Mangaung.

I suggest you contact the administrations of Mosselbay, Cape Town or Stellenbosch where the DA deliver world class basic services and govern and with transparency and accountability. It starts with you Sir.

Let's build a Springbok Economy in Mangaung
Let's build a Springbok Society in Mangaung
Let's start now!"

Cllr ME Maliela delivered his speech as follows: "The Democratic Alliance in Mangaung is gravely concerned by this kind of report that is tabled before this Council today. It is even recommended that the Mangaung Metropolitan Council approves as per MFMA Section 52 (D) SDBIP first quarter report dated 01 July - 30 September 2023.

The integrated Development Plan (IDP) 2023/24 and the revised service delivery and budget implementation plan (SDBIP) for the first quarter of the financial year 2023/24 identified 282 projects/programs to be implemented and 83 of circular 88 as legislated by National Treasury. Of the 282 projects, 31 are rolled over to the next quarter, leaving 251 identified projects to report on. What is more concerning Sir, is that out of 251 identified projects, 85 received a 0% performance and these are service delivery projects of installation/upgrading of water and sewer that our phones are flooded with in the group 'bulk water supply' every day. The reason for variance in most of them is "consultant not appointed. The PSP panel not finalised due to delay in signing of contracts".

Recently, the office of the Acting City Manager has reported that the PSP panels have now been finalised and the contractors will be appointed soon. However, this still means that more and more projects will be rolled over to a next quarter. It is therefore very clear that some people did not do their work and no consequence management processes were followed in this regard.

In conclusion Cllr BL Mathae, the DA doubts the authenticity of this report and I will cite two examples to support our doubts:

1. On 22 August 2023 performance Management Monitoring and Compliance reported on page 8 thereof, that the actual performance of the Botshabelo fire station was 6.8% of the expected 50% by the end of the 4th quarter of the 2022/23 financial year. This cost this Municipality R13 970 016.00, this paid over for absolutely nothing. In Me Ngaka Dumalisile's words, for 'fear of litigation'.

It is now November and service delivery and budget implementation plan- MFMA section 52 (d), first quarter report, reports on page 41 that the very fire station is now at 7% construction, how is this possible when there is nothing going on in that area.

2. On page 84: removal of illegal dumping sites within identified areas within the Metro. This report indicates an outstanding performance with a double star achievement in all 51 wards of the greater Mangaung Metro. It is clear that whoever reported on this has never been in other towns that form part of this Metro, and this cannot be true. In Ward 28, at school called Reentseng, on fence of the school, there is an illegal dumping site, 30 km from my kitchen door, it is an illegal dumping site, there are so many around Botshabelo and I believe it is so in other town, maybe the 2 stars are in Bloemfontein.

The Democratic Alliance cannot therefore approve this report as is not a true reflection of what is happening in the Metro. Thank you."

Cllr VE De Kock delivered her speech as follows: "Mister Speaker, 5 minutes for this item is an hour to short. I'm going to start with Cllr JH Denner's closing argument on his previous comments on this item. We want to emphasize again: the Municipality cannot set the test, write it and grade it as well. There must be proper evaluation of the Metro's performance, we as the Council, responsible for oversight, should start seeing these projects ourselves, see the work being done and judge the quality of the work and do reporting for ourselves and not only the ANC side of Council, but the entire Council also representing all constituents of the Metro.

It is nearly impossible to see the 51% performance claimed as a success in this report. Sewer run down the streets and flood residents' yards, potholes seem to be a new road design, Areas in Wepener has at least two (2) days a week without water but at least the Metro still promise to fix the boreholes, it just takes time getting the right BEE partner for the job.

Bloemspruit residents over weekends has reversed loadshedding, at times, they have 4 hours electricity and 20 hours darkness. Streetlights here are almost non-existing. Bloemspruit children must walk in the potholed roads to school, since the sidewalks are totally overgrown. Bayswater and Noordhoek are almost daily victimized by cable theft. Residents dearly want pre-paid water meters, but again, finding the right BEE contractor is once more standing in the way of upping this revenue collection. A short trip from Fleurdal to Prellerplein takes almost an hour, I must stop every so often to take photos/videos of most of the service delivery failures on route, it is just impossible to stop at every problem.

By-laws once again must be adhered to by residents, but the governing body is excluded completely.

Engineering/Technical Services regressed once more since the previous report (now at 26%), no surprise, since this committee only had one zoom meeting in the two years that I am a Councillor. I do hope the new MMC would show a greater sense of responsibility.

In this report:

- Improvement of revenue collection – We have to agree that the NCR's ability to cause delays will result in greater losses on the alleged funded budget, kind of defying the purpose of intervention.
- Page 52: Access control equipment – Quarter one had no targets set, so nothing was achieved take away two sterretjies, they were not deserved.
- Page 55: Maybe we should've jumped the gun and implemented software security measures before we bought computers and laptops, maybe then the officials would still have been able to work the past two weeks. No target achieved here, not even partially.
- All over, Appointment of external contractors, e.g. Debt collection, why can our own employees not be appointed, current employee's skills developed to fulfil the function itself? Surely, we will have better income rate. How much of the collected debt land in the Metro's account after paying the debt collectors?
- Page 44: Accurate billing: service providers to be appointed. Why, don't we have a duty to improve unemployment can we not employ our own meter readers? With a 62% vacancy rate we still want to appoint external contractors to do work that can surely be done internally.
- At least 3000 households will have to wait another quarter for water and sanitation since zero progress was made in Quarter 1.
- Firefighting: Procurement of pumps: I am very concerned target not met due to administrative challenges, this process should not only be expedited it should be prioritized. Where is the accountability? However, Page 207, report no disciplinary cases in the Municipality and no finalised disciplinary cases for the quarter.
- Page 194: A great question mark lies on the R1,294 million salary bills for suspended officials for the reporting period, we really do need an explanation.
- Landfill sites: replacing the fence: I suppose I don't have to allude you to the fact that those fences are going to disappear before the concrete for the poles have died. We need law enforcement first.
- Page 93: Good news? At this pace we should have a speed law enforcement system by June 2024..."

The Speaker interjected to indicate that Cllr VE De Kock speaking time was over.

Cllr MJ Ramatlama delivered his speech: "Kelebohile Motsamaisa wa Kopano. Since the genesis of the current Council in 2021 November, we had many budget implementation plans presented to the Council, but not even a single one has the conjunct and reputable information in it.

All of us seated in this Council, we cannot say that we have seen Mangaung getting improvements in service delivery. Rather, we have witnessed a total dilapidation of our roads and infrastructure.

Previous reports seem to be similar to this one and it does not have too many deviations. We realised that we appoint service providers who cannot complete their jobs. They do everything partially, and thus putting the Metro under pressure with service delivery. All they know best is to milk the coffers of the Municipality. Examples of such, is incomplete projects such as swimming pool at Arthur Nathan worth R2 million, even to date, there is nothing happening, but the money is gone.

We are prioritising issuing of title deeds, instead of formalising the informal settlement, can the next report include, how many informal settlements have been formalised and how many flushing toilets are built?

The report also speaks about the removal of illegal dumping sites; fact of the matter is that there is no such. Instead of removing the illegal dumping sites, it is us as the Municipality, who goes to our communities, with TLBs to create heaps like in Ward 46 and recently Ward 47, re etsa thaba tsa sione ka hara metse ya rona and that is putting the lives of our people at risk, particularly at nigh Chairperson. Our people don't like dumping sites, but they are left with no choice because of non-collection of refuse, they now opt to throw refuse everywhere.

This thing called a Metro, is on an autopilot, we don't have leadership. May our roads be prioritised and work on speed of projects to get our roads right as currently, they are worsening and paint a very bad picture of our Municipality. May those who received contracts and are not doing what they are supposed to do, be fired so that we allow those with capacity to do the work.

There are two gentlemen who have demonstrated in the M10 and Dr Belcher, how to maintain our roads. I don't even want to mention their names, because I know I will be insulting other comrades in this house.

In conclusion, Cllr BL Mathae, when you check page 2 of the report, all directorates failed to submit their reports on time, even to date, there are no consequences for both general managers, political heads in of form of MMCs, it is business as usual.

The people need land, and we have enough money to resolve this burning issue. Let us stop pretending to be doing the work. The 62 projects must be seen with our naked eyes and not in paper. Cllr NA Nhlapo, you have energy, let us guard against the informal settlement grant going back to National Treasury, while our people are still landless. Otherwise, thank you for the year in, year out cut and paste reports. Thank you, Chairperson."

Cllr NA Phupha addressed the Council: "Kealeboha Motsamaisi wa Dipuisano. Ha eba tokomane ena ya rona, ya SDBIP e ya sebeta, e bua ka Wards kaofela ka hara Mangaung, re ne retlameile ebe, re a e bona tshebetso; re seke rat la mona re nne re tlo botsa, ebile re ne re sat lo ho bua tse ngata.

Cllr SP Tsoleli ha a bua, o bua ka ditsela tse Thaba Nchu, tse hokae? Empa ke a kgolwa ke Wards tse malwa, Wards tsa Mangaung di 51.

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Ha o sheba tokomane, hon ale moo e buang ka tsela e neng e etswa, rra-kontraka o tswile moo ka baka la poor performance. Potso ke hore, hobaneng a ne a fuwa mosebetsi oo, ha esale a etsa lengope Ward 17 pakeng tsa Grassland 3 le Khayelitsha. Batho ha ba kgone ho tsamaya moo, ha pula ena, ke dinoka; jwale bothata ke hore, ha rena dikepe tsa hoba tshedisa ha bana ba ya dikolong le ha batho ba ya mosebetsing.

Motsamaisi wa Dipuisano, honale tsela T1432, ha esale e etswa ka 2018, haeso fele le tsatsing lena, bo rra-kontraka ba tswa ba kena, ba chepa, ba tsamaya; ha re bone hore ho etsahala eng. Di-pothole tsona ha re sa bua. Cllr SP Tsoleli, ha o ntse o ya Thaba Nchu o khutla, o hopole hore baahi ba Grassland 1, 2, 3 and 4 bantse ba le teng, ba phela ka hara di-pothole ebile le dikoloi ha re sana tsona, nna ke setse ke palama pere.

Motsamaisi wa Dipuisano, ntlheng ya ho tlosa matlakala, ke bona Majoro a tsamaela hole di-Ward tse ding, mona moo re dulang teng, ha atamele, mohlomong ke hobane ho sena ditsela. Ke ne ke galletse hore a atamele, a lo bona hore ha hona ditsela...ke sa e phetha hape hobane, ke ile ka e bua, le masepa a matha di-sstraat kaofela. Rona re tsietsing hobane maphelo a rona le bana ba rona ho hang, ha a bolokeha.

Gate ya sekolong sa Grassland Primary, beke le beke, ho dula ho nna le sewer e green. Bana ba rona ke a kholwa ha ba keke hola ba fihle dilemong tseo re leng ho tsona, ka lebaka la maemo ao ba phelang ka tlase ho ona. Matlakala ha ke sa bua hobane, le hoseng fela ha o tsoha, o fumana pampers di tletse monyakong. Ha re tloseng matlakala, re tle re tsebe ho kenya molao tshebetsong, wa hore batho ba seke ba tsholela matlakala; ho thata hore re implement molao, hobane rona re le Maspala wa Mangaung, ha re a phuthi.

Batho ba hloka bodulo Motsamaisi wa Dipuisano empa report-ong ena, honale moo hothwe, officials tsa Maspala ba late ka report, ka three months. Potso ke hore, letsatsi le leng le leng ba tsoha batla mosebetsing, ba ntse ba etsang? Ha re etse bonnete ba hore, officials tseo tse sebetsanang le bodulo, baseke ba robala hodimo ha di-report, hobane tshaba se setsho se hloka bodulo. Kealeboha Motsamaisi wa Dipuisano.”

Cllr TO Machachamise delivered his speech: “Thank you, Honourable Speaker, Executive Mayor, Deputy Executive Mayor, Council Whip, Councillors, officials and residents of Mangaung. I stand here as a proud and proponent of the just and democratic system of governance, that took charge of the plight of the majority of our people since 2021. A system characterised by humanity, just and equal society that we suffered and fought and fought for.

As Councillors, prescripts such as, the MFMA and the Municipal Systems Act are unique in cementing accountability and people-driven democratic governance. This is seen by the tabling of the 1st quarter report of the current financial year that clearly displays that the plans which the city had put themselves and are being reported back to this Council and the community of Mangaung. Yes indeed, the city is faced with many challenges, however, we are still partially realising some of the planned programmes which the city achieved 51% performance despite these encounters that our City is facing.

While the previous financial year had its own trials, and still carried them over to the 1st quarter, this report clearly indicates that as the City we remain focused in making sure that we continue to provide services to our people.

Lastly, I take this opportunity to commend our officials together with all Councillors on their efforts and professional services, including sacrifices they make in ensuring that the ship does not sink and remains afloat until the storms are calm, and we sail again with pride and improve the lives of our communities. With those few words, I support the report as tabled by the Honourable Executive Mayor, sikhokhele mkhokeli wam! Sikhokhele!"

It was thereupon with 50 votes in favour, 32 against and 1 abstained

RESOLVED

That the Mangaung Metropolitan Municipality Council approved the MFMA Section 52(D) SDBIP first quarter report (01 July – 30 September 2023).

2.

MUNICIPAL FINANCE MANAGEMENT ACT (MFMA): PRELIMINARY BUDGET AND PERFORMANCE ASSESSMENT REPORT IN TERMS OF THE MFMA, SECTION 52(D), FOR THE QUARTER ENDED 30 SEPTEMBER 2023

Cllr SQ Peter delivered his speech: "Thank you, Honourable Speaker. We are tabling this Section 52 report as per the MFMA prescripts. In fact, the previous report that was tabled by the MMC of IDP and Organisational Performance, speaks to the operations but this report speaks to the financial matters. It suffice to say, when you go deep in the report, it does not give a clear, nor a good picture, but it exactly tells what is it that is happening within the City.

I need to clear one thing, it cannot be right that our fellow Councillors from other side of the bench, they are becoming too much cacophonic, when it comes to this matter because all of us know very well exactly what is the situation of the City.

At this point in time, for the first quarter report, it was quite clear that there will be positive and negative variances or underperformance. The first quarter we could not do certain issues, amongst others, includes appointing Section 56/57 officials. As a result, there were number of issues that could not be concluded hence the report fluctuates as there are positive and negative variances.

If you go deep, you will see the report did not address other issues we spoke about in the previous quarter; issues of overtime, cannot be sorted out. There are number of things that we could not conclude in the previous and even the current quarter for example, appointment of Section 56/57 officials, appointment of staff to remedy the issue of staff compliment. If one goes deep, some number of issues are impacted by staff complement, for example, Traffic Department, its 70% understaffed but one is surprised when overtime is high. We need to be realistic, for the fact that we do not have people, we ought to have others working overtime.

One would ask, why are they working overtime when there are no resources. The fact that we are understaffed, we would have to shift those people. There are issues that we don't have control over on the first quarter.

It is important to note that, in the next quarter, the performance will improve especially on the financial matters. I am relating this because the next report; it will indicate exactly what kind of services we were able to procure as the City in the first quarter. In the first quarter it is impossible to have proper performance based on issues raised however, we will improve. We have already appointed the City Manager and hope and pray that we would be able to deal with certain issues that we couldn't deal with. The fellow Councillors can even recall that we raised that continuous acting affect the daily operations.

The other issue is our collection rate at approximately 72% as opposed to what we said in June when we approved the budget, that it should at least be around 79%. There are number of factors that had contributed to that. It is important to note, this is just the first quarter, it is only now we are trying to bring everything together. The one we are able to do, we will at least at second quarter be able to report that we have spent this much on operational, capital and grants as well..."

The Speaker interjected to indicate that Cllr SQ Peter speaking time ran out.

Cllr B Vorster addressed the Council: "Honourable Speaker and all protocol observed. The Freedom Front Plus is asking the following clarity seeking questions regarding this report:

- The outstanding debt for water amounts to over R3.7 billion.
- Water losses stand at 52.4% due to unauthorised consumption of water, meter errors and main leakages.
- Water revenue stands at an unfavourable variance of over R41 million, 13% less than budgeted for due to so called lower consumption.

Questions

1. Is the lower revenue due to the lower consumption or due to the water losses?
2. Is there a comprehensive and immediate plan to reduce these water losses?
3. When will this Metro be in a position to install pre-paid water meters again?
4. What measures will be taken to solve the problem of unauthorised water consumption in the City?

The outstanding debt owned by government to the Metro amounts to over R1.4 billion and the total outstanding debt amounts to over R10 billion.

Questions:

1. Are there any formal down payment agreements in place with government to repay this debt?
2. Are the current accounts of government paid in full?
3. If we do receive payments from government on the outstanding debt, are these payments enough to cover the interest and to reduce the outstanding capital amount or are they only for the interest?

7K

4. Does our debt collection department have sufficient manpower to effectively collect outstanding debts?
5. Does our debt collection department have sufficient tools of trade and system in place to collect the outstanding debt sufficiently?

Capital expenditure only stands at over R29 million where the Metro should have already spent R288 million by the end of the first quarter. Meaning that we only spent 2.85% of the approved capital expenditure.

Questions:

1. What is the use of an IDP if we do not spend our capital grants?
2. When will this ANC led government realize that if we do not spend our conditional grants, we have to return the funds at the end of the financial year to national government?
3. When will this ANC led government realize that roll overs form part of our total conditional grants for each financial year and that is not a top up on the yearly grants? We are losing those funds.
4. What are the reasons for the underspending on our capital expenditure budget?
5. Most importantly, who is responsible for this underspending?

Our creditors payment period stands at 57 days meaning that the Metro is not capable to pay its creditors within 30 days.

Questions:

1. Will the executive except that the Metro has serious cash flow problem?
2. What will be done to correct this cash flow problem?
3. What effect does this cash flow problem currently has on service delivery?

The Metro paid over R25 million on annual bonuses, R172 000 on performance bonuses and over R54 million on overtime in the first quarter. That is an unauthorised overspending on overtime of over R36 million.

Questions:

1. How can bonuses be paid if there is no efficient service delivery?
2. When will the overtime policy be tabled before this Council?
3. Who are the lawmakers in this Metro, is it this Council or is its certain employees and the Unions?
4. When will the vacancies be filled so that overtime can be reduced?

In conclusion, Honourable Speaker, this report is a clear indication that this Metro is in serious financial trouble. Where we stand at the first quarter of last year, we did not end the financial year very well. So, the question is: where is our Financial Recovery Plan and when will it be implemented? And lastly, when will these questions and the Freedom Front Plus asked for these past 2 years regarding this item be answered? I thank you, Honourable Speaker."

Cllr MW Mongale addressed the Council: "Thank you, Cllr BL Mathae. I think we were taken for a ride in the last budget meeting, because the then Acting Executive Mayor, Cllr Mosala Solomon Nthatsi promised us that this budget is dedicated to the people of Mangaung, and we expected that to happen.

You also made a commitment that, there would be a meeting after that budget. Remember, we raised an issue of ward-based budget, where we complaint that there should also be an amount of R500 000 given as discretionary grant to all Ward Councillors of which I still blame them for not supporting me on that matter; after the meeting thy said I was right because they are called useless in their wards.

I also want this Council to be held in Freedom Square, next to the graveyard where you closed your campaign for Ward 7 and see whether we can leave peacefully as Councillors; don't call Sergeant at Arms, Law Enforcement Officer and Police. Those are our people, let us go and erect a tent there and say we have come to you, and we have delivered to you. I know during the last election you closed the road there. I am saying today, the road is no longer roadworthy when moving from the same graveyard, from Biza towards Sports Centre, the road is closed. I will be accused of not traveling at the places where others travel. I apologise for traveling at other places where others do not travel. Remember I am a citizen of Mangaung, and I am jealous about this place. I have no other place of origin.

The issue of national debt, I think why the Minister cancelled to meet the Councillors when they were here, they were afraid, they had cold feet because they knew they are going to meet the Councillors who are not asleep on duty especially from the opposition benches, who are not going to praise him but tell it like it is to say you national intervention, they did not intervene, but they messed up big-time. They were supposed to collect national debt, provincial debt and, they could not collect it, it is even getting out of control, now it is going to R4.4 billion. It means once the Province pays the Municipality, it would be put under administration and it is technically bankrupt but it is surviving at the backbone of Mangaung. Mangaung is agreeing to carry the Province and make it look smart as if they know how to manage finances. The MEC of Finance came to Mangaung and tried to play a genius while they are the ones in a mess and also not worthy to be called an institution.

Coming to Mangaung because we are failing to do things right, this institution is called kakistocracy in terms of appointment, because we agreed in the previous meeting that there will be investment summit and it never happen. We agreed that there should be a concerted effort to close leakages and it is not happening. We agreed that we are going to close potholes and it is only happening around Lemo Mall done by Ntate Freddy Kenny, but from that, it is a crisis. When driving you cannot even look at your child, you must always put your eyes on the road because it could be dangerous, but there are those who have bodyguards and drivers and don't understand what I am talking about. The MMCs and your executives don't understand our plight. Mangaung is not Southern Sun and Mimosa, it is bigger than that.

The R100 million that was lost before the conference of the ANC, it is still unaccounted for. R50 million that went lost after that conference, it is still also not accounted for. We were told about the financial recovery plan, it never happened...

There is a company expected to be overseen by the Councillors in Mangaung on the removal of asbestos, they have appointed a company of Gauteng who cannot even speak local languages except when they want to tell you something and they say "*etlo ke go botšhe*", these are the realities.

7M

That company is called MMC Group, also known as Ramage. We are defeating the purpose of economic growth in Mangaung because we are getting from Gauteng, from richer provinces than us and we are undermining the people who voted for us. I am raising this because the public is listening so that someone must stand up and step up and tell those people that, not in our name...”

The Speaker interjected to inform Cllr MW Mongale that his 5 minutes speaking time was over.

Cllr ME Dennis addressed the Council: “Thank you, Cllr BL Mathae. There are many concerns to be raised with regards to this report. The two most alarming aspects are however the outstanding creditors book which has from June 2023 to September, almost doubled from R348 million to R635 million. The largest amount to be allocated to electricity but also including salaries, pension deductions and trade creditors. The implication thereof not limited but including the overall non-functioning of services such as the tending to burst water pipes and sewerage spillages.

The second alarming aspect of the report refers to capital expenditure which by the end of September only reached an ashamed 2.58%, only R29.7million of the budgeted R1.15 billion has been spent. Unacceptable is not the correct term to be used. Hopefully the ANC will at the ballot boxes, also realise the cost of this mismanagement and lack of willpower to serve.

On community and public safety, R86 million less was spent than budgeted for, while R95 million was not spent on economic and environmental services, R37 million on water, R38 million on electricity and R53 million on wastewater management.

With regards to the operational budget, contracted services for water were underspent by R19 million and technical services by R15 million, this while yards and streets are drowning in sewerage and water leaks are camouflaged by potholes which look like reservoirs. Notwithstanding the boastful remark that a favourable variance was reached with regards to the operational expenditure with an underspending of R38 million.

Executive Mayor through you Councillor, your focus is muddled. Your aim should solely be on service delivery and the expenditure of the budget should only focus on delivering such.”

Cllr BJ Viviers delivered his speech: “Honourable Cllr BL Mathae, unfortunately, on this agenda point today, I will be the one sounding like a scratched CD, but it would seem as if the ANC and administration does not listen.

Through you, Cllr BL Mathae to the Executive Mayor; your report is late again, there could be many excuses like the offline system, the visit of the Deputy Minister and etc, but all of these occurrences, are just a proof that the ANC doesn't have the ability to govern and cannot provide proper service delivery to the public.

The report is late, and you are not complying with the legislation. Maybe the most important question is, will this fact be communicated to the National and Provincial Treasury or again not?

7N

Current stance of MMM debtors:

End June 2023	- R9,660 billion	End September 2023	- R10,402 billion
Growth	- R 742 000 000.00 in three months		

Unfortunately, due to the IT system failure of Mangaung Metropolitan Municipality, I cannot give the breakdown of growth on domestic, business and government debt. It is however, safe to say that it is clear that the Executive Mayor also does not have control, to a certain extent, over government debt anymore because that debt it is also just growing.

It is also alarming to note that almost 70% of the outstanding debt is older than a year. Why is it alarming? The older the debt, the more difficult it becomes to collect, debt collection 101. Business economics 101 is that you must collect your debt pay your creditors and what is left is your profit. If there is no profit the business 'goes bust' or bankrupt. The profit in a Municipality is the public funds that must provide service delivery for the residents of Mangaung, but one can never achieve this if your debt collection is ineffective, I will now repeat myself again like the scratched CD.

Mangaung Metropolitan Municipality in terms of its Credit Control and Debt Collection Policy must stop attending to only handovers for so-called soft debt collection as described in bullet 22 of the above-mentioned policy and must start to attend to handover of debt for formal litigation processes as defined in bullet 22(2) of the above-mentioned policy. In addition, the above-mentioned policy must also be altered so that government debt can also be dealt with in terms of bullet 22(2) of the mentioned policy.

I repeat myself again, page 63 Overtime: July and September 2023 overspend with more than double the amount budgeted. The Mangaung Metropolitan Municipality should only spend the amount budgeted for overtime.

The DA will propose the following alteration to the recommendations:

3. The following addition: *and report to National and Provincial Treasury that the submission of the Executive Mayor was late, thus not complying with legislation.*
4. *Council resolves that henceforth Mangaung Metropolitan Municipality will attend to handover of debt by way of formal litigation processes as defined in bullet 22(2) of its Credit Control and Debt Collection Policy in all matters where it is financially viable, and the Credit Control and Debt Collection Policy be altered so that government debt can also be dealt with in terms of bullet 22(2) of the mentioned policy.*
5. *Council resolves that overtime can only be paid out as budgeted for each month. If special circumstances exist for paying out for more overtime, it can only be affected by way of a Council resolution.*

If we take these resolutions hopefully, we can save the financial state of this Municipality and residents can receive proper service delivery, like in other municipalities or metros where the DA governs. Thank you, Cllr BL Mathae."

Cllr CL Kruger addressed the Council: “Thank you, Honourable Speaker. Speaker of this house and Mangaung Metro Municipality. We are presenting the first quarter to the Council and perusing the document, there are causes of concern and as the ANC, we are also concerned about certain things, but upon investigation, one would realise that there are material conditions on the ground that give rise to certain issues.

I just want to correct one Councillor, as MMC we do not have bodyguards and we must not mislead the community of Mangaung.

Honourable Speaker, in terms of our overtime, which is also a cause of concern; you cannot talk about overtime and conveniently forget that we sit with almost 60% vacancy rate. It must speak to that; we have a challenge of high vacancy rate. In the Finance Department, the few employees at Finance, the majority of them are on the way to retirement and that is the crisis we find ourselves in. Overtime gets exacerbated by the fact that we have a high vacancy rate.

We are delighted that we are at the level where the City Manager has been appointed and that the Section 56 employees will be appointed meaning, we are moving towards closing those gaps, then we will move over to critical positions, but more importantly, it is a lack of a shift system that has been before the LLF (Local Labour Forum) for many months and the shift system would combat the money spent on overtime as Mangaung.

Honourable Speaker, in terms of grant spending or the lack of spending on grant funded projects, we must also take into cognisance that, this is the first quarter. In the first quarter is where the planning takes place, but equally, for all grant funded projects, the user Departments must submit business plans for grants to be approved at national level. Unfortunately, this approval was only granted in August 2023. In itself it had a delay on how things were executed. This led to the fact that, we only spend 2.5% in the first quarter. As a contingent, we as MMCs have requested management to submit acceleration plans to say, how in the second quarter are we going to make up for the first quarter low spending. We also discussed and concluded that MMCs and HODs will have weekly meetings to check and ensure that we stick to the acceleration plans as submitted by HODs.

In terms of cash flow Honourable Speaker, we have implemented cost containment which is important to the Department. Revenue collection, we were forced now to appoint service provider to assist in that regard. Now allow me to be a scratched cd, we have a challenge with the high vacancy rate, Revenue department is understaffed and debt collection we are unable to do because we are understaffed; that in itself Honourable Speaker should sketch you a picture of where we find ourselves as Mangaung.

But now we can at least say, we are on the other side of the mountain, we are now fixing the holes that were left. Honourable Speaker, where we find ourselves as Mangaung, we can see that there is movement now and as much as opposition wants to punch holes unnecessary, it is fine it is their job, remember they are aspiring to lead.

Let me end by saying Honourable Speaker, it is very sad to see what is happening in the DA and we are also keeping you in our prayers in terms of the four people that resigned in the DA. As much as people focus on the challenges of the ANC, we are on the other side, united and very strong.”

On a point of order, Cllr M Davies requested that Cllr CL Kruger should not mislead the public, as she was still there, Cllr JC Pretorius, Cllr S Pretorius and Cllr Kotze were also still in the DA.

The Speaker stated that her point of order was noted.

Cllr DMC McKay seconded the proposal by Cllr BJ Viviers.

The Deputy Executive Mayor responded as follows: “Thank you, Honourable Speaker. Firstly, we want to indicate to this house that we heard what Councillors had indicated in terms of the report. We also want to applaud Section 80 Committee: Finance for bring the report to Council of the budget of which some of us did not vote for. This is the first quarter reporting for the budget that was making a noise that it was not funded. Today, we know how to articulate on numbers in terms of that budget. We are saying to MMC Finance, Honourable Cllr CL Kruger and your Committee members continue reporting the true reflection.

As the office of the Executive Mayor, we are saying whatever has been raised in Council, we would work together with Cllr CL Kruger and strategize on how are we going to deal with matters that needs focus and with all MMCs responsible in terms of USDG, IPTN grant etc.

On the issue of overtime, we know that the MMC responsible for Corporate Service, who is not sleeping and who is working with the Union Forum discussing issues of overtime. Overtime is the issue that make us not sleep as the Municipality. MMC Corporate Services, Cllr MM Letawana continue doing your work with LLF so that at the next Council meeting, you bring us a solution on how we would deal with overtime.

We are talking to you today, Cllr TM Mosala on the launching of the biggest cleaning campaign and you have invited the Minister to ensure that the Municipality’s biggest town is cleaned. We are saying as the office of the Executive Mayor, we will support you and your committee.

Cllr SP Tsoleli (MMC for IDP and Performance Management) can you please continue monitoring us and make us all as Committees, Chairpersons to ensure that we pick up our socks and deliver on the resolutions of the Council and implement the budget that had been presented by Cllr CL Kruger especially on the second quarter report; that it comes with fruitful results. I thank you, Honourable Speaker.”

The Speaker indicated that there would not be any voting on the item and Councillors who raised must submit them to Secretariat for the Executive Mayor and City Manager to respond.

Cllr BJ Viviers stated that he noted what the Speaker was saying, but it was applicable to recommendation (4) however he was of the opinion that on recommendations (1), (2) and (3) there were actions to be taken and therefore proposed that Council should vote on the item and also on the alterations proposed.

The Speaker thereafter subjected the item to a vote.

The Council voted as follows on item as is: 50 votes in favour, 19 against and 14 abstained.

Voting results on the proposal as raised by Cllr BJ Viviers: 16 voted in favour, 51 against and 16 abstained

Cllr JE Sebolao raised a concern that a Councillor came in the Chamber whilst the voting process was underway and thus reminded the Speaker that when voting is in process, the doors must be closed so that no Councillors should leave nor enter the Chamber.

The Speaker concurred with Cllr JE Sebolao and that in future, no votes would be taken to Councillors who enters the Chamber whilst voting is in session.

It was thereupon

RESOLVED that, in compliance with Section 52(d) of the MFMA:

1. the Accounting Officer submits to the Executive Mayor this statement reflecting the implementation of the budget and the financial state of affairs of the Municipality for the quarter ending 30 September 2023 and,
2. the Executive Mayor of the municipality must, within thirty (30) days of the end of each quarter, submit a report to the Council on the implementation of the budget and the financial state of affairs of the municipality and,
3. in order to comply with Section 71(4) of the MFMA, the Accounting Officer ensure that this statement be submitted to National Treasury and the Provincial Treasury, in both a signed document format and in electronic format, and
4. that Council took note that this is preliminary financial information, final Section 52 report will be submitted after finalization of the 2023/2024 Annual Financial Statements.

3.

REPORT ON THE IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY FOR THE QUARTER ENDING SEPTEMBER 2023

Cllr MH Supi addressed the Council as follows: "Thank you, Mister Speaker and honourable members. The report on the implementation of Supply Chain Management Policy for the quarter ending September 2023. Setswana se re: *Ere go e latswa bobbe, e tloge etswe bololo.*

We have a high vacancy rate at the Supply Chain Management Unit and we have noted the following:

- The unit is having 80 positions.
- Currently 37 (46%) positions have been filled.
- Vacant positions are 43 which is 54%
- SCM unit is delivering its statutory mandate as prescribed by the National Treasury

Honourable Speaker, we have noted that these vacant positions should be filled as a matter of urgency.

On the training of SCM officials: we have noted that eight (8) remaining officials were registered to enrol for the next training this proves progress and motivation that officials are carrying the mandate of National Treasury.

An advertisement was placed in a local newspaper on the 11th of August 2016 inviting prospective service providers to register on the central supplier database. If need arises Honourable Speaker, we need to amend this particular process in line with National Treasury. Through this submission, I second and recommend for Council to take note of this report. Thank you, Mister Speaker."

Cllr M Wewege delivered her speech as follows: "Mister Speaker, every quarter I look at this report, I get furious as to how the Mangaung Metro is wasting the loyal taxpayer's money and every quarter it's the same story over and over.

Today, 24 months ago we were fighting elections, we were promising residents that if we get elected, we will make the change, but every quarter that I have to go through this report, I just feel more and more like I am failing and not fulfilling my promise. But unfortunately, it is all in the ruling party's hands.

As I have said before, like a scratched cd, the information in the Supply Chain Management report is not nearly enough for Councillors to do proper oversight. We also get these documents after the money has been spent, soos hulle se in Afrikaans: *dit is Mostert na die maal*. The SCM report as is, reduce the process and the oversight function of this Council yet again to a mere rubber stamp. Na amper 30 jaar aan bewind is hierdie net nog 'n voorbeeld van hoe die ANC die balastingbetalers se hardeverdiende geld mors, en dan word van ons verwag om daarmee saam te stem. As ons nie doen nie, word ons kommer afgemaak as 'cheap politics'.

We take note of this report, but can we please allude the residents of Mangaung to the fact that we are denied the opportunity to fulfil our oversight role in SCM processes. Tenders go out, gets awarded, money spent, then only we get the report which we must take note of.

The SCM policy needs to be re-addressed and provision for proper oversight need to be included, us taking note after the fact is not oversight.

Ons as die VF Plus weier om net alles op tee et as soet koekies. Mangaung verdien beter. Thank you, Mister Speaker.”

Cllr LE Rasoeu remarked: “Thank you, Chairperson. The Councillor has said a mouthful. The overreliance on consultants, is there any value for money especially as far as skills transfer is concerned; our internal staff being capacitated by these consultants? Is there any capacity building for our staff?

Remember, we have partnerships with institutions of higher learning, CUT and UFS. Why is that that we do not exploit those partnerships in terms of project design, project management. They have Civil Engineering faculties; UFS has Architecture, why can't we rob them in? We spend a lot on consultants.

The report towards the end, there is a procurement plan. There are Directorate that does not submit their plans to SCM for processing and in case they submit, they submit late. How is the SCM expected to keep the end of their brief? The SCM cannot thumb suck specific dates that a department must submit so that SCM can take it further and so, departments must submit. Most of the projects are maintained through grants like the Councillor has said and in case these grants are not used, they are taken and who will be suffering, the residents in Mangaung.

Now that we are going to be appointing HODs, we need to have in their performance agreements, that the one who fails to spend, must get the final written warning. We cannot be massaging this complacency taking place; our residents are suffering. They are here for nothing else but to work. I concur with the Councillor of the EFF, there has to be consequence management; if they fail to spend and the monies are taken, because our communities rely on that. If they fail, final written warning and if they fail for the second time, they must be dismissed. We need to put that into their performance agreements, otherwise ke diketo ka Sesotho. Thank you.”

Cllr DL Malebo addressed the Council: “Thank you, Honourable Speaker. As the EFF we stand for clean governance, we appreciate the listing and mentioning of the service providers and the information provided in this report, however EFF would like to question these 80 positions and only 37 got filled. How, when and which positions are those that got filled? Also, when were the interviews done? When are the remaining 43 positions going to be filled? Can those positions be advertised appropriately?

We are aware that the General Manager is incompetent, and we know that it is due to lack of qualifications. This matter was raised by the NCR, Ms Malaza. Another matter, eo re e tsebang, the GM's family is employed in the same department where the GM is serving and that is nepotism. On the 27th of September we wrote Rule 38 about this matter and to date there is still no response.

EFF also want to raise the issue of confidentiality Masepaleng ona; we saw our Rule 38 letter e matha seterateng mona, instead of it being raised here in the Council, we would like to reiterate that no one is going to intimidate us in raising the critical questions.

Lastly, all in this report is nothing but a repetition and the GM must not take us for fools because we do peruse these documents. We just want a fair and non-corrupt procurement processes. We also don't mind for the Supply Chain officials to receive training because doing that they will be equipped with necessary skills. As the EFF caucus, we reject this report with the contempt it deserves. I thank you."

Cllr MW Mongale addressed the Council as follows: "Thank you, Cllr BL Mathae. Before I am accused of accusing people with malicious statements; if you got to the SCM document, item 4 where it talks about training of SCM officials, and we revisit our document that we had during the budget even the period before the budget, you will see that this is pure cut and paste. Nothing has change, someone has been sleeping on duty and we have been made aware that the person sleeping on duty has no relevant qualification to be the General Manager at SCM. When we are raising it here, it is not a talk shop, we are expecting that you will take a report and investigate and at the next Council to say that the person has relevant qualification, and Councillors were misled. When you keep quiet, it means you are agreeing with it that you have appointed an incompetent person which support my statement of kakistocracy.

The issue of us, when we spoke to the then Acting Executive Mayor, Cllr Mosala Solomon Gregory Nthatsi, he promised that we would look into revising the SCM Policy. To date, there has never be even a request of a meeting, even if it can be cancelled at the last minute like the one of the Minister. There is no effort to temper with the SCM Policy as it must address the needs of the people of Mangaung. We want to do away with anyone who is not from Mangaung, and we want that to find its expression in the Policy because you get your votes not from people from Limpopo or Gauteng, but the people of Mangaung.

The IPTN, where did it go, it is part of the process of SCM. One Councillor raised an issue of a company called Aspire enjoying the privileges, but nothing was done. We have MPAC and AG's report, talking about issues of SCM but there are no consequence management.

We have a problem of Ward 17, Cllr NA Phupha raised an issue of a trench that was dug which is going to be a health hazard for children and yet nothing is done. We have been promised fleet to be acquired, but it is not here, and others would be repaired but we don't hear who are the contractors that had been appointed and what were they doing.

The Freedom Square Road, I expected the newly elected Councillor of Ward 7 to be jealous about that, the road is closed, and Freedom Square has been put on hold. Which companies are responsible for the roads, and why was there no consequence management on those companies? Refuse removal at parks are disasters, Municipal employee or contractor would go there and assemble refuse into heaps that remained uncollected, and it is a health hazard to the community worse than the covid pandemic and someone needs to do something about it because in Mangaung we do not have community organisation that are awake.

If we just have one like Cape Town and Gauteng, we are going to be sued and this Municipality will pay a fortune to the people that they have subjected to health hazard. Thank you.”

Cllr CL Kruger addressed the Council as follows: “Thank you, Honourable Speaker. In terms of the SCM, one of the challenges, there is procurement plan per year divided per quarter and the user departments do not stick on their own procurement plan and many times the blame is shifted to SCM. What should be understood is that, even though there is a plan from Human Settlement for argument sake, the activation comes from the user department who must do the specification, and then it goes to SCM and goes to the processes.

As much as SCM has high vacancy rate as alluded to, and thus not going into details with regards to the ramification of the high vacancy rate, but with the little staff they have in terms of what they are supposed to do, they are doing the work. When the projects come to SCM, already it goes through the processes, so SCM doesn’t sit with the projects. The challenge is user departments’ lack of activation, meaning they sit with the project and not activate them and they give them through to SCM to get through the processes to be concluded.

What we have been made aware upon our investigations Honourable Speaker, is that when a contract comes to an end, SCM informs the user department six (6) months before the contract comes to an end and then get a situation where user department does not start the process which means, as much as SCM can alert the department.

I like what the previous Councillor has said, there is one thing prevailing in Mangaung and we as MMCs are prioritising now, it is consequence management. If you produce a conducive environment for wrong things, that is exactly what you would get. If the user department did not activate in time, to extend and we do not want irregular expenditure. User Department did not activate the process six (6) months prior the end of the contract, we would be forced to extend and that is why I concur with the previous speaker to say consequence management must be evident in newspapers to say so and so they did not do their work, received their final written warning and lost his/her work because if we don’t change the environment, we would get the same results. As MMC of Finance, it is one of the priorities. On the document, the user departments have raised their targets per quarter. If you have seen what they have submitted on their own planning is not inline hence I am saying the activation is with them.

At the end, if these HODs do not do what is required of them, what then? Hence, I like the resolution we took as MMCs, we must have weekly reports with HODs and I am happy that we are appointing new HODs. Performance agreements must be clear, concise and with clear targets, so that we as MMCs play oversight role and giving them proper targets and holding them to account. Thank you, Honourable Speaker.”

The Speaker reiterated that Councillors provide their written deliberations so that issues that had been raised that needs to be responded to, and that written replies be provided at the next Council meeting.

Cllr JE Sebolao concurred that the responses be provided on issues raised.

The item was submitted for noting and therefore Council would not be voting.

It was thereupon

RESOLVED that Council took note of the Supply Chain Management report for the quarter ending September 2023.

4.

APPROVAL OF INDIGENT ACCOUNTS FOR INCLUSION IN THE 2023/25 INDIGENT REGISTER

Cllr SQ Peter remarked: “Thank you, Mister Speaker. I must indicate that this item it serves for the second time, a second batch of indigents. We agreed in June that this item will be brought to Council, the submission to Council each quarter in order to finalise the indigent register. The end product of the report is from the previous service provider, we don’t have the service provider anymore.

In the Section 80 Committee: Finance, we agreed that it would be the last batch as we do not have the service provider and also indicate to Council on what criteria used to identify Wards which service provider undertook the process. We also indicated that as we do not have the service provider anymore, we would have to do the process internally with the number of staff we have. That even with the few staff in that specific section, the Municipality would have to improvise to see how best this issue can be handled. We said we want to undertake this exercise ourselves as in some instances, Councillors would be complaining that we are paying too much to the service provider. We then agreed that we need to pilot it and see how best the Municipality can undertake the process.

The report indicates that previously a number of 15 147 submitted to the Council and this time around, we are submitting 26 265 with a total of R324 million to be written off. The idea is that the City should be able to assist the indigent as appearing on the register approved by Council. Since June, a number of influx of indigents people either from Centlec or Municipality to assist them. We have noticed that there are slight issues that would be sending back to the Section 80 to finalise those minor issues for example, the program to be undertaken from each Ward to say how best the Municipality would handle that as we do not have service provider dealing with indigent issues. Thank you, Mister Speaker.”

Cllr M Wewege delivered her speech as follows: “Mister Speaker, Cllr SQ Peter has answered some of my questions, however I will continue asking those questions.

We as the Freedom Front Plus are not against the approval of the indigent register, as it is needed for the equitable share. There are just few questions as to how the process is being implemented at this stage.

The last time we approved the indigent register was June 2023, is this around only residents that applied after that period?

The Freedom Front Plus also wants clarity regarding the contractors that was assigned in August 2022. The following questions have risen about the status of their involvement. It's imperative to confirm whether these contractors are still in service and receiving payment for their services, as their initial contract was set to expire at the end of August 2023. Additionally, it is crucial to understand the payment structure and terms of the agreement with these contractors. Are they being compensated based on the applications they process, or are they on a daily payment arrangement? We need to know the exact amount being disbursed to them.

Furthermore, we need to clarify the handling of the reports provided by these contractors. The information collected through this process is vital, and we must determine whether it belongs to the Municipality or the contractors? It is essential to plan, as these reports will need to be reviewed in five (5) years to evaluate the status of these indigent residents.

Considering that the contractor's initial agreement was until the end of August 2023, we need to address the continuity of this important process. We continuously receive indigent applications, if the contractor's contract has expired, we need to discuss alternative arrangements and ensure that this critical process continues seamlessly.

One option to explore is the possibility of handling these applications internally within the Municipality. This approach could allow us to process and approve these applications on a regular, monthly basis. It could also provide jobs for the 0,3 % jobless residents in Mangaung and also considering the 62% vacancy rate in the Metro itself.

In conclusion, it is our responsibility to ensure that this important initiative continues effectively, serving the underprivileged residents of Mangaung. The Freedom Front Plus seeks clarity on the current status of the contractors, the payment structure, and the handling of reports. We are committed to finding the best way to manage this process and support those in need within our community. Thank you, Mister Speaker."

Cllr DMC McKay delivered her speech as follows: "The DA welcomes the tabling of the indigent register and strongly believe the deserving indigent households should receive the 6 kilometres of water and 50KWh of electricity they so desperately need to survive. Nothing will make us happier than to be able you approve it, so that the entitled recipients may receive their aid. This register however is not reflective of all Wards in Mangaung and coveted by controversy and as such the DA would like to add to the recommendations in an attempt to assist in passing this item. In addition, we have some questions that need answers first, Cllr SQ Peter did answer one or two questions, but:

1. The Executive Mayor ordered an investigation into the appointed company and held back 15 invoices from being paid pending the outcome. What was the reason for investigation and what was the outcome?
2. Have the invoices been paid, and can proof be provided for service rendered?

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3. As this is the handiwork of the controversial appointed company, how are we expected to condone an audit that is doused in controversy?
4. What is the outcome of the motion/criminal charges laid by the DA against municipal officials that illegally instructed the write off of funds pertaining to the pensioners relief/indigent register without the approval of Council?
5. The appointed company entered into an agreement with Mangaung leadership of the time to embark on a "roadshow" in all Wards with the respective Councillor of said ward, to ensure that all indigents were acknowledged and signed up. This however never came to pass; will the roadshow still take place to ensure all Wards are covered?
6. Where is the register of removed/unqualified indigent applicants?

Pending and in addition to the outcome of your answers, we would like to add following to the item's recommendations for approval:

1. A new independent company be appointed to review the indigent register and a criminal case of financial misconduct be opened against the officials that approved the payment of the invoices before the outcome was tabled in Council.
2. A new list be drawn up after a proper roadshow has been completed in every ward with sufficient notice given to ensure the message reaches the target audience (suggest 2-3 months)
3. Non- indigents/unqualified applicants are removed, and register supplied with reason for removal.
4. Centlec account numbers/meter numbers be used for those applicants that qualify but do not as of yet have a municipal account. Some sort of record accountability must be in place it cannot just be open-ended on a name.
5. Disciplinary action be taken against the official that illegally instructed funds to be written off.

We eagerly await your answers and request that you divide the house to vote on the addition of our recommendations before voting on the item as is. Thank you."

Cllr AP Terblanche remarked: "Cllr BL Mathae, Executive Mayor and Councillor. I want to say I love Mangaung because where I stay there is no water but here, I get water and so I must move here.

Cllr BL Mathae, I want to ask clarity questions, who gave Acting Manager of Revenue, Mr Hansie van Zyl authority to remove some of the indigent people because a lot of people have been removed and they are complaining that they do not get water and electricity anymore?

Why do people have to apply for indigent yearly? If you are over 60, we know there is no work in South Africa. People after the age of 60, they do not get work anymore, but they are removed on the indigent list.

People keep on asking questions that why only certain people are on the indigent list? I know in the past, for 17 odd years of being a Councillor, there was a list in word, and we knew exactly who was indigent, the last time we received the indigent list, it was so "*deermekaar*" we actually do not know what was going on there.

Why can't indigent people get prepaid water meters that we must write off every year? If you are indigent, the Municipality supposed to put in prepaid water meter because every year the Council must write off the debt and that is unacceptable.

Is the Indigent Policy only for certain people as there are people who are not in the list. There are people who applied in the 2005, 2006, 2007 and they are sitting with a "slip" and they were never helped. Why don't you do, like the Sol Plaatje Municipality in Kimberly, if a person buys for electricity, pay rates etc? Why can't we take a percentage off and maybe they can come out of debt because it is too high?

Another thing that is worrying is the blue box, if there is something faulty on the box, there is no one to fix it? Why does it take so long to cut off the services if the people are not paying? Mangaung must sort itself out and people must do their work. I support what Cllr DMC McKay proposed. Thank you."

Cllr MW Mongale remarked: "The number of people on the indigent register especially those under 60 years is scary, it does not paint a good picture for us as Municipality because It shows that 46% of people under 60 years relies on indigent and I can assure you, after we have finalised the roadshow, the number would have rocketed to something that we could not control. We would have to come here and try to manage it and that is a grim picture that we must try to avoid. I am raising this, to talk to alternatives that will help us to mitigate against this because we can be comfortable with this arrangement, but at the end of the day, it is going to blow on our faces when most of the people rely on indigent while they shouldn't have been here if we could have played our part of creating jobs for them or opportunities.

The document that we have, we are discussing it because there are people who are in serious financial distress, but besides that, we would not be discussing it because it is not duly signed, but unlike you Cllr BL Mathae, I am willing to bend the rules for the sake of our people because it has no date when it was signed which makes it not duly signed. You can check the previous reports, they have dates to show when the actual event took place. I plead that it does not happen again because it undermines the value of this Council because the Municipality is a creature of statute, and we cannot undermine it.

The other thing we need to deal with, Cllr DMC McKay raised it sharply and I agree with him, the list of people that were not qualified who have been identified, how many are they and who are they? Are there Municipal or government officials in that list? If there are any, what is consequence management with regards to that? Some of them will have to pay with their jobs even at the level of Province, if it is someone whom we know has capacity that person would have to pay with his/her job if working for government and that would mean they have defrauded the Municipality, and we need to be mindful of that fact. I know it was said in some circles, by one of your secretaries that you are a product of fraud, but the Municipality is not a product of fraud, we do not agree. I apologise for raising that, but I have to raise it to emphasise that there must be consequence management on fraud, and I hope in the next meeting we would be getting a report about what are the results. If it found that there was no one who have been unduly benefiting, it is fine but let the report says zero, there was no one found. Thank you."

Cllr CL Kruger remarked: “Thank you, Honourable Speaker. In terms of what we brought before Council, the Free State is the second highest in terms of unemployment, and your indigent register should reflect that which means, the indigent register is insufficient, and I agree that this number would even quadruple, if the correct information is here.

Honourable Speaker, in terms of the contractors that were appointed, the contract expired end of August and we did not renew it. In terms of what we are bringing to Council, we said we must bring updated indigent register on a quarterly basis. When the service provider was appointed, and the question was, why only at certain Wards, it was impossible for the service provider within the timeframe to cover the entire Mangaung which constitute 51 Wards. We looked at high density Wards and some Wards with high numbers like Ward 16 and 17 were also not covered, but we understand that other Wards took precedence in terms of numbers.

As Section 80 Committee: Finance, we also concluded that moving forward, we going to have a Ward based approach, we first going to target the Wards that were not covered by the service provider. What must also be taken into cognisance is that Mangaung do not have a verification system, that is why it informs the need for a service provider, because if someone says they are unable to afford there must be a system, like ITC system to verify the information. When we appoint the service provider, it would only be for that portion of verification until we can procure our own verification system.

What I also realised as MMC of Finance, when we use service providers, people are under the impression that the service provider substitutes our employees. The service provider augments, and which means service provider does not function on its own and what is also important is that skills transfer must also take place otherwise we would be fully dependent of which we do not want. This is a temporary solution, but moving forward Mangaung should have its own system. In the absence of a system, we will use own employees in that department to do a Ward based program which will be communicated especially with Ward Councillors. We will have a special meeting only with Ward Councillors as Finance to explain to you how the rollout will take place and remember, the verification only will be outsourced, but everything else will be done inhouse.

When residents are approved, it is on a three (3) year basis. Pensioners do not reapply, and the only thing that is verified is that are they still alive, but anyone below 60, every three (3) years they must reapply because one gets approved on a three (3) years basis.

Honourable Speaker, take note that on page 2 of the report, we recommend that the 1781 applicants who do not have accounts with the Municipality means these applicants are in the informal settlements who do not receive any service from Mangaung except electricity from Centlec, that is why in the recommendation the number differs, we are requesting approval for 24 484 for 6kl water and the number is more on electricity inclusive of 1781 mentioned who are only applying for electricity hence the number of 26 265 which accumulates to amount of R324 618 865.63. The more the Municipality populate the register, the more the equitable share and therefore it is important for us to build our indigent register for the equitable share to also increase. Thank you, Honourable Speaker.”

Cllr DJ De-Huis delivered her speech as follows: “Thank you, Cllr BL Mathae. As the Economic Freedom Fighters, as we always say, we are the voice of the voiceless. Indigent is one of the things which alleviate our people hardships, and it makes it easy for them to have a better living.

You are correct Cllr SQ Peter, there is no service provider. Let us afford the poor people a chance to qualify fairly and squarely so. In this register you would find that there are public servants, like teachers, nurses and police officers.

I don’t know are you aware, Cllr SQ Peter through you Cllr BL Mathae, as we all know that Maine Chattered Accountant is currently in court for the very same item. The case was opened at Parkroad Police Station, case no 317/8/2023. In the first place the Honourable Executive Mayor, this item was not even supposed to be discussed in this Council as it is under subjudice.

The EFF requested that the item must not serve in Council as the information is not authentic. Therefore, as the EFF we do not support this item. Thank you.”

The voting results were as follows: for the item as is: 58 voted in favour and 1 abstained. For the proposal as raised by Cllr DMC McKay: 26 voted in favour.

After the Speaker announced the voting outcomes on the item, he requested about 3 minutes to consult with Executive Mayor, Deputy Executive Mayor and Council Whip on one issue and further granted Councillors a 5-minute body break.

Thereafter the Speaker mentioned that after consulting with the above mentioned, on the proceedings of the meeting, that in terms of Rule 17.1 of the Standing Rules and Orders, state: “*the Council or a committee may adjourn a meeting to any date or hour, but no business shall be transacted an any adjourned meeting except such as was set out in the notice for the meeting of which it is an adjournment*” and on the basis of this Rule, TROIKA agreed to adjourn the meeting and therefore propose to move the remainder of the items to the meeting to be held the following day, 2 November 2023 at 10h00.

The Speaker then afforded Councillors an opportunity to engage on the proposal and ultimately it was agreed that the Council should continue with its business and finalise the three (3) items.

It was thereupon

RESOLVED

- (a) The Council approved the **24 484** applications for inclusion in the 2023/25 indigent register and are provided with 6 kilolitres of water monthly as stipulated in the indigent register;

- (b) That the Council approved the **26 265** applications for inclusion in the 2023/2025 indigent register and are provided with free 50kWh of electricity monthly and
- (c) That Council has written off the amount of **R324 618 865.63** owed by **24 484** indigents.

5.

SALGA SUPPORT TO MANGAUNG METRO MUNICIPALTY – DEVELOPMENT OF THE ECONOMIC DEVELOPMENT STRATEGY AND INVESTMENT PLAN

Cllr R Hashatsi addressed the Council: “Greetings Honourable Speaker and the community of Mangaung, media and honourable Councillors.

Honourable Speaker, this framework is simply designed as the responsibility of promoting social and economic development strategy such as reducing the high level of poverty, equality, unemployment and promoting local economic plans in Mangaung.

Honourable Speaker, the last time Mangaung Metro developed strategic local economic development plans, it was in 2005 before redetermination as a Metro in 2011 and that was 13 years back. This simply indicates that we as a Metro are outdated as the current economic realities and challenges facing our communities in the Metro especially for small businesses.

Honourable Speaker, it is for these frameworks we need to update and improve for future investment plans and local economic growth, in this metro:

- Technology is changing.
- Population is growing.
- Prices are increasing.
- New markets and products are being introduced.
- Trade policies are updated.
- Land use policies are updated.

Honourable Speaker, technology is changing, population is growing, prices are increasing every day, new markets and products are being introduced, trade and land use policies are being updated. It is for these reasons Honourable Speaker that we cannot stand in one place as a Metro, therefore we need to move.

Honourable Speaker, the main objective of this economic development strategy and how it will benefit this Municipality:

1. It is to identify economic sectors within Mangaung in different forms.
2. It will create a favourable business environment in the Metro to attract investments such as businesses.
3. It is to guide spatial economic investment interaction across the Metro.
4. It is to align economic development strategies to national and provincial government objectives.

5. Align spatial distributions of economic activities to support the achievement of the overarching economic development objectives of this Metro.
6. Identify opportunities for future development plans.
7. Identify interventions that could ensure that small, medium and macro sector is sustainable, innovative and competitive to their advantage.

Therefore, I support this item Honourable Speaker.”

The Speaker indicated that Cllr R Hashatsi can submit to Secretariat a portion of his speech which he did not complete, and it is captured as stated below:

Cllr R Hashatsi outstanding address to the Council: *“In terms of supporting partnership in these frameworks:*

- *We have SALGA on board.*
- *We have growth map information accompanied by different stakeholders such as the DTI, National treasury, IDC, DESTEA and other government department that are indicated in the report.*

In terms of legislation and legality, the constitution of the republic of South Africa section 152 (c.) directs all municipalities to promote social and economic development activities. Added to that following legislation and policy documents that influence the necessity for the development of the economic development strategy and investment plan. We have the:

- *Municipal structures Act*
- *Municipal system Act*
- *Spatial planning and land use management Act*
- *National small business amendment Act and many other legislation*

In terms of financial implications, there are no financial implication. In terms of service delivery to community of Mangaung; these frameworks serve as a wake-up call to reclaim back our local economy. As the ANC government we are more going to sing at the same song of reclaiming local economy. We are not soldiers or killers but indeed business people are in a competitive market and environment, lets win back our local markets and competition. In business we don't fight and kill one another, we compete and sell to the best of our abilities than the competitor. Ho ngwana motho e motsho, sena ke sebetša sa ho lwanela moruo wa heno. Therefore, I'm in support of these draft economic development strategy and investment plan.”

Cllr VE Jonas delivered her speech as follows: “Thank you, Honourable Speaker and protocol observed. The Municipality has experienced many changes over the years including amongst others achieving the Metro status in 2011, integrating Motheo District Municipality, Integration of former Naledi and Soutpan in 2016.

The 2021 Local Government manifesto of the leader of society, which is the African National Congress, committed us to a pledge amongst other:

- To do and be better.
- To deliver services promptly and consistently.
- To stimulate local economies.
- To remain accountable.
- To form and sustain working partnerships with communities, NGO's and private companies that benefit local communities.

Honourable Speaker and Councillors, the Municipality has partnered with SALGA to develop an Economic Development Strategy and Investment Plan in order to reposition our Municipality as one of the growth engines of the Country. Mangaung Metro Municipality is a member of SALGA in good standing, and we feel privileged that SALGA is assisting us to develop our strategy. We must also emphasize that SALGA has appointed growth map Infonomics following their own supply chain processes and responsible for the payment of service providers. The development of the strategy is long overdue and comes at the right time; we are better late than never.

From the outset, I must indicate that the development of the Economic Development Strategy is a legislative requirement in terms of Section 26 of the Municipal Systems Act (Act 32 of 2000, as amended). The adopted Integrated Development Plan of a Municipality must have Council's development priorities and objectives of its elected term, including local economic development aim and its internal transformation need.

One of the primary objectives of the National Development Plan or NDP 2030 is the *"raising of economic growth, promoting exports and making the economy more labour absorbing"*. It is a fact that our national and local economy is gradually recovering from the negative effects of the COVID-19 pandemic. All -of-government must work together, within the context of the District Development Model, to rebuild and reposition the economy. I therefore support the item as is with its recommendations. Thank you, Honourable Speaker."

Cllr W Pretorius delivered his speech as follows: "Thank you, Cllr BL Mathae. The Democratic Alliance welcomes the support of SALGA in the development of an Economic Development Strategy and Investment Plan for Mangaung. The DA will support and champion any all measures aimed at attracting more investment to our City, to growing the economy of Mangaung, the creation of much needed jobs and the expansion of opportunities to all residents of Mangaung.

As much as the support is welcomed, it is extremely worrying that this report only now serves before Council, a year after the support was offered by SALGA in November 2022. A year of lost opportunities. It takes the Municipality 12 months to table a report of 6 pages a year later. Another year of lost opportunities and a testimony of ANC incompetence in governance.

So, in Mangaung another Councillors has spoken already about this, that businesses in Mangaung are faced with a lot of issues, taps are regularly dry, unstable electricity grid, health issues, sewerage running down streets, all of these are there. It is clear that the ANC has failed to effectively grow the economy in Mangaung and to provide opportunities to our people. Its policies have only served a connected few in this City. Under the ANC administration rife corruption, cadre deployment and rolling blackouts have led to weak economic growth of less than 1% nationally, staggering wealth inequality and close to 8 million South Africans being unemployed; very scary national statistics.

But not all hope is lost, the DA in government has proven great success in facilitating economic growth and job creation.

One can just look to the DA-run Western Cape Province which has the lowest unemployment rate of any province in South Africa, being 14% lower than the national average, and over the last decade of DA-governance in the Western Cape has created more than 500 000 jobs. It is clear that the DA-led Western Cape's plan to grow the economic development works.

Another fun statistic, in quarter 4 of 2022, 169 000 jobs were created in South Africa, nationally of that number 167 000 were created in the DA-run Western Cape. It means in other 8 provinces of South Africa, only 2000 jobs were created in the fourth quarter last year. Recently, all 14 departments of Alan Winde in the Western Cape received clean unqualified audits. What does this come down to, it comes down to basics; we are hopeful of this report and plan, but Mangaung needs to give back to basics, start to do basics right, make sure there is water, electricity, clean streets, law enforcement. Get the basics right and then we will be able to attract much needed investment to our City. Our people are hungry for jobs, opportunities, we have a beautiful City and we just need a government that is willing and have political leadership to get things done."

Cllr E Snyman Van-Deventer remarked:

- That indeed the appointment was done through tender process by SALGA itself. However, it was questionable that a company from Gauteng had been appointed to look at economic and investments in Mangaung, does it mean there are no companies in Mangaung that could have assisted?
- That it is indicated that the cost will be carried by SALGA and COGTA and the Executive Mayor is then requested to confirm that this process would not cost Mangaung thousands and millions of rands.

Cllr MW Mongale indicated that he was attempted not to speak on the item as there are a lot of discrepancies on the report. He then continued as follows: "Firstly, I do not support any company that is not from Mangaung. I have been saying, you cannot have people of Mangaung voting for you and when it is time for lunch, you get people from Gauteng to come and eat. It is abnormal and it is uncalled for.

Why now, where was SALGA all these years when municipalities in the Province were collapsing, not only Mangaung? Some even went to the extent of not getting a salary but getting groceries at the end of the month as some kind of salary. Where were they? The Head Office of SALGA is next to us, near Mahungra and they cannot complain that they do not know where Mangaung is. They have been sleeping on duty, they know that was part of their primary objective 20 years ago to say that this is what we must do to capacitate municipalities and they failed to do it, why now all of a sudden, they want to do it?

How are you going to resolve the conflict of interest, between the Chairperson of SALGA and Speaker of Mangaung when SALGA wants to rain sense into Mangaung? The same Speaker of Mangaung is sitting on SALGA's chair and now they come to Mangaung to say you must do the following to comply however you are the one who is talking because you are the Chairperson of SALGA. It is a conflict of interest unless every time when issues of Mangaung are being discussed, you always declare conflict of interest and are excused from the session then I will say; yes, there is an attempt to get things right without interference.

I still fight for investment summit initiated by Mangaung Municipality where these Councillors are the ones to panel-beat, because we have capacity as Councillors. I have been saying here is *crème-del-a-crème*, let SALGA wait.”

Cllr PE Makau addressed the Council: “Thank you, Mister Speaker. Honestly, Mister Speaker with this item we have no problem with it as it is going to come handy to the Municipality in capacitating the Metro work to be effective and diligently.

We are aware that former Acting City Manager Mr Motlashuping wrote to SALGA about this issue, and he was never responded to, or the item taken seriously. Critical questions we would like to ask as the EFF are where was SALGA all these years as the Mangaung Metro is going through terrible phase of dilapidation, more potholes, more rubbish and dirty City, why they were not intervening at that time? “Kgante” what is the role of SALGA in the Country, now we are going to elections we start seeing them trying to play big daddy to the Metro. We, therefore, reject this item as the EFF. Thank you.”

The Speaker explained as follows:

- That SALGA Province does not do procurement, but it is done nationally.
- That SALGA only assist municipalities with intellectual property and not construction of roads or sealing of potholes.
- That the offer of SALGA was done even before he was appointed as the Chairperson about 3 or 4 months ago together with MMC, Cllr MM Letawana who is the Provincial Deputy Chairperson.
- That Council has the right to refuse or accept the offer by SALGA.
- That SALGA provides through different SITAS hands-on support to most municipalities but would not help municipalities in terms of service delivery. They would only help in terms of training, recognised with other government bodies such as institutions of higher learning.

On a point of order, Cllr MW Mongale stated that there was no need for Speaker to respond as the item was from the Executive Mayor and he should be the one to respond in terms of the procedure. The Speaker thereon dismissed the point of order.

The Executive Mayor responded as follows:

- That the Speaker answered the question with regard to SALGA and the Municipality’s interaction.
- That the offer came at the time when the Municipality started a crusade in ensuring that there was an investment summit in the Province.

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- That the Council would not make a commitment that Mangaung would not share coins and cents on the matter, as the SALGA offer came when Council was in motion to get the summit going.
- That should SALGA along the way be unable to perform accordingly, the Council would have already committed itself that the summit must be the answer to problems within Mangaung and that the content of the summit was driven by the people of Mangaung, committed institutions of knowledge, economic, individuals and all stakeholders to be part of the preparation of the event to own it and Councillors would also be committed, first in their individual capacity and secondly their political origin to ensure that the event would be resounding success.
- That the land invasion issue should not be used for political playground by political parties, the crisis is beyond the Councillors trying to use it as hunting for support
- That on indigent, Council is requested to endorse the list. The position the Municipality has taken, that the Municipality do not need a company to help collect indigents but Ward Councillors, Ward Committees and Councillors in general must bring to Council indigents and also allowed walk-ins.

Some of the things that need an effort from the Municipality's side need to be de-tenderise as the Municipality was now sitting with a problem of a company which has done work that should have been done by the Municipality.

That as the Executive Mayor, he had established a committee to dig deep into this matter which should be parallel to the court case taking place. That the law must take its course, but also account as Council on what was happening on the issue of indigent and it should also not stop the Council to execute its work by helping indigents who need help.

- That as Executive Mayor, they also visited the Ward Cllr NA Phupha was residing in and it was not long ago even with the Deputy Minister of the Police and therefore kindly request that all the female Councillors residing at that Ward to work together and support one another and stop fighting.
- That if Councillors did not bank on the by-elections and delay the Council to do its work, Mangaung would have been far. The Council meetings that could not proceed let the Municipality to where it was today.

That it was something else to sit and criticise, however it would be good that Councillors criticised on strength that they were in a process where decisions were made.

- That on Financial Recovery Plan (FRP), the Municipality was waiting for Finance Department nationally give final product. That the interviews for the appointment of the City Manager and HODs were based on their comprehension of the FRP.

- That on the issue of collection, the Municipality in the past appointed a single company to do collection on all disciplines: businesses, government, residential, property and etc. and including indigents. The Municipality stopped the tender and therefore unbundling it, so that the monies owed is collected from all sources.

That if give one company all these disciplines at 10% rate, the company would not put much effort based on their profit margin taking into account the debt owed to the Municipality. Hence the Municipality is unbundling this matter and get individual companies to work on individual discipline and hand over to the Municipality a working product.

- That Council was not ruling out some of the recommendations from Cllr DMC McKay however they were misplaced. The Executive would consult with him and would be cascaded into making them operational measures to help the Municipality to advance, because in terms of their substance and content, they have a weight to carry.

Cllr GDP Kotze remarked: "The speech we once heard it in 2016 when Ms Olly Mlamleli was elected and two (2) years ago when Cllr Siyonzana was elected. He stated that he wants to work with Ward Councillors, and on the 8th of August the DA sent an email to his office, the DA requested an urgent meeting with him to discuss challenges within DA Wards and we as DA Councillors and to date he has not responded to my request. Through you Chairperson, within this Council, Executive Mayor when will you be available to have a meeting. I want to go a step further, when will you be available to attend a public meeting in a DA Ward? Thank you."

The Executive Mayor responded that Cllr GDP Kotze to arrange the meeting and he will avail himself.

The voting outcomes were as follows: 65 voted in favour, 17 against and 0 abstained.

After the voting outcomes announced by the Speaker, Cllr DE Matsephe requested that the resolution (d) be corrected to reflect the City Manager and not Acting City Manager. Cllr MW Mongale then said the Council already voted on item.

The Speaker then clarified that the report was done at a time when there was an Acting City Manager and the Municipality has appointed the new City Manager.

It was thereupon

RESOLVED that Council,

- Approved the SALGA support to assist the Municipality in the development of Economic Development Strategy and Investment Plan,
- Noted the appointment of Growth map informatics by SALGA as the successful technical service provider on the project,

- (c) Approved, as part of the stakeholder engagement plan, an Economic Development Summit be held to solicit inputs from diverse local stakeholders,
- (d) Approved to delegate the City Manager to manage the administrative processes of the development of the strategy, inclusive of stakeholder engagement,
- (e) Approved that the Executive Mayor must submit the draft of the Economic Development Strategy and Investment Plan to Council for consideration and approval.

180	REPORTS FROM THE SPEAKER
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The Speaker presented the item and highlighted the following:

- That the Home Affairs Stakeholders forum is an advisory body composed of various line function departments (including officials from Home Affairs) in the Province and the Municipality to look into matters that directly affects citizens and household that requires documentation either travel documents, work permits, birth certificate etc.
- That this was intended to lessen the procedures due to ques at Home Affairs and that sometime communities are unable to access basic social programs such as grants because they not having formal identification.
- That the members of the Forum do not get imbursement as they are there to advise and provide an immediate hands-on support and service to communities, closer to where they reside. However, the final decision rests with the Home Affairs Director to either disagree or approve what has been presented by the Forum

NOTED.

1.

ESTABLISHMENT OF THE HOME AFFAIRS MANGAUNG METROPOLITAN MUNICIPALITY STAKEHOLDER FORUM

Cllr Mogotloane addressed the Council: "Thank you, Mister Speaker and the august house at large. Our goals can only be reached through a vehicle of a plan in which we must fervidly believe and upon which we must vigorously act. There is no other route to success. Therefore, request Council approval for the establishment of the Home Affairs Mangaung Metropolitan Municipality Stakeholder Forum.

According to the White Paper of the Department of Home Affairs, it has three (3) exclusive mandates:

1. Manage official identity and status of persons
2. Manage international migration
3. Manage asylum seekers and refugees

Department of Home Affairs only has a national mandate, no provincial nor local mandate, a cause for concern but not a train smash.

Historic directive that was issued by the then Minister of Home Affairs still exist, to establish and operate forums in all municipalities across the Country to act as essential link and representative of communities to complete the chain. The forum will be led by Speakers of municipal councils, in our case as Mangaung Metro Municipality; it would be led by the new sheriff in the Chamber, Cllr BL Mathae.

We had such forum of this nature at the then Mangaung Local Municipality. At present as Mangaung Metro Municipality, we have none. We need to establish one now, in the current term before the end of this month. The composition of the Forum is made up of Councillors, officials, community representatives across the whole spectrum down to the Ward level on a voluntary basis.

How does it work? The constitution, structure and terms of reference of the forum are to be found under Annexure A of the resource pack. We as the ANC recommend to Council to consider and approve the report and its recommendations '*in toto*' as they are. I thank you."

Cllr E Snyman van Deventer raised a concern about the report she received, that it was just one page with no recommendations and issues raised by Cllr TJ Mogotloane. She further mentioned that there were no costs implementations as recommendation (c) stated that Council approves establishment and launch of the Executive Committee on the 27th November 2023. That Council did not have money and thus hope the launch would require no finances.

Cllr MW Mongale raised the following:

- That the document was not duly signed as there were no dates of signature.
- That they like the establishment of the forum because it would be able to address social ills such as people living on the outskirts of the City with no identification nor even a birth certificates at the age of 18 years and are South African.
- That the Speaker would be tasked to nominate MMM representatives to serve in the Committee of which it would end up be only ANC Councillors and therefore be unable to be monitored and evaluated, holding the executive to account to check if this process would not be abused to increase a number of voters with foreign nationals as the Country will be going through elections in 2024.
- That the opposition parties should also be nominated to be part of the Stakeholders' Forum and it should be Ward Councillors because they understand the situation.
- That the Principals must also be part of the Forum as they are subjected to unfair instructions at public schools as they are instructed to admit children of foreign nationals and the paperwork would then be done at a later stage, but never happens and when the child gets to matric he/she unable to register.

The Speaker cautioned Cllr MW Mongale to refrain from making innuendos by referring him to Rule 35 of the Council's Standing Rules and Orders.

Cllr ME Dennis requested clarity on whether the report was not supposed to first serve at Section 79 Committee: Public Places and Street Naming due to reason that as a member of the Committee, it was for the first time she is seeing the report?

Cllr LE Rasoeu indicated that the DA supported the item, and that they encouraged more public private partnerships, and believes that these partnerships must be mutually beneficial and be underpinned by actualising the Batho Pele Principles at the point of delivering and further goals of entrenching goals of developmental state.

Cllr NR Shale delivered her speech as follows: “Cllr BL Mathae, we are encouraging a smooth running of the Municipality as much as our citizen are in definite need of the identifications. We are heading to the election next year all of a sudden, we want to partner with Home Affairs.

Cllr BL Mathae, ho bonahala hantle hore ANC e shwele ele kannete. Sechaba se kgathetse ke bobodu, leshano le bo menemene ba lona, jwale le leka ka hohle ho bona National and Provincial election le reaper jwang to be in power. Ke bona di-immigrant di fumana di ID ka bolotsana and ke tsela e le batlang ho bona le win elections to get majority ka tsela ya boshodu. Le batla ho etsa bonnete ba hore ba tlo le voutela. ANC re tonne mahlo, ho fedile ke lona. Sebodu ke sebodu, o se lahlela hole ntle le batho ke chefu eo re kekeng ra tseba hore re ka ibitsa eng?

Cllr BL Mathae, e makatsang ke hore le bolelang hore letlo thusa Home Affairs ka ho fedisa corrupton leho fa batho ka mangolo, ka tsela e jwang? Lona ka bo lona le le corrupt, o fedisa jwang corruption o le corrupt? Today le tsietsing le pusha corruption to make sure, they’ve got IDs. Re dumellana le lona ka tseding tsa dintho empa ka tsela e lokelang eseng eo lona le batlang ho sebedisa batho ka yona, for your own interest.

Ha le re le tlo thusa, ebe ke ka tsela e jwang? Makeishenening moo batho ba dulang teng ho tletse masepa fela, le ditseleng, leka matlung a baahi, community ya rona e ja ona...”

The Speaker interjected to announce that Cllr NR Shale speaking time was over however she continued talking on the item and the Speaker requested that she submit the rest of her speech which will be recorded.

Cllr NR Shale outstanding address to the Council: “di potholes tsona ke mathata, re batla ho fedisa corruption, lona le corrupt, Sesotho se re: *tshwene ha ipone makopo empa e bona tse ding*”, mission wa lona re aware ka ona.

ANC want to steal votes via Home Affairs, rele EFF hare dumelane le item ena, e hlolwa ho advancer mere clinics we have, the community clinic in Ward 6, who is accommodating Wards, your focus should be on primary health eleng tsona clinic tsetla bulwa 24 hours.”

The voting outcomes were as follows: 51 voted in favour, 0 against and 29 abstained.

Cllr JE Sebolao pleaded that officials in the political offices must not sign Council documents e.g. Head in the Office of the Speaker.

The Speaker stated that it was duly recorded and noted as such.

It was thereupon

RESOLVED that,

- (a) Council approved the establishment of home affairs Mangaung Metropolitan Municipality Stakeholder Forum.
- (b) Council approved the attached draft Constitution Marked annexure “A” which outlines the structure, operation and terms of reference of Home Affairs Mangaung Metropolitan Municipality Stakeholders Forum.
- (c) Council approved the establishment and launch of the Executive Committee on the 27th of November 2023.
- (d) Council mandated the Speaker to nominate the MMM representatives who will serve on the Executive Committee.
- (e) Council mandated the Speaker after the launch to soon facilitates the process of establishment of the Regional and Ward Forums.
- (f) The process of establishment of Regional and Ward Forums should be done in collaboration with Ward Councillors and must be completed within 60 days after Council approval.

181	REPORTS FROM MPAC
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1.

UPDATE ON THE COMMUNITY CONSULTATIONS HELD BY MPAC ON THE 2021/22 ANNUAL REPORT

Cllr IJ Makoloane presented the item as follows: “The Speaker, Executive Mayor and all protocols observed.

Honourable Speaker, good governance relies to the principles of accountability and transparency when it comes to the public accounts of the municipality. The principles are expulse by one of the strategic objectives of the local government turn out strategy to build clean, effective, efficient, responsive and accountable local government.

Today’s report to the Council is to give account to the public hearings held regarding the Annual Report 2021/22. The hearings followed the last sitting of the Municipal Council wherein the MPAC annual work plan was adopted. We need to take a note that the public hearings are crucial to the Municipal Public Accounts Committee as they enable the public to voice concerns and opinions on Municipal finances fostering transparency and accountability in the use of public funds and enhancing MPAC’s understanding of Municipality challenges.

Honourable Speaker, the office of MPAC held discussions with the Acting City Manager on Monday on the 9th of October 2023 in preparations for the public hearings and subsequently public notices were issued on the 11th of October 2023. The office of the City Manager was reminded about the activities on the 16th of October 2023 hence on the 17th to 19th October 2023 the Committee embarked on public hearings to solicit community inputs on Annual Report 2021/22.

The public hearings have brought some serious challenges that require serious consequence management without any fear or favour. The Committee experienced fragrant disregard from senior management by not attending the public hearings Honourable Speaker. The people of Mangaung are reasonably upset, felt disrespected by lack of accountability and commitment from senior management of the City. The senior management must give account on usages of Municipal finances. For record, the public hearings were scheduled in Bloemfontein, Soutpan, Botshabelo, Wepener and Thaba Nchu respectively.

Honourable Speaker, today we were supposed to be presenting full MPAC Oversight report on the Annual Report 2021/22. The absence of the Acting City Manager and the Executive Management Team (EMT) to those public hearings conveyed a message of indifference and undermines the accountability of the Municipality. It can foster a perception that the Municipality does not value or prioritise community inputs and this may erode the trust and credibility among community members.

In conclusion, Honourable Speaker, MPAC held its meeting on Friday 27th October 2023 where the Acting City Manager presented the responses on questions emanating from the Annual Report 2021/22 and we acknowledge that Honourable Speaker. The meeting noted her presentation and further requested portfolio of evidence to those matters. I thank you, Honourable Speaker.”

Cllr TD Masoeu mentioned that he owned the report and as DA they agreed that they would support the report. Furthermore, he will go straight to recommendations as per the speech and that his entire speech will be submitted to Secretariat for minuting.

His speech submitted to Secretariat is as follows: “It was only on the 1st of August 2023 when I reminded Council what the responsibilities of committee of MPAC are. I quoted the following and I said then:

Speaker, I serve in the committee of Municipal Public Accounts. In terms of Section 79 of the Municipal Structures Act, a provision is made that for Committees of the Council reporting directly to the Council. In accordance with the terms of reference that such committees be developed by Council, such committees because of direct reporting line to the full Council, it is best suited to do oversight in the Municipality, not only in terms of oversight report, but generally oversight over both administration and Executive arms of the Municipality.

Section 129 of the Municipal Finance Management Act requires municipality to prepare an oversight report over the Annual Report and to publish that report. Chairperson, I stand here once again to lament (Definition: Complaint or constant laments about conditions that never change).

I need to once again remind this Council that only in about two (2) months a new report on annual report is supposed to come out for the 2022/23 financial year. Guess what, Chairperson, we still have not finalised the report that is supposed to be tabled in Council regarding 2021/22 financial year. This is happening despite the fact that Council already approved repeated extensions for MPAC to finalise this report. We should be tabling the report on Annual Report but no, that is not the case. We still have not finalised the report because officials did not attend public hearings.

The following recommendations appear on this report:

Recommendation (b): *That the Municipal Council note the implications of non-attendance of Executive Management Team to the public hearings and possible further late tabling of the oversight report.* Due to absence of EMT at public hearings, the matter needs to be relooked at.

Recommendation (c): *That consequence management process be considered to ensure the Executive Management Team (EMT) attend to all future community consultation meetings.*

History has taught us by now that the decisions and resolutions of MPAC are rarely implemented in this Municipality. The reason for that is that the very people who are supposed to implement those decisions are the very defaulters. (Explanation: Defaulter – A person who fails to fulfil a duty, obligation, or undertaking). There is a saying that: “*birds of a feather flock together*”, in the context of this Municipality, you can simply say: *you scratch my back, I scratch yours*”

This brings me to the next question:

- How and who is going to implement or enforce consequence management that is being asked for in this report?
- Will there be political will to do that for the sake of residents of Mangaung? If so, how soon so that the next face of public hearings can take place? Bearing in mind that we cannot move to the oversight report for the upcoming Auditor General Annual report before we finalize this report. Otherwise, this Municipality might just as well be doomed and be dissolved. Thank you, Chairperson”

Cllr MW Mongale remarked: Cllr BL Mathae, this is one Committee that humbles us and that gives us hope that there are capable people in this Municipality. Cllr JI Makoloane went to that Committee, and I know we fought on first MPAC meeting, but I am humbled. I can see a man who says, I am willing to roll my sleeves and get the job done against all adversities of EMT who wants to undermine the Committee, but they have risen to the occasion.

All what is left is that when the Committee take resolutions, they must also attach a timeframe so that they be able to chase those who wants to run away from accountability. Once there are timeframes, everyone would know that City Manager is expected to charge people by this period of time. If it is the duty of the Disciplinary Board to deal with such matters, there must be timeframes. You cannot have open ended, this where we are missing it that is why in every sitting of the Council, we have almost the same report and it is not the same, it is different offenders, but the resolutions are the same, it is *let's catch them* and the next meeting it is *lets catch them again*. Let just one be caught and be taught a lesson and we will not have many that are running lose.

I want to state that I respect this Committee and I bow my head to say this is how the Committee should behave, and this is how you should sign the documents. You must sign and also write down the date. That is excellent!"

Cllr JE Sebolao remarked: "Thank you, Chairperson. I also want to support the Chairperson with the report he presented. We were belittled by the officials of Mangaung and taking into consideration the hostility, which was there in our first meeting at Leslie Monnanyane, it was just embarrassing. As politicians, we don't implement the product that supposed to be given to the community and for them not to attend until the program come to an end for those days that were put aside.

I also want to commend the Centlec employees, the first time they were there, ready to deliver whatever concern from the community. I really want to say, at that Committee, we are members of the Committee, of the Council doing oversight and we do not take sides, wrong is wrong and so keep it up Chairperson. A job well done, siyabangena. Thank you."

Cllr DE Matsephe remarked: "Thank you, Mister Speaker. Ntle le tshenyo ya nako Honourable Speaker, dibui tse fetileng di tlhalositse hore mosebetsi o etswang ke Komiti ena ya MPAC ke o moholo haholo. Safe to say, we support the report as presented by the Chairperson of MPAC and as members of MPAC, we have committed ourselves that we will work hard and i want to say to the Council that over and above the challenges we have encounter during the public hearings that we will keep to the adopted schedule and we would not be deterred by this kind of people who do not understand the role of oversight committee in the Municipality. So, we are going to continue to do oversight without any fear or favour and without any contradiction as the MPAC. We support the report by the Chairperson that Council notes the work done up to date by MPAC. Thank you."

It was thereupon unanimously

It was thereupon

RESOLVED

- (a) That the Municipal Council takes note of the progress relating to the community consultation meetings.
- (b) That the Municipal Council note the implications of non-attendance of Executive Management Team to the Public Hearings and possible further late tabling of the Oversight Report.
- (c) That consequence management process be considered to ensure that the Executive Management Team attend to all future community consultation meetings.

1.

REPORT OF THE SELECTION PANELS ON THE RECRUITMENT, SELECTION AND APPOINTMENT OF THE HEAD OF DEPARTMENTS FOR PLANNING, ECONOMIC, RURAL DEVELOPMENT AND HUMAN SETTLEMENTS, TECHNICAL SERVICES, CHIEF FINANCIAL OFFICER, CORPORATE SERVICES AND COMMUNITY SERVICES IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, ACT 32 OF 2000 AS AMENDED READ TOGETHER WITH THE LOCAL GOVERNMENT REGULATIONS ON APPOINTMENT AND EMPLOYMENT CONDITIONS OF SENIOR MANAGERS FOR MANGAUNG METROPOLITAN MUNICIPALITY

The Speaker requested all HODs, officials, media and the public in the gallery to be excused from the meeting and that the live streaming be switched off as the items would be dealt with "In Committee".

Prior to commencement, the Speaker in determining the quorum, he confirmed that 66 Councillors were present in the meeting. He further mentioned that he would start to enforce the new regulation on Councillor's code of conduct. That it was unacceptable, that Councillors walked out during the time when a vote was considered.

As these items are dealt with In Committee, the discussions are minuted separately and only the voting outcomes and the resolutions of the Council are outlined below.

The voting outcome was as follows: 60 voted in favour, 1 against and 3 abstained.

It was thereupon

RESOLVED that Council

- (a) Noted that the Selection Panels for the recruitment and selection of Heads of Departments have executed their task assigned by Council.
- (b) Appointed **Ms N Chakane** as the preferred candidate for the position of **Head: Planning, Economic, Rural Development and Human Settlements** at Mangaung Metropolitan Municipality.
- (c) Appointed **Ms N Mbina-Mthembu** as the preferred candidate for the position of **Chief Financial Officer** at Mangaung Metropolitan Municipality.
- (d) Appointed **Mr I Masobeng** as the preferred candidate for the position of **Head Technical Services** at Mangaung Metropolitan Municipality.
- (e) Appointed **Mr V Duma** as the preferred candidate for the position of **Head of Corporate Services** at Mangaung Metropolitan Municipality.
- (f) Appointed **Dr T Thinda** as the preferred candidate for the position of **Head of Community Services** at Mangaung Metropolitan Municipality.

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- (g) The appointment is on permanent performance-based contract that commence on 01 December 2023.
- (h) Should the recommended candidates be unavailable to accept the positions, the next preferred candidate in order of sequence be considered for appointment in that position.

183	MOTIONS
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None.

NOTED.

184	CLOSING OF AN ORDINARY COUNCIL MEETING
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The meeting officially closed at 23h44.

SECRETARIAT UNIT
COMMITTEE SERVICES