

CONFIDENTIAL

**MINUTES
of a
SPECIAL MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

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

**THURSDAY
12 DECEMBER 2024
AT 10:00**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**



**MINUTES OF A SPECIAL MEETING
of the
MANGAUNG METROPOLITAN MUNICIPAL COUNCIL
held IN THE
COUNCIL CHAMBER, FIRST FLOOR,
BRAM FISCHER BUILDING, BLOEMFONTEIN
on THURSDAY, 12 DECEMBER 2024
at 10:00**

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>Waste and Fleet Management</u> Cllr Jonas (Vuyelwa Eunice)	ANC	
11	<u>Economic Development</u> Cllr Mosala (Motlhokung Theodorah)	ANC 11	Absent with apology
12	<u>Public Safety</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>Planning and 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	Absent with apology
18	<u>Corporate Services</u> Cllr Letawana (Manthuse Maria)	ANC	Absent with apology

PR COUNCILLORS			
19	Cllr Bothma (Andries Francois)	DA	
20	Cllr Bouwer (Chadwine Lyle)	DA	
21	Cllr Davies (Maryke)	DA	
22	Cllr De Bruin (John Matthews)	PA	
23	Cllr De-Huis (Dikeledi Jane)	EFF	
24	Cllr De Kock (Valerie Belinda)	FFPlus	
25	Cllr Denner (John Henry)	FFPlus	
26	Cllr Dennis (Magdalena Elizabeth)	DA	
27	Cllr Ferreira (Thomas Ignatius)	DA	Absent with apology
28	Cllr Klaasen Raynie Sarah	DA	
29	Cllr Letsoko (Mantwa Sanah)	EFF	
30	Cllr Lipale (Gopolang Jeremiah)	EFF	Absent with apology
31	Cllr Makau (Pitso Elias)	EFF	
32	Cllr Malebo (Deliwe Lettia)	EFF	Absent with apology
33	Cllr Maliela (Motiki Edwin)	DA	
34	Cllr Matobole (Mosala Abel)	DA	
35	Cllr Matsoetlane (Maditaba Joyce)	ANC	
36	Cllr Mogotsi (Mamahlope Elisa)	EFF	Absent with apology
37	Cllr Mohlamme (Lebohang Lerato)	DA	
38	Cllr Mokoena (John Itumeleng)	AASD	Absent with apology
39	Cllr Mongale (Mojalefa William)	AASD	
40	Cllr Moreeng (Kabelo Christopher)	DA	Absent without apology
41	Cllr Mtshakazane (Eunice Xoliswa)	EFF	
42	Cllr Njiva-Lebajoa (Mamotse)	DA	
43	Cllr Phohleli (Tsholwane Eddy)	EFF	Absent with apology
44	Cllr Phupha (Ntsoaki Agnes)	PA	

45	Cllr Ramatlama (Mpho Joseph)	EFF	Absent with apology
46	Cllr Rammile (Tumelo Kingsley)	DA	
47	Cllr Rampai (Pule Joseph)	ACDP	Absent with apology
48	Cllr Sebolao (Jankie Elisha)	EFF	
49	Cllr Shale (Nkahiseng Reginah)	EFF	Absent with apology
50	Cllr Snyman (Pieter Adriaan)	DA	
51	Cllr Snyman van Deventer (Elizabeth)	FFPlus	
52	Cllr Terblanche (Arthur Phillip)	DA	
53	Cllr Thomas (Johannes Beleme)	EFF	Absent with apology
54	Cllr Viviers (Benhardus Jacobus)	DA	Absent with apology
55	Cllr Vorster (Braam)	FFPlus	
56	Cllr Wewege (Mare-Lize)	FFPlus	
WARD COUNCILLORS			
57	Cllr Sefaki (Samuel)	ANC 1	Absent without apology
58	Cllr Machachamise (Tshepiso Oudious)	ANC 3	Absent without apology
59	Cllr Supi (Mahoko Harold)	ANC 4	
60	Cllr Lecoko (Lehlohonolo Nathaniel)	ANC 5	
61	Cllr Moiloa (Tshidiso Petrus)	ANC 6	
62	Cllr Sehloho (Siza Clement)	ANC 7	
63	Cllr Nyaphudi (Likeleli Julia)	ANC 8	
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	Absent with apology
69	Cllr Mohibidu (Pulane Martha)	ANC 15	
70	Cllr Mohatle (Mampone Sally)	ANC 17	Absent without apology

71	Cllr Van Noord (Gregory Owen)	DA 18	
72	Cllr Peter (Seth Qondile)	ANC 19	
73	Cllr van Rensburg (Corize)	20 DA	Absent with apology
74	Cllr Lotriet (Pieter Adam)	DA 21	Absent with apology
75	Cllr Cronje (Jan-Hendrik)	DA 22	
76	Cllr van der Walt (Tjaart Botha)	DA 23	
77	Cllr Kotze (Gerhardus Dirk Petrus)	DA 24	
78	Cllr Kotze (Paul Mare')	DA 25	
79	Cllr van Niekerk (Hendrik Johannes Christiaan)	DA 26	
80	Cllr Banyane (Zachous Nechodemus)	ANC 27	
81	Cllr Matsephe (Dikololo Elias)	ANC 29	
82	Cllr Tukula (Teboho Daniel)	ANC 30	
83	Cllr Mabena (Mere Joel)	ANC 31	
84	Cllr Menyatso (Thabang Victory)	ANC 32	
85	Cllr Mohono (Tshidiso Augustine)	ANC 33	Absent without apology
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	Absent without apology
95	Cllr Mathe (Lisiwe Jeanette)	ANC 45	

96	Cllr Majoro (Mpho Samuel)	ANC 46	
97	Cllr Maartens (Jan-Rudolf)	DA 47	
98	Cllr Pretorius (Johannes Christiaan)	DA 48	
99	Cllr Lekhwele (Mohanuwa Julia)	ANC 49	
100	Cllr Monare (Thabo Nicholas)	ANC 50	
101	Cllr Mohulatsi (Mamoorosi Margaret)	ANC 51	

OFFICIALS IN ATTENDANCE

#	DESIGNATION	NAME/S
1	CITY MANAGER	MR SELLO MORE
2	CHIEF FINANCIAL OFFICER	MS ZUZIWE THEKISHO
3	HOD: PLANNING ECONOMIC AND RURAL DEVELOPMENT AND HUMAN SETTLEMNTS	MS NOKUTHULA CHAKANE
4	HOD: PUBLIC SAFETY AND SECURITY	MR ISRAEL KGAMANYANE
5	HOD: COMMUNITY SERVICES	MR THABANG THINDA
6	ACTING HOD: CORPORATE SERVICES	MR PULE MOLALENYANE
7	CHIEF OF STAFF	MR ZOLILE MANGCOTYWA
8	HEAD OFFICE OF COUNCIL WHIP	MR THABO MOHAPI
9	HEAD OFFICE OF MPAC	MR DIPHOKO SEKAKANYO
10	ACTING MANAGER: COUNCIL SUPPORT	MS RINA MAMATELA
11	SECRETARIAT	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 humbly 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 humbly requested to please take along their nameplates and to display it throughout the meeting.
4. **Apologies during the course of the Council meeting:** Councillors are humbly requested to complete in full and submit the relevant apology form for this purpose (Leave Form).
5. **Code of Conduct:** Councillors are reminded of item 3, Schedule 1 of the Code of Conduct for Councillors which reads as follows, namely:

Attendance at Meetings: A councillor must attend each meeting of the Municipal Council and of a Committee of which that councillor is a member, except when:

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

6. Meeting rules:

- i. All Councillors must arrive at **least 15 minutes before the commencement** of the Council and all other Committee meetings.
- ii. Cellular phones **must be in silent mode** and **speaking on a cellular phone during the meeting is prohibited**. (Rule 50.2a)
- iii. A Councillor who speaks must **confine his or her speech strictly to the matter under discussion**. (Rule 31)
- iv. Unless expressly otherwise determined, a Councillor **may speak only once on a matter**. (Rule 32)
- v. No speech shall exceed **five (5) minutes** in length without the consent of the Speaker. (Rule 34.1)
- vi. Council members are reminded to uphold high level of good conduct during Council proceedings (No disruptions, no interruptions, no howling, no swearing to other Council members, less movement in the Chamber, no abuse of the PA system).

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6
MINUTES
(OPEN COUNCIL)

194.

OPENING

(MOMENT OF SILENT CONTEMPLATION FOR MEDITATION AND PRAYERS)

The meeting commenced at 10h06 to allow Councillors to be seated and settled.

The Speaker officially opened the meeting and welcomed all present at the last sitting of the Council meeting. He acknowledged the Executive Mayor, Deputy Executive Mayor, The Council Whip, Members of the Mayoral Committee, Chairpersons of the Section 79 Committees, Whips, The City Manager and Officials and the community of Mangaung.

He confirmed that 58 Councillors present and thus forming a quorum.

NOTED.

195.

NOTICE OF THE MEETING

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

NOTED.

196.

APPLICATIONS FOR LEAVE OF ABSENCE

The Speaker mentioned that he received 13 apologies for this meeting.

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.

197.

ACCEPTANCE OF THE AGENDA

Cllr GDP Kotze mentioned that the notice went out on time however, some Councillors were unable to access the link.

Cllr J Maartens proposed that items 200.5 and 200.6 be dealt with simultaneously as one item.

The Council Whip requested a 5-minute cuscus with the party whips, and it was granted as such by the Speaker.

After the caucus, the Council Whip reported back that due to issues with air conditioning in the Council Chambers, the whips agreed as follows:

- ✓ That item 200.5, there would be only one speaker from the Freedom Front Plus.
- ✓ That item 200.1 and 200.2 would be discussed simultaneously as one.
- ✓ That all other items, it should only be one speaker per party.
- ✓ That item 201.1 and 201.2 be combined.

The Council Whip moved for the adoption of the agenda.

Cllr M Davies indicated that item 202.1 be discuss separately and 202.2 and 202.3 be combined and was supported by Cllr JE Sebolao.

Cllr GDP Kotze mentioned that at the Section 80 Committee: Corporate Services, they agreed that the item would not serve in the scheduled Council.

Cllr GO Van Noord mentioned that items 200.1 and 200.2 were not related and therefore cannot be combined.

Cllr B Vorster indicated that the party whips did not agree on combining items 201.1 and 201.2.

Cllr TD Tukula clarify that the item that the Section 80 Committee: Corporate Services agreed that it should not serve in Council is the micro-structure and not item 200.1 as indicated by Cllr GDP Kotze.

Cllr J Cronje requested a 5-minutes DA caucus, and the Speaker granted the request. After the DA caucus, Cllr J Cronje reported back that the Council can continue as they dealt with the issue they had.

The Speaker stated that most items were for noting and therefore the agenda was duly adopted.

NOTED.

198.

ANNOUNCEMENTS

The Speaker referred to Rule 53 of Standing Rules and Orders and reprimanded Councillors who were not properly dressed for the Council meeting.

The Speaker then afforded Councillors an opportunity to make announcements as follows:

Cllr VS Soqaga: “Thank you, Honourable Speaker. The Municipality is aware of the water crises in the City and the areas that are affected, we met with Vaal Central regarding this issue and the Executive Mayor escalated this matter and there was a multi-disciplinary board that was established to find a solution and it was resolved that there was going to be a water rationalisation meaning water will be shut off at night excluding hospitals to allow reservoir levels to go up. The issue of Maselspoort work had already started and it was affecting Mangaung hence Vaal Central was asked to assist with JoJo tanks, the University of Free State came up with a solution regarding the issue of water however it requires funding. I thank you, Honourable Speaker.”

Cllr VE De Kock: “Honourable Speaker, we as the Freedom Front Plus, would like to announce that residents from all spheres in Mangaung insisted that we act on the current water crisis in Mangaung. On account thereof, the Freedom Front Plus requested the Human Rights Commission to investigate matters leading to the Metro's inability to secure access to clean water to affected communities. Wepener, Dewetsdorp, Soutpan are without water and without answers.

We also do not have to reiterate all the areas in Bloemfontein, Botshabelo and Thaba-Nchu that are also left without water. Every year during December we are faced with the same scenario, every year we are left speechless. We also want to announce that we requested, in writing that the Section 80 Committee for Infrastructure must convene a meeting to give a voice to the residents of Mangaung via their elected Councillors, and to be able to give answers to all constituents of Mangaung. We also announce that to date we have not even received acknowledgement of receipts for this request. We announce that we are grateful to have secured an appointment with the Executive Mayor, we would be grateful if we could be able to secure the same with the City Manager. Water rationing times must please be re-considered most residents work during the day. They go to work without having water and come back to no water. When must they wash, collect water for consumption. Thank you, Honourable Speaker.”

Cllr JM De-Bruin: “Mister Speaker, residents at different areas are very unhappy with the cutting of water during the festive, can this issue of water cuts be dealt with at least by next year. The residents are happy with the swimming pool that has been fixed however can the tariff come down because some people cannot afford it.”

Cllr SP Tsoleli: “Thank you, Honourable Speaker. The Department of Safety and Transport together with the Department of Public Safety have launched a safer City campaign, this campaign has declared no tolerance of lawlessness in the City. The Department will be putting more traffic workers on the road and that will be 24hours therefore we are requesting the city to join this campaign that seeks safety during this festive season, we want to caution drivers to obey the laws of the City therefore there is dedicated line in terms of reporting the crime that will be circulated in the group. I would like to take a moment to congratulate the HOD of Public Safety and Security for receiving a Masters’ Degree. Thank you, Honourable Speaker.”

Cllr GDP Kotze: “Thank you, Honourable Speaker. The residents of Mangaung are struggling with water during the festive season, I refer you to Section 22 of the Constitution “services must be delivered” when will the human rights commission serve in this Council? And we only have a few months to report back to the commission.

On the 19th December this Municipality will be under Section 139 administration for 5 years now and we are getting worse, what did the ANC do for the past 5 years but every time we hear about the renewal of the policy. During the American campaign Donal Trump always said “deep state” now the deep state of South Africa is known as the Luthuli House. The City Manager and the HOD’s are now appointed for a year, I want to extend my gratitude to civil society for stepping in while the Metro fell short. To my fellow DA Councillors who have truly been servants of the people while the ANC continue to shift blame, hold your head up high you have demonstrated that we stand fast in our commitment in making Mangaung great again. I wish you a Merry Christmas and Happy New Year. Thank you, Mister Speaker.”

Cllr DJ De-huis: “Thank you, Honourable Speaker. As the EFF we are having our 3rd NPA (National People’s Assembly) starting from today. On the 15th December we would like to wish all delegates well and the conference will be live.

NOTED.

199.

DECLARATION OF INTEREST

None.

NOTED.

The Deputy Executive Mayor tabled the items as follows: “Thank you, Honourable Speaker. It is sad to witness what is happening in Mangaung regarding the issue of water, it is our duty to make sure that we deal with this matter that is in front of us and stop shifting blame or fighting. I wish you a Merry Christmas and a prosperous 2025. Let us continue working together and to achieve our goals from different political parties. Therefore, I table these items before us. Thank you, Honourable Speaker.”

NOTED.

1.

SUBMISSION OF THE MINIMUM LEVEL OF SERVICES AGREEMENT: ESSENTIAL SERVICES AND SHIFT SYSTEM FOR COUNCIL NOTING

Cllr GDP Kotze addressed the Council: “Mister Speaker, it was clear in the Section 80 Committee: Corporate Services and even the whip agreed that this item will not serve in Council because of the information that was made available by the City Manager, however the Chairperson decided that the ANC is the way to go, and she should not be trusted. Therefore, this item should be referred back.”

Cllr AF Bothma seconded the recommendation of Cllr GDP Kotze to refer the item back.

Cllr TD Tukula commented as follows: “Thank you, Honourable Speaker. We request the Council to consider these two items that have been presented today which intends to improve employer and employee relationship including increasing capacity of employees and improving service delivery. Both Mangaung and Centlec recognises the significance of having this minimum service agreement on essential services not only as a legal requirement but as an important instrument of corporate governance which aims to ensuring Mangaung Metro and Centlec are meeting the minimum required service levels to essential services. It is an agreement to ensure essential service delivery that operates 24/7. We therefore recommend that the Council takes note of the LLF agreement. Thank you, Honourable Speaker.”

On a point of Clarity, Cllr GDP Kotze indicated that the last speaker spoke about the Microstructure hence they asked that the item to be referred back.

The voting outcome on the proposal to refer the item back: 22 votes were in favour, 44 against and 7 abstained.

The Speaker indicated the item was for noting and therefore, it has been noted as such.

It was thereupon

RESOLVED that

1. Council takes note of the LLF agreements, which has been concluded in full compliance with the Essential Services Committee (CCMA) guidelines. And this marks a significant milestone for both the employer and the employees of MMM. It is a testament to the commitment, dedication, and cooperative spirit demonstrate by all parties in the LLF.
2. The Minimum Service Level Agreement: Essential Services and Shift System agreements are product of the collective agreements, which are demonstration of constructive approaches to labour relations in MMM.
3. The Mangaung Metro Municipal Council should commend itself for the role it has played in fostering an environment that supports the promotion of collective bargaining within the Metro. These agreements are not only significant legal and operational milestones, but also serve a strong symbol of unity and common purpose that underpins our commitment to public services, both legal and political standpoint.
4. The Accounting Officer should implement training program focused on equipping employees with the necessary skills to operate efficiently within the new shift system and meet the requirements of the MSLA. This training should include technical skills, customer services, and health and safety protocols.
5. That in terms of the Minimum Service Agreement signed by both parties, total number of employees that must be at work during strikes must be 60/40.

2.**PERFORMANCE OF MUNICIPAL SERVICES ON 27TH AND 31ST DECEMBER 2024**

Cllr ME Dennis requested that the names and contact details of officials on duty during the specified dates be made available to Councillors for the festive season as soon as possible.

Cllr TD Tukula addressed the Council: “Honourable Speaker, we have submitted this item to have a skeleton staff on those dates in order to perform non-essential services. The HR (Human Resources) has been inundated with enquires from employees on whether these dates will be working days for the Municipality as they are planning for the festive. Therefore, we recommend that the Department to utilize skeleton limited staff to perform non-essential services. Thank you, Honourable Speaker.”

Cllr M Wewege addressed the Council: “Thank you, Mister Speaker. The Freedom Front Plus appreciates the proactive approach in preparing for the upcoming festive season. The current water crisis that is affecting the whole of Mangaung during a heatwave is however raising big concerns, because for two weeks there is no progress and no proper communication or proper feedback, and that with full operation staff.

7B

If this problem persists, we as Councilors have no confidence in the current ruling party, because even with full staff, essential services are being neglected.

If a list of contactors is not provided, we will provide the residents with the contact numbers of the Mayco Members. Ons gaan met rooi gesigte sit en vir n Metro Munisipaliteit is dit n vernedering. I will keep it short. In Afrikaans se ons kort en kruig. The Freedom front Plus appreciate”.

Cllr JE Sebolao addressed the Council: “Ladies and gentlemen, esteemed colleagues, and Honourable Speaker.

We stand before you today to discuss a pressing matter that affects us all. The request by employees to have a skeleton staff on the 27th and 31st of December 2024 has sparked a debate that warrants careful consideration. On one hand, having a skeleton staff on these days can have several benefits.

Firstly, it can help reduce operational costs, as fewer employees will be required to report for duty. Secondly, it can provide an opportunity for employees to take a well-deserved break and spend quality time with their loved ones. Thirdly, it can also help reduce traffic congestion and promote a safer working environment.

However, on the other hand, there are also several drawbacks to consider. Firstly, having a skeleton staff can compromise the delivery of essential services, which can have far-reaching consequences for our communities. Secondly, it can also create additional workload for employees who are required to report for duty, which can lead to burnout and decreased productivity. Thirdly, it can also impact our ability to respond to emergencies and provide critical services.

As we weigh the pros and cons, it is essential that we consider the needs and concerns of all stakeholders. Many employees have family commitments and need to spend quality time with their loved ones during the holiday season. However, we must also ensure that our communities receive the services they need and deserve.

In light of these considerations, I propose that we adopt a flexible approach that balances the needs of employees with the needs of our communities. We can explore options such as staggered leave, flexible working hours, and remote work arrangements to ensure that our employees can spend quality time with their families while also ensuring that our communities receive the services they need.

In conclusion, the request by employees to have a skeleton staff on the 27th and 31st of December 2024 presents both opportunities and challenges. As we move forward, let us work together to find a solution that balances the needs of all stakeholders and promotes a positive and productive work environment. As the EFF we are for a well productive working environment and a healthy mental state of our employees, therefore we see skeleton stuff on the proposed dates as good to offer our employees. Thank you, Honourable Speaker.”

It was thereupon unanimously

RESOLVED

- (a) That Departments be given permission to utilize skeleton/limited staff to perform non-essential municipal services on 27th and 31st of December 2024 by utilizing one half of component to work on 27th December 2024 and the other half on 31st December 2024.
- (b) That the arrangement in (a) above not be applicable to Essential Services and the latter be performed as always.

3.

REQUEST TO COUNCIL TO APPROVE THE MICROSTRUCTURE OF CENTLEC(SOC) LTD SUBMISSION TO THE EXECUTIVE MAYOR OF MANGAUNG METROPOLITAN MUNICIPALITY REGARDING REVISED CENTLEC ORGANISATIONAL STRUCTURE

Cllr Jan-Hendrik Cronje addressed the Council: “Thank you, Mister Speaker. Mangaung has faced persistent challenges regarding the upkeep and maintenance of our infrastructure. A direct result of poor management, unfilled vacancies and a lack of competent personnel to steer the ship. We recognise the importance of addressing these issues and a necessity of robust organisational structure but the manner in which this matter has been handled raises significant concerns. This document is dated 26 July 2024, and it reflects decisions approved that has been made in the period of December 2023 until July 2024. It is today the 12th of December 2024, and it is presented on the last Council meeting of the year. Implementing this structure carries a significant financial implication, every position entails a salary, placing further strain on Centlec’s long term sustainability. A concern already flagged as critical. The Auditor General consistently highlighted 67% vacancy rate but yet this document provides no actionable plan to address or to rectify this issue and there is also no due diligence in place or a strategy to resolve this glaring gaps.

Mister Speaker, presenting such a substantial document to Council without thorough review and expecting it to be noted, it is not in line with good governance from Centlec. The DA is not opposed to the creation of a microstructure or the appointment in the critical positions however proper protocol must be followed, and this Council must exercise its oversight responsibility. We know Centlec it is an organisation on its own, but this Municipality must do its oversight on state owned companies. Therefore, the DA recommends the following:

1. *that this item be referred to the relevant Section 80, Chairperson or Committee for further deliberations with the Board of Directors for Centlec and this must be done in collaboration possible with the sitting of the Finance and Technical Services to consider all relevant issues highlighted.*
2. *That the document once reviewed, it should be brought back to Council with either the recommendations for approval or a request for noting after the sitting.*
3. *That the cost analysis of the proposed appointments and a detailed plan to address the 67% vacancy rate be provided.*

Mister Speaker, we cannot in good conscious endorse the item without the necessary oversight and accountability measures in place. Thank you, Mister Speaker.”

Cllr DJ De-Huis remarked as follows: “Thank you, Honourable Speaker. We stand before you today to discuss a matter of great importance to our community and our people. The Centlec microstructure has been a topic of discussion for some time now, and as the EFF, we believe it is essential to address the importance of microstructure redesign.

Firstly, let us commend Centlec for their outstanding performance this year. Despite the challenges they faced, including the absence of a Board of Directors for an extended period, they have been demonstrating a remarkable resilience and dedication to their work. As the EFF, we have confidence in Centlec's ability to deliver, and we believe that with the right support and guidance, they can achieve even greater heights.

Therefore, we believe that a microstructure redesign is essential to ensure that Centlec is equipped to meet the needs of our Municipality. The redesign must prioritize transparency, accountability, and efficiency, and must ensure that the entity is able to deliver on its mandate to provide reliable and affordable electricity to our people.

As the EFF, we are committed to support Centlec in this process. We believe that with the right support and guidance, Centlec can become a model of excellence in Municipal electricity distribution. We will work closely with the entity to ensure that the microstructure redesign is done in a manner that prioritizes the needs of our people and promotes economic freedom.

In conclusion, the importance of microstructure redesign for Centlec cannot be overstated. As the EFF, we have confidence in Centlec's ability to deliver, and we are committed to supporting them in this process. We believe that with the right support and guidance, Centlec can become a shining example of what can be achieved when we prioritize transparency, accountability, and efficiency. We therefore support this item, although it was for noting. Thank you, Honourable Speaker.”

Cllr VS Soqaga remarked as follows: “Thank you, Honourable Speaker. It has been a long road for Centlec to be where it is today because the structure was last revised in 2014, and so, it tells you that there was an abnormal situation and today we are here to correct the abnormal situation. This document had a life of its own where proper consultation was done with organised labour, of which all agreed in LLF that the document was correct however I want to make the following proposal on the recommendations:

1. *That the Executive Mayor table the revised Microstructure to Council for approval,*
2. *Implementation of the revised structure is crucial in addressing the recurring AGSA audit findings on high vacancy rate and ensuring Centlec's long-term sustainability.*

On the main document, there is a sentence saying thank you for your prompt attention to this matter, we request that it be removed. Thank you, Honourable Speaker.”

Cllr TK Rammile seconded the proposal by Cllr Jan-Hendrik Cronje to refer the item back.

Thereafter, Cllr TD Tukula seconded the proposal as raised by Cllr VS Soqaga.

Voting results on the proposal to refer the item back to the relevant Section 80 Committee: 22 in favour, 52 against and 0 abstained.

Voting results on the recommendation with amendments: 52 in favour, 20 against and 5 abstained.

RESOLVED

- (a) That the Executive Mayor tabled the revised Centlec organisational microstructure to Council for approval.
- (b) That the implementation of this revised structure is crucial in addressing the recurring AGSA audit findings on high vacancy rate and ensuring Centlec' s long-term sustainability.

4.

SPATIAL DEVELOPMENT FRAMEWORK REVIEW 2024/2025 AND PROCESS PLAN

Cllr CL Bouwer addressed the Council: “Thank you, Mister Speaker. We as the DA, we support the item as it is however with minor changes. We take note of the recommendations as it is for noting and the public participation will be in line with the IDP. We would wish the public participation to be mindful of the draft, it should either contain a schedule of the amendments. Furthermore, we wish for such areas as Botshabelo with a large population, to indicate which venue will accommodate them and also the times should be changed to the ones befitting the community as some people will be at work at that time. Thank you, Mister Speaker.”

Cllr PE Makau addressed the Council: “Honourable members of the Council, esteemed Councillors, and fellow citizens of Mangaung Metropolitan Municipality.

Today, we discuss a critical aspect of our Municipality's development: the Spatial Framework Development Review 2024/2025. This review is a crucial step towards creating a more sustainable, equitable, and prosperous future for our community.

As we embark on this review, it is essential to acknowledge the legislative framework that guides our actions. Section 35 of the Municipal Systems Act (2000) requires municipalities to develop and implement a spatial development framework. This framework must align with the Municipality's Integrated Development Plan (IDP) and Spatial Development Framework (SDF).

Our IDP, which is a five-year plan, outlines our Municipality's vision, goals, and objectives. The SDF, on the other hand, provides a spatial expression of our Municipality's development vision. It identifies areas of high conservation value, areas for urbanization, and areas for agricultural development.

As we review our Spatial Framework, we must also consider the provisions of Section 4 and 11 of the Mangaung Spatial Land Use By-Laws. These sections emphasize the importance of land-use management and the need to balance competing interests. The Spatial Framework Development Review 2024/2025 is a critical process that requires the active participation of all stakeholders. In line with the requirements of Section 35 of the Municipal Systems Act, we must be embarking on a 30-day public participation process from February to April 2025.

During this period, we must engage with various stakeholders, including ward committees, community-based organizations, and the general public. We will also make use of various communication channels, including social media, print media, and public meetings.

The purpose of this public participation process is to ensure that our Spatial Framework reflects the needs and aspirations of our community. We want to hear your views on how we can create a more sustainable, equitable, and prosperous future for our Municipality.

In conclusion, the Spatial Framework Development Review 2024/2025 is a critical process that requires our collective effort and participation. We urge all stakeholders to take an active role in this process and to provide us with your valuable inputs.

Together, let us create a Spatial Framework that reflects our shared vision for a better future. We support this item fully without considering of our recommendations. Thank you, Mister Speaker.”

Cllr NA Nhlapo responded as follows: “Honourable Speaker, we are reviewing our Spatial Development Framework. The public meeting that will be held, we are asking the community to be involved and it is based on the strategic vision of land in the City. In all different Wards there are people who would want to develop the lands, or re-zone as per what we have received. In our MPT, these are reports of what people want to do for residential and for the economic reasons hence we ask the residents of Mangaung to please attend the meeting.

With the recommendations that has been put by the previous speaker, the second recommendation, it has been indicated that public participation would be clustered, in terms of Wards as well as the time slots instead of having one meeting in Botshabelo. The dates will be provided, and they will take place at different halls. As the ANC we would highly encourage the residents to come in numbers. Thank you, Honourable Speaker.”

As the item was submitted for noting, the Council did not vote.

It was thereupon

RESOLVED

- (a) That Council took note of the report.
- (b) That Public Participation to be in line with current IDP Public Participation Ward Clusters

5.

REPORT ON DEVELOPMENT APPLICATIONS PROCESSED BY THE MANGAUNG PLANNING TRIBUNAL (MPT) MARCH 2024 TO 2024 TO JUNE 2024

Cllr JE Sebolao addressed the Council: “Honourable Speaker and Councillors. Let us discuss a critical aspect of municipal planning and development. Section 54 of the Municipal Planning Tribunal, in conjunction with the 108 Land Use Management By-law of Mangaung, plays a vital role in shaping the future of our Municipality.

The Municipal Planning Tribunal is responsible for releasing land for various uses, including residential, commercial, and industrial purposes. This process has both pros and cons, which we would like to highlight today. On the one hand, the release of land for development can have numerous benefits. It can stimulate economic growth, create jobs, and provide much-needed housing and infrastructure. Additionally, it can help to revitalize underutilized or derelict areas, making them more attractive and vibrant.

However, on the other hand, there are also potential drawbacks to consider. The release of land for development can lead to urban sprawl, increased traffic congestion, and strain on existing infrastructure. It can also result in the displacement of existing communities, loss of biodiversity, and environmental degradation.

Furthermore, the 108 Land Use Management By-law of Mangaung emphasizes the importance of responsible and sustainable land use practices. It requires that development applications be evaluated based on their potential impact on the environment, social structures, and economic viability. As we move forward, it is essential that we strike a balance between economic development and environmental sustainability. We must ensure that the release of land for development is done in a responsible and transparent manner, taking into account the needs and concerns of all stakeholders.

In conclusion, the Municipal Planning Tribunal and the 108 Land Use Management By-law of Mangaung play a critical role in shaping the future of our municipality. As we navigate the complex process of land release and development, let us prioritize responsible and sustainable practices, ensuring that our decisions benefit not only our economy but also our environment and our communities. Thank you, Honourable Speaker.”

Cllr Jan-Rudolf Maartens remarked: “Thank you, Honourable Speaker. Just a clarifying question for MMC, Cllr NA Nhlapo. When we were in Council, an item was tabled for land swap however it did not serve today not sure why?”

Secondly, a question to the house at large, what else do you want to happen in the Metro before you consider that infrastructure cannot support the developments that we are trying to do as currently we are using Master plan of 2009, it is time to revise that.”

Cllr MJ Mabena remarked: “Honourable Speaker. I will be speaking on item 205 and 206 when going down on the report of Spatial Development Framework and process plan. It is contained in the framework of the Municipality on how to apply for land use and the work of the Tribunal.

here the report stipulates the process that where followed or application that was approved and applications that was not approved. As the ANC we take note of these two reports as a true reflection on what happened.

Cllr NA Nhlapo explained as follows: “Honourable Speaker, from the human settlement side our role was the Land Swap and upon going through the item we needed the traffic impact study and when the item would be fit enough for Land Swap again we wanted Technical Services to be satisfy with certain aspects therefore once the joined sitting of the Section 80 happens the item will come and serve at Council.

As the item was submitted for noting, the Council did not vote.

It was thereupon

RESOLVED that Council took note of the 3rd and 4th Quarter report of 2024 from the Municipal Planning Tribunal.

6.

REPORT ON DEVELOPMENT APPLICATIONS PROCESSED BY THE MANGAUNG PLANNING TRIBUNAL (MPT) JULY 2024 TO SEPTEMBER 2024.

The item was simultaneously discussed with item 200.65.

As the item was submitted for noting, the Council did not vote.

It was thereupon

RESOLVED that Council took note of the 1st Quarter report of 2024/25 financial year from the Municipal Planning Tribunal.

201	REPORTS FROM THE SPEAKER
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1.

MMM BENCHMARKING AT BUFFALO CITY 03 – 04 OCTOBER 2024

Cllr GDP Kotze remarked: “Mister Speaker, the DA takes note of the recent trip to Buffalo City as Bram Fischer Building has a lot of room for improvement. It is our duty to ensure that every expenditure is both justified and beneficial to our community. In reviewing the benchmarking trip, the significant gaps in providing the cost enquired, I will refer these questions as Rule 38.

- What was the actual cost can a detailed breakdown of expenses be provided?
- A total of 21 participants too part which budget vote was used for this trip and was a cost analysis conducted for this trip?

In conclusion I quote the following published on the Facebook of Buffalo City informing the residents about the benchmarking of Mangaung the Head of Corporate Services quoted:

“the Metro is currently looking into reviewing the Section 80 Terms Of Reference, other Committees have annual plans which meet quarterly and consist of 10 members”. My question is directed to the Chairperson of Motions and Petitions, since 2021 how many meetings have been scheduled, to answer none.

The DA has submitted motions that have not been tabled, the late Cllr FR Botes submitted a petition regarding the reservoir in Pellissier when do you plan to schedule a meeting to address these critical issues? Residents of Mangaung continue to suffer on the water supply during this heat wave with more challenges expected this summer. MMC of Infrastructure, Cllr S Pretorius have requested Section 80 meeting to address the crises of water and find solutions, yet her calls have been ignored.”

Cllr MM Tladi remarked: “Thank you, Honourable Speaker. Benchmarking between municipalities is a vital process that fosters innovation and encourages accountability, promotes equitable resources, distribution and strengthens community relations by learning from the success and failures of others. The Local Municipal Government can implement policies that can significantly improve the quality of life for their residents. As municipalities we face complex challenges hence the importance of benchmarking. the local government must engage in these practices not only for their benefit but for the greater good of the communities. It was the decision of the Committee to do this exercise because we were busy developing our policies. When we wrote to Buffalo City, we wanted to learn the training and building capacity for Councillors also the Councillors burial policy, number three Petitions and Management Policy, terms of reference for MPAC, terms of reference of Ethics Committee, terms of reference for Facilitation Committee and terms of reference for Rules Committee. We have learned a lot from this trip, and we have requested the Chairperson of MPAC to also do benchmarking.”

As the item was submitted for noting, the Council did not vote.

It was thereupon

RESOLVED that Council took note of the report.

2.

REPORT ON THE DEVELOPMENT, APPROVAL, AND IMPLEMENTATION OF ONE (1) INTERNAL POLICY: COUNCILLORS AND POLITICAL STAFF TRAINING CAPACITY BUILDING POLICY FRAMEWORK

Cllr PA Snyman addressed the Council: “Mister Speaker. The DA believes that the Mangaung Metro needs the policy to be approved by the house we also believe that the policy have goals that are set out to achieve and satisfy the need of Councillors and political staff to enhance themselves to training, we cannot approve this policy therefore we recommend the policy to go back for changes to ensure the policy it's in required standard of Councillors and political staff to benefit as intended.

9B

We recommend the following changes to the policy to set target in this policy that should be indicated what the minimum number of staff or Councillors received the assistance should be, 9.3 in the policy stipulates the Speaker and the Chairperson of Section 79 will be responsible for this task and 9.4 stipulates that the Chairperson and Speaker should report back to Council however 19.1 stipulates that the report should be compiled annually, however it causes confusion and it might cause unnecessary friction within Council.

On 11.3.1, indicates only the Speaker has the authority to approve an application. This part puts all powers to one individual and will directly clash with the political parties and we believe it should be transparent and furthermore, we recommend in establishing an approval body or committee in ensuring the approval or rejections of all applicants and to ensure a fair turnaround time frame which is not stipulated in the policy.

Point 12.1 bullet 2, stipulates that internal training will be needs driven, the Metro's responsibility to prevent a crisis and not react when its late thus we recommend that this approach be changed, and the internal training should be focusing on the prevention of issues and the needs for a certain type of skills to be developed. If the training systems are needs driven, we will wait for the need to rise i.e. "the need of water" then start planning the training program or planning a path system to finally work out the timelines."

Cllr GO Van Noord seconded the proposal raised by Cllr PA Snyman.

Cllr MM Tladi explained as follows: "Honourable Speaker, this policy is late. We started our office in 2021, it should have been done a long time ago according to the upper limits. Page 11 of 14 on point 13.1, the bursary shall be used for registration and examination, the only thing that was left here was accommodation and the amount of each Councillor which is R50 000 per Councillor. All that was outlined in point 13.1 should be on point 16.2. Lastly, page 14 of 14 the internal policy will be effective following the calendar month from the date of Council sitting and it will be reviewed after five (5) years."

Cllr TS Fantisi seconded Cllr MM Tladi.

Councillors voted for the item to be refer back as follows: 24 in favour, 46 against and 5 abstained.

Voting outcome with amendments made: 46 in favour 46, 5 against and 24 abstained.

RESOLVED that:

- a) That the following policy had been developed by the Office of the Speaker and adopted and approved by Council:
 - Councillor Capacity Building and Development Policy
- b) *That the following changes and additions be effected on the Policy*
 - *Page 11 of 14 (13.1) accommodation be included, and amount be limited to R50 000 per Councillor and per political staff.*

- *Page 12 of 14 (16.2) financial support will be limited to registration, tuition costs, if applicable books and study material and accommodation. (as indicated under 13.1).*
- *Page 14 of 14 (20.1) policy be effective from 1 January 2025.*

3.

CONSIDERATION OF REVIEW OF STANDING RULES AND ORDERS AND PROCESS PLAN

Cllr TKW Mokgothu presented the item as follows: “Honourable Speaker, I am happy to present this item on page 3 of the report under deliberations. This Council is empowered by the Constitution therefore time and again it will consider its Standing Rules and Orders and review as it deems fit.

The Committee unanimously set and agreed to consider some proposals towards the mandate that was given to them by Council to review the Standing Rules and Orders. Today we are proud to present after a long time and agreed as a Committee to have an internal submission by Councillors and different political parties regarding their thoughts on the policy.

In this regard a process of consultation has to be open provided by stakeholders in this case it is Councillors and individual political parties by submitting their comments and inputs to be considered and incorporated to the By-laws either review the process therefore the copy of the draft version for noting is hereby attached as on annexure B.

The Committee recommends to Council to approve the review once everything has been done and upon approval the Legal Services will have to publish it. We would like to thank the Committee for taking part in the deliberations regarding this review. I thank you, Honourable Speaker.”

Cllr JE Sebolao addressed the Council as follows: “Honourable Speaker, Councillors, and people of Mangaung. The Standing Rules and Orders of Mangaung Municipality are crucial for efficient governance and business operations. Regular review ensures they are relevant, effective, and align with the municipality's standards and values. The rules are essential for maintaining order, accountability, and transparency in governance processes. Regular review helps adapt to changing community needs, legislative requirements, technological advancements, and emerging best practices.

Mangaung Municipality must regularly review its Standing Rules and Orders to address emerging issues, ensure accountability and transparency, improve efficiency, and maintain public trust. The municipality must ensure that its rules are aligned with national or provincial legislation, and that the code of conduct for councillors reflects its values and commitments to ethics and accountability. Additionally, reviewing the rules surrounding public participation in Council meetings can ensure effective community engagement and meaningful feedback.

Failing to review the Standing Rules can lead to legal and compliance risks, loss of public trust, and inefficiency in governance. Key elements of the Standing Rules and Orders to focus on during a review include meeting procedures and quorum, the code of conduct for councillors and public participation. By addressing these issues, Mangaung Municipality can ensure the municipality's ability to function effectively and serve its community better. The longer we delay reviewing these rules, the more entrenched inefficiencies can become.

The pandemic has highlighted the necessity of using virtual meetings and digital tools in governance. The Standing Rules and Orders of Mangaung Municipality must be updated to ensure inclusivity and accessibility. Regular review of these rules is crucial for improving governance, accountability, and effectiveness. Proactively addressing issues and ensuring rules reflect the dynamic needs of the Municipality are essential for future success.

The EFF would like to propose that Rule 38 be part of the Standing Rules and Orders for officials to account on time. Thank you, Honourable Speaker.”

Cllr RS Klaasen addressed the Council: “Mister Speaker, we had a long discussion regarding the Standing Rules and Orders however there are a number of issues to be discussed the issue of getting our documents late it is a serious matter but it is still not taken into consideration and accountability has to be taken, the Rule 38 questions takes long, can a timeframe be established and also the motions apparently there are some motions which are still given to the Speaker but has not served in Council can a timeframe also be established regarding this matter.

There was also an issue of food that we have in Council sometimes the meeting takes long, and some Councillors have health issues.”

Cllr DE Matsephe seconded the recommendations by Cllr TKW Mokgothu and furthermore stated that it was important for Councillors to participate in reviewing the draft policy and be aware that there were new clauses in the policy. That on the process plan the important part was step 4 number 8 whereby the Committee will submit the inputs of Councillors for the approval of Council.

Cllr MH Supi was called to order by Speaker who referred to Rule 31 on relevance to the item at hand and ordered the Councillor not to continue.

Cllr TK Rammile supported what Cllr RS Klaasen has mentioned.

It was thereupon unanimously

RESOLVED

1. That Council considered and approved the report.

2. That the Council considered and noted the attached copy of the *Draft Review Version, 2024 of the Standing Rules and Orders By-Law*, and the amendments therein made.
3. That the Council considered and approved the attached copy of the *Review Process Plan* for participation (consultation) purposes by Councillors and Political Parties in Council to submit their comments and inputs for consideration and incorporation into the Draft Review Version, 2024 of the Standing Rules and Orders By-Law.

4.
REPLACEMENT OF PR COUNCILLOR

The item was not drawn for discussion.

It was thereupon

RESOLVED

That, Cllr Mosala Abel Matobole, being a candidate at the top of the party list for the Democratic Alliance (DA) has been declared elected as a Councillor of Mangaung Metropolitan Municipality by the Independent Electoral Commission with effect from 11 November 2024.

5.
RECESS FOR COUNCILLORS FOR THE DECEMBER 2024/JANUARY 2025 FESTIVE SEASON

Cllr VE De Kock: "Honourable Speaker, as we are grateful for the idea, we must all admit that this will just remain an idea as long as the Call Centre is not 100% functioning. I am certain that all my fellow councillors will agree that we as councillors are functioning as the Call Centre for residents and the Metro.

With the current escalating water and electricity issues, we will leave our residents in the dark, dehydrated, and dirty. The only way we as Councillors can take a well-deserved break, will be if the Executive can supply residents with a list of numbers, they can contact to assist with the day-to-day service delivery emergencies they are faced with.

I such a list of contact numbers is not available, I'm afraid most of us will be still serving the needs of our residents on a continuous basis, with very little rest to look forward to.

We want to use the platform to wish our fellow councillors, the officials and Municipal employees and especially our residents, a peaceful festive season, travel safely if you are travelling, and may the Love of God be with you all.

However, we cannot go on recess before the Section 80 Committee infrastructure does not convene to discuss the current water crisis. Thank you, Honourable Speaker."

The Council Whip proposed that recommendation (b) be removed, as Committees might meet if there are urgent matters.

Cllr JM De Bruin seconded Cllr VE De Kock. Whereafter Cllr VE De Kock seconded the proposal by the Council Whip.

Cllr E Snyman Van Deventer reiterated that a contact list of all officials who will be on duty during the festive season be provided whereupon the Council Whip mentioned that the matter had been dealt with under item 200.2.

It was thereupon unanimously

RESOLVED

- (a) That the Council grant recess to all Councillors commencing from 17 December 2024 up to 10 January 2025 (16 days in total).

202	REPORTS FROM MPAC
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1. MPAC REPORT TO COUNCIL ON THE BENCHMARKING VISIT TO ETHEKWINI METROPOLITAN MUNICIPALITY

Cllr IJ Makoloane, Chairperson of MPAC presented the report: “Let me start by greeting the Executive Mayor, the Deputy Executive Mayor, the Speaker, MMC’s, Councillors and the community at large. I stand before this Council to give feedback on the recent benchmarking exercise.

The benchmark visit was between the 15th – 18th October 2024 in eThekweni Metro, in line with constitution the MPAC has embarked on the benchmark exercise with the purpose of learning on how the Municipality conducts its business and to ensure that service delivery to residents is done and upholding good governance.

I must indicate that this was an eye-opening visit as MPAC members have learned from our counter parts, the support that we received from the eThekweni administrative leader was highly commendable in simple terms there is an effective working relationship between MPAC and senior management on matters of accountability of public funds therefore I take this opportunity to table the MPAC benchmark report. Thank You, Honourable Speaker.”

Cllr M Davies addressed the Council: “Mister Speaker, the eThekweni Metro has dedicated a Unit for monitoring and evaluating service delivery to the residents of the city. Residents of Soutpan, Dewetsdorp and Wepener will have been without water for two weeks today, and between the metro and Vaal Central Water the buck is passed with no answers on how this crisis that infringes on the constitutional human rights of these residents will be resolved.

Christiaan De Wet School in Dewetsdorp is a marking centre for Grade 12 final exam papers. 176 Assessors are without water what a disgraceful advertisement the school for Mangaung.

Although this report details observations made and lessons learned from the functioning of the eThekweni Municipal Public Accounts Committee it is vague on how these will be implemented, especially in light of Mangaung Metro Municipality still being under a Financial Recovery Plan. And this report is silent on the cost implications. This report does not indicate what the benchmarking session cost nor what the cost implications will be to implement these recommendations.

Through you Mister Speaker, as the DA we have the following questions for the MPAC Chairperson, and we need answers today in Council before we can consider voting on this item.

Recommendation 8.4: Council to consider the establishment of the Ethics Committee that will comprise non-executive Councillors,

1. Will this committee be a Section 79 Committee?
2. If yes, what will the staff compliment of this office be?
3. If yes, this committee must be established in accordance with Section 79 of the Structures Act and there are no functions aka terms of reference included in this report for such a committee. .
4. What will the monthly cost implications be of this committee?
5. Why an Ethics Committee and not a City Integrity and Investigations Unit?

Recommendation 8.6: Council to consider the establishment of the Independent Unit that will assist the MPAC with the investigation of the UIF&W Expenditure to enhance the effectiveness of MPAC in processing these expenditures.

1. What will the composition of this Independent Unit be?
2. What will the functions aka terms of reference of this Independent Unit be?
3. What will the monthly cost implications be of this Independent Unit?

Thank you, Mister Speaker.”

Cllr JH Denner addressed the Council: “Mister Speaker, as the Municipality we often fail to capitalise on the opportunities from visits like this to eThekweni. Time to time again we have seen instances where these visits result to have no tangible outcomes then you are leaving us with nothing but high expenses and fruitless and wasteful expenditure. The Freedom Front Plus acknowledge this visit has the potential to benefit Mangaung, the recommendation brought back appear to be viable and if they are implemented correctly, they will provide much needed structure and direction and we approve of that.

However, the key question remains, how will Mangaung ensure that these recommendations are implemented seamlessly and effectively. Furthermore, is it possible in the future to explore cost saving measures with these visits for example could we have not invited three or more employees from eThekweni to Mangaung to visit us and share their insights rather than sending all HODs and the whole Committee to Durban to visit them? Wil that have not been cost effective for us. Thank you, Mister Speaker.”

Council Whip addressed the Council: “Honourable Speaker. Let me take this opportunity to welcome the report as submitted by MPAC and indicated the process of benchmarking like some Councillors was good in terms of learning the best practises as an institution in order to perfect certain systems that we have to do. Indeed, the benchmarking processes can be done in two different ways its either we visit the Municipality, or the Municipality visits us. Regardless, whether we go, or they come, there are still some cost implications...”

The Speaker dismissed a point of order raised by Cllr JM De Bruin.

Council Whip continued: “We appreciate the report and the recommendations brought by MPAC in relation to improving our internal systems within the Municipality. Learning from your peers, it is a very much important thing. The recommendation brought before us, we have to perfect the internal systems because, recommendation 8.6, talks directly with the responsibilities performed the Disciplinary Board (DC Board). We just have to improve our working relations with the DC Board in terms of strengthening the work that is being done by MPAC. So, here is nothing untoward in relation to visit by MPAC. We need to applaud MPAC with the good work they did. At least “ha ba Tshwane le magwaba, ha ba tsamaile ba kgutla le ditaba tseo ba ithutileng tsona, mme re batla hore le Tshwane le maebana ka matsatsi otlhe eleng hore le ha ho batla ho monyetse. Ne kere report ena re e ananele. Kealeboha Honourable Speaker.”

Cllr IJ Makoloane responded that he took note of what other Councillors had said however the issues raised be dealt with as Rule 38 questions. The Speaker indicated that matters dealing with ethical conduct of Councillors were located at other offices.

Cllr M Davies requested to be responded to, with regard to the Ethics Committee on whether it will be a Section 79 Committee and therefore remove recommendations 8.4 and 8.6 until MPAC can report back to Council.

The Speaker ruled that the MPAC should investigate the matter further.

The Council Whip responded as follows: “Honourable Speaker, instead of removing the two recommendations, the rider of point 8.4 is the same as the Rules Committee. MPAC should maybe sit with the Rules Committee regarding recommendation 8.4 and 8.6 indicated, that in terms of the misconduct regulation, we have already appointed an independent committee that has to assist the MPAC on investigating the UIFWE and furthermore the only thing that has to happen is to strengthen the relationship of the Rules Committee and MPAC in terms of doing their work effectively. Thank you, Honourable Speaker.”

As the item was submitted for noting, the Council did not vote.

It was thereupon

RESOLVED

1. That the Council took note of the benchmarking report undertaken in eThekweni Metropolitan Municipality, 2024.
2. That the dedicated MPAC program be developed for MFMA Section 32 matters related to Unauthorised, Irregular, Fruitless and Wasteful Expenditures.
3. Develop a continuous benchmarking framework to foster accountability and support ongoing performance improvement.
4. That the City Manager/Executive Mayor should review the Annual Performance Plan (APP) of senior managers and include UIF&W as part of the score card.

2.**FEEDBACK ON THE COMMUNITY CONSULTATIONS HELD BY MUNICIPAL PUBLIC ACCOUNTS COMMITTEE ON THE 2022/23 ANNUAL REPORT**

Cllr IJ Makoloane as the Chairpersons of MPAC presented the items 202.2 and 202.3 as follows: “Honourable Speaker, good governance relies on the principle of accountability and transparency when it comes to the public accounts of the Municipality. These principles are exposed by one of the strategic objectives of the local government turnaround strategy to build effective, efficient, responsive and accountable local government.

We need to take note that the public hearings are crucial for the Municipal Public Accounts Committee as it enables the public to share concerns and opinions on Municipal finances fostering transparency and accountability and the use of public funds. Today’s report is to give account on the public hearings held regarding the annual report 2022/23.

The hearings followed the Municipal Council held on the 5th of July 2024 and on the 15th – 19th July 2024, the MPAC embarked on the public hearings process to solicit community inputs in MMM Annual Report 2022/23, on the 15th we visited Van Stadensrus residents but unfortunately, we were expecting various HOD’s to present however they were not at the meeting. The very same day we visited Dewetsdorp and again HOD’s were not at the meeting. It should be noted that in all the public hearings Centlec attended. On the 16th of 2024 we were in Bloemfontein and the CFO attended the meeting.

Honourable Speaker, we therefore propose to Council to accept the recommendations as they are. Thank you, Honourable Speaker.”

Cllr JE Sebolao stated that he wanted to correct the Chairperson, Cllr IJ Makoloane that HOD of Technical Services also attended the meeting in Bloemfontein.

Cllr TB Van Der Walt addressed the Council: “Mister Speaker, the tabling of this overdue oversight report is critical for assessing our Municipality’s governance and financial management.

While the report reflects efforts to fulfil the MPAC's oversight mandate, it also reveals persistent and troubling gaps that demand our immediate attention.

The Financial Recovery Plan remains the cornerstone of Mangaung turnaround strategy, yes, this report highlights the significant non-compliance with its timelines and objectives. Critical updates on the plans progress, the SDBIP and audit action plan was either delayed or inadequately presented to MPAC. This lack of accountability undermines, not only the effectiveness of oversight but also the credibility of Council. Mister Speaker the residents of Mangaung are the ultimate victims of this inefficiency. Service delivery continuously deteriorate while we as the elective representatives struggle to ensure accountability. Refuse collection is sporadic, roads are riddled with potholes and housing backlogs persist and all while financial mismanagement deepens. In this report, inputs from community members during public hearings are rife with water related issues and the current water crisis in Mangaung is a recurring issue..."

Cllr DE Matsephe interjected on a point of order and indicated that he was not sure what Cllr TB Van Der Walt was trying to do because the issues he was addressing, were farfetched from the report and he knew that if there were issues, the MPAC would engage, however what he was talking about, was not in the report.

Cllr TB Van Der Walt indicated that services delivery was address in the oversight report as well as the annual report of Mangaung and he continued as follows: "Year after year, the same concerns are raised, and recommendations made, and it seems to the uncaring and unfailing ANC Metro, they are not even worth the paper they are written on. It seems to the uncaring and unfailing ANC run Metro believes if they just ignore it, it will go away..."

Cllr ZN Banyane and Cllr JE Sebolao raised their dissatisfaction that Cllr TB Van Der Walt was raising issues that should have been addressed at the MPAC meeting and agreed that as MPAC members whatever has been presented to Council, they would support it and any issue would be ironed out at the meeting.

Cllr GDP Kotze raised a point of order that Cllr TB Van Der Walt was not at the previous MPAC meeting and therefore he did not have opportunity to raise questions at the MPAC meeting hence he wanted to be the observer in that meeting and Cllr TB Van Der Walt is a representative nor only of the DA, but also of the community and had the right to speak his mind to freedom of speech.

Cllr M Davies said she thinks that it was unfair that Councillors were of the opinion that just because Cllr TB Van Der Walt was part of MPAC he was not allowed to speak on the item as the item was part of Council and would ultimately be a public document. Furthermore, that they agreed with what was contained in the report. That it was in the report where it highlighted feedback from the community consultation whereby they indicated that they don't have water, refuse is not removed etc and why is it not allowed to be put out to the community?

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The Speaker made a ruling that the Council earlier established a procedure that if an item is for noting, Councillors will submit Rule 38 question for additional information. Thereafter indicated that Cllr TB Van Der Walt to forward his inputs to the Chairperson of MPAC so that they can be incorporated in the MPAC presentation.

The Council Whip in spirit of festivity and Christmas relayed the story of Christmas and journey of Jesus. Thereafter he remarked as follows: "Honourable Speaker, we note the two reports that has been presented by MPAC in relation to the public participation processes that they embarked on and further noted in relation to recommendation 5.4 that they anticipate to meet with the Troika of Mangaung and I would want to say, on behalf of Troika of Mangaung we are looking forward to sitting down with MPAC and iron out any other challenges the Committee might have in the process of executing their responsibilities. Because it should be remembered and be born in our minds that in terms of the Terms of Reference of the MPAC, all of us must agree that it is one Committee that would indicate that they represent certain political party when they are sitting in that meeting. They become apolitical and they focus in making sure that they play an oversight role in relation to the work of the Municipality. As such, they need to be supported.

It is unfortunate Honourable Speaker that when we supposed to be seriously engaging or rather congratulating or noting the report as submitted, we want to politically grant stand start to be pointing fingers to other people.

In relation to the second report, the oversight report, MPAC has done its work and has put a lot of energy and effort on the particular issues and as such, we need to make sure that MPAC is supported and the oversight report has to be approved by Council, however, on recommendation 11.8 in relation to IPTN report that needs to be submitted within 14 days by the City Manager, I would just want to caution MPAC to say, let us afford the processes that has been started by Executive Mayor to briefing the Council from time to time on the development around this particular issue. The report the City Manager might submit to MPAC will not be the same report that will be submitted by the Executive Mayor. I am sure Councillors are aware that there is an item that is part of the agenda of the Council in relation to the Executive Mayor updating the Council to issues of the IPTN and instead of the recommendation number 11.8 (of the report), we rather afford the Executive Mayor the due processes that he needs to do in relation to dealing with issue of IPTN. other than that, we support the report of the MPAC wholeheartedly. Thank you, Honourable Speaker."

Cllr M Davies proposed an addition to recommendation (4) under item 202.2 that it should be Troika, City Manager and HOD's to sit with MPAC. Cllr GDP Kotze seconded the proposed addition to the recommendation.

The outcome of voting was as follows: 19 in favour, 47 against and 5 abstained.

The voting outcome for both items as presented, subject to the removal of recommendation (8) under item 202.3: 66 in favour, 5 against and 0 abstained.

RESOLVED

1. That the Council took note of the progress made to the community consultation meetings.
2. That the Council took note of the implications of non-attendance of Executive Management Team to the Public Hearings and further, of late tabling of the Oversight Report.
3. That the consequence management process be considered to ensure the Executive Management Team (EMT) attend to all future community consultation meetings.
4. That the MPAC should hold a meeting with TROIKA (Speaker, Executive Mayor and Council Whip) to raise issues and concerns that they are having.
5. That the City Manager must submit a report when they will be re-visiting those areas to provide community members with responses, and this must be done within 21 days after this report serves in Council.

**3.
MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON THE
ANNUAL REPORT 2022/23 FINANCIAL YEAR FOR MANGAUNG METROPOLITAN
MUNICIPALITY**

The item was discussed and voted for simultaneously with item 202.2 above.

The voting outcome for both items as presented, subject to the removal of recommendation (8) under item 202.3: **66 in favour, 5 against and 0 abstained.**

It was thereupon

RESOLVED

1. That Council having considered the Annual Report 2022/23 of the Municipality and representation thereon, adopts MPAC Oversight report in line with Section 129 of the MFMA 56 of 2003, as amended.
2. That the Council approved Annual Report 2022/23 with reservations. Management did not adequately address prior year findings raised due to slow responses and deficiencies in the internal control systems as a result there are still some repeat findings that were raised in the current year.
3. That the Accounting Officer must prioritize the finalisation of the UIF&W expenditures investigation for the period 2018/2019 to 2020/2021 and submit the report within 90 days.
4. That the Accounting Officer to submit the registers for UIF&W expenditure for 2021/2022 – 2022/2023, including those for 2023/2024 that had been identified to Council within 14 days after the tabling of this report in Council.
5. That Council must approve sufficient budget allocation to MPAC to ensure that it effectively fulfils its legislative mandate.
6. That the Accounting Officer to submit the action plan or mechanism to address the issue of excessive payments of overtime to MPAC within 14 days following the approval of the Oversight Report by the Council.
7. That the Accounting Officer must provide the MPAC with a report on how issues raised under paragraph 8 above (in the report) have been addressed within 14 days following the approval of the Oversight Report by Council.

203	REPORTS FROM AUDIT COMMITTEE
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None.

NOTED.

204	IN COMMITTEE REPORTS
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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".

As these items are dealt with In Committee, the discussions are minuted separately.

The Speaker confirmed that 59 Councillors were in attendance and therefore forming a quorum.

1.

UPDATE TO MANGAUNG METROPOLITAN MUNICIPAL COUNCIL ON THE IMPLEMENTATION CHALLENGES AT HILLSIDE VIEW, VISTA PARK II AND VISTA PARK III MIXED DEVELOPMENT PROJECTS

As the item was submitted for noting, the Council did not vote on the matter.

It was thereupon

RESOLVED that

1. Council took note of the progress made at Hillside View, Vista Park II and Vista Park III Developments,
2. Material deviations have been reported between the founding documents and final signed agreements with Developers of the Hillside View, Vista Park II and Vista Park III Developments,
3. The City Manager has instructed the Head: Corporate Service to declare a dispute and refer the matter for Mediation and Arbitration as per Clause 11 of the Land Availability Agreement between the Municipality and Pennyville and Zamimphilo Relocations, Emendo Incorporated and Kentha Developers.
4. Following the legal review by an external law firm a report with full recommendations will be presented to Council for approval.

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2.
IPTN DISCIPLINARY PROCESS

WITHDRAWN.

205	CLOSING OF THE SPECIAL COUNCIL MEETING
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The meeting officially closed at 14h19.

SECRETARIAT UNIT
COMMITTEE SERVICES