



CONFIDENTIAL

**MINUTES
of a
SPECIAL MEETING**

**MANGAUNG
METROPOLITAN
MUNICIPAL COUNCIL**

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

**FRIDAY
SEPTEMBER 01, 2023
AT 14:00**

**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
FRIDAY, SEPTEMBER 01, 2023
at 14:00**

ATTENDANCE REGISTER

POLITICAL LEADERSHIP			
#	NAME	PARTY	LEAVE
1	<u>Speaker</u> Cllr Davies (Maryke)	DA	
2	<u>Acting Executive Mayor</u> Cllr Nthatsi (Gregory Mosala Solomon)	ANC	
3	<u>Acting Council Whip</u> Cllr Nikelo (Vumile Edwin)	ANC 28	
SECTION 79 CHAIRPERSONS			
4	<u>Rules</u> Cllr Mokgothu (Tona Kenosi Wilfred)	ANC 2	
5	<u>Interim MPAC</u> Cllr Makoloane (Itumeleng Justice)	ANC 36	
INTERIM MMCs: CHAIRPERSON OF SECTION 80 COMMITTEES			
6	<u>Economic Development and Spatial Planning</u> Cllr Jonas (Vuyelwa Eunice)	ANC	
7	<u>Waste and Fleet Management</u> Cllr Mosala (Motlhokung Theodora)	ANC 11	
8	<u>Performance Management, Monitoring and Compliance</u> Cllr Tsoleli (Sibongile Pearn)	ANC	
9	<u>Infrastructures and Engineering</u> Cllr Soqaga (Vusumzi Simon)	ANC	
10	<u>Finance</u> Cllr Kruger (Caprice Logan)	ANC 16	
11	<u>Human Settlement</u> Cllr Nhlapo (Ntombi Anna)	ANC	
12	<u>Public Safety and Transport</u> Cllr Titi-Odili (Lulama Magdalena)	ANC	
13	<u>Rural Development</u> Cllr Twala (Pani Sidney)	ATM	
14	<u>Community Services</u> Cllr Qai (Alfred)	AIC	Absent without apology
15	<u>Corporate Services</u> Cllr Letawana (Manthuse Maria)	ANC	

PR COUNCILLORS			
#	NAME	PARTY	LEAVE
16	Cllr Campher (Zaandre MC)	DA	Absent with apology
17	Cllr De-Huis (Dikeledi Jane)	EFF	
18	Cllr De Kock (Valerie Belinda)	FFPlus	
19	Cllr Denner (John Henry)	FFPlus	
20	Cllr Dennis (Magdalena Elizabeth)	DA	
21	Cllr Ferreira (Thomas Ignatius)	DA	Absent with apology
22	Cllr Klaasen Raynie Sarah	DA	Absent without apology
23	Cllr Letsoko (Mantwa Sanah)	EFF	
24	Cllr Lipale (Gopolang Jeremiah)	EFF	Absent with apology
25	Cllr Makau (Pitso Elias)	EFF	
26	Cllr Malebo (Deliwe Lettia)	EFF	
27	Cllr Maliela (Motiki Edwin)	DA	
28	Cllr Mathae (Bongani Lawrence)	ANC	
29	Cllr Masoeru (Thapelo David)	DA	
30	Cllr Matsoetlane (Meditaba Joyce)	ANC	
31	Cllr Mogotsi (Mamahlape Elisa)	EFF	
32	Cllr Mohlamme (Lebohang Lerato)	DA	
33	Cllr Mokoena (John Itumeleng)	AASD	
34	Cllr Mongale (Mojalefa William)	AASD	
35	Cllr Morake (Molefi Andries)	ANC	
36	Cllr Moreeng (Kabelo Christopher)	DA	
37	Cllr Mtshakazane (Eunice Xoliswa)	EFF	
38	Cllr Njiva-Lebajoa (Mamotse)	DA	
39	Cllr Phohleli (Tsholwane Eddy)	EFF	
40	Cllr Phupha (Ntsoaki Agnes)	PA	

41	Cllr Ramatlama (Mpho Joseph)	EFF	
42	Cllr Rampai (Pule Joseph)	ACDP	Absent with apology
43	Cllr Rasoeu (Lempe Ernest)	DA	
44	Cllr Sebolao (Jankie Elisha)	EFF	
45	Cllr Shale (Nkahiseng Reginah)	EFF	Absent without apology
46	Cllr Snyman van Deventer (Elizabeth)	FFPlus	
47	Cllr Terblanche (Arthur Phillip)	DA	
48	Cllr Thomas (Johannes Beleme)	EFF	
49	Cllr Thwala (Zwelinjane Jonathan)	DA	Absent without apology
50	Cllr Tladi (Motshewa Martha)	ANC	
51	Cllr van der Ross (Kevin Etienne)	PA	Absent without apology
52	Cllr van Rensburg (Corize)	DA	
53	Cllr Viviers (Benhardus Jacobus)	DA	
54	Cllr Vorster (Braam)	FFPlus	
55	Cllr Wewege (Mare-Lize)	FFPlus	
WARD COUNCILLORS			
56	Cllr Sefaki (Samuel)	ANC 1	
57	Cllr Machachamise (Tshepiso Oudious)	ANC 3	
58	Cllr Supi (Mahoko Harold)	ANC 4	
59	Cllr Lecoko (Lehlohonolo Nathaniel)	ANC 5	
60	Cllr Moiloa (Tshidiso Petrus)	ANC 6	
61	Cllr Sehloho (Siza Clement)	ANC 7	
62	Cllr Nyaphudi (Likeleli Julia)	ANC 8	
63	Cllr Tihakung (Betty Masetlhabi)	ANC 9	
64	Cllr Setlai (Teboho Lesley)	ANC 10	
65	Cllr Hashatsi (Rafedile)	ANC 12	

66	Cllr Siteo (Nombulelo Dorcas)	ANC 13	
67	Cllr Lekgetho (Lebogang Winston)	ANC 14	
68	Cllr Mohibidu (Pulane Martha)	ANC 15	
69	Cllr Mohatle (Mampone Sally)	ANC 17	
70	Cllr McKay (David Mark Campbell)	DA 18	
71	Cllr Peter (Seth Qondile)	ANC 19	
72	Cllr Pretorius (Werner)	DA 20	
73	Cllr Lotriet (Pieter Adam)	DA 21	Absent without leave
74	Cllr Leech (Dulandi)	DA 22	
75	Cllr van der Walt (Tjaart Botha)	DA 23	
76	Cllr Kotze (Gerhardus Dirk Petrus)	DA 24	
77	Cllr Botes (Francois Rossouw)	DA 25	
78	Cllr van Niekerk (Hendrik Johannes Christiaan)	DA 26	
79	Cllr Banyane (Zachous Nechodemus)	ANC 27	
80	Cllr Matsephe (Dikololo Elias)	ANC 29	
81	Cllr Tukula (Teboho Daniel)	ANC 30	
82	Cllr Mabena (Mere Joel)	ANC 31	
83	Cllr Menyatso (Thabang Victory)	ANC 32	
84	Cllr Mohono (Tshidiso Augustine)	ANC 33	
85	Cllr Tshwane (Kabi Daniel)	ANC 34	
86	Cllr Fantisi (Teboho Samuel)	ANC 35	
87	Cllr Ramolele (Mmota Simon)	ANC 37	
88	Cllr Matsoso (Molahloane Florenciah)	ANC 38	
89	Cllr Mogotloane (Thabo Joel)	ANC 39	

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	
97	Cllr Kganakga (Mokgadi)	DA 47	Resigned 31 August 2023
98	Cllr Pretorius (Johannes Christiaan)	DA 48	
99	Cllr Lekhwele (Mohanuwa Julia)	ANC 49	
100	Cllr Monare (Thabo Nicholus)	ANC 50	
101	Cllr Mohulatsi (Mamoorosi Margaret)	ANC 51	

PRESENT

GUEST

DDG-DCOG

Mr BS Duma

OFFICIALS

- | | |
|--|----------------|
| 1. Acting HoD: Corporate Services | Adv N Mpangane |
| 2. Acting HoD: Social Services and Public Safety | Ms MA Mafisa |
| 3. Acting HoD: Technical Services | Mr R Masobeng |
| 4. Acting GM: Committee Services | Ms X Qilo |
| 5. Acting Manager: Council Support | Ms R Mamatela |
| 6. Secretariat | Ms KD Mokoena |

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).
3. **Name-plates:** Councillors are friendly requested to please take along their name-plates and to display it throughout the meeting.
4. **Apologies during the course of the Council meeting:** Councillors are friendly requested to complete in full and submit the relevant apology form for this purpose (Yellow Form).
5. **Code of Conduct:** Councillors are reminded of item 3, Schedule 1 of the Code of Conduct for Councillors which reads as follows, namely:

Attendance at Meetings: A councillor must attend each meeting of the municipal council and of a committee of which that councillor is a member, except when:

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

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

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**MINUTES
(OPEN COUNCIL)**

136.

OPENING

(MOMENT OF SILENT CONTEMPLATION FOR MEDITATION AND PRAYERS)

The Speaker confirmed that 66 Councillors were in attendance and thereon officially declared the Council meeting opened at 10h30. She requested all to observe a moment of silent contemplation for meditation and prayers.

Councillor E Snyman-Van Deventer remarked: “ Thank you, Madam Speaker. Can you just please ask Councillors when we do have this moment for meditation and prayers, that they keep quiet and respect other people during that time. Thank you.”

The Speaker consented with Councillor E Snyman-Van Deventer, that Councillors are supposed to connect with their God or upper spirit, and therefore pleaded that they respect the rest of the House during a moment of silence.

The Speaker then welcomed all Councillors and mentioned that it was spring day and hopefully, with the winter being over and spring coming in, that it would be the same range that would come in to the Municipality of Mangaung. She then wished all Councillors, officials and the community of Mangaung, a Happy Spring Day.

NOTED.

137.

NOTICE OF THE MEETING

The Speaker read the notice on page 2 of the agenda that now this is hereby given in terms of the provisions of section 29, one of the Local Government Municipal Structures Act and Rule 5.1 of the Council Standing Rules and Orders.

NOTED.

138.

APPLICATIONS FOR LEAVE OF ABSENCE

The Speaker indicated that she received apologies from the HOD of Planning and Economic Development, Ms N Mabunda and HOD of Fleet, Mr F Nel.

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.

139.

ACCEPTANCE OF THE AGENDA

The Speaker requested the Council if the In-Committee reports can be moved to the beginning of the agenda, the reason being, that the two reports were with regards to the appointment of the Acting City Manager and the appointment of the Acting Chief Financial Officer. That there was a SALGA National Members Assembly on Monday and Wednesday, and Council must give through the names of both the Acting City Manager and Acting Chief Financial Officer to SALGA by that day (1 September 2023).

That, it was advisable for the Council to deal with the administrative part for them to be able to attend the SALGA National Members Assembly on Monday, Tuesday and Wednesday, hence she is requesting to move the In Committee reports to be first on the agenda.

The Council Whip remarked: “Thank you Madam Speaker. My humble apologies in relation to what the Speaker has just indicated, to move the In Committees as the first item of the agenda. I was made to understand that there are some technicalities that the Executive Mayor still needs to deal with in relation to that particular item, and therefore I would request that Madam Speaker humbly so, that we leave the agenda as it is, then the In Committees reports will still come at the later stage. Thank you, Madam Speaker.”

The Speaker elucidated that In Committee reports will be then dealt with, just before the Executive Mayor's reports because the names of the candidates needed to be submitted by that day whereupon the Council Whip, agreed that the Executive Mayor should deal with his items first.

Councillor GDP Kotze: “Thank you, Madam Speaker. Councillors usually ask clarity seeking questions, and the Executive Mayor promised that he will respond to our clarity seeking questions till today we have not received any responses.”

The Speaker signified that they were dealing with the acceptance of the agenda and the order the Council meeting would take place.

Councillor JB Sebolao: “Thank you, Honourable Speaker. I just wanted to establish what is the difference of moving the In Committee up or leaving them as they are. Is there a specific reason why you want the items to be shifted, because the Council is still going to deal with the matters today and the officials will be elected or appointed. Can clarity be given in order for us to understand the logic.”

The Speaker explained that the registrations were actually closed the previous day, however an exception has been made for Mangaung Municipality to register the Acting City Manager and Acting CFO that day.

Councillor LM Tidi-Odili moved for the adoption of the agenda as agreed upon by the sequence proposed by the Council Whip and was seconded by Councillor BJ Vivier.

NOTED.

140.

ANNOUNCEMENTS

The Speaker allowed Councillors to give announcements as follows:

Councillor FR Botes: “Thank you, Madam Speaker. You earlier mentioned that it is spring day today and it's September and we appreciate that it's also nice to hear those words of spring, but it's not the only thing which is happening in September. It is also World Cup Rugby and it begins at the end of this week. We want to wish the Springboks all the best for this up-coming World Cup and we hope they will make us proud like they played against All Blacks last week. Thank you, Madam Speaker.”

Councillor GDP Kotze: “Thank you, Madam Speaker. I would just like to announce today that 30 days has passed since I have requested the Acting Executive Mayor for an urgent meeting regarding service delivery. The Acting Executive Mayor received my e-mail in August, but I have not received a response yet. Can the Acting Executive Mayor please respond to the request of the meeting. Thank you, Madam Speaker.”

Councillor CL Kruger: “Thank you, Honourable Speaker. As the ANC we have learned with shock about the immediate departure of former Councillor Mokgadi Kganakga. We are not shocked actually, as she followed suit with Mpho Phalatse from the DA in Gauteng, but we want to inform Mokgadi that she has made a beautiful decision and we can see at least now you understand life. Thank you, Madam Speaker.”

Councillor KD Tshwane: “Thank you, Madam Speaker for giving me this opportunity to address the Council. I want to mention that the ANC will be hosting a number of activities tomorrow in Ward 7 to show appreciation to the voters that voted for African National Congress to remain the majority in this Council. The opposition parties by the likes of the DA and EFF are invited, refreshments will be provided as we know socialism is the future. The residents of Mangaung are requested to come in numbers.”

Councillor ME Mogotsi: “Thank you, Honourable Speaker. Ke rata ho congratulat-a our student command by winning the SRC elections, it shows hore EFF e ya pele, e ya hole. Thanks to them ha SASCO e tswile. Kealeboha.”

Councillor ME Dennis: “Thank you, Madam Speaker. I just want to convey the DA sincerest condolences to the family of Ester Sefako who passed away. She was our candidate in Ward 7 and we hope that her soul will rest in peace. Thank you, Madam Speaker.”

In responding to Councillor MM Mohatle, the Speaker clarified that the flowers displayed in Council was to celebrate Spring day, and that it was very disrespectful to enunciate that the flowers represented a funeral.

Councillor MS Majoro: “Thank you, Madam Speaker together with the Honourable Council. I sympathize with the family of Councillor TD Tukula for the passing of his brother, who will be buried tomorrow in H2 Botshabelo. We call upon the people of Mangaung to go and support Councillor Tukula.”

Councillor LM Tidi-Odili: “Thank you, Madam Speaker. We also want to announce that the African National Congress will be having its manifesto review tomorrow in Soweto, Dobsonville. The National and the Provincial manifesto review will be in Welkom Zuka baloi Stadium on the 9th of September 2023. We are inviting communities and all comrades who want to go and hear about the African National Congress review of the Free State and tomorrow it will be televised in all TV stations. We also request that the community and citizens must really watch and listen to the President of the country, Mr Cyril Ramaphosa. Thank you, Madam Speaker.”

Councillor JE Sebolao: “Kealeboga Speaker. Mo bo emong ba Economic Freedom Fighters, re rata ho fetisa matshidiso ho ba lelapa la Ntate Sylvester Thahane, the former youth league member of the ANC, who have decided not to say anything about him, but as the EFF we say may his soul rest in peace.”

Councillor PS Twala: “Thank you, Honourable Speaker. As the African Transformation Movement (ATM), we would like to make an announcement that together with the 12 Apostles Church in Christ, we will be hosting an ATM National Youth Cup starting from tomorrow until Sunday in the Eastern Cape whereby all the public representatives of the ATM will be in attendance. So we therefore like to invite any person who is interested in participating in the event. Thank you, Madam Speaker.”

NOTED.

141.

DECLARATION OF INTEREST

None.

NOTED.

The Executive Mayor presented his items as follows: “Thank you, Madam Speaker. Fellow Councillors, our National Official DDG, our officials. Ladies and gentlemen, Good morning.

Madam Speaker, I have items that I will be putting before this Council and I hope that we will apply our mind as documents were circulated and were read and we'll be able to can add value to. The items that we'll be dealing with in ensuring that the people of Mangaung does benefit from this Council, in terms of the services that we must provide.

Indeed, Madam Speaker I must indicate that drawing my mandate from this Council, i longed to see Councillors in the manner that they are sitting and in their discipline also in their wisdom that one will be taking going back to the office to do our Council's normal routine work in saving our society.

Madam Speaker it is recommended that the Mangaung Metropolitan Municipality approve the 2024-2025 IDP and Budget Process Plan as set up in the body of the report and as attached in compliance with the provision of the Municipal System Act and the Municipal Finance Management Act.

- That a copy of the approval of 2024/2025 IDP and Budget Process Plan will be submitted to the Free State MEC of CoGTA as well as the National and Provincial Treasury. They need to note that the 2024/2025 IDP and Budget Process Plan will be published on the Municipal website.

On item 2, Madam Speaker, which is MFMA Section 52 Service Delivery and Budget Implementation Plan, fourth quarter, our recommendation, Madam Speaker, there would be and I really want to assume that we all read and went through all the process and the document. The recommendation read as such:

1. Service Delivery and Budget Implementation Plan for 2023/2024 financial year as approved by the Executive Mayor.
2. Note that the 2023-2024 SDIP document is submitted to Provincial and National Treasuries as well as Provincial COGTA for record and
3. Note that the 2023-2024 SDBIP document is also published on the municipal website.

Madam Speaker:

Item 3: tabling of the Service Delivery and Budget Implementation Plan and

Item 4: would be the Municipal Finance Management Act: MFMA preliminary budget and performance assessment report in terms of the MFMA Section 52D for the quarter ended 30th June 2023.

Item 5: Report on the implementation of Supply Chain Management Policy for the quarter ending 30 June 2023 and item 6: Annual report on the implementation of Supply Chain Management Policy.

Item 7: which is the one that I wanted to relate to, Madam Speaker, you find a fellow Councillors that we had attached a recommendation on the item, and after a thorough consultation, I must now dictate a related recommendation as proposed in a way, a change.

The proposed recommendation on that item, Madam Speaker is that:

- ***the Municipality covers the cost of the money that was stolen to settle the outstanding debt on the third party including suppliers inline with Treasury regulations.***
- ***that the expenditure of the incurred expenditure be included in the Annual Financial Statement as prescribed by the law.***
- ***that once the expenditure has been settled to all third parties, payments have been settled, the matter must be referred to MPAC for further investigation.***

To ascertain the recoverability of the cost from anyone who may be found liable, once investigated and investigations are concluded, i will request that recommendation be circulated for purposes of discussion when we reached that item.

Madam Speaker, item 8 would be the report on the development application process by the Management Planning Tribunal (MPT), January 2023 to March 2023.

Madam Speaker, these are the items that I'm putting before the Council, most of which have got attachment to them and recommendations to be considered by this Council, and I wish that as we reach to discuss some of these items, one would actually emerge even much more stronger in terms of the content and the discussions that would enrich our approach in servicing our people, I thank you, Madam Speaker.”

NOTED.

1.

TABLING OF THE 2024/2025 IDP AND BUDGET PROCESS PLAN FOR APPROVAL

Councillor SP Tsoleli addressed the Council: “Thank you, Madam Speaker. Allow me to join millions of South Africans in mourning the tragedy that happened two days ago in Johannesburg, where at least 74 people were confirmed dead. Condolences to all the families that have been affected by this tragedy.

Madam Speaker, the Municipal Systems Act, Act No 32 of 2000 as amended and the Municipal Finance Management Act, Act No 56 of 2003 confer the responsibility of the Executive Mayor to provide political guidance over the budget processes and the corresponding priorities that must guide the preparation of the Annual budget.

Madam Speaker, let me remind the house that the purpose of the IDP and the Budget Process Plan is to set out and recommend a process to produce strategies and plans for the consideration of this Council in compliance with the legislative requirements set out above. The process is geared towards enhancing the planning and budgeting process in our Municipality and to strengthen among others meaningful stakeholder participation and consultation, outcome based sectoral strategies and policy, better align plans of National and Provincial departments and state owned entities, and so the implementation of the Financial Recovery Plan intervention strategies.

Honourable Speaker, Executive Mayor was very coherent in this House in articulating the path that this Municipality must take in delivering services speedily to our communities and citizens of Mangaung. We know our challenges, but every challenge has a solution. As Councillors, we must respect the responsibility that has been given to us by the citizens.

Madam Speaker, my responsibility as the MMC for this strategic position is to support the Executive Mayor to realise the above mentioned. Given that as the custodian of the IDP and the Performance, I support the plan as tabled by the Executive Mayor. Thank you, Madam Speaker.”

Councillor LN Lecoko addressed the Council: “Thank you, Madam Speaker. As I greet the Executive Mayor. I also need to pass the message I received from the security guards at Kenworth Spar in Rockland, he said, I quote *“I have seen the beautiful way that is happening around Mangaung Metro and I thank you for your efforts and please keep up the good work”*. Acting City Manager, NCR in absentia, Councillors and Mangaung community I greet you all.

The 2024/2025 IDP and Budget Process Plan is the development of the process plan which is regulated by Municipal Systems Act 32 of 2000 and the Municipal Finance Management Act 56 of 2003. This is to ensure uniformity and minimum quality standard of the Integrated Development Planning and budget process as well as proper coordination between and within the three spheres of government.

In terms of Section 53 of the Municipal Finance Management Act, the Executive Mayor must also coordinate the annual revision of the Integrated Development Plan. In terms of Section 34 of the Municipal Systems Act and the preparation of Annual budget they determine how the Integrated Development Plan is to be considered. Chapter 5 and Section 25 of the Municipal System Act of 2000, provide that each Municipal Council must, within a prescribed period after the start of the elected term adopt a single or all-inclusive and strategic plan for development of the Municipality.

The purpose of the IDP and Budget Process Plan is to set out the process, recommend and produce strategies and plans for consideration in compliance with the Legislative requirements. Policy parameters that guides the Municipality of Mangaung Process in the development of the IDP, the Constitution stipulates that all three spheres of government are autonomous but interdependent. It is important to ensure that IDP goals are aligned to development goals, both National and Provincial. This therefore calls for a close collaboration between all the spheres of government, that is why we as the ANC are supporting this IDP Budget Process Plan and recommendations as they are. I thank you, Madam Speaker.”

Councillor B Vorster addressed the Council: “Honourable Speaker, all protocols observed. If we take the current financial position of the Metro in consideration, together with the poor service delivery and the poor performance, according to the SDBIP report, for the fourth quarter which is also tabled before Council today. We must realize that the Metro is imperil, it is crucial that the IDP and Budget Process Plan is successful this upcoming year.

However, the Freedom Front Plus is concerned that if the political instability and continuous infighting within the ANC, the government continues, it will again, have a negative impact on the process as in the previous year.

The process plan will also not be successful if permanent, qualified and skilled HOD's are not appointed, as well as the City Manager and the Chief Financial Officer. The review of the IDP is of utmost importance but same cannot be executed by continuous acting senior administration.

The Freedom Front Plus welcomes the establishment of a Performance Review Committee for the senior management to support the Metro in streamlining the planning and budgeting process, as well as the closely monitoring and measuring the performance of all senior managers. However, these additional quarterly performance reports, will have no effect just as a quarterly SDBIP and budget performance assessments reports if there is no consequence management. If the departments do not submit the complete and correct SDBIP and portfolio of evidence on time, the process will also not be successful and the MMC's committees and the City Managers should make sure that all departments comply with their submissions.

Policy parameters calls for closer collaboration between National and Provincial government and the Metro in the development of the IDP. However, this measure could not even work with the Provincial government during the Provincial Intervention period and that intervention failed. Then National Government took a shot and the current national intervention is failing. The so-called Financial Recovery Plan does not even form part of the policy parameters in this report.

Honourable Speaker, the successful process in the development of the IDP and the budget making process falls on our shoulders. According to the Sustainable Development Goals, the Metro should protect oceans and forests, combat climate changes and making the Metro more sustainable. However, we do not have oceans and forests and we contribute minimal to climate change. However, Honourable Speaker, but we can fix our sewage problems so that we don't contaminate our rivers, we can fix our landfill sites that is burning every second week. The whole process should be focused on the basics that make the City flourish. This process will also not be successful if public participation fiasco of the previous financial year is repeated. A system of continuous public participation should be developed and upheld.

Honourable Speaker, in conclusion, we can have a budget and IDP making process year in and year out. We can have quarterly performance report every quarter but if there is no political will, if we don't appoint skilled and qualified administrators and employees and if there is no implementation in consequence management, if all employees and politicians don't put the well-being of the Metro and its citizens first, we will never develop an IDP and draft a budget to rectify the current situation and to create the prosperous Metro as it once was. I thank you, Honourable Speaker.”

Councillor W Pretorius addressed the Council: “Thank you, Madam Speaker. I would just like to start off by saying thank you for this IDP and Budget Process Plan that has been developed by the Municipality, but can the office of the IDP please just in future include the page numbers, it's quite difficult to work through this document without page numbers.

Madam Speaker, through you, the IDP and the Budget Process Plan is the actual blueprint for the Metro on how to consult with and gain valuable inputs from communities and stakeholders and how to best comply with the Municipal and financial budgeting processes and timelines.

So it is basically a tick box exercise that is being done in Mangaung. We want to actually see more execution and implementation of the IDP and Budget Process Plan. It's imperative that this document is published every year and indicating that the timeline frames will be met, but we do not see the actual IDP and the budget process being implemented in our municipality. We want to see a municipality that actually delivers services, a municipality that actually creates an environment for the local economy to grow and to create jobs for the thousands of residents who struggle each day to put food on their plates for their families.

In short, we need to see implementation of the IDP and the budget. It must be an IDP for execution. It must be a budget for implementation. It must be an IDP consultative process where the City Manager actually listen to the wants and the needs of the residents. I can myself vouch for many inputs that have been given over the last two years by residents in my ward, where residents are actually participating in the IDP process, submitting what they want to see and unfortunately we see a lot of those inputs reflected in the wish list, but we do not see those comments actually expressed in the budget and even if they fall in the budget. Even if they fall within the budget, we do not see the implementation thereof.

Implementation for example, we have been struggling is parts of Heuwelsig and Hillsboro have been struggling with water shortages. And that required a simple solution to appoint a service provider to go and fix the telemetric system there and then residents will have water, but unfortunately because of Supply Chain Management that's not working and creditors are not being paid on time, we are now sitting with this continued water outages in those areas and residents submitted in the IDP last year, that needs to be a priority, the upgrading of the reservoir in Gilles Van Der Wall Street.

Once the Municipality actually listens to the needs of the communities, business and emerging entrepreneurs as well as the schools. The schools has also submitted yearly that they need road markings, signage, traffic control, but we are not seeing this. We are not seeing the Municipality coming up and saying this is "the wants" and "the need" of the of the community. Let's prioritize for the next year the road markings and signs around our schools around our ECD's to create a safe environment for our children.

Madam Speaker, through you, Mr Executive Mayor, all of the above is within your hands. You hold responsibility in terms of the Municipal Systems Act to provide political guidance over the implementation of the IDP and budget process, and in addition you are the one that is guiding the budget priorities.

Madam Speaker, the short and the long story is that, there is no mention of the Financial Recovery Plan in this IDP and Budget Process Plan. The draft Financial Recovery Plan needs to be aligned with this IDP and the process plan. However we need to be informed how is FRP going to be incorporated into this process plan, as it's a vital document we want to see. Thank you."

The Speaker recognized and acknowledged the two esteemed guests within the Council Chamber, from National COGTA, Ms Sylvia Gelderblom, Chief Director for Local Government improvement program in the Free State Province and Mr Sello Duma, Deputy Director General for Local Government Operations and Support.

It was thereupon unanimously

RESOLVED that the Mangaung Metropolitan Municipality's Council:

- (a) Approved the **2024/2025** IDP and Budget Process Plan, set out in the body of the report and as attached, in compliance with the provisions of the Municipal Systems Act and the Municipal Finance Management Act;
- (b) Noted that a copy of the approved **2024/2025** IDP and Budget Process Plan will be submitted to the Free State MEC of Cooperative Governance as well as to National and Provincial Treasuries and
- (c) Noted that the 2024/2025 IDP and Budget Process Plan will be published on the municipal website

2.

MFMA: SECTION 52(D) SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN FOURTH QUARTER

Councillor DMC McKay addressed the Council: “Madam Speaker, with all protocol observed, through you to the Executive Mayor. Sir it is with grave concern that I stand here today on review of this SDBIP 4th Quarter Report. Firstly Sir, in a Metro that is already imploding with crumbling infrastructure and sporadic services, it is noted that the report indicates a decline of service, but unfortunately it falls far short of the actuality. 7% is not even close to the actual decline. In fact, sir, it is closer to 24% if you remove the unverifiable claimed inspections, awareness programmes and so-called administrative support.

Franky Sir, this report not only has shown the residents of Mangaung how the administration is trying to hide its failures to govern but also how it has failed implement sustainable service deliver. Look around Sir, sewerage spills are flooding the City, areas of Lourier Park, Spitskop, Bloemdal, CBD, Heidedal and Uitsig have been converted by sewerage swamps. There is a backlog of more than 800 water leaks, this in the wake of a looming El Nino. Noting that they can be visibly identified, so very difficult to cover-up, all of these areas should be indicated as an unsatisfactory performance, but they are not.

Although refuse collection has improved somewhat, it is nowhere near satisfaction as indicated, nor are there sufficient vehicle on landfill sites or on the roads collecting the daily refuse. Not to even mention the backlog of illegal dumping. There are constant strikes, fires on the landfill sites and management must resort to carrying handguns as protection, due to threats on their lives. This Mr Executive Mayor is not indicative of a healthy department. It is also not reflected in this report.

Furthermore Sir, this report claims that both air and noise pollution are satisfactory. I beg to differ and can show you that residents are gasping for air, as IQAir recorded on Tuesday, 28 August, that Bloemfontein had an “unhealthy” air quality status, which was the poorest in the Country.

This Sir, does not happen overnight, so clearly the report you received has been thumb sucked or cut and pasted from a previous report or blatantly changed to indicate a higher average of general compliance, as it is very difficult to do oversight on. Unless one knows exactly where to obtain objective information. As for the noise pollution, there are several suburbs that complain on a daily basis of noise pollution not attended to. Official claim lack of vehicles and or resources and staff to resolve the issues. So how can they be determined as satisfactory. Hence another fabricated indicator to improve general compliance figures.

Mr Executive Mayor, I would like to draw your attention to the much debated "Metro Police". I notice that according to this dubious report, there are no new speed cameras (fixed or hand-held) procured or installed, no crime prevention projects conducted, no street operation inspections conducted, and no law enforcement projects or patrols conducted but they have procured shotguns and 9mms; my question is why acquire firearms if they don't even do the basics required from a security force? I have also noticed that unassumingly some traffic fines have been issued- where is the income of those fines indicated?

In closing Sir, Bob Marley once said, "*You can fool some of the people some of the time, but not all the people all of the time*". So, I implore you to implement more stringent measures for HOD's, GM's, etc to present a body of evidence per line item as required by the act for purpose of transparency and proper oversight by Councillors and the public. An expanded spreadsheet of detailed expenditure by the act for purpose of transparency and proper oversight by Councillors and the public. An expanded spreadsheet of detailed expenditure and implementation should be supplied on a monthly basis to Councillors. This will enable all accountable officials to report responsibly and will also give a true reflection of the state of SDBIP. Thank you, Madam Speaker".

Councillor JH Denner addressed the Council: "Honourable Speaker, these quarterly reports are tabled in accordance with Section 52(d) of the MFMA, which states that: *the mayor of a municipality must within 30 days of the end each quarter submit a report to council of the implementation of the budget and the financial state of affairs of the municipality*. But anyone who can read these reports can see that the submission of these reports reduces this process and the oversight function of this Council to a mere rubber stamp. For nowhere in a properly functioning organisation can oversight be done through such vague and frankly, disappointing reporting. What we basically have in front of us again is compliance for the sake of compliance because the act says so, but the quality of reporting, attention to detail and the timing of these reports renders rather suspiciously, our oversight role as Council nearly futile.

It would be interesting to compare our various Department performance to a matric year end exam, we would surely have failed. If you achieved 17%, 20%, 27% and 44% for four of your subjects, you would not have reached the now required 33% to pass. 27% for engineering confirms why we have sewage running all over Mangaung. The health risks alone should make this ANC criminally liable. It is a trademark of the ruling party to have legislation merely as a guideline that can be deviated from as and when the ANC deems fit and we see it with these quarterly reports once again. It also seems to be a trademark of the ruling party to be satisfied and expect us as rates payers to also be satisfied with sub-standard performance.

This trend of vague and nearly non-existent reporting, it seems, is a continuation and illustration of the service delivery that is received by the residents of Mangaung or should I say the lack, therefore.

We are sitting here quarter after quarter to listen to the same issues over and over again. To illustrate my point. I looked into a couple random projects that I highlighted five quarters back.

Surprise, Surprise all of them still on the list and no changes in status;

- Hamilton Park Pumpstation
- The water meter projects, not even contractors currently appointed.
- refurbishment of water supply systems
- Pellissier reservoir upgrades
- Thaba Nchu constructing of a new reservoir

MFMA timelines are seemingly blatantly ignored, just like the plight of the people of Mangaung. This is the exact same reason why service delivery is at an ultimate low. The ANC in Mangaung don't have any drive or ability to succeed. In Mangaung we are just here to drive the ANC's internal political agendas. Everything else takes priority over delivering good quality services to the people of Mangaung.

One positive is that if we hang around not doing anything with regards to the progress of these projects, until 2026 these issues will be a decade old. Almost old enough to blame Jan van Riebeek. We can only hope that the ANC majority will soon be a thing of the past so we can get on the reason why we are here and that is to ensure proper municipal management to the advantage of all who live here. Due to the ANC government all the basic service delivery needs are busy failing at an alarming rate.

As I have said before and I will say it again, no Municipality and its residents can survive without effective water supply, effective power supply, effective refuse collection and a properly skilled workforce. We cannot count on one of these basic rights in Mangaung.

To sum up Madam Speaker, the quality of these reports reflects the quality of the service delivery in the municipality. It is vague and, in many places, non-existent and before proper oversight is done and true accountability of the outcomes of the SDBIP is not insisted upon we sit here quarter after quarter talking about the same unsatisfactory performance to the detriment of the metro and its residents. The people of Mangaung deserve better than the ANC. Thank you, Madam Speaker.”

Councillor SP Tsoleli addressed the Council: “Thank you, Madam Speaker. before I can go to my speech, Madam Speaker. Let me just highlight that it's not correct for our honourable Councillor JH Denner to say that the ANC is satisfied with the current status that we are seeing in the City, we are satisfied as the ANC only because we are seeing that there is improvement in terms of delivering services in the City. The Councillor from the DA has just acknowledged that he has seen an improvement in terms of the collection of refuse from households.

We have also seen an improvement with the roads in Mangaung are being resealed. We have seen the improvement that the potholes in Mangaung are being filled every day. We have seen an improvement that services are now being delivered to our citizens simply because the ANC has made it a point. We have seen a Council that has become stable for the past year. Yes, we are satisfied currently with the status that we are seeing that there are no more work outs in this Council. The Council is fairly stable. The reporting line will improve, reports are going to be accurate in this Council because Councillors are no longer moving away from their responsibility.

Madam Speaker, the Municipal Finance Management Act (Act 56 of 2003) and the National Treasury MFMA Circular Number 13 on the Service Delivery and Budget Implementation Plan (SDBIP) *requires that the municipality must prepare an SDBIP indicating how the budget and the strategic objectives of the Council will be implemented.* Therefore, this SDBIP includes the service delivery targets and performance indicators for each quarter that should be linked to the performance agreements of senior management. These are integral to the implementation and entrenchment of our performance management system.

The SDBIP enables the Municipal Manager to monitor the performance of senior managers, the mayor to monitor the performance of the municipal manager and for the community to monitor the performance of the municipality as each activity contains outputs, targets and timeframes.

Honourable Speaker, this SDBIP is compiled on an annual basis and includes a 3 year capital budget programme. In realising the 282 Key Performance Indicators as articulated in this document, my office will strength the current mechanisms of reporting and fostering the responsibilities of the performance of the departments. This will be through:

- (1) Timeous reporting as per the table contained in the Process Plan and
- (2) Discussing the performance with all thew MMCs before submitting to Council.

My office will assist the Executive Mayor by monitoring the submitted information before been compiled as the final quarterly report for adoption by the Council.

Lastly, this SDBIP is yet another step forward to realise the principle of democratic and accountable local government as enshrined in Section 152 (a) of the Constitution of the Republic of South Africa. I therefore note this report as approved by the Acting Executive Mayor.”

Councillor TO Machachamise addressed the Council: “Thank you, Madam Speaker. Acting Executive Mayor. The SDBIP is a management, implementation and monitoring tool. It enables the Municipality to give effect to its integrated Development Plan (IDP) and Budget and can be seen as a “contract” between the Administration, Council and Community that sets out the manner in which the Municipality will achieve its IDP goals and strategic objectives over the next twelve months.

Moreover, the Municipal Finance Management Act, Act 65 of 2003 (MFMA) defines the SDBIP as, *“a detailed plan approved by the mayor of a municipality in terms of section 53 (1)c(ii)0 for implementing the municipality`s delivery of services and the executive of its annual budget and which must include (as part of the top-layer) the following:*

- (a) *Projections for each month of:*
 - (i) *Revenue to be collected, by source; and*
 - (ii) *Operational and capital expenditure, by vote;*
- (b) *Service delivery targets and performance indicators for each quarter”.*

This plan will assist with the execution and continuously improve operations for the effective and efficient provision of services. I therefore note this report as approved by the Executive Mayor.”

Councillor MW Mongale addressed the Council: “Thank you, Madam Speaker. Any Councillor that would assume that all is well? I have no doubt that they have not travelled in the townships of Mangaung to see the appalling conditions of our people, that our people are subjected to horrible conditions. And if they knew when they were voting that we're voting for this horror, they would not have gone to that extent. And it's a shame that you're sitting here speaking nice English. If an assumption that our vernacular will be able to provide services to our people, our people are suffering.

The document is also taking to the same suffering because it also reflects that it is only 52% of the projects that have been implemented, which is down by 7% in terms of performance. We also have previous reports where we have not benefitted with regard to the progress relating to the FREHSCO Brandwag flats, no matter how they try to hide it as it will keep on surfacing. The building is a Municipal building and Municipality must get revenue out of it.

There is also the issue of mandatory Financial Recovery Plan that is omitted here. We raised the issue of investment summit, we raised it on numerous occasions. We are aware that the current financial condition of the Municipality cannot sustain it in the next coming three years. We wanted the investment to come so that they can mitigate the impact of financial losses. It is not for our glory, but it is for the sake of our people. The late submission of reports by the departments that is contained in this report, and there is no consequence management to that effect, it shows some people are on holiday or some MMC's are on holiday.

The issue of economic growth is standing at 17%, it talks to all of us who are here that we are comfortable with the Municipality that is unable to attract investors and grow its own economy. We are also comfortable that the Province and National owe the Municipality, they're even brave enough to come and visit our meeting and sit here like supervisors, although they know they owe us. We are checking the issue of service delivery improvement, as the report states that it is standing at 59%. We don't know where did they get 59% because in every Township there is a crisis, the roads are not road worthy, I am not only referring to tar also the gravel roads.

We know in the last SDBIP we were promised that there will be graveling of roads. One of the Council meetings should be held in the townships, with no presence of police to address the community members. The organizational strength of this Municipality has reached 56%, when is the Municipality has not even appointed City Manager. The biggest mistake we're making is that we are speaking, but no one is recording these events. Follow ups are not being made, it has been articulated that this items should serve at the relevant Section 79 and 80 Committees first, so that they can be able to narrow the issues...”

Councillor LE Rasoeu addressed the Council: “Thank you, Madam Speaker. Let me concur with Councillor MW Mongale that whoever insinuate that as an improvement in terms of service delivering in Mangaung is out of touch with reality. We receive messages daily with regards to service delivery, sewage and water leakages, our people are in a state of denial.

Madam Speaker, we are against the report because it is late again. Councillor DMC McKay indicated the report is late, despite the fact that we have got hands on deck to ensure that it's on time. We've got teams here to assist us to ensure that things are done properly, we are still failing. We're failing to comply.

First, the report has to be tabled on time and must serve in the necessary committees to ensure that it's processed to correct underperformance and deviations in the next quarter. Now when it's tabled now there's not going to be any improvement in the next quarter because the processes that should unfold did not unfold.

Madam Speaker, we rejected the report, it is late, but more importantly, there are certain parts that have been deleted. There is a 15 kilometre tar road highlighted on the report that it has exceeded the expectation and when you begin to verify the physical reality, it is a different picture. There is no contract for the prepaid water meters available, where meters can be reported if broken. We have also highlighted time and time again, that we are asking for portfolio of evidence for verification.

The issue of Performance Management Policy or System, Madam Speaker, Executive Mayor, how many times have we raised this matter and how many times should we raise it. We have had hands on deck but we're still failing. The City, Executive Mayor, is in the third month without the permanent executive structure. City Manager and HODs lets expedite this process, this itself represents instability. The City has been unstable for months now at this stage we begin to ask ourselves what about project identification and the implementation. The faces what is called a legitimization crisis, legitimization crisis exists when there's a decline in confidence of the administrative functions and leadership, despite the fact that they still have the legal authority to govern.

The legitimacy of the City has come under challenge due to the diminishing confidence in the ANC political leadership, as well as administrative leadership. Since the City realizes the public resources through taxes for service delivery, the City has to maintain an adequate degree of public confidence in its objectives, programs, and activities we need change the current management as soon as possible. The SDBIP indicates the scores are fluctuating and are below, we therefore ask the appointment of senior managers be expedited and ensure competent people are appointed. We are against the report and will be voting against it as well. Thank you, Madam Speaker.”

Councillor GDP Kotze raised on a point of clarity as follows: “Madam Speaker, it has been said that potholes are being resealed and refuse was being collected, maybe the Executives Mayor can assist us by indicating how many potholes have been resealed by Mangaung, Robex, Afri-Forum and Neighbourhood associations. The refuse being collected by these Civil Organizations. The number of days it takes Mangaung to collect refuse in some Wards.?”

Council voted as follows on the item and its recommendations: 50 in favour, 25 against ad 10 abstained.

It was thereupon

RESOLVED that Council approves the MFMA Section 52(d) SDBIP 4th quarter report (01 April – 30 June 2023).

3.

TABLING OF THE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2023/2024 FOR NOTING

Councillor SP Tsoleli addressed the Council: “Madam Speaker. If your success is not amazing to your critics, it disturbs, infuriates and frustrate them then you must know that you are not moving to the right direction. So, Honourable Speaker, with those words as the ANC another we support the report tabled by the Executive Mayor.”

Councillor JH Denner addressed the Council: “What will be the difference between projects that have been ongoing for five to seven years with little to no progress and these new projects? Madam Speaker, the definition of insanity is doing the same thing over and over again and expecting different results. The ANC has been entrusted with governing of Mangaung over and over again, and we've received the same results over and over again. We however welcome the planning work done with regards to sewerage and water supply. It seems like there's a lot of planning that went into those Departments. We are however worried about the implementation of these plans due to the lack of stable and permanent management and HOD capacity. This must urgently be addressed in order to implement these plans that looks promising on paper, but of which the successful implementation is yet to be seen.

Madam Speaker with reference to page 6 of the Budget and Performance Assessment report, the income funds in the Metro is nearly non existing. When last did anyone of you receive a fine from a traffic camera in Mangaung, the planned installation of more traffic cameras in the installation is a good idea, but we should first be looking into getting the existing cameras operational and the back office administration on par to collect revenue and to curb speeding on the major roads. We will support the idea once again on the condition that it actually works. We must stop talking and start doing. Thank you, Madam Speaker.”

Councillor DMC McKay addressed the Council: “Madam Speaker, once again with all protocols observed, through you to the Executive Mayor, I know this is only for noting and that the SDBIP does not have to be approved by Council. I do however have a few suggestions and/ or clarity seeking question.

- 1) I will not go into the line items in this plan as it will be a futile exercise as nothing will be changed and I am not convinced that the SDBIP delivery will improve. History has proved the contrary. Hence my request in the previous item- please ensure an expanded detailed implementation spreadsheet per ward which will enable proper oversight by councillors, officials and public alike. This way we have a chance of improvement.
- 2) We take note of your changes to the directorate, this is welcome if it will improve service delivery. I can see the logic of reducing the directorates, however I do question adding of fleet Management to already overloaded Technical Services (Previously known as Engineering Services). This Directorate should actual be split up into:
 - (1) Water and Sanitation,
 - (2) Roads and Stormwater; and
 - (3) Fleet and Mechanical Workshop each on their own.

If our infrastructure was well maintained and in a satisfactory condition it would make sense, but currently each division as indicated above needs focused attention to alleviate the current congestion and backlogs.

- 3) The original intention of a SDBIP was to clarify the concerns of the public determined by their inputs into the IDP and then directly produce or deliver services in-line with these concerns. Prioritizing them to alleviate the backlogs and /or to speak to the needs of residents. This however has fall by the wayside and the line items in this document is evident, therefore, very few of the needs and/ or concerns of the residents of Mangaung are addressed in this document. Instead, it is reflective of the administration's perception.

Please Sir I once again implore you please review this SDBIP for 2023/24 before you sign it off-please go back to align it to the residents' concerns. Prioritize all infrastructure that directly affected basic services. More resource should be allocated to relieve the backlogs in both sanitation and water leaks. The road infrastructure is in shambles and is of vital importance to growing the economy. Both surface roads and gravel roads are the arteries of the Metro and need to be maintained and upgraded to be able to adequately convey both residents and business. Parks, cemeteries and open spaces, along with road space need to be maintained as a reflection of the health of the City. This includes regular refuse collection and maintenance of safe and efficient landfill sites."

Councillor MW Mongale addressed the Council: "Thank you, Madam Speaker. The biggest challenge that we have here is that I don't know whether this document has been approved by the Acting Executive Mayor. But according to the document I have in front of me, the Executive Mayor has not truly approved the document and you are not alone, you have your supporter, which is the Acting City Manager who should agree with you that the document should not be approved as it is not truly signed.

Now, maybe as the document will be taken back because it has not been duly signed, these are the homework that we also want to give to the Executive Mayor to take home. Part of it is that the document should be able to talk to the needs of the people of Mangaung. As you know, we always say everything in Mangaung must be done on behalf of the people of Mangaung so it means the entire SDBIP must be dedicated to the people and in this particular case you should not be only a talk shop, but it should also be practical. We want to see a situation whereby Hoffman Square becomes a place where people go to rest there, not a place where the homeless have found home.

If anyone is contesting that the SDBIP is not talking to the needs of the people of Mangaung they need to check the City Hall lawn. The park next to City Hall, the one on the eastern side of City Hall has also become a home for the homeless, it also needs to be given attention. These are the places next to our heritage sites and we are taking them for granted. The roads that are not roadworthy, this matter needs to be dealt with and the refuse is not being collected. Councillors are being accused and called useless by the community members. We need to stand up Councillors and fight for our space where there is a need for a budget. You must stand up and fight for it and you can't be lobbied to that the communities on your side, you must be able to defend it.

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They need to ensure that if reports must be submitted by the 30th of July, they must comply. The issue of cemetery, seen in one of the documents there is an improvement, especially around Heidedal, we appreciate it and happy about it because. It is imperative that cemeteries be brought closer to the people, they cannot afford the pain of a loss and also the pain of a financial loss that is due to recklessness on our side.

In closing, I want to make a submission that this document should be taken back. It should not be even noted today because the document is not duly signed. As a as a result of that, I would submit that we should not do anything illegal and try to push the document through the back door and it should go back as it is supposed to go back.

Madam Speaker the documentation that I have in front of me has been signed by the Acting City Manager, the Executive Mayor and the National Cabinetry and then there is another document that was signed by the Executive Mayor. So the report was signed off by signatories.

Madam Speaker, I checked the document, I thought maybe you're looking at a different one, but if both of us are looking at the same document that I think the camera must also zoom to it. You will see that this document is not duly signed. I have said that the document is not duly signed and I repeat, the document is not July signed.”

Council Whip addressed the Council: “Councillors, let us allow Councillor MW Mongale to clarify, on what the Speaker has indicated and if Councillors wish to speak on anything we should raise our hands and the Speaker will recognize us, so please, Councillor MW Mongale, you are protected.

Councillor MW Mongale elucidated that the issue I'm raising is a principled issue to say when the document is signed, there is a space where the name of a person is written and date to provide an indication when the report was signed. It has got a legal implication on which date did you sign the document.

The Speaker enlighten Councillor MW Mongale, this report was just for noting, therefore this no legal implication to it as the report has been signed by the Executive Mayor with a date.”

The Speaker confirm that as this report was only for noting, there will be no voting on the item.

It was thereupon

RESOLVED that the Council

- 1) Noted the attached Services delivery and budget implementation Plan for 2023/2024 financial year as approved by the Executive Mayor;
- 2) Noted that the 2023/2024 SDBIP document is submitted to Provincial and National Treasuries as well as provincial COGTA for record and
- 3) Noted that the 2023/2024 SDBIP document is also publicised on the municipal website

4.

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

Councillor BJ Viviers addressed the Council: “Honourable Speaker, before i start with my speech, unfortunately the Acting Executive Mayor is currently not in our House now I know in my speech there's certain questions that I must pose to him, and i think it will be the same for other speakers. I also realize they must take a comfort. Thank you, Madam Speaker.”

The Speaker allowed for a 5 minutes comfort break whilst waiting for the Executive Mayor to be back to the meeting.

After the comfort break, Councillor BJ Viviers continued: “All protocol observed, Madam Speaker through you, Acting Executive Mayor, your report is late again. It should have been submitted before this Council 30 days after the end of June 2023. This time around, you can have no excuses. You served as Acting Executive Mayor during that period and to add insult to injury, the acting CFO signed the report on the 18th of July, the Acting City Manager signed the report on the 20th of July. The report was also readily available on the Mangaung website during August, barring the details of overtime. Why as the political head of this Council, we cannot arrange a special Council meeting on the 28th as planned initially and today.

Do you add a total disregard for complying with legislation rather than playing investigative officer on how correspondence between you and Cabinet ministers leads, why do you not rather comply with legislation. Or is the harsh reality again you would rather attend to your political parties agenda than the business of the Council. Balance stance of Mangaung debited. From March through June, there was a decrease of R45 million for the three months. But stop the congratulations not getting order now let's dissect further. Domestic has seen a growth of R10, 9 million not passing the test there. Business have seen a growth of R77, 74 million not passing the test there either. Government decrease R134 million Acting Executive Mayor you brag several times in this Council about your engagement with government and that they've paid large sums of their debt, which we know now.

As our political head in this Council, should collect all their debt and not just beg for the crumbs falling off the table, being a mere 9% of what is owing to this municipality, it still quite clear that there is no effective debt collection in Mangaung. I once again advise that in terms of the credit control and debt collection policy, implement and attend to the handover of debt for formal litigation processes as the finding bullet 22 of the policy. I once again request you, as political aide of this Council, that this policy should also be referred to the Section 79 Rules Committee, so that the policy can be altered so that government debt can also be handed over for debt collection. That's one Section 79 and 80 committees hopefully becomes functioning.

The government will be taken to task regarding the debt out. Of this municipality and not wander around within. As soon as we collect the over billion Rand owed by them to us, we can then pay all our creditors and we will not have small decreases each and every three months in our creditors. I can now comprehend why over overtime did not form part of the report which was found on the website. I also would have been too ashamed to publicize this. Each and every month the amount is much more than the amount budget for barring June.

Interesting that it is also in June that water and electricity meters, we're not ready anymore. The overburdened taxpayer of Mangaung received estimate upon estimate each and every month and in most instances much more than the actual use, but yes, that has become the new norm in Mangaung. Acting Executive Mayor you failed the test dismally and your arrogant disregard to comply with legislation is totally unacceptable. The Democratic Alliance will propose the following alteration to the recommendations.

- The Accounting Officer assures that all the information mentioned on this agenda point in the liberation in Council today.

We also submitted to the national and provincial treasury especially the fact that the Acting Executive Mayor did not comply with legislation. And submitted the report like to this Council again, then the Democratic Alliance will vote for the agenda point, otherwise we will have no choice but to vote against the item. Thank you, Madam Speaker.”

Councillor B Vorster addressed the Council: “Thank you, Honourable Speaker. All protocols observed the protocol plus yet again also following targeting seeking questions on Budget and Performance Assessment Report for the period ended 30 June 2023.

Honourable Speaker, The Freedom Front Plus yet again ask the following clarity seeking questions:

Page 3

Is it not now very clear that the budget for the 2022/2023 financial year was not funded, seeing that the Metro overspend on its expenditure in the amount of R564 million our revenue was almost R150 million less than projected?

Did the Freedom Front Plus not warned this Council that the budget was unfunded?

Page 4

Was the electricity projected revenue inflated in the budget or are there serious problems at Centlec seeing that the electricity revenue is almost R425 million less than projected?

Page 5

What measure will be taken to rectify the performance of the traffic management system and the internal control measures in the law enforcement division, seeing that there was an unfavourable variance on the income of traffic fines and other fines of over R21 million?

Page 6

Why was it allowed that we overspend on employee related cost in the amount of over R109 million?

Why was the unauthorized expenditure on overtime in the amount of R93 million allowed?

How long does Council still have to wait for the overtime policy to be finalized?

Honourable Acting Executive Mayor, through you Honourable Speaker, what measures will be taken to avoid this unauthorized expenditure in the current financial year?

Will there be consequent management with regards to all unauthorized expenditure?

Page 7

How can it be that we overspend over R7 million on overtime for the Metro police/ Law enforcement if the same department had no recorded revenue for the past financial year?

Page 8

How can we overspend the amount of over R11 million on outsource services if we already overspend on overtime?

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Who is not doing his or her job Honourable Speaker? How could we spend over R87 million on outsource services for the metro police/ law enforcement?

Page 11 and 12

Why did we only spend R622 million (50.15%) of the R1.2 billion on our capital expenditure?

Why did we only spend almost R560 million (54.42%) of our grants where in fact we should have to spend over R1 billion?

When will this administration realize that if we do not spend our conditional grants, National government will allocate these funds to other municipalities?

Page 15 and 16

What measures will be implemented to collect the outstanding debtors balance of over R9.6 billion?

When will formal downpayment agreements be concluded with the government departments which own this metro over R1.3 billion?

What measures will be taken to avoid the further increase in the water debt which amounts to over R3.5 billion?

Page 19

What will be done to rectify the administrative and technical errors, negligence, theft of electricity, tampering with meters and illegal consumption of electricity that resulted in electricity distribution losses in the amount of over R160 million?

Page 20

What will be done to rectify the water losses of 62.19% due to unauthorized consumption of water, water meter errors and leakages?

Page 21

Which corrective measures will be taken to ensure that the credit control policy is implemented to improve our collection rate that only stands at 67. 2%?

In conclusion Honourable Speaker:

1. How did this financial mismanagement happened under the watchful eyes of the National Intervention Team?
2. Honourable Acting Executive Mayor, through you Honourable Speaker, how are you going to turn this around?
3. And lastly, when will our clarity seeking questions be answered?
4. How will this financial situation be explained.

Thank you Madam Speaker.

Councillor LM Tidi-Odili addressed the Council: “Ndiyabulela Somlomo, ngenxaxheba ondiphe yona namhlanje, nam ndithi mandingene ndihlomle kule item ebonakalisayo ukuba imali yalo Maspala isebenze njani. Nebonisa abantu base Mangaung uba sisebenza njani. Silapha ke namhlanje.

Somlomo, kukho incwadi ebizwa “*ityala lamawele*”, namhlanje, kule ndlu yowisomthetho, sibona ityala lamawele. Kukho ilizwi lesiXhosa elithi “*amapunge*” siyaweva kulendlu yowisomthetho namhlanje, siva “*amapunge*”.

Namhlanje Somlomo, sithetha nge-budget e nga fund-angwa (not funded), kodwa sasikhona kule ndlu yowisomthetho xa si approve i-funded budget. Namhlanje, u-Executive Mayor uyayisiza kule ndlu.

Somlomo, namhlanje kulendlu yomisomthetho sizisa i-4th quarter report kuba sifuna ukuhambisana nalamthetho upha ku Section 52, we MFMA usinyanzelisayo ukuba namhlanje siyibalule le report.

Siyavuma Somlomo, ukuthi asikho exesheni ngale report, Somlomo, silapha namhlanje sizoyibeka phambi kwalendlu sowisomthetho. Siya vuya kuba noCllr BJ Viviers naye ubonakalise ukuba sihlile nge R45 million, siyabulela soceba.

Siyavuma ukuba kukho ingxaki ye traffic fines and u-Executive Mayor u-busy Somlomo, wenza ngako konke uba i-contravention system ibe khona, ukuze yonke into ekwi Traffic Department ibe recorded and siyayazi ukuba umtu o jongana nencwadi kwa AG, utshilo ukuthi, lento ye traffic fines izakwenza ingxaki kwi Council ukuba ayilungiswa kwaye zonke ingxelo ezilandelayo zonyaka zizawubandakanyeka. Ngoku u-Executive Mayor ulapho ujongene nayo xa sithetha nje.

Somlomo siyavuma uba, kwi-consultants services ne-contract services ku-underspend-iwe and sifuni kutsho ku lendlu yowisomthetho ukuba, siyayazi uba be singenazo i-contractors, batsho abanye boceba bethu, azikho i-contractors, azikho i-consultants kodwa sithetha nje, u-Executive Mayor wenza konke ukuba kubekho i-panel ye contractors, kubekho i-panel ye consultants ukuvala zonke ingxelo zethu ngedlela efanele.

Sithi as African National Congress Somlomo, ayisivuyisi nathi ngento ye-overtime, asilali yiyo, Somlomo sitsho kulendlu yowisomthetho uba into ye-overtime sijongene nayo; u-Executive Mayor u-busy sithetha nje, uthethisana ne-Labour Forum, ukwenzela kubonakale ukuba kukho into esiyenzayo ukulungisa lento ye-overtime.

Somlomo, siyavuya ngokuba in-terms of i-creditors zethu, ukhona umohlolo ungajonga from September to December 2022, ujonge from March 2023 ukufikela namhlenja okokuba sikwazile ukubhatala i-creditors zethu. Yes, kwi-issue ye debtors zethu, kakhulu ku-government wethu, sisatsho nangoku, u-Executive Mayor uthethisana nabo, uyabaxelela siyayifuna imali ka Maspala nje ngendlu yowisomthetho so that sikwazi ukuvala apho zikwazi khona. Ngoku sithi as African National Congress Somlomo, siyayivuma le report and siyakholwa ukuba le report ithetha into evakalayo apha kulendlu yowisomthetho. Silapha nje sikethwe ngabantu, inyani kufuneka abantu bayazi, akukhonto siyifihlayo. Sithi, siyayi supporta as African National Congress le report. Ndiyabulela Somlomo.”

Councillor NA Nhlapo addressed the Council: “Thank you, Honourable Speaker, greetings to the house at large and to our guests. Ke dumedise baahi ba Mangaung and those listening online and those in the gallery.

Madam Speaker, I think the House would agree that this item also speaks hand to hand with item 2, and that has been discussed above, and that this one just reflects on also the implementation in terms of the budget for the SDBIP report. So now this report is based on the delivery of projects and services in the IDP and SDBIP for those which this Council is responsible for implementing the report provides that are over 233 projects.

Only 230 programs were planned for implementation, as was approved in the budget, and indeed the actual performance of the municipality has decreased and as compared to the third quarter of the previous financial year, which leaves us sitting on 52% now.

Madam Speaker, the status quo is as follows in terms of the City's performance against the IDP Strategic Development Project. Out of those 230 projects, we have 70 projects which fall under these following categories, we have those that are outstanding performance significantly that is exceeded expectation.

Those which targets were met and then those which we are still needs progress and performance. So meaning that leaves us with 30 projects that the City deems unsatisfactory. Now the report also identifies Madam Speaker, the intervention mechanisms or an essay correction and actions for the lower performance that we see the unsatisfactory and unacceptable performance which will be implemented by the Executive Management Team to ensure that we curb unsatisfactory and satisfactory performance in this new financial year. Indeed, they should be intentional interventions to ensure that we curb unsatisfactory performance going forward.

Madam Speaker, in the discussions that we have had today, I think the opposition must also be honest in terms of their contribution. There are parts that contribution to their behaviour in terms of the results that we are sitting in. Madam Speaker, I thought in those discussions that the members of the other benches have been speaking about in those glorious and gloating speeches, but they would also mention that when the very same executive mayor comes and brings items that address those that unsatisfactory performance, that they work out.

Madam Speaker, maybe it's also time that the residents of Mangaung are also appraised that their glorious people, when we move to in committee items where there are no cameras. When we discuss items that seek to address the very same thing that they're speaking about, that we need to expediate the process of appointment of executive managers. They work out, but it is very convenient to say it is the ANC that always brings instability into the institution.

Madam Speaker, in the very same items that we bring where there no cameras and it is shocking today that everybody speaking of how the Executive Mayor does not execute certain things, but when those progressive items are brought to their attention, they walk out. Now Councillors have been mentioning that there are different places of spillage outflows also mentioned that there's the report and he even mentioned that we are getting into insanity because we discuss the same thing day-to-day, but when we bring items that seek to remove officials, they work out so that also speaks to.

Madam Speaker a lot still needs to be done. We needs to learn to resolve our performance, but I hope this time going forward, when the when the Executive Mayor brings progressive items that speaks to that and to the budget as well as to the SDBIP, that they will also ensure that they don't walk out. As Councillor we need to ensure that we pave the way forward for the municipality so that we have a better report next time. Thank you, Madam Speaker.”

Councillor D Leech addressed the Council: “I second Cllr BJ Viviers proposal. The Democratic Alliance would like to highlight the following concerns and would like to add propose possible solution to be considered for these issues.

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Executive Mayor, through you Madam Speaker, we would like to emphasise that although in opposition, the DA's first aim is to serve. The consultative meeting which we had with you Executive Mayor unfortunately did not deliver the expected outcome for the tabling of the budget, but some positives were reached in other areas. For example, the DA proposed that the underspent budget for contracted services be utilized in order to address the refuse backlog, and although not perfect, a substantial amount of progress was indeed made in this area. Unfortunately, we are still underspending in contracted services by R168 million.

Thank you for implementing these corrective measures, it is therefore that we would like to please request the Executive Mayor to now also consider the following proposals which might lead to further improvement within the Metro.

In terms of property rates which indicates a positive variance of R50 million, and although good for the municipality, this indicates that higher property rates were billed for domestic properties than initially anticipated. Within inflation, extremely high interest rates and fuel prices, residents are truly struggling to make ends meet. Here we propose that the metro do an indebt physical investigation in order to determine whether all household and businesses are listed on the system and are being billed correctly. Focus on illegal businesses operating from residential properties without the necessary applications. This will enable the metro to do a more accurate estimation for the coming financial year and perhaps the metro could offer a reduced tariff increase.

Contrary to property rates it indicates that there is an unfavourable variance in terms of sanitation and refuse, respectively R33 million and R8 million. One would however think that if property rates have a positive variance, this line would be the same as it is listed on the same account, but due to Mangaung's policy to first allocate funds to property rates, the result is exactly this. The same can be calculated on water usage and on the long run proofs that the estimated collection rate for the Metro is in fact incorrect.

We therefore propose that the policy be reviewed that funds be allocated to these line items based on an alternative formula and that revenue received first be utilized to pay service provider such as Bloem water and Eskom. In addition the formula to determine the estimated debt collection rate should be altered accordingly in order to work with a more realistic budget.

With regards to electricity, a negative variance of R424 million is indicated. This is due to load shedding and residents sourcing alternative electricity supplies. The DA would like to propose that the metro together with Centlec do an inspection in every single street and area to determine which households have illegal connections and to rectify the situation. We further would like to emphasize that an urgent plan and legislation be drafted and implemented to source alternative energy supply such as solar plants, and units can be sold to residents at a fair and competitive price. Interest earned on outstanding debtors amounts to a positive variance of R269 million. Although this looks impressive on paper the reality is that the initial debt could not be recovered and therefore the chances of sourcing the interest on that debt is merely a dream. Cllr Viviers has elaborated on this specific line item.

One of the most alarming items is fines which has an unfavourable variance of R21 million. Reasons given and I quote are non-accrual of traffic fines, no recorded revenue to date of fines on law Enforcement division as well as deficiencies in internal control measures.

Only within my ward there are numerous irregularities reported in writing to law enforcement but unfortunately the officials don't even bother to reply to such reports and queries. Metro Police on the other hand overspent on their budget by R19 million amounting to an astonishing R87,49 million in total. Security services was indicated as a major contributor.

We propose that a proper system be put in place to monitor the quality of work done by the officials, the outcomes reached and to identify challenges. The unit is highly understaffed, and it should be prioritised.

The DA would like to emphasize the importance of political stability in the metro. We now need to get to a point where we are either no longer under administration or we are dissolved. Apparently, employees are being misused to create fear and instability by strikes and sabotage to further specific factions within the ANC. Damage to infrastructure is adding to the bill and taxpayers now need to pay to protect assets and politicians. It is time to sort out the house and to appoint permanent HOD's and a Municipal Manager who can be responsible.

Water losses amounts to 62, 19% due to leakages and meters not functioning. The Metro has again not paid service provider, nor have they received appointment letters. This is unacceptable and has now reached a point where a plan of emergency should be implemented to pay contractors, have a comprehensive ongoing list of all water and sewerage leaks reported, and to have it fixed within 48 hours. Appoint the service provider responsible to replace water meters, specifically with pre-paid meters, and effectively deal with illegal connections and usage.

Finally it is of vital importance to appoint a Disciplinary Board to deal with financial misconduct and in addition the pay out of performance bonuses should be linked to the specific department's percentage of budget spent.

In conclusion we propose that the Executive Mayor in consultation with the Section 80 Finance Committee compile a checks and balances report sheet aligned to the Financial Recovery Plan and that such a document be submitted for council approval. Our role as councillors is to do effective oversight and in this manner we will play a vital ongoing role in order to ensure that the current financial situation is turned around. Thank you, Madam Speaker."

The Speaker pronounced that the item was just for noting and therefore, no voting.

It was thereupon

RESOLVED

That in compliance with Section 52(d) of the MFMA

- (a) 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 June 2023 and,
- (b) The Executive Mayor of the municipality must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality and,

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- (c) 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,
- (d) That Council took note that this preliminary financial information, final Section 52 Report will be submitted after finalisation of the 2022/23 Annual Financial Statements.

5.

REPORT ON THE IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY FOR THE QUARTER ENDING 30 JUNE 2023

The Speaker then alluded that item 142.5 and 142.6 will be discussed simultaneously.

Councillor SQ Peter addressed the Council: “Thank you, Madam Speaker for the opportunity. I'm saying I'm tempted ubandi thethe nge sixhosa nam ngoba ku cacile wonke umntu namhlanje usebenzisa intetho ya sekhaya. Let me acknowledge you, Madam Speaker. Acting Executive Mayor, Council Whip, fellow Councillors and community of Mangaung. I would like to apologize as well, for the late submission of these reports, as required by different legislations including MFMA, but however I should indicate that the Office of the Executive Mayor has requested a condonation from responsible MEC's in relation to this fourth quarter report for the lateness as such.

This report seeks to upraise Council on services and activities procured by Supply Chain Management for the fourth quarter and subsequently annually as submitted by various Departments or Directorates in line with their submitted procurement plan.

I should indicate the reason I'm saying different departments or directorates procurement plan is because everything mostly also that supply chain is doing is based on the procurement plan that is coming from different Departments.

I must indicate that this report seeks to give an overview on the Council assets as well as the stock that we have at Supply Chain Management so there is not much that we can talk about on this report Madam Speaker because it is the fourth quarter report and then subsequently coupled with the Annual Report, which is a culmination of all the quarters combined together.

Fellow Councillors, for us maybe to comment on this, we got different platforms which play oversight, which is our own Section 80 as well as you can use your Rule 38 questions to raise issues with regard to this report. This report is just a report of a supply chain, both annually and quarterly, says admit. Thank you, Madam Speaker.”

Councillor LW Lekgetho addressed the Council: “Madam Speaker, Executive Mayor, Acting Council Whip, before I begin there is something that one Councillor from opposition said which touched me. It is good to hear that the opposition acknowledge the improvement and the good work that the ANC Executive Mayor is doing. Item 142. 5 The report on Implementation of the Supply Chain Management Policy for the quarter ending 30 June.

8H

We need to intervene and must remain ourselves as Council. Our role is to maintain oversight on the implementation of the Supply Chain Management Policy in terms of the Regulation 6 of the Municipal Supply Chain Management Regulation of 2003. We are aware that this report is for noting, but it includes the establishment of Supply Chain Management unit in line with the Section 111 of the Municipal Financial Management Act 56 of 2003.

We as the ANC support the recommendation that the Council take note of the Supply Chain Management report for the third quarter ending June 2023 as it is.

Councillor M Wewege addressed the Council: “Madam Speaker, every quarter I look at this report, I get furious as how the Mangaung metro is wasting the loyal taxpayer’s money. Looking at the awarded bids for the month of April-June 2023, here are the Freedom Front Plus’s concerns. Felling of trees Mangaung Metro Municipality, why are we still making use of contractors for these services, how can a Metro function if it does not even consist of a tree felling team? Supply and delivering of traffic light poles for maintenance in Mangaung Metro Municipality for R173 190, when is this project being started, as the traffic lights in the metro is a great concern and has caused a lot of accidents.

Madam Speaker, in the report the Metro received various amount of fleet and we want to thank the relevant HOD’s that was involved in this initiative, but the questions arise, are these fleet already in use or is it standing in a garage somewhere? Are we going to maintain them as it should and keep the licensing up to date or are we going to follow the same pattern that is yearly followed and end up with fleet that is just standing in garages because of no maintenance?

Supply and delivering of maintenance equipment for parks and cemeteries to the value of R947 000, we really hope that this equipment will go to use, because the parks and cemeteries in the metro is a sight for sore eyes, and it is very sad that children cannot play in the parks anymore as it is over grown with bushes, grass and thorns also families cannot go to cemeteries anymore to pay their respect for the dead, because it is just too dangerous due to overgrowth and ample hiding space.

Then we have supply and delivering of A1 bright colour carton sheets to the value of R2173, how many carton sheets were provided, once again, not enough information for council to do proper oversight.

Installation of cupboards at stiller us old age home for the value of R260 000, this must be extravagant or a mistake, because I would love to see what cupboards to that value look like.

Then we have appointments of a land surveyor and town planner, when is the metro going to appoints its own town planners and land surveyors, once again, we are a Metro, aren’t we supposed to have Town planners and land surveyors?

Again, my favourite topic, Catering-500ml bottled water for the value of R12 697, how many bottles of water were supplied for this amount?

Breakfast, coffee, tea Menu 10, 500ml bottled water, soft drinks and assorted juices to the value of R13 481 how many people were catered for-

Finger lunch, Menu 5 and 500ml bottled water the value of R27 308, and so the list continues, because we all know Mangaung loves to cater, but there is not barely enough information provided for council to do proper oversight.

Looking at the annual report one cannot help but wonder if the basic needs and priorities of the Metro's hard-working taxpayers are even a priority for this Municipality? We are under intervention, yet we can spend thousands on catering and outsourcing services that should be dealt with internally. We again urge the necessity for skills audits right across the staff component, but it should start at supply Chain. I thank you madam Speaker."

Councillor MW Mongale remarked: "Madam Speaker we would like maybe to start to refill method that I've raised earlier of items that should find their weight with Section 80 Committees. In this particular case, this item is not isolated. It should have found display in the Section 80 committee.

The Speaker addressed Councillor SQ Peter that should he wish to rise, it should be done so in a form of a point of order.

Councillor SQ Peter can Councillor Mongale not mislead this house as this item served in the Section 80 Finance, therefore he should please withdraw that statement.

Councillor MW Mongale continued: "Thank you, Madam Speaker. I think it is recorded that I've drawn that statement because I have a thick skin where I'm wrong, I admit. The issue of Supply Chain Management Policy i think i have spoken to the Acting Executive Mayor about it last time. In response he said they will be dedicating the budget to the people of Mangaung. I was also complaining that a lot of companies from Mangaung are complaining that they are not getting space into the economy of Mangaung. I know there will be an argument that according to the documents they are appearing there, but we don't see them.

They are complaining it means money might be going to where we don't know, so if we need some kind of if it is allowed some kind of an investigation of Supply Chain where we can investigate whether the contracts that are being appointed there, are they from Mangaung or are they fraudulently using the address of Mangaung for the purposes of getting tenders. Maybe the investigations will close this chapter once it can be verified that indeed the people have been given tenders and I'm raising this because I've been raising it that it is not a favour, it is a right in terms of the Constitution. On the positions of Supply Chain, we are told in the report that there 80 positions in total at the supply chain but only 39 are filled now that is a crisis in itself.

That would mean the supply chain workforce is being stretched over the limit because the rate of vacancy is more than 50% which is unacceptable and it is likely to lead to burnout or where employees end up making mistakes and you'll end up being punished only to find that it was because of pressure. There seems to be no plan of fixing that vacancy rate at Supply Chain. Another issue is the competency level of the people of supply chain the report says they are trainings that were supposed to be trained at, but now it shows only that it is only four (4) officials completed the National Treasury training where they were properly certificated at the level of inquiry Level 5.

There are others who are not properly trained and it means their competency level is in question now, there is likelihood that there will be a big errors that will happen the Supply Chain because of the competency level and we should not assume that the competency level is correct. Meaning it's only for certification purposes, but it does not empower a person in terms of performing their job properly because here it is called competency. Competencies means it is a theory training and also application it's a combination of the two. You are being given fuel and the power to do it, execute it, which is an important element that needs to be addressed by this Council when are we fixing that and when is this item going to serve in the Sub-committee, for purposes of being fine-tuned to be able to reflect the people of Mangaung with regard to Local Economic Development.

I'm raising this with no apology because we are from Mangaung. We are not here to come and enrich people that are outside and no offense to National Intervention Team you shouldn't have been. The people that are enrolled is just a checklist it's not a commitment. The commitment is when people are trained and their competency skills have been finalized. The issue of Mandatory Financial Recovery Plan must also be find its expression in this policy because this is where we should cut wastage because there are a lot of companies that are paid here.

I can assure you, Madam Speaker, some of them have never been set their foot at the workstation where they're supposed to work, and these are the issues that we have to raise. And there was an issue that was raised at the workshop where one of the Councillors raised that we need to find a way of investigating the manager and Supply Chain and that matter needs these Councillors to stand up and support it for purposes of transparency. Thank you, Madam Speaker.”

Councillor JE Sebolao addressed the Council: “Thank you, Honourable Speaker, let me take this opportunity to pass my greetings to my colleagues and our guests present.

Honourable Speaker, as the EFF we want to make a recommendation for this Council regarding the supply chain, because we keep on speaking about Supply Chain now and then, but it looks like this now becomes a talk show we speak, there's no implementation. We are proposing as the EFF that the Supply Chain must be checked, the CFO and the Finance MMC must do their work because nobody's in charge it's like a circus people do as they wish in Supply Chain. We are hearing disturbing news Honourable Speaker about our Supply Chain.

I want to remind this august house that the complaint EFF raised in the Chamber sometime back, that were implying the Supply Chain General Manager was appointing his family and nothing was said about the allegations. Now of late, we hear that companies are appointed with no experience and no tools of trade. The companies are being awarded the tender of millions of for instance the company appointed for waste removal subcontracts companies that have capacity. In this regard you ask yourself, what is our MPAC, officials , MMC and the CFO doing, when last did we do a site visit to see these projects, if indeed they are valid and if indeed companies are doing a genuine business with the Municipality.

We just heard now that one company submitted fake references letters and within no time, this Council will be served with a case number and the same company keeps on getting money. Over millions of rands is being given to the company which defrauded the Mangaung Municipality because they caught us napping as Councillors because we don't want to read, so they would have put everything in the document and leave us alone.

We propose, as the EFF, that supply chain needs to be investigated there's a lot going on there. Now, honourable Mayor we would like all projects awarded be re-evaluated that we hear companies are using fake references like I said which implicates our Municipality claiming that they have done work in different municipalities. They need to continue with the forensic investigation and see if indeed these people are giving us what we're supposed to get, particularly for the people of Mangaung. Our city is so dirty, but there are million that are going out. Sometime in April, five (5) companies were awarded a tender of removing refuse in Mangaung at the cost of three-point R3,565 million. The same company will be doing two things with the same amount, we are worried Speaker.

Indeed, justice has been done here because it looks like people are coming here and do as they wish and nobody saying anything. Councillor Mongale indicated the positions that are there that are about 80 positions 39 is currently occupied and 41 outstanding and you ask yourself when are these vacancies going to be filled, because in the previous Council the same report served in with the same number of positions. I saw in the document that there's money allocated for food of the zoo for animals and I'm not sure if we still have animals at the zoo. But there is amount of R70,000 which was allocated for animals feeds. There is a tender for khaki clothes and since when do Mangaung officials wear khakhi clothes. Thank you very much.

Councillor KC Moreeng addressed the Council: “Kealeboha Mostamaisa wa Dipuisano. Hona jwale hore ha ho no ya ka takatso o na lakatsa hore re ngola di rule 38 questions. Hojane wa etsa boitlamo hore o tla di araba bonnete ne re tla di ngola, re dutse ka leqeni ha re arabuwe, jwale ke monyetla wa hore re buwe. Ke dumetse ntlo a e kopanang kano le ba etapele ba teng. Speaker, Supply Chain Management as the core component of the Public Financial Management must seek to ensure the proper flow of goods and services between suppliers and public sector institution in the right quality and quantity, whilst advising the RDP goals, employment principles, supply development, local economic development and value for money to ensure expenditures and appropriate service delivery.

SCM has been development in occurrence and in conjunction with other pieces of legislation to develop and shape the supply chain management within the local government sphere. This includes section 217 of the Constitution which compels all original states to implement Supply Chain Management that is fair, transparent, equitable, competitive and cost effective. Supply chain management as a financial management tool should seek to reform and regulate the manner in which public funds are utilized when procuring goods and services whilst in pursuit of the service delivery that is responsive to the needs of the society and curtail maladministration and fraudulent practices in the procurement front. Speaker, allow me to go to volume 3. Let us check whatever is that transparency and fairness.

Madam Speaker go up to page 37 where a certain company has supplied and delivered maintenance equipment for the value of R1.6 million. What are those maintenance equipment we are speaking about transparency. Are we going to have a company that is supplying maintenance goods what are those maintenance goods that they supplied. Were they going to maintain cars or the building, what were they maintaining and you go to page 37, Speaker, the very same company again it supplies and deliver, maintaining good equipment for the value of R104,000 Speaker and there was in September 2022.

On page 43 Speaker in December 2023 the very same company again, it supplied and delivered maintenance equipment for the value of R85,000 one of those equipment that they supply. We cannot be sitting and having a document that says supply, delivery or supply of maintenance equipment. What kind of you can are they delivering and supplying for such amount of money and you go to May 2023 on page 45 the very same company again supplies mysterious maintenance equipment again for the value of R900 470.

And on page 44 the companies supplied again for the value of R1.7 million. It cannot be right Speaker that we sit here and accept these reports as they are. I know my fellow colleagues, they don't even bother to go through such a document, but they do come here. I'll try my luck at home. They do come here speaker and say we should accept. I know speaker when we speak about money, people will start to shiver because it is this kind of conduct that opens normalized.

It is this kind of conduct speaker that opens the back door for looting and maladministration. Speaker, you go to page 40 without wasting the Council's time Speaker the very responsible for business refuse collection in Thaba Nchu for the value of R2.5 million that was in December 2022. But I'm asking as we are sitting here and acknowledge that seven compaction trucks which were bought. Where are they? What are they doing? If we are still paying R2.5 million for refuse removal. That the amount of money combined together could have assisted to the seven compaction trucks that were bought for us to even get more so the Municipality can be able to deliver services to the people.

If you check the report, Speaker the very same company is versatile I like this company, it appears all over it is even able to provide us with the Revitalization and Vacuuming of VIP toilets to the value of R3.5 million. It cannot be right Speaker we don't have a network structure for sewer while we are still using pit toilets in Thaba Nchu? In 2023 they are still using bucket system in Botshabelo but we are able to pay this company R3.5 million.

If this is a manner Councillor Sebolao stated that investigation must be put in place. If this is a manner to loot money and money should go through the back door. Next time when this item comes to Council it should come with proper explanations under what services were rendered and they should also explain why one company is appointed to do all projects. Thank you, Speaker.

Council Whip, Councillor VE Nikelo addressed the Council: "Can I say something in relation to everything that has been indicated in this House. Thank you very much, Speaker, I just wanted to indicate and highlight to the honourable house. That, you know, sometimes to stand up in this August house and make accusations that are miss founded, it is very wrong. Because some of the Councillors when they speak, they speak as if there is something that is happening. According to the financial misconduct if you know something and then you are not reporting it, then you become also party to that. I'm saying to all the councillors who are saying in this August house that there is a form of corruption that is happening or they think that there is a form of corruption that is happening.

They must go and report that to the police so that at least those issues can be investigated properly. But again, I want to raise this thing to say it is not also ok because the general manager at supply chain is not HR. So for somebody to come in this house and say he appoints only the families members again, it becomes a very serious problem because if that is unfounded. I humbly request Councillors to be careful when they make contributions and make inputs in this particular house, and I want to thank councillors who raised the issue around the establishment of the DC Board in terms of making sure that they assist in addressing these issues that they are here.

But I want to seriously caution councillors who are coming to this Council and say things that are not there and then pretend yes, I mean wanted to act or rather one day the community of Mangaung to believe that those things are happening without tangible evidence that they can present. So I just want to indicate Speaker to say if anybody has anything that he suspect that is happening and then everybody let them just feel free to go to the police, open the case, bring the case so that the police can start doing investigations and everything. Other than that, they must allow the processes to follow and the MPAC will also do its own responsibility and the annual financial statements are being the processes followed as such. So as a result of that, until such time I would request that councillors, they don't say much around these issues, that they are not sure about them. Thank you very much.”

Councillor MW Mongale remarked: “I think Council Whip, you have gone overboard, you should have probably stick to controlling the meeting with regard to wild allegations. But the issue of saying once we pick up that there is an irregularity in this Municipality, the matter must be reported to the police. You are simply saying this Municipality has got no legal obligation to investigate matters that are brought to its attention and in terms of separation of power, we have that offering.”

The Speaker stated that she would have to stop Councillor MW Mongale because what he was saying would open up debates.

The Speaker indicated that as the two items were only for noting, there would be no voting.

It was thereupon

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

6.

ANNUAL REPORT ON THE IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY FOR 2022/2023 FINANCIAL YEAR

This item was discussed simultaneously with item 142.5 as minuted above.

It was thereupon

RESOLVED that Council took note of the Annual Supply Chain Management report for the financial year ending 2022/2023.

7.

WRITING OFF OF STOLEN MONEY AT THE FRESH PRODUCE MARKET

The Speaker indicated that Secretariat would be handing out the amendments of the recommendations. She further explained that, the Council would first deal with the acceptance and inclusion of the new recommendations by a vote and thereafter she would then allow Councillors to make their inputs.

The new recommendations read as follows:

- (a) That the Municipality covers the cost of the money, that was stolen to settle the outstanding debt on the third parties including the suppliers in line with Treasury Regulation.
- (b) That the expenditure be included as a note in the annual financial statements as prescribed by the law.
- (c) That once the expenditure has been incurred and all the third party payments have been settled, the matter be referred back to MPAC for further investigation to ascertain the recoverability of the cost from anyone who may be found liable once investigations are concluded

The votes for the inclusion of the new recommendations were as follows: 70 voted in favour, 0 against and 7 abstained.

Councillor VE Jonas addressed the Council as follows: “The Acting Executive Mayor Cllr Gregory Nthatsi, the acting Council Whip Cllr Vumile Nikelo, acting MMC’s, honourable Councillors of Mangaung and our guests, members of the media and community of Mangaung.

Madam Speaker, let me take this opportunity to thank the Acting Executive Mayor for tabling this item to the council, I know madam speaker that most of us are wondering why this has been brought to council for consideration and approval, however madam speaker, this should be understood in a context of good governance, accountability and responsible leadership from the African National Congress led Council.

It should be noted that we are very much concerned as the ANC led government about the high level of crime in and around the vicinity of the municipality and are very much concerned about the resource of the municipality, which by its nature are supposed to be used effectively and prudently for the benefit of the community of Mangaung. The theft that has occurred at the Fresh Produce Market raised a very serious concern to us hence we pledge that we will leave no stone unturned in order to ensure that we get to the bottom of this and all those may be found to have been involved in the break-in faces the full might of law, regardless of who they are.

Madam Speaker, paragraph 12 of the treasury regulation, (management of losses and claims) indicates that *“subject to the provisions of this regulation, or any other legislation or agreement, the state will bear its own damages and accident risks and be responsible for all claims and losses of state property where these arise from state activities by an official who is liable in law and who is or was employed by an institution.”*

Further to that Madam Speaker, the regulations indicates that *“when it appears that the state has suffered losses or damages through criminal acts or possible criminal acts, the matter must be reported, in writing, to the accounting officer and the South Africa Police Service”* hence the following must be noted: the case was opened with the police, the municipality has ensured its own assets except for cash, the security was overpowered and third-part money was stolen from the municipal premises, which by its nature placed the municipality right at the centre of everything and placed the liabilities right at the doorstep of the municipality hence the request that council must cover the cost to the tune of 681 905. Which has to be used to settle third party payments, including suppliers (farmers who are supplying the Municipality with vegetables) etc.

Furthermore, we wish to indicate that these shouldn't be payments that are made in vain, hence we wish to also amend the recommendation as follows:

1. That the Municipality covers the cost of the money, that was stolen to settle the outstanding debt on the third parties including suppliers in line with Treasury Regulation.
2. That the expenditure be included as a note in the Annual Financial Statement as prescribed by the law.
3. That once the expenditure has been incurred and all third-party payments have been settled, the matter be referred to MPAC for further investigation to ascertain the recoverability of the cost from anyone who may be found liable once investigations are concluded. Thank you, Madam Speaker.”

Councillor TP Moiloa addressed the Council: “Thank you, Madam Speaker. Let me thank this opportunity that you are giving me today and greet, the Council at large. Madam Speaker, as it was for the first time, for the Fresh Market to face the challenge of robbery. The market it used to work on Saturday morning were very long time there was no provision made with the bank tender that banking should be done on Saturday because of the incident that we were faced with as the Fresh Market on that day.

They have decided that they will collect money even on Saturdays. The norm was to keep the money in the store safe and being back together with the money that collected on Monday, the robbers broke the security door that lead to the security safe where there was a lock. Madam Speaker, what is important also. is to also consider the two factors. the community and the service delivery, should the Fresh Market failed to honour its obligation, the farmers agent and client, they will lead to the litigation and probably the closure of the market with the direct consequences of revenue to the market.

Madam Speaker you must also remember why we are saying on the third recommendation, while that once expenditure has been incurred and all the third party payment has been settled, the reason being there was no transaction that has happened before. That is why there must be an expenditure before and after an investigation can be done. The case is still on and you must remember there is a case number where there have been a case opened at level 7. The case number is 169/2023. Madam Speaker, as the ANC we want to support the new recommendations as it is. Thank you.”

Councillor ME Dennis addressed the Council: “Madam Speaker, This incident at the Fresh Produce market is very disturbing.

The theft happened on the 26 February 2023, and the first report on the matter was written on the 08 May 2023. The council now only received this document for discussion today. Six months after the incident. This slow reaction of official in MMM has caused dire financial strain for the farmers, market agents and other customers involved.

- The report speaks of the actions taken by the Security Firm to open a Case of Theft at SAPS.
- Did the security firm take disciplinary actions against the security officers on duty that night?
- Has the Municipality taken insurance against theft of cash.
- Did the MMM get any feedback on the case from the SAPS.

I would like the honourable Executive Mayor to answer these questions in the next meeting. The DA supports the recommendations in the report. Thank you.”

Councillor M Wewege addressed the Council: addressed the Council: “Madam Speaker, the writing off stolen funds, amount to a staggering R681, 905, that raised not only eyebrows but also deep concerns within our community. As diligent taxpayers committed to the prosperity of our city, it is our right and duty to address the allocation of these funds and demand transparency and accountability from our local authorities.

Now, a pertinent question arises: were the cameras not operational during the incident, and why was this not rectified promptly? Equally important, why was such a substantial amount of money left unattended over weekend? Our municipality currently employs three security firms, so why was there no security personnel stationed at the site, especially when aware of the presence of a significant amount of cash? These questions demand answers. Our goal is not to cast blame, but to understand the failures in our security protocols and take corrective measures.

The bond between Mangaung and Fresh Produce Market is one of the few things that still functions effectively. While it might be tempting to withhold payments due to budget constraints, we must remember that these funds are the hard-earned wages of the market’s employees. Finding a balance between responsibility and supporting our local workforce is essential.

Moving forward, we must prioritize security enhancements. Have additional security measures been implemented? Will funds be deposited daily to minimize the risk of future incidents? Ensuring the adequacy of our insurance coverage is paramount. Have steps been taken to increase or amend the insurance to sufficiently cover potential losses? Transparency and oversight are critical components of our path forward. As representatives of our community, we request regular oversight visits and detailed reports to ensure that corrective measures are being implemented effectively. We understand that the process of addressing this incident involves an investigation. It is crucial to await the outcome of this investigation before making any decisions about writing off lost funds. Our commitment to justice demands that we have a comprehensive understanding of the incident’s circumstances.

Madam Speaker, as we navigate through these challenges, let us keep our community's best interests at heart. Our unity, vigilance, and demand for accountability will pave the way for a more secure and responsible future. Together, we can turn this incident into an opportunity for positive changes.

In conclusion, the Freedom Front Plus will support this item only on the condition that security be improved. I thank you Madam Speaker."

Councillor JB Thomas addressed the Council: "Motsamaisa wa dipuisano, ha ke nke monyetla ona keo lebohe hape ke lebohe ba lekgotla bohle ba teng , ke ise hlomphe ho baaihi ba Mangaung. Motsamaisa wa dipusano ntle le tshenyiso ya nako, mona teng la nka ho thwe dintho diya tshwana re nyantshwa phoko, taba ena e kgwadi e kgwatsana.

As the EFF was surprised that today we are expected to write off the stolen money, that was never reported to the Council. According to this report, their money was stolen on the 26th of February, but it was never reported to us as Council. We demand answers on the following questions. And I hope the mayor will give us those answers in the next Council sitting.

1. Was this matter not reported to council from February.
2. Why is it not the municipality that opened the case and what is the name of the security company that opened the case on behalf of the Municipality.
3. Why are the farmers so quiet about their money.
4. Did this matter Go through MPAC before it comes to Council.
5. What are the findings of the investigations

As the EFF, we therefore reject the writing of stolen money at the fresh produce market, and recommend that this matter go to MPAC first and forensic investigation be done. Thank you very much Madam Speaker."

Councillor MW Mongale addressed the Council: "Thank you, Madam Speaker. I stand up here conflicted another part of me is that there are people who have invested their money that wants a reward for their money, which in this particular case are farmers, and they need to be protected. I will also plead with our colleagues from the Economic Freedom Fighters to tone down on this matter we are all aware that a mess has been done seven (7) months have passed. I'm walking with you o nkuwa poho and you keep quiet, ha o fihla ntlong ke hona ong njwetsang hore o nkilwe poho. Re dutse di Council tse ngata mona and there was not even a single statement to say, as the Municipality we have been robbed.

Now, in this particular case, it shows that there was no good intentions, but we are calling on this Council that there should be a commitment on the side of the Executive Mayor that there should be investigations. We agreed the money must be paid to the account that debt must be written off, we agree. All we're saying is that there must be investigations. Out of the investigations we must be very clear. We are giving you terms of reference the security company that has been appointed at the fresh produce market. We need to check their grading, whether are they duly appointed, whether they truly accredited, are they registered with PSIRA and whatever institution that is regulates, the security companies, we also want to see the police report where they are closing the report to say they cannot find the culprits.

Where is that report of the police or there is an ongoing investigations we need that report, but we also want to see the Municipal report. The municipal report where municipality did their own internal investigations. Among the investigations just to say why fresh produce market even today have not been declared as a national key point, even though it is having the food that has the potential of plunging this country into a food crisis or for whatever reason, the food might be posing at that level of fresh produce market because there seems to be no vigilance at that level.

So I'm raising these issues to say, let's also not fix the problem, only at fresh produce market. Let's fix it in all the access points of the municipality we don't want people to make money with this Municipality, let's say, last month or February, it was fresh produce, then the other next victim it will be the Regional office another one it will be the Bram Fischer. We don't want it to happen close all the taps so that those thugs should not continue to loot. Because I can tell you it's an internal job we need to investigate it. Those culprits will be found if there can be investigations. If we can't get the investigators, we might get the private investigator that will apprehend those culprits because we are sick and tired of chasing people who are stealing Municipal money while people are suffering in the Township.

People are suffering people are not getting services here's the money that disappearing. Another money that was here, make for service delivery it has to be given to fresh produce market to pay the farmers and at the same time it is a moral obligation we need to do it, but we are just saying. We are not Santa Claus or father Christmas let this matter be taken serious and investigations should be finalized.

Let people not be emotional when they are being corrected when they are wrong. This is something that needs to be corrected me and you will be here talking about another department of Municipality it will be an embarrassment. We would wish not to come here because and i standing and saying I told you so you didn't listen.

So I'm asking you with all humility to say, let it not only be fresh produce that is being protected, but all other access points where Municipalities got valuables, they must be properly protected, including City Hall and other halls of the Municipality.”

The Speaker mentioned that Councillors who had questions which require responses by the Executive Mayor, can kindly submit to his office.

It was thereupon unanimously

RESOLVED that the Council approved:

- (d) That the Municipality covers the cost of the money, that was stolen to settle the outstanding debt on the third parties including the suppliers in line with Treasury Regulation.
- (e) That the expenditure be included as a note in the annual financial statements as prescribed by the law.
- (f) That once the expenditure has been incurred and all the third party payments have been settled, the matter be referred back to MPAC for further investigation to ascertain the recoverability of the cost from anyone who may be found liable once investigations are concluded.

8.

REPORT ON DEVELOPMENT APPLICATIONS PROCESSED BY THE MANGAUNG PLANNING TRIBUNAL (MPT) JANUARY 2023 TO MARCH 2023**Council Whip, called the Council to order due to disturbing noise in the Council Chamber.**

Councillor T Van Der Walt addressed the Council: "It is required to be tabled quarterly in compliance with the Spatial Planning And Management Act Systems and. Land Use By law however the reports for 2015 to 2021 and June to December 2022 and April to June 2023 have still not been submitted in contravention of those requirements because. The Municipal Planning Tribunal for was established following a Constitutional Court ruling that Municipal Councils have the ultimate authority to decide on all Land Use applications in its boundaries. To ensure that the National, Provincial And Municipal policies, decisions and strategies are implemented fairly independently and by capable professionals, the Council is required to delegate this authority for Land Use decisions to the MPT, the tribunal. which is appointed by Council.

As with any other delegated authority, the amputees still required to report back to Council on all decisions that are taken under this delegation. All their decisions must be taken in a transparent fair and objective manner and in line with existing policies and legislation. If there is any need to amend the existing guidelines or policies of Council or nationally, stakeholders must do this through the legislative processes Parliament, Provincial Legislature and Council. The MPT has the constitutional responsibility to be fair and transparent on applications, decisions and anything else Council must be aware of.

Therefore, bridged the mayor through you, speaker, the MMC, the Acting City Manager and the Acting head of the department to ensure that the reports are well drafted and provide the necessary details and or submitted and served before Council within a reasonable time after each quarter. Lastly, speaker, the committee members are eagerly awaiting notice of the coming committee meetings that the MMC has committed to thoroughly discuss and oversee challenges the department faces and how Council can assist the department to ensure sustainable growth and development of our economy which will bring employment to the city. Thank you, Madam Speaker."

Councillor M Wewege addressed the Council: "Madam Speaker, we are addressing a matter of utmost importance that has been causing concerns within our community. This matter pertains to the accessibility and comprehensibility of certain reports that directly impact our city's development and decision-making processes. These reports, specifically those concerning the locations of extensions in Mangaung, have posed challenges that hinder our ability as Council to make well-informed decisions.

We as councillors do not interact with these reports daily, their complexity and intricate details often make difficult to decipher. This report does not give Council a full picture since the report doesn't read easy. How must we as Councillors know where is Erf 7934, Mangaung? How can we claim to be doing oversight with insufficient information? The significance of these reports cannot be underestimated, as they play a crucial role in shaping the growth and direction of this Metro. The lack of clear representation and the absence of vital information, including declined requests, hinder our ability to fully grasp the implications and consequences of our decisions.

The impact of these challenges is felt not only within our council but resonates with our community as well. It is also of great concern that ward councillors are not informed about changes being made as they have a responsibility to ensure that the choice made align with the needs and aspirations of the people we serve. For years there have been instances where decisions, particularly those related to property subdivisions and approvals, have been made without the necessary communication reaching the concerned ward councillors. This has resulted in instances of public dissatisfaction and even grievances being directed at us.

A big problem in certain areas are the abrupt approval of subdivision. The City's infrastructure is not developed for these subdivisions and extra households. Council must note these reports, without being acknowledged in the decision making, but we are the first to be contacted if the systems collapse. Areas such as Universitas, with its vibrant student community, and Waverly, where infrastructure challenges have surfaced. It is imperative that we, as elected officials, are provided with the information we need to effectively represent our constituents. This includes not only approvals and decision but also a comprehensive understanding of the reasoning behind these actions.

Therefore, I propose that we take immediate steps to address these challenges: We need to work collaboratively to ensure that these reports are presented in a manner that is clear, accessible, and easily understandable by all councillors. This will facilitate more informed and effective decision-making.

It is essential that councillors are promptly informed of decisions that impact their respective areas. This will not only improve accountability but also allow us to address concerns from our constituents in a timely and satisfactory manner.

We must undertake a thorough reassessment of the processes surrounding the MPT authorization and competence. The input of councillors in these processes should not be overlooked, as they bring a unique perspective from their direct interactions with their constituents.

All reports, including those previously not provided, should be made available to councillors. Very alarming is the fact that this is the first time such a report is presented to this Council. Where are the 1st and 2nd Quarter reports?

In conclusion, Mangaung's progress and well-being depend on the choices we make as a council. To ensure that we are truly serving the interests of our constituents, we must work together to overcome the challenges presented by these reports. By enhancing their accessibility, transparency, and the inclusion more prosperous future for all residents of Mangaung. I thank you Madam Speaker."

Councillor VE Jonas addressed the Council: "Thank you, Madam Speaker. This report is the report of the development application processed by the Mangaung Planning Tribunal. This report is submitted to the Council to provide the information on the progress of develop Land Development application approved by the Municipal Planning Tribunal, Madam Speaker. And we want this Council to note this report as it is the quarter report for the MPT. Thank you, Madam Speaker."

Councillor MW Mongale addressed the Council: “I thought the MMC will apologize to the Speaker for not bringing the reports all this time because it's for the first time that the Council is getting the report and we are dealing with a very sensitive item here when we deal with the issue of Land Use, anything that has got to do with land. We know currently we are speaking in Botshabelo and Thaba Nchu there has been two big incidents of land occupation and it has been classified as illegal occupation. The community they can take us to task as a Council to say, have you created a platform for us to get land.

Was there any other engagement that was the prior nothing why the committee has not been helping us to do that job. So we welcome the report, but we are also worried that there seems to be lack of urgency from the Committee, because we want them to understand that the land occupation that is taking place in Botshabelo and Thaba Nchu it might have a ripple effect to go to other areas of the Municipality including the same places again, but in different areas...”

Councillor VS Soqaga on a point of order indicated that the item was for land development application, not land invasion. That one would apply and the Committee look at the application similarly to a job application.

Councillor MW Mongale continued: “Thank you for protection Madam Speaker, he is right he can differ with me. But the issue here is that we just wanted the Committee to understand the urgency of it starting to be functional because it will be for the benefit of the Municipality in the long term. There will be times where we would not even have any dispute with regard to length where municipal will be an advanced stage where it is the one that is creating opportunities.

One example is the earlier example that I made about the cemetery that I've seen in the report with regards to Heidedal, where I said it has been made closer to the people and we appreciate it. But we are saying the absence of that Committee from functioning these things remain they remain delayed and there seems to be no progress with regard for that. I'm not fighting anyone I am just saying let's have that sense of agency. Let's understand what are the challenges that we are facing currently because it is not only with regard to those applications that have been approved.

There are lot of developments that needs to happen relying on us sitting, so that we can be able to process those applications. So at the moment it seems like there are applications they just need the platform so that they can be made and we will be able to function properly if we can be proactive, there will be no crisis in this matter. That is what I'm saying I am humbly asking that the Committee must start to be functional.”

Councillor R Hashatsi addressed the Council: “Greetings Honourable Councillors, Acting Executive Mayor and his committees, the Speaker and community of Mangaung in large.

Madam Speaker these 3rd quarter report serves to inform Council and provide information on the progress on land development applications approved by MPT for the period of Jan 2023 to March 2023. Madam Speaker these was established by council in terms of Act 16 Of 2023 together with section 79 of the land use management by laws and adopted by council in accordance with council resolutions June 2015.

Madam Speaker in accordance to Section 108 of Land Use management By-Law Gazetted 26 November 2021, A comprehensive report that entails the full details concerning the status type of application that serve at the for specific time frame and which specifically provide dates of meetings held by MPT over the above mentioned period is also attached.

Madam speaker in terms legislation the regular Section 54 of Acts 16 of 29013 give frameworks to operationalize and give full effect to MPT. Therefore, speaker has serves it is compliant in term of legislation. As an update to council regarding the development applications that was considered by MPT from Jan 2023 to March 2023.

Madam Speaker in terms of implications there were none financial implication, legality it complies with section 168 of land use management by laws as gazetted 26 November 2021. In terms of communication this report serves to inform council on the processing of land use application by MPT. Madam Speaker as for community of Mangaung and service delivery it is aimed to secure the legislative mandate as adopted by Act 16 of 2013 and also SPLUMA.

Ho Sechaba sa Mangaung hona ke moedi ho fumana lefatshe tie le tle ho lona. Therefore, Madam Speaker, I recommend that the council takes note of these 3rd quarter report from MPT and support it.”

The Councillors will not be voting on this item, as it was just for noting.

The Speaker allowed a break for lunch and thereafter, the Council would deal with “In Committee” items.

It was thereupon

RESOLVED that Council takes note of the 3rd Quarter report from the Municipal Planning Tribunal.

143.	REPORTS FROM THE SPEAKER
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1.

UPDATE ON THE RESIGNATION AND REPLACEMENT OF WARD COMMITTEE MEMBERS.

The Speaker indicated that the item was just a report back to Council because Ward committees are committees of Council, it was a report to update Council on the resignation or the passing away of some Ward committee members and the replacement thereof.

Councillor MW Mongale remarked: “Madam Speaker i humbly plead with you that you should check the ward Committee of ward 11 There is a person that passed on and then when the replacement was made. The person who was supposed to be the ward committee member was denied the opportunity to become a ward committee member. We sent the request to the then Speaker of that time and we have been sending letters. No one has ever responded to our letter. No one has ever given us an explanation. There was not even an answer to that even after several reminders to that effect. I think if you can check in your file, you'll find those letters it is in regards get to ward committees.”

Councillor MT Mosala remarked: “Thank you, Madam Speaker, as the Ward Councillor of ward 11, what Councillor MW Mongale is saying is not a true reflection of the voting list of the ward committees, of ward 11. Ntate Akata was number 11 on the list, meaning if somebody from the ward, resigns or passes away, he is the next person in line. Please go through the archives you will see that what I'm saying is the true reflection of the list of voting of ward 11 Committees. Thank you.”

It was thereupon unanimously.

RESOLVED that Mangaung Metropolitan Council:

- (a) Took note of the resignation and replacement of Ward Committee members.
- (b) Approved the replacement of Ward Committee members who ceased to hold office.

2.

FILING OF THE VACANT POSITIONS OF THE CHAIRPERSONS OF THE SECTION 79 COMMITTEES: PUBLIC PLACES AND STREET NAMING COMMITTEE, REMUNERATIONS, PETITION AND COMMUNITY LIAISON AND MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

The Speaker elucidated as follows: “Councillors we elected an interim chairperson on the 12th of July 2023 for the MPAC. The reason we elected the interim chairperson is because of the Appeal case that's currently in court, however, that appeal case does not have any bearing on the election of the MPAC Chairperson or Chairperson of public Places and Street. Naming Committee, because the councillors or the ex-Councillors, the Mangaung 7 they had that recourse which they were seeking. And called to be reinstated as councillors, however, they withdrew that recourse.

The only thing that is currently in front of court which is being appealed is where those Councillors on the 14th of April during that Council meeting which afforded us a quorum. So for that reason, we can actually appoint a permanent MPAC Chairperson and we can appoint a permanent Public Places and Street Naming Committee Chairperson. So I just want to ask Council because recommendation says we must resend the Council resolution of 12th of July which elected the interim chairperson of.

I would want to request Council that instead of us rescinding that Council resolution and re-electing a permanent Municipal Public Account Committee Chairperson that we just mean that resolution, to say that the interim chairperson that was elected on the 12th of July. Becomes the permanent chairperson for that committee. So that's what I just want to ask from Council, if we can amend it like that.

I am just going to ask because according to our Standing Rules And Orders, if we want to rescind or amend a resolution within three months we have to get a majority of 60% of Councillors to vote in favour of that. So can I just ask that Councillors those in favour of us just amending. The resolution 113.1 of 12 July 2023 that the MPAC Chairperson elected is a permanent chairperson and not an interim chairperson.”

The voting results were as follows: 51 in favour, 1 against and 17 abstained.

The Speaker expressed that there is a majority of 74% so that is more than a 60%. The motion was duly adopted by Council and thereon congratulated **Councillor IJ Makoloane**, as the permanent chairperson of MPAC. She stated that recommendation B was then scrapped.

Councillor MH Supi nominated Councillor TJ Mokgotloane and Councillor R Hashatsi seconded the nomination and Councillor TJ Mogotloane accepted the nomination.

As there were no other nominations, the Speaker congratulated Councillor TJ Mogotloane as the Chairperson of Section 79: Street Naming and Public Places.

Councillor PM Mohibudu nominated Councillor MM Tladi as the Chairperson of the Remunerations Committee and Councillor LM Tidi-Odili seconded the nomination. Councillor MM Tladi accepted the nomination.

The Speaker declared Councillor MM Tladi as the Chairperson of the Remunerations Committee.

Councillor VE Jonas nominated Councillor MA Morake to be the Chairperson of Petitions, Motions and Community Liaison Committee and Councillor ML Mothupi, supported the nomination. Councillor MA Morake accepted the nomination.

The Speaker declared Councillor MA Morake as the Section 79 Chairperson of Petitions, Motions and Community Liaison Committee.

The Speaker requested Council to vote on recommendation F, that the elected chairpersons of the above mentioned Section 79 committees be designated as full time councillors.

The voting results were as follows: 50 in favour, 0 against and 18 abstained.

It was thereupon

RESOLVED that the Mangaung Metropolitan Council:

- (a) That the Council Resolution 113.1-12/07/2023 which elected the interim Chairperson of MPAC be amended.
- (b) Elected Councillor **IJ Makoloane** as a **Chairperson of Municipal Public Accounts Committee.**
- (c) Elected Councillor **TJ Mogotloane** as a **Chairperson of Public Places and Street Naming Committee.**
- (d) Elected Councillor **MM Tladi** as a **Chairperson of Remunerations Committee.**
- (e) Elected Councillor **MA Morake** as a **Chairperson of Petitions, Motions and Community Liaison Committee.**
- (f) That the elected chairpersons of the abovementioned Section 79 Committees be designated as full-time Councillors.

3.

UPDATE ON SALGA WORKING GROUPS

The Speaker provided background as follows: “We had to update the SALGA working groups and this was done in conjunction with the Council Whip’s Office. The reason is because some Councillors ceased to be Councillors and they were originally our members or alternates on the SALGA working group so we just had to replace them on the SALGA working groups.”

Council Whip, Councillor VE Nikelo remarked: “I just want to indicate speaker that as much as we are tabling these the changes that has happened in as far as the working group SALGA working group are concerned but I just want to highlight the importance of all councillors who are appointed to serve into those committees or rather working group sessions, either as the invitees or the alternate members. They must really make sure that they do participate actively in those particular sessions because, I think previously there has been a concern from SALGA on members of this Mangaung Metro who are not actively participating or who are not even attending those particular sessions.

It is very much critical that our own Councillors, they start taking those meetings very serious because they are very much important for both capacity building and individual capacity building of our own Councillors in the technical knowledge that will then be used to assist the Municipal Council in terms of executing their responsibilities.

10B

I really want to make a humble request, as i indicated also to you speaker, that perhaps maybe this Council must also indicate or rather, come up with a mechanism that will hold all those individual Councillors accountable in terms of them making sure that after every meeting of the committee. There should be a form of report that they need to submit through to your office, or perhaps maybe through the office of the Council Whip, so that we can make sure that we monitor their participation Speaker. Thank you very much.”

Councillor DE Matsephe requested that his name and surname be corrected on page 3 of the working groups.

Thereafter, the Speaker announced the voting results as follows: 67 voted in favour, 0 against and 1 abstained.

It was there upon

RESOLVED that the Mangaung Metropolitan Council approves the updated SALGA working groups list.

4.

REQUEST FOR THE EXTENSION OF THE EXTENDED APPOINTMENTS OF THE PREVIOUS AUDIT COMMITTEE MEMBERS

The Speaker explained as follows: “We took a decision in Council to extend the term of the audit committee up until the end of August to enable the Acting City Manager to recruit and bring item to Council for the appointment of the Audit Committee, however by the time we took the decision, August was almost at its end. That it's in.

So what we are asking from Council is that we extend the contracts of the Audit Committee members to the 30th of June 2024 or otherwise, if the appointment of the new Audit committee is finalised before 30 June 2024, then that will be the last date of the Audit Committee. But then, as in the previous item. We took this decision less than three months ago, we would need a majority of 60% of Councillors to vote in favour of us extending the contract of the Audit committee to 30 June 2024 for this to pass.”

Councillor TKW Mokgothu remarked: “Thank you, Speaker. I rise on behalf of the African National Congress to speak on this Audit committee. It is very important that we urgently appoint these people, next year is too far. So, speaker, let me remind you this August house that the Council on the 28th of July resolved on the extension of the extended appointment of the Audit committee from the 1st of June till the 31st of August. Speaker, as we are currently convening here, we are without an audit Committee now I therefore Speaker request this August House to extend this extended appointment of the important committee of Council from the 1st of September till the month end of November, only for three months as 2024 is too long. I thank you Speaker.”

Councillor MW Mongale remarked: “I don't know when it's Friday or what, because I'm tempted to agree with Councillor Mokgothu. My reason is that 30th of November will be after 10 months, so that will be a motion of no confidence to all of us Councillors.

We are saying we need 10 months to fix something that can be fixed within three months. That is the worst incapacity I have ever heard about. Now I would second councillor Mokgothu and I will be voting them on the on the matter. I hope they are not going to be expelled for voting for opposition.”

Councillor E Snyman Van Deventer commented as follows: “Thank you, Speaker originally I agreed with you looking at the time frame, it is very long during 2024. But we are already in September and it doesn't make sense to appoint an Audit Committee for three months. There's a lot of work that an audit committee is supposed to do. An audit committee has high level responsibilities, including risk management and independent committee with legislative duty to review the control governance and risk management within the Metro.

It necessitates the extension of the current Audit Committee to ensure that they can fulfil these important duties and to link it to the financial year so that they can do the work of an audit committee and actually complete that work. In that process, we appoint the new Committee to back over from them. Thank you, Madam Speaker.”

Councillor MM Letawana commented as follows: “Thank you, Madam Speaker. It will be critical for us to make sure that we appoint the Audit Committee and as opposed to the period 30/06/2024 as suggested in the document. As the African National Congress we support the date of 30th of November. 2023 not 2024. So I second Councillor TKW Mokgothu.”

The Speaker announced the votes as follows: 53 voted in favour, 0 against and 0 abstained.

The Speaker requested Council to vote on the recommendation that the Audit Committee members appointment be extended until the 30th of November 2023 to allow Council enough time to finalise the appointment of the new Audit Committee members.

She announced that: **53 voted in favour of the recommendation, 5 voted against and 10 abstained**, of which, there were 68 Councillors in Council, which gave a 78%. Therefore, it was duly accepted by Council that the Audit Committee members appointment is extended until the 30th of November 2023.

It was thereupon

RESOLVED that the Council extend the extended appointment of the previous Audit Committee members to the 30th November 2023, to allow Council enough time to finalise the appointment of the new Audit Committee members.

1.

MPAC STATUS QUO

Councillor IJ Makoloane presented the report as follows: “Madam Speaker, Executive Mayor of Mangaung, Chief Whip of the Council, all Councillors and acting Municipal Managers and all senior officials. It is a pleasure to be addressing this house today, I humble myself to all of you and the members of the public.

This Council is intended for consideration on the role of Municipal Public Accounts Committee and its authority, critical to this is to also look into the collective and individual responsibilities of all councillors in fulfilling their fiduciary duties as required by the law.

It is my intention to first acknowledge the role of skeleton staff in the office of MPAC and humble myself in the manner that all councillors understand and respect the role of this committee. This committee might sound or look too sensitive and which hunting, but the truth is that it is entrusted with the quality management, obligations and responsibilities. Therefore, we need collective obligation to defend this house from a sickness of unaccountability and corruption. This might sound difficult, but it's a good thing to do in the best interest of our people. There is only one responding for us Councillors, to have good understanding of why people voted and put us in position of responsibilities. Loving them is important more than deceiving them, what I mean here is the total honesty to our community and what they need from us as we all took oath or affirmation to protect them.

Honourable Speaker, let me confirm to this council that all of us have both individual and collective responsibilities for protection of municipal resource, both capital and human. This means fiduciary duties. I want us to all note responsibility, both as individuals and collective, this will allow us to be responsible in our duties. It is important to know of our corporate morality and be sensitive to that, I trust that we all have full knowledge of your responsibilities. I know Council gave you all necessary legal instruments (library), with a hope and understanding that we use them effectively to the best interest of our community/ public.

Honourable Speaker, the following legal instrument are important for accountability.

- a. Municipal Structures Act
- b. Municipal Systems Act, no 32 of 2000
- c. Municipal Finance Management Act, no 56 of 2003

Structures Act: this Act outlines the broader picture on how the institutional arrangement of the municipality must look like.

Municipal Systems Act: This explains the micro structure of municipality, how individuals relate to each other and this is between both political superstructure and bureaucratic arrangement.

Municipal Finance Management Act: This is our bible for accountability and prudent management of the resources of municipality, meaning it's a strong pillar of honesty in handling the resource of municipality. It is supported by the MPAC toolkit as follows:

“Municipal Public Accounts Committees (MPAC) – Guide and Toolkit Page 5 of 72 Municipal Public Accounts Committees (MPACs) are modelled on the example of Standing Committee on Public Accounts (SCOPA), with specific different by virtue of the legislative framework, widely used in South Africa by legislatures at the national and provincial level. The MPACs, according to the Auditor-General.

And also goes further to say: undertake and manage similar functions and responsibilities for municipalities as undertaken by the SCOPA.’ There are, however, key differences that must be noted as it relates to their powers and functions as these have been outline in the MFMA, MSA and supporting guides. Given the recent transitional process and impacts on municipal demarcations, municipalities have begun the process of establishing MPACS.

Honourable Speaker this means we have collective responsibility for accountability and trust, it will be very difficult for all councillors to ignore this duty. The submission of the office on Council Item 142.7: Writing off of stolen money at the fresh produce market:

New recommendations:

1. That the municipality covers the cost of the money, that was stolen to settle the outstanding debt on the third parties including the suppliers in line with Treasury Regulation.
2. That the expenditure be included as a note in the annual financial statement as prescribed by the law.
3. That once the expenditure has been incurred and all the third-party payments have been settled, the matter be referred to MPAC for further investigation to ascertain the recoverability of the cost from anyone who may be found liable once investigations are concluded.

MPAC is simple, working together as collective will bring effectiveness and efficiency. This can be done when the Acting City Manager facilitates and ensure handover report is made available to the office of MPAC. Lets put all efforts in one room. I thank you.”

Councillor TD Masoeu commented: “Madam Speaker, allow me to start my speech this morning with the following inspiring words from “Vino Quotes” And I quote- in life , you don’t stand for something, you fall for everything’

May I also quote-A goal is a dream-with a deadline’ if is good to dream. If fact life is about dreams. For a life that does not have dreams-is a life that has no “*meaning*”

Madam Speaker, I serve in the committee of Municipal Public Accounts. (MPAC) 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 a committee, because of its direct reporting line to the full council, it is best suited to oversight in the Municipality, Section 129 of the Municipal Finance Management Act requires a municipality to prepare an oversight report over the annual report and to publish that report.

11B

It is disappointing that as a member of MPAC I have to stand here and say that oversight report has not been submitted to council which is failure to comply with legislation. MPAC is required to consider all representation made to council, municipal officials and members of the public. MPAC must monitor that the issues raised during the municipal audit have been fully addressed. MPAC must monitor effectiveness of Audit Committee. MPAC must monitor and exercise oversight on disciplinary action instituted in terms of Financial Misconduct Regulations. And last but not the least, MPAC must review and recommend to council action relating to the expediting and conclusions of Unauthorised, irregular, Fruitless and Wasteful Expenditure (UIFW). None of the above has materialised.

We do understand that a new Interim Chairperson for MPAC has been appointed. But let us remind ourselves that this council already granted ample time for MPAC to finalize the oversight report and one would have thought that the interim Chairperson would have treated the meetings of this committee as a matter of urgency that it deserves and ensure that MPAC sits on regular basis to speed up the finalization of the oversight report. Guess what. That doesn't appear to be the case.

Instead, a hurriedly compiled status quo report has been compiled and is not been tabled in council. We request that this report be referred to MPAC for deliberations before it can be brought to council because as member of MPAC we were not involved when this status quo report was compiled and as a member of MPAC I now have to declare in this council meeting that I disown this status quo report because I did not participate in its compilation.

The other disturbing factor is that the interim Chairperson appears to have jumped at the opportunity to fill support staff in MPAC office with new political appointment rather than ensuring that some of the skills that were in that office retained for continuity purposes. Let me make it clear that as MPAC members we are not asking to interfere with appointment of support staff in that office but rather advice that for continuity purposes especially with time not our side please interim chair make sure that the functionality of that office is maintained. Well it appears that to the ANC only cadre political appointments is all that matters.

I want to conclude by saying the following to the Chairperson of MPAC. Work with all political parties and we will work with you sir. Failure to do that will only render that committee even further ineffective and this council will not be in a position to comply with legislation and needless to say. All issues raised during audit will not be implemented and this municipality will fail to achieve clean audit.

The ball is in your court. The DA will not be part of an attempt to render this municipality ineffective. I thank you Honourable Speaker.”

Councillor MW Mongale addressed the Council: “Thank you Speaker. I think one of my questions has been answered by the previous speaker, Councillor Masoeu because I was worried that if under recommendation it is saying that the current Chairperson of MPAC could not provide handover report because there seems to be no cooperation. I am of the opinion that whatever report that has been submitted to you, were misled as a chairperson of MPAC and whoever misled you took advantage of you, that you are new and underestimated your capacity however you will bounce back.

Chairperson you will still come back and be able to check the report, also you will get advice. You are not supposed that there no hand over report was handover, it provides a notation that the report is somewhere in a particular office this is compromising the Council because instead of us dealing with new problems, we'll end up waiting for all problems so that we can still come and deal with them unless someone is trying has been deployed either you or acting HOD has been deployed to come and cover up all the shenanigans that has happened in the previous administration that were supposed to be exposed by MPAC..."

Councillor LM Tidi-Odili stood on a point of order and remarked: "Thank you very much, Madam Speaker. I request. Councillor Mongale to withdraw the issue of misleading. Coucillor IJ Makoloane has only having two or three weeks as an acting chairperson. I believe that Madam Speaker that Councillor IJ Makoloane or the HOD and there are members of the MPAC here If there is something that they feel is hidden they are in the Council and can raise those things."

Councillor MW Mongale continued: "I think it's Friday the Councillor was just differing with me. The issue I'm raising is that we need a handover report and we cannot have excuse that it is not available because somebody else is not cooperating that is why I am asking you and I am not judging you. All I'm saying is that as the Council, we cannot afford to have another meeting to discuss a matter that should have been discussed this meeting. We are trying to be efficient and we are trying to say go and make sure that those people support to instead of them trying to run around trying to defend the instead of accounting.

If they can't get the report, let them come to you and then we will talk to the whip of the Council or speaker to the Mayor so that you must be given what is true to the impact handover report is long overdue. Let people stop this nasty English we are in the same building. The officials that I have in the handover report are in here. If they are refusing to cooperate, there are consequences to that and there is a clear procedure around that not going to coach people about this process.

All I'm saying is that the report when it has to come here, it must come. I am not crucifying you, i am aware that you are just crying out. This report is for the council and Community of Mangaung they should not undermine you. They should know when they refuse to cooperate, if they are refusing to cooperate with the community of Mangaung and such people must face consequences for. Time for honeymoon is over. Thank you, Madam Speaker."

Councillor E Snyman Van Deventer addressed the Council: "Thank you, Madam Speaker, I will not repeat what the previous Councillor said, but I agree with every word he said. I want to add a few things so ever to what he said and one of that is at our previous meeting, I unfortunately got thrown off the meeting with some IT problems but. during the meeting, we did inform the acting Chair, Acting City Manager and the CEO of CENTLEC, who did give feedback on questions, asked and I see in the report it said not done. So for me that's a bit problematic and I wonder what happened to this written answers also because we did receive that in meetings as well it was handed out to MPAC members.

We had physical meetings whereby they did answer us so that for me is problematic being also, we did a physical oversight visit to all over Mangaung from the buses to the new where they're supposed to be parked and everything. So also of that this now mentioned every anywhere year.

So it seems as if MPAC did nothing which is not true. The political appointments is problematic if you do not keep people in your office who were working with these things and would, we would have been able to assist you.

Madam Speaker, Councillor MM Tladi was my chairperson, there I think, that's one community where every single Councillor goes to into the meeting without political hat on and every member of MPAC vouched to do our very best to ensure that MPAC does what it's supposed to do and that we serve our community through the work we do there and we serve Council there. I really have a problem with this report it looks as if we have done nothing and i also want to tell the new Chair he can count on all of us we will support him. Hopefully you will look at the previous staff members of MPAC to assist by finalising the report and not only his new appointments, thank you, Madam Speaker.”

Councillor PM Mohibidu addressed the Council: “Thank you Honourable Speaker, without wasting time. I am not surprised by the utterance of Councillor TD Masoeu by disowning the report that we have discussed seated in the meeting discussed all the challenges that we are facing as MPAC, but today he is singing another song. The purpose of this report is to reflect on the challenges that the office of MPAC is experiencing and in order for MPAC to fulfil this oversight role, it needs to be provided with necessary information and documentation to interrogate the actions of the Executive. Speaker allow me to give the credit to the skeleton staff employees in the Office of MPAC and in two weeks, they managed to gather information to assist with the action undertaken in table four (4) of our report.

Madam Speaker, the Annual Report placed on the website and copies of the annual report circulated to libraries has been done, furthermore the MPAC meetings were held as per the schedule, also matters related to annual report were completed as well. The CENTLEC responses were received, the only challenge that we were having honourable speaker, is the outstanding report from the Acting City Manager report, Public participation work done and the draft of Annual oversight report. I thank you.”

Council Whip, Councillor V Nikelo remarked: “Madam Speaker, we should take note of all the comments that have been made in this august house especially in relation to the work of the MPAC. I know that we all know that there was a bit of a vacuum in as far as the work of the MPAC is concerned and as a result of that these kind of challenges that have been raised in this particular house are expected to be raised anyway, but however, one thing that I think maybe this House should make sure that we note is to ensure that the office of the MPAC is supported against all odds.

It is our responsibility, all of us to make sure that that particular office does not faces the challenges that are being indicated in the report and over and above that, the issues that all honourable Councillors have raised in relation to the report and the status quo, including the issue of the hand over report that is supposed to be because we are talking about the institutional memory when we are referring to this and the other issue. The other thing that is very much critical and very much important Speaker that we need to note is that it cannot be right that the internal audit works in isolation from the office of the MPAC.

11E

Once the internal audit works in isolation from the Office of the MPAC, then we are going to experience these kind of problems every now and then, but if the internal audit is involved and they are highly involved, they don't just assist cover, they don't just go into that particular office as a by the way thing.

We will make sure that the work of the MPAC is done properly, the professor spoke well when she says the MPAC is the only Committee where you become a member and you forget about your political affiliation and you focus on making sure that everybody is held accountable and the financial well-being of the municipality is taken good care of. If we are not going to make sure that we do that, then it means this municipality will collapse but if make sure that we support the MPAC like what Councillor MW Monagle has already indicated to say, whatever the frustrations that the chairperson is coming across, it must be the business of the Speaker and the business of the Executive Mayor, also be the business of the Council Whip.

The accounting officer must be included to make sure that whatever challenges that have been faced by that particular office are attended to and corrected. So I think it is important for this house to take note of whatever that has been presented with the challenges that has been raised as well, but make sure that going forward in terms of making sure that we support the MPAC in its work and ensure accountability within the municipality. Thank you very much.”

Councillor JC Pretorius remarked: “Thank you, chairperson. I just want to add to that congratulations, Councillor IJ Makoloane, that you are now elected as the chairperson of MPAC. It's a huge responsibility I hope you know this, but I want to humbly ask please when you come report to council, we don't want lessons on legislation, we want reports on what is happening with the finances in this municipality, thank you very much.”

The Speaker indicated that the item was only for noting and therefore there would be not voting.

It was thereupon

RESOLVED

- (a) that the Acting City Manager facilitate and ensure that the handover report is made available to the office of MPAC.
- (b) that the Municipal Council be lenient and afford the MPAC Committee ample time to can be able to produce the 2021/2022 Oversight Report.

145.

IN COMMITTEE REPORTS

The Speaker allowed the Executive Mayor to present the item prior to requesting all HODs, officials, media and the public in the gallery to be excused from the meeting and also for the live streaming to be switched off.

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.

**1.
RECRUITMENT OF CENTLEC BOARD OF DIRECTORS**

It was thereupon

RESOLVED that Council approved the appointment of persons mentioned below to form selection panel to carry out the recruitment, selection and shortlisting of the CENTLEC Board of Directors, namely:

- Cllr GMS Nthatisi – Executive Mayor – Chairperson
- Cllr MM Letawana – MMC Corporate Services
- Cllr VS Soqaga – MMC Technical Services
- Ms MJ Ntshudisane – Acting City Manager
- Mr T Matang – Served in different board level

**2.
APPOINTMENT OF ACTING CITY MANAGER**

It was thereupon

RESOLVED that Council approved secondment of Ms Maureen Judith Ntshudisane as the acting City Manager until the position is filled.

**3.
APPOINTMENT OF ACTING CHIEF FINANCIAL OFFICER**

It was thereupon

RESOLVED that the Council:

- a) Approved appointment of Ms Nomathasanqa Sitishi, General Manager: Financial Accounting & Reporting as Chief Financial Officer until the position is filled or period of three months.
- b) Approved that the General Manager be paid acting allowances and benefits associated with the positions they will be acting on from the date of appointment.
- c) Approved that acting Executive Mayor should immediately request concurrence of the Minister of COGTA on the appointment.

4.

CONDONATION OF ACTING HOD: SOCIAL SERVICES AND ECONOMIC AND RURAL DEVELOPMENT

WITHDRAWN.

146.

CLOSING OF THE SPECIAL COUNCIL MEETING

The meeting officially closed at 18h25.

**SECRETARIAT UNIT
COMMITTEE SERVICES**