

COUNCIL MEETING 2ND OCTOBER 2008
CHRISTIAN DEMOCRATIC PARTY
CLR KERRY BOTHA

Item 1 - Public Accounts Committee:

We are seeing more and more the need for a decent oversight committee for the council. More and more unfortunately, the public accounts committee appears to be bogged down with the same problems that all of our committees have, and that the council generally seems to be suffering from. If our oversight does not work and cannot do its job because of partisan interests then the council fails. As long as the ruling party controls its members to such an extent that things that should be sorted out are never confronted and dealt with, that anything or anyone that cuts across the party line is removed, and that dissention is squashed then we will continue on the road to disaster. Contradiction is healthy and positive but control and ignorance such as refusing to see impending danger or even disaster is going to be the ruling party's downfall. The only hope for this council is an oversight committee that works well and for that to happen we cannot have what this report seems to suggest - ANC control and manipulation.

Therefore the recommendations on this report cannot be accepted and the CDP would like its vote against them to be noted.

Item 7 Housing and Sustainable Human Settlement Development Housing Company Tshwane Rescue Management Team.

I read this document and could only shake my head in disbelief. One does not know where to begin. One thing is certain, and that is that urgent measures need to be put into place. In fact, the state of the two buildings in question (Kruger Park and Schubert Park) that were under the auspices of the HCT has become an embarrassment to the Council. It is a living example of the failure of the council to bring about reasonable service delivery. It also shows that although the Council appointed the HCT in good faith, it apparently abdicated its responsibility, as there was no oversight of this body. Now, because of the lack of performance we find that, as a council, we must come to the rescue and sort the mess out. This means that more responsibility has been placed on our officials who do not have the staff to deal with it.

We seem to think that if we sign a service delivery agreement (although the report says that there was no service delivery agreement signed initially) and pay a large sum of money as remuneration and give out a bribe of a bonus, that our troubles are over and we will find the job well done. We can just fold our arms and forget about it.

We are presently experiencing a world wide economic crisis and a point that keeps coming up is the detrimental affect of huge bonuses and excessive remuneration that is being paid to some people for services rendered. If we do not get value for the money that is paid out, and if certain people who are grossly overpaid and are enriched beyond measure do not give us the required performance, we develop serious problems.

After a list of failures of the Housing Company Tshwane - which should never have happened in the first place - the BPME (Business Planning, Monitoring and Evaluation Executive Head) recommends to the City Manager that,

“The CEO of the HCT attends Balances Scorecard training.

Is coached quarterly against an individual scorecard like all other management,

Is invited to top management meetings to understand the business of the institution and be more accountable.”

Isn't this bringing the HCT under the oversight of the City Manager?

Then what do we need an extra entity with a separate structure for? Why don't we just get more staff in the housing department and run the buildings ourselves?

We also see in the comments on page 161 that it is expected of the CFO of the Tshwane Municipality to assist the HCT to sort out their mess. That is so unfair. If a reasonably qualified person had been placed in the position of the CEO of the HCT in the first place we wouldn't be in this position. It actually looks as if we didn't have a reasonable qualified person, neither did we have a poorly qualified person, it appears that we had a total incompetent, even a simple clerk would have handled this situation better than it was handled. Although I have sympathy with our CFO with regards to the extra work, who else will be able to sort out the problems that the Auditor General has pointed out?

The blame for this debacle and the entire situation needs to be placed directly at the feet of the responsible person, which is the Executive Mayor. To think, that we as a Council have such a stain on our performance because of this. To think that we sign such agreements with people that, should they not perform, they still seem to leave with a comfortable package.

It is not lovely words and sincere promises given to us by the Executive Mayor and her committee that counts, it is the results of these decisions that can be seen before our very eyes that tells the tale and proves to the world that the Tshwane Metropolitan Municipality is in deep trouble. This entity and the state of Kruger Park and Schubert Park are a tangible example of our failure. The **CDP** cannot agree with this concept and the item as it is.

Item 20 Progress report on the rebuilding of the new Municipal HQ

I was driving past Sammy Marks the other day and noticed some ugly metal rods protruding from the ground. I realised that we still had the evidence of the start of the hotel that was never finished. Like the Ozymandes poem by Shelly, instead of the great city that the inscription on the stone described, there was just a memorial but nothing else in sight.

Those support metal rods that are rising above the street, speaks of a dream which never came true. A memorial to what could have been. Surely after so many years something could be done to cover it up and finish off that area.

One has the same feeling with Munitoria. I remember when it burned down. I remember moving to the Sammy Marks hall for a few months while the council area was renovated. I remember the discussion about Munitoria in council. The competition to get a plan in place. The changes, the various suggestions, moving from one office to another, and all the preparations that had to do with the plans for the future.

Here we are in 2008 and we are still unsure exactly what is going to happen. Twelve years down the line and we are still chopping and changing. There has been a real sense of indecisiveness because when we had the money to rebuild, we didn't know what to do. Now we don't have the money, as it has been spent on other things, so we need a new idea, because we cannot afford to build it ourselves.

Is the reason for the hesitancy that we are afraid of making a mistake? We certainly were in 1999. There were so many ideas going around. It seems with every new City Manager, we get different points of view about the way forward. But time wastes money, building costs spiral, the continual renting of offices throughout the city could be utilized more profitably, while we are apparently still undecided about what we are going to do. This report raises more questions than answers but the **CDP** sincerely hopes that this is the beginning and that as we move forward all the hesitancy and confusion will finally be behind us.

Another thing that is mentioned in the report is that we are building a council chamber for 250 councillors. It has also been inferred that when other local government areas join with Tshwane Metro, that we will grow considerably. I wish we would not just hear rumours and suggestions, which gives us an inkling of what is happening. There are those in the council that are informed about many of these things, but there seems to be a lack of communication to the councillors in general. The fact that this is already part of these new plans shows we have definitely made firm plans in this direction.

Annexure A, A1, A2

There were 3 items that were moved over to the main agenda and that is what I want to bring to the Council's attention. We need to go back to August 2006 when the delegated powers were first given to the Mayor, the speaker and the Chief Whip in this council. The CDP's concern has been growing with respect to the confusion surrounding these delegated powers. Initially it was agreed to delegate powers, but only if there would be proper oversight to control the delegated powers. It took ages to put an oversight committee in place, but we are still in a position where there are things going through the annexures which should be on the main agenda. Never in my experience in council have we had so many annexures (66) and so few items on the agenda. (22)!

The CDP as a member of the council who declined to support the delegation of powers is concerned about the way they are being handled. The fact that three items had to be transferred to the main agenda is proof that there is confusion. In the past there have been items that any person in their right mind would know should be for the full council and not for delegation. A prime example was the IEC decision that was made by the Mayoral committee with regard to the MEO. Because of the way it was done it has brought a cloud of suspicion over the appointment. One recalls items regarding expenditure on soccer games, and woman's day functions etc., which have brought criticism from opposition quarters and dismay from the ratepayers. **The Mayoral committee arrogantly carries on as if it has the right to run rough shod over queries from Council members and for that matter the city.** The ANC may have the power with their numbers to make these decisions, but do they really have the right? We need to be reminded that ultimately the council has only delegated these powers and therefore is still held responsible for anything the Mayor and others, who were given these powers, may do.

The CDP would like to take this opportunity to point you to a comment made by Adv McCaps Motimele SC, as an external opinion, regarding the delegations in July 2006. After many pages of recommendations Mr Motimele finally closed with the following:

- For efficiency and effectiveness, it is recommended that delegations be treated as an organic and living document that is responsive to the needs, strategic goals and overall objectives of the municipality.
- It therefore follows, from the above that there will always be room for improvements.
- It is further recommended that the delegations should be reviewed periodically.

The CDP does not believe that reviewing every five years when there is a new council, is enough. There should be a way of continually examining decisions that we have made that have such far-reaching consequences. We cannot just give these delegated powers without debating their effect and shortfalls.

Considering the confusion, that is apparent by the fact we again have items that are being moved from Annexure A to the main agenda, and considering the caution that was expressed by the advocate, the CDP would suggest to the Executive Mayor that these delegations be re-examined to check their effectiveness and bring greater involvement of the council.