



CITY OF JOHANNESBURG  
METROPOLITAN MUNICIPALITY  
OFFICE OF THE SPEAKER

## **CITY OF JOHANNESBURG COUNCIL**

**IT IS HEREBY NOTIFIED THAT THE 21<sup>ST</sup> EXTRA-ORDINARY MEETING OF THE CITY OF JOHANNESBURG MUNICIPALITY HELD ON TUESDAY & WEDNESDAY, 29 & 30 AUGUST 2023, AT 10:00 AT THE CONSTANCE CONNIE BAPELA COUNCIL CHAMBER, METROPOLITAN CENTRE, BRAAMFONTEIN.**

### **A G E N D A**

- 1 OPENING**
- 2 APPLICATIONS FOR LEAVE OF ABSENCE**
- 3 (a) QUESTIONS FOR ORAL REPLY OF WHICH NOTICE HAS BEEN GIVEN IN TERMS OF RULE 105(1) OF THE STANDING RULES AND ORDERS OF COUNCIL**  
**(b) QUESTIONS FOR WRITTEN REPLY OF WHICH NOTICE HAS BEEN GIVEN IN TERMS OF RULE 105(2) OF THE STANDING RULES AND ORDERS OF COUNCIL**
- 4 MOTIONS**
- 5 RECOMMENDATIONS TO COUNCIL**
- 6 ANNOUNCEMENTS**
- 7 CLOSURE**

## INDEX

	ITEM NUMBER
<b>COJ LEGISLATURE</b>	
CHANGES IN MEMBERSHIP OF THE VARIOUS SECTION 79 COMMITTEES	1
<b>OFFICE OF THE CITY MANAGER</b>	
COMMENCEMENT OF RECRUITMENT AND SELECTION PROCESS FOR THE GROUP HEAD: CITIZEN RELATIONSHIP AND URBAN MANAGEMENT (CRUM) POSITION	2
<b>GROUP CORPORATE AND SHARED SERVICES</b>	
PAYMENT OF ACTING ALLOWANCE TO SECTION 54A AND 56 EMPLOYEES	3
<b>OFFICE OF THE CITY MANAGER</b>	
APPROVAL OF DRAFT PERFORMANCE AGREEMENTS OF CITY MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE CITY MANAGER (SECTION 57 MANAGERS) FOR THE FINANCIAL YEAR 2023/24	4
<b>JOHANNESBURG METROPOLITAN POLICE DEPARTMENT</b>	
AUGMENTATION OF SECURITY SERVICES WITHIN THE CITY OF JOHANNESBURG CORE DEPARTMENTS	5
<b>OFFICE OF THE CITY MANAGER</b>	
TABLING OF THE 2024/2025 INTEGRATED DEVELOPMENT PLAN (IDP), BUDGET, PERFORMANCE MONITORING AND REPORTING PROCESS PLAN	6

## ITEM NUMBER

**ENVIRONMENT, INFRASTRUCTURE AND SERVICES**

TO SEEK APPROVAL TO ENTER INTO A FACILITY AGREEMENT BETWEEN DEVELOPMENT BANK OF SOUTHERN AFRICAN (DBSA) AND CITY OF JOHANNESBURG ON THE SAME TERMS AS THE REINSTATEMENT AGREEMENT OF MARCH 2021	7
---	---

**GROUP FINANCE**

CITY OF JOHANNESBURG MFMA IN-YEAR FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 2023	8
---	---

CITY OF JOHANNESBURG MFMA IN-YEAR FINANCIAL REPORT FOR THE PERIOD ENDED 31 MAY 2023	9
---	---

CITY OF JOHANNESBURG MFMA IN-YEAR FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2023	10
--	----

**COJ LEGISLATURE**

MOTIVATION THAT COUNCIL CERTIFY AS IRRECOVERABLE AND WRITE OFF IRREGULAR AND UNATHORISED EXPENDITURE – AUGUST 2023	11
--	----

OVERSIGHT VISIT REPORT OF THE SECTION 79 FINANCE COMMITTEE TO JD HOUSE DATA CENTRE ON 9 MARCH 2023	12
--	----

OVERSIGHT VISIT REPORT OF THE SECTION 79 FINANCE COMMITTEE TO ORLANDO EAST, ORLANDO WEST AND THUSO HOUSE REVENUE CENTRE ON 23 MAY 2023	13
--	----

OVERSIGHT VISIT REPORT OF THE HSD SECTION 79 COMMITTEE TO A HOMELESSNESS SHELTER AT KOTZE STREET IN HILLBROW ON 28 FEBRUARY 2023	14
--	----

## ITEM NUMBER

**COJ LEGISLATURE**

OVERSIGHT VISIT REPORT OF THE HSD SECTION 79 COMMITTEE TO BERTRAMS MULTIPURPOSE CENTRE – CONSTRUCTION SITE IN REGION F ON 28 FEBRUARY 2023	15
OVERSIGHT VISIT REPORT OF THE HSD SECTION 79 COMMITTEE TO NALEDI CLINIC CONSTRUCTION SITE IN REGION D ON 28 FEBRUARY 2023	16
UNANNOUNCED OVERSIGHT VISIT REPORT OF THE HSD SECTION 79 COMMITTEE TO A CONSTRUCTION SITE FOR TURFONTEIN CLINIC - REGION F ON 1 JUNE 2023	17
OVERSIGHT REPORT OF THE TRANSPORT SECTION 79 COMMITTEE ON AN OVERSIGHT VISIT TO JRA TRAFFIC MANAGEMENT SYSTEM ON 11 MAY 2023	18
OVERSIGHT REPORT OF THE TRANSPORT SECTION 79 COMMITTEE ON OVERSIGHT VISITS TO THE METROBUS MILPARK DEPOT ON 11 MAY 2023	19
OVERSIGHT REPORT OF THE TRANSPORT SECTION 79 COMMITTEE ON OVERSIGHT VISITS TO THE METROBUS VILLAGE - MAIN DEPOT ON 11 MAY 2023	20
OVERSIGHT VISIT OF SECTION 79 PUBLIC SAFETY COMMITTEE TO THE JABULANI FIRE STATION ON 15 MAY 2023	21
UNANNOUNCED OVERSIGHT VISIT OF THE SECTION 79 PUBLIC SAFETY COMMITTEE TO JMPD OFFICES IN MIDRAND ON 18 APRIL 2023	22
OVERSIGHT VISIT OF THE SECTION 79 PUBLIC SAFETY COMMITTEE TO THE LANGLAAGTE LICENSING CENTRE ON 23 JUNE 2023	23

## ITEM NUMBER

**COJ LEGISLATURE**

OVERSIGHT VISIT OF SECTION 79 PUBLIC SAFETY COMMITTEE TO THE MIDRAND FIRE STATION ON 18 APRIL 2023	24
OVERSIGHT VISIT OF SECTION 79 PUBLIC SAFETY COMMITTEE TO THE PROTEA GLEN FIRE STATION ON 15 MAY 2023	25
JOINT OVERSIGHT VISIT OF THE SECTION 79 PUBLIC SAFETY AND CORPORATE AND SHARED SERVICES COMMITTEES TO THE MARCE PROJECTS ON 18 MAY 2022	26
OVERSIGHT VISIT OF THE COMMITTEE ON GENDER, YOUTH AND PEOPLE WITH DISABILITIES TO REGION D, PIMVILLE SKILLS DEVELOPMENT CENTRE ON THE 16 MARCH 2023	27
OVERSIGHT VISIT OF THE COMMITTEE ON GENDER, YOUTH AND PEOPLE WITH DISABILITIES TO REGION D, DIEPKLOOF SKILLS DEVELOPMENT CENTRE ON 16 MARCH 2023	28
TERMS OF REFERENCE – SECTION 79 TRANSPORT COMMITTEE	29

**MEMBERS PRESENT**

The Speaker: Councillor Makhubele, T C

The Executive Mayor: Councillor K Gwamanda

Abdool, F	Harris, R
Amad, T	Hlatshwayo, S M
Amod, C J	Hoén, J N
Arnolds, M S	Hooper, R S
Atterbury, E	Horwitz, J
Avant-Smith, C	Huggett, E A
Baloyi, D L	Hughes, Z
Benjamin, R F	Ismail-Moosa, I
Bini, L	Jacobs, B
Bittkau, R	Jainoodeen, Z
Boer, C	Johnson, N
Bolani, M G	Jonker, N
Brand, D G	Kaldine, J
Buthelezi, T C	Kgeletsane, M O
Chabalala, M D	Khanyile, N M
Chame, F	Khumalo, X I
Chauke, K L	Knott, L R
Chetsanga, H	Koekemoer, M
Christians, A	Komane, S A
Coogan, L C	Kreusch, S
Coutriers, M J	Kunene, K
Coverdale, D L T	Kwapeng, C
Crichton, M	Landis, R
Da Gama, V M	Lebatlang, T Z
Da rocha, C M D	Lebea, M G
Davids-Green, L C	Lefutso, L
De Lange, F C	Leitch, A N
Deppe, A J	Leshilo, R S
Dladla, D	Liebenberg, E
Dlamini, B	Lobi, M
Doyle, T	Louw, M A
Durand, G V M	Maake, M J
Echeozonjoku, B C	Mabelebele, S S
Edward, N	Mabuke, T A
Foley, D T	Mabunda, T E
Fourie-Shawe, C	Mabuza, S K L
Francisco, D B	Machethe, S
Fresling, R R	Madiba, T J
Galeshewe, T M	Magwaza, B L P
Gantsho, L	Magwentshu, L C
Goosen, J W	Maila, S M
Harman, L	Majola, S
	Makamo, S S

Makhafola, E	Molefe, M
Maluleka, T	Molefe, S B
Manganyi, D B	Molise, L D
Mangena, T D	Moloisane, D
Marais, A F	More, E
Marais, S I	Morero, S E
Marema, V A	Mosehla, K J
Marumo, T	Mothopi, O Z
Mashala, K	Mphaho, M A
Mashinini, S	Mphefo, L M P
Masoga, L M	Mpolobosho, M M
Masuku, L	Mposula, T
Maswazi, R	Mpotulo, G S
Matabane, O	Mthembu, M N
Mathe, G	Mulelu, M
Mathe, Z E	Munyayi, V E
Mavhona, L S	Mutavhatsindi, N T
Mazibuko, A L	Nair, R K
Mazibuko, N	Ndlela, M C
Mazibukwana, M	Ndou, N L
Meyers, T	Ndou, P
Mgaga, B	Ndou, P
Mgcina, S E	Ndzondo, C M
Mhlari, T M	Nefdt, P W
Mhlongo, T A	Nenemba, T
Mkasi, G	Nethamba, R
Mkhize, T	Ngema, S V
Mkhonto, M S	Ngobeni, L M
Mmbengwa, M N	Ngoepe, C S
Mmota, L	Nguse, S
Mngadi, W B	Ngwenya, F N
Mnisi, N D	Ngwenya, J A
Mnyameni, M	Ngwetsheni, M M
Moatshe, K	Nhlapo, C P
Modladlaba, D S	Niemand, G J
Modukanene, L C	Nkokou, T P
Modupi, D N	Nkomo, B
Moepi, N J D	Nkomo, E T
Moeti, O T	Nkomo, P T
Mofokeng, J	Nkonyeni, S P
Mofokeng, M P	Nkosi, R A L
Mogapi, T A	Nkubungu, L
Mohlala, C	Nkwanyana, P B
Mohlala, P K	Nofemela, N
Mokoari, Z	Nonkumbi, I M
Mokoena, G	Ntoele, N L
Mokoka, M L	Ntombela, M J
Mokwena, T M	Ntshidi, T E
Molefe, E W	Nyembe, M M

Nyembe, Z P  
Nzimande, C  
Papo, M M  
Pelzer, R  
Phalatse, M  
Phillips, L E  
Pietersen, J  
Pietersen, N  
Ponsonby, D A  
Radebe, N P  
Radebe, T T  
Rafferty, P D  
Rahn, N J  
Raholane, M W  
Rakosa, P M  
Ramafikeng, D J  
Ramaru, G  
Rambani, N S  
Raphadu, A T  
Raseruthe, S H  
Reddy, V M  
Reinten, I M  
Roberts, F C  
Santana, C G  
Schay, D  
Seema, S M  
Seerane, M K  
Sekhu, M V  
Sesedinyane, M I  
Shackleford, L M  
Shange, P A  
Sherman, G J  
Shumba, K A  
Sifumba, N

Simelane, P  
Simelane, S O  
Simonse, L C  
Sindani, F P  
Smit, P A  
Sobey, A  
Steenkamp, D  
Steer, B  
Stewart, A J  
Suddaby, J  
Sun, Y H  
Supe, N P  
Tabane, M C  
Tambani, P S  
Tefu, P V  
Telekoa, A T  
Truluck, T F  
Tshwaku, M  
Tshedo, J G  
Tsotetsi, L Y M  
Twala, Y A  
Van der Merwe, M  
Van der Schyf, C  
Van Wyk, W M  
Wax, K P  
Williams, M C  
Wilskut, D  
Wissler, S T J  
Xuma, L  
Zazini, A  
Zitha, S L  
Zondo, L T  
Zungu, N G  
Zwane, S

## 1 OPENING

*The Speaker asked Council to observe a moment of silence for prayer and meditation.*

*She welcomed the Executive Mayor of the City of Johannesburg, Councillor Kabelo Gwamanda; Whip of Council, Councillor N Zungu; Chair of Chairs, Councillor L Phillips; all political party leaders and whips, Members of the Mayoral Committee; Chairpersons of the Section 79 Committees; fellow Councillors; City Manager, Mr Floyd Brink; acting Secretary to Council, Mr Andile Gobinca; Officials of the City of Johannesburg; residents of the City of Johannesburg; members of the Media; ladies and gentlemen to the 21<sup>st</sup> Extra-Ordinary Council meeting of the City of Johannesburg Municipality.*

*The Speaker asked Council to rise again for a moment of silence for a 10-year-old boy who fell in a manhole that was left open by Joburg Water and unfortunately, he passed away. She acknowledged the people who passed away due to a gas explosion in the Bree Street, five people who were shot dead at Eikenhof, and a person who was shot by a stray of bullets in Riverlea and sent condolences to their families.*

*She said that they stood in solidarity with 13-year-old Talyn Nxumalo, who was discriminated against by her school, for having natural dreadlocks. She trusted that the civic education that will be conducted by the City of Johannesburg will assist to foster an environment of harmony and tolerance, racially, ethnically, religiously and gender and other forms.*

*She congratulated the City of Johannesburg for hosting a successful 15<sup>th</sup> BRICS Summit, and a special congratulations to the marketing and communications team who received excellent feedback from the Presidency on the work that they did to assist the national team.*

*She also congratulated Banyana Banyana for their outstanding work that they have done at the FIFA Women's World Cup.*

*She acknowledged that it was National Science Week in the first week of August and trusted that it was observed and promoted stem education for all our young people and those who are interested.*

*She further addressed Council as follows:*

*"Councillors, it is still Women's Month, and we continue to pay tribute to the women who have led us thus far, and the outstanding women who are making us proud by breaking barriers in various industries and in their places of work. We also honour the many women who are untold, those who are looking after their children and raising families that have become a cornerstone of our society and communities.*

*Councillors, I would also like you to note that civic education has commenced, and the calendar will be shared. Various Councillors are being informed when we are coming to their regions, we encourage you to participate and mobilize our various communities to take part in this important initiative.*

*Lastly, I want to congratulate the Patriotic Alliance for winning Ward 7, and the Democratic Alliance for winning Ward 102."*

*The Speaker wished the following Councillors that had resigned from Council well in their future endeavours and thanked them for their contribution and service:*

*Councillor Zama, A  
Councillor Wittman-Potter, D  
Councillor Mbundu, N  
Councillor Tembe, D  
Councillor Ngobeni, RF*

*A special welcome was extended to the following new Councillors:*

*Councillor Simonse, LC (PA)  
Councillor Harman, L (DA)  
Councillor Matabane, O (ActionSA)  
Councillor Ngwetsheni, M (ActionSA)  
Councillor Nkonyeni, S (ActionSA)*

*The Speaker congratulated the following Councillors from ActionSA, on their new appointments:*

*Councillor Mthembu N - Caucus Leader  
Councillor Lebatlang Z - Caucus Chief Whip  
Councillor Modukanene L - Deputy Chief Whip  
Councillor van Wyk - Chairperson  
Councillor Mashala K - Media Liaison  
Councillor Davids-Green - Secretary*

*The Speaker asked Councillors to please note that the Executive had presented reports to the Programming Committee, Items 30 and 31 in the Speakers list, they would be considered by Council. She further said that the Executive requested the reports be considered on Thursday, 31 August 2023, and the copies thereof would be distributed to Councillors in due course. She asked Councillors to further note that the Executive had requested, in terms of Rule 64 of the Standing Rules and Orders of Council, to submit two urgency reports, and she had acceded to the request.*

*The Speaker thereafter said that on 11 October 2021, the President proclaimed that the Local Government Municipal Structures Amendment Act of 2021, Act 3 of 2021 would commence on 1 November 2021. The Act introduced the Code of Conduct for Councillors in Schedule 7, by migrating it with revisions from the Local Government Municipal Systems Act 32 of 2000 on 14 June 2023. She added that the Minister of COGTA, Ms Thandi Nkadimeng, gazetted the Regulations to the Code of Conduct of Councillors.*

*She highlighted Regulation 3 of the Code of Conduct to all Councillors, as the Regulation referred to the general conduct of Councillors. She thereafter read out the amended Regulation 3 to Council.*

*The Speaker added that the copy of the Code of Conduct, Regulation 3 was sent to all Councillors, and an induction on the amendment would be conducted in due course. She said that she would be engaging the Executive on the implementation of the Regulation.*

*The Speaker requested Legal Advisors to confirm the number of Councillors present to confirm the quorum.*

*Councillor Christians A (DA) wanted it on record that although the Acting Secretary to Council read out a notice that stated the meeting would convene at 10:00, the meeting only started at 10:17.*

*The Speaker announced that there were 233 Councillors present in the meeting, therefore, the meeting quorate. She urged Councillors that did not sign the register to continue to sign.*

## **2 APPLICATIONS FOR LEAVE OF ABSENCE**

*The following applications for leave of absence from this meeting were granted:*

<i>Councillor Nontenja, C T</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Dewes, D S</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Dellwaria, N</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Homer, C</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Van Dyk, N J</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Mabaso, M P</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Makhuba, H N</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Mchunu, A</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Mkhonza, N F</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Rohlssen, C K</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Mphahlele, M</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Dammie, B H</i>	<i>:</i>	<i>Illness</i>
<i>Councillor Sekwaila, B J</i>	<i>:</i>	<i>Private Business</i>

*The following Councillor requested to arrive late:*

*Councillor Tshwaku, M*

**3 (a) QUESTIONS FOR ORAL REPLY OF WHICH NOTICE HAS BEEN GIVEN IN TERMS OF RULE 105(1) OF THE STANDING RULES AND ORDERS OF COUNCIL**

*Councillor P Mohlala (ActionSA) withdrew question for oral reply "OQCD003" that was asked to the MMC for Community Development in terms of Section 105(1) of the Standing Rules and Orders of Council:*

*Councillor C van Der Schyf (ActionSA) asked the MMC of Economic Development the following question for oral reply in terms of section 105(1) of the Standing Rules and Orders of Council: "OQED003".*

*The City of Johannesburg oversees +- 888 buildings which must adhere to the Risk Management Protocols. However, 44% of these buildings are non-compliant and do not adhere to the Occupational, Health and Safety Act 85 of 1993, and other related laws and By-Laws.*

*As it stands, any insurance claim made in respect of these non-compliant buildings will be repudiated by the Insurance Company(s) holding cover on these risks.*

- 1. Does the MMC for Economic Development not see this as wasted expenditure, by paying risk monthly premiums on these buildings?*

*In her response, MMC Mnisi (ANC) stated that all city-owned properties are in terms of the City's Asset Register insured under the City's Group Risk Assurance Services (GRAS). Where the City's properties are leased out to third parties, the risk is outsourced to the lessee as part of the terms and conditions of the Lease Agreement. Where the City leases from the lessor the risk is extended to the lessor as part of the provisions of the lease. More details will be required on the specific properties referred to, to address the matter effectively.*

*The Speaker stated that MMC Sekwaila had submitted a leave of absence, should he arrive, he would respond to the question raised by Councillor Munyayi (ActionSA).*

*Councillor S Majola (ActionSA) asked the MMC for Finance the following question for oral reply in terms of Section 105(1) of the Standing Rules and Orders of Council: "OQFIN001".*

*In the last Council meeting, the Council approved a R2 Billion DBSA loan, if granted, forms part of the City of Johannesburg's Funding Mix. We have concerns that the report did not adequately address the DBSA Loan repayment as per Section 45 of the Municipal Financial Act 56 of 2003, I would like to pose the following question to the MMC for Finance, related to the DBSA Loan Repayment as follows:*

- 1. How will the City of Johannesburg pay back the full DBSA Loan by the end of the current financial year, which incidentally is end of June 2023, which leaves us with only 4 months.*

- 1.1 *If the Loan is not fully paid back within the current financial year-end, the City of Johannesburg stands the risk of being downgraded by rating agencies. Would this not be in violation of the Municipal Financial Management Act 56 of 2003?*

*MMC Morero (ANC) in his response indicated that the loan was paid by 15 July 2023.*

*Councillor E Ntshidi (ActionSA) asked the MMC Human Settlements the following question for oral reply in terms of Section 105(1) of the Standing Rules and Orders of Council: "OQHS006".*

*An oversight visit was conducted by the MMC for Human Settlement/Housing in an impoverished Informal Settlement in Region B, Ward 69, the City of Johannesburg, and a motion was passed in Council, in November 2022, to provide proper electricity and sanitation to the residents of Slovo Park Informal Settlement in Ward 69, Region B, the City of Johannesburg.*

*More than 60 days have elapsed since the motion was submitted and passed in council, and I would like to pose the following oral question to the MMC for Human Settlement/Housing:*

1. *Has the process of conducting the study to provide these basic services, of electricity and sanitation to the affected area, been initiated? Does it include a feasibility study in identifying residents who qualify for these basic services?*
  - 1.1 *If yes, how far is the process?*
  - 1.2 *If no, why has the process not been initiated, the reason(s) why and when is the expected start date of the process?*

*MMC Leich (PA) stated that City Power has appointed a professional to conduct a study and develop the layout for the electricity infrastructure. As for sanitation, the department is working on upgrading the settlement using the UISP, but the focus is currently on City Power and electricity. She said that if Councillor Ntshidi requires more details, she will provide the information.*

*Councillor Ntshidi (ActionSA) asked for the implementation dates.*

*MMC Leitch (PA) said that the implementation dates would be provided in due course.*

*Councillor E Ntshidi (ActionSA) asked the MMC for Human Settlements the following question for oral reply in terms of section 105(1) of the Standing Rules and Orders of Council: "OQHS007".*

*On 4 April 2022 ActionSA Chief Whip submitted a motion for the executive to propose an investigation into the allocation of Lufhereng Housing Development in Ward 53. ActionSA raised concern over alleged corruption over the allocation of houses in that specific ward (53).*

*Residents alleged that the allocation is concentrated on families and friends, and those people who are politically connected and undocumented foreign nationals. An undertaking was made that the outcome will be presented to Council within 90 days.*

1. *Has the investigation been completed?*

1.1 *If so, what was the outcome of the investigation? If not, then what is the status of the investigation to date?*

*In response, MMC Leich (PA) stated that the department could not investigate itself, therefore the allegations should be rerouted to GFIS for them to provide the responses.*

*Councillor A Christians (DA) asked the MMC for Human Settlements the following question for oral reply in terms of Rule 105 (1) of the Standing Rules and Orders of Council: "OOHS008".*

*The Ward 57 Councillor Faeza Chame found that JOSHCO was doing a small maintenance project at the City Deep Greenfield Flats in February 2023.*

1. *What is the amount of this small maintenance project and what will the resident get in return for that amount?*
2. *How many SMMEs and Labourers will be part of this project?*

*MMC Leitch (PA) responded that the project is R10 101 392,12, and the community will get the construction of two guard houses; 2 refuse areas; a steel carport and modified gates to City Deep residential units. This will improve the project safety by building the guardhouses and the upgrading of the gates will ensure that the project is fully compliant with the COJ Fire Department requirements and COJ By-Laws which would allow fire trucks entrance to be a certain width and position at the development. The refuse area had to be moved as per JRA and Pikitup requirements. The COJ Land Use Department requested JOSHCO to have covered the parking as part of the Land Use rights for the City Deep. She said that the project progress is at 89% to date.*

*With regards to the question on SMMEs and labourers, she stated that the project has about 35 general workers: 1 CLO and a Safety Officer from the City Deep community. 5 local SSMEs were appointed up to date.*

*Councillor Christians (DA) enquired as to why the MFMA, and public participation were followed up and what steps would be taken in future so that small projects had proper public participation for all residents not just contractors who were afforded projects, not completing projects and reappointed again.*

*In her response, MMC Leich said that as far as she knew, public participation did take place, however, she will confirm for Councillor Christians and revert to him.*

*The Speaker stated that MMC Tshwaku had submitted an apology for arriving late and therefore deferred the oral questions for Public Safety for when he arrives.*

*Councillor Knott L (DA) referred Council to Rule 107(1)(3)(6) of the Standing Rules and Orders of Council stating that if Council was to defer all questions, the responses must be received by political parties within 3 days. She further said that Acting MMCs were supposed to be appointed for Council to carry on with its business.*

*Councillor J Ngwenya (EFF) asked the MMC for Community Development the following question for written reply in terms of Rule 105(2) of the Standing Rules and Orders of Council: "WQCD025".*

*The community of Cosmo City in Ward 100 was informed by the city that an amount of R20 million was budgeted for a community swimming in that area. However, the reports provided in February 2023 indicated that the budget for the pool is R15 million.*

- 1. Can the MMC provide a detailed report which explains why is the budget according to February reports different from the initial budget which the community was informed that it is set aside for the swimming pool project?*

*The Speaker said that she thought there was a typo on who the responsible MMC was for this question and asked to revert to Councillor Ngwenya.*

*The Speaker indicated that Councillor Ngwenya was asking an incorrect question, the question recorded was directed to MMC Leich.*

*Councillor D Baloyi (EFF) asked the MMC for Transport the following question for oral reply in terms of Rule 105(1) of the Standing Rules and Orders of Council: "OQTRN006".*

*There is a very high demand for scholar transport in Johannesburg, particularly in townships and informal settlements. The high demand ends up attracting unlicensed operators to participate in the sector and some of these operators use vehicles which are not roadworthy, which puts children at a risk of accidents and so on.*

- 1. Are there any solid plans for regulating and monitoring this industry? If yes, kindly outline the plan.*

*MMC Kunene (PA) said that they were aware of the operators of scholar transport and said that they would engage on the issues raised by Councillor Baloyi, and ensure that they are compliant, in terms of the type of vehicles used.*

*Councillor D Baloyi (EFF) asked the MMC for Transport the following question for oral reply in terms of Rule 105(1) of the Standing Rules and Orders of Council: "OQTRN007".*

*For decades, PUTCO bus services has been known as a provider of affordable public transport service to the majority of poor commuters around the city. Recently, a subsidy for diesel was discontinued.*

1. *Are there measures taken by the city to assist PUTCO? If yes, what are these measures?*

*MMC Kunene (PA) said that PUTCO receives a subsidy from the Provincial government. Discussions were had with the MEC on the process they were engaged in to determine the fees for PUTCO and other bus operators in Gauteng and that the fair fee is negotiated at the provincial level.*

*Councillor J Ngwenya (EFF) asked the MMC for Transport the following question for oral reply in terms of Rule 105(1) of the Standing Rules and Orders of Council: "OQTRN008".*

*There are five highly specialized vehicles at Johannesburg Road Agency (JRA) offices. The vehicles are new however they have gathered a lot of dust as they are not being used. When I asked the officials, they informed me that the cars had never been used. Given this brief background, I would like to ask the following questions:*

1. *What is the total amount of money spent on procuring these highly specialised vehicles which are not being used?*
2. *What was the rationale for procuring the vehicles since they are not being used?*

*MMC Kunene (PA) said that the question was not sent to him, and further said that he was not aware of the matter, he will investigate and familiarise himself with the contents and will revert to Councillor Ngwenya.*

*Councillor J Ngwenya (EFF) to ask the MMC for Human Settlements the following question for oral reply in terms of Rule 105(1) of the Standing Rules and Orders of Council: "OQHS010".*

*One of the issues discussed during the Councillor's forum held in Region C was the issue of those residents received Form C as long ago as 1996. Most of these residents have not been allocated with houses to date. One of the resolutions was that the Regional Director convene a community engagement meeting regarding the issue. To date, no such meeting has been held. Given the above background, I would like the MMC to answer the following question:*

1. *When is the MMC going to lead the FORM C of 96/97 community engagements in region C?*

*MMC Leitch (PA) said that the City's database covers all the regions, and the allocation is based on the status of the applications, and it must be noted that MMC is not responsible for those allocations, however, the administration is responsible and custodians there off.*

*She further said that the applications are assessed on the Housing Subsidy Scheme and allocations are based on approvals from the system and linked to a project. The beneficiaries need to select from available projects for allocations. A roadshow and oversight can be done by officials of the city to educate and align with beneficiaries on*

*all available products linked to the 96/97, the process can be done at any time. The Regional Director and the Executive Director account to the MMC to convene all stakeholders to engage on the matter by mid-September 2023.*

*Councillor Ngwenya (EFF) on a follow up question indicated that the officials were not executing their duties as stated by the MMC and requested the MMC to give instruction and give him the responsibility to hold the officials accountable he will ensure that the job is done.*

*MMC Leich (PA) noted the submission by Councillor Ngwenya and said that as the Government of Local Unity, she will certainly facilitate that they provide oversight that is required as stated in the question.*

*The Speaker addressed Council and said that there were outstanding questions and according to the Standing Rules and Orders of Council, Rule 107(5), "At the end of question time, the Presiding Officer must inform Council of all outstanding questions for Oral Reply". She listed the outstanding questions for Public Safety and Environment Infrastructure and Services. She further referred to Rule 105(6) stating that "Responses to questions standing over from the previous Question Time must be sent to the Secretary to Council within three (3) working days of the said Council meeting" and said that the responses should be sent to Secretary to Council according to the Standing Rules and Orders of Council.*

*Councillor Meyers (DA) stated that he wrote to the Office of the Speaker in terms of Rule 112(4)(a) of the Standing Rules and Orders of Council stating that "A Councillor who wishes to put a question for Oral Reply to the Executive Mayor must deliver a signed request to the Secretary to Council not more than ten working days before the day of the Council meeting before the Executive Mayor's Question Time during which he or she wishes to ask the question. Such a request does not have to include information about the topic or wording of the intended question" and he did submit a request to the Secretary to Council. He sought clarity as to why he was not included on the Speakers list to pose a question to the Executive Mayor.*

*The Speaker in her response stated that Councillor Meyers wrote twice and the first request that was considered by the Programming Committee had stated the incorrect rule hence it was not admissible, then the second was sent only to the Acting Secretary to Council and he only saw the email during the meeting. She indicated that the Executive Mayor was not aware of any request for questions and, therefore was not going to allow for the question to proceed.*

*MMC Sekwaila had submitted a leave of absence, therefore the questions directed to the Environment and Infrastructure Services Department were not responded to.*

**(b) QUESTIONS FOR WRITTEN REPLY OF WHICH NOTICE HAS BEEN GIVEN IN TERMS OF RULE 105(2) OF THE STANDING RULES AND ORDERS OF COUNCIL**

*The Executive Mayor noted the outstanding questions and stated that as indicated by the Speaker, he will inform the MMCs of the outstanding question. He tabled the responses to the written questions.*

**4 MOTIONS**

*Councillor Mogapi T (EFF) requested that recommendations to Council be elevated to and dealt with before motions are debated.*

*The Speaker asked the request to Council and most of the House agreed with the elevation.*

*Councillor Rafferty P (PA) requested for an elevation of motions 7-10. The Speaker put it to the House, and it was agreed that those motions would be elevated.*

**MOTION 7**

**RECOMMENDS THE CITY OF JOHANNESBURG COUNCIL TO TABLE A MOTION OF A VOTE OF NO CONFIDENCE AGAINST THE WHIP OF COUNCIL, COUNCILLOR SITHEMBISO ZUNGU.**

Proposer: Councillor Niemand G  
Secunder: Councillor Avant-Smith C

*Councillor Niemand DA) withdrew the motion.*

**MOTION 8**

**RECOMMENDING THE CITY OF JOHANNESBURG COUNCIL TO TABLE A MOTION OF NO CONFIDENCE AGAINST THE EXECUTIVE MAYOR, COUNCILLOR KABELO GWAMANDA.**

Proposer: Councillor Majola S  
Secunder: Councillor Edward N

*Councillor Majola (ActionSA) withdrew the motion.*

**MOTION 9**

**RECOMMENDING THE CITY OF JOHANNESBURG COUNCIL TO TABLE A MOTION OF NO CONFIDENCE AGAINST THE SPEAKER OF COUNCIL, COUNCILLOR COLLEEN MAKHUBELE.**

Proposer: Councillor Homer C  
 Seconder: Councillor Sifumba N

*Councillor Sifumba (DA) withdrew the motion.*

**MOTION 10**

**RECOMMENDING THE CITY OF JOHANNESBURG COUNCIL TO TABLE A MOTION OF NO CONFIDENCE AGAINST THE SPEAKER OF COUNCIL, COUNCILLOR COLLEEN MAKHUBELE.**

Proposer: Councillor Mthembu N  
 Seconder: Councillor van der Schyf C

*Councillor Mthembu (ActionSA) withdrew the motion.*

*The rest of the motions were deferred to Council meeting scheduled for Wednesday, 30 August 2023.*

**5 RECOMMENDATIONS TO COUNCIL**

*The Executive Mayor tabled the reports of the Executive.  
 The Acting Chair of Chairs, Councillor Rafferty tabled the reports of the Legislature.*

Item 1 CHANGES IN MEMBERSHIP OF THE  
 VARIOUS SECTION 79 COMMITTEES

RESOLVED

That Council approve the changes in membership of the various Section 79 Committees, as reflected in the body of the report.

(COJ LEGISLATURE)  
 (Mokgano Leshalabe)  
 (Acting Director: Office of the Whip of Council)  
 (Tel. (011) 407-6218)

Item 2 COMMENCEMENT OF RECRUITMENT AND SELECTION PROCESS FOR THE GROUP HEAD: CITIZEN RELATIONSHIP AND URBAN MANAGEMENT (CRUM) POSITION

RESOLVED

- 1 That the contents of this report be noted.
- 2 That the Group Head: Citizen Relationship and Urban Management (CRUM) position be advertised.
- 3 That the selection panels' composition be approved as reflected in the table below.

No.	Position	Composition of Selection Panel
1.	GH: CRUM	a. Chairperson: City Manager (CM). b. One Councillor designated by the Municipal Council (preferably a mayoral committee member or relevant portfolio head ) c. An external expert as designated by the CM.

(OFFICE OF THE CITY MANAGER)  
 (GROUP CORPORATE AND SHARED SERVICES)  
 (Group Head: Group Human Capital Management)  
 (Anele Kwababa)

Item 3 PAYMENT OF ACTING ALLOWANCE TO SECTION 54A AND 56 EMPLOYEES

RESOLVED

- 1 That the content of this report and its Annexure (A) be noted.
- 2 That the City complies with the Municipal Systems Amendment Act as interpreted by the Department Cooperative Governance (Annexure A) regarding payment of:

*"A non-pensionable acting allowance, equal to the difference between the current salary of the manager directly accountable to the municipal manager or divisional manager and the minimum notch of the salary scale of the relevant higher post to which the manager is acting in, is payable."*

- 3 That all employees who acted in Section 54A and 56 positions for the period between 1 November 2022 until to date and going forward, be paid acting allowance in compliance with the Municipal System Amendment Act effective from 1 November 2022.

- 4 That the eleven (11) employees that acted in Section 54A and 56 positions with effect from 1 November 2022, be paid the adjusted acting allowance retrospective to 1 November 2022.

(GROUP CORPORATE AND SHARED SERVICES)  
 (GROUP HUMAN CAPITAL MANAGEMENT)  
 (Deputy Director: Field and Transactional Shared Services)  
 (Sonwabiso Selana)  
 (Tel. (011) 407-7961)

- Item 4 APPROVAL OF DRAFT PERFORMANCE AGREEMENTS  
 OF CITY MANAGER AND MANAGERS DIRECTLY  
 ACCOUNTABLE TO THE CITY MANAGER (SECTION 57  
 MANAGERS) FOR THE FINANCIAL YEAR 2023/24

RESOLVED

That the performance agreements of the City Manager and Managers directly accountable to the City Manager be noted.

(OFFICE OF THE CITY MANAGER)

- Item 5 AUGMENTATION OF SECURITY SERVICES  
 WITHIN THE CITY OF JOHANNESBURG  
 CORE DEPARTMENTS

RESOLVED

- 1 That Council notes the contents of the report.
- 2 That the Council approve the proposed augmentation of core department's security services.

(JOHANNESBURG METROPOLITAN POLICE DEPARTMENT)  
 (Manager : Security Services)  
 (Negodima Khuliso)  
 (Tel. (011) 407-7068)

**ACTIONS** DISSENT  
**DA** DISSENT  
**VF+** DISSENT

- Item 6      **TABLING OF THE 2024/2025 INTEGRATED DEVELOPMENT PLAN (IDP), BUDGET, PERFORMANCE MONITORING AND REPORTING PROCESS PLAN**

**RESOLVED**

- 1      That the 2024/2025 Integrated Development Plan (IDP) review, Budget, Performance Monitoring, and Reporting Process Plan as set out in the body of the report, in compliance with the provisions of the Municipal Systems Act and the Municipal Finance Management Act be noted.
- 2      That the approved 2024/2025 Integrated Development Plan (IDP) review, Budget, Performance Monitoring, Evaluation, and Reporting Process Plan be submitted to the Gauteng MEC of CoGTA and National and Provincial Treasuries for monitoring purposes as required by Section 31 of the MSA.

(OFFICE OF THE CITY MANAGER)

- Item 7      **TO SEEK APPROVAL TO ENTER INTO A FACILITY AGREEMENT BETWEEN DEVELOPMENT BANK OF SOUTHERN AFRICAN (DBSA) AND CITY OF JOHANNESBURG ON THE SAME TERMS AS THE REINSTATEMENT AGREEMENT OF MARCH 2021**

**RESOLVED**

- 1      That Council grants the approval for the city to enter into a facility agreement with the DBSA to reinstate and amend the project preparation agreement on the same terms with the reinstated facility agreement of 2021.
- 2      That Council grants the City Manager authority to conclude the appointment of the DBSA and the signing of the facility agreement between the City of Johannesburg and the (DBSA) in line with IIPSA grant validity period and with the project development process until the project reaches financial close or until 30 December 2025, whichever comes first.

(ENVIRONMENT, INFRASTRUCTURE AND SERVICES)  
 (Ms Makhosazana Baker)  
 (Director: Waste Management (EISD))  
 (Tel. (011) 082-3597)

**DA DISSENT**  
**VF+ DISSENT**

- Item 8 CITY OF JOHANNESBURG MFMA IN-YEAR  
FINANCIAL REPORT FOR THE PERIOD  
ENDED 30 APRIL 2023

NOTED

(GROUP FINANCE)  
(Phindile Tshezi)  
(Tel. (011) 021 3350)

- Item 9 CITY OF JOHANNESBURG MFMA IN-YEAR  
FINANCIAL REPORT FOR THE PERIOD  
ENDED 31 MAY 2023

NOTED

(GROUP FINANCE)  
(Matshepiso Sedibe)  
(Tel. (011) 021-2302)

- Item 10 CITY OF JOHANNESBURG MFMA IN-YEAR  
FINANCIAL REPORT FOR THE PERIOD  
ENDED 30 JUNE 2023

NOTED

(GROUP FINANCE)  
(Matshepiso Sedibe)  
(Tel. (011) 021 2302)

- Item 11 MOTIVATION THAT COUNCIL CERTIFY AS  
IRRECOVERABLE AND WRITE OFF IRREGULAR  
AND UNATHORISED EXPENDITURE – AUGUST 2023

RESOLVED

- 1 That Council certifies as irrecoverable and write off R129,876,090.00 in irregular expenditure by City of Johannesburg Metropolitan Municipality for the 2010/11 to 2019/20 financial years.
- 2 That Council certifies as irrecoverable and write off R64,323,000.00 in unauthorized expenditure by City of Johannesburg Metropolitan Municipality for the 2010/11 to 2019/20 financial years.

- 3 That the Accounting Officer submits this report to the National Treasury, together with the minutes of the meeting of Council that reflect the Council resolution for this report, within seven working days of its adoption. Group Finance must submit a report with evidence attesting to this submission to the Municipal Public Accounts Committee.

(COJ LEGISLATURE)  
 (Mr. Mabogo Thinga)  
 (Tel. 083 702 8292)

Item 12 OVERSIGHT VISIT REPORT OF THE SECTION 79  
 FINANCE COMMITTEE TO JD HOUSE DATA  
 CENTRE ON THE 9<sup>TH</sup> MARCH 2023

RESOLVED

- 1 That Council approve the oversight visit report noting the observations cited in the body of the report.
- 2 That the Group Information Communication and Technology Department provide a financial account of the spending for the Implementation of Archiving Solution of the SAP and Non-SAP (2021/22) project. The report is to be submitted to the Section 79 Finance Committee by July 2023.
- 3 That the Group Information Communication and Technology Department provide a financial account of the spending for the Wi-Fi Hotspots rolled out across the City (2021/22). The report is to be submitted to the Section 79 Finance Committee by July 2023.
- 4 That the City Power submits a report to the Section 79 Finance Committee on the feasibility of exempting Data Centres from power outages to maintain critical services in the city. The report is to be submitted to the Section 79 Finance Committee by July 2023.

(COJ LEGISLATURE)  
 (A Bhaga)  
 (Tel. (011) 407-7163)

Item 13 OVERSIGHT VISIT REPORT OF THE SECTION 79  
 FINANCE COMMITTEE TO ORLANDO EAST,  
 ORLANDO WEST AND THUSO HOUSE REVENUE  
 CENTRE ON 23 MAY 2023

RESOLVED

- 1 That Council approves the oversight visit report noting the observations cited in the body of the report.

- 2 That the Group Finance Department respond to all concerns raised in the report and provide a way forward. The report is to be submitted to the Section 79 Finance Committee by August 2023.
- 3 That the Group Finance Department investigate the staff complement vs the number of customers visiting both centres daily. A comprehensive report must be submitted to the Committee by September 2023.
- 5 That the Group Finance Department explain the purpose of the new security structure inside the Thuso House Revenue Centre, the cost incurred to install the structure, the cost and purpose of the equipment and the number of personnel required inside the structure. The report is to be submitted to the Section 79 Finance Committee by August 2023.
- 6 That the Group Information and Communication Department explain why the network problem at the Orlando West Revenue Centre has not been resolved since 2021. The feedback on this is to be submitted to the Section 79 Finance Committee by August 2023.

(COJ LEGISLATURE)  
 (A Bhaga)  
 (Tel. (011) 407-7163)

Item 14 OVERSIGHT VISIT REPORT OF THE HSD  
 SECTION 79 COMMITTEE TO A  
 HOMELESSNESS SHELTER AT KOTZE  
 STREET IN HILLBROW ON  
 28 FEBRUARY 2023

NOTED

(COJ LEGISLATURE)  
 (B Fana)  
 (Tel. (011) 407-6305)

Item 15 OVERSIGHT VISIT REPORT OF THE HSD  
 SECTION 79 COMMITTEE TO BERTRAMS  
 MULTIPURPOSE CENTRE – CONSTRUCTION  
 SITE IN REGION F ON 28 FEBRUARY 2023

RESOLVED

That Council approve the oversight visit report and note the observation cited in the body of the report.

(COJ LEGISLATURE)  
 (B Fana)  
 (Tel. (011) 407-6305)

- Item 16 OVERSIGHT VISIT REPORT OF THE HSD SECTION 79 COMMITTEE TO NALEDI CLINIC CONSTRUCTION SITE IN REGION D ON E 28 FEBRUARY 2023

## RESOLVED

That Council approve the oversight visit report and note the observation cited in the body of the report.

(COJ LEGISLATURE)  
(B Fana)  
(Tel. (011) 407-6305)

- Item 17 UNANNOUNCED OVERSIGHT VISIT REPORT OF THE HSD SECTION 79 COMMITTEE TO A CONSTRUCTION SITE FOR TURFFONTEIN CLINIC – REGION F ON 1 JUNE 2023

## RESOLVED

- 1 That Council approves the oversight visit report and note the observation cited in the body of the report.
- 2 That the Section 79 HSD Committee invites JDA as the implementing agency through the Department of Health to submit a detailed progress report on the challenges experienced at Turffontein Clinics by the end of the 2022/2023 financial year.
- 3 That the Section 79 HSD Committee invites JDA as the implementing agency through the Department of Health to submit the Service Level Agreement (SLA) between the main contractor and the subcontractor operating at Turffontein Clinics by the end of the 2022/2023 financial year.

(COJ LEGISLATURE)  
(B Fana)  
(Tel. (011) 407-6305)

- Item 18 OVERSIGHT REPORT OF THE TRANSPORT SECTION 79 COMMITTEE ON AN OVERSIGHT VISIT TO JRA TRAFFIC MANAGEMENT SYSTEM ON 11 MAY 2023

## RESOLVED

- 1 That the entity presents the overall Traffic Management System project, including the financial implications, to the Section 79 Transport Committee.

- 2 That the Committee conduct a benchmarking tour or evaluating multiple vendors, conducting pilot tests, and seeking feedback from other organizations that have implemented similar systems. This will help ensure that the chosen Traffic Management System aligns with JRA's specific requirements and provides optimal traffic management capabilities.

(COJ LEGISLATURE)

Item 19 OVERSIGHT REPORT OF THE TRANSPORT  
SECTION 79 COMMITTEE ON OVERSIGHT  
VISITS TO THE METROBUS MILPARK  
DEPOT ON 11 MAY 2023

RESOLVED

- 1 That Council adopts the Oversight visit report.
- 2 That the entity informs the Committee of its plans for the buses that have been out of service for close to five years, particularly the 15 and 21-year-old Mercedes Benz 1725/59, Volvo B7L, and Volvo B7R buses, and is there any policy that governs out-of-commission buses.
- 3 That since the entity reported that there are only three inspectors available for the entire entity, which runs more than plus or minus 400 buses each day, it is recommended that the entity either recruit more bus inspectors or hire a private bus inspector to oversee the on-board ticketing system.

(COJ LEGISLATURE)  
(Dr T.S Mawasha)  
(Tel. (011) 407-7395)

Item 20 OVERSIGHT REPORT OF THE TRANSPORT  
SECTION 79 COMMITTEE ON OVERSIGHT  
VISITS TO THE METROBUS VILLAGE - MAIN  
DEPOT ON 11MAY 2023

RESOLVED

- 1 That Council adopts the Oversight visit report.
- 2 That the entity presents to the Committee once the installation of CCTV cameras inside buses is completed and operationalized.
- 3 That the entity updates the Committee regarding the improvement of the cashier workplace to manage money efficiently such as sourcing a secure till-deposit system and money counting machine.

- 4 That the entity presents to the Committee the policy for maintenance of assets within depot premises such as lights, cameras, fire hydrant, pavement, and others.

(COJ LEGISLATURE)  
 (Dr T. S Mawasha)  
 (Tel. (011) 407-7199)

Item 21 OVERSIGHT VISIT OF SECTION 79  
 PUBLIC SAFETY COMMITTEE TO  
 THE JABULANI FIRE STATION ON  
 15 MAY 2023

RESOLVED

- 1 That Council approves the oversight visit report noting the findings referred to in the body of the report.
- 2 That the Department prioritise the maintenance of the facility and ensure that the infrastructure challenges identified in the findings are attended to within the 2023 / 2024 financial year.
- 3 That the Department prioritises the filling of the vacancies within the 2023/2024 financial year.

(COJ LEGISLATURE)  
 (Tandisizwe Sidubulekana)

Item 22 UNANNOUNCED OVERSIGHT VISIT OF  
 THE SECTION 79 PUBLIC SAFETY  
 COMMITTEE TO JMPD OFFICES IN  
 MIDRAND ON 18 APRIL 2023

RESOLVED

- 1 That Council approves the oversight visit report noting the findings referred to in the body of the report.
- 2 That the Department give a full presentation on why there are offices of JMPD at Midrand Fire Station.

(COJ LEGISLATURE)  
 (Tandisizwe Sidubulekana)

- Item 23    OVERSIGHT VISIT OF THE SECTION 79 PUBLIC SAFETY COMMITTEE TO THE LANGLAAGTE LICENSING CENTRE ON 23 JUNE 2023

RESOLVED

- 1    That Council approves the oversight visit report noting the findings referred to in the body of the report.
- 2    That the Department consider all the council recommendations that were made before within the next six months.

(COJ LEGISLATURE)  
(Tandisizwe Sidubulekana)

- Item 24    OVERSIGHT VISIT OF SECTION 79 PUBLIC SAFETY COMMITTEE TO THE MIDRAND FIRE STATION ON 18 APRIL 2023

RESOLVED

- 1    That Council approves the oversight visit report noting the findings referred to in the body of the report.
- 2    That the Department prioritises the filling of a station commander position and the renovations at the station.

(COJ LEGISLATURE)  
(Tandisizwe Sidubulekana)

- Item 25    OVERSIGHT VISIT OF SECTION 79 PUBLIC SAFETY COMMITTEE TO THE PROTEA GLEN FIRE STATION ON 15 MAY 2023

RESOLVED

- 1    That Council approves the oversight visit report noting the findings referred to in the body of the report.
- 2    That the Department priorities the Council recommendations that were made for 2022/2023 financial year within the six months.

(COJ LEGISLATURE)  
(Tandisizwe Sidubulekana)

- Item 26 JOINT OVERSIGHT VISIT OF THE SECTION 79 PUBLIC SAFETY AND CORPORATE AND SHARED SERVICES COMMITTEES TO THE MARCE PROJECTS ON 18 MAY 2022

## NOTED

(COJ LEGISLATURE)  
(Tandisizwe Sidubulekana)

- Item 27 OVERSIGHT VISIT OF THE COMMITTEE ON GENDER, YOUTH AND PEOPLE WITH DISABILITIES TO REGION D, PIMVILLE SKILLS DEVELOPMENT CENTRE ON 16 OF MARCH 2023

## RESOLVED

- 1 That the Council approve the oversight report noting the observations in the body of the report.
- 2 That the Department of Social Development facilitate a meeting with the Department of Human Settlement to discuss the turn-around time of the maintenance of the facility and provide the Committee with feedback in the September meeting.

(COJ LEGISLATURE)  
(Ms K Mtunzi)  
(Tel. (011) 407-6662)

- Item 28 OVERSIGHT VISIT OF THE COMMITTEE ON GENDER, YOUTH AND PEOPLE WITH DISABILITIES TO REGION D, DIEPKLOOF SKILLS DEVELOPMENT CENTRE ON THE 16TH OF MARCH 2023

## RESOLVED

- 1 That the Council approve the oversight report noting the observations in the body of the report.
- 2 That the Department of Social Development attend to the issue of lack of Social Workers in the centre and give feedback to the Committee by August 2023.

(COJ LEGISLATURE)  
(Ms K Mtunzi)  
(Tel. (011) 407-6662)

Item 29 TERMS OF REFERENCE –  
SECTION 79 TRANSPORT COMMITTEE

**RESOLVED**

That Council approves the amended Terms of Reference.

(COJ LEGISLATURE)  
(Tikanelo Tseki)  
(Tel. (011) 407-6423)

**DA DISSENT**

**6 ANNOUNCEMENTS**

*The Speaker announced that Council will resume the next day, 30 August 2023 with motions.*

**7 CLOSURE**

THE MEETING ADJOURNED AT 16:59.

*On resumption (30 August 2023), the following Councillors were present:*

### MEMBERS PRESENT

The Speaker: Councillor Makhubele, T C

The Executive Mayor: Councillor K Gwamanda

Abdool, F	Hooper, R S
Amad, T	Horwitz, J
Arnolds, M S	Huggett, E A
Atterbury, E	Hughes, Z
Avant-Smith, C	Ismail-Moosa, I
Baloyi, D L	Jacobs, B
Benjamin, R F	Jainoodeen, Z
Bini, L	Johnson, N
Boer, C	Jonker, N
Bolani, M G	Kaldine, J
Brand, D G	Kgeletsane, M O
Buthelezi, T C	Khanyile, N M
Chabalala, M D	Khumalo, X I
Chame, F	Knott, L R
Chauke, K L	Koekemoer, M
Chetsanga, H	Komane, S A
Christians, A	Kreusch, S
Coogan, L C	Kunene, K
Coutriers, M J	Kwapeng, C
Coverdale, D L T	Landis, R
Crichton, M	Lebatlang, T Z
Da Gama, V M	Lebea, M G
Da Rocha, C M D	Lefutso, L
Davids-Green, L C	Leitch, A N
De Lange, F C	Leshilo, R S
Deppe, A J	Liebenberg, E
Dladla, D	Lobi, M
Dlamini, B	Louw, M A
Doyle, T	Maake, M J
Durand, G V M	Mabaso, M P
Echeozonjoku, B C	Mabelebele, S S
Edward, N	Mabuke, T A
Foley, D T	Mabunda, T E
Fourie-Shawe, C	Mabuza, S K L
Francisco, D B	Machethe, S
Fresling, R R	Madiba, T J
Galeshewe, T M	Magwaza, B L P
Gantsho, L	Magwentshu, L C
Goosen, J W	Maila, S M
Gwamanda, K	Majola, S
Harris, R	Makamo, S S
Hlatshwayo, S M	Makhafola, E
Hoén, J N	Makhuba, H N

Maluleka, T	Moloisane, D
Manganyi, D B	More, E
Mangena, T D	Morero, S E
Marais, A F	Mosehla, K J
Marais, S I	Mothopi, O Z
Marema, V A	Mphaho, M A
Marumo, T	Mphefo, L M P
Mashala, K	Mpolobosho, M M
Mashinini, S	Mposula, T
Masoga, L M	Mpotulo, G S
Masuku, L	Mthembu, M N
Maswazi, R	Mulelu, M
Matabane, O	Munyayi, V E
Mathe, G	Mutavhatsindi, N T
Mathe, Z E	Nair, R K
Mavhona, L S	Ndlela, M C
Mazibuko, A L	Ndou, N L
Mazibuko, N	Ndou, P
Mazibukwana, M	Ndou, P
Meyers, T	Ndzondo, C M
Mgaga, B	Nefdt, P W
Mgcina, S E	Nenemba, T
Mhlari, T M	Nethamba, R
Mhlongo, T A	Ngema, S V
Mkasi, G	Ngoepe, C S
Mkhize, T	Nguse, S
Mkhonto, M S	Ngwenya, F N
Mkhonza, N F	Ngwenya, J A
Mmbengwa, M N	Ngwetsheni, M M
Mmota, L	Nhlapo, C P
Mngadi, W B	Niemand, G J
Mnisi, N D	Nkokou, T P
Mnyameni, M	Nkomo, B
Moatshe, K	Nkomo, E T
Modladlaba, D S	Nkomo, P T
Modukanene, L C	Nkonyeni, S P
Modupi, D N	Nkosi, R A L
Moepi, N J D	Nkubungu, L
Moeti, O T	Nkwanyana, P B
Mofokeng, J	Nofemela, N
Mofokeng, M P	Nonkumbi, I M
Mogapi, T A	Nontenja, C T
Mokoari, Z	Ntoele, N L
Mokoena, G	Ntombela, M J
Mokoka, M L	Ntshidi, T E
Mokwena, T M	Nyembe, M M
Molefe, E W	Nyembe, Z P
Molefe, M	Nzimande, C
Molefe, S B	Papo, M M
Molise, L D	Pelzer, R

Phalatse, M	Simonse, L C
Phillips, L E	Sindani, F P
Phometsi, P S	Smit, P A
Pietersen, J	Sobey, A
Pietersen, N	Steenkamp, D
Ponsonby, D A	Steer, B
Radebe, N P	Stewart, A J
Radebe, T T	Suddaby, J
Rafferty, P D	Sun, Y H
Rahn, N J	Supe, N P
Raholane, M W	Tabane, M C
Rakosa, P M	Tambani, P S
Ramafikeng, D J	Tefu, P V
Rambani, N S	Telekoa, A T
Raphadu, A T	Truluck, T F
Raseruthe, S H	Tshwaku, M
Reddy, V M	Tshedo, J G
Reinten, I M	Tsotetsi, L Y M
Roberts, F C	Twala, Y A
Rohlssen, C K	Van der Merwe, M
Santana, C G	Van der Schyf, C
Schay, D	Van Dyk, N J
Seema, S M	Van Wyk, W M
Seerane, M K	Wax, K P
Sekhu, M V	Williams, M C
Sesedinyane, M I	Wilskut, D
Shackleford, L M	Wissler, S T J
Shange, P A	Xuma, L
Sherman, G J	Zazini, A
Shumba, K A	Zitha, S L
Sifumba, N	Zondo, L T
Simelane, P	Zungu, N G
Simelane, S O	Zwane, S

## 1 OPENING

*The Executive Mayor of the City of Johannesburg, Councillor Kabelo Gwamanda; Whip of Council, Councillor N Zungu; all political party leaders and whips; Members of the Mayoral Committee; Chairpersons of the Section 79 Committees; fellow Councillors; City Manager, Mr Floyd Brink; acting Secretary to Council, Mr Andile Gobinca; officials of the City of Johannesburg; residents of the City of Johannesburg; members of the media; ladies and gentlemen, to the continuation of the 21<sup>st</sup> Ordinary Council meeting of the City of Johannesburg Municipality.*

*She thereafter thanked Councillors for the work done at the meeting of 29 August 2023 and said that Council will resume with the motions and trusted that the meeting would be smooth and orderly, reflective of the world class African Councillors having a world class African debate that reflects world class African citizens that the civic education seeks to build.*

*The Speaker requested Legal Advisors to confirm the number of Councillors present to confirm the quorum. She announced that there were 223 Councillors present in the meeting, therefore, the meeting quorate. She urged Councillors who did not sign the register to proceed and sign the register.*

*Councillor de Lange F (VF+) in his address said that there were only motions in the day's agenda and asked if Council would proceed with the quarterly reports on the agenda for the Ordinary Meeting scheduled for Thursday, 31 August 2023.*

*The Speaker in her response said that she liked the idea and would consult Legal and revert to Council.*

*Councillor Rafferty P (PA) in his address said after he had raised an issue of bad treatment at the food stations, he thought that there will no need to address the matter again but there was an issue yet again. He notified Council that the Patriotic Alliance and its guests would no longer be eating food provided for by Council. He added that they would not be treated like children or unwanted guests, treated badly in front of everyone like they were not used to food. He thereafter said that he came to work in a good mood and was infuriated to the point he was still trying to calm himself down.*

*The Speaker in her response said the matter would be addressed because Council wanted the PA to be part of Council and to know they are welcomed together with their guests. She said she would get the facts and asked Councillor Rafferty to please not get upset.*

*Councillor Avant-Smith C (DA) addressed Council and concurred with both Councillor de Lange on his suggestion to deal with quarterly reports, to Councillor Rafferty's point by adding that Council needed to investigate how the JMPD officers treated Councillors coming through the security checkpoint.*

*The Speaker in her response said that the matter was already brought up to her by Councillor Echeozonjoku, she would address the issues of the JMPD officers and the food station.*

## **2 APPLICATIONS FOR LEAVE OF ABSENCE**

*The following applications for leave of absence from this meeting were granted:*

<i>Councillors Dewes, DS</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Dellwaria, N</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Homer, C</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Amod, C J</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Ramaru, G</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Sekwaila, B J</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Mchunu, A</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Ngobeni, L</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Mphahlele, M</i>	<i>:</i>	<i>Private Business</i>
<i>Councillor Dammie, B</i>	<i>:</i>	<i>Illness</i>

*The following Councillors requested to arrive late:*

*Councillor Kunene, K  
Councillor Ponsoby, DA  
Councillor Wilskut, D  
Councillor Bittkau, R  
Councillor Finn, CE  
Councillor Moloisane, B  
Councillor Louw, M  
Councillor Nkomo, B  
Councillor Mazibuko  
Councillor Marema, A  
Councillor Mohlala, C  
Councillor Liebenberg, E  
Councillor Harris, R  
Councillor Mabaso, M*

*The following Councillors requested to leave early:*

*Councillor Moloisane, B  
Councillor Marais  
Councillor Morero, SE*

### **3 MOTIONS**

#### **MOTION 1**

PROPOSER: Councillor Mosehla KJ

SECONDER: Councillor Seerane K

**In terms of rule 94(1) of the Stading Rules and Orders of Council, I Councillor Johannes Mosehla would like to propose the following motion.**

#### **Noting that**

1. The city of Johannesburg metropolitan municipality has pit toilets that are called VIPs all over the city especially in black communities.
2. The city of Johannesburg metropolitan municipality rents movable toilets from various service providers through tenders
3. The city spends millions of rands on these temporary arrangements.

#### **Believing that**

1. Everyone has inherent dignity and the right to have their dignity respected and protected.
2. Everyone has a right to life.
3. Everyone has the right –
  - a. to an environment that is not harmful to their health or well-being

- b. to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that -
  - (i) prevent pollution and ecological degradation.
- 4. The state, at all levels, has the obligation to provide sanitation wherever people reside. This is a fundamental human right, which should lead to the abolishment of chemical and pit toilets (VIP).
- 5. The EFF 2021 Local Government Manifesto calls for the eradication of chemical toilets.

**The EFF recommends the following:**

1. That council note and adopt all recommendations.
2. That the city develops a plan to eradicate the chemical system within the next sixty (60) days.
3. That the city follows the budgeting processes to ensure that the approved plan for eradicating the chemical toilets system is implemented during the 2023/2024 financial year.
4. That the city consults all stakeholders and ensures that the implementation is done in line with all relevant policies and legislations.

**MOTION PUT AND CARRIED**

**DA DISSENT**

**MOTION 2**

PROPOSER: Councillor Mkasi G  
SECONDER: Councillor Zitha S

**I, Councillor Gift Mkasi propose a motion in terms of Rule 94(1) of the Standing Rules and Orders of Council**

**Noting that:**

1. Zandspruit is one of the oldest informal settlements in Johannesburg North which remain underdeveloped.
2. Zandspruit Ext 16 is the first section in which residents were temporarily allocated as a transition area.
3. Zandspruit Ext 16 known as Transit Camp is the section that gave birth to Ext 10 and 09.

**Believing that:**

1. Zandspruit Ext 16 is a township with street names, access to water and electricity.
2. It is now long overdue for a township without beneficiaries and size of Stands where people reside in an informal style while their township is formalized.

3. Stands allocation will give residents dignity staying at the place where they are procedurally allocated which will enable those who can afford to build houses of their choice without fear of getting their houses demolished by law enforcement.

**We therefore Recommend the Following**

1. City of Johannesburg Begin with Pegging of stands at Ext 16.
2. All pegged stands be allocated to the original people of Zandspruit as per the City of Johannesburg Records.
3. All beneficiaries must be B-Form Holders and appear on the waiting list in the position of the City of Johannesburg.
4. In the case where the main beneficiary is deceased a registered beneficiary under the name of deceased must be allocated that stand.
5. The first come first serve method must be applied to avoid queue jumping.
6. All the recommendations above be implemented no later than 2023/24 financial year and be implemented in line with relevant legislation, policies, and processes.

**MOTION PUT AND CARRIED  
DA DISSENT**

**MOTION 3**

Proposer: Councillor Mofokeng P  
Secunder: Councillor Zitha S

**I, Councillor Molatelo Patricia Mofokeng, propose a motion in terms of 94(1) of the Standing Rules and Orders of Council**

1. For many years the Juskei River has not been given enough attention by the City of Johannesburg. Every rainy season we have cases of floods because the river overflowed.
2. Grass along the riverbanks is not being cut, and trees in this area are also not pruned by the city.
3. The local in this area do illegal dumping on the riverbanks and the river itself. Such actions lead to the change of direction of the river flow which introduces more risks to the people who live along the riverbanks.
4. In the past, we have seen incidents where people who lives in Setswetla were washed away by floods.
5. With political will and cooperation, the problem in Setswetla can be resolved.

Given the background above, we recommend the following:

1. That the city conducts an assessment in this area on which safety measures can be implemented to prevent flooding, illegal dumping, and occupation of unsafe land across the city subject to funding and resources available in the 2023/24 financial year.
2. That the city follows proper and prescribed budgeting processes in the allocation of funding and resources for the implementation of the project as may be deemed necessary after the assessment process.
3. That the city in the implementation of the above, only accepts and implements mandates which may otherwise be the functions of other spheres of government, provided such mandates are lawfully delegated and adequate funding is provided to the city.

*Councillor Raphadu (ANC) proposed an amendment to the motion for the following sentence to read as follows:*

4. *In the past, we have seen incidents in the area where people who lives on the Juskei (in particular) Setjwetla were away by floods.*

*He further proposed an additional recommendation on the motion as follows:*

4. *The hazardous smoke burning there should be attended to/extinguished as its health hazard.*

## **MOTION PUT AND CARRIED WITH AMENDMENTS**

### **DA DISSENT**

### **MOTION 4**

Proposer: Councillor Ngwenya J

Secunder: Councillor Seerane K

**In terms of rule 94(1) of the Standing Rules and Orders of Council, I Councillor Jabulani Ngwenya would like to propose the following motion.**

#### **Background**

1. Currently, the Councillors /Community members log complaints to the municipality and its entities on service delivery issues using the online system which automatically generates the reference number.
2. However, this system leaves serious coordination challenges between city officials, local Councillors and the community/ complainants as it is difficult to trace the progress of a specific reference number.
3. In many instances, the officials who are responsible for resolving the issues reported do not meet the turnaround times which are communicated to the complainants through the automated system, and this leaves community members dissatisfied with municipal services.

4. More often, community members raise their frustrations with local councillors and at times become violent because Councillors are unable to provide updates as the system does not provide them with any updates regarding the issue(s) logged on the system.
5. The EFF cardinal pillar number calls for building state and government capacity.

**Given the above background, we recommend the following:**

1. The enhancement of the current system to provide regular updates of progress on resolving issues to both the complainant and local Councillors.
2. Allocate specific officials the responsibility for resolving specific issues to hold them accountable for failing to abide by the turnaround times and/or providing regular updates on issues.
3. That the city follows the correct budgeting processes to ensure that there are resources put aside for enhancing the system to have the functionalities mentioned above.
4. That the above recommendations be implemented during the 2023/24 financial year.

**MOTION PUT AND CARRIED  
DA DISSENT**

**MOTION 5**

Proposer: Councillor Mnyameni M  
Seconder: Councillor Shange P

I, **Councillor M Mnyameni**, hereby table a motion in terms of Rule 89 of the Standing Rules and Orders of Council.

**Background**

The World Health Organization (WHO) indicated that globally about 1 in 3 (30%) of women worldwide have been subjected to either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime.

Further, almost one third (27%) of women aged 15-49 years who have been in a relationship report that they have been subjected to some form of physical and/or sexual violence by their intimate partner.

Therefore, the City of Johannesburg is not immune to such cases considering that there has been an increase in Gender Based Violence by 7.1 % during the second quarter of this financial year.

In an attempt to assist with safe houses, there is a building in Ward 124 named Usindiso that has been hijacked for the past decade which can be renovated into a safe house that can accommodate victims of GBV.

This building was initially formed for the purposes of a safe house for GBV victims until it was hijacked. The building is owned by the City of Johannesburg and Council has the obligation to maintain this building or use it in a manner that can benefit the residents of Johannesburg.

**It is therefore recommended that:**

1. Council takes a decision to remove illegal occupants of this building.
2. Renovate and refurbish the building into a safe house that can accommodate abused women and children.

**MOTION WITHDRAWN**

**MOTION 6**

Proposer: Councillor Maake M  
 Seconder: Councillor Maswazi R

I, **Councillor M Maake**, hereby table a motion in terms of Rule 89 of the Standing Rules and Orders of Council to formalize Diepsloot Reception Area Informal Settlement.

**Background**

- Diepsloot Reception Area was established around 1995 as a transit area for people who have been removed from Alexander through the Alex Renewal Programme, Sewenfontein and surrounding areas.
- Some citizens were moved to formal areas in Diepsloot Extensions, and some remained and are still living in the area.
- Diepsloot is now home to about 373 295 residents from both informal and formal areas.
- These informal settlements have been in existence for more than 27 years.
- The residents who live in this informal settlement are deprived of basic services such as tarred roads, water, and sanitation.

**It is believed that:**

- They have the right to basic services in terms of the Bill of Rights and the South Africa Constitution.
- When formalized, the City can be able to prioritize this area in terms of providing basic services.

**It is therefore recommended that:**

- The Department of Housing in their 2023/24 budget ensure that the reception area in Diepsloot gets formalized.
- The Department must report on the progress made every quarter.

**MOTION PUT AND CARRIED**

**DA DISSENT**

**MOTION 11**

Proposer: Councillor Nonkumbi I  
Secunder: Councillor Mpolobosho M

**A MOTION OF A VOTE OF NO CONFIDENCE AGAINST THE CHAIRPERSON OF GENDER, YOUTH, AND PERSONS WITH DISABILITIES (GEYODI) CLLR NAKITA DELLWARIA****BACKGROUND**

- A motion of a vote of no confidence against the same Chairperson of GEYODI Committee was passed successfully in February 2023 by Council whereby Cllr Nakita Dellwaria was deemed to have failed in her duties to ensure that the Committee conducts effective oversight on the performance of the Departments.
- The Chairperson of the committee has previously demonstrated failure in advocating and safeguarding the interests of the sectors that the Committee represents.

**IT IS THEREFORE RECOMMENDED:**

1. That a motion of a vote of no confidence against the Chairperson of GEYODI, Councillor Nakita Dellwaria should be passed by Council.
2. That upon the passing of this motion, the vacancy for the position of the Chairperson of GEYODI be filled in accordance with Rule 24 of the Standing Rules and Orders of Council.

*Councillor Mpolobosho (AHC) addressed Council in support of the motion.*

*The Speaker put the motion to a vote and the result were as follows:*

YES: 132

NO: 69

ABSTENTION: 46

**MOTION PUT AND CARRIED**

**MOTION 12**

Proposer: Councillor Marumo T  
Secunder: Councillor Nonkumbi I

**MOTION OF A VOTE OF NO CONFIDENCE AGAINST THE CHAIRPERSON OF THE PUBLIC SAFETY COMMITTEE COUNCILLOR S. MAILA****BACKGROUND**

- The Chairperson of the Public Safety Committee, Councillor Maila has failed to ensure that the Committee holds the Executive to account for the performance of the department.
- The Chairperson of the Public Safety Committee, Councillor Maila has failed to provide leadership and to ensure the smooth running of the Committee.

**IT IS THEREFORE RECOMMENDED:**

1. That a motion of a vote of no confidence against the Chairperson of the Public Safety Committee, Councillor Maila, be passed by Council.
2. That upon the passing of this motion, the vacancy for the position of the Chairperson of the Public Safety Committee be filled in accordance with Rule 24 of the Standing Rules and Orders of Council.

*Councillor Nonkumbi addressed Council in support of the motion.*

*The Speaker put the motion to a vote and the result were as follows:*

YES: 133  
NO: 68  
ABSTENTION: 42

**MOTION PUT AND CARRIED****MOTION 13**

**RECOMMENDING THE CITY OF JOHANNESBURG COUNCIL TO PASS A VOTE OF NO CONFIDENCE AGAINST THE CHAIRPERSON OF SECTION 79 GEYODI COMMITTEE, COUNCILLOR NAKITA DELLWARIA.**

*The motion fell away as it was debated and approved in the previous motion.*

**MOTION 14**

Proposer: Councillor Mavhona S  
Secunder: Marema V

I, Councillor Sannie Mavhona (ANC) propose a motion in terms of Rule 94(1) of the Standing Rules and Orders of Council.

**Noting that:**

- In Alexandra Phase 1 between Eighth Avenue and Eleventh Avenue, and between Alfred Nzo Street and Josia Madzunya Street; and Phase 2 between Fourth Avenue and Eighth Avenue and between Alfred Nzo Street and Rev Sam Buti Street. The streets are without names.
- Houses have numbers and it becomes a challenge for emergency services when looking for a particular house number because there is no street to link the number.
- This situation affects the prompt response of emergency services and the casualties of this situation become the residents of the area.
- Though residents do receive their mail, and it is difficult for other services like deliveries or ambulances who do not work there daily like post office delivery men.

**Believing that:**

- The Municipal Planning By-Laws of 2016 state that if because of approval of land development application, streets or roads are created, whether public or private, the City must approve the naming of the street and must allocate a street number for each of the erven or land units located in such street or road.

**We therefore recommend that the City of Johannesburg Council to:**

1. Name and register all the streets in both Phase One and Two in Alexandra.
2. The naming of the streets should be done in line with the South African Geographical Names Council Act, the City of Johannesburg Metropolitan Municipality Policy and other relevant legislation and policies.
3. All processes including public participation should be followed when naming the streets.

**MOTION PUT AND CARRIED**

**MOTION 15**

Proposer: Councillor Nonkumbi I  
Seconder: Councillor Nguse S

**A MOTION REQUESTING TO REINSTATE JOUBERT PARK CLINIC****BACKGROUND**

- In 2016, the City of Johannesburg converted the Joubert Park Community Clinic into an outdoor rehabilitation Centre which doesn't benefit the affected residents.
- The Joubert Park Clinic used to cater for over 18, 000 plus community members because it also accommodated the neighbouring Wards which are Ward 60, 62, 63 and 123 respectively.
- community members have since been financially burdened by the City's decision to close this clinic because they are now forced to utilize public transport to access other health facilities.

**IT IS THEREFORE RECOMMENDED:**

1. That the Council rescinds its decision to close Joubert Park Clinic.
2. Reinstate Joubert Park Clinic in Ward 59.

*Councillor Nguse (ANC) addressed Council in support of the motion.*

*The Speaker put a motion to a vote and the results were as follows:*

YES: 143  
NO: 107  
ABSTENTION: 9

**MOTION PUT AND CARRIED****MOTION 16**

Proposer: Councillor Knott L  
Seconder: Councillor Avant-Smith C

**MOTION FOR PUBLIC ACCESS TO SECTION 79 OVERSIGHT COMMITTEES**

I, Cllr Leah Ruth Knott (DA), propose the following motion in terms of Standing Rule 94(1) of the Standing Rules and Orders of Council.

That this Council: City of Johannesburg, consider the following motion as prescribed in both National legislation and the Standing Rules and Order of Council.

Noting that:

1. Section 152 of the Constitution speaks to the objects of local government which include amongst other things:

152(1)(a) to **provide a democratic and accountable government for local communities**,  
152(1)(e) to **encourage the involvement of communities and community organisations in the matters of local government.**

2. In terms of Section 5(1) of the Systems Act, members of local communities have the right to:

5(1)(e) to **demand that the proceedings of the municipal council and those of its committees must be –**

(i) **Open to the public, subject to Section 20.**

3. Section 20 of the Structures Act also prescribes and sets out the requirements of admission of the public, including media, to Council and Committee meetings which can only be closed when reasonable to do so or where specific circumstances authorize the Council to do so.

4. Rules 38 to 45 of the Council Standing Rules regulate the right of the public, including the media, to access and participate in S79 Committee meetings of Council.

5. In terms of Rule 38 of the Council Standing Rules:

38(1) The Council meetings **must be open to the public**, including the media.

38(2) **The Speaker must inform the public of the proceedings of Council and its Committees** by publishing in the press, on the website and other appropriate media, details of the time and place of meetings.

6. In terms of Rule 39 of the Council Standing Rules:

39(1) The **Council must take reasonable measures to regulate public access**, including access by the media.

39(2) The regulation of public access to the precincts of the Council, subject to these Rules, is the responsibility of the Speaker.

39(4) **A Committee may exclude the public, including the media and officials, from a meeting only when it is reasonable and justifiable in an open and democratic society.**

39(5) Circumstances in which it is reasonable and justifiable to exclude the public from a committee meeting may, but must not necessarily, occur when the Committee is considering a matter that –

- (a) should be discussed behind closed doors to avoid prejudicing a person unfairly, or
- (b) is confidential in terms of legislation.

7. Rule 42 of the Council Standing Rules:

**42(1) Council and all Committees of Council shall be open to the public and media subject to Section 20(1) of the Systems Act and other applicable rules.**

**42(2) The Presiding Officer shall make every effort to facilitate access including the relocation of a meeting to an appropriate venue, especially with respect to access for disabled persons and the anticipated interest in the Committee's agenda. Access may however be restricted in terms of the relevant sections of the Health and Safety Legislation.**

Believing that:

1. The meetings of Council Committees are not being publicized nor made known to members of the public and thus is a violation of their Constitutional rights, as well as our Council Standing Rules and Orders, in terms of participation in their government.
2. Members of the public, including media, have a right to access information from and to participate in these committees within the prescribed regulations in either an observer or active participant capacity.
3. Lack of publication and lack of access to these Committee meetings does not allow for transparent and open governance, which is the cornerstone of our democracy.

Therefore, this Council resolves that:

1. The Speaker immediately publishes the dates of all S79 Committee Meetings with full details as per the Council approved calendar which was approved by this Council on 21 June 2023.
2. The Speaker publicises a detailed list of all S79 Committee Officers along with the process to attend Committee meetings on the City's website and other relevant platforms whom the public, including media, can contact for physical and virtual attendance of and participation in Committee meetings.
3. The S79 Committee meetings are made accessible to the public, including the media, via live broadcast via available City channels as well as in person via prior arrangement, as is the practice in other Metropolitan Municipalities.
4. The Speaker provides the above information to all Councillors as a matter of urgency.

*Councillor Avant-Smith (DA) addressed Council in support of the motion.*

*The Speaker put the motion on a vote and the result were as follows:*

YES: 60  
NO: 131  
ABSTENTION: 45

### **MOTION PUT AND NOT CARRIED**

*The Speaker said that it was important to mention that to dissolve Council, 180 votes would be required to pass the motion. She said it was important to mention that because the motion was discussed multiple times and the residents were asking questions about it.*

### **MOTION 17**

Proposer: Councillor Meyers T  
Seconder: Councillor van der Merwe M

### **MOTION CALLING ON METROBUS TO ESTABLISH A WHAT'S APP HOTLINE, TO IMPROVE ACCESS OF INFORMATION TO THEIR CUSTOMERS**

I, **Cllr Tyrell Meyers (DA)**, propose the following motion in terms of Standing Rule 89(2)(b)

That this Council: City of Johannesburg

#### **Noting that:**

1. According to Statista, What's App is the most popular form of social media with 87% penetration.
2. What's App allows r businesses and entities to communicate directly with their customers.
3. WhatsApp is an easy to access and use.

#### **Believing that:**

Metrobus makes use of other platforms like Facebook, etc., however, WhatsApp is proving to be more effective in direct communication to customers, and this would greatly enhance Metrobuses' ability to communicate directly with their customers, on issues of busses, running late of shortage of busses etc. This would help modernize communication between Metrobus and its customers, and if effectively managed bring in new customers.

#### **Therefore, this Council resolves that:**

1. Metrobus establishes a WhatsApp communication line from their office for customers.
2. Metrobus, shares the timetables/updates of bus shortages to this channel to update residents.
3. Metrobus can also channel customer complaints to better improve their services.

*Councillor van der Merwe (DA) addressed Council in support of the motion.*

*The Speaker put the motion to a vote and the results were as follows:*

YES: 69  
NO: 129  
ABSTENTION: 36

#### **MOTION PUT AND NOT CARRIED**

*Questions for oral questions to Public Safety were considered as he was present in the House and was posed as follows:*

*Councillor M van Wyk (ActionSA) asked the MMC for Public Safety the following question for oral reply in terms of section 105(1) of the Standing Rules and Orders of Council: "OQPS005".*

Our communities are struggling due to a lack of ambulances in the areas and the delay has caused the death of some loved ones, as well as a feeling of negligence by the City of Johannesburg.

1. What plans does the City of Johannesburg has to remedy the situation?
- 1.1 What progress has been made so far, with discussions between the city and the Gauteng Government regarding this matter?

*MMC Tshwaku (EFF) responded that out of +- 154 ambulanced that were there, there was 50 ambulances left and they were engaging with MMC Kunene to allocate the additional 4 ambulances.*

*He stated that the report to request approval to apply for an ambulance licence was considered by the Mayoral Committee and will be submitted to Council for approval. Once approval by Council is obtained, the COJ EMS can apply for an ambulance license to be able to run the COJ owned ambulances. He stated that they have consulted with the MEC of Health, N Nkomo-Ralehoko and she has given a go ahead to apply for the licence. In the meantime, the province will allocate ambulances and a Memorandum of Understanding (MOU) will be signed.*


*Councillor Mkhonto (ActionSA) was not present in the House and his oral question to Public Safety was not considered.*

#### **4 ANNOUNCEMENTS**

*The Speaker responded to the proposal of Councillor de Lange to deal with the agenda of the Ordinary Meeting scheduled for Thursday, 31 August 2023. She said that the House would have to agree to the proposal, she asked the whips to engage each other and revert to Council.*

*The Speaker announced the Ordinary Council Meeting will convene on Thursday, 31 August 2023 and the quarterly reports would be considered in that meeting.*

THE MEETING ADJOURNED AT 14:30.



.....  
SPEAKER OF COUNCIL

31/10/23

.....  
DATE