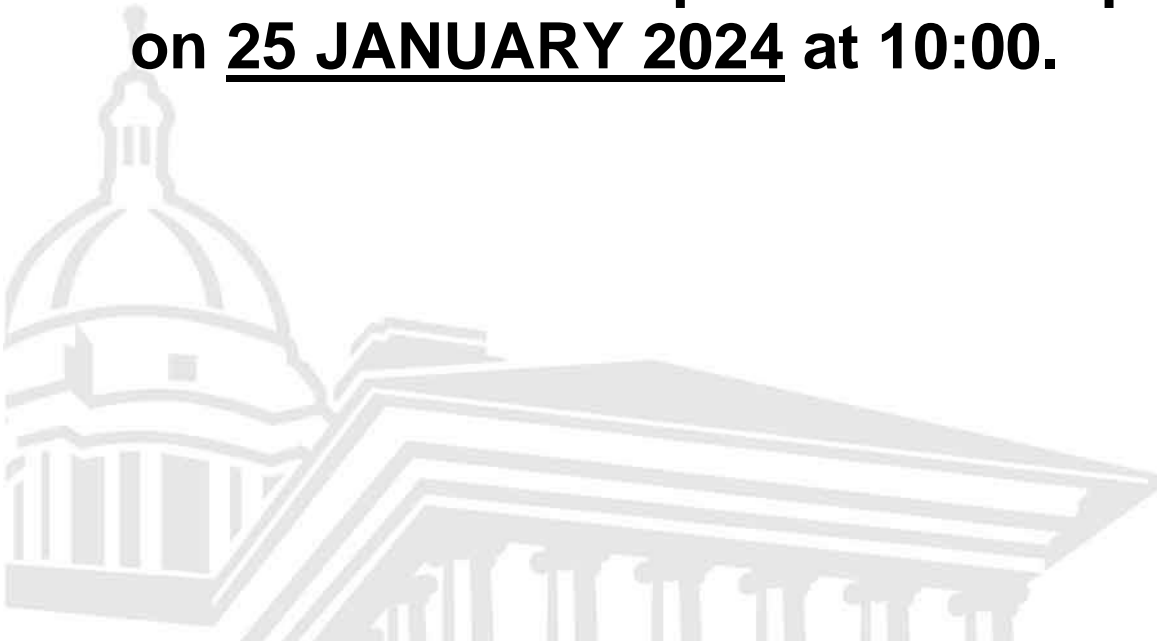


**COUNCIL MINUTES FOR APPROVAL AT THE
COUNCIL MEETING OF THE CITY OF
TSHWANE METROPOLITAN MUNICIPALITY,
TO BE HELD ON THURSDAY, 29 FEBRUARY
2024 AT 10:00**

**Minutes of the Council Meeting of the City
of Tshwane Metropolitan Municipality held
on 25 JANUARY 2024 at 10:00.**



MINUTES of the Council Meeting of the

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

(FIFTH TERM OF THE CITY OF TSHWANE)

held in the Council Chamber, Second Floor, Tshwane House, Madiba Street, Pretoria, on
THURSDAY, 25 JANUARY 2024 at **10:00**.

MINUTES: COUNCIL MEETING: CITY OF TSHWANE METROPOLITAN MUNICIPALITY:
25 JANUARY 2024

ANC :

PROPORTIONAL	
1. Boshielo MKF	
2. Modise ET	
3. Maluleka AM	
4. Mogale TJ	
5. Nhlapo BJ (Absent)	
WARD	
6. Aphane LM	43. Masupha NR
7. Baloyi JJ	44. Mathibedi MT (Absent)
8. Boikanyo TS	45. Matjeke AB
9. Chiloane EP	46. Matshiane OP
10. Chiota PP	47. Mazibuko MS
11. Kekana ME	48. Mbokane EP
12. Kgatle TF	49. Mlotshwa ME
13. Kgopa WN	50. Moabelo SS
14. Kgopotso KP	51. Mocumi NT
15. Lelaka SP	52. Modise VP
16. Lewele MH	53. Mokgalotsi NA
17. Mabaswa MC	54. Moloi ED
18. Mabena VE	55. Mothoa LH
19. Mabolawa NS	56. Ndlovu M
20. Machava PL	57. Ngoveni C
21. Madonsela MI	58. Ntohla ZS
22. Mahlangu N	59. Patel N
23. Majola DE	60. Phalwane V
24. Makena SM	61. Phasha MV
25. Makola MJ	62. Phiri KS
26. Malefane TP	63. Rakabe MPJ
27. Malope P	64. Rambau TV
28. Mampuru SF	65. Ramphile MI
29. Marishane MS	66. Ratau SM
30. Masemola TM (Apology)	67. Sebola AM
31. Masemola VI (Apology)	68. Seelane NJ
32. Masha MK	69. Sethole RS
33. Mashao DH	70. Setimo Z
34. Mashapa MA	71. Shume TJ
35. Mashapa TPK	72. Thabatha TI
36. Mashego PJ	73. Thema FM
37. Mashigo FZ	74. Tsela DK
38. Mashola MS	75. Tsiane SPC
39. Masia CS	
40. Masilela JK	
41. Masina BMA	
42. Masuku EN	

DA:

PROPORTIONAL	
1. Barendrecht JW 2. Brink C 3. Du Plooy J 4. Kgaboesele F 5. Lee TW 6. Mabena TW 7. Mabusela MR 8. Madileng MT 9. Madzebatela ON 10. Makgaleng KG 11. Makhafula MA 12. Mathebe RK 13. Mehlaphe-Zimu MM 14. Meyer CA 15. Millar PE 16. Mohlamme TT 17. Moloto LKP 18. Motale SK 19. Motau LG 20. Mthimunya PG 21. Nortje HJ 22. Phokoje STT 23. Pietersen IJ 24. Randall AM 25. Selowa D 26. Semfeng KD 27. Thwala DS 28. Uys R 29. Vilakazi TC 30. Wakelin KH 31. Wannenburg DG 32. Williams RM	
WARD	
33. Basson EM 34. Bekker JC 35. Billson C 36. Breytenbach GA 37. Breytenbach AS 38. Chapman BW 39. De Jager LJ 40. De Klerk MI 41. De Kock IA 42. Duvenage Y 43. Dzumba KY 44. Erasmus AA 45. Farquharson DJ	58. Pienaar CF 59. Smith FJ 60. Strijdom CE 61. Sutton P 62. Uys J 63. Van Buuren JG 64. Van den Heever CM 65. Van Heerden PW 66. Van Niekerk AM 67. Viljoen HJ 68. Visser GP 69. Wilkinson S

46.	Fosi TE	
47.	Fourie RP	
48.	Frimmel J	
49.	Helfrich WP	
50.	Kruger-Muller ME	
51.	Kruyshaar LP	
52.	Lawrence BW	
53.	Lesch A	
54.	Maas S	
55.	Mtakati N	
56.	Muller S	
57.	Nel EJ	

EFF:**PROPORTIONAL**

- | PROPORTIONAL | |
|--------------|----------------------------------|
| 1. | Chauke HQ (Apology) |
| 2. | Dibakwane RK (Apology) |
| 3. | Disoloane KB (Apology) |
| 4. | Leshabana LP (Apology) |
| 5. | Mabogwana MO (Apology) |
| 6. | Mamatepa SP (Apology) |
| 7. | Manamela MS (Apology) |
| 8. | Mathevula BK (Apology) |
| 9. | Matlala PP (Apology) |
| 10. | Matlhabane RL (Apology) |
| 11. | Mashabela TM (Apology) |
| 12. | Mnisi NP (Apology) |
| 13. | Moloisane ST (Apology) |
| 14. | Monchusi RGM (Apology) |
| 15. | Motubatse HE (Apology) |
| 16. | Mtshali RM (Apology) |
| 17. | Nkgadima TS (Apology) |
| 18. | Notununu O (Apology) |
| 19. | Ramabodu OS (Apology) |
| 20. | Rasweswe UB (Apology) |
| 21. | Ratikwane GK (Apology) |
| 22. | Seanego SN (Apology) |
| 23. | Sekanka DS (Apology) |

ACTION SA:

PROPORTIONAL	
<ol style="list-style-type: none"> 1. Bosch A 2. Coetzee JJ 3. De Bruin GP 4. Fröhlich HL 5. Gafane H 6. Govender B 7. Kgosiemang JK 8. Modiba JT 9. Le Roux A 10. Mahlangu DT 11. Malosi T 12. Mathabathe JK 13. Matlou MH 14. Monama MF 15. Morodi KV 16. Moya HN 17. Pillay NA 18. Ramjee P 19. Sebotsane TG 	

FF+:

PROPORTIONAL	
1. Du Plooy IP 2. Erasmus BHJ 3. Erasmus LA 4. Erasmus M 5. Grebe RJ 6. Harmse D 7. Jacobs WA 8. Janse van Rensburg LD 9. Joubert M 10. Marx GEC 11. Meijer PWW 12. Nefdt AC 13. Pascoe NC 14. Sparg A 15. Surgeon MA 16. Theunissen UG 17. Van der Spuy DJJ	

ACDP:

PROPORTIONAL	
1. Morake R 2. Moshidi T	

AIC:

PROPORTIONAL	
1. Manhique RM	

ATM:

PROPORTIONAL	
1. Ndzwanana M (Apology) (Speaker)	

COPE:

PROPORTIONAL	
1. Motlhasedi J	

DOP:

PROPORTIONAL	
1. Mphahlele MTR	

GOOD:

PROPORTIONAL	
1. Mabotsa SMM	

IFP:

PROPORTIONAL	
1. Zwane DZ	

PA:

PROPORTIONAL	
1. Williams-Moses D.	

PAC:

PROPORTIONAL	
1. Tshabadi M.S. (Apology)	

RCT:

PROPORTIONAL	
1. Middelberg AWF	

REPRESENTATIVES FROM THE TRIBAL AUTHORITIES

1. <u>AmaNdebele Ba Lebelo</u>	
Not in attendance	
2. <u>AmaNdebele wakwa Ndzundza Sokhulum</u>	
MP Mahlangu	
KE Nakedi	
IS Mahlangu	

MINUTES: COUNCIL MEETING: CITY OF TSHWANE METROPOLITAN
MUNICIPALITY: 25 JANUARY 2024

Order of business of the Council Meeting in terms of Section 8 of the Rules and Orders.

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MINUTES: COUNCIL MEETING: CITY OF TSHWANE METROPOLITAN
MUNICIPALITY: 25 JANUARY 2024

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MINUTES: COUNCIL MEETING: CITY OF TSHWANE METROPOLITAN
MUNICIPALITY: 25 JANUARY 2024

A. OPENING: PRAYER OR MEDITATION

At the Council meeting of 25 January 2024, the City Manager, Mr J Mettler when opening the meeting explained that the Speaker was not available to preside over this meeting and further indicated that, as required by Section 41 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) as amended, Council had to elect another Councillor to act as Speaker during this meeting. He added that he would facilitate the process of the election of the Acting Speaker and thereafter called on nominations from the floor.

Subsequently, MMC J Uys seconded by MMC DZ Zwane nominated Cllr PG Mthimunye as the Acting Speaker of Council and Cllr Mthimunye accepted the nomination.

Since there were no counter nominations, Cllr Mthimunye approached the podium and presided over this Council meeting. He thereafter welcomed all present by requesting members to observe a moment of silence for prayer or meditation. He further reminded Councillors to sign the attendance register failing which they would be marked absent from this meeting.

B. APPLICATIONS FOR LEAVE OF ABSENCE

The Chief Whip of Council, Cllr CM van den Heever, in accordance with powers delegated to him submitted the approved leave of absence of the following Councillors:

Masemola TM
 Masemola VI
 Chauke HQ
 Dibakwane RK
 Disoloane KB
 Leshabana LP
 Mabogwana MO
 Mamatepa SP
 Manamela MS
 Mathevula BK
 Matlala PP
 Matlhabane RL
 Mashabela TM
 Mnisi NP
 Moloisane ST
 Monchusi RGM
 Motubatse HE
 Mtshali RM
 Nkgadima TS
 Notununu O
 Ramabodu OS
 Rasweswe UB
 Ratikwane GK
 Seanego SN
 Sekanka DS
 Ndzwanana M **(Speaker)**
 Tshabadi MS

(Remark:

1. The following Councillors apologised for late arrival:

Patel N
Pasha MV
Rambau TV.

2. That it be noted that, during the meeting, no approval for leave of absence were presented for the following Councillors and that they be deemed absent without leave:

Nhlapo BJ
Mathibedi MT.)

C. OFFICIAL NOTICES

There were none.

D. UNOPPOSED PROPOSALS BY THE SPEAKER AND OTHER PROPOSALS ALLOWED BY THE SPEAKER

1. URGENT REPORTS FOR SUBMISSION TO THE COUNCIL MEETING OF 25 JANUARY 2024

The Acting Speaker explained that the reports contained in Parts IV and V of the agenda were received from the Leader of Executive Business on 19 January 2024 and delivered to Councillors on SharePoint on the same day. He added that these reports were urgent, and therefore must serve in this Council meeting.

2. REPORTS ALLOWED BY THE SPEAKER AT HIS DISCRETION IN TERMS OF SECTION 8(1)(k) OF THE RULES AND ORDERS

The Acting Speaker explained that Section 8(1)(k) of the Rules and Orders provides for reports / matters not contained in the notice of the meeting to be allowed at the discretion of the Speaker. He further indicated that he has allowed the following report under the said section:

- Office of the Speaker
Establishment of a Section 79 Committee: Governance and the
Appointment of the New Chairperson for the Section 79 Oversight Committee:
Corporate and Shared Services

3. CONGRATULATIONS MESSAGE TO UFC MIDDLEWEIGHT CHAMPION: DRICUS DU PLESSIS

The Acting Speaker on behalf of the City of Tshwane congratulated Mr Dricus Du Plessis for winning the UFC Middleweight World Champion title, after beating American Sean Strickland, on 21 January 2024 of the Scotiabank Arena in Canada. He further mentioned that Mr Dricus has become the first South African to win a UFC title.

E. CONSIDERATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETINGS:

COUNCIL: 30 NOVEMBER 2023

During consideration of these minutes by Council on 25 January 2024, Cllr PWW Meijer with reference to item 8 in the minutes "Proposed sale of the Remainder of Erf 728, remainder of Portion 1 of Erf 732; Portion 1 and 2 of Erf 1412 Sunnyside for heart hospital purposes", Pages 33-36 mentioned that in his opinion the proposed recommendation 8 as reflected on page 35 was also acceded to by Council and requested clarification in this regard.

Following consultation on this matter, it was resolved as set out below:

RESOLVED:

That the Minutes of the Council meeting of 30 November 2023 be approved subject to the inclusion of proposed amendment 8 in the resolutions of Council.

F. REPORTS TO COUNCIL

The Executive Mayor submitted reports from the Mayoral Committee to Council as contained in Parts I, II, III, IV and V for consideration as well as Annexures A, A.1, A.2, A.3 and A.4 for cognisance and / or discussion.

The Executive Mayor further in terms of Section 13(5) of the Rules and Orders withdrew the following report from the agenda:

- Item 1. "Proposed notarial lease of Erf 4144, Eersterust Extension 6 for mixed use- Social Housing Development"

MINUTES: COUNCIL: CITY OF TSHWANE METROPOLITAN MUNICIPALITY:
25 JANUARY 2024

Reference no. 70057/1
Verusha Morgan (7305)
COUNCIL: 25 January 2024

1. GROUP PROPERTY DEPARTMENT
PROPOSED NOTARIAL LEASE OF ERF 4144, EERSTERUST EXTENSION 6 FOR
MIXED USE- SOCIAL HOUSING DEVELOPMENT
**(From the Executive Committee: 12 September 2022, the Mayoral Committees:
21 September 2021, 5 October 2022, 4 October 2023 and 22 November 2023)**

The purpose of the report is to request approval for a notarial lease for Erf 4144, Eersterust Extension 6 in terms of regulation 34 and 36 of the Municipal Asset Transfer Regulations for mixed use residential development anchored on social housing.

(Remark:

At the Council meeting of 25 January 2024, the Executive Mayor in terms of Section 13(5) of the Rules and Orders withdrew this report from the agenda.)

Reference no. 54427/1
 Makgorometje Makgata (0940)
 COUNCIL: 25 January 2024

2. **ECONOMIC DEVELOPMENT AND SPATIAL PLANNING DEPARTMENT
 REPORT FOR THE ADOPTION OF THE REVIEWED CITY OF TSHWANE LAND
 USE MANAGEMENT BY-LAW, 2016 AFTER REVIEW AND PUBLIC
 PARTICIPATION PROCESSES HAVE BEEN CONCLUDED
 (From the Mayoral Committee: 19 July 2023, Council 31 August 2023 and the
 Mayoral Committees: 20 September 2023 and 22 November 2023)**

The purpose of the report is to present the reviewed and amended City of Tshwane Land Use Management By-law, 2016 (LUM By-law) previously enacted on 2 March 2016, for adoption and enactment after public participation, consideration and incorporation of public comments received as per the attached comprehensive draft by-law. To ensure the alignment of the LUM By-law with the content of the national framework legislation i.e., the Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA).

IT WAS RECOMMENDED (TO THE COUNCIL: 25 JANUARY 2024):

1. That the draft amended/reviewed City of Tshwane Land Use Management By-law, 2016, read with the outline in the body of the report, attached as Annexure A to the report be adopted and approved for enactment in the Provincial Gazette to be known as the City of Tshwane Land Use Management By-law, 2016 (Revised 2023);
2. That prior to the publication and enactment of the City of Tshwane Land Use Management By-law, 2016 (Revised 2023) shall be referred to the Languages Section of the City of Tshwane for final perusal, which perusal may result in minor contextual, and language amendments, as well as final cross-referencing amendments prior to publication, which amendments shall not be of a material nature and are further hereby authorized;
3. That Section 16 (1)(k)(i) and (ii) of the draft Land Use Management by-law be amended to read as follows
 - a. Land Development applications which require a public participation process in terms of section 16 (1)(f), must be circulated to the Ward Councillor for comment; and
 - b. That the Ward Councillor shall provide comment, within a period of 28 days from the date on which the Department responsible for Development Planning has notified them of the land development application; and
4. That the delegations as approved by Council on 24 June 2021, with regard to the approved Land Use Management By-law, 2016 be applicable, with the necessary changes to the reviewed Land Use Management By-law, 2016 (Revised 2023).

During consideration of this item by Council on 25 January 22024, the following Councillors participated in a debate:

**Z Setimo
HL Frohlich**

Subsequently Cllr PWW Meijer seconded by Cllr Frohlich proposed the following amendments:

(Unaltered)

- “5. All references to ‘PERSONAL LIABILITY’ or ‘LIABILITY’ in the proposed amended By-Law, its schedules and forms referring to an individual, Homeowners Association, Property Owners Association, Residents Association or any other similar body must be removed.**
- 6. That the City Manager be instructed to create and maintain an electronic page on the official Tshwane website for all public notices to be accessed by the Public within a timeframe of 90 days.”**

Following inputs by Ald AM Maluleka and the Executive Mayor on the contents of this report, Council acceded to the proposal by Cllr Meijer and it was thereafter resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

- 1. That the draft amended/reviewed City of Tshwane Land Use Management By-law, 2016, read with the outline in the body of the report, attached as Annexure A to the report be adopted and approved for enactment in the Provincial Gazette to be known as the City of Tshwane Land Use Management By-law, 2016 (Revised 2023).**
- 2. That prior to the publication and enactment of the City of Tshwane Land Use Management By-law, 2016 (Revised 2023) shall be referred to the Languages Section of the City of Tshwane for final perusal, which perusal may result in minor contextual, and language amendments, as well as final cross-referencing amendments prior to publication, which amendments shall not be of a material nature and are further hereby authorized;**
- 3. That Section 16 (1)(k)(i) and (ii) of the draft Land Use Management by-law be amended to read as follows**
 - a. Land Development applications which require a public participation process in terms of section 16 (1)(f), must be circulated to the Ward Councillor for comment; and**
 - b. That the Ward Councillor shall provide comment, within a period of 28 days from the date on which the Department responsible for Development Planning has notified them of the land development application; and**

4. That the delegations as approved by Council on 24 June 2021, with regard to the approved Land Use Management By-law, 2016 be applicable, with the necessary changes to the reviewed Land Use Management By-law, 2016 (Revised 2023).
5. That all references to 'PERSONAL LIABILITY' or 'LIABILITY' in the proposed amended By-Law, its schedules and forms referring to an individual, Homeowners Association, Property Owners Association, Residents Association or any other similar body must be removed.
6. That the City Manager be instructed to create and maintain an electronic page on the official Tshwane website for all public notices to be accessed by the Public within a timeframe of 90 days.

(Remark:

At the Council meeting of 25 January 2024, 138 Councillors voted in favour of the approval of this By-law in terms of Section 160(3)(b) of the Constitution.)

Reference no. 46711/1
 Gareth Mnisi (8100)
 COUNCIL: 25 January 2024

3. GROUP FINANCIAL SERVICES DEPARTMENT
 REQUEST FOR APPROVAL OF THE CONSOLIDATED MUNICIPAL ASSET
 DISPOSAL PLAN OF QUARTER 4 - 2022/2023
(From the Mayoral Committee: 22 November 2023)

The purpose of the report is to seek approval of the Consolidated Asset Disposal Plan in terms of the Asset Management Policy. Annually, departments/regions must prepare a Departmental Asset Disposal Plan (DDP) as part of the DAMP and must be approved by Council or in terms of delegated authority. In terms of section 14 (4) of the Municipal Finance Management Act, 2003 (Act 56 of 2003) a municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2)(a) and (b) in respect of movable capital assets below a value determined by the council. Since the assets contained in the consolidate disposal plan tabled before Council, consist of infrastructure assets (assets that forms part of a network) section 14 (2) states that a municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

During consideration of this item by Council on 25 January 2024, and after Cllr NT Mocumi addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That the Consolidated Municipal Asset Disposal plan be referred to council for approval in terms of the Asset Management Policy, attached as Annexure A; and
2. That all assets approved in terms of the Consolidated Disposal Plan must be submitted to the Disposal Store.

Reference no 78534/1
Yolande Faro (4954)
COUNCIL: 25 January 2024

4. TSHWANE METRO POLICE DEPARTMENT
AMENDMENT OF THE APPROVED RANK DEPICTION AND FORM OF ADDRESS
FOR THE TSHWANE METRO POLICE DEPARTMENT
(From the Mayoral Committee: 22 November 2023)

The purpose of the report is to provide information of the implementation of the amendments to the rank structure and form of address of the Tshwane Metro Police Department (TMPD) in order to align with the amended National Standard of Metro Police Ranking Structure and Insignia as promulgated by the National Commissioner: South African Police Service (SAPS) on 22 April 2022 as per Government Gazette No. 46267 Volume 682.

During consideration of this item by Council on 25 January 2024, and after Cllr CS Masia addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That cognisance be taken of the content and importance of the report.
2. That the ranking and insignia structure as per Government Gazette No. 46267 Volume 682 of 22 April 2022 be implemented upon approval of the report.
3. That the implementation and amendment of the rank insignia of the promulgated ranks be implemented in a phased approach depending on funding availability.
4. That the micro-organisational structure be amended to reflect the promulgated ranks for the Tshwane Metro Police Department.

Reference no. 30291/1
Abel Malaka (8600)
COUNCIL: 25 January 2024

5. ENVIRONMENT AND AGRICULTURE MANAGEMENT DEPARTMENT
REQUEST FOR THE APPROVAL TO COMMENCE WITH PUBLIC
PARTICIPATION PROCESS FOR THE REVIEW OF THE BY-LAW ON THE
KEEPING OF BEES
(From the Mayoral Committee: 22 November 2023)

The purpose of the report is to review the By-Law on the keeping of bees.

During consideration of this item by Council on 25 January 2024, and after Councillors DH Mashao and M Joubert addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That Council takes cognisance of the report.
2. That Council recommends that the By-Law on the Keeping of Bees of 2005, be reviewed.
3. That the proposed By-Law on the Keeping of Bees in urban areas be approved for public participation.

Reference no. 18312/1
Musa Khumalo (4392)
COUNCIL: 25 January 2024

6. SHARED SERVICES DEPARTMENT
REVIEW OF VARIOUS CITY OF TSHWANE MUNICIPALITY INFORMATION AND
COMMUNICATION TECHNOLOGY (ICT) FRAMEWORKS
(From the Mayoral Committees: 23 August 2023 and 6 December 2023)

The purpose of the report is for Shared Services Department (Information and Communication Technology Division approval of the ICT Frameworks.

During consideration of this item by Council on 25 January 2024, and after Cllr RS Sethole addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That Information and Communication Technology Project Management Framework, be approved.
2. That the Information and Communication Technology Governance Framework, be approved.
3. That Information and Communication Technology Change Management Framework, be approved.

Reference no. 41847/1
Gareth Mnisi (8100)
COUNCIL: 25 January 2024

7. GROUP FINANCIAL SERVICES DEPARTMENT
GRANTS AND SUBSIDIES PROGRESS REPORT FOR THE PERIOD ENDED
30 SEPTEMBER 2023
**(From the Executive Committee: 15 November 2023 and the Mayoral
Committee: 6 December 2023)**

The purpose of the report is to inform the Committees on the financial progress, in respect of performance of the various Inter-governmental Transfers and Grants for the period ended 30 September 2023.

During consideration of this item by Council on 25 January 2024, and after Councillors FM Thema, JT Modiba, MMC KH Wakelin, D Williams-Moses and MMC J Uys addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That the transfers and grants, as set out in Table 4.1.1 of the report, be noted.
2. That the financial progress of the various grants and subsidies, as detailed in section 6 of the report, be noted.

Reference no. 90412/1
Jordan Griffiths (1225)
COUNCIL: 25 January 2024

8. OFFICE OF THE EXECUTIVE MAYOR
REPORT TO APPROVE THE REVISED POLICY ON STAFF IN THE OFFICE OF
THE POLITICAL OFFICE BEARERS
**(From the Mayoral Committees: 6 September 2023 and 14 September 2023, the
Special Mayoral Committee: 23 November 2023, Council: 30 November 2023
and the Mayoral Committee: 10 January 2024)**

The report seeks to present to the Mayoral Committee a revised version of the Recruitment policy on staff in the office of political office bearers. The goal of this policy is to allow a far more efficient and cost effective methods towards the recruitment of staff in the political offices.

During consideration of this item by Council on 25 January 2024, and after Cllr MPJ Rakabe addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That Council approve the revised Recruitment policy on staff in offices of the political office bearers in the City of Tshwane.

Reference no. 79550/1
 Gareth Mnisi (1000)
 COUNCIL: 25 January 2024

9. **GROUP FINANCIAL SERVICES DEPARTMENT
 SHORT-TERM DEBT FACILITIES FOR THE 2023/24 FINANCIAL YEAR
 (From the Mayoral Committee: 10 January 2024)**

The purpose of the report is to obtain approval from Council to enter into short-term debt agreement with ABSA Bank Ltd, who granted short-term debt facilities to the City of Tshwane (the City), in accordance with Section 45 of the Municipal Finance Management (MFMA), (Act no. 56 of 2003). The short-term debt facilities will assist the City to meet its cash flow requirements in respect of the 2023/24 financial year.

During consideration of this item by Council on 25 January 2024, the following Councillors participated in a debate:

**MFK Boshielo
 A Bosch
 D Williams-Moses
 AWF Middelberg**

In response the Executive Mayor acknowledged concerns raised by the abovementioned Councillors on the approval of this report and further in terms of Section 13(5) of the Rules and Orders provided the following additional recommendation to the report:

“That a report be rendered to the Municipal Council on how the short-term debt will be settled in the present financial year in compliance with the law, and how the City plans to reduce its overall reliance on short-term debt facilities.”

It was thereafter resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That Council approves the short-term debt facility agreement to be entered into with ABSA Bank for R800 million PLF and R200 million guarantee facility in respect of the 2023/24 financial year.
2. That the City Manager be authorised to sign all necessary agreements or documents.
3. That a report be rendered to the Municipal Council on how the short-term debt will be settled in the present financial year in compliance with the law, and how the City plans to reduce its overall reliance on short-term debt facilities

(Remarks:

At the Council meeting of 25 January 2024-

- 1. 111 Councillors voted in favour of the approval of the Short-term Debt Facility in terms of Section 160(3)(b) of the Constitution.**
- 2. Ald AM Maluleka on behalf of the ANC requested that their dissenting vote on the approval of this report be registered.**
- 3. Cllr AWF Middelberg requested that his dissenting vote with reference to clauses 8.1.9, 8.1.11, 8.1.12 and 8.1.14 as depicted in the report be registered.)**

Reference no. 99152/1
 Bertus Van Zyl (5198)
 COUNCIL: 25 January 2024

10. CITY STRATEGY AND ORGANISATIONAL PERFORMANCE DEPARTMENT
 TABLING THE EXPLANATIONS OF THE IMMINENT DELAYS AND NON-COMPLIANCE WITH THE REQUIREMENTS FOR THE TABLING OF THE 202/23 ANNUAL REPORT TO COUNCIL IN JANUARY 2024 IN LINE WITH SECTION 127 (2) OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, NO 56 OF 2003 (MFMA)
(From the Mayoral Committee: 17 January 2024)

The purpose of the report is to inform Council about the imminent delays in the finalisation and non-compliance with the requirements for the tabling of the 2022/23 Annual Report to Council in accordance with section 127 (2) of the Local Government: Municipal Finance Management Act, 56 of 2003 (MFMA), as directed by section 127 (3) (a) of the MFMA.

IT WAS RECOMMENDED (TO THE COUNCIL: 25 JANUARY 2024):

1. That Council takes note of the report explaining the imminent non-compliance with the tabling of the Annual Report to Council in accordance with section 127 (2) of the Local Government: Municipal Finance Management Act, 56 of 2003 (MFMA), as directed by section 127 (3) (a) of the Municipal Finance Management Act (MFMA); and
2. That Council takes note of the anticipated timelines for processing of the Annual Report which is depended on the finalisation of the final audit report from AGSA.

During consideration of this item by Council on 25 January 2024, Ald LA Erasmus seconded by Cllr KV Morodi proposed the following additional recommendation:

(Unaltered)

“That a report serve every second month in the Section 79 Group Finance Oversight Committee on the progress made in terms of the compilation and submission of the annual financial statements in accordance with the provisions in the MFMA.”

The Council acceded to the proposal by Ald Erasmus, and it was thereafter resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That Council takes note of the report explaining the imminent non-compliance with the tabling of the Annual Report to Council in accordance with section 127 (2) of the Local Government: Municipal Finance Management Act, 56 of 2003 (MFMA), as directed by section 127 (3) (a) of the Municipal Finance Management Act (MFMA); and
2. That Council takes note of the anticipated timelines for processing of the Annual Report which is depended on the finalisation of the final audit report from AGSA.
3. That a report serve every second month in the Section 79 Group Finance Oversight Committee on the progress made in terms of the compilation and submission of the annual financial statements in accordance with the provisions in the MFMA.

Reference no. 06151/1
Gerald Shingange (4052)
COUNCIL: 25 January 2024

11. GROUP HUMAN CAPITAL MANAGEMENT DEPARTMENT
APPOINTMENT OF CHAIRPERSON OF THE RISK MANAGEMENT COMMITTEE
(From the Mayoral Committee: 17 January 2024)

The purpose of the report is to seek approval from Council for the appointment of a Chairperson for the Risk Management Committee of the City of Tshwane for a period of three years, subject to renewal but not exceeding two terms.

During consideration of this item by Council on 25 January 2024, and after Cllr TM Kgatle addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That the appointment of Mr LM Mangquku as Chairperson of the Risk Management Committee, be approved.
2. That should Mr LM Mangquku decline the offer of appointment as Chairperson, the offer be extended to Ms NP Lubanga.
3. That the Chairperson will serve for a term of three years from date of approval by Council, subject to renewal at the discretion of the City, but not exceeding two terms.

Reference no. 68191/1
Verusha Morgan (7305)
COUNCIL: 25 January 2024

12. GROUP PROPERTY DEPARTMENT
TSHWANE SUSTAINABLE AND BETTER BUILDINGS PROGRAMME (SBBP) – A
FRAMEWORK FOR ACQUISITION AND REDEVELOPMENT OF DERELICT/BAD
BUILDINGS
(From the Mayoral Committee: 17 January 2024)

The purpose of this report is to do the following:

- (a) Present the proposed guidelines for processing, consideration, and subsequent expropriation of derelict or bad buildings within the City; and
- (b) Propose the establishment of a Sustainable and Better Buildings Programme (SBBP) as a strategic response to the management of bad buildings.

During consideration of this item by Council on 25 January 2024, and after Cllr T Malosi and MMC KH Wakelin addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

- 1. That Council takes cognisance of the report.
- 2. That Council approves the introduction of Sustainable and Bad Buildings Program as a mechanism to acquire bad/derelict buildings and convert them to diverse accommodation products.
- 3. That the Accounting Officer be Authorised to undertake all necessary measures to ensure the implementation of the Sustainable and Better Buildings Program.
- 4. That it be noted that the framework outlined in the body of the report is not conclusive and this will be further enhanced as part of implementing the Sustainable and Better Buildings Program.

Reference no. 34268/2
 Verusha Morgan (7305)
 COUNCIL: 25 January 2024

13. GROUP PROPERTY DEPARTMENT
 FEEDBACK REPORT: PROPOSED LEASE OF A PORTION OF THE REMAINDER
 OF PORTION 1 OF THE FARM ROOIWAL 270-JR, A PORTION OF THE
 REMAINDER OF PORTION 6 AND PORTION 22 OF THE FARM PRETORIA TOWN
 AND TOWNLANDS 351-JR
(From the Mayoral Committee: 17 January 2024)

The purpose of the report is to provide Council with feedback of the public participation processes conducted in terms of Regulation 35 of the Municipal Asset Transfer Regulations for a high-value property read with section 21(a) of the Municipal Systems Act (Act 32 of 2000) for the proposed notarial lease of a portion of the Remainder of Portion 1 of the farm Rooiwal 270-JR, a portion of the Remainder of Portion 6 and Portion 22 of the farm Pretoria Town and Townlands 351-JR also known as Rooiwal and Pretoria West Power stations.

During consideration of this item by Council on 25 January 2024, and after Councillors DK Tsela, A Le Roux and the Executive Mayor addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That cognisance be taken of the feedback on the public participation conducted for the proposed notarial lease of the Remainder of Portion 1 of the farm Rooiwal 270-JR measuring approximately 313ha inclusive of the current power station depicted as figure B1 P1 Q1 R1 S1 T1 U1 c middle of the river a M1 L1 K1 J1 H1 G1 F1 B1 D1 C1 B1) in the sketch plan attached as annexure J and the proposed portion of the Remainder of Portion 6 and portion 22 of the farm Pretoria Town and Townlands 351-JR measuring 29.9848ha indicated as figure ABCDEFGHJKLMNPQRSA in the sketch plan attached as annexure K in terms of Regulation 35 of the Municipal Asset Transfer Regulations for a high-value properties read with section 21(a) of the Municipal Systems Act (Act 32 of 2000).
2. That the fair market rentals of the above mentioned properties, the economic and community values to be received in exchange of the properties has been determined as indicated in the report.
3. That council approves the notarial lease of the Remainder of Portion 1 of the farm Rooiwal 270-JR measuring 313,4967ha inclusive of the current power station depicted as figure B1 P1 Q1 R1 S1 T1 U1 c middle of the river a M1 L1 K1 J1 H1 G1 F1 B1 D1 C1 B1) in the sketch plan attached as annexure J and the proposed portion of the Remainder of Portion 6 and portion 22 of the farm Pretoria Town and Townlands measuring 29.9848ha indicated as figure ABCDEFGHJKLMNPQRSA in the sketch plan attached as annexure K for a maximum period of 40 years in terms of Regulation 34 and 36 of the Municipal Asset Transfer Regulations.

4. That the properties be leased at market related at rentals as determined by a professional valuer.
5. That any electricity generation initiative will be subjected to the National Energy Regulator of South Africa licensing requirements and that the current City's generation licenses cannot be ceded to a third party without the approval of the National Energy Regulator of South Africa.
6. That the Rooiwal Agripark be relocated onto another a portion of Portion 1 of the farm Rooiwal 270-JR, measuring 3.9709Ha in extent indicated as Figure e V1 D2 E2 V1 in the sketch plan attached as annexure J at the cost of the successful lessee.
7. That a portion of Portion 1 of the farm Rooiwal 270-JR indicated as figure C2 d Middle of the River e W1 X1 Y1 Z1 A2 B2 C2 measuring 23.8618Ha in extent on the sketch plan attached as annexure J be reserved for municipal services i.e. emergency services training academy.
8. That any town planning application that may be necessitated by these proposed transactions i.e. sub-division and or township establishment be done in terms of the relevant provisions of the Spatial Planning and Land Management Act, 2013 SPLUMA at the cost of the lessees.
9. That the lessee(s) at its own cost and risk apply and lodge site development, plans, building plans, licences or any applications necessary for the proposed development, or the managing of a building and a business on municipal land.
10. That all relevant regulatory frameworks/legislature applicable on this kind of transaction should be adhered to;
11. That upon the expiry of the 40 years leases, all improvements on the properties will revert back to the City at no additional cost;
12. That the lessee(s) be responsible for registration of the Notarial Lease Agreement of the leased properties at the Office of the Registrar of Deeds, at their costs.
13. That no lease be signed with any applicant or proposed lessee, which has outstanding rental in terms of an earlier lease with the Municipality or any bad payment record with the Municipality.
14. That the accounting officer be granted permission to issue power of attorney to the lessee(s) to enable them to relocate the Rooiwal Agri-park to a portion of Portion 1 of the farm Rooiwal 270-JR, measuring 3.9709Ha in extent indicated as Figure e V1 D2 E2 V1 in the sketch plan attached as annexure J, conduct necessary studies and lodge development plans and necessary applications for the relocation in terms of the relevant provisions of Spatial Planning and Land Management Act, 2013 SPLUMA and lodge the applications necessary for the development of the property and the property management during the lease(s) terms;
15. That the Accounting Officer be authorised to appoint a transactional advisory team to ensure efficient administration of the transaction; and

16. That the Municipality's further conditions applicable on a transaction of this nature and the conditions embodied in this report be applicable.

Reference no. 53883/1
Gareth Mnisi (1000)
COUNCIL: 25 January 2024

14. GROUP FINANCIAL SERVICES DEPARTMENT
UNAUTHORISED EXPENDITURE REPORT ON THE OPERATING BUDGET FOR
THE 2022/23 FINANCIAL YEAR
(From the Mayoral Committee: 17 January 2024)

The purpose of the report is to report the unauthorised expenditure incurred on the operating budget for the 2022/23 financial year and to refer the matter to Municipal Public Accounts Committees (MPAC) and the Group Audit and Risk Department for further investigation as per Municipal Finance Management Act (MFMA) Section 32.

During consideration of this item by Council on 25 January 2024, and after Cllr ET Modise and MMC J Uys addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That the unauthorised expenditure totalling R423,3 million for the 2022/23 financial year be referred to Municipal Public Accounts Committees (MPAC) and to the Group Audit and Risk Department for further investigation as per Section 32 of the Municipal Finance Management Act (MFMA).

Reference no. 16287/1
 Albertus Van Zyl (5198)
 COUNCIL: 25 January 2024

15. CITY STRATEGY AND ORGANISATIONAL PERFORMANCE DEPARTMENT:
 LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT SECTION 52
 (D) QUARTER 2 REPORT AND SECTION 72 MID-YEAR BUDGET AND
 PERFORMANCE ASSESSMENT REPORT ON THE IMPLEMENTATION OF THE
 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)
(From the Special Mayoral Committee: 18 January 2024)

The purpose of the report is to table –

- (a) the unaudited performance of the City of Tshwane against the targets in the approved Service Delivery and Budget Implementation Plan (SDBIP) set to be achieved over the Quarter 2 and/or the Mid-year Budget and Performance Assessment of the 2023/24 financial year in line with Sections 52(d) and 72 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) respectively, unaudited reporting status on the C88 indicators as well as the performance against the milestones set for the second quarter and/or Mid-year of the 2023/24 financial year on the City's capital projects; and
- (b) the unaudited performance of the municipal entities against the targets set for the Quarter 2 and/or the Mid-year of the 2023/24 financial year in line with their approved business plans.

IT WAS RECOMMENDED (TO THE COUNCIL 25 JANUARY 2024):

- 1. That cognisance be taken of the tabling of the unaudited performance of the City of Tshwane against targets set to be delivered over the Quarter 2 of the 2023/24 financial year and the Mid-year Budget and Performance Assessment Report developed in line with Sections 52(d) and 72 of the MFMA, as well as the performance against the milestones for capital projects set to be delivered over the second quarter;
- 2. That cognisance be taken of the tabling of the unaudited performance of the municipal entities against the targets set for Quarter 2 of the 2023/24 financial year in line with their approved business plans;
- 3. That cognisance be taken of the tabling of the unaudited report that details the reporting status on the National Treasury Circular 88 indicators for Quarter 2 of the 2023/24 financial year; and
- 4. That these unaudited Quarter 2 and mid-year budget and performance assessment reports be submitted to all external stakeholders, and that all the required legislated processes be followed in processing these reports further.

During consideration of this item by Council on 25 January 2024, Cllr NC Pascoe seconded by Cllr PWW Meijer proposed the following recommendation:

(Unaltered)

“That the said report to be referred to the Section 79 Oversight Committee for Integrated Development Planning (IDP) as well as Section 79 Oversight Committee for Municipal Public Accounts (MPAC) Committee for scrutiny, deliberation and discussion to present their findings to Council.”

The Council acceded to the proposal by Cllr Pascoe and it was thereafter resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That cognisance be taken of the tabling of the unaudited performance of the City of Tshwane against targets set to be delivered over the Quarter 2 of the 2023/24 financial year and the Mid-year Budget and Performance Assessment Report developed in line with Sections 52(d) and 72 of the MFMA, as well as the performance against the milestones for capital projects set to be delivered over the second quarter.
2. That cognisance be taken of the tabling of the unaudited performance of the municipal entities against the targets set for Quarter 2 of the 2023/24 financial year in line with their approved business plans.
3. That cognisance be taken of the tabling of the unaudited report that details the reporting status on the National Treasury Circular 88 indicators for Quarter 2 of the 2023/24 financial year.
4. That these unaudited Quarter 2 and mid-year budget and performance assessment reports be submitted to all external stakeholders, and that all the required legislated processes be followed in processing these reports further.
5. That this report be referred to the Section 79 Oversight Committee: Integrated Development Planning (IDP) and Section 79 Standing Committee: Municipal Public Accounts (MPAC) for scrutiny.

Reference no. 58838/1
 Gareth Mnisi (8100)
 COUNCIL: 25 January 2024

16. GROUP FINANCIAL SERVICES DEPARTMENT
 LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT 56 OF 2003)
 (1) IN-YEAR FINANCIAL REPORT (MONTHLY AND QUARTER BUDGET STATEMENT) FOR THE PERIOD ENDING 31 DECEMBER 2023
 (2) MID-YEAR BUDGET ASSESSMENT
(From the Mayoral Committee: 17 January 2024 and the Special Mayoral Committee: 18 January 2024)

The report presents the progress on the financial performance of the City of Tshwane against the budget for the period ended 31 December 2023, in compliance with Section 71,72 and 52(d) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA).

IT WAS RECOMMENDED (TO THE COUNCIL: 25 JANUARY 2024):

1. That the report be noted, in compliance with Section 71, 72 and 52(d) of the Municipal Finance Management Act (MFMA), as well as the municipal budget and reporting regulations;
2. That the financial performance for the period ended 31 December 2023, as contained in Annexure A, be noted and Council note reporting challenges due to implementation of the new system;
3. That this report be submitted to the National Treasury and Gauteng Provincial Treasury;
4. That, in compliance with Section 72 of the Municipal Finance Management Act (MFMA), the mid-term budget and performance assessment report be noted;
5. That, based on the mid-term performance, an adjustment budget for the 2023/24 financial year is necessary and must be tabled at Council in February 2024;
6. That Revenue Enhancement initiatives to be accelerated and a point of priority for all;
7. That an overhaul and restructuring of Credit control and debt collection be a point of priority;
8. That establishment of a Capex committee co-chaired by CFO and COO, be noted; and
9. That establishment of secondary BSC which will focus on capital projects, be noted.

During consideration of this item by Council on 25 January 2024, the following Councillors participated in a debate:

**MH Lewele
AWF Middelberg**

Subsequently Ald LA Erasmus seconded by MMC UG Theunissen proposed the following additional recommendation:

(Unaltered)

“That the report be referred to the Section 79 Oversight Committee: Group Financial Services for further scrutiny and oversight.”

The Council acceded to the proposal by Ald Erasmus.

Following responses by the Executive Mayor on the inputs made during the debate, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That the report be noted, in compliance with Section 71, 72 and 52(d) of the Municipal Finance Management Act (MFMA), as well as the municipal budget and reporting regulations.
2. That the financial performance for the period ended 31 December 2023, as contained in Annexure A, be noted and Council note reporting challenges due to implementation of the new system.
3. That this report be submitted to the National Treasury and Gauteng Provincial Treasury.
4. That, in compliance with Section 72 of the Municipal Finance Management Act (MFMA), the mid-term budget and performance assessment report be noted.
5. That, based on the mid-term performance, an adjustment budget for the 2023/24 financial year is necessary and must be tabled at Council in February 2024.
6. That Revenue Enhancement initiatives to be accelerated and a point of priority for all.
7. That an overhaul and restructuring of Credit control and debt collection be a point of priority.
8. That establishment of a Capex committee co-chaired by CFO and COO, be noted.
9. That establishment of secondary BSC which will focus on capital projects, be noted.

10. That the report be referred to the Section 79 Oversight Committee: Group Financial Services for further scrutiny and oversight.

Reference no. 34740/1
 Verusha Morgan (7305)
 COUNCIL: 25 January 2024

17. GROUP PROPERTY DEPARTMENT
 (PROPERTY ASSET MANAGEMENT AND ADVISORY SERVICES DIVISION)
 PROPOSED LAND SWAP OF ERF 10923, ERVEN 19597 TO 19615 MAMELODI
 AND PORTION OF ERF 3477 NEW EERSTERUST EXT 3 OWNED BY CITY OF
 TSHWANE WITH ERF 494 NELLMAPIUS OWNED BY GAUTENG PROVINCIAL
 GOVERNMENT
(From the Special Mayoral Committee: 18 January 2024)

The report has the following purpose:

- (a) To request council approval to exchange erf 10923, erven 19597 to 19615 Mamelodi indicated as figure ABCDEFGHJKLMNOPQRSTUVWXYZ,A1, B1,C1,D1,A measuring 8 117m² as indicated in the sketchplan attached as annexure A, and a Portion of Erf 3477 New Eersterust Ext 3 measuring 1.5000 ha, indicated as Figure ABCDEFJA on the sketchplan attached as annexure B owned by the City of Tshwane, with Erf 494 Nellmapius measuring 2.3592ha owned by the Provincial Government, in terms of section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) and Regulations;
- (b) To request approval for the Park Closure of a Portion of Erf 3477 in terms of section 67 and 68 of the Local Government Ordinance 17 of 1939, subdivision and rezoning of a portion of Erf 3477 New Eersterust from Public Open Space to an appropriate use in terms of the applicable section of the Spatial Planning Land Management Act (Act 16 of 2013); and
- (c) Further correct the council resolution dated 26/05/2022 to transfer a Portion of Erf 3477 New Eersterust measuring 2 000m² in extent to the Gauteng Provincial Government. And instead increase the extent of a portion to be transferred to 1.5000ha.

During consideration of this item by Council on 25 January 2024, and after Cllr NS Mabolawa and MMC KH Wakelin addressed Council on this matter, it was resolved as set out below:

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That erf 10923, erven 19597 to 19615 Mamelodi measuring 8 117m² in extent indicated as figure ABCDEFGHJKLMNOPQRSTUVWXYZ A1 B1 C1 D1 A in the sketchplan attached as annexure A, and Portion of Erf 3477 New Eersterust measuring 1,5000ha, in extent indicated as figure ABCDEFJA on the sketch plan attached as annexure "B", are not needed for the provision of basic municipal services.
2. That the fair market value, the economic and community value to be received in exchange for the properties has been determined as set out in the report.

3. That Council approves the transfer of erven 10923, 19597 to 19615 Mamelodi measuring 8 117m² indicated as figure ABCDEFGHJKLMNPQRSTUVWXYZ A1 B1 C1 D1 A in the sketchplan attached as figure A, and a portion of Erf 3477 New Eersterust measuring 1,5000 ha, in extent indicated as figure ABCDEFGJA on the sketch plan attached as annexure "B", in exchange of Erf 494 Nellmapius measuring 2.3592ha owned by the Gauteng Provincial Government in terms of section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) and the Municipal Asset Transfer Regulations.
4. That the market values of the properties to be exchanged are as follows:

Erf	Boundary Area	Extent (M ²)	Market Value
Erf 10923, erf 19597 to erf 19615	Mamelodi (COT)	8 117	R3 100 000
3477 (Figure ABCDEFGHJA)	New Eersterust Ext 3 (COT)	1 5000	R5 130 000
494	Nellmapius (GPG)	2 5740	R8 490 000

5. That there is a difference of 2 630m² or market value difference of R260 000.00 as erf 494 Nellmapius owned by GPG is bigger and of higher value to the properties owned by CoT, and that CoT will not compensate GPG for this difference in extent or market value, as the transfer is for the benefit of community services.
6. That notice of the land exchange and transfer will be given in terms of Section 79(18) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939). Should any objections to or representations in respect of the proposed swap and transfer be received, the proposed land swap and transfer objections and/or representations, will be submitted to the Council for consideration and a final decision. Should no objections and/or representations be received, the process be proceeded with in terms of the Municipality's approved Land Management Policy.
7. That the park closure of a Portion of Erf 3477 New Eersterust Ext 3 measuring 1,5000 ha in extent, indicated as figure ABCDEFGJA on the sketch plan attached as Annexure "B" be approved, in terms of section 68 and 67 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939).
8. That the remaining extent measuring 3,0276 Ha, of Erf 3477 New Eersterust Extension 3 "zoned" POS must still be retained in municipal ownership and that the land swap processes must only be concluded once a park is developed to the satisfaction of the Group Head: Environment and Agriculture Management on the 3,0276 Ha, portion of Erf 3477 New Eersterust Extension 3.
9. That the land exchange should be subject to each party paying all costs of transfer of the property/properties, to its name;.

10. That the LG Diagram attached as annexure "I" in this report be withdrawn as it includes a private property which is erf 10934 Mamelodi and that the Gauteng Provincial Government will lodge applications for the consolidation of Erf 10923, erven 19597 to 19615 Mamelodi measuring 8 117m² in extent indicated as figure ABCDEFGHJKLMNPQRSTUVWXYZ A1 B1 C1 D1 A in the sketchplan attached as annexure "A".
11. That the applicant (GPG) applies to sub-divide and rezone Erf 3447 New Eersterust x3, also consolidate Erf 10923, erf 19597 to erf 19615 Mamelodi measuring 8 117m² in extent indicated as figure ABCDEFGHJKLMNPQRSTUVWXYZ A1 B1 C1 D1 A in the sketchplan attached as annexure "A" at their cost, in terms of the relevant provisions of the Spatial Planning and Land Use Management Act (Act 16 of 2013).
12. That the Accounting Officer be authorised to issue power of attorney to the Gauteng Provincial Government to enable this organ of state to proceed with the applications for sub-division, consolidation and rezoning and to lodge development plans as contemplated in recommendations above.
13. That the Municipality's further conditions of land swap and transfer usually applicable to transaction of this nature or any other condition that will be set by the Municipality will be applicable.

(a)(ii) RESOLUTIONS BY THE MAYORAL COMMITTEE
(ANNEXURES A, A.1, A.2, A.3 AND A.4)

In terms of Section 56(5) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) as amended, the resolutions by the Mayoral Committee from its meetings held on 1 , 16, 22 November and 6 December 2023 were submitted to Council for discussion / cognisance in terms of Section 13(7) of the Rules and Orders.

During the debate on Annexures A, A.1, A.2, A.3 and A.4 at the Council meeting of 25 January 2024, no proposals were made that the Executive Mayor be requested to reconsider any resolution, and no request was made to record any opposition to any resolution contained in these Annexures.

(b)(i) REPORTS OF OVERSIGHT AND STANDING COMMITTEES REPORTING DIRECTLY TO THE COUNCIL

During the Council meeting of 25 January 2024, the Chair of Chairs submitted the following reports for consideration by Council:

**A. FROM THE SECTION 79 ELECTORAL COMMITTEE:
7 DECEMBER 2023**

1. Office of the Speaker
Review of a Council Resolution dated 29 June 2023 regarding the composition of the Independent Electoral Management Body (IEMB) to conduct the Ward Committee Elections)
(From the Section 79 Electoral Committee Meeting: 7 December 2023) 53

B. FROM THE SECTION 79 OVERSIGHT COMMITTEE: ROADS AND TRANSPORT MEETING: 9 JANUARY 2024

2. Regional Operations and Coordination Department
Report on the state of readiness of all Regional Roads and Stormwater stores in dealing with potholes
(From the Section 79 Oversight Committee: Roads and Transport Meeting: 9 January 2024) 54
3. Roads and Transport Department
Quarter 1 Performance report on the implementation of the Service Delivery and Budget Implementation Plan (SDBIP), Business Plan with financials on capital department projects
(From the Section 79 Oversight Committee: Roads and Transport Meeting: 9 January 2024)..... 55
4. Report on the progress of Capex Projects carried out by Transport Infrastructure Design and Construction Division for the 2023/24 Financial Year
(From the Section 79 Oversight Committee: Roads and Transport Meeting: 9 January 2024)..... 56
5. A report on the Integrated Rapid Public Transport Network Unit (IRPTN) implemented in the 2023/24 Financial Year
(From the Section 79 Oversight Committee: Roads and Transport Meeting: 9 January 2024)..... 57
6. Report on Roads and Transport Quarter 1 Financial Performance on approved 2023/24 MTREF
(From the Section 79 Oversight Committee: Roads and Transport Meeting: 9 January 2024)..... 58

**C. FROM THE SECTION 79 SECTION 79 OVERSIGHT COMMITTEE:
COMMUNITY SAFETY: 16 JANUARY 2024**

7. Office of the Speaker
Report on the Inspection-*in-LoCo* of the Section 79 Oversight Committee: Community Safety to Mamelodi Fire Station in Region 6
(From the Section 79 Oversight Committee: Community Safety Inspection-*in-LoCo*: 14 November 2023 and 16 January 2024) 59
8. Community Safety Department
(Tshwane Metro Police Department)
Report on Tshwane Metro Police Department 2023/24 Financial Year (FY) Business Plan.
(From the Section 79 Oversight Committee: Community Safety 16 January 2024) 60
9. Community Safety Department
(Tshwane Metro Police Department)
Report on the City's vehicle that went missing while transporting the Member of the Mayoral Committee for Roads and Transport during the 2021 Local Government Elections
(From the Section 79 Oversight Committee: Community Safety 16 January 2024) 61
10. Community Safety Department
(Tshwane Metro Police Department)
Awareness campaigns to educate members of the public on measures. and regulations aimed at securing a safe environment:
Quarter 1 of 2023/2024
(From the Section 79 Oversight Committee: Community Safety 16 January 2024) 62
11. Community Safety Department
(Emergency Services Department)
Emergency Services Department community awareness and community outreach programme
(From the Section 79 Oversight Committee: Community Safety 16 January 2024) 63
12. Community Safety Department
(Emergency Services Department)
Emergency Services Training Academy: The Establishment of an Emergency Services Training Academy
(From the Section 79 Oversight Committee: Community Safety 16 January 2024) 64

13.	Community Safety Department (Tshwane Metro Police Department) Departmental Performance Against the Approved 2023/24 SDBIP (From the Section 79 Oversight Committee: Community Safety 16 January 2024)	65
14.	Community Safety Department (Emergency Services Department) (Division: Business Operations) Disaster risk reduction, fire safety operations and public awareness and education. (From the Section 79 Oversight Committee: Community Safety 16 January 2024)	66
15.	Community Safety Department (Emergency Services Department) Emergency Services Department monthly media activities (From the Section 79 Oversight Committee: Community Safety 16 January 2024)	67
16.	Community Safety Department (Emergency Services Department) 1 st Progress report on the performance against SDBIP and Business Plan for Q1 2023/2024 Financial Year. (From the Section 79 Oversight Committee: Community Safety 16 January 2024)	68
D.	FROM THE SECTION 79 OVERSIGHT COMMITTEE: COMMUNITY AND SOCIAL DEVELOPMENT SERVICES: 16 JANUARY 2024	
17.	Community and Social Development Services 2nd Quarter/Mid Term Performance Report for the Period 1 July 2023 to 31 December 2023 (Financial and Non-Financial) (From the Section 79 Oversight Committee: Community and Social Development Services: 16 January 2024)	69
18.	Community and Social Development Services Department Expanded Public Works Programme Division Status Quo Report (From the Section 79 Oversight Committee: Community and Social Development Services: 16 January 2024)	70
19.	Community and Social Development Services (CSDS) Department Status-Quo Report on the Number of CSDS facilities that do not Comply with OHS including Plans to ensure that they comply. (From the Section 79 Oversight Committee: Community and Social Development Services: 16 January 2024)	71

MS J MALULEKA
COUNCIL: 25 January 2024

1. OFFICE OF THE SPEAKER
REVIEW OF A COUNCIL RESOLUTION DATED 29 JUNE 2023 REGARDING THE COMPOSITION OF THE INDEPENDENT ELECTORAL MANAGEMENT BODY (IEMB) TO CONDUCT THE WARD COMMITTEE ELECTIONS
(From the Section 79 Electoral Committee Meeting: 7 December 2023)

The purpose of the report is to revise the Council resolution regarding the composition of the Independent Electoral Management Body (IEMB) to conduct the Ward Committee Elections.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That cognisance be taken that the Independent Electoral Commission (IEC) indicated that they will not be able to form part of the Independent Electoral Management Body (IEMB) in order assist the Council during the Elections of the Ward Committee.
2. That cognisance be taken that the City Manager appointed the following 3 (three) representatives from the City of Tshwane, to facilitate the election processes, to replace the 3 (three) IEC representatives to form part of the IEMB:
 - Mr N. Pillay: MEO
 - Ms L. Maude: Deputy MEO
 - Adv P. Schutte: Elections and Democracy Unit, Office of the City Manager
3. That cognisance be taken that the 3 (three) representatives from the Legal firm from the City's panel of attorneys (Ncube Incorporated Attorneys) and the 3 representatives from independent auditors from the City's panel of auditors (Thabi Consulting) was identified to form part of the IEMB.

Reference no.
Cali Phanyane (012 358 4040)
COUNCIL: 25 JANUARY 2024

2. REGIONAL OPERATIONS AND COORDINATION DEPARTMENT
REPORT ON THE STATE OF READINESS OF ALL REGIONAL ROADS AND
STORMWATER STORES IN DEALING WITH POTHOLES
**(From the Section 79 Oversight Committee: Roads and Transport
Meeting: 9 January 2024)**

The purpose of the report is to inform the Oversight Committee on the state of readiness of all regional Roads and Stormwater stores in dealing with potholes.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That the Section 79 Oversight Committee: Roads and Transport notes with alarm that the tender for the supply of bituminous products has expired and that the new tender has not been approved.
2. That the Section 79 Oversight Committee: Roads and Transport request the MMC, Roads and Transport, to write to the MMC, Utility Services, to urgently take up this matter with the City Manager in order to get the new tender approved as soon as possible”.
3. That the Group Head: Regional Operations and Coordination must report back at the next meeting of the Section 79 Oversight Committee: Roads and Transport pre-scheduled 13 February 2024 detailing the progress to get the new tender approved

PHEKO LETLONKANE (012 358 1064)
COUNCIL: 25 JANUARY 2024

3. ROADS AND TRANSPORT DEPARTMENT
QUARTER 1 PERFORMANCE REPORT ON THE IMPLEMENTATION OF THE
SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP),
BUSINESS PLAN WITH FINANCIALS ON CAPITAL DEPARTMENT PROJECTS.
**(From the Section 79 Oversight Committee: Roads and Transport
Meeting: 9 January 2024)**

The purpose of the report is to provide feedback to the Section 79 Oversight Committee on Roads and Transport Quarter 1 Performance report with financials on capital projects and expenditure.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That cognisance of the contents of the report be taken.
2. That it be noted that the illegal strike action has adversely affected the department's key performance indicators.

PHEKO LETLONKANE
COUNCIL: 25 JANUARY 2024

4. REPORT ON THE PROGRESS OF CAPEX PROJECTS CARRIED OUT BY TRANSPORT INFRASTRUCTURE DESIGN AND CONSTRUCTION DIVISION FOR THE 2023/24 FINANCIAL YEAR.
(From the Section 79 Oversight Committee: Roads and Transport Meeting: 9 January 2024)

The purpose of the report is to provide feedback on the progress of all the 2023-24 Capex projects carried out by Transport Infrastructure Design and Construction Division.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That cognisance be taken of the initiatives by the Department to ensure projects' performance is on track and that they are completed within timelines.
2. That the Section 79 Oversight Committee: Roads and Transport note that the cash flow challenge in the City has an adverse impact on most projects performance and completion.
3. That the City Manager as the Accounting Officer consider redirecting additional budget in the adjustment budget from underspending departments to complete the stalled project

PHEKO LETLONKANE (1062)
COUNCIL: 25 JANUARY 2024

5. A REPORT ON THE INTEGRATED RAPID PUBLIC TRANSPORT NETWORK UNIT (IRPTN) IMPLEMENTED IN THE 2023/24 FINANCIAL YEAR.
(From the Section 79 Oversight Committee: Roads and Transport Meeting: 9 January 2024)

The purpose of the report is to provide the Section 79 Oversight Committee with a progress update on all the IRPTN Capex projects implemented in the 2023-24FY.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That the Section 79 Oversight Committee: Roads and Transport takes notes of the milestones achieved to date on the projects.
2. That the Section 79 Oversight Committee: Roads and Transport notes the administrative delays on some of the projects.

PHEKO LETLONKANE (1064)
COUNCIL: 25 JANUARY 2024

6. REPORT ON ROADS AND TRANSPORT QUARTER 1 FINANCIAL PERFORMANCE ON APPROVED 2023/24 MTREF
(From the Section 79 Oversight Committee: Roads and Transport Meeting: 9 January 2024)

The purpose of the report is to provide feedback to the Section 79 Oversight Committee on the Roads and Transport Quarter 1 financial performance.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That cognisance be taken of the contents of the report.

7. OFFICE OF THE SPEAKER
REPORT ON THE INSPECTION-*IN-LOCO* OF THE SECTION 79 OVERSIGHT
COMMITTEE: COMMUNITY SAFETY TO MAMELODI FIRE STATION IN REGION
6
**(From the Section 79 Oversight Committee: Community Safety Inspection-in-
Loco: 14 November 2023)**

The purpose of this report is to inform the members of the Section 79 Oversight Committee: Community Safety of the inspection-in-loco to be conducted on 14 November 2023 at the Mamelodi Fire Station, Region 6. The report will further cover the operations of the fire station.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That cognizance be taken of the content report.
2. That the Office of the MMC, Community Safety, submit a report with regard to the cameras installed at the Mamelodi Fire Station.

SSSSSMP 2/2/1/1
BD NKWHASHU (012 358 0156)
COUNCIL: 25 January 2024

8. COMMUNITY SAFETY DEPARTMENT
(TSHWANE METRO POLICE DEPARTMENT)
REPORT ON TSHWANE METRO POLICE DEPARTMENT 2023/24 FINANCIAL
YEAR (FY) BUSINESS PLAN
**(From the Section 79 Oversight Committee: Community
Safety 16 January 2024)**

The purpose of this report is to present the 2023/24 FY Business Plan to the
Section 79 Oversight Committee: Community Safety.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That cognisance is taken of the content of the report.

MP 3/6/6
BD NKHWASHU (012 358 4954)
COUNCIL: 25 January 2024

9. COMMUNITY SAFETY DEPARTMENT
(TSHWANE METRO POLICE DEPARTMENT)
REPORT ON THE CITY'S VEHICLE THAT WENT MISSING WHILE
TRANSPORTING THE MEMBER OF THE MAYORAL COMMITTEE FOR ROADS
AND TRANSPORT DURING THE 2021 LOCAL GOVERNMENT ELECTIONS
**(From the Section 79 Oversight Committee: Community
Safety 16 January 2024)**

The purpose of this report is to provide feedback to the Section 79 Oversight Committee: Community Safety regarding the incident that took place on 01 November 2021, when an official unmarked vehicle allocated to the VIP Protection Services was hijacked in Atteridgeville.

(Remark:

During the Council meeting of 25 January 2024, the Chair of Chairs withdrew this item from the Council agenda in terms of Section 13(5) of the Rules and Orders By-laws.

MP 8/1
YCR FARO (012 358 4954)
COUNCIL: 25 January 2024

10. COMMUNITY SAFETY DEPARTMENT
(TSHWANE METRO POLICE DEPARTMENT)
AWARENESS CAMPAIGNS TO EDUCATE MEMBERS OF THE PUBLIC ON
MEASURES AND REGULATIONS AIMED AT SECURING A SAFE
ENVIRONMENT: QUARTER 1 OF 2023/2024
**(From the Section 79 Oversight Committee: Community
Safety 16 January 2024)**

The purpose of this report is to provide feedback to the Section 79 Oversight Committee: Community Safety on awareness campaigns conducted during Quarter 1 of the 2023/2024 financial year to educate members of the public on measures and regulations aimed at securing a safe environment.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That cognisance be taken of the contents and importance of the report.

REFERENCE: ESD 8/1/2/2/1/2/
 MOSHEMA MOSIA
 COUNCIL: 25 January 2024

11. COMMUNITY SAFETY DEPARTMENT
 (EMERGENCY SERVICES DEPARTMENT)
 EMERGENCY SERVICES DEPARTMENT COMMUNITY AWARENESS AND
 COMMUNITY OUTREACH PROGRAMME
**(From the Section 79 Oversight Committee: Community
 Safety 16 January 2024)**

The purpose of this report is to provide feedback to the Section 79 Oversight Committee: Community Safety on the integrated Public Awareness, Education and Community Outreach campaigns conducted in different regions by the Disaster Risk Management (DRM) and Public Information Education and Relations (PIER) sections within City of Tshwane for the month of September 2023.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That cognisance be taken of the content of this report.

T Terblanché (012 358 3524)
COUNCIL: 25 January 2024

12. COMMUNITY SAFETY DEPARTMENT
(EMERGENCY SERVICES DEPARTMENT)
EMERGENCY SERVICES TRAINING ACADEMY: THE ESTABLISHMENT OF AN
EMERGENCY SERVICES TRAINING ACADEMY.
**(From the Section 79 Oversight Committee: Community
Safety 16 January 2024)**

The purpose of this report is to inform Section 79: Community Safety of the need for the establishment of an Emergency Services Training Centre for the City of Tshwane Metropolitan Municipality (CTMM).

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That cognisance is taken of the content of the report.
2. That this project has been given Mayoral Flagship Status.
3. That continuous engagement with external stakeholders continues.

MP2/2/3/1
YCR FARO (012 358 4954)
COUNCIL: 25 January 2024

13. COMMUNITY SAFETY DEPARTMENT
(TSHWANE METRO POLICE DEPARTMENT)
DEPARTMENTAL PERFORMANCE AGAINST THE APPROVED 2023/24 SDBIP
**(From the Section 79 Oversight Committee: Community
Safety 16 January 2024)**

The purpose of this report is to inform the Section 79 Oversight Committee: Community Safety of the Tshwane Metro Police Department (TMPD) performance against the Q1 Service Delivery and Budget Implementation Plan (SDBIP) during the 2023/24 Financial Year.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That cognisance be taken of the content and importance of the report.

REFERENCE: ESD 8/1/2/2/1/2/1
 MOSHEMA MOSIA
 COUNCIL: 25 January 2024

14. COMMUNITY SAFETY DEPARTMENT
 (EMERGENCY SERVICES DEPARTMENT)
 (DIVISION: BUSINESS OPERATIONS)
 DISASTER RISK REDUCTION, FIRE SAFETY OPERATIONS AND PUBLIC
 AWARENESS AND EDUCATION
**(From the Section 79 Oversight Committee: Community
 Safety 16 January 2024)**

The purpose of this report is to provide feedback to the Section 79 Oversight Committee: Community Safety on the Disaster risk reduction, Fire Safety operations and public awareness and education in the City of Tshwane during September and October months.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That cognisance be taken of the content of this report.

ESD 8/1/2/2/1/2/1
MOSHEMA MOSIA
COUNCIL: 25 January 2024

15. COMMUNITY SAFETY DEPARTMENT
(EMERGENCY SERVICES DEPARTMENT)
EMERGENCY SERVICES DEPARTMENT MONTHLY MEDIA ACTIVITIES
**(From the Section 79 Oversight Committee: Community
Safety 16 January 2024)**

The purpose of this report is to provide feedback to the Section 79 Oversight Committee: Community Safety on the Emergency Services Department monthly media activities for October 2023.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED

That cognisance be taken of the content of this report.

ESD 2/2/3/1 (2022/2023)
MOSHEMA MOSIA (012 358 2593)
COUNCIL: 25 January 2024

16. COMMUNITY SAFETY DEPARTMENT
(EMERGENCY SERVICES DEPARTMENT)
1st PROGRESS REPORT ON THE PERFORMANCE AGAINST SDBIP AND
BUSINESS PLAN FOR Q1 2023/2024 FINANCIAL YEAR
**(From the Section 79 Oversight Committee: Community
Safety 16 January 2024)**

The purpose of this report is to provide feedback to Section 79 Oversight Committee on the performance of the Emergency Services Department for the quarterly period 01 July 2023 to 30 September 2023 against stated Key Performance Objectives and Indicators of the Department.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That cognisance be taken of the content of this report and its annexures.

Felix Rajuili (012 358 6104)
COUNCIL: 25 January 2024

17. 2ND QUARTER/MID TERM PERFORMANCE REPORT FOR THE PERIOD 1 JULY 2023 TO 31 DECEMBER 2023 (FINANCIAL AND NON-FINANCIAL)
(From the Section 79 Oversight Committee: Community and Social Development Services: 16 January 2024)

The report covers the performance information from 01 July 2023 to 31 December 2023. The report further focuses on the implementation of the approved 2023/2024 SDBIP as approved in conjunction with the predetermined developmental objectives as encapsulated in the approved 2023/2024 Municipality's Integrated Development and Plan (IDP).

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That cognisance be taken of the contents of the reports.

F. Rajuili (012 358 6104)
COUNCIL: 25 January 2024

18. COMMUNITY AND SOCIAL DEVELOPMENT SERVICES DEPARTMENT
EXPANDED PUBLIC WORKS PROGRAMME DIVISION
STATUS QUO REPORT
**(From the Section 79 Oversight Committee: Community and Social
Development Services: 16 January 2024)**

The purpose of this report is to provide status quo to section 79 committee on Recruitment Process, deployment/placement and Supervision, Training; and Monitoring and Evaluation system in the Expanded Public Works Programme.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

1. That public awareness and education needs to be conducted on the City of Tshwane EPWP recruitment process.
2. That more improvements are required on the lottery system to ensure fair selection.
3. That database verification and cleaning is required to ensure accurate selections.
4. That a policy review is required to address gaps in the EPWP implementation.
5. That a training programs plan should be developed and funded in the 2024/5 financial year for the grant funded programs.
6. That other training avenues and funding should be explored to increase skills availability in the EPWP Database.
7. That implementation of time management system should fast tracked and in place in the 1 July 2024 intake.
8. That a supervision structure should be put in place for the grant funded projects to augment the Department's supervision, by 01 July 2024.

Ref: 8/5/1/CSDS-FM/07/12/2023
COUNCIL: 25 January 2024

19. COMMUNITY AND SOCIAL DEVELOPMENT SERVICES (CSDS) DEPARTMENT STATUS-QUO REPORT ON THE NUMBER OF CSDS FACILITIES THAT DO NOT COMPLY WITH OHS INCLUDING PLANS TO ENSURE THAT THEY COMPLY
(From the Section 79 Oversight Committee: Community and Social Development Services: 16 January 2024)

The purpose of this report is to inform the Section 79 Oversight Committee: Community and Social Development Services about the status quo on the number of CSDS facilities that do not comply with OHS and the plans to ensure that they comply.

(A copy of the relevant report is filed with the official Minutes of this meeting)

RESOLVED:

That the Community and Social Development Services, Section 79 Oversight Committee engages the Group Finance Services Department and Section 79 Oversight Committee to increase maintenance budget allocation to implement preventative maintenance and identified OHS major non-conformance at all CSDS facilities.

((b)(ii) RESOLUTIONS BY STANDING COMMITTEE: PETITIONS
(ANNEXURES B AND B.1)

In terms of Section 56(5) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) as amended, the resolutions by the Petitions Committee from its meetings held on 21 September and 19 October 2023 for discussion/cognisance in terms of Section 13(7) of the Rules and Orders.

During the debate on Annexures B and B.1 at the Council meeting of 30 November 2023, no proposals were made that the Section 79 Standing Committee: Petitions be requested to reconsider any resolution contained in these annexures.

G. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

There were none.

H. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING:

There were none.

I. NEW MOTIONS

There were none.

J. PETITIONS

There were none.

K.	ANY OTHER MATTER NOT CONTAINED IN THE NOTICE OF THE MEETING, AT THE DISCRETION OF THE SPEAKER	
1.	Office of the Speaker	
	Establishment of a Section 79 Committee: Governance and the	
	Appointment of the New Chairperson for the Section 79 Oversight	
	Committee: Corporate and Shared Services	78-79

Ms. J Maluleka
COUNCIL: 25 January 2024

1. OFFICE OF THE SPEAKER
ESTABLISHMENT OF A SECTION 79 COMMITTEE: GOVERNANCE AND THE
APPOINTMENT OF THE NEW CHAIRPERSON

The purpose of this report is to-

- request Council to approve the establishment of a Section 79 Committee: Governance to assist the Chairperson of Committees (Chair of Chairs) with the delegations and functions allocated to this position, to ensure greater integration between the Council's Section 79 Committees (the Oversight and Standing arm), and to work closely with the Executive in coordinating the business of Council.
- appoint a new Chairperson for the Section 79 Oversight Committee: Corporate and Shared Services

IT WAS RECOMMENDED (TO THE COUNCIL: 25 JANUARY 2024):

1. That the current Governance Model of the City of Tshwane be amended to provide for the establishment of a Section 79 Committee: Governance.
2. That cognisance be taken that the Section 79 Committee: Governance is established to assist with the delegations and functions allocated to the Chairperson of Committees (Chair of Chairs).
3. That the current Chair of Chairs be designated as the Chairperson of the Section 79 Committee: Governance.
4. That Councillorbe appointed as the new Chairperson of the Section 79 Oversight Committee: Corporate and Shared Services.
5. That cognizance be taken that Chairpersons of the Section 79 Committees are full-time Councilors and as such are remunerated differently from part-time Councilors, as per the Minister of Co-operative Governance and Traditional Affairs' Determination of Upper Limits of Salaries, Allowances and Benefits of Different members of the Municipal Council.

When the Acting Speaker table this report at the Council meeting of 25 January 2024, Ald AM Maluleka requested 10 minutes caucus which was granted by the Acting Speaker.

When Council resumed after the caucus, MMC J Uys seconded by JK Mathabathe proposed the following amendments:

(Unaltered)

- “3. That the current Chair of Chairs be designated as the Chairperson of the Section 79 Committee: Governance, in doing so he position as the current Chairperson of Section 79: Corporate and Shared will be vacated.”**

4. That Councillor Johann van der Spuy be appointed as the new Chairperson of the Section 79 Oversight Committee: Corporate and Shared Services.”

Hereafter the following Councillors participated in a debate:

- | | |
|--------------------------|---|
| AWF Middelberg | (among others expressing concern about the manner in which the Chairperson of the Section 79 Oversight Committee: Corporate and Shared was being elected, which in his opinion was not in line with the relevant policies and procedures) |
| Ald AM Maluleka | (among others supporting Cllr Middelberg and further expressing concern about the financial implications to be incurred following approval of this report) |
| MMC UG Theunissen | (among others supporting the proposal by MMC Uys) |
| JK Masilela | (among others supporting the sentiments by Ald Maluleka) |
| KG Makgaleng | (among others indicating that in his opinion the approval of this report was a sign of good Governance) |
| MS Marishane | (among others supporting the sentiments by Ald Maluleka) |
| E Moloi | (among others supporting the sentiments by Ald Maluleka) |

It was thereafter resolved as set out below:

RESOLVED:

1. That the current Governance Model of the City of Tshwane be amended to provide for the establishment of a Section 79 Committee: Governance.
2. That cognisance be taken that the Section 79 Committee: Governance is established to assist with the delegations and functions allocated to the Chairperson of Committees (Chair of Chairs).
3. That the current Chair of Chairs be designated as the Chairperson of the Section 79 Committee: Governance, in doing so he vacate the current position of Chairperson of Section 79: Corporate and Shared.
4. That Councillor Johann van der Spuy be appointed as the new Chairperson of the Section 79 Oversight Committee: Corporate and Shared Services.
5. That cognizance be taken that Chairpersons of the Section 79 Committees are full-time Councilors and as such are remunerated differently from part-time Councilors, as per the Minister of Co-operative Governance and Traditional Affairs' Determination of Upper Limits of Salaries, Allowances and Benefits of Different members of the Municipal Council.

L. CONCLUSION

The Acting Speaker thanked all Councillors for their valuable inputs during the meeting and concluded the meeting at 17:13.