PREFACE

The Action for Accountability (A4A) Project takes a rights-based approach to respond to the dynamics of accountability in South Africa. It seeks to promote greater transparency and inclusive governance processes focused on citizen action as a means of bolstering accountability and strengthening relationships between citizens, government, and the private sector so that people's human rights are put first. This project centers its action on enhancing public participation and transparency in the public and private sector through citizen-led action to enhance public service accountability and good governance in South Africa. Through various capacity building interventions, the A4A project seeks to strengthen citizen agency by equipping active citizens and responsible leaders for collective action to improve governance.

The expected results of the project are that community reformers (also referred to as CivActs) acquire and apply knowledge on using local governance systems and accountability mechanisms. Secondly, that engagement spaces are used by reformers and duty bearers to identify and explore solutions to service level challenges; and lastly, that reformers showcase practices that exemplify/ demonstrate integrity, accountable leadership and public service excellence.

This first draft Toolkit has been developed by the PSAM for the Action for Accountability (A4A) project and will be tested in the four sites where the A4A is currently rolled out, namely Lenasia, Finetown, Mondeor and Makhanda. This toolkit is intended to assist A4A CivActs identify duty bearers and possible solutions to service delivery challenges. The toolkit draws on existing resources and knowledge on public participation and social accountability monitoring. The toolkit is intended for use by CivAct members and anyone interested in enhancing accountability or solving a problem in their locality. The A4A project welcomes feedback on the Toolkit with a view to improving its content for greater benefit by users – please send feedback to psam-admin@ru.ac.za.

DEFINITIONS:

Civic Action Teams (CivActs)	The **Civic Action Teams (CivActs)** are a pioneering citizen feedback, dialogue and community voice platform to drive accountability at a municipal level. Community members volunteer to be part of the CivActs' teams to co-create solutions for basic service delivery and governance with local power holders.
Social Accountability Monitoring	A **rights-based approach** to social accountability monitoring provides participants with the tools for **monitoring and advocacy** (including budgets) as well as oversight approaches.
Community	A community is a **group of people** living in the same geographical space with common interest or a group of people with particular characteristics in common.
Public Participation	Public participation is an **involvement of the citizens** in initiatives that affect their lives, it is an active involvement of the local population in **decision-making** concerning **development projects** or their **implementation**.
Municipal Administration	Is comprised of **appointed staff members** who are responsible for implementing the lawful policies, resolutions and by-laws of the municipal council and the policies and laws of the Provincial and National Spheres of Government. The municipal administration: • Administers the affairs of the municipality. • Manages the municipality's resources • Manages, operates, and maintains the provision of services in a sustainable and equitable manner.

Elected Public Representative	Elected every 5 years through National and Provincial Elections or Local Government Elections. Serve a 5-year term in public office.
Councillor	Is a **Local Government** elected public representative. The duties of a Councillor are to: • Represent the people and their interests in the municipality. • Communicate the needs of the community to the municipal council. • Communicate the council processes to the community. • Conduct oversight and monitor the financial and non-financial performance of the Municipality.
Ward Councillor	Represents a specific ward on the municipal council and is electred through the 'first past the post system'. In this system, the candidate that receives the most votes wins Ward Councillors chair their Ward Committees and give special attention to their respective wards.
Proportional Representative (PR) Councillor	Represents a political party or an organization on the municipal council and are elected through the system of 'proportional representation'. In this system the political party nominates its candidates on the party list. The number of votes a party receives determines the number of seats a political party will have in the municipal council.

DEFINITIONS: (CONTINUED)

Municipal Manager	The municipal manager is responsible for the management of the administration, in line with applicable legislation.
	Importantly, the municipal manager is tasked with the implementation of the Integrated Development Plan (IDP) of the municipality and the monitoring of its progress against predetermined targets.
	The municipal manager must ensure that everyone within the administration contributes towards the implementation of the IDP.
	As the accounting officer, the municipal manager is responsible for:
	• All income and expenditure. • All assets and discharge of liabilities of the municipality. • The compliance with the municipal finance management legislation.
Speaker	Elected through the municipal council in a council meeting.
	The Speaker's role in a municipality is key to ensuring oversight, accountability, integrity, discipline of office, and the efficient running of council meetings.
	The Speaker: • Chairs council meetings. • Implements the Code of Conduct for councillors. • Facilitates capacity-building support for councillors. • Facilitates public participation in legislative matters (like the Budget and IDP). • Facilitates the information and monitoring of Ward Committees.

Mayor	Elected through the municipal council in a council meeting.
	A Mayor:
	• Presides at meetings of the Executive Committee. • Provides guidance over the financial affairs of the municipality (as per sections 52 – 59 of the Municipal Finance Management Act). • Oversees the preparation of the Annual Budget and tables it in council meetings. • Monitors and oversees the Chief Financial Officer (CFO) and Municipal Manager (MM) in exercising their responsibilities. • Submits quarterly reports to Council on the implementation of the budget and financial status of the municipality. • Grants leave of absence for councillors. • Performing any ceremonial duties and functions.
Chief Whip of Council	The Office of the Chief Whip of Council was introduced by the Notice on the Upper Limits on Councillor Remuneration in 2006.
	Elected through the municipal council in a council meeting.
	The Chief Whip is responsible for:
	• The political management of committee and council meetings. • Ensuring that councillors' motions are prepared and table timeously, in line with the rules of Council. • Advising the Speaker and Mayor on urgent motions tabled. • Advising the Speaker on the amount of time allocated to speakers and the order of speakers.

DEFINITIONS: (CONTINUED)

| Municipal Public Accounts Committee (MPAC) | Established in terms of section 79 of the Municipal Structures Act.

Strengthens the oversight arrangements in the municipality and ensures the efficient and effective use of municipal resources. |
|---|---|
| Public Participation | The onus is on the municipality to put in place mechanisms and processes to enable public participation.

Examples of public participation in a municipal planning and budgeting context are:

• By-law public hearings.

• IDP & Budget public hearings.

• Constituency meetings.

• Public meetings.

Members of the public are also able to **observe** Council Meetings and Portfolio Committee Meetings. |

WHY MUST WE HOLD LOCAL GOVERNMENTS ACCOUNTABLE?

Accountability has three key features, there needs to be an Agent, a Mandate, and a Principal.

How it comes together is that a **responsibility** (accountability) (***Mandate***: *the provision or facilitation of human rights*) is given to an **institution** (***Agent***: *government*) by the **citizens** (***Principal***).

MANDATE (task and/or action)

AGENT
(government or political official)

ACCOUNTABILITY
(responsibility)

PRINCIPAL
(community and/or stakeholder)

The Agent needs to regularly account to the Principal on the Mandate given to it. Social accountability places an explicit duty on Agents (members of the executive arm of government, public officials and service providers) to justify their decisions and performance regarding the manner in which their use of public resources has affected the progressive realisation of human rights.

It is very important that this relationship holds if we are to exercise our right to Social Accountability.

Social Accountability is:

- the **active participation** of citizens or civil society in holding governments responsible for meeting their obligations.

- the **right to demand justifications** and explanations from state actors regarding the management and use of public resources.

- to **demand corrective action** where misuse and abuse is alleged.

Social accountability initiatives **empower citizens** – including the most marginalized by society – to monitor how governments allocate resources and deliver services, **to demand that their needs are taken into account**, and to mobilize for change.

Accountability starts with each individual member of the community. Every citizen must first hold themselves accountable for their personal behaviour and actions, thus "conquering the self".

Then they must hold themselves accountable for their role in their community (starting with being accountable to their families, friends, colleagues, employers, and so on).

Only once individual citizens hold themselves accountable can they seek to hold others accountable. As the saying goes, **"charity begins at home"**.

SOCIAL ACCOUNTABILITY AND A RESPONSIVE GOVERNMENT

Laws are the starting point for how elected leaders and government officials should act and be held to account.

Below are a few key laws that apply to local government and what is required of duty-bearers:

Constitution of South Africa (1996) – Chapter 7

Chapter 7 of the Constitution of South Africa (1996) envisages a robust local government system, which can:

- Provide democratic and accountable government for local communities;

- Ensure the provision of services to communities in a sustainable manner;

- Promote social and economic development; promote a safe and healthy living environment;

- Encourage the involvement of communities and community organizations in the matters of local government.

Municipal Structure Act (1998) & Regulations

The Municipal Structure Act (1998) & Regulations intends to:

- Provide for the establishment of municipalities in accordance with the requirements relating to categories and types of municipality;

- Establish criteria for determining the category of municipality to be established in an area;

- Define the types of municipality that may be established within each category;

- Provide for an appropriate division of functions and powers between categories of municipality;

- Regulate the internal systems, structures and office-bearers of municipalities;

- Provide for appropriate electoral systems.

Municipal Systems Act (2000) & Regulations

This piece of legislation deals with regulating key municipal organizational, planning, participatory and service delivery systems.

The Municipal Systems Act (2000) & Regulations regulates the process of assigning powers and functions to local government.

This is important to ensure that municipalities receive adequate funding to fulfill assigned powers and functions.

It also helps to ensure that the three spheres of government work in a coordinated way.

Municipal Finance Management Act 56 of 2003 & Regulations

The Municipal Finance Management Act 56 of 2003 & Regulations intends to:

- Secure sound and sustainable management of the financial affairs of municipalities and other institutions in the local sphere of government.

- Establish treasure norms and standards for the local sphere of government.

Spatial Planning and Land Use Management Act 16 of (2013)

The Spatial Planning and Land Use Management Act 16 of 2013 intends to:

- Provide a framework for spatial planning and land use management in the Republic;

- Specify the relationship between the spatial planning and the land use management system and other kinds of planning;

- Provide for the inclusive, developmental, equitable and efficient spatial planning at the different spheres of government;

- Provide a framework for the monitoring, coordination and review of the spatial planning and land use management system;

- Provide a framework for policies, principles, norms and standards for spatial development planning and land use management;

- Address past spatial and regulatory imbalances;

- Promote greater consistency and uniformity in the application procedures and decision-making by authorities responsible for land use decisions and development applications;

- Provide for the establishment, functions and operations of Municipal Planning Tribunals;

- Provide for the facilitation and enforcement of land use and development measures.

Water Services Act (1997) and National Water Act (1998)

The Water Services Act (1997) and National Water Act (1998) intends to:

- Provide for the rights of access to basic water supply and basic sanitation;

- Provide for the setting of national standards and of norms and standards for tariffs;

- Provide for water services development plans; to provide a regulatory framework for water services institutions and water services intermediaries;

- Provide for the establishment and disestablishment of water boards and water services committees and their powers and durites;

- Provide for the monitoring of water services and intervention by the Minister or by the relevant Province;

- Provide for financial assistance to water services institutions;

- Provide for certain general powers of the Minister;
- Provide for the gathering of information in a national information system and the distribution of that information.

Promotion of Access to Information Act 2 of 2000

The Promotion of Access to Information Act 2 of 2000 intends to:

- Give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights.

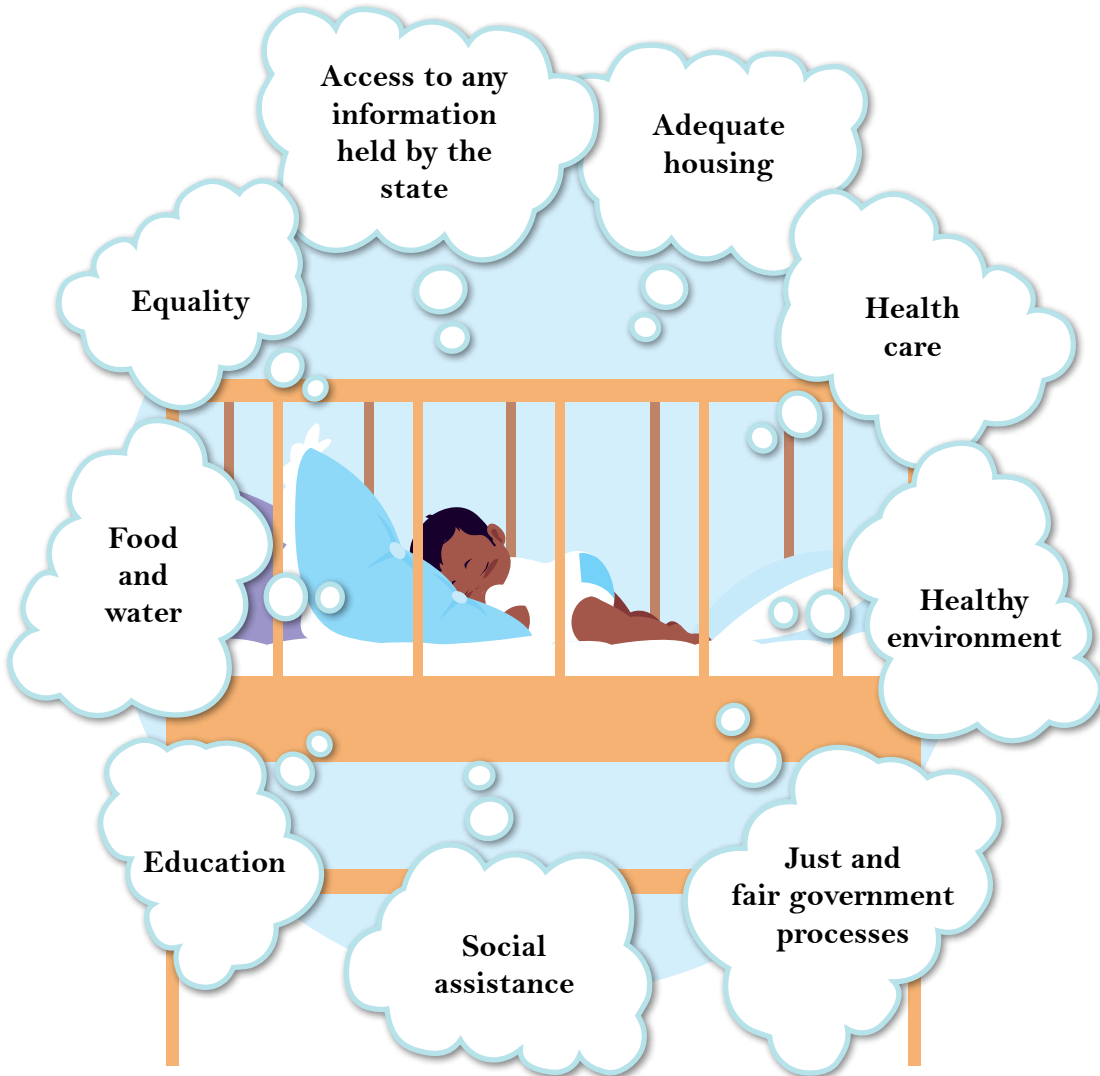## Intergovernmental Relations Framework Act 13 of 2005

The Intergovernmental Relations Framework Act 13 of 2005 intends to:

- Establish a framework for the national government, provincial governments and local governments to promote and facilitate intergovernmental relations.
- Provide for mechanisms and procedures to facilitate the settlement of intergovernmental disputes; and
- Provide for matters connected therewith.
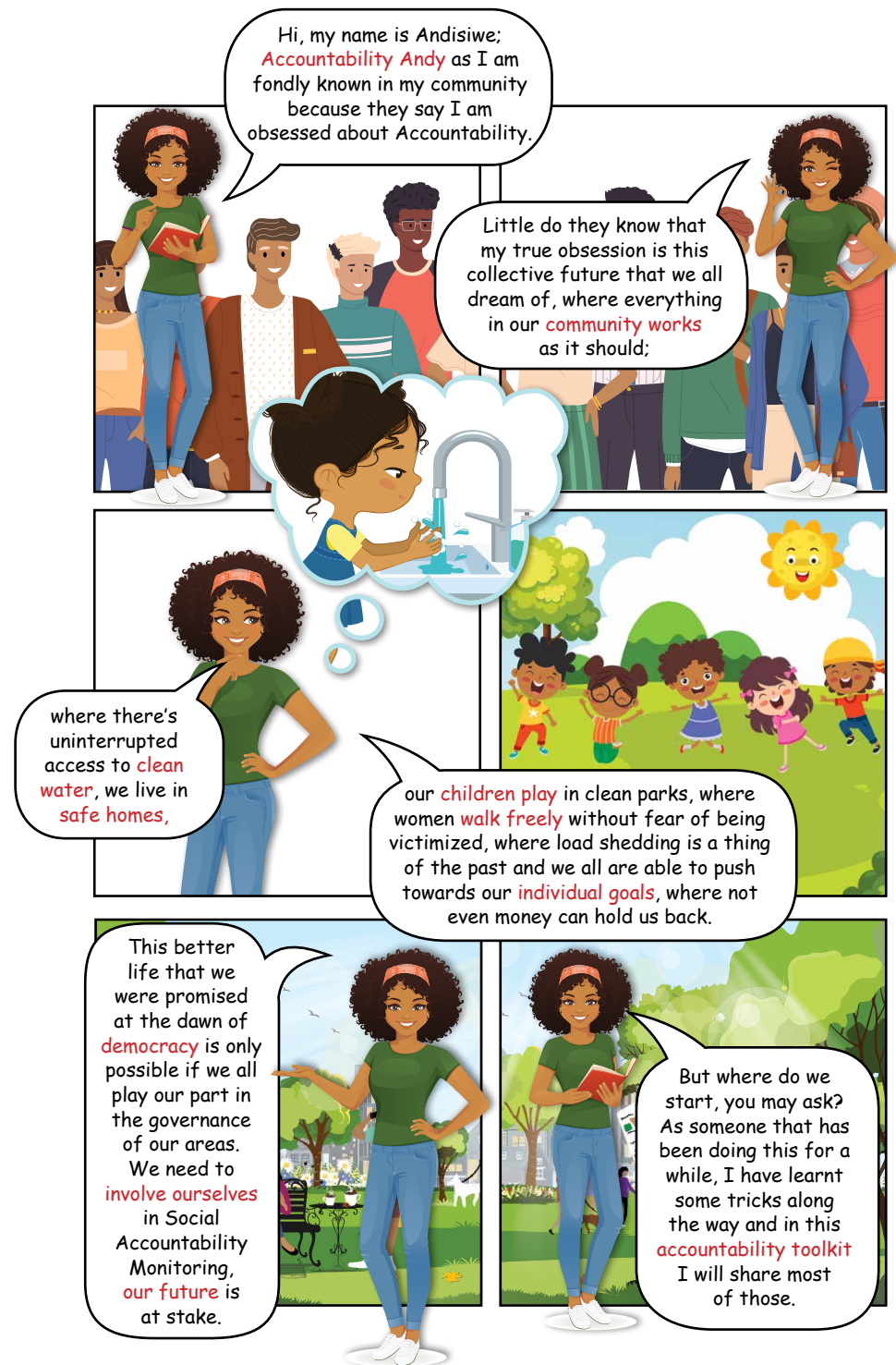
WHERE DO WE START?

It begins with understanding one's value as a human being born on this earth, knowing that we have human rights that can never be taken away simply because we are human.

Access to any information held by the state

Adequate housing

Equality

Health care

Food and water

Healthy environment

Education

Just and fair government processes

Social assistance

Now let's start!
How to begin your journey to becoming an Accountability Monitor?

Step 1 – Explain your problem in a sentence or two

- Prompts: Does your problem concern water supply, rubbish removal, electricity supply, road conditions, security concerns, access to health services, education services, sewerage?

Step 2 – Check to see if your problem is Local Government related or perhaps related to Provincial Government services?

- Contact PSAM on telephone 046 603 8358 or mail psam-admin@ru.ac.za for help.

- Read the South African Constitution – especially Chapter 6 dealing with Provinces and Chapter 7 dealing with Local Government and Schedule 4 and Schedule 5.

- Consider the Government Year Book, especially the Government Systems section that may help explain who has responsibility for the problem you are looking to fix. https://www.gcis.gov.za/resources/south-africa-yearbook-202223.

Step 3 – Start looking for key government documents

- What does the government think the community's service delivery needs are?
- What has the government committed to deliver in order to address those needs?
- What is the budget allocation for delivering these services?
- What money has already been spent on these services?

Potential Municipal information documents:

1. The Integrated Development Plan (IDP)
2. The Municipality's Budget
3. The Service Delivery Budget Implementation Plan (SDBIP)

You may be able to find these documents on the Municipality's website. You can also look for these documents on the National Treasury website https://lg.treasury.gov.za/ibi_apps/portal/Municipal_Documentation.

For the City of Joburg documents visit:
https://www.joburg.org.za/documents_/Pages/Key%20Documents/SDBIP%20IDP%20and%20Budget/SDBIP-IDO-And-Budget.aspx

Makana Local Municipality visit:
http://www.makana.gov.za/statutory-documents/idp-municipal-statistics/

Step 4 – Gather information about the service

- What do the documents say about your service delivery challenge, is it written in technical language? Unpack what the municipality terms your service delivery needs. This will help in the next step when you identify who delivers the service in the municipality, identifying the department and officials responsible for the delivery of the service.

Step 5 – Build a picture of your municipality

- Which Directorate/Program/Department Division in your municipality are involved in the delivery of the service you need?

ACCOUNTABILITY MAPPING

Identify who is responsible and who should be held accountable

ACCOUNTABLE PERSON/ENTITY

01 02 03 04 05 06

ISSUE AT HAND

01 02 03 04 05 06

COMMUNITY PARTNERS

Build solidarity with community stakeholders that will support the campaign

- Which person(s) in the municipality are involved in the delivery of the service challenge? Search for or ask for a CONTACT LIST to help identify the Directorate/Department/Program Director, Manager, Deputy etc responsible for the delivery of the service.

- Do you know who has political oversight over the delivery of the service? Try and find out which Portfolio Committee or Mayoral committee consisting of councillors, has responsibility to check up on service delivery. This information should be made available on the website of the Municipality and you have a legal right to ask and receive detailed information including the names and contact details of councillors. Website links to the Portfolio Committees with Councillor details for Makana Local Municipality and the City of Johannesburg are as follows: http://www.makana.gov.za/portfolio-committees/ https://www.joburg.org.za/about_/government/Pages/Council/section-79-committees.aspx

Try to develop a diagram of posts and persons responsible at the municipality and who are specific to the service delivery challenge. Draw up an organogram of the specific department dealing with your service delivery challenge.

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Step 6 – Getting to know the strategic planning and budgeting process within your municipality.

- Download the municipality's consultation schedule to determine the following:

  1. Strategic planning
  2. Municipal-wide budget preparation process
  3. Tabling of the draft budget
  4. Public consultations and external assessments
  5. Tabling of the final budget.

Access to Makana Municipality schedule:
Chrome-extention://efaidnbmnnnibpcajpcglclefindmkaj/http://www.makana.gov.za/wp-content/uploads/2013/06/EC104-Makana-Municipality-Schedule-A-2024_2025-MTREF.pdf

Chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/http://www.makana.gov.za/wp-content/uploads/2013/06/FINAL-IDP-2024-25-3rd-Edition-2852024.pdf

City of Johannesburg:
Chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://joburg.org.za/documents_/Documents/2024-25%20Draft%20IDP%20and%20Budget.pdf

Chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://lg.treasury.gov.za/supportingdocs/JHB/JHB_A1%20Schedule%20Draft_2025_Y_20240328T141231Z_ntuthuzeloa.pdf

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Step 7 – Finding entry points within planning and accountability cycle

- Determine when in the cycle you are, is it: the planning, budgeting, expenditure performance management and oversight processes within the municipality.

For more detailed information on the steps above see **A Guide to Local Government Budget Advocacy** https://afesis.org.za/wp-content/uploads/2017/04/guide-to-local-government-budget-advocacy-in-south-africa-2017-small1.pdf. As CivActs you can follow steps provided in the guide should you decide to use the Municipal planning, budgeting and accountability cycle to monitor service delivery in your locality.

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Step 8 – What if you can't find useful information or are refused access to information?

- You may wish to consider preparing and sending a formal Promotion of Access to Information Act (PAIA) request.

- For guidance on how to do this visit https://www.inforegulator.org.za/ and explore under the PAIA tab. For further assistance on using the PAIA contact the PSAM on psam-admin@ru.ac.za.

Determining your next steps

Within South Africa's local government there are various ways and platforms to participate. Not all of these work well - some may result in little to no response, while others may result in action depending upon various factors. Here are a few ways to participate and seek information and answers to service delivery issues:

1. Attend sittings of Council meetings as an observer.
2. Attend public hearings that are held by the Municipality
3. Making submissions
4. Lodge petitions

Do also visit websites such as www.democracyworks.org.za to find out more about your right to public participation.
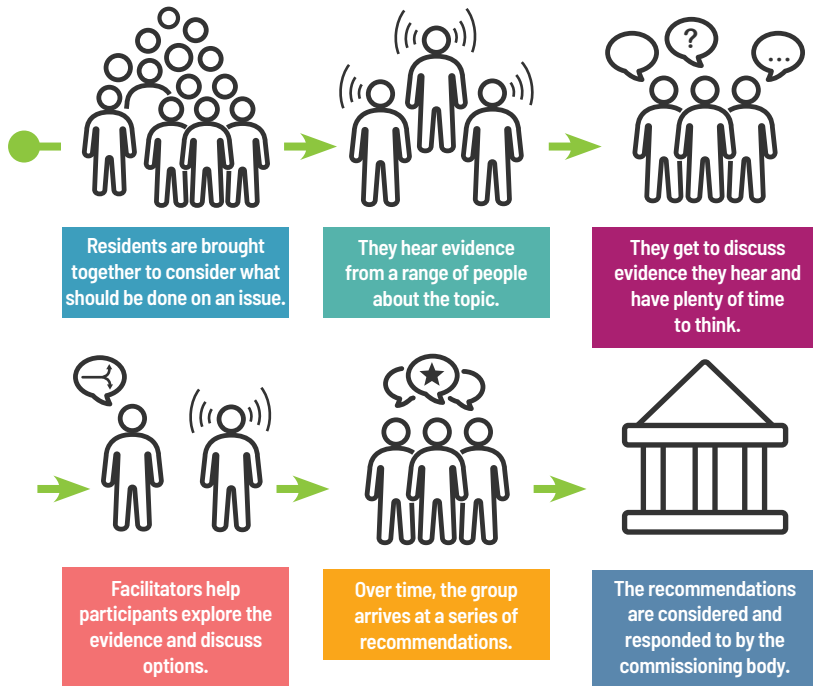
In order to understand more on Municipal budgets and to participate more meaningfully in Local Government planning and accountability cycle, visit the International Budget Partnership South Africa on https://internationalbudget.org/country/south-africa/ and MuniMoney on https://municipalmoney.gov.za/.

CITIZEN'S ASSEMBLIES

What is a citizen's assembly?

Citizen's assemblies are a type of democratic method that has been used around the world to empower citizens and solve intractable problems. A citizens' assembly brings together a diverse group of the public – selected at random but chosen to broadly reflect the demographics of the local community – to deliberate on an issue and recommend what should be done.

Residents are brought together to consider what should be done on an issue.

They hear evidence from a range of people about the topic.

They get to discuss evidence they hear and have plenty of time to think.

Facilitators help participants explore the evidence and discuss options.

Over time, the group arrives at a series of recommendations.

The recommendations are considered and responded to by the commissioning body.

There are several distinctive features of a citizens' assembly. Citizens' assemblies are:

- **Diverse.** They resemble the wider population in all its diversity, having been selected at random from that community to match the demographic characteristics of the population.
- **Deliberative.** Citizens' assemblies don't aggregate top-of-the-head opinions, but harvest deeper, more considered judgements.
- **Lengthy.** Lasting at least four days, they give participants the chance to get under the skin of a problem, developing their understanding and challenging their assumptions as they go, before arriving at a series of recommendations.

- **Informed.** Participants leave as experts in their own right, having heard from "witnesses" with professional, lived and academic experience of the topic at hand.
- **"By the people, for the people".** Recommendations are made by assembly members, not by politicians or officers. They are published without revision, caveat or manipulation and responded to by decision makers.
- **Professionally facilitated.** They are painstakingly designed and impartially facilitated to enable rich and meaningful participation by all assembly members, ensuring that everyone is given the space to express themselves freely.

Let's get YOU STARTED!

HOLDING LOCAL GOVERNMENT ACCOUNTABLE: A4A SITES

Disclaimer: The following information is specific to the issues identified in the four sites that the A4A project is currently working on. Furthermore, CivActs are encouraged to use this information but remember that it may just be a starting point towards your own Action for Accountability.

The Action for Accountability project has **4 CivAct teams** that have spent the last year looking at several **service delivery issues** and we acknowledge the work done by each team. These are their stories and possible steps they and active citizens and public service accountability drivers can follow in holding their local government officials and elected representatives accountable.

MAKHANDA CIVACTS

The Makana Local Municipality in the Sarah Baartman District Municipality of the Eastern Cape is reported to be one of the poorly performing municipalities as it continues to receive adverse qualified audit reports from the disclaimed audit opinions from the Auditor-General's annual audit report. Furthermore, there has been extensive media coverage of moves by Makhanda residents to have the Makana Local Municipality dissolved due to its failure to ensure the provision of basic services to residents in a sustainable manner, to promote a safe and healthy environment and to manage its administration, budgeting and planning processes to prioritize basic needs and promote the socioeconomic development of the City.

In 2020, Judge Igna Stretch gave her ruling that the service delivery failures in Makhanda were so severe, widespread and extensive that they violated the Constitution and justified the dissolution of the municipal council.

The Eastern Cape Provincial Government then approached the Supreme Court of Appeal for permission to fight a ruling that the Makana Local Municipality be dissolved for its 'unconstitutional failure to provide services to residents'. The Supreme Court of Appeal granted permission to the Eastern Cape Provincial Government to appeal in the matter.

Dissolution of a Municipal Council

Section 139 (1), (4) and (5) of the Constitution of the republic of South Africa, 1996 empowers the provincial executive to intervene in a municipality if:

- A municipality cannot or does not fulfill an obligation in terms of the Constitution or legislation **to approve a budget or any revenue-raising measures necessary to give effect to the budget.**

- A municipality, **because of a crisis in its financial affairs, is in serious or persistent material breach of its obligations to provide basic services or to meet its financial commitments** or admits that it is unable to meet its obligations or financial commitments.

Beside the political instability in the city, it has been in disarray with many communities left lacking proper services or underserved. One common issue through the city is the lack of regular refuse removal and the delivery of Municipal refuse bags.

Makhanda CivActs continue to investigate, profile other basic service delivery issues in the City as well, including disruptions to water access, the poor quality of water, poor sanitation, poor maintenance of municipal infrastructure and roads, non-functional streetlights and a compromised environment.

The Makana Service Delivery Reporting Form can be located via:

https://docs.google.com/forms/d/e/1FAIpQLSfmo NEHQPryoizGBqFj7NToIwj2AM4dVg1h1WCbqJj PMO8iag/viewform

At face value this is a performance management issue but CivActs should probe where the problem exists and generate enough evidence for their advocacy.

For issues related to refuse/waste collection and disposal CivActs should get in contact with/call:

Mr Phumzile Smile
Manager: Refuse and Cleansing
Tel: 078 739 0792
Email: PhumzileSmile@makana.gov.za

Supply chain related matters in the department concerning the acquisition of bags and the information on contracts for refuse removal, search directly on the Municipal Notice website for contract and tender data or contact:

Mr Patuxolo Bidla
Supply Chain Manager
Tel: 046 603 6111
Email: pbidla@makana.gov.za

If this fails contact the Accounting Officer of the municipality:

Municipal Manager:
Mr Pumelelo Maxwell Kate
Tel: 046 603 6132
Email: PKate@makana.gov.za

Secretary Municipal Managers Office:
Mrs Phumza Roxo-Koliti
Tel: 046 603 6131
(Fax): 046 622 9700
Email: roxop@makana.gov.za

For any water and sewage, roads and stormwater, electricity and streetlights related queries, contact:

Acting Director: Infrastructure:
Mr Mzomhle Radu
Tel: 073 184 5107
Email: MzomhleRadu@makana.gov.za

For any queries related to the municipality's integrated development plan, contact:

Integrated Development Plan (IDP) Manager:
Mr Mzolisi Pasiya
Tel: 046 603 6012
Fax: 046 622 9700
Email: mpasiya@makana.gov.za

And for the intervention from a political body, contact:

Public Safety and Community Services Portfolio Committee Chairperson:
Cllr Thandolwethu Vayo

This Portfolio Committee provides Political oversight over the Directorates: Public Safety and Community Services.

Contact Information
Tel: 046 603 6242
Cel: 084 062 1662
Email: alvivect@gmail.com
Work: tvayo@makana.gov.za

Should you feel that any basic service delivery situation now infringes on any of your constitutional rights, contact your nearest Human Rights Commission.

Eastern Cape
Address: 13-33 Phillip Frame Road, Phase 4 B, Waverley Park, Chiselhurst, East London, 5247
Tel: 043 722 7828/21/25 | Fax: 086 635 6898
Cel: 067 333 6623 (NB: Please note it is for telephone calls only)

Provincial Manager
Dr Eileen Carter
Contact: Yolokazi Mvovo
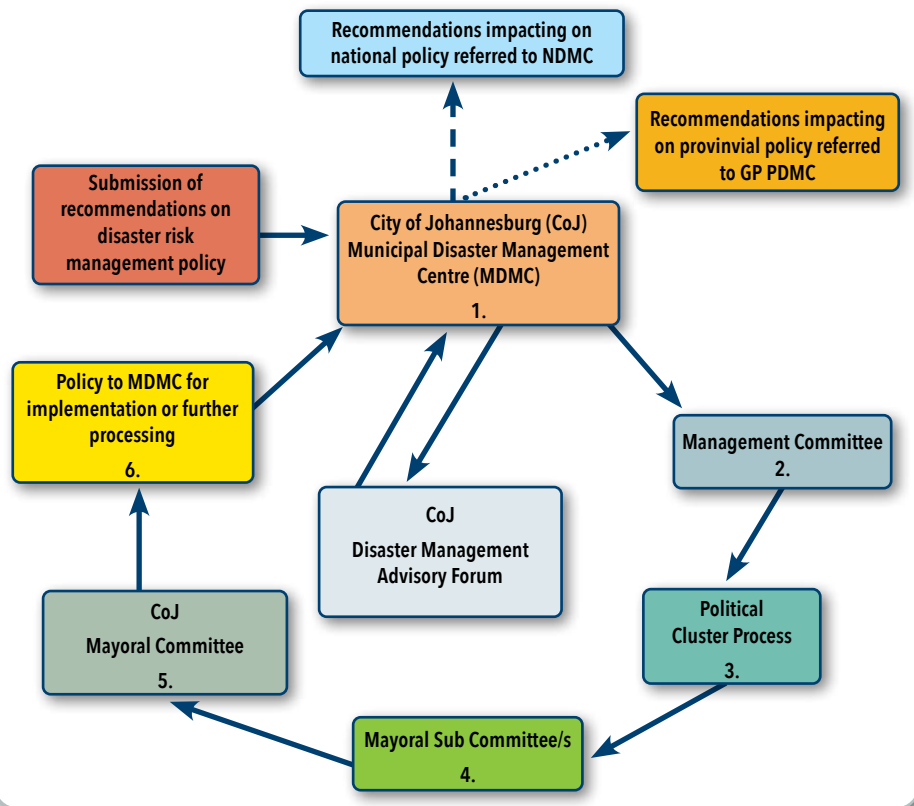**E-mail:** ECComplaints@sahrc.org.za

CITY OF JOHANNESBURG CIVACTS TEAMS

Within the City of Johannesburg three CivActs teams from **Lenasia**, **Mondeor**, and **Finetown** have been part of the Action for Accountability project and these are stories:

Lenasia and Finetown, are located south of Soweto in the Gauteng province, South Africa. Both are part of the City of Johannesburg Metropolitan Municipality. Over the past five years, the community members of these have embarked on several service protests aimed at forcing state officials to take accountability for the lack of service delivery in the area. The township is well known for embarking in protest action to display their dissatisfaction with the State and its institutions.

Lenasia

Lenasia has been facing an issue of a bridge that is fast dilapidating and is the main entrance and

Diagram 1. The Disaster Risk Management Policy-Making Process:

Recommendations impacting on national policy referred to NDMC

Recommendations impacting on provinvial policy referred to GP PDMC

Submission of recommendations on disaster risk management policy

City of Johannesburg (CoJ) Municipal Disaster Management Centre (MDMC)
1.

Policy to MDMC for implementation or further processing
6.

Management Committee
2.

CoJ Disaster Management Advisory Forum

CoJ Mayoral Committee
5.

Political Cluster Process
3.

Mayoral Sub Committee/s
4.

exit to Lenasia from Soweto. The Abu Asvat Bridge infrastructure that has not been maintained, has now become a disaster management consideration because it was built on wetland.

The Lenasia CivActs team has embarked on a process of examining the technical situation of rehabilitating the bridge. In September 2022, the Johannesburg Road Agency (JRA) conducted an on-site inspection to assess the structure of the bridge and an engineer report will be submitted once the assessment is completed.

Unfortunately, the JRA does not have a technical and structural report of the bridge nor a latest traffic count report. The Lenasia A4A CivActs have requested the University of Johannesburg (UJ) Process, Energy and Environmental Technology

Station (PEETS) to conduct a feasibility study on the wetlands and an audit of the Abu Asvat Drive Bridge.

It was suggested that the Civic Acts team (A4A) approach an engineer that would assess the bridge, pro bono, and give a report (preferably an engineer from Lenasia), the team is also to release a statement clearly explaining that further investigation is still ongoing regarding the stagnant water, pollution and odor as more departments should be contacted to do a complete assessment and find solution to resolve the multiple problems.

It is great work that has been done by the Lens CivActs, however there are other streams within the City that the team can follow up with. This

is a needs assessment and strategic planning issue and at this point, it could be placed within the disaster management department within the City.

The Lens CivActs team should consider making submissions and recommendations on matters relating to disaster risk management policy to the CoJ Municipality Disaster Management Centre for consideration. Thereafter submitted to the Municipal Disaster Management Advisory Forum (MDMAF) as well as the Management Committee and Political structures within the municipality.

The Lens CivActs Team will make submissions to the following public entities and institutions:

1. The JRA regarding the Abu Asvat Drive Bridge

2. The Department of Forest, Fisheries and Environment (DFFE) as this department is responsible for the maintenance of wetlands.

3. The Department of Mineral Resources and Energy (DMRE) on both the Abu Asvat Drive bridge and wetlands. This is because this issue is a multi-departmental responsibility across all 3 Spheres of Government

To read more on the COJs CITY OF JOHANNESBURG DISASTER MANAGEMENT STRATEGIC ACTION PLAN follow this link:

https://www.joburg.org.za/documents_/Pages/Key%20Documents/policies/Public%20Safety/Public-Safety-.aspx

Try these two numbers to check when and where committees of the MDMC convene and how to prepare a submission to the Committee:

Head of Department Public Safety
011 758 9300/9352
Director of Disaster Management and PIER
011 758 9523

Finetown

Some of our comrades in Finetown have not been able to access services from the city, particularly access to electricity and other services. Their major problem is that the (previously) informal settlement that had been established was on privately owned land and people have now built their homes on that land. New sections within and outside of Finetown are being developed with the amenities that are necessary for them to realize their right "adequate housing".

The residents from this area of Finetown are not able to benefit from the grants used for informal settlement upgrading because of the status of their dwelling (uncategorised). We assume that they are not prioritized when it comes to service provision because they are on privately owned land.

These comrades have done the groundwork and have information on who owns the land. This is a perfect case to evoke the property clause to expropriate the land from the descendants of the previous owners. Section 25 (2)(a) states that Property may be expropriated only in terms of law of general application – for a public purpose or in the public interest. This is clearly a public interest case, and the land can be registered to the state and transferred to the Municipality.

The CivActs team needs to visit the Planning department within the city to ascertain the reason behind the lack of services to the area, and find out if there are any plans for that area of land. They already have the land description for the piece of land.

First access spatial development plans for the City here:

https://www.joburg.org.za/documents_/Pages/Key%20Documents/Draft-Spatial-Framework-2040.aspx

This will take some time and skill to comb through the information, and so setting up a meeting with the planning department may be a plausible first step.

Department: Development Planning

Contact list for land use management:
https://www.joburg.org.za/departments_/Documents/Development%20Planning/LUDM%20Contac

Directorate/Unit	Name	Designation	Contact No.	Email Address	Region/Planning Areas
Land Use Development Management	Nokuthula Thusi	Director: Land Use Development Management	083 702 3955	NokuthulaT@joburg.org.za	N/A
Land Use Management	Gina Zanti	Deputy Director: Land Use Management	082 559 3735	GinaZ@joburg.org.za	N/A
	Marietjie Reinecke	Acting Manager: Registration	082 417 5705	MarietjieR@joburg.org.za	N/A
	Lee-Anne Mckenzie	Operational Manager Circulation	N/A	Lee-anneM@joburg.org.za	N/A
	Ziningi Mkhize	Assistant Director: Land Use Management	081 555 1986	ZiningiM@joburg.org.za	Regions A and E areas such as Sandton, Midrand, Fourways, Rivonia, Lonehill, Bluehills, Waterfall
	Aobakwe Dipale	Assistant Director: Land Use Management	065 862 5832	AobakweD@joburg.org.za	RegionsC, D and G areas such as Roodepoort, Soweto, Lenasia, Orange Farm, Joburg South
	Julius Sello	Assistant Director: Land Use Management	083 262 1878	JuliusS@joburg.org.za	Region F and parts of Region E areas such as inner City, Alexandra, Cyrildene, Orange Grove, Llnbro Park, Houghton Estate
	Julius Sello	Assistant Director: Land Use Management	083 262 1878	JuliusS@joburg.org.za	Region B and parts of Regions F and C areas such as Randburg, Rosebank, Emmarentia, Industria Cosmo City

For legal assistance on the matter, contact your local councilor and request a meeting with the development planning legal department contacts found below.

Directorate/Unit	Name	Designation	Contact No.	Email Address
Legal Administration	Hector Makhubo	Deputy Director Legal Administration	060 6717 436	HectorMa@joburg.org.za
	Emily Mzimela	Manager: Legal Administration	073 278 3635	EmilyMz@joburg.org.za
	Elize de Wet	Manager: Legal Administration	082 559 3718	ElizeD@joburg.org.za
	Dorothy Ngwenya	Manager: Legal Administration	081 559 7337	DorothyR@joburg.org.za
	Dean Gibb	Manager: Legal Administration	083 463 3822	DeanG@joburg.org.za
	Bandile Zungu	Assistant Director Technical Implementation (Bulk Contributions)	083 264 7122	BandileZ@joburg.org.za
	Thabo Underman	Senior Manager Planning Committee and Registration	062 887 8524	ThaboU@joburg.org.za

Contact the Department of Agriculture, Land Reform and Rural Development:

Switchboard: 012 312 8911/ 012 319 6000
Email call Center: queries@dalrrd.gov.za

Make a submission to the department to expropriate/acquire the land on behalf of the community and to transfer it to the Municipality:

The Minister of Agriculture, Land Reform and Rural Development is TBC.

Pretoria Physical:
184 Jeff Masemola, Pretoria, 0001
Postal:
Private Bag X833, Pretoria, 0001 Cape Town

Physical:
Room 133, 1st Floor, 120 Plein Street, Cape Town, 8000 Postal: Private Bag X9133, Cape Town, 8000 South Africa.

queries@dalrrd.gov.za
012 319 7298 / 012 312 9300 / 021 461 1301

Mondeor

Mondeor is a suburb of Johannesburg, South Africa, located in Region F of the City of Johannesburg Metropolitan Municipality. The residents of Ward 54 in CoJ have, for some time now, raised concerns over the incomplete water infrastructure and dangerous open trenches that scar the Mondeor area.

The CivActs team in Mondeor have been in touch with relevant municipal authorities and are in the process of submitting a PAIA request to Rand Water.

While they wait for a response from the agency, here's a recommendation – you need to build a case against the municipality. you need to build a portfolio of evidence that you can publish, highlighting the lack of proper performance management apparatus within the municipality and its agencies.

1. The team needs to analyse the annual report of the municipality and to see what it says about the status of the project.

2. Go through the business plan of the agency from when the project was first budgeted.

3. Ascertain whether these documents speak of remaining funds to complete the project.

4. Submit a petition to the speaker's office, detailing the evidence that has been gathered, demanding accountability for the unfinished project.

5. Contact the Auditor General's office in the province and request a special Audit on the project.

In addition to the steps above, the CivActs will have to inform other stakeholders:

1. Write to the AG, MEC for local government and national treasury. Although you may not be able to take immediate action, you may be able to address the incomplete project through other channels or in their next review.

2. Lobby councilors, in particular those councilors who sit on on the MPAC, to include your views in the oversight report.

3. Lobby the provincial legislature to hold hearings or investigate. Both the national and provincial legislatures should ensure that the provincial and national executive provide municipalities with the support and monitoring you need. MECs must annually report to their provincial legislature on the performance of all municipalities in the province, and specifically identify municipalities that have under-performed. you are also expected to propose corrective actions (MSA s. 47).

Legislative committees are expected to involve the public in their discussions. This could happen via petitions and public hearings, especially (but not limited to) when considering departments' annual reports and budgets.

Approach the relevant committee chairs and/or its other members. Ask them to hold a public hearing in your municipality, ask questions of the relevant ministers, and urge them to take appropriate action. Opposition members may be especially interested in your information.

4. Organise and let the media know.

At this point the Mondeor CivActs might even be interested in conducting a Social Audit. To find out more about Social Audits visit the Social Audit Network website Here.

A call to action.

It is understandable that this work can be quite daunting and calling on CivActs to move outside of their comfort and "known" forms of holding local representatives accountable. The work will include a number of submissions and technical analysis of the information presented by Makana Municipality and the City of Joburg; the PSAM and the A4A partner organisations are available to assist with crafting and proofreading of submissions, preparing PAIA submission and preparing CivActs for in- person engagements with municipal staff and office bearers.

COALITION GOVERNMENTS

A coalition government exists when two or more political parties (or independent representatives) combine their votes in a council, to elect a government, and to support the decisions it takes.

This becomes necessary when no single party has amajority of the seats in the council. In Local Government, a governing coalition is aimed at electing an (executive) mayor, and other members of the executive, and then supporting their proposals on, for example, the budget and municipal policies.

Coalition governements in democratic South Africa

There have been coalitions in municipalities, ever since the first democratic local government elections in 2000. However, there has been a significant rise in the number of *hung councils* (in other words, a situation where no single party won a majority of the council seats) since 2016 onwards. After the 2021 Local Government Elections, there were approximately 70 councils, where no single party won a majority and coalitions were necessary.

How are coalitions formed?

Political parties and independent representatives that acquire seats in the council explore options with the aim of reaching a consensus and formulating a coalition agreement that underpins the coalition government they will constitute and co-lead/co-manage.

Managing Coalitions

The South African Constitution allows for coalitions as an integral part of democracy. It is the will of the people not to provide an outright majority to a single party, thereby imposing shared power to govern by multiple political parties. Coalitions can be stable and help deepen democracy when managed well. However, when not managed well, a municipal council tends to become preoccupied with politics as opposed to governance, service delivery and oversight.

At present there is no formal framework guiding the formation and functioning of coalitions. For this reason, the Department of Cooperative Government and Traditional Affairs (COGTA) published the Municipal Structures Amendment Bill to provide a definition of and guidance for coalition governments in may 2024.

The City of Johannesburg and the Joburg Crisis Alliance (JCA)

Since November 2021, coalition-building in the Joburg metro has been more difficult and complex than in any other metro. Seven different mayors (Councillor Jolidee Matonga, Councillor Mpho Moerane, Councillor Mpho Phalatse, Councillor Dada Morero, Councillor Mpho Phalatse, Councillor Thapelo Amad and Councillor Kabelo Gwamanda) and several speakers have been elected in the council since 2021. This has contributed to the ongoing political instability in the council and has hindered service delivery in the city and the efforts of accountability actors to hold every-changing administrations and elected representatives accountable for their performance. The Joburg Crisis Alliance (JCA), formed in 2023 to address citizens' concerns, has campaigned against the coalition-chaos that has marked the current term of office. All across the city several crises have emerged, ranging from water insecurity to gas explosions, from an iconic library being closed to a deadly fire that claimed several lives. Under an unstable coalition, service delivery has regressed in the City.

The JCA has presented the following suggestions to the Presidency, for consideration and to promote political stability for improved municipal governance in the City:

a) The dissolution of council and convening of fresh elections;
b) Placing the City under administration with citizen oversight;
c) Changing the mayoral committee system.