

**MINUTES OF THE COUNCIL MEETING OF THE BREEDE VALLEY MUNICIPALITY HELD ON 24 FEBRUARY 2015 AND THE CONTINUATION THEREOF ON 3 MARCH 2015 IN THE COUNCIL CHAMBER, CAPE WINELANDS DISTRICT MUNICIPALITY, 51 TRAPPES STREET, WORCESTER.**

**PLEASE RETAIN THIS DOCUMENT FOR RECORD PURPOSES AS IT WILL NOT BE CIRCULATED AGAIN.**

**PRESENT AND IN ATTENDANCE:**

**As per the attendance registers copied into the minutes after the final item:**

**ABSENT WITHOUT APOLOGY:**

**1. OPENING**

**Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)**

**PART 3: MEETINGS**

**4. Commencement of meetings of Council**

The Speaker must take the chair at the time stated in the notice of the meeting or as soon thereafter as is reasonably possible: provided that the meeting does not commence later than 30 (thirty) minutes after the time stated in the notice of the meeting and must proceed immediately with the business of the meeting, subject to Clause 13.

**13. Quorum**

- (1) A majority of the Councillors constitutes a quorum.
- (2) If there is no quorum at the time for which the meeting is scheduled, the meeting must be delayed for no longer than 20 (twenty) minutes and if at the end of that period, there is still no quorum, the Speaker must adjourn the meeting to the same time, a week later at an available venue and the time of such adjournment, as well as the names of the Councillors present, must be recorded in the minutes.
- (3) Whenever the Speaker is not present and there is no quorum, the start of the meeting must be delayed for no more than 20 (twenty) minutes and if there is no quorum at the end of that period, the Municipal Manager must adjourn the meeting to the same time, a week later at an available venue and the time of such adjournment, as well as the names of the Councillors present, must be recorded in the minutes.
- (4) Whenever during a meeting there is no quorum, the Speaker must suspend the proceedings until a quorum is again present: Provided that if after 15 (fifteen) minutes there is still no quorum the Speaker must adjourn the meeting to the same time, a week later at an available venue and the time of such adjournment, as well as the names of the Councillors present, must be recorded in the minutes.
- (5) The Speaker must report the names of the absentee Councillors to the committee established in terms of Clause 11.2 (Disciplinary Committee) for the purposes of an investigation of a breach of these Rules.

At 10:04 the Speaker called the meeting to order and request Cllr N.V. Steto to open the meeting with prayer.

**1.1 Announcement of Councillors birthdays**

Councillors with birthdays in February 2015 were congratulated on the meeting of 9 February 2015. The Speaker, however, asks Cllr L. Richards to congratulate the Mayor with her birthday on 27 February 2015.

**2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY**

None

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**10. CLOSURE**

**11. COPY OF NOTICE PLACED ON NOTICE BOARDS**

### **3. APPLICATIONS FOR LEAVE OF ABSENCE**

#### **Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)**

##### **10. Leave of absence**

- (1) A Councillor who wishes to absent himself or herself from meetings must, before so absents himself or herself, obtain leave of absence via the Whip of the respective Political Party, from the Speaker or Chairperson of a Committee prior to a meeting: Provided that the Speaker or Chairperson of a Committee, on good cause, may grant leave of absence after the meeting to a Councillor who has been prevented by special circumstances from obtaining leave of absence prior to the meeting.
- (2) Where necessitated due to circumstances, leave of absence by Councillors must be duly applied for -
  - (a) In the case of Council – to the Speaker;
  - (b) In the case of meeting of Committees of Council – to the Chairperson of the relevant Committee and the Administration must also be timeously informed so that the alternate for the relevant Councillor of the Committee can be informed in time to ensure a quorum;
  - (c) In the case of workshops, congresses, functions and other meetings than those contemplated in (a) and (b) above – to the Speaker to grant approval in such cases and the Administration must also be timeously informed in the event that Councillors cannot attend workshops, congresses, meetings, functions, etc. so that cancellation arrangements can be made to avoid fruitless expenditure.
- (3) In the event that Councillors have not timeously applied for leave of absence as contemplated in (a) to (c) above and the non-attendance results in expenditure related to the attendance of workshops, congresses, meetings, functions, etc. not being recoverable, such expenditure will constitute fruitless expenditure in terms of the Local Government: Municipal Financial Management Act, 2003 (Act No. 56 of 2003) (MFMA) which holds serious implications and penalties;
- (4) Should Councillors contravene Items (1) and (2) above, the contravention will be -
  - (a) Addressed in terms of the Code of Conduct for Councillors [Schedule 1, Item 4, in the Local Government: Municipal Systems Act (Act 32 Of 2000)] as a contravention of the Code;
  - (b) Dealt with as a contravention of Section 32 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) and any non-recoverable costs recovered from the relevant Councillor.

#### **3.1 A blank Application for Leave of Absence form is enclosed**

Cllr. P.G. Smith

Cllr. C. Ntsomi

Cllr. B.V. Klein

#### **3.2 The Attendance Registers will be available at the meeting**

#### **Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)**

##### **9. Attendance at meetings**

- (1) Every Councillor attending a meeting of the Council must sign his or her name in the attendance register kept for such purpose.
- (2) A Councillor must attend each meeting except when –
  - (a) Leave of absence is granted in terms of Clause 10; or
  - (b) The Councillor is required to withdraw in terms of law.

### **4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS**

#### **Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)**

##### **20. Deputations**

- (1) A deputation seeking an interview with Council must give the Municipal Manager 6 (six) days written notice of its intention and furnish details of the representations to be made and the source of the deputation.
- (2) The Municipal Manager must submit a request by a Deputation for an interview with Council to the Speaker, who may decide to grant or refuse an interview and under what conditions.

None

### **5. CONFIRMATION OF MINUTES**

#### **Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)**

##### **12. Minutes**

- (1) Minutes of the proceedings of meetings must be compiled in printed form and be confirmed by the Council at the next meeting and signed by the Speaker.
- (2) The minutes shall be taken as read, for the purpose of confirmation, if a copy thereof was sent to each Councillor within forty eight hours before the next meeting, subject to the provisions of sub-Clause (4).
- (3) No motion or discussion shall be allowed on the minutes, except in connection with the correctness thereof.
- (4) The minutes formulated and screened during meetings, shall constitute a resolution for purposes of implementation of decisions.

**5.1 Special Council Meeting held on 30 January 2015 (copy enclosed)**

**RECOMMENDATION**

**That in respect of -**

**CONFIRMATION OF MINUTES**

**discussed by Council at the Council meeting held on 24 February 2015:**  
as the Minutes of the Special Council Meeting held on 30 January 2015 were sent to each councillor at least forty eight hours prior to the meeting, the minutes of the Special Council Meeting held on 30 January 2015 be taken as read and confirmed.

Proposed: Cllr. J.F. van Zyl

Seconded: Cllr. E. Van der Westhuizen

**RESOLVED**

**C6/2015**

**That in respect of -**

**CONFIRMATION OF MINUTES**

**discussed by Council at the Council meeting held on 24 February 2015:**  
as the Minutes of the Special Council Meeting held on 30 January 2015 were sent to each councillor at least forty eight hours prior to the meeting, the minutes of the Special Council Meeting held on 30 January 2015 be taken as read and confirmed.

**5.2 Council Meeting held on 9 February 2015 (copy enclosed)**

**RECOMMENDATION**

**That in respect of -**

**CONFIRMATION OF MINUTES**

**discussed by Council at the Council meeting held on 24 February 2015:**  
as the Minutes of the Council Meeting held on 9 February 2015 were sent to each councillor at least forty eight hours prior to the meeting, the minutes of the Council Meeting held on 9 February 2015 be taken as read and confirmed.

Proposed: Cllr. G. Stalmeester

Seconded: Cllr. J.A. Boshoff

**RESOLVED**

**C7/2015**

**That in respect of -**

**CONFIRMATION OF MINUTES**

**discussed by Council at the Council meeting held on 24 February 2015:**  
as the Minutes of the Council Meeting held on 9 February 2015 were sent to each councillor at least forty eight hours prior to the meeting, the minutes of the Council Meeting held on 9 February 2015 be taken as read and confirmed.

**6. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER**

There was a meeting with the whips – Demarcation Board **26 March 2015 at 10:00** – any Councillor or any person can attend this meeting.

The speaker requests a minute of silence.

Mr Esau explain that it is the meeting of the Demarcation Board and the meeting is held in the Town Hall. Any person with further enquiries can come to Mr Esau's office to obtain the forms that needs to be completed.

The Speaker welcomes the new IT Manager, Mrs Z Tyala and the Manager of Budget and Finance, Mr Makubu.

## **7. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR**

The Mayor thanks everybody for attending and thank Cllr Richard for congratulating her on her birthday. Mrs Nancy (department of social works) – thank them for catering for the disabled people – wishes everybody a blessed day – we must make a difference in people's life – thank you to those who fight for the communities – thank you for the administration and everybody helping her.

## **8. REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE EXECUTIVE MAYOR TOGETHER WITH THE MAYORAL COMMITTEE**

Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)

### **PART 3: MEETINGS**

#### **5. Order of business**

(1) The business of meetings of the Council will appear in the following order on the agenda

(h) Report by the Executive Mayor on decisions taken by the Executive Mayor, the Executive Mayor together with the Deputy Executive Mayor, and the Executive Mayor together with the Mayoral Committee;

**THIS REPORT IS FOR NOTIFICATION. QUESTIONS FLOWING FROM THE REPORT MUST BE SUBMITTED AS PER SECTION 32 OF THE RULES OF ORDER (PN 7118 OF 2013)**

**8.1 The Deputy Executive Mayor: Cllr. J.D. Levendal**

**8.2 MMC1: Cllr. W.M. Blom**

**8.3 MMC2: Cllr. A.E. Jordaan**

**8.4 MMC 3: Cllr. A.M. Du Toit**

**8.5 MMC 4: Cllr. S. Goedeman**

**8.6 MMC 5: Cllr. S.J. Mei**

**8.7 MMC 6: Cllr. E.Y. Sheldon**

**8.8 MMC 7: Cllr. W.R. Meiring**

**8.9 MMC 8: Cllr. J.F. Van Zyl**

## 9. MATTERS FOR CONSIDERATION

### Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)

#### PART 4: DECISIONS

##### 14. Unopposed matters

Whenever Council is called upon to consider a matter before it and there is no opposition from any Councillor, a unanimous vote must be recorded.

##### 15. Opposed matters

- (1) The Speaker must put every opposed matter to the vote by calling upon Councillors to indicate by a show of hands, unless otherwise prescribed by any law or the Council resolves otherwise, whether they are for that matter or against it, whereupon the Speaker must announce the result of the vote.
- (2) Upon the announcement of the result of a vote, a Councillor may demand that his or her vote be recorded against the decision concerned.
- (3) If there is an equality of votes on any matter, the Speaker must exercise a casting vote, as required by section 30(4) of the Structures Act.
- (4) A matter on the agenda is regarded as opposed business if a Councillor signifies the intention to discuss the matter immediately after the Speaker has intimated to the meeting that the matter is open for discussion. No matter is regarded as opposed by reason only of questions being asked in connection therewith.

#### PART 7: RULES OF DEBATE

##### 24. Councillor to address chair

A Councillor who speaks at a meeting of the Council must address the chair and may do so in any one of the 3 (three) official languages of the Province of the Western Cape.

##### 25. Order of priority

When a Councillor wishes to address the Council, he or she must first have the permission of the Speaker.

##### 26. Precedence of the Speaker

Whenever the Speaker addresses the meeting, all Councillors must be silent so that the Speaker may be heard without any interruption.

##### 27. Relevance

- (1) A Councillor who speaks must direct his speech strictly to the subject or matter under discussion or to an explanation or to a point of order.
- (2) No discussion shall be permitted -
  - (a) which will anticipate any matter on the agenda;
  - (b) on any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of enquiry is pending.

##### 28. Right to speak

- (1) A Councillor may only speak once -
  - (a) to the matter before the Council;
  - (b) to any motion before the Council;
  - (c) to any amendments to the matter before the Council;
  - (d) to a matter or an amendment proposed or to be proposed by himself or herself;
  - (e) to a point of order or a question of privilege;unless authorised by the Speaker or as provided for in terms of these Rules.
- (2) The mover of an original motion may, however, speak to the motion and reply, but in replying he shall strictly confine himself or herself to answering previous speakers and shall not introduce any new matter into the debate.
- (3) The right of reply shall not extend to the mover of an amendment which, having been carried has become the substantive motion.

##### 29. Length of speeches

- (1) Except with the consent of the Speaker no Councillor may speak for more than **3 (three) minutes** on any subject or matter.
- (2) The mover of an original motion or of any amendment may however speak for 10 (ten) minutes on such motion or amendment.

### 9.1 Items submitted by officials of Council

ANC Caucus            10:26  
Reconvene            11:02

## 9.1.1 2014/ 2015 FINAL BUDGET CORRECTION

**File No. 1/2/2/15**  
**Directorate: Financial Services**

**Responsible official: D McThomas**  
**Portfolio: Financial Planning**

### Purpose

The purpose of this submission is to present a correction in the 2014/2015 approved budget.

### Legal Framework

Section 28 (2) (f) of the Municipal Finance Management Act states that:

*“An adjustment budget may correct any errors in the adjustment budget”*

### Background

The 14/15 final budget was approved on 29 May 2014. Thereafter, Provincial Treasury advised the municipality of an error in the approved budget. It was advised that the municipality should table the corrected budget to council.

### Discussion

The summary of the correction is as follows:

	As is currently		Corrected	
	2011/12	2012/13	2011/12	2012/13
	Audited Outcome	Audited Outcome	Audited Outcome	Audited Outcome
Decrease (increase) other non-current receivables	150	229	(3 187)	7 252
Increase (decrease) in consumer deposits	(3 187)	7 252	150	229

### Financial implications

None

### Attachments

Amended A schedule – table A7 (Cash Flows)



**RECOMMENDATION**

**That in respect of the  
2014/2015 FINAL BUDGET CORRECTION  
discussed by Council at the Council meeting held on 24 February 2015:**

1. Council approves the correction.

Proposed: Cllr. P. Marran  
Seconded: Cllr. J.F. van Zyl

**RESOLVED**

**C8/2015**

**That in respect of the  
2014/2015 FINAL BUDGET CORRECTION  
discussed by Council at the Council meeting held on 24 February 2015:**

1. Council approves the correction.

## 9.1.2 2014/ 2015 MID- YEAR ADJUSTMENTS BUDGET

**File No. 2/2/2/15**  
**Directorate: Financial Services**

**Responsible official: D. McThomas**  
**Portfolio: Financial Planning**

### **Purpose**

The purpose of this submission is to present an adjustments budget for 2014/2015 financial year to:

- adjust revenue and expenditure projections after the half yearly performance;
- adjust capital expenditure programme; and
- provide for other expenditure not budgeted for

### **Legal Framework**

Section 28 of the Municipal Finance Management Act states that:

*(1) A municipality may revise an approved annual budget through an adjustments budget.*

*(2) An adjustments budget-*

- (a) must adjust the revenue and expenditure estimates downwards if there is material under-collection of revenue during the current year;*
- (b) may appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;*
- (c) may, within a prescribed framework, authorise unforeseeable and unavoidable expenditure recommended by the mayor of the municipality;*
- (d) may authorise the utilisation of projected savings in one vote towards spending under another vote;*
- (e) may authorise the spending of funds that were unspent at the end of the past financial year where the under-spending could not reasonably have been foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council;*
- (f) may correct any errors in the annual budget; and*
- (g) may provide for any other expenditure within a prescribed framework.*

Regulation 23 (3) of the Municipal Budget and Reporting Regulations states that:

*“An adjustment budget referred to in section 28(2)(b), (d) and (f) of the Act may be tabled in the Municipal council at any time after the mid-year budget and performance assessment has been tabled in the council, but not later than 28 February of the current year”*

Regulation 25 (2) of the Municipal Budget and Reporting Regulations states that:

*“A municipal council must consider the full implications, financial and otherwise, of the adjustments budget and supporting documentation referred to in regulation 21 before approving the adjustments budget”*

## Summary

### Revenue

Description	R e f	Budget Year 2014/15								
		Original Budget	Prior Adjusted	Accu- m. Fund s	Multi- - year capital	Unfo- re. Una- void.	Nat. or Prov. Govt	Other Adjust- s.	Total Adjusts.	Adjusted Budget
		3	4	5	6	7	8	9	10	
R thousands	1	A	A1	B	C	D	E	F	G	H
<b>Revenue By Source</b>										
Property rates	2	92 944	92 944	-	-	-	-	-	-	92 944
Property rates - penalties & collection charges		788	788	-	-	-	-	-	-	788
Service charges - electricity revenue	2	321 696	321 696	-	-	-	-	-	-	321 696
Service charges - water revenue	2	48 110	48 110	-	-	-	-	-	-	48 110
Service charges - sanitation revenue	2	51 980	51 980	-	-	-	-	-	-	51 980
Service charges - refuse revenue	2	29 755 (22 857)	29 755 (22 857)	-	-	-	-	-	-	29 755 (22 857)
Service charges - other Rental of facilities and equipment		13 116	13 116	-	-	-	-	400	400	13 516
Interest earned - external investments		7 200	7 200	-	-	-	-	-	-	7 200
Interest earned - outstanding debtors		2 522	2 522	-	-	-	-	-	-	2 522
Dividends received		-	-	-	-	-	-	-	-	-
Fines		16 313	16 313	-	-	-	-	36 329	36 329	52 642
Licences and permits		3 452	3 452	-	-	-	-	-	-	3 452
Agency services		5 300	5 300	-	-	-	-	-	-	5 300
Transfers recognised - operating		127 076	168 687	-	-	-	3 801	-	3 801	172 487
Other revenue	2	7 500	6 308	-	-	-	-	2 560	2 560	8 869
Gains on disposal of PPE		490	490	-	-	-	-	-	-	490
<b>Total Revenue (excluding capital transfers and contributions)</b>		<b>705 383</b>	<b>745 803</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3 801</b>	<b>39 290</b>	<b>43 091</b>	<b>788 893</b>

Summary of significant changes is as follows:

- Revenue from traffic fine was reduced by R2 000 000
- Miscellaneous income from streets was increased by R2 500 000
- Provision for bad debts: fines was increased by R38mil

## Expenditure

Description	Ref	Budget Year 2014/15								
		Original Budget	Prior Adjusted	Acc. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget
		3	4	5	6	7	8	9	10	
R thousands	1	A	A1	B	C	D	E	F	G	H
<b>Expenditure By Type</b>	-									
Employee related costs		234 581	235 670	-	-	-	-	(13 267)	(13 267)	222 403
Remuneration of councillors		14 522	14 522	-	-	-	-	15	15	14 537
Debt impairment		16 013	16 013	-	-	-	-	32 000	32 000	48 013
Depreciation & asset impairment		69 304	69 304	-	-	-	-	-	-	69 304
Finance charges		25 867	25 867	-	-	-	-	-	-	25 867
Bulk purchases		226 802	226 802	-	-	-	-	-	-	226 802
Other materials		60 498	60 723	-	-	-	-	(949)	(949)	59 774
Contracted services		7 167	7 167	-	-	-	-	(50)	(50)	7 117
Transfers and grants		200	200	-	-	-	-	-	-	200
Other expenditure		98 561	137 166	-	-	-	-	3 874	3 874	141 041
Loss on disposal of PPE		288	288	-	-	-	-	-	-	288
<b>Total Expenditure</b>		<b>753 804</b>	<b>793 723</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>21 624</b>	<b>21 624</b>	<b>815 347</b>

Summary of significant changes is as follows:

- Employee related costs was reduced by R 16 344 469
- Overtime and standby allowance increased by R3 259 675
- Moving of toilets reduced by R950 000
- Rental of speed cameras reduced by R1 100 000
- Professional services increased by R500 000

Overall summary is as follows (Financial Performance):

Description	Budget Year 2014/15								
	Original Budget	Prior Adjusted	Acc. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget
	1	2	3	4	5	6	7	8	
R thousands	A	A1	B	C	D	E	F	G	H
<b>Total Revenue (excl capital transfers)</b>	<b>705 383</b>	<b>745 803</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3 801</b>	<b>39 290</b>	<b>43 091</b>	<b>788 893</b>
<b>Total Expenditure</b>	<b>753 804</b>	<b>793 723</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>21 624</b>	<b>21 624</b>	<b>815 347</b>
<b>Surplus/(Deficit)</b>	<b>(48 420)</b>	<b>(47 920)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3 801</b>	<b>17 666</b>	<b>21 467</b>	<b>(26 453)</b>
Transfers-capital	50 377	50 522	-	-	-	6 587	-	6 587	57 109
<b>Surplus/(Deficit) for the period</b>	<b>1 956</b>	<b>2 601</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>10 388</b>	<b>17 666</b>	<b>28 054</b>	<b>30 655</b>

## Capital expenditure

Description	Ref	Budget Year 2014/15								
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget
R thousands		A	A1	B	C	D	E	F	G	
<b>Capital Expenditure - Standard</b>										
<b>Governance and administration</b>		<b>3 818</b>	<b>4 463</b>	-	-	-	<b>615</b>	<b>1 267</b>	<b>1 882</b>	<b>6 346</b>
Executive and council		186	331	-	-	-	-	15	15	346
Budget and treasury office		719	719	-	-	-	18	34	52	771
Corporate services		2 913	3 413	-	-	-	597	1 218	1 815	5 228
<b>Community and public safety</b>		<b>7 964</b>	<b>7 970</b>	-	-	-	<b>174</b>	<b>142</b>	<b>316</b>	<b>8 286</b>
Community and social services		4 812	4 812	-	-	-	174	4	178	4 990
Sport and recreation		2 822	2 822	-	-	-	-	101	101	2 923
Public safety		330	336	-	-	-	-	38	38	374
Housing		-	-	-	-	-	-	-	-	-
Health		-	-	-	-	-	-	-	-	-
<b>Economic and environmental services</b>		<b>25 163</b>	<b>25 163</b>	-	-	-	-	<b>(5)</b>	<b>(5)</b>	<b>25 158</b>
Planning and development		-	-	-	-	-	-	-	-	-
Road transport		25 163	25 163	-	-	-	-	(5)	(5)	25 158
Environmental protection		-	-	-	-	-	-	-	-	-
<b>Trading services</b>		<b>45 061</b>	<b>48 625</b>	-	-	-	<b>797</b>	<b>279</b>	<b>6 076</b>	<b>54 701</b>
Electricity		4 786	5 662	-	-	-	609	40	5 649	11 311
Water		29 473	30 627	-	-	-	-	(441)	(441)	30 186
Waste water management		9 152	10 686	-	-	-	-	500	500	11 186
Waste management		1 650	1 650	-	-	-	188	180	368	2 018
<b>Other</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Capital Expenditure - Standard</b>	3	<b>82 006</b>	<b>86 221</b>	-	-	-	<b>6 587</b>	<b>1 683</b>	<b>8 270</b>	<b>94 491</b>

The following significant additions were effected:

- Equipment: Generator – R51 000
- Electrification – R 5 609 016
- Intangible asset: leave and overtime system module - R197 402
- Intangible asset: SCM system module – R382 000
- Vehicles: Fire – R1 100 000
- Specialized vehicle for disabled people - R400 000
- Construction of mini-drop off facilities – R376 000

## Attachments

Adjustments Budget B - schedules (B1 – B10)

Adjustments Budget supporting schedules (SB1 – SB10)

Signed Quality Certificate

# BREEDÉ VALLEY

Municipality    Munisipaliteit    U Masipala wase



WORCESTER ▼ RAWSONVILLE ▼ DE DOORNS ▼ TOUWS RIVER

## ADJUSTMENTS BUDGET

Tabled in Council on 10 December 2014

### 1. Resolutions

That Council approves the adjustments budget in terms of regulation 23 (1) of the Municipal Budget and Reporting Regulations.

### 2. Adjustments Budget Tables

B1 Consolidated Adjustments Budget Summary

B2 Consolidated Adjustments Budget Financial Performance  
*By Standard Classification*

B3 Consolidated Adjustments Budget Financial Performance  
*By Municipal Vote*

B4 Consolidated Adjustments Budget Financial Performance  
(Revenue and Expenditure)

B5 Consolidated Adjustments Budget Capital Expenditure  
Vote and Funding

B6 Consolidated Adjustments Budget Financial Position

B7 Consolidated Adjustments Budget Cash Flows

B8 Consolidated Cash Backed Reserves/Accumulated Surplus  
Reconciliation

B9 Consolidated Asset Management

B10 Consolidated Basic Service Delivery Measurement

### **Comment of Directorates / Departments concerned**

#### **Municipal Manager**

Recommendation supported.

#### **Director: Strategic Support Services**

Recommendation supported.

#### **Director: Financial Services**

Recommendation Supported.

#### **Director: Technical Services**

Recommendation supported.

#### **Director: Community Services**

Recommendation supported.

### **RECOMMENDATION**

**That in respect of the**

**ADJUSTMENTS BUDGET FOR 2014/2015 – FEBRUARY 2015**

**discussed by Council at the Council Meeting held on 24 February 2015**

1. Council approves the 2014/2015 – February 2015 Adjustments Budget.

Proposed: Cllr. B.J. Kriegler

Seconded: Cllr. W.M. Blom

Counter proposal: Cllr. C.F. Wilskut

Seconded: Cllr. P. Marran

Dat die aansuiweringsbegroting soos ter tafel gelê geammendemeer word met R1m opwaarts om voorsiening te maak vir tydelike chemiese toilette en water vir plasing in informele areas soos Avian Park, Worcester West, Zwelethemba en enige ander areas.

Dat die administrasie geopdrag word om genoemde aanpassing met onmiddellike effek op te neem in die aansuiweringsbegroting.

Dat die R950 000 behoue gehou moet word in die begroting vir die toilette.

13 for the proposal of Cllr. C.F. Wilskut

21 for the proposal of Cllr. B.J. Kriegler

**RESOLVED**

**C9/2015**

**That in respect of the**

**ADJUSTMENTS BUDGET FOR 2014/2015 – FEBRUARY 2015**

**discussed by Council at the Council Meeting held on 24 February 2015**

1. Council approves the 2014/2015 – February 2015 Adjustments Budget.



### **9.1.3 AMENDMENTS TO 2014/2015 TOP – LEVEL SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN (SDBIP)**

**File No. /s: 3/15/1**

**Directorate: Strategic Support Services  
Management**

**Responsible Official: G Muller**

**Portfolio: Performance**

#### **Purpose**

To seek the approval of Council that the items listed in the annexure attached hereto (**annexure A**) can be amended.

#### **Background**

In terms of Section 26(2)(c) of the Municipal Budget & Reporting Regulation GN393 of 17 April 2009 Council must approve the amendment to the Top – Layer Service Delivery Implementation Plan (SDBIP) with the adjustment budget.

#### **Financial Implications**

None

#### **Applicable Legislation / Council Policy**

Local Government: Municipal Systems Act

Local Government: Municipal Finance Management Act

Relevant MFMA Circulars dealing with the Service Delivery Implementation Plan (SDBIP), Annual Reports and Oversight Reports.

#### **Comment of Directorates / Departments concerned**

##### **Municipal Manager**

Recommendation supported.

##### **Director Strategic Support Services**

Recommendation supported.

##### **Director: Financial Services**

Recommendation supported.

##### **Director Technical Services**

Recommendation supported.

##### **Director Community Services**

Recommendation supported.

**RECOMMENDATION**

**That in respect of the**

**AMENDMENTS TO 2014/2015 TOP – LEVEL SERVICE DELIVERY BUDGET  
IMPLEMENTATION PLAN (SDBIP)**

**as discussed by Council at the Council meeting held on 24 February 2015:**

1. Council accepts the amendments to the Top – Level Service Delivery Implementation Plan (SDBIP) as proposed in the annexed schedule.

Proposed: Cllr. T.M. Wehr

Seconded: Cllr. B.J. Kriegler

**RESOLVED**

**C10/2015**

**That in respect of the**

**AMENDMENTS TO 2014/2015 TOP – LEVEL SERVICE DELIVERY BUDGET  
IMPLEMENTATION PLAN (SDBIP)**

**as discussed by Council at the Council meeting held on 24 February 2015:**

1. Council accepts the amendments to the Top – Level Service Delivery Implementation Plan (SDBIP) as proposed in the annexed schedule, with the following correction:
  - On page 16, TL Ref TL45: SteynsKloof to be corrected to Stettynskloof.
  - On page 16, TL Ref TL36: End December under the KPI heading to be corrected to June.

Lunch 13:43

Reconvene 14:20

## 9.1.4 ENCROACHMENT BY-LAW

**File No./s: 8/2/B**  
**Directorate: SSS**

**Responsible Official: I. Roos**  
**Portfolio: SSS**

### **Purpose**

To obtain Council's approval for the promulgation of the Encroachment By-Law.

### **Background**

Council approved the draft Encroachment By-Law for public consultation at a Council meeting open to the public on 30 October 2014.

Section 12(3) of the Municipal Systems Act 32 of 2000 states that: "*No by-law may be passed by a municipal council unless –*

- (a) all the members of the council have been given reasonable notice; and*
- (b) the proposed by-law has been published for public comment in a manner that allows the public an opportunity to make representations with regards to the proposed by-law."*

In compliance with section 12(3)(b) *supra*, adverts were placed in the local newspaper (the Worcester Standard), widely circulated in the entire municipal area on 4 December 2014 to invite comments from the public on the draft By-Law. (See attached advertisement marked **annexure A1**). The closing date for such comments was 2 February 2015.

No public representations were received.

### **Financial Implications**

Advertising and Printing costs

### **Applicable Legislation / Council Policy**

Municipal Systems Act 32 of 2000 (Sections 11, 12 and 13)

Municipal Structures Act 117 of 1998

Section 156(1) (a) read with Part B of Schedule 5 to the Constitution of the Republic of South Africa, 1996.

### **Comment of Directorates / Departments concerned**

#### **Municipal Manager**

Recommendation supported.

#### **Director: Community Services**

Recommendation supported.

#### **Director: Financial Services**

Recommendation supported.

**Director: Technical Services**

Recommendation supported.

**Director: Strategic Support Services**

Recommendation supported.

**RECOMMENDATION**

**That in respect of the**

**ENCROACHMENT BY-LAW**

**discussed by Council at the Council meeting held on 24 February 2015:**

1. Council approve the attached Encroachment By-Law (**annexure 1**); and
2. The administration be mandated to publish the subject Encroachment By-Law in the Government Gazette.

Proposed: Cllr. J.F. van Zyl

Seconded: Cllr. W.R. Meiring

Cllr W.M. Blom proposed a motion in terms of Section 49(1) of the Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013) that the matter be now put to the vote. Seconded by Cllr. B.J. Kriegler.

ANC Caucus 15:05

Reconvene 15:17

Speaker and all Chief Whips Caucus 15:29

Reconvene 15:47

ANC Caucus 15:50

Reconvene 15:55

DA Caucus 15:59

Reconvene 16:11

**RESOLVED**

**C11/2015**

**That in respect of the**

**ENCROACHMENT BY-LAW**

**discussed by Council at the Council meeting held on 24 February 2015:**

1. Council approve the attached Encroachment By-Law (**annexure 1**) with the following amendments:
  - On page 98: Par 2(6): Council may request that the owner of an encroachment must within 90 days after the date of so being requested thereto, notify the Council of –

Sub paragraph (a) and (b) remains unchanged;

2. The administration be mandated to publish the subject Encroachment By-Law in the Government Gazette.

## 9.1.5 SPECIAL RATING AREAS BY-LAW

**File No./s: 8/2/B**  
**Directorate: SSS**

**Responsible Official: I. Roos**  
**Portfolio: SSS**

### **Purpose**

To obtain Council's approval for the promulgation of the Special Rating Areas By-Law.

### **Background**

Council approved the draft Special Rating Areas By-Law for public consultation at a Council meeting open to the public on 30 October 2014.

Section 12(3) of the Municipal Systems Act 32 of 2000 states that: "*No by-law may be passed by a municipal council unless –*

*(c) all the members of the council have been given reasonable notice; and*

*(d) the proposed by-law has been published for public comment in a manner that allows the public an opportunity to make representations with regards to the proposed by-law."*

In compliance with section 12(3)(b) *supra*, adverts were placed in the local newspaper (the Worcester Standard), widely circulated in the entire municipal area on 4 December 2014 to invite comments from the public on the draft By-Law. (See attached advertisement marked **annexure A1**). The closing date for such comments was 2 February 2015.

No public representations were received.

### **Financial Implications**

Advertising and Printing costs

### **Applicable Legislation / Council Policy**

Municipal Systems Act 32 of 2000 (Sections 11, 12 and 13)

Municipal Structures Act 117 of 1998

Section 156(1) (a) read with Part B of Schedule 5 to the Constitution of the Republic of South Africa, 1996.

### **Comment of Directorates / Departments concerned**

#### **Municipal Manager**

Recommendation supported.

#### **Director: Community Services**

Recommendation supported.

#### **Director: Financial Services**

Recommendation supported.

**Director: Technical Services**

Recommendation supported.

**Director: Strategic Support Services**

Recommendation supported.

**RECOMMENDATION**

**That in respect of the  
SPECIAL RATING AREAS BY-LAW  
discussed by Council at the Council meeting held on 24 February 2015:**

1. Council approve the attached Special Rating Areas By-Law (**annexure 1**); and
2. The administration be mandated to publish the subject Special Rating Areas By-Law in the Government Gazette.

Cllr. J.F. van Zyl proposed that this meeting be adjourned at this stage and that this item as well as item 9.1.6 and 9.1.7 be dealt with at a continuation meeting of which the details will be communicated to Councillors. Seconded by Cllr. P. Marran

The meeting adjourned at 17:05

**CONTINUATION MEETING HELD ON 3 MARCH 2015 IN THE COUNCIL CHAMBER,  
CAPE WINELANDS DISTRICT MUNICIPALITY, 51 TRAPPES STREET, WORCESTER**

10:03: Speaker welcomes everybody and asks Cllr. G.F. Jaftha to open with prayer.

Proposed: Cllr. J.F. van Zyl

Seconded: Cllr. A.M. du Toit

**RESOLVED**

**C12/2015**

**That in respect of the  
SPECIAL RATING AREAS BY-LAW  
discussed by Council at the Council meeting held on 3 March 2015:**

1. Council approve the attached Special Rating Areas By-Law (**annexure 1**) with the following amendments:
  - Par 14.3 to be deleted
  - Implementation plan to be substituted by business plan
  - CFO to be substituted by Accounting Officerand
2. The administration be mandated to publish the subject Special Rating Areas By-Law in the Government Gazette.

## 9.1.6 APPROVAL OF VARIOUS POLICIES

**File No./s: 8/2/B**  
**Directorate: SSS**

**Responsible Official: I. Roos**  
**Portfolio: SSS**

### **Purpose**

To obtain Council's approval of the following Policies:

1. Public Participation Policy (**annexure 1**)
2. Housing Administration Policy (**annexure 2**)
3. Land Management and Disposal Policy (**annexure 3**)
4. Special Rating Areas Policy (**annexure 4**)

### **Background**

Council approved the abovementioned Policies for public consultation at a Council meeting open to the public on 30 October 2014.

In terms of Section 16(1) of the Municipal Systems Act, a municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance, and must for this purpose-

- (a) encourage, and create conditions for the local community to participate in the affairs of the municipality, including in –
  - (v) strategic decisions relating to the provision of municipal services in terms of Chapter 8.

In compliance with Section 16(1)(a)(v) *supra*, adverts were placed in the local newspaper (the Worcester Standard), widely circulated in the entire municipal area on 4 December 2014 to invite comments from the public on the Policies. (See attached advertisement marked **annexure A1**). The closing date for such comments was 2 February 2015.

No public representations were received.

### **Financial Implications**

Advertising and Printing costs

### **Applicable Legislation / Council Policy**

Municipal Systems Act 32 of 2000

### **Comment of Directorates / Departments concerned**

#### **Municipal Manager**

Recommendation supported.

#### **Director: Community Services**

Recommendation supported.



**Director: Financial Services**  
Recommendation supported.

**Director: Technical Services**  
Recommendation supported.

**Director: Strategic Support Services**  
Recommendation supported.

**RECOMMENDATION**

**That in respect of the  
APPROVAL OF THE PUBLIC PARTICIPATION-, SPECIAL RATING AREAS-, HOUSING  
ADMINISTRATION- AND LAND MANAGEMENT AND DISPOSAL POLICY  
discussed by Council at the Council meeting held on 24 February 2015:**

Council approve the following Policies:

1. Public Participation Policy (annexure 1)
2. Housing Administration Policy (annexure 2)
3. Land Management and Disposal Policy (annexure 3)
4. Special Rating Areas Policy (annexure 4)

**RESOLVED**

**C13/2015**

**That in respect of the  
APPROVAL OF THE PUBLIC PARTICIPATION-, SPECIAL RATING AREAS-, HOUSING  
ADMINISTRATION- AND LAND MANAGEMENT AND DISPOSAL POLICY  
discussed by Council at the Council meeting held on 3 March 2015:**

Council approve the following Policies:

1. Public Participation Policy (annexure 1)

Proposed: Cllr. J.F. van Zyl

C13A/2015

Seconded: Cllr. G. Stalmeester

2. Housing Administration Policy (annexure 2) with the following amendment:
  - Par 5.2.4(c): "(including person living on farms)" to be deleted.

Proposed: Cllr. J.F. van Zyl

C13B/2015

Seconded: Cllr. E.Y. Sheldon

3. Land Management and Disposal Policy (annexure 3) with the following amendments:
  - The sequence to be corrected from Par 4.4.15 (after 4.4.20) on page 11 to Par 4.4.32 on page 13.
  - Par 4.4.9.1.5 the following sentence to be added ".....in cases where it amounts to a departure from the MFMA or applicable Regulations".

Proposed: Cllr. J.F. van Zyl  
Seconded: Cllr. S.J. Mei

C13C/2015

Counter proposal: Cllr. P Marran  
Seconded: Cllr. P January

Dat die item oorstaan tot die volgende Raadsvergadering.

21 for the proposal of Cllr. J.F. van Zyl  
12 for the proposal of Cllr. P. Marran

4. Special Rating Areas Policy (annexure 4) with the following amendments:
- CFO to be replaced with Accounting Officer
  - Stellenbosch to be replaced with Breede Valley Municipality
  - Implementation plan to be replaced with business plan

Proposed: Cllr. J.F. van Zyl  
Seconded: Cllr. E.S.C. Matjan

C13D/2015

## 9.1.7 PROPOSED SALE OF LAND AND SUBDIVISION OF PORTION OF ERF 12468 ZWELETHEMBA

File no.: 10/3/R  
Directorate: SSS

Responsible Official: P.R. Esau  
Portfolio: SSS

### Purpose

To gain Council's approval for the sale and subdivision of municipal land portion of erf 12468 Zwelethemba to a private developer for commercial purposes.

### Background

The portion of erf is situated in Mtwazi Road with an extent with 6893m<sup>2</sup> currently zoned as Business 1. The surrounding land use includes Shoprite U-Save, Informal Traders, church, crèche, residential units as well as municipal buildings namely the Zwelethemba community hall, Department of Fire and Rescue Services and Zwelethemba Library. Taking into account that the erf is well located, it is proposed that the erf be sold and made available to address the need of the community, expand and create employment as well as commercial activities in Zwelethemba. The property lends itself to the development of a commercial node for Zwelethemba. There is interest from the private sector to develop the erf. Currently the undeveloped part of the property is scattered with litter.

### Locality:



### Financial implications

Council will gain income from the sale of the properties as well as income through rates and taxes.

## **Applicable legislation / Council Policy**

### MFMA chapter 3 section 14: Disposal of capital assets

- (1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.
- (2) 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-
  - (b) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and
  - (c) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.
- (3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reserved by the municipality after that asset has been sold, transferred or otherwise disposed of.
- (4) A municipal council may delegate to the accounting officer of the municipality its power to make determinations referred to in subsection (2) and (b) in respect of moveable capital assets below a value determined by a council.
- (5) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111.
- (6) This section does not apply to the transfer of a capital asset to another municipality or to a municipal entity or to a national or provincial organ of state in circumstances and in respect of categories of assets approved by the National Treasury, provided that such transfers are in accordance with a prescribed framework.

### Supply Chain Management

#### MUNICIPAL SUPPLY CHAIN MANAGEMENT POLICY: Disposal management

40. (1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets, subject to sections 14 and 90 of the Act are as follows:

- Assets may be disposed of by –
- (i) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;
  - (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;
  - (iii) selling the asset; or
  - (iv) destroying the asset.

The accounting officer must ensure that –  
immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;

- (b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
- (c) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
- (d) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;
- (e) All fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are annually reviewed;
- (f) Where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
- (g) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.

### **Comments of Directorates / Departments concerned**

#### **Municipal Manager**

Support recommendation.

#### **Director: Technical Services**

Electrical Engineering: Has no objection to the application subject to the recommendation as stated in the memorandum dated 7 July 2014.

Civil Engineering: Has objection to the application as stated in the memorandum dated 11 November 2013.

Town Planning: Has no objection to the application subject to the recommendation as stated in the memorandum dated 23 September 2013

#### **Director: Financial Services**

Recommendation supported.

#### **Director: Community Services**

Support recommendation.

Fire Safety & Risk Management Services: Has no objection to the application subject to the recommendation as stated in the memorandum dated 23 October 2013.

#### **Director: Strategic Support Services**

Co-author of the item.

Administrative Officer: The application has been processed and is herewith submitted to Council for consideration for approval subject to Section 14 (2) (a) and (b) of the Municipal Finance Management Act, Act 56 of 2003. A Valuation report has been requested from the Valuer to determine the market value and is herewith attached as **Annexure 1**. See attached comments from internal departments as **Annexure 2**. As mentioned previously, the size of the erf is 6893 m<sup>2</sup> and is situated in a well-established neighbored. It is

proposed that the erf remain zoned for Business Zone 1 and can only be used for commercial purposes.

Acting Senior Manager: Legal Services

The decision to dispose of a portion of erf 12468 can only be done after council has made the decision that said asset is not necessary for the provision of municipal services. In this instance council had received an application for the transfer of said erf. The suggested legal route to accommodate the sale of the subject asset will thus have to be done in terms of a "fair, equitable, transparent, competitive" process in line with the supply chain management policy. This can be done by way of public auction, competitive bidding process, etc. The application should be processed in line with the relevant legislation which is Section 14 of the MFMA.

**RECOMMENDATION**

**That in respect of the  
PROPOSED SALE OF LAND AND SUBDIVISION OF PORTION OF ERF 12468  
ZWELETHEMBA  
as discussed by Council at the Council meeting held on 24 February 2015:**

**That Council in principle supports the alienation of the mentioned Erf subject to the following conditions:**

- (a) that Council notes that said capital asset is not needed for basic municipal services;
- (b) the application be processed subject to Section 14 (2)(a) and (b) of the Municipal Finance Management Act, Act 56 of 2003;
- (c) all processes pertaining to the sale of portion of Erf 12468 be delegated to the Directorate: Strategic Support Services and that the provisions of the MFMA be followed;
- (d) the successful applicant be responsible for all costs pertaining planning applications, land surveyor fees, subdivision, rezoning, service and infrastructure installations as well as all other costs pertaining to the development of the Erf;
- (e) as part of the disposal process, applicants must submit proposals for incorporating and accommodating informal trade along Mtwazi Street between Kolo Street and Matsila Avenue; and
- (f) the administration be mandated to make public the intention to dispose and invite local community and other interested persons to submit to the parent municipality comments and representations in respect of the proposed disposal.

ANC Caucus 12:11  
Reconvene 12:23

Cllr W.M. Blom proposed a motion in terms of Section 49(1) of the Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013) that the matter be now put to the vote. Seconded by Cllr. W.R. Meiring.

Proposed: Cllr. J.F. van Zyl  
Seconded: Cllr. W.R. Meiring

Counter proposal by Cllr. C.F. Wilskut  
Seconded: Cllr. ??????????

Dat die item soos voor die Raad gedien verwarrende inligting vervat en dat dit ook te kort inligting bevat in terme van die Applikant se aansoek wat nie in die item vervat is nie en dat die rekommendasie soos uiteengesit op bladsy 206 nie aanvaar word nie.

Dat daar met die wyksraadslid gekonsulteer sal word en dat daar 'n publieke deelname in Zwelethemba gehou sal word en dat die ontwikkelingsvoorstelle aan die inwoners voorgestel word en die aansoek om die grond te verkoop aan die publiek voorgehou word voordat die Raad hierdie item goedkeur.

Genoemde proses is nie deursigtig of deelnemend nie.

12 for the counter proposal of Cllr. C.F. Wilskut  
21 for the proposal of Cllr. J.F. van Zyl

**RESOLVED**

**C14/2015**

**That in respect of the  
PROPOSED SALE OF LAND AND SUBDIVISION OF PORTION OF ERF 12468  
ZWELETHEMBA  
as discussed by Council at the Council meeting held on 3 March 2015:**

**That Council in principle supports the alienation of the mentioned Erf subject to the following conditions:**

- (a) that Council notes that said capital asset is not needed for basic municipal services;
- (b) the application be processed subject to Section 14 (2)(a) and (b) of the Municipal Finance Management Act, Act 56 of 2003;
- (c) all processes pertaining to the sale of portion of Erf 12468 be delegated to the Directorate: Strategic Support Services and that the provisions of the MFMA be followed;
- (d) the successful applicant be responsible for all costs pertaining planning applications, land surveyor fees, subdivision, rezoning, service and infrastructure installations as well as all other costs pertaining to the development of the Erf;
- (e) as part of the disposal process, applicants must submit proposals for incorporating and accommodating informal trade along Mtwazi Street between Kolo Street and Matsila Avenue; and
- (g) the administration be mandated to make public the intention to dispose and invite local community and other interested persons to submit to the parent municipality comments and representations in respect of the proposed disposal.

## **9.2 Urgent matters submitted by the Municipal Manager**

None

## **9.3 Matters for notification**

None

## **9.4 Consideration of notices of motion**

### **Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)**

#### **31. Notice of motion**

- (1) The Speaker may not accept any motion except a motion of exigency or a motion of course unless notice thereof has been given in terms of sub-Clause (2).
- (2) Every notice of intention to introduce a motion shall be in writing, signed and dated by the Councillor submitting same and shall motivate the motion.
- (3) A notice of intention to introduce a motion as contemplated in sub-Clause (2), shall be delivered to the Municipal Manager at least 6 (six) working days before the date of the meeting at which it is intended to be introduced.

None

## **9.5 Consideration of notices of questions**

### **Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)**

#### **32. Notice of question**

- (1) Subject to Clause 38, the Speaker may not accept any question unless notice thereof has been given in terms of sub-Clause (2).
- (2) Every notice of intention to ask a question shall be in writing, signed and dated by the Councillor submitting same and shall motivate the question.
- (3) A notice of intention to ask a question shall be delivered to the Municipal Manager at least 6 (six) working days before the date of the meeting at which it are intended to be asked.
- (4) Notices of questions must be referred by the Municipal Manager to the Speaker within 4 (four) working days before a Council meeting.
- (5) The Speaker must forthwith submit the question to the Executive Mayor.
- (6) The Executive Mayor or a Councillor of the Mayoral Committee nominated by the Executive Mayor may answer the question as follows:
  - (a) the question may be answered verbally at the next Council meeting; or
  - (b) if information is needed from the administration for the purpose of answering the question, or if more time is needed to prepare the answer, the Executive Mayor or Councillor answering the question must advise Council at the Council meeting where the question is asked that the question will be answered in writing at the next Council meeting.

None

## **9.6 Considerations of motions of exigency**

### **Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)**

#### **37. Motion of exigency**

- (1) A Councillor may direct the attention of the Council to any matter which does not appear on the agenda and of which no previous notice has been given, by stating briefly the subject of the matter and without comment thereon, moving that the motion to which attention has been directed be considered forthwith as a matter of exigency.
- (2) Such motion is herein referred to as a motion of exigency.
- (3) If such motion is seconded and carried by a majority of the Councillors present, the mover shall be permitted without notice to bring the matter under consideration by way of a motion or question.

None

## **10. CLOSURE**

Meeting adjourned at 12:54



**NOTICE IS HEREBY GIVEN** that a **COUNCIL MEETING**  
of the Breede Valley Municipality will be held on  
**TUESDAY, 24 FEBRUARY 2015** at **10:00** in the  
**COUNCIL CHAMBERS, CAPE WINELANDS DISTRICT COUNCIL,**  
**TRAPPE STREET 51, WORCESTER**

Members of the media and the public wishing to attend the meeting must please contact **Mr. J.R. Botha (Public Relations Officer) at 023 348 2807** during office hours to book one of the **16 seats available to the public** on a first come first served basis. The list will be closed at **16:30** the previous working day before the meeting and will be handed to Security officials the morning of the meeting. Only persons whose names appear on the list will be allowed to attend the meeting and they must be seated at least five minutes before the scheduled start of the meeting. Once the meeting has started, no member of the public will be allowed into the meeting. If a member of the public leaves the meeting venue during the course of the meeting, he / she will not be allowed to return to the meeting.

**KENNIS GESKIED HIERMEE** dat 'n **RAADSVERGADERING**  
van die Breede Vallei Munisipaliteit op  
**DINSDAG, 24 FEBRUARIE 2015** om **10:00**  
gehou sal word in die  
**RAADSAAL, KAAPSE WYNLAND DISTRIKMUNISIPALITEIT,**  
**TRAPPESSTRAAT 51, WORCESTER**

Lede van die media en die publiek wat graag die vergadering wil bywoon moet asseblief **Mnr. J.R. Botha (Skakelbeampte) by 023 348 2807** gedurende kantoorure kontak om een van die **16 sitplekke wat vir die publiek beskikbaar is** op 'n "first come first served basis" te bespreek. Die lys sal om **16:30** die werksdag voor die vergadering sluit en sal aan Sekuriteitbeamptes die oggend van die vergadering gegee word. Alleenlik persone wie se name op die lys verskyn sal toegelaat word om die vergadering by te woon en hulle moet 'n sitplek inneem minstens vyf minute voor die geskeduleerde tyd van die vergadering. Niemand sal tot die vergadering toegelaat word wanneer dit reeds begin het nie. Indien 'n lid van die publiek die vergaderplek gedurende die duur van die vergadering verlaat sal hy / sy nie weer tot die vergadering toegelaat word nie.



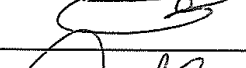
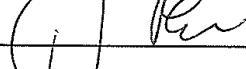
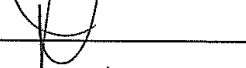
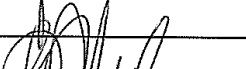

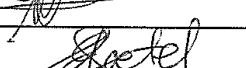

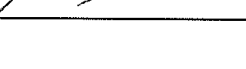
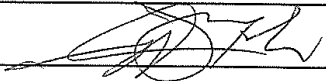
**G.F. MATTHYSE**  
**MUNICIPAL MANAGER / MUNISIPALE BESTUURDER**

**13 FEBRUARY 2015**

**BREEDE VALLEY MUNICIPALITY. ATTENDANCE REGISTER; OFFICIALS**  
**COUNCIL MEETING**

DATE: 24 FEBRUARY 2015- TIME: 10:00

VENUE: CWDM, TRAPPE STREET, Worcester


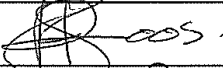
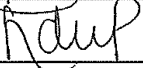


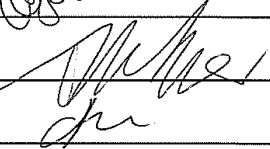
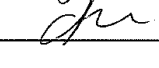
POSITION	OFFICIAL	SIGNATURE
Municipal Manager	G.F. Matthyse	
Director: Financial Services	D. McThomas	
Director: Community Services	J. Marthinus	
Director: Strategic Support Services	P.R. Esau	
Director: Technical Services	E. Delpont	
Deputy Director: Financial Services	J.M. Boonzaaier	
Manager: I.D.P./PMS	G. Muller	
Chief Internal Auditor	W.F. Du Plessis	
Chief Risk Officer	E. Cloete	
Public Relations Officer	J.R. Botha	
Area Manager: De Doorns		
Area Manager: Touws River	N.B. Fourie	
Snr. Clerk / Cashier: Rawsonville	R.K. Baadjies	
Chief: Fire and Emergency Services		
Chief: Traffic Services	S. Swartz	
Chief Librarian	C. Gerber	
Manager: Administration	A. Joseph	
Manager: Housing Development & Projects	G.S. Mayeki	

**BREED VALLEY MUNICIPALITY. ATTENDANCE REGISTER; OFFICIALS**

**COUNCIL MEETING**

DATE: 24 FEBRUARY 2015- TIME: 10:00

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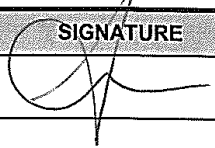
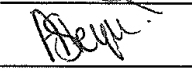
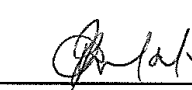


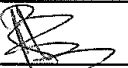

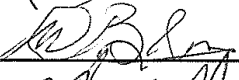
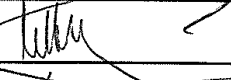

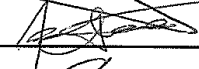




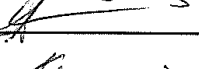

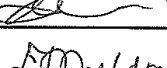
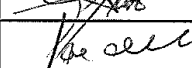
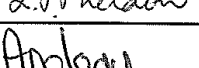

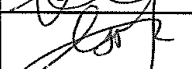
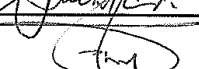
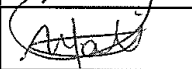



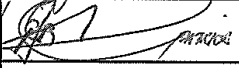



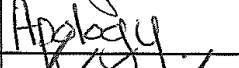
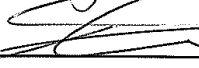


POSITION	OFFICIAL	SIGNATURE
Manager: Human Resources	M. Nell	
Manager: ICT	Z. Tyala	
Senior Manager: Legal Services		
Admin. Officer: Committees	I. Roos	
Officer: Committees	L.H. Du Plessis	
Admin. Officer		
Manager: Financial Planning	H.B. Volscenk	
Manager: Revenue	R.T. Ontong	
Town Electrical Engineer - Head: Electrical Services		
Manager: Civil Engineering Services	J.A. Steyn	
Manager: Civil Works		
Manager: Planning Development & Building Control	P.S.J. Hartzenberg	
Town Planner: Planning Development & Building Control	C.S. Pieters	
Engineering Technician	J.A. Beukes	
Arts Culture & Heritage Officer		
P.A. To Cllr. W.M. Blom		
Manager: Administration & Strategic Planning	N.P. Mercur	
PM MM	C. Smit	

**BREED VALLEY MUNICIPALITY. ATTENDANCE REGISTER; COUNCILLORS.**

**COUNCIL MEETING**

DATE: 24 FEBRUARY 2015 - TIME: 10:00

VENUE: CWDM, TRAPPE STREET, Worcester

COUNCILLOR	SIGNATURE	COUNCILLOR	SIGNATURE
The Speaker: Sampson, M		Lakey, S.	
The Executive Mayor: Steyn, A		Lubisi, M.N.	
The Deputy Executive Mayor: Levendal, J.D.		Marran, P.	
Apollis, V.K.M.		Matjan, E.S.C.	
Blom, R.		Mei, S.J.	
Blom, W.M.		Meiring, W.R.	
Boshoff, J.A.		Mfutwana, S.B.	
Bushwana, M.N.		Ntshingila, B.W.	
Du Toit, A.M.		Ntsomi, C.	Apology
Dyabooi, L.		Richards, L.	
Dyonta, T.C.		Schneider, J.	
Farao, R. (Chief Whip)		Sheldon, E.Y.	
Goedeman, S.		Smith, P.G.	Apology
Ismail, C.		Stalmeester, G.	
Jaffha, G.F.		Steto, N.V.	
Jali, N.		Tyira, P.	
James, S.E.		Van Der Westhuizen, E.	
Januarie, P.B.		Van Zyl, J.F.	
Jordaan, A.E.		Wehr, T.M.	
Klein, B.V.	Apology	Wilskut, C.F.	
Kriegler, B.J.			

**ATTENDANCE REGISTER.**

DELEGATIONS; PRESENTATIONS; REPRESENTATIVES; MEMBERS OF THE PUBLIC; ETC.



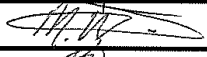


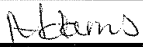
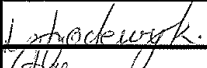
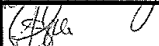

COUNCIL MEETING

VENUE CDWM, TRAPPE STREET, Worcester

DATE: 24 FEBRUARY 2015

TIME 10:00

COMPLETE IN CAPITAL LETTERS PLEASE

NAME	ORGANISATION	CONTACT NUMBER	SIGNATURE
	Worcester Standard	023 347 0968	
Pieter Stevens	Public	0765831946	
Vernon le Roux	Public	0765831946	
Africa	Public	0765831946	
Elliot Fonk	Public	0726002989	
Osborne Weliso	Public	0784627906	
<del>Michael Adams</del>	<del>KASTAFARI/AFED</del>	<del>0725121992</del>	
Michael Fokel			
Mabel Adams			
Lia Lodewyk	Public	0849239215	
Dorothia		0728662312	
Lizel Noble	Noble 1	0787094992	



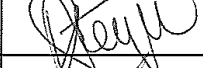




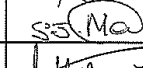

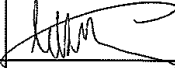
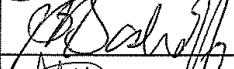


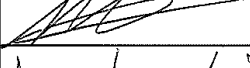
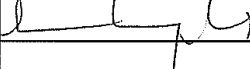
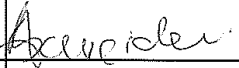

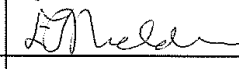
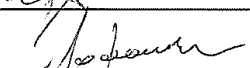
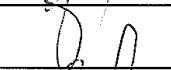
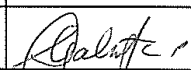
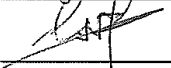



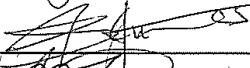

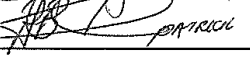



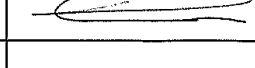



**BREED VALLEY MUNICIPALITY. ATTENDANCE REGISTER; COUNCILLORS.**

CONTINUATION OF COUNCIL MEETING

DATE: 3 MARCH 2015 - TIME: 10:00

VENUE: CWDM, TRAPPE STREET, Worcester



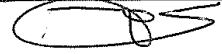
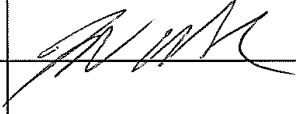

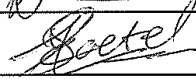

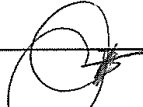
COUNCILLOR	SIGNATURE	COUNCILLOR	SIGNATURE
The Speaker: Sampson, M		Lakey, S.	
The Executive Mayor: Steyn, A		Lubisi, M.N.	
The Deputy Executive Mayor: Levendal, J.D.		Marran, P. *	
Apollis, V.K.M.	V. Apollis	Matjan, E.S.C.	
Blom, R.		Mei, S.J.	
Blom, W.M.		Meiring, W.R.	
Boshoff, J.A.		Mfutwana, S.B.	
Bushwana, M.N.		Ntshingila, B.W.	
Du Toit, A.M.		Ntsomi, C.	
Dyabooi, L.		Richards, L.	
Dyonta, T.C.		Schneider, J.	
Farao, R. (Chief Whip)		Sheldon, E.Y.	
Goedeman, S.		Smith, P.G.	
Ismail, C.		Stalmeester, G.	
Jaffha, G.F.		Steto, N.V.	
Jali, N.		Tyira, P.	
James, S.E.		Van Der Westhuizen, E.	
Januarie, P.B.		Van Zyl, J.F.	
Jordaan, A.E.		Wehr, T.M.	
Klein, B.V.	B.V. Klein	Wilskut, C.F.	
Kriegler, B.J.			

**BREED VALLEY MUNICIPALITY. ATTENDANCE REGISTER; OFFICIALS**

**CONTINUATION OF COUNCIL MEETING**

DATE: 3 MARCH 2015- TIME: 10:00

VENUE: CWDM, TRAPPE STREET, Worcester

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Municipal Manager	G.F. Matthyse	
Director: Financial Services	D. McThomas	
Director: Community Services	J. Marthinus	
Director: Strategic Support Services	P.R. Esau	
Director: Technical Services	E. Delport	
Deputy Director: Financial Services	J.M. Boonzaaier	
Manager: I.D.P./PMS	G. Muller	
Chief Internal Auditor	W.F. Du Plessis	
Chief Risk Officer	E. Cloete	
Public Relations Officer	J.R. Botha	
Area Manager: De Doorns		
Area Manager: Touws River	N.B. Fourie	
Snr. Clerk / Cashier: Rawsonville	R.K. Baadjies	
Chief: Fire and Emergency Services		
Chief: Traffic Services	S. Swartz	
Chief Librarian	C. Gerber	
Manager: Administration	A. Joseph	
Manager: Housing Development & Projects	G.S. Mayeki	


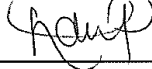

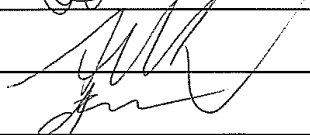


**BREEDE VALLEY MUNICIPALITY. ATTENDANCE REGISTER; OFFICIALS**

**CONTINUATION OF COUNCIL MEETING**

DATE: 3 MARCH 2015- TIME: 10:00

VENUE: CWDM, TRAPPE STREET, Worcester

POSITION	OFFICIAL	SIGNATURE
Manager: Human Resources	M. Nell	
Manager: ICT		
Senior Manager: Legal Services		
Admin. Officer: Committees	I. Roos	
Officer: Committees	L.H. Du Plessis	
Admin. Officer		
Manager: Financial Planning	H.B. Volscenk	
Manager: Revenue	R.T. Ontong	
Town Electrical Engineer - Head: Electrical Services		
Manager: Civil Engineering Services	J.A. Steyn	
Manager: Civil Works		
Manager: Planning Development & Building Control	P.S.J. Hartzenberg	
Town Planner: Planning Development & Building Control	C.S. Pieters	
Engineering Technician	J.A. Beukes	
Arts Culture & Heritage Officer		
P.A. To Cllr. W.M. Biom		
Manager: Administration & Strategic Planning	N.P. Mercur	
<i>PM MM</i>	<i>C.F. Smaal</i>	