



Ref no.2/1/4/4/2

Date distributed:

MINUTES

11TH COUNCIL MEETING OF THE BREEDE VALLEY MUNICIPALITY

2017-10-23 AT 10:00

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1. OPENING AND WELCOME

In terms of the Rules of Order for Internal Arrangement By-Law 2012 the chairperson 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.

The Speaker opened the meeting at 10:00 and welcomed everyone present. The Speaker requested that a moment of silence be reserved for prayer and meditation.

2. OFFICIAL NOTICES**2.1 DISCLOSURE OF INTERESTS**

Item 5 of the Code of Conduct for councillors' states:

A councillor must –

- (a) disclose to the council, or any committee of which that councillor is a member, any direct or indirect personal or private business interest that that councillor or any spouse, partner or business associate of that councillor may have in any matter before the council or the committee; and
- (b) withdraw from the proceedings of the council or committee when that matter is considered by the council or committee, unless the council or committee decides that the councillors' direct or indirect interest in the matter is trivial or irrelevant.

2.2 APPLICATIONS FOR LEAVE OF ABSENCE

In terms of the Rules of Order for Internal Arrangement By-Law 2012;

- 2.2.1 Every Councillor attending a meeting of the Council must sign his or her name in the attendance register kept for such purpose.
- 2.2.2 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.
- 2.2.3 The Attendance Registers will be available at the meeting.
- 2.2.4 A blank Application for Leave of Absence form is enclosed.

The Speaker received Applications for Leave from Cllr A. Pietersen, C. Ismail and N. Wullschleger. The Speaker took note of Cllr P. Marran's request to be excused at 11:30.

3. COMMUNICATION**3.1 INTERVIEWS OR PRESENTATIONS BY DEPUTATIONS**

In terms of the Rules of Order for Internal Arrangement By-Law 2012;

*"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. 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”

3.2 BIRTHDAYS OF COUNCILLORS

Cllr M. Sampson	30 August 2017
Cllr C.F. Wilskut	6 September 2017
Cllr N. Wullschleger	21 September 2017
Cllr T. Maridi	1 October 2017
Cllr R. Farao	5 October 2017
Cllr C. Ismail	10 October 2017
Cllr N. Nel	25 October 2017
Cllr P. Ramokhabi	31 October 2017
Cllr S. Goedeman	8 November 2017
Cllr W. R. Meiring	21 November 2017

The Speaker requested Cllr G. Stalmeester to congratulate the Councillors on their respective birthdays.

The Speaker amended the Agenda and ruled that Item 3.3 will be dealt with after Item 1.

3.3 LONG SERVICE AWARDS TO EMPLOYEES

The following employees will be awarded with Long Service Awards:

Number	Name And Surname	Post Title as at the date of the Long Service Award	Long Service Years
1	Augustine Haai	Senior Clerk/ Cashier	10
2	Jacinte Solomons	Cashier	10
3	Moreen Matthys	Library Assistant	10
4	Janene Snyders	Library Assistant	10
5	Eugene Smith	Supervisor Bulk Sewer	10
6	Arnorld Godfrey Leenderts	General Assistant	10
7	Victor Mohammed	General Assistant	10
8	Isak Dieminie	General Assistant	10
9	Nicolaas Dourie	Meter Reader	10
10	Greg Gordon	General Assistant	10

11	Ricardo Jones	Fire Fighter	10
12	Katiso Simon Moroeroe	General Assistant	10
13	Regard Mark Otto	Process Controller	10
14	Selina Sothiya	Patrol Officer	10
15	Daniel Jacobus Swanepoel	General Assistant	10
16	Willem Triskey	General Assistant	10
17	Erica Verwey	Library Attendant	15
18	Ruweyda Joseph	Receptionist	15
19	Charlton Schroeder	Fire Fighter	15
20	Thembisa Sylvia December	Cashier / Clerk	20
21	Danfred Apollis	Assistant Supt. Prosecution / Accidents	20
22	Daniel William Bayman	General Assistant	20
23	Mawethu Bikani	Administrator: Community halls & MPC	20
24	Harry Fonk	Cashier / Clerk	20
25	Jacques Gelderblom	Team Leader	20
26	Oktober Gertse	Tractor Driver	20
27	Jacob Joseph	Worker	20
28	Ntombekaya Virginia Mtengwana	Worker	20
29	Leon Johannes Kock	General Worker	25
30	Johan Leonard Prins	Artisan Aid	25
31	Hendrik Pieter Steyn	Assistant Supt. Prosecution / Accidents	25
32	Phillip Martin Abrahams	Storeman	30
33	Joseph Pietersen	Supervisor Electrical	30
34	Moses Funani	Cleaner	35
35	Elaine Shirley Kariem	Chief Records & Archives	35
36	Regea William Saunders	Admin Officer	40

The Executive Mayor expressed a vote of thanks to all the above employees.

3.4 STATEMENTS BY THE SPEAKER

The Speaker have no statements. The Speaker congratulated the Executive Mayor on her election and appointment in a post in the Provincial sphere of the DA.

3.5 STATEMENTS BY THE EXECUTIVE MAYOR

“Goeie more kollegas en ons besoekers wat ingekom het. Dit is baie belangrik om te noem dat ons dorp steeds gebuk gaan onder die misdaad in baie van ons wyke. Ek dink ons moet nou oorgaan in aksie om ons dorp terug te kry en is hier mense vanoggend wat sal help om leiding te gee. Ek hoop ons voorlegging gaan ons bietjie meer breedvoerig leiding te gee en ons te help met die misdaad in die dorp. Ek is baie bekommerd oor ons dorp maar ook die ander dorpe. Ek moet ook sê baie van ons het families wat geraak was deur die misdaad en ek wil u nie by name noem nie. Ons bid vir elke Raadslid wat familie verloor het en druk op ons nommer as daar iets is waarmee ons kan help. Baie dankie ook aan Mnr Esau met die erkenning vir ons mense en kan ek ‘n klop op die skouer vir julle wat my bystaan en help. Baie van ons het seker al verneem van Mnr Freddy Botha, wat jare lank by gestremdes betrokke was, wat afgesterf het gister. Hy was gister middag in motorongeluk betrokke en vra ek dat die Munisipale Bestuurder net namens die Raads vir sy familie ‘n kaartjie en bos blomme stuur. Ons is amper aan die einde van ‘n jaar en ek glo hierdie jaar het ons baie uitdagings gehad en vertrou ek dat ons op ‘n goeie noot sal afeindig.

Baie dankie Speaker dat julle na my geluister het en versoek ek om 13:00 verskoon te word.”

4. CONFIRMATION OF MINUTES

- 4.1 In terms of the Rules of Order for Internal Arrangement By-Law 2012;
- (a) 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.
 - (b) 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).
 - (c) No motion or discussion shall be allowed on the minutes, except in connection with the correctness thereof.
 - (d) The minutes formulated and screened during meetings, shall constitute a resolution for purposes of implementation of decisions.

4.2 Council Meeting held on 23 August 2017 (Copy enclosed)

RECOMMENDATION

That in respect of

CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING**discussed by Council at the Council meeting held on 23 October 2017:**

1. As the Minutes of the Council Meeting held on 23 August 2017 were sent to each councillor at least forty-eight hours prior to the meeting, the minutes of the Council meeting held 23 August 2017 be taken as read and confirmed.

PROPOSED: CLLR E. VAN DER WESTHUIZEN**SECONDED: CLLR W. VROLICK****RESOLVED****C77/2017**

That in respect of

CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING**discussed by Council at the Council meeting held on 23 October 2017:**

As the Minutes of the Council Meeting held on 23 August 2017 were sent to each councillor at least forty-eight hours prior to the meeting, the minutes of the Council meeting held 23 August 2017 be taken as read and confirmed.

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

5.1 The Deputy Executive Mayor: Cllr. J.D. Levendal

5.2 MMC1: Cllr. M. Sampson

5.3 MMC2: Cllr. G. Stalmeester

5.4 MMC 3: Cllr. J.P. Kritzinger

5.5 MMC 4: Cllr. R. Faroa

5.6 MMC 5: Cllr. S.J. Mei

5.7 MMC 6: Cllr. E.Y. Sheldon

5.8 MMC 7: Cllr. W.R. Meiring

5.9 MMC 8: Cllr. J.F. Van Zyl

6. CONSIDERATION OF AGENDA ITEMS**6.1 SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2017.****MFMA SECTION 71 & 52 (d) Report**

File No. /s: 3/15/1
Directorate: Financial Services

Responsible Officials: R. Ontong
Portfolio: Financial Services

1. Purpose

To submit to Council the In-year financial management report for adoption.

2. Background

In terms of the Municipal Finance Management Act, 56 of 2003, section 71.

(1) The accounting officer of a municipality must by no later than 10 working days after the end of each month submit to the mayor of the municipality and the relevant provincial treasury a statement in the prescribed format on the state of the municipality's budget reflecting the following particulars for that month and for the financial year up to the end of that month:

- (a) Actual revenue, per revenue source;
- (b) actual borrowings;
- (c) actual expenditure, per vote;
- (d) actual capital expenditure, per vote;
- (e) the amount of any allocations received;
- (f) actual expenditure on those allocations, excluding expenditure on
 - (i) its share of the local government equitable share; and
 - (ii) allocations exempted by the annual Division of Revenue Act from compliance with this paragraph; and
- (g) when necessary, an explanation of-
 - (i) any material variances from the municipality's projected revenue by source, and from the municipality's expenditure projections per vote;
 - (ii) any material variances from the service delivery and budget implementation plan; and
 - (iii) any remedial or corrective steps taken or to be taken to ensure that projected revenue and expenditure remain within the municipality's approved budget.

(2) The statement must include-

- (a) a projection of the relevant municipality's revenue and expenditure for the rest of the financial year, and any revisions from initial projections; and
- (b) the prescribed information relating to the state of the budget of each municipal entity as provided to the municipality in terms of section 87(10).
- (3) The amounts reflected in the statement must in each case be compared with the corresponding amounts budgeted for in the municipality's approved budget.
- (4) The statement to the provincial treasury must be in the format of a signed document and in electronic format.
- (5) The accounting officer of a municipality which has received an allocation referred to in subsection (1) (e) during any particular month must, by no later than 10 working days after the end of that month, submit that part of the statement reflecting the particulars referred to in subsection (1) (e) and (f) to the national or provincial organ of state or municipality which transferred the allocation.
- (6) The provincial treasury must by no later than 22 working days after the end of each month submit to the National Treasury a consolidated statement in the prescribed format on the state of the municipalities' budgets, per municipality and per municipal entity.
- (7) The provincial treasury must, within 30 days after the end of each quarter, make public as may be prescribed, a consolidated statement in the prescribed format on the state of municipalities' budgets per municipality and per municipal entity. The MEC for finance must submit such consolidated statement to the provincial legislature no later than 45 days after the end of each quarter.

In terms of the Municipal Finance Management Act, 56 of 2003, section 52(d).

The mayor of a municipality—

- (d) must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality.

3. Financial Implications

None

4. Applicable Legislation/ Council Policy

Municipal Finance Management Act, 56 of 2003 (Section 52(d), & 71);
Municipal Budget and Reporting Regulations, 2009

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

SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE MONTH ENDED 30 SEPTEMBER 2017 discussed by Council at the Special Council Meeting held on the 23 October 2017:**Recommended resolution to Council with regards to September 2017 In-year report is:**

(a) That Council takes note of the contents in the In-year monthly report for September 2017 as set out in the schedules contained in Section 4 (In-year budget statement tables) as well as the supporting documentation in Section 6 to 13.

1. Table C1 – Monthly Budget Statement Summary;
2. Table C2 – Monthly Budget Statement – Financial Performance (Standard classification);
3. Table C3 – Monthly Budget Statement – Financial Performance Standard classification (Revenue and expenditure by Municipal Vote)
4. Table C4 – Monthly Budget Statement – Financial Performance (Revenue by Source and Expenditure by Type)
5. Table C5 – Monthly Budget Statement – Capital Expenditure;
6. Table C6 – Monthly Budget statement – Financial Position; and
7. Table C7 – Monthly Budget statement – Cash Flows

(b) Any other resolutions required by Legislation.

PROPOSED: CLLR A. STEYN**SECONDED: CLLR W.R. MEIRING**

RESOLVED**C78/2017**

That in respect of

SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE MONTH ENDED 30 SEPTEMBER 2017 discussed by Council at the Special Council Meeting held on the 23 October 2017:**Recommended resolution to Council with regards to September 2017 In-year report is:**

(a) That Council takes note of the contents in the In-year monthly report for September 2017 as set out in the schedules contained in Section 4 (In-year budget statement tables) as well as the supporting documentation in Section 6 to 13.

1. Table C1 – Monthly Budget Statement Summary;
2. Table C2 – Monthly Budget Statement – Financial Performance (Standard classification);
3. Table C3 – Monthly Budget Statement – Financial Performance Standard classification (Revenue and expenditure by Municipal Vote)
4. Table C4 – Monthly Budget Statement – Financial Performance (Revenue by Source and Expenditure by Type)
5. Table C5 – Monthly Budget Statement – Capital Expenditure;
6. Table C6 – Monthly Budget statement – Financial Position; and
7. Table C7 – Monthly Budget statement – Cash Flows

(b) Any other resolutions required by Legislation.

To ActionR. Ontong

6.2 QUARTERLY PERFORMANCE REPORT FOR 1ST QUARTER (1 JULY 2017 – 30 SEPTEMBER 2017)**File No./s:**3/15/1**Responsible Official:** C September**Directorate:** SSS**Portfolio:** IDP/PMS

1. Purpose

To inform Council on the implementation of the budget and the financial state of affairs of the Municipality and assess performance against the performance indicators set in approved Top-Layer SDBIP 2017/2018.

2. Background

According to Section 52(d) of the MFMA, the Mayor must, within 30 days of the end of each quarter, submit a report to the Council on the implementation of the budget and the financial state of affairs of the Municipality. Effective in-year reporting provides municipal management with an opportunity to analyse performance and address shortcomings and improve internal controls and service delivery.

All quarterly reports tabled in the Council in terms of section 52(d) must be placed on the website not later than five days after its tabling in the Council or on the date on which it must be made public, whichever occurs first.

3. Comment

A copy of the Quarterly Performance Report is attached as Annexure "A"

4. Financial Implications

None

5. Applicable Legislation/Council Policy

Municipal Finance Management Act, no. 56 of 2003

RECOMMENDATION

That in respect of

THE QUARTERLY PERFORMANCE REPORT FOR THE 1ST QUARTER (1 JULY 2017 – 30 SEPTEMBER 2017)

Discussed by Council at the Council meeting held on 23 October 2017

That Council takes note of the Quarterly Performance Report for the 1st Quarter

(1 July 2017 – 30 September 2017).

PROPOSED: CLLR W.R. MEIRING

SECONDED: CLLR J.D. LEVENDAL

RESOLVED

C79/2017

That in respect of

THE QUARTERLY PERFORMANCE REPORT FOR THE 1ST QUARTER (1 JULY 2017 – 30 SEPTEMBER 2017)

Discussed by Council at the Council meeting held on 23 October 2017

That Council takes note of the Quarterly Performance Report for the 1st Quarter

(1 July 2017 – 30 September 2017).

To Action

C. September

6.3 PERFORMANCE AGREEMENTS 2017/2018 OF MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER**File No. /s:** 3/15/1**Responsible Official:** C. September**Directorate:** SSS**Portfolio:** IDP/PMS

1. Purpose

To inform Council of the annual performance agreements 2017/2018 of the municipal manager and managers directly accountable to the Municipal Manager.

2. Background

In terms of section 57 of the Systems Act a person to be appointed as a municipal manager or manager directly accountable to the municipal manager may only be appointed in that position in terms of a an employment contract and a separate performance agreement.

In terms of Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, Notice 805 of 2006, the Employment Contract of Section 57 managers, subject to labour legislation, specifically delineates the terms of employment such as:

- a) details of duties;
 - b) remuneration; and
 - c) benefits
-

The Performance Agreement provides assurance to the municipal council of what can and should be expected from their municipal manager and managers directly accountable to the municipal manager. The purpose thereof is to:

- Comply with the provisions of Sections 57(1)(b), (4A), (4B) and (5) of the Systems Act as well as the employment contract entered into between the parties;
- Specify objectives and targets defined and agreed with the employee and to communicate to the employee the employer's expectations of the employee's performance and accountabilities in alignment with the IDP, SDBIP and the budget of the municipality;
- Specify accountabilities as set out in a performance plan, which forms an annexure to the performance agreement;
- Monitor and measure performance against set targeted outputs;
- Use the performance agreement as the basis for assessing whether the employee has met the performance expectations applicable to his or her job;
- In the event of outstanding performance, to appropriately reward the employee; and
- Give effect to the employer's commitment to a performance-orientated relationship with its employee in attaining equitable and improved service delivery.

According to Section 53 (3) (b) of the MFMA, the mayor must ensure that the performance agreements of the municipal manager, senior managers and any other categories of officials as may be prescribed, are made public no later than 14 days after the approval of the municipality's service delivery and budget implementation plan. Copies of such performance agreements must be submitted to the Council and the MEC for local government in the province.

3. Comment

Copies of performance agreements are attached as Annexure "A"

4. Financial Implications

None

5. Applicable Legislation/Council Policy

Chapter 7 of the Local Government: Municipal Systems Act 32 of 2000

Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, Notice 805 of 2006

Local Government Municipal Systems Amendment Bill, No 7 of 2011

Local Government: Municipal Finance Management Act 56 of 2003

RECOMMENDATION

That in respect of

PERFORMANCE AGREEMENTS 2017/2018 OF MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER

As discussed by Council at the Council Meeting held on 23 October 2017

That Council takes note of the performance agreements 2017/2018 of the Municipal Manager and Managers directly accountable to the Municipal Manager

PROPOSED: CLLR W.R.MEIRING

SECONDED: CLLR M.SAMPSON

RESOLVED**C80/2017**

That in respect of

PERFORMANCE AGREEMENTS 2017/2018 OF MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER

As discussed by Council at the Council Meeting held on 23 October 2017

That Council takes note of the performance agreements 2017/2018 of the Municipal Manager and Managers directly accountable to the Municipal Manager

To Action

C. September

6.4 WATER SERVICES AUDIT REPORT FOR 2016/2017

File No./s: 11/1/R

Responsible Official: J. A. Steyn

Directorate: Technical Services

Portfolio: Technical Services

1. Purpose

To obtain Council's approval of the Water Services Audit Report for 2016/2017.

2. Background

Section 62 of the Water Services Act requires the Minister to monitor every WSI in order to ensure compliance with the prescribed national standards. This regulation requires a WSA to complete and submit a water services audit every year.

The water services audit is designed to monitor the compliance of the WSA and other WSIs with these regulations. It allows the water services audit to be used as a tool to compare actual performance of the WSA against the targets and indicators set in their WSDP. It also assists local communities and DWS to assess how well WSAs are performing relative to their stated intentions and their capacity.

The Water Services Audit Report will give an overview of the implementation of the previous years' WSDP of Breede Valley Municipality and can be seen as an annexure to Breede Valley Municipality's Annual Report. The Annual Report is compiled as required by the Local Government: Municipal Systems Act, Act no 32 of 2000 (Section 46) and the Local Government: Municipal Finance Management Act, Act no 56 of 2003 (Section 121).

Methodology followed: The Service Delivery Budget Implementation Plan (SDBIP) of Breede Valley Municipality for 2016/2017 was used to report on the KPIs for water and sewerage services. The previous WSDP was further used as basis to compile the report. The latest water usage figures and WWTWs flows up to June 2017 were obtained from Breede Valley Municipality, analysed and included under the various sections of the Water Services Audit Report.

Availability of the Water Services Audit Report: The Water Services Audit Report is a public document and must be made available within four months after the end of each financial year and must be available for inspection at the offices of the Municipality. It is also recommended that the document be placed on the Municipality's website and that copies of the document

be placed at the public libraries. The Water Services Audit Report must also be made available to DWS for their comments as required by legislation.

3. Financial Implications

No financial implications.

4. Applicable Legislation / Council Policy:

Water Services Act:

Section 18 of the Water Services Act stipulates the following with regard to the water services audit on the implementation of the WSDP.

- (1) A water services authority must report on the implementation of its development plan during each financial year,
- (2) The report-
 - a) must be made available within four months after the end of each financial year; and
 - b) must be given to the Minister, the Minister for Provincial and Local Government, the Member of the Executive Council responsible for local government in the relevant province and all the organisations representing municipalities having jurisdiction in the area of the water services authority.
- (3) The water services authority must publicise a summary of its report.
- (4) A copy of the report and of its summary must be-
 - a) Available for inspection at the offices of the water services authority; and
 - b) Obtainable against payment of a nominal fee.

Regulations under Section 9 of the Water Services Act, which include the water services audit as Section 10 of the Guidelines for Compulsory National Standards stipulates the following:

- (10) (2) A water services audit must contain details for the previous financial year and, if available, comparative figures for the preceding two financial years of-
 - (a) the quantity of water services provided, including at least –
 - (i) the quantity of water used by each sector;
-

- (ii) the quantity of water provided to the water services institution by another water services institution;
 - (iii) the quantity of effluent received at sewage treatment plants; and
 - (iv) the quantity of effluent not discharged to sewage treatment plants and approved for use by the water services institution;
- (b) the levels of services rendered, including at least –
- (i) the number of user connections in each user sector;
 - (ii) the number of households provided with water through communal water services works;
 - (iii) the number of consumers connected to a water reticulation system where pressures rise above 900 kPa at the consumer connection;
 - (iv) the number of households provided with sanitation services through consumer installations connected to the sewerage system;
 - (v) the number of households with access to basic sanitation services;
 - (vi) the number of new water supply connections made; and
 - (vii) the number of new sanitation connections made;
- (c) the numbers provided in compliance with paragraph (b) expressed as a percentage of the total number of connections or households;
- (d) cost recovery, including at least –
- (i) the tariff structures for each user sector;
 - (ii) the income collected expressed as a percentage of total costs for water services provided; and
 - (iii) un-recovered charges expressed as a percentage of total costs for water services provided;
- (e) meter installation and meter testing, including at least –
- (i) the number of new meters installed at consumer installations; and
 - (ii) the number of meters tested and the number of meters replaced expressed as a percentage of the total number of meters installed at consumer connections;
- (f) the water quality sampling programme contemplated in regulation 5(1), the results of the comparison set out in regulation 5(3) and any occurrence reported in compliance with regulation 5(4);

Guidelines for Compulsory National Standards and Norms and Standards for Water Services Tariffs: Sections 5(1), 5(3) and 5(4) stipulates the following:

- 5 (1) *Within two years of the promulgation of these Regulations, a WSA must include a suitable programme for sampling the quality of potable water provided by it to consumers in its WSDP.*
- 5(2) *The water quality sampling programme contemplated in sub regulation (1) must specify the points at which potable water provided to consumers will be sampled, the frequency of sampling and for which substances and determinants the water will be tested.*
- 5 (3) *A water services institution must compare the results obtained from the testing of the samples with SABS241: Specifications for Drinking Water, or the South African Water Quality Guidelines published by the Department of Water Affairs and Forestry.*
- 5 (4) *Should the comparison of the results as contemplated in sub regulation (3) indicate that the water supplied poses a health risk, the water services institution must inform the Director-General of the Department of Water Affairs and Forestry and the head of the relevant Provincial Department of Health and it must take steps to inform its consumers-*
- (a) that the quality of the water that is supplied poses a health risk;*
 - (b) of the reasons for the health risk;*
 - (c) of any precautions to be taken by the consumers; and*
 - (d) of the time frame, if any, within which it may be expected that water of a safe quality will be provided.*
- (g) water conservation and demand management, including at least –
- (i) the results of the water balance as set out in regulation 11;
 - (ii) the total quantity of water unaccounted for;
 - (iii) the demand management activities undertaken; and
 - (iv) the progress made in the installation of water efficient devices.
-

Guidelines for Compulsory National Standards and Norms and Standards for Water Services Tariffs: Section 11 stipulates the following:

11 (1) Within two years of the promulgation of these Regulations, a water services institution must every month-

- (a) Measure the quantity of water provided to each supply zone within its supply area;*
- (b) Determine the quantity of unaccounted for water by comparing the measured quantity of water provided to each supply zone with the total measured quantity of water provided to all user connections within that supply zone;*
- (c) Measure the quantity of effluent received at each sewage treatment plant; and*
- (d) Determine the quantity of water supplied but not discharged to sewage treatment plants by comparing the measured quantity of effluent received at all sewage treatment plants with the total measured quantity of water provided to all user connections.*

11 (2) A water services institution must-

- (a) Take steps to reduce the quantity of water unaccounted for; and*
- (b) Keep record of the quantities of water measured and of the calculations made.*

Strategic Framework for Water Services (September 2003):

“A WSA must report annually and in a public way on progress in implementing the plan.” The requirement that WSAs regularly update their plans and report annually on progress against their plans will assist local communities and DWA to assess how well WSAs are performing relative to their stated intentions and their capacity.

Comment of Directorates / Departments concerned:

Municipal Manager: Recommendation supported.

Director: Community Services: The water services audit report is noted.

Director: Strategic Support Services: Recommendation supported

Senior Manager: Legal Services: Recommendation supported.

Manager: IDP: Support the item and recommendation.

Director: Financial Services: Support recommendation.

Director: Technical Services: The item and recommendation are supported.

RECOMMENDATION

That in respect of

THE WATER SERVICES AUDIT REPORT FOR 2016/2017 FINANCIAL YEAR

Discussed by the Council at Council meeting held on 23rd of October 2017:

That Council approves the Water Services Audit Report for 2016/2017.

PROPOSED: CLLR W.R.MEIRING

SECONDED: CLLR J.D.P JAPTHA

RESOLVED

C81/2017

That in respect of

THE WATER SERVICES AUDIT REPORT FOR 2016/2017 FINANCIAL YEAR

Discussed by the Council at Council meeting held on 23rd of October 2017:

That Council approves the Water Services Audit Report for 2016/2017.

To Action

J. Steyn

6.5 AMENDMENT OF CONTRACT BV 557: RESURFACING OF MUNICIPAL ROADS**File No./s:** 11/5/1/3/2**Responsible Official:** J. A. Steyn**Directorate:** Technical Services**Portfolio:** Technical Services

1. Purpose

The purpose of this item is for Council to consider the commencement of a process in terms of the Municipal Finance Management Act, No. 56 of 2003, section 116 with regard to the RESURFACING OF MUNICIPAL ROADS Contract (BV557).

2. Background

Council resolved with Council resolution C32/2016 (17 May 2016) the budget to the amount of R 4 million (VAT exclusive) for the resurfacing of municipal roads as part of the Medium Term Revenue and Expenditure Framework (MTREF). Subsequently Council resolved with Council resolution C35/2017 (29 May 2017) an additional budget to the amount of R 4,5million (VAT exclusive) for the resurfacing of municipal roads as part of the Medium Term Revenue and Expenditure Framework (MTREF). The total budget available for the resurfacing of municipal roads amounts to R8,5 million (VAT exclusive).

In terms of the Breede Valley Municipality's Supply Chain Management Policy Contract BV557: RESURFACING OF MUNICIPAL ROADS was awarded to Actophambili Roads (Pty) Ltd for the amount of R 6,121,146.11 (including 10% contingencies and 14% VAT) to be completed within eight (8) weeks.

Due to Actophambili Roads (Pty) Lts' favourable offer amount (R 5,369,426.41 exclusive of VAT) which is well within be budget limitations of the approved budget (R8,5 million exclusive of VAT) and the high quality of works as performed by Actophambili Roads (Pty) Ltd it is considered to extend the Scope of Works under Contract BV 557 to the limits of the approved budget for the Resurfacing of Municipal Roads. The value of work done to date amounts to R 4,945,098.18 (exclusive VAT). The balance of the budget available amounts to R3,554,901.82 (exclusive VAT).

In order to proceed with the resurfacing of municipal roads without any interruption of construction and taking into account the available budget and the fact that Contract BV 557: Resurfacing of Municipal Roads is in place, it is proposed that Breede Valley Municipality amend the contract to include the additional Works as required.

3. Financial Implications

Council resolved with Council resolution C32/2016 (17 May 2016) the budget to the amount of R 4 million (VAT exclusive) for the resurfacing of municipal roads as part of the Medium Term Revenue and Expenditure Framework (MTREF). Subsequently Council resolved with Council resolution C35/2017 (29 May 2017) an additional budget to the amount of R 4,5million (VAT exclusive) for the resurfacing of municipal roads as part of the Medium Term Revenue and Expenditure Framework (MTREF). The total budget available for the resurfacing of municipal roads amounts to R8,5 million (VAT exclusive).

<u>Description</u>	<u>Suspense Vote</u>	<u>Budget</u>
Resurfacing of Roads: Breede Valley	2153900022901	R 2,000,000.00
Resurfacing of Roads: Worcester	2153900023001	R 2,000,000.00
Resurfacing of Roads: Worcester	20170612991901 UKey	R 3,500,000.00
Resurfacing of Roads: De Doorns	20170716985972 UKey	R 1,000,000.00
TOTAL BUDGET (Exclusive 14% VAT)		R8,500,000.00

4. Applicable Legislation / Council Policy

Section 116 (3) of the Municipal Finance Management Act 56 of 2003 determines as follows—

“A contract or agreement procured through the supply chain management policy of the municipality or municipal entity may be amended by the parties, **but only after**— (*own highlight and underlining*)

- (a) the reasons for the proposed amendment have been tabled in the council of the municipality or, in the case of a municipal entity, in the council of its parent municipality; and
- (b) the local community—
 - (i) has been given reasonable notice of the intention to amend the contract or agreement; and
 - (ii) has been invited to submit representations to the municipality or municipal entity.”

In order to comply with section 116(3) of the Municipal Finance Management Act, it is proposed that a public participation process be followed to advertise the Municipality’s intended amendment of the contract, whereafter any comments / representations will be referred back to Council.

Comment of Directorates / Departments concerned:

Municipal Manager: Recommendation supported

Director: Community Services: The extension of the contract is supported, but must follow all legal prescripts for such an extension (section 116 of the MFMA).

Director: Strategic Support Services: Supported

Senior Manager: Legal Services: Recommendation supported.

Manager: IDP:

Director: Financial Services: Recommendation supported.

Director: Technical Services: In order to proceed with the resurfacing of municipal roads without any interruption of construction and taking into account the available budget and the fact that Contract BV 557: Resurfacing of Municipal Roads is in place the item and recommendation are supported.

RECOMMENDATION:

That in respect of

AMENDMENT OF CONTRACT BV 557: RESURFACING OF MUNICIPAL ROADS

discussed by the Council at Council meeting held on 23rd of October 2017:

1. That it be noted that the Municipality's supply chain management process was followed in respect of the awarding of contract BV 557: RESURFACING OF MUNICIPAL ROADS to Actophambili Roads (Pty) Ltd.
2. That the contract be amended to increase the amount for the Resurfacing of municipal Roads to the extent of the available budget.
3. That in order to comply with section 116(3) of the Municipal Finance Management Act, a public participation process be followed to advertise the Municipality's intended amendments of the contract.
4. That, after the conclusion of the public participation process, and only if comments / representations are received, the item be referred back to Council for consideration.

PROPOSED: CLLR W.R.MEIRING

SECONDED: CLLR E. VAN DER WESTHUIZEN

RESOLVED

C82/2017

That in respect of

AMENDMENT OF CONTRACT BV 557: RESURFACING OF MUNICIPAL ROADS

discussed by the Council at Council meeting held on 23rd of October 2017:

1. That it be noted that the Municipality's supply chain management process was followed in respect of the awarding of contract BV 557: RESURFACING OF MUNICIPAL ROADS to Actophambili Roads (Pty) Ltd.
2. That the contract be amended to increase the amount for the Resurfacing of municipal Roads to the extent of the approved budget.
3. That in order to comply with section 116(3) of the Municipal Finance Management Act, a public participation process be followed to advertise the Municipality's intended amendments of the contract.
4. That, after the conclusion of the public participation process, and only if comments / representations are received, the item be referred back to Council for consideration.

To Action

J. Steyn

6.6 REGIONAL SOCIO-ECONOMIC PROGRAMME (RSEP) PORTFOLIO OF INTERVENTIONS**File No.:** 7/1/1**Responsible Official:** C Smal**Directorate:** Municipal Manager**Portfolio:** Project Management

1. Purpose

To submit for approval a revised RSEP Portfolio of Interventions for Worcester as per the council resolution of 16 November 2015, and to submit for approval an RSEP Portfolio of Interventions for Touwsrivier.

2. Background

On 16 November 2015 in terms of C60/2015 it was resolved that in respect of REGIONAL SOCIO-ECONOMIC PROGRAMME (RSEP) PORTFOLIO OF INTERVENTIONS

Discussed by Council at the Council meeting held on 16 November 2015:

Council approves:

1. that the Regional Socio-Economic Programme (RSEP) Portfolio of Interventions (as informed by the engagements guided by the RSEP Process Plan previously approved by Council) be accepted as representative of the RSEP specific needs of the communities of Avian Park, Riverview, Roodewal and Zwelethemba;
 2. that the Regional Socio-Economic Programme (RSEP) Portfolio of Interventions be aligned with the RSEP Management Plan of the Western Cape Government and used as the basis for the budgets of own RSEP funding and RSEP grant funding received from the Western Cape Government for 2016/17 and 2017/18 and
 3. that the Portfolio of Interventions referred to in 1) above be reviewed and submitted to Council for approval before the end of November 2017 if the Western Cape Government extends the Regional Socio-Economic Programme beyond 30 April 2018.
-

The Western Cape government has extended RSEP beyond 30 April 2018. In Worcester it is due to be completed by 30 June 2019 and it has been expanded to include Touwsrivier. As per 3. above the approved RSEP Portfolio of Interventions has to be reviewed and submitted to Council for approval before the end of November 2017. Said Portfolio of Interventions only included Worcester and not Touwsrivier. A Portfolio of Interventions as per the approved RSEP Process Plan also had to be prepared for Touwsrivier.

Process followed for Worcester:

- A combined meeting for all the wards per suburb was held for Avian Park, Riverview, Roodewal and Zwelethemba. The ward councillors and ward committees were invited to these meetings. At each meeting the RSEP project manager gave a presentation with background on RSEP (the origin of the programme, its purpose and the main focus of projects). The status of each project on the approved Portfolio of Interventions (POI) for the suburb was also presented. The minutes of the meetings are attached as Annexure A
- There were two categories of projects which required review. The first was projects on the approved POI which weren't practical to implement for whatever reason. If there were any of these, the reasons for it not being practical to implement were explained and alternative projects to address the underlying need with the amount budgeted were agreed upon.
- The second category was projects on the approved POI which had already been successfully implemented but resulted in savings. Additional projects amounting to the savings realised and falling within the purpose of RSEP were identified. It should be noted that implementation of said projects depend on the approval of BVM's application for the roll-over of the grant funding as well as the approval of the Western Cape Government's adjudication committee for RSEP.
- The revised POI for each suburb is attached as Annexure B

Process followed for Touwsrivier:

- The area manager, ward councillor and ward committee members were invited to a meeting on 18 May 2017. At the meeting the RSEP project manager gave a presentation introducing RSEP and its purpose and explaining that the programme will be expanded to include Touwsrivier. The minutes of the meeting and a summary of the suggested projects are attached as Annexure C
 - The IDP needs for the ward were filtered to exclude those already being addressed in the budget through the IDP and those that don't fall within the ambit of RSEP. The remaining needs were categorised into needs of pedestrians, needs at open spaces and needs for programs. Any RSEP related needs not contained in the IDP needs were added to the list.
 - The RSEP project manager then gathered more detail on each of the identified needs, any progress on addressing it and the need for further planning.
 - The expected budget of between R1,5 and R3 million has not been confirmed yet but the range was disclosed to the meeting to ensure realistic expectations. The meeting was then asked to give the issues further thought after consulting with their constituency and revert with a list of suggested projects.
-

- The area manager sent the list of suggested projects to the RSEP project manager and together they visited all the sites.
- The RSEP project manager made estimates of what it would cost to implement the suggested projects. The only project on which further investigation in the form of an engineering design is required to determine affordability is the pedestrian bridge. All the other projects should be achievable in the RSEP budget for Touwsrivier.
- A POI for Touwsrivier is attached as Annexure D.

Portfolios of Interventions

The projects in POI's in Annexures B and D will be submitted to the adjudication committee of the Western Cape Government (a pre-requisite in terms of the Western Cape RSEP/VPUU Programme Implementation and Governance Framework). If they approve the POI's, these will inform the RSEP budget for 2017/18 and 2018/19. For ease of reference the Portfolios of Interventions have a separate table for each suburb with descriptions of the need identified, the intervention/project proposed, the estimated value and the BVM financial year for implementation.

3. Applicable Legislation / Policy:

The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);

Municipal Systems Act, 2000 (Act 32 of 2000)

Municipal Finance Management Act, 2003 (Act 56 of 2003);

Western Cape RSEP/VPUU Programme Implementation and Governance Framework.

Comment of Directorates / Departments concerned:

Municipal Manager: No comment received

Director: Strategic Support Services: No comment received

Director: Financial Services: No comment received

Director: Technical Services: That project implementation be complied with the Spatial Development Frame Work (SDF), Spatial Planning Land Use Planning Act (SPLUMA), Norms and Standards, Sectoral Master Plans (i.e Water, Sanitation, Stormwater, Human Settlement and Sport, etc.). That the full life cycle cost (i.e. capital, operational, maintenance, etc.) of RSEP projects be calculated and budgeted for during the MTREF. The relevant Directorate responsible for the operational and maintenance of the assets must certify / approve the project before implementation.

Director: Community Services: All projects of a capital nature that is implemented must be consulted with the line department in terms of norms and standards. Also the cost of maintenance of these facilities or interventions must also be forecast for inclusion in future budgets for decent maintenance by line departments.

Area Manager: Touwsrivier: The intervention of the RSEP projects in Touwsrivier is in line with a number of the current IDP priorities. Addressing these priorities will make a huge impact in the town and will contribute to enhancing the trust relationship in the community. The projects identified is stuff our people is requesting on a regular basis but the absence of financial resources has streamlined the adherence to it. It will address a number of safety matters that continuously arise in Ward Committee meetings, Community Policing Forum meetings, as well as Stakeholders meetings. I therefore support the identified projects. I further want to draw Council's attention to the challenge of proceeding with projects in the Topkamp Area due to the land belonging to Transnet. I would love to receive an instruction or permission from Council that either myself or the Project Manager, Mr Chris Smal engage with Transnet for permission / agreement to construct a play park on the land in order for us to serve the need of the Topkamp community.

IDP Manager: Recommendation supported. RSEP Portfolios of Interventions to be included in IDP

Speaker: RSEP ward councillors were invited to the meetings about the POI's and all but two were present. It isn't necessary to obtain their comments on the item but they will be allowed to comment on it in the council meeting.

RECOMMENDATION:

That in respect of the REVIEW OF THE REGIONAL SOCIO-ECONOMIC PROGRAMME (RSEP) PORTFOLIO OF INTERVENTIONS FOR WORCESTER and the NEW REGIONAL SOCIO-ECONOMIC PROGRAMME (RSEP) PORTFOLIO OF INTERVENTIONS FOR TOUWSRIVIER

Discussed by Council at the Council meeting held on 23 October 2017:

Council approves:

- 1) that the review of the Regional Socio-Economic Programme (RSEP) Portfolio of Interventions for Worcester be accepted as representative of the RSEP specific, current needs of the communities of Avian Park, Riverview, Roodewal and Zwelethemba;
- 2) that the Regional Socio-Economic Programme (RSEP) Portfolio of Interventions for Touwsrivier be accepted as representative of the RSEP specific needs of the community of Touwsrivier;
- 3) that the Regional Socio-Economic Programme (RSEP) Portfolios of Interventions be aligned with the RSEP Management Plan of the Western Cape Government and used as the basis for the budgets of any own RSEP funding and RSEP grant funding received from the Western Cape Government for the remainder of the programme;
- 4) and that the RSEP Portfolios of Interventions be included in the IDP of the Breede Valley Municipality.

PROPOSED: CLLR J.D.P. JAFTHA

SECONDED: CLLR T. WEHR

RESOLVED**C83/2017**

That in respect of the REVIEW OF THE REGIONAL SOCIO-ECONOMIC PROGRAMME (RSEP) PORTFOLIO OF INTERVENTIONS FOR WORCESTER and the NEW REGIONAL SOCIO-ECONOMIC PROGRAMME (RSEP) PORTFOLIO OF INTERVENTIONS FOR TOUWSRIVIER

Discussed by Council at the Council meeting held on 23 October 2017:

Council approves:

- 1) that the review of the Regional Socio-Economic Programme (RSEP) Portfolio of Interventions for Worcester be accepted as representative of the RSEP specific, current needs of the communities of Avian Park, Riverview, Roodewal and Zwelethemba;
-

- 2) that the Regional Socio-Economic Programme (RSEP) Portfolio of Interventions for Touwsrivier be accepted as representative of the RSEP specific needs of the community of Touwsrivier;
- 3) that the Regional Socio-Economic Programme (RSEP) Portfolios of Interventions be aligned with the RSEP Management Plan of the Western Cape Government and used as the basis for the budgets of any own RSEP funding and RSEP grant funding received from the Western Cape Government for the remainder of the programme;
- 4) and that the RSEP Portfolios of Interventions be included in the IDP of the Brede Valley Municipality.

To Action:

C. Small

6.7 DRAFT DONATIONS POLICY**File No./s:** 2/1/1/1**Responsible Official:** R ESAU**Directorate:** Strategic Support Services **Portfolio:** Strategic Support Services

1. Purpose

To obtain Council's approval of the Draft Donations Policy.

2. Background

This Draft Policy, previously drafted and named the Relief and Charitable Fund Policy served before Council for approval on 17 May 2016. The Speaker however at this meeting, ruled:

“that the Relief and Charitable Fund Policy be withdrawn from Annexure C of the 2016/17 Final Budget Item, be workshopped with Councillors and serve at the next Council Meeting”.

This Policy has been revised by author of this report and is attached hereto.

Supreme Court of Appeal in Drift Supersands on 22 September 2017 reminded us again of our constitutional obligation to encouraged the public to participate in 'policy-making' municipal 'decision-taking' in order to ensure procedural fairness, not only for the protection of citizens' rights, but also to facilitate trust in the public administration and in our participatory democracy.

Therefore any policy that affect the public must be advertised for public comments prior to its final approval in Council.

3. Financial Implications

No financial Implications

4. Applicable Legislation / Council Policy

The Constitution of the Republic of South Africa;
The Local Government Municipal Systems Act 2000 (Act 32 of 2000);

Local Government Municipal Finance Management Act 2003 (Act 56 of 2003) as amended; and any other applicable legislation or regulations that may govern the transfer of Municipal Funds.

Comment of Directorates / Departments

Municipal Manager

Recommendation supported.

Director: Strategic Support Services

Author of report.

Director: Financial Services

Recommendation supported.

Director: Technical Services

Recommendation supported.

Director: Community Services

Recommendation supported.

Senior Manager Legal Services

Recommendation supported.

RECOMMENDATION

That in respect of -

THE DRAFT DONATIONS POLICY

as discussed by Council at the Council meeting held on 23 October 2017:

1. That Council in principle approves the Draft Donations Policy to be advertised for public comment in compliance with section 21 of the Municipal Systems Act and that the Draft Donations Policy be made public in terms of section 21A of the Municipal Systems Act;
2. That such public comments if any be tabled at Council for consideration.

PROPOSED: CLLR J.F. VAN ZYL

SECONDED: CLLR P. TYIRA

RESOLVED

That in respect of -

THE DRAFT DONATIONS POLICY

as discussed by Council at the Council meeting held on 23 October 2017:

C84/2017

1. That Council in principle approves the Draft Donations Policy to be advertised for public comment in compliance with section 21 of the Municipal Systems Act and that the Draft Donations Policy be made public in terms of section 21A of the Municipal Systems Act;
2. That such public comments if any be tabled at Council for consideration.
3. That the policy be workshopped after public comment was obtained.

To Action:

R. Esau

7. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY SUBMITTED BY THE MUNICIPAL MANAGER

**CONFIDENTIAL:
IN TERMS OF: -**

SECTION 20: ADMISSION OF PUBLIC TO MEETINGS. – (1) (a) & (b) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT NO. 32 OF 2000.

THE MUNICIPAL MANAGER IS OF THE OPINION THAT THE DISCLOSURE OF THE ITEMS MARKED “CONFIDENTIAL” AND OR PRINTED ON BLUE PAPER IN THE AGENDA, WILL NOT BE IN THE INTEREST OF THE MUNICIPALITY.

THE PUBLIC AND THE PRESS SHALL THEREFORE BE EXCLUDED FROM THE PROCEEDINGS WHILE THESE ITEMS ARE CONSIDERED. SUCH RULING MAY ONLY BE OVERTURNED BY COUNCIL IN-COMMITTEE. THE RESOLUTIONS REGARDING THESE ITEMS WILL BE MINUTED SEPARATELY.

7.1 PERFORMANCE REVIEWS REPORT 2016/2017 OF MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER

File No. /s:

Responsible Official: C. September

Directorate: Strategic Support Services

Portfolio: IDP/PMS/SDBIP

8. CONSIDERATION OF MATTERS SUBMITTED BY THE CHAIRPERSON OF THE COUNCIL**8.1 AVIAN PARK, WORCESTER – GANG VIOLENCE: REPORT ON THE PROCEEDINGS OF THE COMMITTEE APPOINTED BY COUNCIL ON 29 MAY 2017****File No./s:** 12/1/1/2/6**Responsible Official:** J MARTHINUS**Directorate:** COMMUNITY SERVICES**Portfolio:** PUBLIC SAFETY

Purpose

To submit a report on the activities of the Committee appointed by Council to intervene in the gang related violence in Avian Park, Worcester.

Background

Council appointed the following committee on 29 May 2017, Council resolution C31/2017:

“RESOLVED**C31/2017*****That in respect of******NOTICE OF MOTION SUBMITTED BY CLLR VAN ZYL IN TERMS OF RULE 31 OF THE RULES OF ORDER FOR INTERNAL ARRANGEMENT BY-LAW 2012******Discussed by Council at the Council meeting held on 29 May 2017:******That the motion be amended as follows:***

- 1. That the Mayor and Municipal Manager be commissioned to do everything in their power to, in terms of section 152, 154 and 156 of the Constitution of the Republic of South Africa, work to create a safe environment for the community.*
- 2. That a committee consisting of the four councillors working in Avian Park, these are Councillors Maridi, Wehr, Mei and Sampson, as well as a representative of each party in the Council, i.e. the DA, ANC, BO, VF+, EFF and PDM, be constituted to drive the process. The Executive Mayor will be the convenor of the committee.*
- 3. That provision be made in the budget (2016/17 & 2017/18) to defray expenses relating to the operations of the committee and/or special projects.*
- 4. That the committee start with its work as a matter of urgency and table a report at the next Council meeting”.*

- Executive Mayor A Steyn (chairperson)
 - Councillors J Robinson
-

C Ismail
V Mncgele
N Nel
J Mei
Maridi
T Wehr
M Sampson

The purpose of the Committee is to seek resolutions and address the gang violence plaguing the community of Avian Park since January 2017:

The following meetings took place:

Meeting 1

Meeting date	Purpose	Outcome
31 May 2017	Inception meeting of committee after appointment by Council	To discuss processes and obtain information about the Avian Park situation
RESOLUTIONS MADE:		ACTIONS
<ol style="list-style-type: none"> 1. Call meetings with all state department and NGO's 2. Activate the disaster centre to coordinate all activities and information 3. Develop a programme of social interventions 4. Meet with safety and Security Cluster 5. Obtain funding sources for possible interventions 6. Service delivery must continue in Avian Park 		<ol style="list-style-type: none"> 1. Done – see meeting dated 13 June 2. Done 3. Done – see meeting dated 13 June 4. Done- see meeting dated 2 June 5. Done 6. Done – see meeting dated 9 June

Meeting 2

Meeting date	Purpose	Outcome
2 June 2017	Discussion with SAPS – Colonel De Klerk	To obtain information about Avian Park situation
RESOLUTION MADE:		
Only information sharing		

Meeting 3

Meeting date	Purpose	Outcome
6 June 2017	Administration meet with conflict resolution professionals	To discuss possible conflict facilitation process and costing thereof

RESOLUTIONS MADE:	ACTION
Conflict facilitation quote to be submitted	Done

Meeting 4

Meeting date	Purpose	Outcome
9 June 2017	Discussion with community representatives of Avian Park	Community members raising their concerns about the safety issues in Avian Park. Police was also present as well as Rev Chris Nissan from the Human Rights Commission.
RESOLUTIONS MADE:		ACTIONS
<ol style="list-style-type: none"> 1. SAPS provide information 2. BVM commit to keep on delivering services 3. Request that community assists SAPS 		<ol style="list-style-type: none"> 2. Done 3. Done

Meeting 5

Meeting date	Purpose	Outcome		
13 Junie 2017	Meet with NGO's and government Departments	To discuss social interventions and programmes for the community		
<p>The Community Development Department was task to run a process to develop an all-inclusive intervention plan for the community of Avian Park.</p> <p>This intervention was initiated by convening a very big stakeholder and inter departmental meeting at Nekkie's.</p> <p>The purpose of this engagement was to bring all relevant role-players together and discuss possible options as to how we should go about tackling this matter.</p>				
No.	Name and Surname	Department/Organization	Contact number	Email Address
1.	Wade Thys	BVM- Community Development	082 387 9626	wthys@bvm.gov.za
2.	Marencia Ruiters	My Father's House	073 032 3161	
3.	Le- Marco Ruiters	My Father's House	065 838 8519	Heinrichruiters123@gmail.com
4.	Sean Simpson	Change Makers	065 825 0159	pridesimpson@gmail.com

5.	Johannes Bantom	DSD-Breede Valley SDA	023 348 5300	Johannes.Bantom@westerncape.gov.za
6.	Jacoba Hitchcock	DSD-Breede Valley SDA	023 348 5300	Jacoba.Hitchcock@westerncape.gov.za
7.	James Moses	DSD-Breede Valley SDA	023 348 5300	James.Moses@westerncape.gov.za
8.	Clint Jacobs	DSD-Breede Valley SDA	023 348 5300	Clint.Jacobs@westerncape.gov.za
9.	Gerrit Jacobs	DSD-Breede Valley SDA	023 348 5300	Gerrit.Jacobs@westerncape.gov.za
10.	Rodnicka Titus	CWED- Safe Schools	023 348 4600	Rodnicka.Titus@westerncape.gov.za
11.	Elton Van Reenen	CWED- Safe Schools	023 348 4600	Elton.VanReenen@westerncape.gov.za
12.	Astrid Gallie	Breede Valley - DOH	023 348 1386	Astrid.Gallie@westerncape.gov.za
13.	Danie Theron	Breede Valley - DOH	023 348 1305	Danie.Theron2@westerncape.gov.za
14.	Theo Botha	BVM Fire Department	023 348 8062	tbotha@bvm.gov.za
15.	Alvino Rhode	DCS- Community Corrections	023 348 7700	
16.	DR. Prins	DCS- Community Corrections	023 348 7774	dennis.prins@dcs.gov.za
17.	T. Rossouw	Toevlug Centre	082 558 9320	trossouw@toevlug.org
18.	C. Oosthuizen	Toevlug Centre	078 772 2562	coosthuizen@toevlug.org
19.	N Damons	Kibbutz	079 895 6081	kibbutznicolene@gmail.com
20.	Brizao Erasmus	BRC and EXP	074 327 5838	amouredandstrong@gmail.com
21.	Devon Vyfers	Young Lagacy	063 182 5191	Devonfyfers3@gmail.com
22.	Mario Opperman	Mighty in Faith	082 292 2849	Mario.opperman@mightyinfaith.co.za
23.	Rabia Gordon	CPF	063 056 8844	rabiagordon2@gmail.com
24.	Russel Cupido	CPF	082 532 0826	Cpf.worcester@gmail.com
25.	Peter Titus	GCIS	079 309 1374	peter@gcis.gov.za
26.	L Mkhontwana	SAPS Worcester	082 411 3064	worcestercmm@saps.gov.za
27.	J May	Saps Worcester	064 655 4456	Johnny69may@gmail.com

28.	Pedro Williams A	DLG – CDW's	023 348 2342	williamsped@gmail.com
29.	T Titus	BVM Traffic	023 347 0959	titus@bvm.gov.za
30.	Randall Matthews	DPLG CDW's	023 347 2342	matthewsrg@gmail.com
31.	Lionel Saunders	DPLG-CDW's	084 817 7016	lsaunders@bvm.gov.za
32.	Goodman Xawuka	CWDM	023 348 2361	goodman@capewineland.gov.za
33.	Nwabisa Jozana	CWDM	023 348 2312	Nwabisa@capewineland.gov.za
34.	Raihaanah Savahl	DSD Breede Valley	023 348 5300	Raihaanah.Savahl@westerncape.gov.za
35.	Carol Wehr	DSD Breede Valley	023 348 5300	Carol.Wehr@westerncape.gov.za
36.	Dirk Eland	DSD Breede Valley	084 404 8487	Dirk.Eland@westerncape.gov.za
37.	Stephen Curry	NYDA	021 415 2040	Stephen.curry@nyda.gov.za
Apologies received				
38.	Razzaq, Lagkar	Dept. of Community Safety		Razzaq.Lagkar@westerncape.gov.za
39.	Chad Malgas	BVM LED		cmalgas@bvm.gov.za
40.	James Albanie	DSD Provincial		James.Albanie@westerncape.gov.za
41.	Rosaline Wolmarans	DCAS – Sport & Recreation		Rosaline.Wolmarans@westerncape.gov.za
42.	Moniel Jacobs	DCAS – Arts & Culture		moniel.jacobs@westerncape.gov.za
43.	Erena van de Venter	Kibbutz		erenavandeventer@gmail.com

1. Identification of services per Department

All the above stakeholders presented their services that they can contribute to this intervention.

i. Department of Health

- No infrastructure in Avian Park- makes it difficult to render health services
- Ukwanda- University of Stellenbosch delivers health services in the community
- A new clinic to be built next the primary school in 2018/19 or 2019/20 financial year
- Mobile clinic delivering preventative services
- Immunization is very poor in the community
- 11 carers doing homebased caring but with the violence the rendering of this services have been limited the past few months.

ii. Department of Education- Safe Schools

- Core function is, ensuring a safe environment
- We conduct radio information sessions on:
 - i. Substance Abuse
 - ii. Learner Behaviour
 - iii. Peer Mediation
 - iv. Conflict resolution
- We conduct parent and learner information sessions
- We have a holiday programme planned for Avian Park- leadership camp
- Security made available to all schools, but must indicate their need to the department
- After school programme is running but we need to engage with broader community to slot in and assist
- We provide trauma counselling at the schools
- School Social workers must also be invited to this platform.

iii. Department of Social Development

- Family and Children- Fieldworkers Programme

RESPONSIBLE ORGANIZATION: Child Welfare SA, Worcester

- Child protection services
- Services to families
- Foster Care management

RESPONSIBLE ORGANIZATION: Dept. Social Development

• Early Childhood Development(ECD)

- Registration and Re-registration of Partial Care Facilities(PCF)
- Monitoring and evaluation of ECD services
- Support services/Training and capacity building of ECD Practitioners
- 5 Registered PCF / 2 Unregistered PCF / 2 Playgroups

• After Care Services for Child Protection

Social workers on standby:

16:00 – 08:00 Weekdays and 24 Hours Weekends

i. Substance Abuse Programme

- Avian Park Youth intervention
- Wake up Parenting programme
- Road to Recovery aftercare
- Wolwekloof – 15 assessed
- Chrysalis Academy
- Got accommodation for young people for treatment

ii. Victim Empowerment

- Parental Group Work with Mothers of Children who was effected by Abuse.
- Group Work with Children who has suffered at the hands of abuse.
- Support Group for Teenage Mothers
- Support Group for Victims of Sexual Abuse
- **Intervention Programmes**
 - a. Intermediary Investigations (section 170 (A))
 - b. Court Preparation
 - c. Victim Impact Investigations and report to Court
 - d. Section 158 Investigations
 - e. Counselling

- f. Court Preparation
- g. Victim Offenders Dialog (Parole Board)
- h. Partnership Development/ Engagement (e.g. Hope & Reconciliation)

iii. Community Development

- Youth Development
- Creating linkages for job creation
- Linking with Chrysalis Academy
- Youth Forum
- Career Guidance at schools
- Pay internship for unemployed youth
- Typing of CV's
- ICB registration for NPO's (Institution Capacity Building)

iv. Social Crime Prevention

- Mentorship Diversion programme
- In the Mirror Programme
- Homebased supervision
- Community services –youth
- Community services – adults
- Holiday programmes
- Youth Day programme 16 June 2017

iv. Worcester CPF

- Supervisory duty over the police to make sure they do their work
- Building network
- Establishment of street committees
- Youth Development overlapping activities
- Also representing Vula Youth NGO doing Job Readiness, leadership development, life skills etc.

v. Mighty in Faith

- Focusing on Fatherlessness
- Sports programme
 - i. Street soccer
 - ii. Futsal
 - iii. Touch rugby
 - iv. Netball
- Mentoring – focussing on young men
- Ministry
- Would like to know from Dept. of Education who is responsible for School Dropouts?

vi. GCIS

- Mandate to ensure that communities are informed about government services
- We support departments with communication
- Youth educational programmes that ran from Dec 16
- Information session on radio
- Printed media as well as Radio media

vii. Department of Local Government – CDW's

- Assist other Government departments with community programmes

- We provide support both ways, to the community and to government
- Information sharing
- Adding value to campaigns
- Linking different departments

viii. Young Legacy & EXP

- Relationship building
- Connectedness (networking)
- Constant running of programmes

ix. Kibbutz

- Request to be included in discussions with the gangs
- Change maker programme
- Eco Lab for boys and girls
- We assist people in need
- Infrastructural development is key
- Mentoring in the Roodewal community

x. SAPS

- Crime fighting
- We work with all departments and NGO's
- Social crime fighters

xi. Toevlug

- Register in and out patients for substance abuse
- Do registration for in and outpatient rehabilitation
- Testing for 14 Substances
- Mindfulness Meditation
- Information sharing sessions
- Provide service in the Avian Park Library

xii. My Father's House

- Working with the Change Makers programme
- Working with kids 10 years and older
- Ministry
- Character building
- Working with YWAM
- We go into hotspots
- We have a plot in Avian Park that was recently fenced to establish a village

xiii. NYDA

- Looking at the unemployment
- Focusing on youth between 18-35years
- Market linkage
- Skills Development
- Job Writing
- CV Writing
- Job Database
- Learnerships
- Scholarships- bursary fund
- Voucher programme for small businesses

-
- Entrepreneurship 3-day training programme
 - Micro Finance grants
 - Rural community development – support for Co-Operatives
- xiv. Department of Correctional Services**
- Community Corrections
 - Working with Clients(inmates), parolees, direct families and victims
 - Community Service at Mossie Street and Albatross Street in Avian Park
- xv. Cape Winelands District Municipality**
- Provide funding and support to community programmes
 - We partner with all departments
 - ECD programme support
 - Substance abuse programmes
 - Elderly support programmes
 - Youth Development

During this engagement it was decided that an inter departmental task team be established to streamline the process and run the activities for this intervention.

2. Community Survey Engagement

An instruction from the Council Task team was given to conduct a community survey to engage the community on more personal level.

The Community Development Officer, Mr. Thys initiated an engagement with Department of Social Development, GCIS and STATS SA

This engagement was to discuss the process of conducting a community survey and for this purpose; STATS SA was brought to provide expert advice.

Mr. Reid took us through a process and this lead us to determine the way forward.

3. The religious leaders activities

A Group of pastors took it upon themselves to stand up and be counted.

- They conducted Prayer-walks throughout the community going to houses to pray with people for encouragement.
- They had several meetings with the Mayor and Council Task team
- They also attended planning meeting with us during the discussions on the community survey
- They created a WhatsApp group for better and constant communication

4. A process plan was developed to provide guidance to this intervention.

- The Task team must be established
- Follow up meeting must be called with all role-players
- Community Survey 2nd planning meeting must be conducted
- Community Survey must be conducted to activate the next phase
- The next phase will be to address the need recorded during the survey.

RESOLUTIONS MADE:

Basket or programme of interventions be developed for implementation by all role players – Done

Meeting 6

Meeting date	Purpose	Outcome
22 June 2017	Meeting with religious leaders with the committee	To discuss interventions that the religious leaders can make
RESOLUTIONS MADE:		ACTIONS
<ol style="list-style-type: none"> Pastor Brooke to lead the delegation Religious Forum to meet the Sunday to discuss programme of action 		2. Done

Meeting 7

Meeting date	Purpose	Outcome
14 August 2017	Imbizo – Deputy Minister of Police	To engage the community regarding the violence in Avian Park
RESOLUTIONS MADE:		ACTION
<ol style="list-style-type: none"> Long term police intervention to resolve the gang violence 		In progress

Meeting 8

Meeting date	Purpose	Outcome
16 August 2017	Meeting with Department of Community Safety	To discuss interventions from the Department
RESOLUTIONS MADE:		ACTION
<ol style="list-style-type: none"> MOA regarding safety kiosk be signed and completed Meeting with HOD of Community safety to discuss long term interventions and programmes 		<ol style="list-style-type: none"> Done Meeting scheduled for 12 September 2017

Meeting 9

Meeting date	Purpose	Outcome
21 August 2017	Mayco with Directors and Councillor S Mkhwane	Displacement of people from Avian Park to Zwelethemba
RESOLUTIONS MADE:		ACTION
<ol style="list-style-type: none"> Survey the Zwelethemba are to obtain information of displaced households No services will be provided 		<ol style="list-style-type: none"> In process n/a Done

<ul style="list-style-type: none"> 3. Meetings to take place within wards to discuss and provide information about the situation 4. Council to join the owner of the land in the interdict application 	4. Done
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Meeting 10

Meeting date	Purpose	Outcome
22 August 2017	Mayor, Speaker with representative of National Minister of Safety	To discuss SAPS intervention and long term stability on the interventions
RESOLUTIONS MADE:		ACTION
<ul style="list-style-type: none"> 1. Intervention promise by Deputy Minister will in place till December 2017 2. Feedback about process will be via the office of the Speaker 		<ul style="list-style-type: none"> 1. In progress 2. In progress

COMMENTS: DIRECTOR COMMUNITY SERVICES

Various processes are currently running concurrently to assist the community of Avian Park. It is however very important before any social intervention programmes are implemented that the area is safe for all NGO's and government departments to move in.

In addition, interventions planned cannot be once-off but should create other value-adds like job creation, training and development opportunities, substance abuse counseling, parents and children counseling.

I am also of the opinion that conflict resolution should be introduced to facilitate peace and calmness in the area.

COMMENTS: MUNICIPAL MANAGER

Thank you for a very comprehensive report. The report is actually doing justice to the real efforts that we put into the process in an attempt to address the situation in Avian Park.

The sustainable perspective reflected on by yourself is indeed confirming the strategic intent that should be a part of the actual problem solving approach in that this should be a continuous process by all role-players.

What is indeed clear is that this cannot only be placed on the doorstep of the municipality but that ownership should be placed on the part where the initial mandate and discretionary powers are vested.

Please further note that as part of Council's discussion it was decided that if the report is available a meeting can be held with the Chief Whips and representatives of different parties to discuss and determine a way forward. What is also important is that proper communication to the different communities can only be dealt with after that.

At the meeting of 23 October 2017, Messrs Stef Snell and Jeffrey Mauputa (IR Change) addressed Council on conflict resolution strategies which could also be applied to the Avian Park challenge.

PROPOSED: CLLR A. STEYN

SECONDED: CLLR M.N. BUSHWANA

RESOLVED

C76/2017

That in respect of –

AVIAN PARK, WORCESTER – GANG VIOLENCE: REPORT ON THE WORK OF THE COMMITTEE APPOINTED BY COUNCIL,

That:

1. That the Mayor and Municipal Manager be commissioned to do everything in their power to, in terms of section 152, 154 and 156 of the Constitution of the Republic of South Africa, work to create a safe environment for the community, including the possibility to declare Avian park "state of emergency" in terms of the State of Emergency Act, Act 64 of 1997 or any other relevant legislation;
 2. That Council proceeds with delivering services in Avian Park taking into account the safety and security of staff members and members of the public;
 3. That the Municipal Manager be mandated to proceed with the procurement of mediators to stabilize the situation in Avian Park;
 4. That the basket or programme of interventions proposed, be supported and implemented by the service providers as soon as the area is safe and secure
 5. That the relevant Minister be requested to enhance the attendance of the SAP in Avian Park.
-

-
9. **CONSIDERATION OF NOTICES OF MOTION AND NOTICES OF QUESTIONS WHICH SHALL APPEAR ON THE AGENDA IN THE ORDER IN WHICH THEY HAVE BEEN RECEIVED BY THE MUNICIPAL MANAGER**
-

10. **CONSIDERATION OF MOTIONS OF EXIGENCY**

None

10. CLOSURE

The Speaker closed the meeting at 15:15.

- 11.1 **COPY OF NOTICE PLACED ON NOTICE BOARDS**
-

For information, a copy of the Notice follows:

NOTICE IS HEREBY GIVEN that a **COUNCIL MEETING**
of the **Breede Valley Municipality** will be held on
MONDAY, 23 OCTOBER 2017 at 10:00 in the
COUNCIL CHAMBERS, CWDM, 51 TRAPPE STREET, 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 (sixteen) seats available to the public** on a first come first served basis. The list will be closed at **15:15** on Friday, 20 October 2017 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
MAANDAG, 23 OKTOBER 2017 om 10:00
gehou sal word in die
RAADSAAL, KWDM, TRAPPESTRAAT 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 (sestien) sitplekke wat vir die publiek beskikbaar is** op 'n "first come first served basis" te bespreek. Die lys sal om **15:15** op Vrydag, 20 Oktober 2017 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.

BREDE VALLEY MUNICIPALITY ATTENDANCE REGISTER: COUNCILLORS

COUNCIL MEETING: 23 OCTOBER 2017

VENUE: CWDM COUNCIL CHAMBER, TRAPPE STREET, WORCESTER

COUNCILLOR	SIGNATURE	COUNCILLOR	SIGNATURE
The Speaker: Mercur, N.P		Mohobo, C.M	
The Executive Mayor: Steyn, A.		11:55 (Excused) Nel, N.	N. Nel
The Deputy Executive Mayor: Levendal, J.D.		Pietersen, A.	verloren
Bushwana, M.N.		Ramokhabi, P.C.	
Farao, R.		Robinson, J.	
Goedeman, S.		Sampson, M.	
Isaacs, E.N.	E.N. Isaacs	Sheldon, E.Y.	
Ismail, C.	verloren	Stalmeester, G.	
Ismail, N.		Tshabile, I.L.	
Jack, J.R		Tyira, P.	
Jaftha, J.D.P.		Van der Horst, K.	
Kritzinger, J.P.		Van der Westhuizen, E.	
Langata, P.B.		Van Zyl, J.F.	
Mangali, Z.M.		Von Willingh, J.J.	
Maridi, T.		Vrolick, W.	
Marran, P.		Wehr, T.M.	
Matjan, E.S.C.		Williams, N.P.	N.P. Williams
Mei, S.J.		Williams, M.T.	
Meiring, W.R.		Wilskut, C.F.	
Mkhiwane, S.M.		Wullschleger, N.J.	APOLGUY
Mngcele, V.I.			

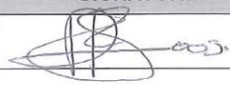
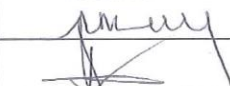


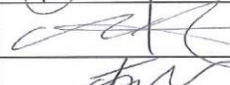
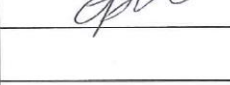


Excused
11:55





BREDE VALLEY MUNICIPALITY

COUNCIL MEETING: 23 OCTOBER 2017

Attendance Register: Officials

VENUE: CWDM WORCESTER

POSITION	OFFICIAL	SIGNATURE
Manager: Administration	I. Roos	
Chief: Committees	V. May	
Director Technical Services	J.A. Steyn	
Municipal Manager	D. McThomas	
Director SSS	R. Esau	
Director Finance	R. Ontong	
Acting Director Community Services	S.J. Swartz J. Marthinus	
Project Manager	C. Small	
Manager IDP	C. September	
Chief Internal Auditor	W. Du Plessis	

Kommunikasie H. Berman 
 Manager: Comm Liaison: T/Dirk N. Fokke 
 Manager: Human Resources S. Meyer 
 Kommissaris J.R. Balfour 

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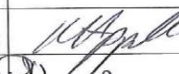
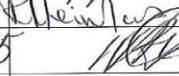
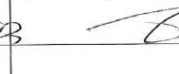
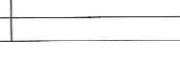
ATTENDANCE REGISTER.

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

COUNCIL MEETING

VENUE: CWDM, COUNCIL CHAMBERS, WORCESTER

DATE: 23 OCTOBER 2017 TIME 10:00

<u>NAME</u>	<u>ORGANISATION</u>	<u>PHONE NO.</u>	<u>SIGNATURE</u>
FRANK MASIMALA			
TREVOR SAMPSON			
PIETER STEVENS	WYK6	0799902520	
PIETER VERHOOG	Rocsa -	0827879201	
SAMMY PEKEUR	Public	0825191500	
AR STEYN	U.D.F. PARTY PRESIDENT	023342 8816	
VERNON LE ROUX			
LAURUS JACOBS			
DORIS KONSTABLE			
GLENDA DAMENS			
B VISAGIE			
S VISAGIE			
S PEKEUR			
N-APOLLIS	Community	0753369703	
Rosa Kleynhan	Community	0617003203	
MALDEJAN BIKANI	"	0632071535	
HARRY FONK	Public	0938739893	
Virginia Meyer	C		