

# NOTICE

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

Date distributed: 2025/09/25

## NOTICE OF A SPECIAL COUNCIL MEETING OF 2025/2026 FINANCIAL YEAR OF THE COUNCIL OF BREEDE VALLEY MUNICIPALITY MONDAY, 2025-09-29 AT 09:00

**TO** The Speaker, Alderman J.F. Van Zyl [Chairperson]  
The Executive Mayor, Alderman A. Steyn (Ms)  
The Deputy Executive Mayor, Cllr J.J. von Willingh

### COUNCILLORS

V.A. Bedworth  
W.M. Blom  
E. Botha  
M.N. Bushwana  
G.L. Daames  
Alderman R. Farao  
M.A. Goedeman  
E.N. Isaacs  
Alderman C. Ismail  
J.R. Jack  
M. Jacobs  
R.T. Johnson  
I.J. Joseph  
D. Judge  
J.P. Kritzinger  
S.K. Madlolo  
Z.M. Mangali  
T. S. Manuel  
P.H. Marais

S.J. Mei  
Alderman W.R. Meiring  
C.N. Snyders  
P.C. Moso  
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C.T. Nyithana  
J. Pieters  
A. Pietersen  
O. Ralehoko  
Alderman M. Sampson  
T. P. Sibozo  
S. S. T. Steenberg  
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H.C Titus  
F. Vaughan  
M.T. Williams  
Alderman C.F. Wilskut  
N.J. Wullschleger  
L.R. Yayi

Notice is hereby given in terms of Section 29, read with Section 18(2) of the *Local Government: Municipal Structures Act, 117 of 1998*, as amended, that a **SPECIAL COUNCIL MEETING** of the **2025/2026 FINANCIAL YEAR of the COUNCIL** of **BREEDE VALLEY MUNICIPALITY** will be held via **TEAMS** in the various locations, **BARING STREET WORCESTER** on **MONDAY, 2025-09-29** at **09:00** to consider the items on the agenda.



**SPEAKER: ALDERMAN J.F. VAN ZYL**



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## 1. OPENING AND WELCOME

In terms of the Rules of Order for Internal Arrangement By-Law 2012 (as amended) 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.

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## 2. OFFICIAL NOTICES

### 2.1 DISCLOSURE OF INTERESTS

Item 6 of Schedule 7 of the Municipal Structures Amendment Act 3 of 2021 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 (as amended).

- 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.
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## 3. COMMUNICATION

### 3.1 INTERVIEWS OR PRESENTATIONS BY DEPUTATIONS

In terms of the Rules of Order for Internal Arrangement By-Law 2012 (as amended).

*“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*

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#### 4. CONSIDERATION OF AGENDA ITEMS

##### 4.1 RESIGNATION OF THE DIRECTOR: ENGINEERING SERVICES AND DECLARATION OF A VACANCY

File no.: 4/3/1

Responsible Official: D McThomas

Directorate: SSS

Portfolio: Human Resources

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#### 1. PURPOSE

The purpose of this item is:

- a) to notify Council of the resignation of Mr. Jacobus Arnoldus Steyn, the Director: Engineering Services;
- b) to notify Council that the position of Director: Engineering Services will be vacant from 1 October 2025; and
- c) for Council to consider the appointment of an Acting Director: Engineering Services with effect from 1 October 2025.

#### 2. BACKGROUND AND DISCUSSION

The Director: Engineering Services, Mr. Jacobus Arnoldus Steyn, has formally tendered his resignation with effect from 1 October 2025. The resignation has been accepted by the Municipal Manager. As a result, the position of Director: Engineering Services is vacant.

Council resolved on 22 August 2023 in respect of the Breede Valley Municipality's Staff Establishment, of which the relevant part is extracted below:

#### ***"RESOLVED***

*That in respect of -*

**STAFF ESTABLISHMENT REVIEW AND PROPOSED CHANGES FOR  
IMPLEMENTATION ON 1 SEPTEMBER 2023**

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as discussed by Council at the Council Meeting held on 22 August 2023, resolution number C85/2023:

1. That Council approves the Macro Staff Establishment as per page 1 and 2 of Annexure A for implementation from 1 September 2023”

Annexure A of the approved Macro Staff Establishment as referenced in resolution number C85/2023 is depicted hereunder:



Following the implementation of the resolution and correspondence received from the Minister of CoGTA that, the Directorate: Engineering Services, amongst others, is not compliant with the **span of control requirements** as prescribed in the **Municipal Staff Regulations (MSR)**; and as part of the implementation plan to comply with legislation, this situation necessitates a review of the staff establishment to ensure both compliance and effective service delivery.

It is therefore prudent to firstly evaluate the current **macro staff establishment** of the municipality, particularly with regard to whether the Directorate: Engineering Services is optimally structured to function as a standalone directorate, or whether adjustments would be more suitable to enhance service delivery within the jurisdiction of the Breede Valley Municipality.

It is accordingly recommended that Council consider appointing Mr. Jean de Villiers, Director: Planning, Development and Integrated Services, to act as Director: Engineering Services whilst a possible review of the Macro Staff Establishment is being undertaken.

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The proposed three (3) month period of acting of Mr. Jean de Villiers would be with effect from 1 October 2025 until 31 December 2025. The recruitment and selection process in respect of the vacant position of Director: Engineering Services will thus be kept in abeyance.

The suggested acting appointment is provided for in the Local Government: Municipal Systems Act (No. 32 of 2000), which determine:

**"56 Appointment of managers directly accountable to municipal managers**

(1)(a) *A municipal council, after consultation with the municipal manager, must appoint*

- (i) *a manager directly accountable to the municipal manager; or*
- (ii) **an acting manager directly accountable to the municipal manager under circumstances and for a period as prescribed.**

(b) *A person appointed in terms of paragraph (a)(i) or (ii) must at least have the skills, expertise, competencies and qualifications as prescribed.*

(c) **A person appointed in terms of paragraph (a)(ii) may not be appointed to act for a period that exceeds three months: Provided that a municipal council may, in special circumstances and on good cause shown, apply in writing to the MEC for local government to extend the period of appointment contemplated in paragraph (a), for a further period that does not exceed three months.**

(2) *A decision to appoint a person referred to in subsection (1)(a)(ii) or (ii), and any contract concluded between the municipal council and that person in consequence of the decision, is null and void if-*

(a) *the person appointed does not have the prescribed skills, expertise, competencies, or qualifications; or*

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- (b) *the appointment was otherwise made in contravention of this Act, unless the Minister, in terms of subsection (6), has waived any of the requirements listed in subsection (1)(b)."*

### **3. APPLICABLE LEGISLATION**

- (a) The Constitution of the Republic of South Africa
- (b) Local Government: Municipal Systems Act, No. 32 of 2000 and Regulations
- (c) Local Government: Municipal Finance Management Act, No. 56 of 2003, and Regulations

### **4 FINANCIAL IMPLICATIONS**

The financial implications for Council include a three-month acting allowance for the appointment of an Acting Director: Engineering Services, effective from 1 October 2025.

### **5. COMMENTS OF RELEVANT DIRECTORATES / DEPARTMENTS**

**DELEGATED DIRECTOR: STRATEGIC SUPPORT SERVICES**

**CO-AUTHOR OF THE ITEM: MUNICIPAL MANAGER – SUPPORTED**

**MANAGER: HUMAN RESOURCES – ITEM SUPPORTED AND THE MEC FOR LOCAL GOVERNMENT IN THE WESTERN CAPE PROVINCE MUST BE INFORMED OF THE VACANCY AND ACTING APPOINTMENT.**

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**RECOMMENDATION**

That in respect of –

**RESIGNATION OF THE DIRECTOR: ENGINEERING SERVICES AND  
DECLARATION OF A VACANCY**

as discussed by Council at the Special Council meeting held on 29 September 2025 Council decide:

1. That Council affirms that the position of the Director: Engineering Services will be vacant with effect from 1 October 2025 due to the resignation of Mr. Jacobus Arnoldus Steyn;
2. that Mr. Jean de Villiers, Director: Planning, Development and Integrated Services, act as Director: Engineering Services whilst a possible review of the Macro Staff Establishment is being undertaken;
3. that the proposed three (3) month period of acting of the Director: Planning, Development and Integrated Services be with effect from 1 October 2025 until 31 December 2025;
4. that the Municipal Manager be authorised to inform the the MEC for local government of Council's decision to appoint Mr. Jean de Villiers, Director: Planning, Development and Integrated Services, to act as a Director: Engineering Services, as well as the reasons Council is unable to immediately begin the recruitment process to fill the position.
5. that the Municipal Manager be authorised to determine the acting allowance of the Acting Director: Engineering Services within legal prescripts and Council Policy.

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#### 4.2 LAND FOR HUMAN SETTLEMENTS WORCESTER: OVERHEX FARMLANDS: TWEEFONTEIN NO.960, EXT. OF OUDE WAGENDRIFT NO.362, EXT. OF EXCELSIOR NO.366 AND FARM NO.909: CONSIDERATION TO PURCHASE PRIVATELY OWNED LAND

File no.: 9/2/5/R

Responsible Officials: S Mayeki

Directorate: Community Services

Portfolio: Human Settlements

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### 1. PURPOSE

The purpose of this item is to seek provisional approval from Councils for the purchase of private land for human settlements. Informal settlements currently occupy a total of 519.25 hectares of land in Zwelethemba, Worcester. More than 76 percent is on private land; the table below illustrates land parcels, and more information is provided in **(Figure 2)** and **(Annexure B)**.

Property Description	Owner	Extent(ha)
Tweefonteinen 960	Tweefontein Trust	58.49 ha
Farm 594	Oude Wagendrift Naude Boedery Pty Ltd	49.59 ha
Portion41 of the Farm Oude Wagendrift 362	Oudewagedrift Naude Boerdery Pty Ltd	110.88 ha
Remainder of Portion1 of the Farm 366	Dutoit Agri Pty Ltd	155.27 ha
Portion 2 of the Farm 366	Dutoit Agri Pty Ltd	37.85 ha
Remainder of erf 589 of Farm 909	Oudewagendrift Boerdery Pty Ltd	107.17 ha

The acquisition of these parcels of lands will assist address the area's lack of municipally held land for human settlements. Secondly, it will accelerate the construction of the Eastern Bypass Road, which will provide a second entrance/exit to the Zwelethemba residential area and link the provincial road (R60) from Robertson to the national road (N1) south of the area.

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## 2. BACKGROUND / DISCUSSION

The National Assembly Portfolio Committee on Human Settlements received a petition from the councillor of ward 16 in the Breede Valley Municipality, expressing serious concerns about the lack of service delivery in the ward due to the provision of top-structures that have not yet been constructed for new Mandela Square 652.

The National Department of Human Settlements (NDHS) presented a proposal for an implementation plan for New Mandela Square 652 and the surrounding areas. during the portfolio committee meeting on March 1, 2024.

The National Department of Human Settlements (NDoHS), Western Cape Department of Infrastructure (WCDOI), and Breede Valley Municipality (BVM) collaborated to develop and approve a plan. On 01 March 2024, the plan was presented to the portfolio committee and accepted as the masterplan to develop Zwelethemba area.

In April 2024 the Western Cape Department of Infrastructure (WCDOI) appointed the Housing Development Agency (HAD) to undertake the following:

- 1) Milestone 1: Project Implementation Readiness Report.
- 2) Milestone 2: Upgrading & Housing Master Plan.
- 3) Milestone 3: Aerial Imagery & Structure count/Verification.
- 4) Milestone 4: Decanting & Relocation Strategy Report.
- 5) Milestone 5: Internal Engineering Services Status Report

The objective is to integrate the current and proposed housing developments in the Zwelethemba neighbourhood so that they can be efficiently planned for and implemented. More importantly, to plan, organise, and budget for the implementation of services and other relevant support programmes. This includes arrangements for secure tenure, engineering services, garbage collection, social facilities, public open space, public transport, and electrification. Also, to pay attention to the phased nature of incremental upgrading, and identify, where possible, in-situ opportunities for re-blocking and adjusting settlement layouts to facilitate future service and facility installation.

### 2.1 New Mandela Square (652) IRDP project

The New Mandela Square (652) IRDP project is in the northern stretch of the neighbourhood of Zwelethemba in Worcester, Breede Valley Municipality. The Breede Valley Municipality owns the proposed properties. The northernmost parcel is located at the corner of Mtwazi and Yabo streets. The southern pocket is located at the corner of Mayinjana Avenue and Isithintelo Street. The project will be built on municipal land and will include semi-detached and free-

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standing homes, as well as public open space. The municipality has designated the Zwelethemba/Emagwaleni region north of New Mandela Square as a decanting site to facilitate resettlement. The Breede Valley Municipality has proposed that the first phase of this project be the development of a temporary relocation area (TRA). The TRA is then proposed to be used for the decanting of the New Mandela Park project.

## **2.2 Eastern Bypass Road Access**

The Western Cape Department of Infrastructure, in collaboration with Breede Valley, is developing the Eastern Bypass Road. According to the agency, project implementation will begin in the financial year 2026/2027. The road will serve as a second entrance/exit to the Zwelethemba residential neighbourhood (Mtwazi Road) and connects the provincial route (R60) from Robertson to the national road (N1). The proposed bypass will stretch through privately held land as shown in Figure 5 and cover 17.3 hectares.

## **2.3 Critical factors for the development**

There are three essential components in the area's development: provision, temporary relocation area (TRA), Eastern Bypass, and land acquisition. The combination of these aspects is important to the projects' success. All the projects in the areas are very interdependent, thus there is need for alignment. The New Mandela Informal settlement spans roughly 120 hectares, with the majority (76%) being on private land in Emagwaleni (Fig. 3). This is the sole spot near the settlement where non-qualifiers can be decanted and relocated as part of the New Mandela Square (652) project. The creation of a temporary relocation area (TRA) as the first phase of the New Mandela Square (652) IRDP project temporary relocation area is a priority. The TRA is then proposed to be used for the decanting of the New Mandela housing project. The area can theoretically yield 8160 households based on the eighty (80) hectares density as per the SDF, and a land size of 102 hectares (Eastern bypass excluded). The Eastern Bypass affects around 900 families in the area; therefore, these should also be relocated as part of the informal area's re-structuring and re-blocking. The latter is critical for the Eastern Bypass and the development of the North Mandela and Aspad districts. The reorganisation and re-blocking of the area will also enable for the provision of basic amenities in previously unserved areas such as North Mandela and Emagwaleni.

### **a. Land Acquisition**

The private landowners have provided a land offer (**Annexure: A**) and submitted it to the HDA. The land offer is valued at R 27 million for the 91 hectares of land. Upon approval from the Council and the Western Cape Department of Infrastructure, the HDA will proceed with conducting 3 property valuations on the property and negotiations with the landowners.

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The HDA has completed a pre-acquisition Feasibility and the report (**Annexure: B**) confirm that the identified land parcels in Emagwaleni present significant potential for formal residential development within the broader Informal Settlement Upgrading and Housing Master Plan. Despite existing challenges such as infrastructure deficits, environmental constraints, and informal land tenure, the strategic location of Emagwaleni within Worcester's urban framework makes it highly suitable for structured development. The area's integration into the Breede Valley Municipality's spatial and economic growth strategies further strengthens the case for acquisition and formalization.

Land Acquisition for human Settlements is funded through the Human Settlement Development Grant (HSDG). The Departmental Land Acquisition Process has been incorporated into the normal project application and approval process. The project application and land acquisition process can be outlined as follows:

- (a) Submission of a Project Initiation Document (PID) with the land acquisition sections completed, specifically a Land Offer Letter (noting an initial price) from the owner of the property in question must be attached as an annexure to the PID application. This PID Application will then serve before the Project Planning Committee (PPC) for support. If the project is supported by the PPC then provision can be made for the planning tranches and the land price on the Departmental Business Plan for a specific financial year.
- (b) The Department then proceeds to undertake an independent land valuation to determine an objective value for the property.
- (c) Following the PID application, a Project Feasibility Report (PFR) application must be submitted after the various feasibility studies have been done. The PFR Application must include another two independent valuations of the property and the municipal valuation of the property. With the approval of the PFR the Tranche 1.2 planning funding will be released as well as the funds to acquire the property.
- (d) Finally, the Project Implementation Readiness Report (PIRR) Application must be submitted once all necessary development rights have been obtained for the project and implementation can then proceed once approval for the PIRR has been obtained.

### **3. FINANCIAL IMPLICATIONS:**

The Human Settlement Development Grant (HSDG) provides funding for land acquisition in human settlements. This commitment (once approved) to the budget allocation will be included in the Breede Valley Human Settlements business plan for the financial year 2026/2027.

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**4. LOGISTICAL IMPLICATIONS:**

Following adoption of this report, HDA will be entrusted with continuing engagement with the appropriate stakeholders, including landowners and the Department of Infrastructure (Roads and Transport). As part of the agreed memorandum of agreement, 17.3 hectares of land will be provided to the Department of Infrastructure (previously provincial transport) after the acquisition procedure is completed.

**5. COMMENTS OF DIRECTORATES / DEPARTMENTS**

**MUNICIPAL MANAGER:** Item supported.

**DIRECTOR ENGINEERING SERVICES:** The aim of the item and recommendation is firstly to seek provisional approval from Councils for the purchase of private land for human settlements, and secondly to accelerate the construction of the Eastern Bypass Road, which will provide a second entrance/exit to the Zwelethemba residential area, an entrance to the proposed Uitvlug Industrial Development and link the provincial road (R60) from Robertson to the national road (N1). The land under discussion falls within the Worcester Urban Edge which may be considered for Informal Settlement Upgrade (*Spatial Development Framework 2018/19, MAP 7 & 11, approved (C36/2019) by Council at the Special Council meeting held on 13 June 2019*). Item and recommendations, supported.

**DIRECTOR: FINANCIAL SERVICES:** Noted.

**DIRECTOR: PLANNING, DEVELOPMENT, AND INTEGRATED SERVICES:** No comments received.

**DIRECTOR: COMMUNITY SERVICES:** Noted.

**SENIOR MANAGER: LEGAL SERVICES:**

1. Recommendation to Council noted:
  - a. The relevant user departments to elaborate on the financial implications in respect of future municipal services flowing from the proposed acquisition.
  - b. The inputs from Town Planning would also be critical.

**TOWN PLANNER:** No comments received.

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**RECOMMENDATION**

That in respect of –

**LAND FOR HUMAN SETTLEMENTS WORCESTER: OVERHEX FARMLANDS:  
TWEEFONTEIN NO.960, EXT. OF OUDE WAGENDRIFT NO.362, EXT. OF EXCELSIOR  
NO.366 AND FARM NO.909: CONSIDERATION TO PURCHASE PRIVATELY OWNED  
LAND**

Discussed by Council at the Special Council meeting held 29 September 2025:

1. That Council **grants in-principle approval** of the land acquisition for human settlement of land in WORCESTER: OVERHEX FARMLAND from the private landowners as outlined in the report. Subject to the outcome of further negotiations and full compliance with the following requirements:
  - a) Confirmation of the suitability of the land for human settlement development; b) Obtaining all requisite environmental and land use planning authorisations in terms of the National Environmental Management Act (NEMA) and the Spatial Planning and Land Use Management Act (SPLUMA);
  - c) Assessment and confirmation of the cost-effectiveness of the proposed acquisition and development;
  - d) Fulfilment of any additional preconditions or legislative requirements as may be prescribed by the Western Cape Department of Infrastructure; and
  - e) Formal approval by the Western Cape Department of Infrastructure of the municipal project application for the acquisition of the land.
2. That the municipal administration be authorised to prepare and submit the relevant project application to the Western Cape Department of Infrastructure as part of the required process for land acquisition.

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- 5. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY SUBMITTED BY THE MUNICIPAL MANAGER**
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- 6. CLOSURE**
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