

**MINUTES OF A
COUNCIL MEETING
HELD ON
23 FEBRUARY 2017**

CAPE WINELANDS DISTRICT MUNICIPALITY

COUNCIL MEETING

THURSDAY, 23 FEBRUARY 2017 AT 11:00

MINUTES

		PAGE
C.1	OPENING	1
C.2	ELECTION OF ACTING SPEAKER, IF NECESSARY	2
C.3	APPLICATIONS FOR LEAVE OF ABSENCE	2
C.4	STATEMENTS AND COMMUNICATIONS BY THE SPEAKER	3
C.5	STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR	4
C.6	CONSIDERATION OF NOTICES OF MOTION	7
C.7	CONSIDERATION OF NOTICES OF QUESTIONS	7
C.8	CONSIDERATION OF MOTIONS OF EXIGENCY	7
C.9	MINUTES	
C.9.1	CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON THURSDAY, 26 JANUARY 2017 (ATTACHED)	8
C.9.2	REPORT BY THE MUNICIPAL MANAGER: ACTION MINUTES OF THE COUNCIL MEETING HELD ON THURSDAY, 26 JANUARY 2017	8
C.10	INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS	9
C.11	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER	9
C.11.1	DECLARATION OF A LOCAL STATE OF DISASTER IN THE AREA OF WITZENBERG MUNICIPALITY (17/4/R)	9
C.12	REPORT BY THE EXECUTIVE MAYOR: MAYORAL COMMITTEE MEETING HELD ON TUESDAY, 17 JANUARY 2017 (3/2/2/1)	10
C.13	MATTERS FOR NOTIFICATION	
C.13.1	DEPARTMENT: FINANCIAL AND STRATEGIC SUPPORT SERVICES: IMPLEMENTATION OF THE MSCOA (5/1/4)	13
C.13.2	ONCE-OFF GRATUITY PAYMENT TO NON-RETURNING COUNCILLORS POST THE 2021 LOCAL GOVERNMENT ELECTIONS (3/4/R & 5/11/1)	16

C.13.3	QUARTERLY REPORT OF THE CAPE WINELANDS DISTRICT MUNICIPALITY AUDIT COMMITTEE CHAIRPERSON FOR THE SECOND QUARTER OF THE 2016/2017 FINANCIAL YEAR (3/2/5/3)	18
C.14	MATTERS FOR CONSIDERATION	
C.14.1	REVISION OF BUDGET ESTIMATES: MUNICIPAL ADJUSTMENTS BUDGET FOR THE 2016/2017 FINANCIAL YEAR (5/1/1/9)	20
C.14.2	DECLARATION OF A LOCAL STATE OF DISASTER IN THE AREA OF WITZENBERG MUNICIPALITY (17/4/R)	37
C.15	CLOSURE	46

KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT

RAADSVERGADERING

DONDERDAG, 23 FEBRUARIE 2017 OM 11:00

NOTULE

		BLADSY
R.1	OPENING	1
R.2	VERKIESING VAN WAARNEMENDE SPEAKER, INDIEN NODIG	2
R.3	AANSOEK OM VERLOF TOT AFWESIGHEID	2
R.4	VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER	3
R.5	VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER	4
R.6	OORWEGING VAN KENNISGEWINGS VAN MOSIES	7
R.7	OORWEGING VAN KENNISGEWINGS VAN VRAE	7
R.8	OORWEGING VAN MOSIES VAN DRINGENDHEID	7
R.9	NOTULE	
R.9.1	BEKRAGTIGING VAN DIE NOTULE VAN DIE RAADSVERGADERING GEHOU OP DONDERDAG, 26 JANUARIE 2017 (AANGEHEG)	8
R.9.2	VERSLAG DEUR DIE MUNISIPALE BESTUURDER: AKSIE NOTULE VAN DIE RAADSVERGADERING GEHOU OP DONDERDAG, 26 JANUARIE 2017	8
R.10	ONDERHOUDE MET OF VOORLEGGINGS DEUR AFVAARDIGINGS	9
R.11	DRINGENDE SAKE VOORGELê DEUR DIE MUNISIPALE BESTUURDER	9
R.11.1	VERKLARING VAN 'N PLAASLIKE RAMPTOESTAND IN DIE AREA VAN WITZENBERG MUNISIPALITEIT (17/4/R)	9
R.12	VERSLAG DEUR DIE UITVOERENDE BURGEMEESTER : BURGE- MEESTERSKOMITEEVERGADERING GEHOU OP DINSDAG, 17 JANUARIE 2017 (3/2/2/1)	10
R.13	SAKE VIR KENNISNAME	
R.13.1	DEPARTEMENT: FINANSIËLE EN STRATEGIESE ONDERSTEUNINGS- DIENSTE: IMPLEMENTERING VAN DIE MSTR (5/1/4)	13

R.13.2	EENMALIGE GRATIFIKASIEBETALING AAN NIETERUGKERENDE RAADSLEDE NA AFLOOP VAN DIE 2021 PLAASLIKE REGERING VERKIESING (3/4/R & 5/11/1)	16
R.13.3	KWARTAALLIKSE VERSLAG VAN DIE VOORSITTER VAN DIE OUDIT-KOMITEE VAN DIE KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT VIR DIE TWEDE KWARTAAL VAN DIE 2016/2017 FINANSIËLE JAAR (3/2/5/3)	18
R.14	SAKE VIR OORWEGING	
R.14.1	HERSIENING VAN BEGROTINGSBERAMINGS: MUNISIPALE AANSUIWERINGSBEGROTING VIR DIE 2016/2017 FINANSIËLE JAAR (5/1/1/9)	20
R.14.2	VERKLARING VAN 'N PLAASLIKE RAMPTOESTAND IN DIE AREA VAN WITZENBERG MUNISIPALITEIT (17/4/R)	37
R.15	AFSLUITING	46

UMASIPALA WESITHILI SASECAPE WINELANDS

INTLANGANISO YEBHUNGA

NGOLWESINE, UMHLA WAMA-23 KUFEBRUWARI 2017 NGENTSIMBI YE-11

IMIZUZU

		IPHEPHA
C.1	UKUVULA	1
C.2	UKUNYULWA KUKASOMLOMO OBAMBELEYO, UKUBA KUYIMFUNeko	2
C.3	IZICELO ZOKUNGAYIZIMASI INTLANGANISO	2
C.4	IINGXELO NONXIBELELWANO LUKASOMLOMO	3
C.5	IINGXELO NONXIBELELWANO LUKASODOLOPHU	4
C.6	UKUQWALASELWA KWEZAZISO ZESINDULULO	7
C.7	UKUQWALASELWA KWEZAZISO ZEMIBUZO	7
C.8	UKUQWALASELWA KWEZINDULULO EZINGXAMISEKILEYO	7
C.9	IMIZUZU	
C.9.1	ULWAMKELO LWEMIZUZU YENTLANGANISO YEBHUNGA EBIBANJWE NGOLWESINE, UMHLA WAMA-26 KUJANYUWARI 2017 (INCANYATHELISIWE)	8
C.9.2	INGXELO EYENZIWA NGUMLAWULI KAMASIPALA: IMIZUZU YOKUSEBENZA YENTLANGANISO YEBHUNGA EBIBANJWE NGOLWESINE, UMHLA WAMA-26 KUJANYUWARI 2017	8
C.10	UDLIWANO-NDLEBE OKANYE INTETHO-NGXOXO NGOGUNYAZISO	9
C.11	IMICIMBI ENGXAMILEYO ENGENISWE NGUMLAWULI KAMASIPALA	9
C.11.1	UKUBHENGEZWA KWESIMO SENTLEKELEKUMMANDLA WOMASIPALA WASEWITZENBERG (17/4/R)	9
C.12	INGXELO EYENZIWA NGUSODOLOPHU WESIGQEBA: INTLANGANISO YEKOMITI KASODOLOPHU EYAYIBANJWE NGOLWESIBINI, UMHLA UMHLA WE-17 KUJANYUWARI 2017 (3/2/2/1)	10
C.13	IMIBA YOKWAZISWA	
C.13.1	ISEBE: LEENKONZO ZEQHINGA LEMALI NENKXASO: UKUMILISELWA KWEMSCOA (5/1/4)	13

C.13.2	INTLAWULO YOMHLALA-PHANTSI EKHUTSHWA KUBE KANYE KOOCEBA ABANGAZUKUBUYA EMVA KONYULO LOOMASIPALA LOWAMA-2021 (3/4/R & 5/11/1)	16
C.13.3	INGXELO YARHOQO NGEKOTA KASIHLOLO WEKOMITI YOPHICOTHO-ZINCWADI YOMASIPALA WESITHILI SASECAPE WINELANDS ELUNGISELELWE IKOTA YESISIBINI YONYAKA-MALI WAMA-2016/2017 (3/2/5/3)	18
C.14	IMIBA EKUFUNKA IQWALASELWE	
C.14.1	UKUHLAZIYWA KOQIKELELO LOHLAHO LWABIWO-MALI: UHLAHO LWABIWO-MALI OLULUNGELELANISIWEYO LUKAMASIPALA LONYAKA- MALI WAMA-2016/2017 (5/1/1/9)	20
C.14.2	UKUBHENGEZWA KWESIMO SENTLEKELEKUMMANDLA WOMASIPALA WASEWITZENBERG (17/4/R)	37
C.15	ISIPHELO	46

CAPE WINELANDS DISTRICT MUNICIPALITY

MINUTES OF THE COUNCIL MEETING OF THE CAPE WINELANDS DISTRICT MUNICIPALITY HELD ON THURSDAY, 23 FEBRUARY 2017 AT 11:10 IN THE COUNCIL CHAMBER, CAPE WINELANDS DISTRICT MUNICIPALITY, TRAPPES STREET, WORCESTER

PRESENT

(3/2/1/2)

COUNCILLORS

Cllr. C. Meyer (Speaker)
Ald. (Dr.) H. von Schlicht (Executive Mayor)
Cllr. D. Swart (Deputy Executive Mayor)



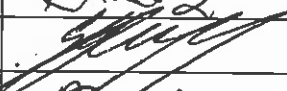
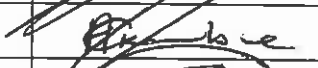


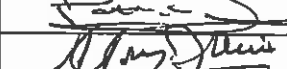

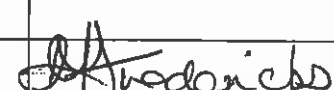
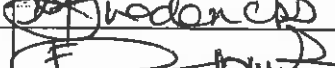









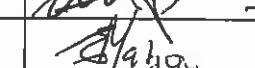
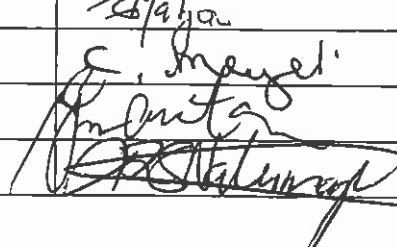
Cllr. M.M. Adriaanse
Cllr. W.M. Blom
Cllr. G.J. Carinus
Cllr. A. Crombie
Cllr. C. Damens
Cllr. P. Daniëls
Cllr. J.J. du Plessis
Cllr. R. du Toit
Cllr. G.J. Fredericks
Cllr. E. Gouws
Cllr. P. Hess
Cllr. X. Kalipa
Cllr. M.T. Klaas
Cllr. L. Landu
Cllr. N.S. Louw
Cllr. S.S. Magqazana
Cllr. P. Marran
Cllr. E.S.C. Matjan
Cllr. J.S. Mouton
Cllr. R.S. Nalumango
Cllr. L.W. Niehaus
Cllr. B.B. Ntshingila
Cllr. E. Qhankqiso
Cllr. P.C. Ramokhabi
Cllr. S.C. Rens
Cllr. L.S. Sambokwe
Ald. J.W. Schuurman
Cllr. A.J. Shibili
Cllr. L.N. Siwakamisa
Cllr. D.R.A. Snyders
Cllr. C. Steyn
Cllr. N. Tetana
Cllr. J.J. van Rooyen
Cllr. J.D.F. van Zyl
Cllr. W. Vrolick

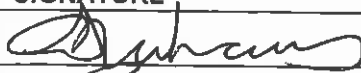
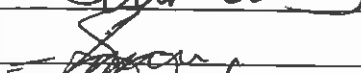

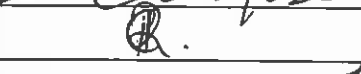
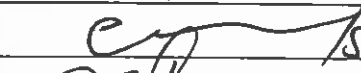

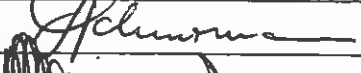




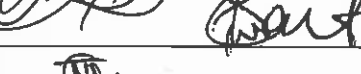

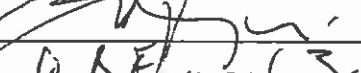
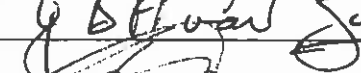









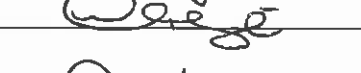
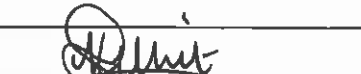



**KAAPSE WYNLAND / CAPE WINELANDS
DISTRIKSMUNISIPALITEIT / DISTRICT MUNICIPALITY**

**LYS VAN VERTEENWOORDIGERS : RAADSVERGADERING
LIST OF REPRESENTATIVES : COUNCIL MEETING**

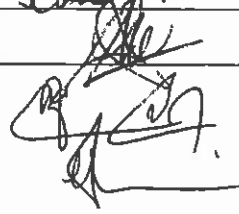
23 Februarie/February
DATUM VAN VERGADERING
DATE OF MEETING


11:00
TYD / TIME
WORCESTER

VERTEENWOORDIGER / REPRESENTATIVE	HANDTEKENING / SIGNATURE
ADRIAANSE, MM	
ARNOLDS, RB	
BLOM, WM	
CARINUS, GJ	
CROMBIE, A	
DAMENS, C	
DANIELS, P	
DU PLESSIS, JJ	
DU TOIT, R	
FLORENCE, A	
FREDERICKS, GJ	
GOUWS, E	
HESS, P	
KALIPA, X	
KLAAS, MT	
LANDU, L	
LOUW, NS	
MAGQAZANA SS	
MARRAN, P	
MATJAN, ESC	
MEYER, C	
MOUTON, JS	
NALUMANGO, RS	

VERTEENWOORDIGER / REPRESENTATIVE	HANDTEKENING / SIGNATURE
NIEHAUS, LW	
NTSHINGILA, BB	
QHANKQISO, E	
RAMOKHABI, PC	
RENS, SC	
SAMBOKWE, LS	
SCHUURMAN, JW	
SHIBILI, AJ	
SIWAKAMISA, LN	
SNYDERS, DRA	
STEYN, C	
SWART, D	
TETANA, N	
VAN ROOYEN, JJ	
VAN ZYL, JDF	
VROLICK, W	
VON SCHLICHT, H	
WILSKUT, CF	
AMPTENARE / OFFICIALS	
MGAJO, M	
DU RAAN-GROENEWALD, FA	
SCHROEDER, CV	
VAN ECK, F	
BEUKES, EFC	
NEETHLING, WM	
DARIES, BT	
SMIT, K	
HEATH, DA	
WILLEMSE, I	
ZEELIE, R	

M. J. Lisch
CJM Arangie



VERTEENWOORDIGER / REPRESENTATIVE	HANDTEKENING / SIGNATURE
M. MDCUDLU	 · 28/2/17

2
Council Meeting
23 February 2017

Cllr. C.F. Wilskut

ABSENT

Cllr. R.B. Arnolds

OFFICIALS

Mr. M. Mgajo (Municipal Manager)
Ms. F.A. du Raan-Groenewald
Mr. F. van Eck
Mr. E.F.C. Beukes
Mr. M.J. Lesch
Ms. K. Smit
Ms. W.M. Neethling
Mr. C.J.M. Arangie
Mr. S.P. Minnies
Mr. R. Zeelie
Mr. D.A. Heath
Ms. I. Willemse

C.1 OPENING (3/2/1/2)

The Speaker welcomed all present with a special word of welcome to the former Executive Mayor of the Cape Winelands District Municipality (CWDM), Alderman C.A. de Bruyn, and the Chairperson of the Audit Committee, Adv. M. Mdludlu.

Pastor Paul N'Kaya opened the meeting with scripture and prayer.
(Psalms 90 verse 1 and Romans 13)

C.2 ELECTION OF ACTING SPEAKER, IF NECESSARY (3/2/1/2)

None.

C.3 APPLICATION FOR LEAVE OF ABSENCE (3/2/1/2)

COUNCILLORS

Cllr. A. Florence

OFFICIALS

None.

C.4 STATEMENTS AND COMMUNICATIONS BY THE SPEAKER (*Verbatim*)
(3/2/1/3)

Geagte Agbare Burgermeester
Geagte Agbare Onderburgermeester
Geagte Agbare Burgemeesterskomitee
Geagte Agbare HoofswEEP en lede van die Raad van KWDM
Geagte Munisipale Bestuurder
Geagte Uitvoerende Direkteure van die verskillende departemente
Geagte Amptenare van verskillende departemente

Die volgende Raadslede word geluk gewens met hul verjaardae:

Verjaardag maand	Verjaardag	Naam van Raadslede
Februarie	03	Rdl. L.S. Sambokwe
	15	Rdl. J.J. du Plessis
	16	Rdl. L.N. Siwakamisa

Die hoop word uitgespreek dat u die dag geniet het saam met u familie, vriende en kollegas. Ons wens u Gods rykste seën toe vir die jaar wat voorlê.

It is often believed that women are born to be followers and not leaders. In fact women have been acclaimed to be good and effective leaders. The fact that women are relegated to the background in the leadership process within the African continent becomes problematic.

African women are seldom placed in leadership and decision making positions. Even those African countries that have some level of gender consciousness like South Africa, are still far away from, achieving a gender balanced leadership. For instance, out of 142 countries highlighted in the 2014 Gender Global gap report by the World Economic Forum, South Africa was placed 18th.

Our Bill of Rights enshrined in the South African constitution gives a number of rights to all, regardless of race, class, sex, religion, sexuality, among others, placing women on an equal footing with men.

We need to build an infrastructure of new leaders, one that has a fair share of female leaders and is representative of women. Advocacy for more women to be placed in power positions should be increased.

4
Council Meeting
23 February 2017

We must change our mind-sets with regard to women leaders, particularly in accepting that women, just like men can be leaders in all spheres of life.

Graag wens ek almal teenwoordig te versoek om op te staan vir 'n oomblik van stilte ter nagedagtenis aan die persone wie geliefdes aan die dood afgestaan het.

Graag wens ek 'n ernstige beroep op Raadslede te doen om opleiding by te woon waarvoor hulle genomineer is, aangesien afwesigheid aanleiding kan gee tot verkwiste uitgawes.

Baie dankie weereens dat u as Raadslede beskikbaar en sigbaar vir u verskeie gemeenskappe is.

Met dank.

C.5 STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR

(3/2/1/3)

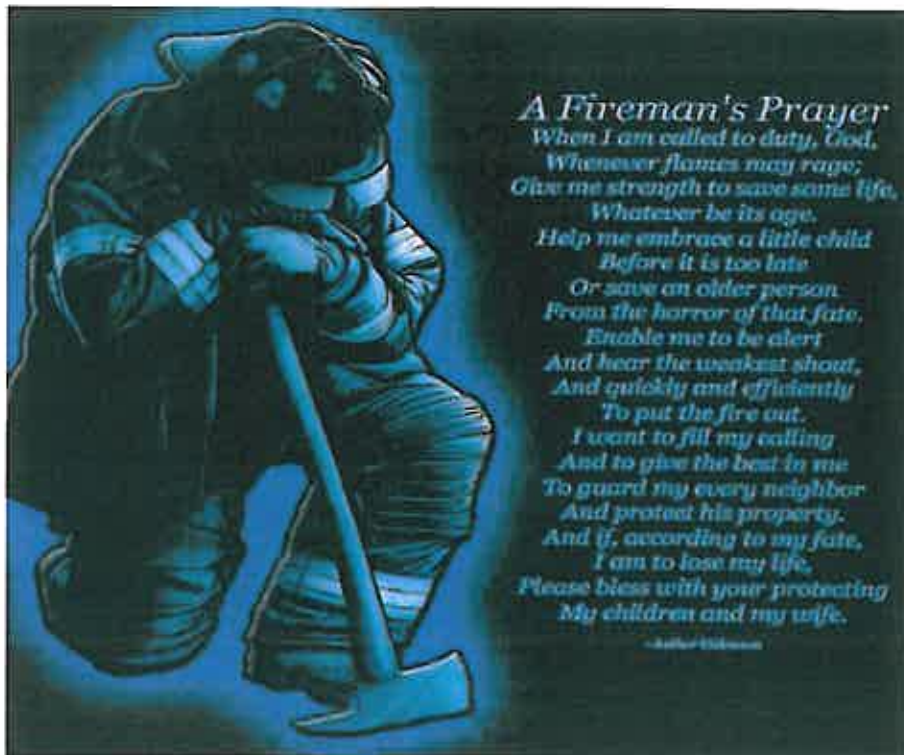
-
1. I need to share with the council that we in the CWDM are still battling with serious mountain fires. Currently the Banhoek valley in Stellenbosch was our most serious battle and I will come back to that. I share with you a picture of the fire in the Gydo Pass in the Witzenberg area. Members will take cognizance of the fact that we have to adjust our budget for firefighting later on in the discussion of the adjustment budget:



2. The fighting of fires does not come without casualties. During Tuesday night in the Banhoek valley, our fighters had some seriously challenging moments. A number of vehicles of the Stellenbosch Municipality were damaged but I am glad to say that again we had no loss of lives. We have had our 2nd road accident in which we have lost a 2nd fire engine, F31 whilst on duty. We are thankful that the 2 firefighters were not seriously injured and I share with you the two brave fighters with our portfolio holder who has supported them throughout their hospital tests and scans:



3. We have completed a very stringent adjustment budget process of which the budget will be tabled today and upon which I can report to council that this budget not only reflects sound financial management, but also a visible growth in service delivery to our communities. Services will especially be increased in the field of unmandated and unfunded functions in the area of Social development, however, this political leadership has given the direction that in terms of our Constitution, we will continue to fund these services from our own coffers.
4. I thank my Mayoral Committee members, all other councillors of this council together with all officials for putting our services to our people first. I would like to end with sharing with you the prayer of the fireman which was very prominent in our daily operation during the current fire season, which is only to end by the end of March. However this demonstrates the vision of the Cape Winelands District Municipality of "A unified Cape Winelands for Excellence":



I thank you Speaker!

C.6 CONSIDERATION OF NOTICES OF MOTION

None.

C.7 CONSIDERATION OF NOTICES OF QUESTIONS

None.

C.8 CONSIDERATION OF MOTIONS OF EXIGENCY

None.

C.9 MINUTES

C.9.1 CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON THURSDAY, 26 JANUARY 2017 (3/2/1/6)

RESOLVED :

That the minutes of the Council meeting held on Thursday, 26 January 2017 be taken as read and duly confirmed.

C.9.2 REPORT BY THE MUNICIPAL MANAGER: ACTION MINUTES OF THE COUNCIL MEETING HELD ON THURSDAY, 26 JANUARY 2017 (3/2/1/6)

RESOLVED : That -

- (a) Cognisance be taken of the action minutes of the Council meeting held on Thursday, 26 January 2017;
- (b) Pertaining to Item C.14.2(c) of 26 January 2017 cognisance be taken of the communication by the Municipal Manager that the implementation of certain paragraphs of Government Notice No. R.1600 on the determination of the upper limits of salaries, allowances and benefits of different members of municipal councils, published in Government Gazette No. 40519 of 21 December 2016 are problematic and that the Notice will be repealed and replaced by an amendment Notice.

BESLUIT : Dat -

- (a) Kennis geneem word van die aksienotule van die Raadsvergadering gehou op Donderdag, 26 Januarie 2017;
- (b) Met betrekking tot Item R.14.2(c) van 26 Januarie 2017, dat kennis geneem word van die mededeling deur die Munisipale Bestuurder dat die implementering van sekere paragrawe van Staatskennisgewing No. R.1600 oor die bepaling van die boonste perke van salarisse, toelaes en voordele van verskillende lede van munisipale rade, gepubliseer in Staatskoerant No. 40519 van 21 Desember 2016, problematies is en dat die kennisgewing teruggetrek en met 'n wysigingskennisgewing vervang sal word.

KUGQITYWE: Okokuba -

- (a) Ingqalelo ithatyathelwe imizuzu yokusebenza yentlanganiso yeBhunga ebibanjwe ngolwesiNe, umhla wama-26 kuJanyuwari 2017;

- (b) Inggalelo kufuneka ithatyathelwe imbalelwano evela kuMlawuli kaMasipala yokokuba ukumiliselwa kwamanqanaba aphezulu emivuzo, imali evunyelweyo nezibonelelo zebhunga likamasipala okwiGreyidi 5, njengoko ethiwe thaca kwiSaziso sikaRhulumente esinguNombolo R.1600 epapashwe kwiGazethi kaRhulumente enguNombolo 40519 yomhla wama-21 kuDisemba 2016 kuya kumiswa de kupapashwe isaziso solungiso esiphathelelene noku kuchazwe ngasentla.

C.10 INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS

None.

C.11 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

(3/2/2/1)

C.11.1 DECLARATION OF A LOCAL STATE OF DISASTER IN THE AREA OF WITZENBERG MUNICIPALITY (17/4/R)

R.11.1 VERKLARING VAN 'N PLAASLIKE RAMPTOESTAND IN DIE AREA VAN WITZENBERG MUNISIPALITEIT (17/4/R)

C.11.1 UKUBHENGEZWA KWESIMO SENTLEKELEKUMMANDLA WOMASIPALA WASEWITZENBERG (17/4/R)

COUNCIL MEETING: 23 FEBRUARY 2017: ITEM C.11.1

RESOLVED :

That the matter be dealt with under Item C.14.2 of the agenda.

RAADSVERGADERING: 23 FEBRUARIE 2017: ITEM R.11.1

BESLUIT:

Dat die aangeleentheid onder Item R.14.2 van die agenda behandel word.

INTLANGANISO YEBHUNGA: YOMHLA WAMA-23 KUFEBRUWARI 2017: UMBA C.11.1

KUGQITYWE :

Okokuba umba kujongwane nawo phantsi koMba C.14.2 we-ajenda.

**C.12 REPORT BY THE EXECUTIVE MAYOR: MAYORAL COMMITTEE MEETING
HELD ON TUESDAY, 17 JANUARY 2017 (3/2/2/1)**

The following report outline the issues and decisions taken by the Mayoral Committee.

The relevant minutes that served before the Executive Mayor and Mayoral Committee on the date indicated have been distributed to all Councillors -

1 MEETING HELD ON 17 JANUARY 2017

MATTERS OF WHICH COGNISANCE WERE TAKEN:

**MC.6.3 DEPARTMENT: TECHNICAL SERVICES: QUARTERLY REPORT:
JULY 2016 TO SEPTEMBER 2016 (2/10/1/5)**

RESOLVED:

That cognisance be taken of the item that served before the Mayoral Committee.

**MC.6.5 PERFORMANCE MANAGEMENT REPORT OF THE CAPE
WINELANDS DISTRICT MUNICIPALITY (CWDM) FOR THE FIRST
QUARTER ENDING 30 SEPTEMBER 2016 (2/10/2)**

RESOLVED:

That cognisance be taken of the item that served before the Mayoral Committee.

**MC.6.6 DEPARTMENT: COMMUNITY DEVELOPMENT AND PLANNING
SERVICES: REPORT ON THE ATTENDANCE OF THE DISASTER
MANAGEMENT INSTITUTE OF SOUTHERN AFRICA (DMISA)
ANNUAL CONFERENCE HELD FROM WEDNESDAY,
21 SEPTEMBER 2016 TO THURSDAY, 22 SEPTEMBER 2016 AT
GOUDINI SPA, RAWSONVILLE (12/1/1/6)**

RESOLVED:

That cognisance be taken of the item that served before the Mayoral Committee.

- MC.6.7 INTERGOVERNMENTAL RELATIONS: ENGAGEMENTS WITH
MINISTERS OF THE WESTERN CAPE PROVINCIAL
GOVERNMENT HELD ON MONDAY, 28 NOVEMBER 2016 IN
CAPE TOWN (10/3)**
-

RESOLVED:

That cognisance be taken of the item that served before the Mayoral Committee.

MATTERS OF WHICH RESOLUTIONS WERE TAKEN:

- MC.6.2 NOTIFICATION TO THE MAYORAL COMMITTEE: RESOLUTIONS
BY THE EXECUTIVE MAYOR TOGETHER WITH THE MAYORAL
COMMITTEE AND THE EXECUTIVE MAYOR IN CONSULTATION
WITH THE DEPUTY EXECUTIVE MAYOR IN TERMS OF THE
SYSTEM OF DELEGATIONS APPROVED BY COUNCIL AT ITEM
C.4.12 OF 15 JUNE 2011 (2/4/2)**
-

RESOLVED:

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

- MC.6.4 DEPARTMENT: TECHNICAL SERVICES: INFORMATION AND
COMMUNICATION TECHNOLOGY REPORTS FOR THE PERIODS
JULY 2016 TO DECEMBER 2016 (6/2/1/5)**
-

RESOLVED:

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

- MC.7.1.1 DRAFT ANNUAL REPORT 2015/2016 (9/1/1)**
-

RESOLVED:

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

MC.7.2.1 BENEVOLENT FUND GRANT CONTRIBUTIONS (5/7/6)

RESOLVED:

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

MC.7.2.2 REVISION OF THE STAFF ESTABLISHMENT OF THE CAPE WINELANDS DISTRICT MUNICIPALITY (CWDM) (4/1/1/2 & 4/1/1/3)

RESOLVED:

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

MC.7.2.3 FINANCIAL ASSISTANCE TO NEXT OF KIN AND ARRANGEMENTS PERTAINING TO MEMORIAL SERVICES OF DECEASED EMPLOYEES (4/8/R)

RESOLVED:

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

MC.7.3.1 DEPARTMENT: COMMUNITY DEVELOPMENT AND PLANNING SERVICES: REPORT ON THE 16 DAYS OF ACTIVISM AGAINST VIOLENCE AGAINST WOMEN AND CHILDREN CAMPAIGN INTRODUCED ON FRIDAY, 25 NOVEMBER 2016 IN PAARL EAST (17/10)

RESOLVED:

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

MC.7.3.2 FIRE SEASON 2016/2017 (17/5/1)

RESOLVED:

That cognisance be taken of the decision taken by the Executive Mayor together with the Mayoral Committee.

C.13 MATTERS FOR NOTIFICATION

**C.13.1 DEPARTMENT: FINANCIAL AND STRATEGIC SUPPORT SERVICES:
IMPLEMENTATION OF THE MSCOA (5/1/4)**

**R.13.1 DEPARTEMENT: FINANSIËLE EN STRATEGIESE ONDERSTEUNINGS-
DIENSTE: IMPLEMENTERING VAN DIE MSTR (5/1/4)**

**C.13.1 ISEBE: LEENKONZO ZEQHINGA LEMALI NENKXASO: UKUMILISELWA
KWEMSCOA (5/1/4)**

PURPOSE OF SUBMISSION

That Council take cognisance of the Cape Winelands District Municipality's (CWDM) progress with regard to the implementation of the municipal Standard Chart of Accounts (mSCOA).

DOEL VAN VOORLEGGING

Dat die Raad kennis neem van die Kaapse Wynland Distriksmunisipaliteit (KWDM) se vordering ten opsigte van die implementering van die munisipale Standaardtabel van Rekening (mSTR).

INJONGO YONGENISO

Okokuba iBhunga lithabathele ingqalelo inkqubela phambili yoMasipala wesiThili saseCape Winelands (CWDM) ngokubhekiselele kukumiliselwa kweTshati kamasipala yoMgangatho yeeAkhawunti (mSCOA).

BACKGROUND

National Treasury promulgated Regulation 312 on the mSCOA on 22 April 2015.

Section 216 of the Constitution of the Republic of South Africa, 1996 provides that national legislation must prescribe measures to ensure transparency and expenditure control in each sphere of government by introducing generally recognised accounting practices, uniform expenditure classifications and uniform treasury norms and standards.

Currently, each municipality manages and reports on its financial affairs in accordance with its own organisational structure and unique chart of accounts. This resulted into a disjuncture amongst municipalities and the various spheres of government as to how they classify revenue and expenditure and consequently report thereon.

It was therefore necessary for the Minister of Finance to specify national norms and standards for the recording and collection of local government budget, financial and non-financial information which will include in some instances the specification of information required for national policy coordination and reporting.

The Cape Winelands District Municipality (CWDM) together with Bytes Technology has progressed significantly with the implementation since the last reporting date.

COMMENT

PROGRESS SINCE LAST REPORTING DATE

mSCOA READINESS

The Cape Winelands District Municipality (CWDM) embarked on the following actions in preparation of mSCOA readiness:

- (a) The web based budgeting module was implemented.
- (b) Six officials have received training on the web based module.
- (c) Managers has started to complete mSCOA budget templates.
- (d) ICT due diligence report was tabled at Council on the 8 December 2016

RECOMMENDATION BY MUNICIPAL MANAGER:

That Council take cognisance of the Cape Winelands District Municipality's (CWDM) progress with regard to the implementation of the mSCOA.

AANBEVELING DEUR MUNISIPALE BESTUURDER:

Dat die Raad kennis neem van die Kaapse Wynland Distriksmunisipaliteit (KWDM) se vordering ten opsigte van die implementering van die mSTR.

INGCEBISO EVELA KUMLAWULI KAMASIPALA

Okokuba uSodolophu kunye neKomiti kaSodolophu bacamngce ngokucebiso iBhunga ukubalithabathele ingqalelo inkqubela phambili yoMasipala wesiThili saseCape Winelands (CWDM) ngokubhekiselele kukumiliselwa kwemSCOA.

COUNCIL MEETING: 23 FEBRUARY 2017: ITEM C.13.1

RESOLVED: That -

- (a) Cognisance be taken of the Cape Winelands District Municipality's (CWDM) progress with regard to the implementation of the mSCOA;
- (b) The South African Local Government Association Western Cape (SALGA Western Cape) be requested to provide mSCOA training for all Councillors of the Cape Winelands District Municipality (CWDM).

RAADSVERGADERING: 23 FEBRUARIE 2017: ITEM R.13.1

BESLUIT: Dat –

- (a) Kennis geneem word van die Kaapse Wynland Distriksmunisipaliteit (KWDM) se vordering ten opsigte van die implementering van die mSTR;
- (b) Die Suid-Afrikaanse Vereniging vir Plaaslike Regering Wes-Kaap (SALGA Wes-Kaap) versoek word om mSTR-opleiding vir alle Raadslede van die Kaapse Wynland Distriksmunisipaliteit (KWDM) aan te bied.

**INTLANGANISO YEBHUNGA: YOMHLA WAMA-23 KUFEBRUWARI 2017:
UMBA C.13.1**

KUGQITYWE: Okokuba -

- (a) Inggalelo ithatyathelwe inkqubela phambili yoMasipala wesiThili saseCape Winelands (CWDM) ngokubhekiselele kukumiliselwa kwemSCOA.
- (b) ISouth African Local Government Association Western Cape (SALGA Western Cape) icelwe okokuba ibonelele ngoqeqesho lwemSCOA kubo bonke ooCeba boMasipala wesiThili saseCape Winelands (CWDM).

- C.13.2 ONCE-OFF GRATUITY PAYMENT TO NON-RETURNING COUNCILLORS POST THE 2021 LOCAL GOVERNMENT ELECTIONS (3/4/R & 5/11/1)**
- R.13.2 EENMALIGE GRATIFIKASIEBETALING AAN NIETERUGKERENDE RAADSLEDE NA AFLOOP VAN DIE 2021 PLAASLIKE REGERING VERKIESING (3/4/R & 5/11/1)**
- C.13.2 INTLAWULO YOMHLALA-PHANTSI EKHUTSHWA KUBE KANYE KOOCEBA ABANGAZUKUBUYA EMVA KONYULO LOOMASIPALA LOWAMA-2021 (3/4/R & 5/11/1)**
-

PURPOSE OF SUBMISSION

That Council take cognisance of a letter dated 28 December 2016 received from the Minister of Cooperative Governance and Traditional Affairs, Mr. D.D.D. van Rooyen regarding the once-off gratuity payment to non-returning Councillors post the 2021 Local Government Elections.

DOEL VAN VOORLEGGING

Dat die Raad kennis neem van 'n skrywe gedateer 28 Desember 2016 wat vanaf die Minister van Samewerkende Regering en Tradisionele Sake, mnr. D.D.D. van Rooyen, ontvang is met betrekking tot die eenmalige gratifikasiebetaling aan nieterugkerende Raadslede na afloop van die 2021 Plaaslike Regeringverkiesing.

INJONGO YONGENISO

Yeyokokuba iBhunga lithabathele ingqalelo ileta yomhla wama-28 kuDisemba 2016, eyamkelwe ivela kuMphathiswa woLawulo lweNtsebenziswano neMicimbi yeMveli. uMnu D.D.D. van Rooyen ephathelelene neNtlawulo yoMhlala-phantsi ekhutshwa kube kanye kooCeba abangazukubuya emva koNyulo looMasipala lowama-2021.

BACKGROUND

Attached as Annexure "A" is a copy of a letter dated 28 December 2016 received from the Minister of Cooperative Governance and Traditional Affairs, Mr. D.D.D. van Rooyen, regarding the once-off gratuity payment to non-returning Councillors post the 2021 Local Government Elections.

RECOMMENDATION BY MUNICIPAL MANAGER:

That Council take cognisance of a letter dated 28 December 2016 received from the Minister of Cooperative Governance and Traditional Affairs, Mr. D.D.D. van

17
Council Meeting
23 February 2017

Rooyen regarding the once-off gratuity payment to non-returning Councillors post the 2021 Local Government Elections.

AANBEVELING DEUR MUNISIPALE BESTUURDER:

Dat die Raad kennis neem van 'n skrywe gedateer 28 Desember 2016 wat van die Minister van Samewerkende Regering en Tradisionele Sake, mnr. D.D.D. van Rooyen, ontvang is met betrekking tot die eenmalige gratifikasiebetaling aan nieterugkerende Raadslede na afloop van die 2021 Plaaslike Regeringverkiesing.

INGCEBISO EVELA KUMLAWULI KAMASIPALA:

Yeyokokuba iBhunga lithabathele ingqalelo ileta yomhla wama-28 kuDisemba 2016, eyamkelwe ivela kuMphathiswa woLawulo lweNtsebenziswano neMicimbi yeMveli. uMnu D.D.D. van Rooyen ephathelelene neNtlawulo yoMhlala-phantsi ekhutshwa kube kanye kooCeba abangazukubuya emva koNyulo looMasipala lowama-2021.

COUNCIL MEETING: 23 FEBRUARY 2017: ITEM C.13.2

RESOLVED:

That cognisance be taken of a letter dated 28 December 2016 received from the Minister of Cooperative Governance and Traditional Affairs, Mr. D.D.D. van Rooyen, regarding the once-off gratuity payment to non-returning Councillors post the 2021 Local Government Elections, attached as Annexure "A" to the agenda item.

RAADSVERGADERING: 23 FEBRUARIE 2017: ITEM R.13.2

BESLUIT:

Dat kennis geneem word van 'n skrywe gedateer 28 Desember 2016 wat van die Minister van Samewerkende Regering en Tradisionele Sake, mnr. D.D.D. van Rooyen, ontvang is met betrekking tot die eenmalige gratifikasiebetaling aan nieterugkerende Raadslede na afloop van die 2021 Plaaslike Regeringverkiesing, aangeheg as Bylae "A" by die agenda-item.

**INTLANGANISO YEBHUNGA: YOMHLA WAMA-23 KUFEBRUWARI 2017:
UMBA C.13.2**

KUGQITYWE:

Okokuba ingqalelo ileta yomhla wama-28 kuDisemba 2016, eyamkelwe ivela kuMphathiswa woLawulo lweNtsebenziswano neMicimbi yeMveli. uMnu D.D.D. van Rooyen ephathelelene neNtlawulo yoMhlala-phantsi ekhutshwa kube kanye

kooCeba abangazukubuya emva koNyulo looMasipala lowama-2021, encanyatheliswe njengeSihlomelo "A" kumba we-ajenda.

- C.13.3 QUARTERLY REPORT OF THE CAPE WINELANDS DISTRICT MUNICIPALITY AUDIT COMMITTEE CHAIRPERSON FOR THE SECOND QUARTER OF THE 2016/2017 FINANCIAL YEAR (3/2/5/3)**
- R.13.3 KWARTAALLIKSE VERSLAG VAN DIE VOORSITTER VAN DIE OUDIT-KOMITEE VAN DIE KAAPSE WYNLAND DISTRIKSMUNISIPALITEIT VIR DIE TWEEDE KWARTAAL VAN DIE 2016/2017 FINANSIËLE JAAR (3/2/5/3)**
- C.13.3 INGXELO YARHOQO NGEKOTA KASIHILALO WEKOMITI YOPHICOTHO-ZINCWADI YOMASIPALA WESITHILI SASECAPE WINELANDS ELUNGISELELWE IKOTA YESISIBINI YONYAKA-MALI WAMA-2016/2017 (3/2/5/3)**
-

PURPOSE OF SUBMISSION

That Council take cognisance of the quarterly report of the Audit Committee Chairperson for the second quarter of the 2016/2017 financial year.

DOEL VAN VOORLEGGING

Dat die Raad kennis neem van die kwartaalmscolikse verslag van die voorsitter van die Ouditkomitee vir die tweede kwartaal van die 2016/2017 finansiële jaar.

INJPNGP YONGENISO

Okokuba iBhunga, lithabathele ingqalelo ingxelo yarhoqo ngonyaka kaSihlalo weKomiti yoPhicotho-zincwadi elengiselelwe unyaka-mali wama-2016/2017.

BACKGROUND

Council at Item C.12 of 30 August 2001 resolved to establish an Audit Committee.

COMMENT

*** Attached as Annexure "A" is a copy of the quarterly report of the Audit Committee Chairperson for the second quarter of the 2016/2017 financial year.

RECOMMENDATION BY MUNICIPAL MANAGER:

That Council take cognisance of the quarterly report of the Audit Committee Chairperson for the second quarter of the 2016/2017 financial year.

AANBEVELING DEUR MUNISIPALE BESTUURDER

Dat die Raad kennis neem van die kwartaallikse verslag van die voorsitter van die Ouditkomitee vir die tweede kwartaal van die 2016/2017 finansiële jaar.

INGCEBISO EVELA KUMLAWULI KAMASIPALA

Okokuba Ibhunga, lithabathele ingqalelo ingxelo yarhoqo ngonyaka kaSihlalo weKomiti yoPhicotho-zincwadi elengiselelwe unyaka-mali wama-2016/2017.

COUNCIL MEETING: 23 FEBRUARY 2017: ITEM C.13.3

RESOLVED:

That cognisance be taken of the quarterly report of the Audit Committee Chairperson for the second quarter of the 2016/2017 financial year, attached as Annexure "A" to the agenda item.

RAADSVERGADERING: 23 FEBRUARIE 2017: ITEM R.13.3

BESLUIT:

Dat kennis geneem word van die kwartaallikse verslag van die voorsitter van die Ouditkomitee vir die tweede kwartaal van die 2016/2017 finansiële jaar, aangeheg as Bylae "A" by die agenda-item.

**INTLANGANISO YEBHUNGA: YOMHLA WAMA-23 KUFEBRUWARI 2017:
UMBA C.13.3**

KUGQITYWE:

Okokuba ingqalelo ithatyathelwe ingxelo yarhoqo ngekota kaSihlalo weKomiti yoPhicotho-zincwadi elungiselelwe ikota yesibini yonyaka-mali wama-2016/2017, encanyatheliswe njengeSihlomelo "A" kumba we-ajenda.

- C.14 MATTERS FOR CONSIDERATION**
- C.14.1 REVISION OF BUDGET ESTIMATES: MUNICIPAL ADJUSTMENTS BUDGET FOR THE 2016/2017 FINANCIAL YEAR (5/1/19)**
- R.14.1 HERSIENING VAN BEGROTINGSBERAMINGS: MUNISIPALE AANSUIWERINGSBEGROTING VIR DIE 2016/2017 FINANSIËLE JAAR (5/1/19)**
- C.14.1 UKUHLAZIYWA KOQIKELELO LOHLAHLA LWABIWO-MALI: UHLAHLA LWABIWO-MALI OLULUNGELELANISIWEYO LUKAMASIPALA LONYAKA-MALI WAMA-2016/2017 (5/1/19)**
-

PURPOSE OF SUBMISSION

That Council consider to approve the Adjustments Budget contemplated in terms of section 28(2)(b), (d) and (f) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) and Regulation 23(1) of the Municipal Budget and Reporting Regulations, 2008.

DOEL VAN VOORLEGGING

Dat die Raad oorweging daaraan skenk om die Aansuiweringsbegroting, soos beoog ingevolge artikel 28(2)(b), (d) en (f) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA) en Regulasie 23(1) van die Munisipale Begrotings- en Verslagdoeningsregulasies, 2008, goed te keur.

INJONGO YONGENISO

Okokuba iBhunga licamngce ngokwamkela uHlahlo Lwabiwo-mali oluLungelelanisiweyo ngokuhambelana necandelo lama-28(2)(b), (d) kunye no(f) loMthetho kaMasipala: uMthetho woLawulo lweMali, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) kunye noMmiselo wama-23(1) woHlahlo Lwabiwo-mali lukaMasipala kunye neMimiselo yokuNikwa kweNgxelo, yowama-2008.

BACKGROUND

In terms of section 28 of the MFMA a council may at times have to consider a revision of its original budget as a result of material and significant changes in the collection of revenue, spending patterns, or projections thereof for the remainder of the financial year.

Section 28(4) of the MFMA stipulates that only the mayor may table an adjustments budget in the municipal council, but an adjustments budget in terms of section 28

(2)(b) to (g) may only be tabled within any prescribed limitations as to timing or frequency.

Section 28 of the MFMA provides as follows in respect of an adjustments budget:

- (b) Council may only appropriate additional revenue that has become available, but only to revise or accelerate spending programmes already budgeted for (multiple years);
- (d) A municipality may authorise the utilisation of projected savings in any vote for spending on another vote;
- (e) May authorise the spending of funds that were unspent at the end of the past financial year where the underspending could not reasonably have been foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council;
- (f) may correct any errors in the annual budget;
- (g) may provide for any other expenditure within a prescribed framework.

Section 28 (5) determines that when an adjustments budget is tabled, it must be accompanied by -

- (i) an explanation of how the adjustments affect the approved annual budget;
- (ii) appropriate motivations for material changes; and
- (iii) an explanation of the impact of any increased spending on current and future annual budgets.

Furthermore, regulation 23 of the Municipal Budget and Reporting Regulations, 2008 (published in Government Gazette No. 32141 on 17 April 2009), determined the timeframes for tabling of adjustments budgets as follows:

- (1) An adjustments budget referred to in section 28(2)(b), (d) and (f) of the MFMA may be tabled in the municipal council at any time after the mid-year budget and performance assessment has been tabled in the council, but not later than 28 February of the current year.
- (2) Only one adjustments budget referred to in sub-regulation (1) may be tabled in the municipal council during a financial year, except when the additional revenues contemplated in section 28(2)(b) of the MFMA are allocations to a municipality in a national or provincial adjustments budget, in which case sub-regulation (3) applies.

In terms of section 30 of the MFMA, the appropriation of funds in an annual or adjustments budget lapses to the degree in which those funds are unspent at the end of the financial year to which the budget relates, except, in terms of section 16(3), in the case of an appropriation for expenditure made for a period longer than

that financial year. Section 16(3) stipulates that Council may approve money for capital expenditure for a period of not more than three financial years, provided that a separate appropriation is made for each of those financial years.

PROPOSED REVISED BUDGET FEBRUARY 2017

Additional Income

The following additional allocations were made to the Cape Winelands District Municipality (CWDM) by the Western Cape Provincial Government during November 2016 and were included in Adjustments budgets tabled to Council in terms of Regulation 23(3).

Provincial Gazette Extraordinary No. 7705 of 24 November 2016

The following additional allocations were made to the Cape Winelands District Municipality (CWDM) by the Western Cape Provincial Government during November 2016 and was included in the adjustments budget referred to in Municipal Budget and Reporting Regulation 23(3)

- (i) Western Cape Financial Management Support Grant - R920 000
- (ii) Local Government Graduate Internship Grant - R60 000

Interest on investments

Due to increased interest rates and the growing amount of Council's Investments, it was necessary to increase the amount of interest receive with R7 811 910 to R48 000 000.

23
Council Meeting
23 February 2017

Adjustments budget summary

The table below illustrate expenditure per category taking into account all previous adjustments budgets as well as all the virements to date:

	*CURRENT	PROPOSED	SAVINGS/(INCREASE)
	BUDGET 2016/2017	ADJUSTMENTS BUDGET 2016/2017	
SALARIES, WAGES AND ALLOWANCES	199 857 000	195 182 011	4 674 989
GENERAL EXPENSES	105 395 879	99 769 746	5 626 133
REPAIR AND MAINTENANCE WORK	45 744 000	53 127 100	-7 383 100
CONTRIBUTION TO FUNDS AND RESERVES	9 313 000	10 617 800	-1 304 800
PROJECTS	32 885 090	40 999 340	-8 114 250
DEPARTMENTAL CHARGES	49 237 000	54 090 810	-4 853 810
DEPARTMENTAL RECOVERIES	-49 237 000	-54 090 810	4 853 810
TOTAL EXPENDITURE	393 194 969	399 695 997	-6 501 028
GENERAL INCOME	-41 919 090	-49 718 800	7 799 710
CONTRIBUTIONS RECEIVED	-351 275 879	-349 977 197	-1 298 682
TOTAL INCOME	-393 194 969	-399 695 997	6 501 028
DEFICIT / (SURPLUS) : COUNCIL	-	-0	0

Attached as Annexures is a copy of the following:

- Annexure "A" Schedule B Adjustments Budget 2016/2017
- Annexure "B" 2016/2017 Adjustments Budget: Summary per vote
- Annexure "C" 2016/2017 Adjustments Budget: Capital
- Annexure "D" 2016/2017 Adjustments Budget: Projects
- Annexure "E" 2016/2017 Adjusted SDBIP
(Will be submitted to Council)
- Annexure "F" Mid-year Budget and Performance Assessment Report for the period 1 July 2016 to 31 December 2016 as stipulated in section 54(1)(f) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA)
- Annexure "G" Fencing subsidies
- Annexure "H" B Schedules

COMMENT

Virements:

Various other adjustments in terms of the Virement Policy of the Cape Winelands District Municipality, the utilisation of savings in one vote towards spending under another vote, were effected.

Capital:

A saving of R6 292 984 consist of the following:

Own funds:

Savings	R 5 655 816
---------	-------------

External funds:

Savings (Roads)	R 637 167
-----------------	-----------

IMPLICATIONS

PERSONNEL

None.

Comment prepared by: Ms. K. Smit

FINANCIAL

Financial Implications were addressed adequately in the contents of the item.

Comment prepared by: Ms. F.A. du Raan-Groenewald

LEGAL

In terms of section 28 of die Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) a municipality may adopt an adjustments budget that has been prepared by the municipal manager and submitted to the mayor for consideration and submission to Council for adoption. In terms of section 28 the Adjustments Budget:

- (a) may adjust the revenue and expenditure estimates downwards if there is material under-collection of revenue during the current year;

25
Council Meeting
23 February 2017

- (b) may appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;
- (c) may, within a prescribed framework, authorise unforeseeable and unavoidable expenditure recommended by the mayor of the municipality;
- (d) may authorise the utilisation of projected savings in one vote towards spending under another vote;
- (e) authorise the spending of funds that were unspent at the end of the past financial year where the under-spending could not reasonably be foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council;
- (f) may correct any errors in the annual budget;
- (g) may provide for any other expenditure within a prescribed framework;
- (h) An adjustments budget must be in the prescribed form;
- (i) Only the mayor may table an adjustments budget in the municipal council, but an adjustments budget in terms of subsection (2)(b) to (g) may only be tabled within any prescribed limitations as to timing or frequency;
- (j) When an adjustments budget is tabled, it must be accompanied by –
 - (i) an explanation how the adjustments budget affects the annual budget;
 - (ii) a motivation of any material changes to the annual budget;
 - (iii) an explanation of the impact of any increased spending on the annual budget and the annual budgets for the next two financial years;
 - (iv) any other supporting documentation that may be prescribe;
- (k) Municipal tax and tariffs may not be increased during a financial year except when required in terms of a financial recovery plan.

Comment prepared by: Ms. W.M. Neethling

RECOMMENDATION BY MUNICIPAL MANAGER: That -

- (a) The Executive Mayor and Mayoral Committee take cognisance of the following -
 - (i) That the Accounting Officer submitted the Mid-year Budget and Performance Assessment Report for the period 1 July 2016 to

26
Council Meeting
23 February 2017

31 December 2016, as prepared in accordance with section 72 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) to the Executive Mayor (Annexure "F");

- (ii) That savings of R6 292 984 realised on the 2016/2017 Capital Budget;
- (b) The Executive Mayor together with the Mayoral Committee consider to recommend to Council to -
 - (i) Take cognisance of the Mid-year Budget and Performance Assessment Report for the period 1 July 2016 to 31 December 2016 as stipulated in section 54(1)(f) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) (Annexure "F");
 - (ii) Approve the 2016/2017 Adjustments Budget attached as Annexures "A", "B", "C", "D", "E", "G" and "H".

AANBEVELING DEUR MUNISIPALE BESTUURDER: Dat -

- (a) Die Uitvoerende Burgemeester en Burgemeesterskomitee kennis neem van die volgende –
 - (i) Dat die Rekenpligtige Beampte die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2016 tot 31 Desember 2016, soos opgestel ingevolge van artikel 72 van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA), aan die Uitvoerende Burgemeester voorgelê het (Bylae "F");
 - (ii) Dat besparings van R 6 292 984 op die 2016/2017 Kapitaal-begroting gerealiseer is;
- (b) Die Uitvoerende Burgemeester saam met die Burgemeesterskomitee oorweging daaraan skenk om by die Raad aan te beveel om –
 - (i) Kennis te neem van die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2016 tot 31 Desember 2016, soos bepaal in artikel 54(1)(f) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA) (Bylae "F");
 - (ii) Die 2016/2017 Aansuiweringsbegroting aangeheg as Bylaes "A", "B", "C", "D", "E", "G" en "H", goed te keur.

NGCEBISO EYENZIWA NGUMLAWULI KAMASIPALA: Yokokuba -

- (a) USodolophu wesiGqeba kunye neKomiti kaSodolophu bathabathele ingqalelo oko kulandelayo -
- (i) Okokuba iGosa eliNika iNgxelo ulungenisile uHlahlo Lwabiwo-mali lwaPhakathi eNyakeni kunye neNgxelo yoVavanyo lweNdlala yokuSebenza elulungiselelwe isithuba esisuka kumhla woku-1 kuJulayi 2016 ukuya kumhla wama-31 kuDisemba 2016, njengoko luqulunqwe ngokuhambelana necandelo lama-72 loMthetho kaMasipala: uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) kuSodolophu wesiGqeba (iSihlomelo "F");
 - (ii) Okokuba ulondolozo lwe-R6 106 350 olufezekisiweyo lukuHlahlo Lwabiwo-mali lweNkunzi lowama-2016/2017;
- (b) USodolophu wesiGqeba kunye neKomiti kaSodolophu bacamngce ngokundulula kwiBhunga okokuba -
- (i) Lithabathele ingqalelo uHlahlo Lwabiwo-mali lwaPhakathi eNyakeni kunye neNgxelo yoVavanyo lweNdlala yokuSebenza elulungiselelwe isithuba esisuka kumhla woku-1 kuJulayi 2016 ukuya kumhla wama-31 kuDisemba 2016, njengoko luqulunqwe ngokuhambelana necandelo lama-72 loMthetho kaMasipala: uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) kuSodolophu wesiGqeba (iSihlomelo "F");
 - (ii) Lamkele uHlahlo Lwabiwo-mali oluLungelelanisiweyo lowama-2026/2017 olunikezelwe ngokuthunyelwa ngekhompyutha njengeZihlomelo "A", "B", "C", "D", "E" "G" kunye no- "H".

MAYORAL COMMITTEE: 14 FEBRUARY 2017: ITEM MC.7.2.2

RESOLVED: That -

- (a) Cognisance be taken of the following -
- (i) That the Accounting Officer submitted the Mid-year Budget and Performance Assessment Report for the period 1 July 2016 to 31 December 2016, as prepared in accordance with section 72 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) to the Executive Mayor (Annexure "F");
 - (ii) That savings of R6 292 984 realised on the 2016/2017 Capital Budget;

28
Council Meeting
23 February 2017

(b) The following adjustments be effected on the 2016/2017 Adjustments Budget:

(i) **PROJECTS:**

Public Transport Regulation

Sidewalks and embayments
(Item No. 116155179)

The item be reduced from R8 500 000 to R8 000 000

Social Development

Skills Development
(Item No. 114750551)

The item be reduced from R1 761 250 to R1 500 000

Rural Development

Sport, Recreation and Culture
(Item No. 114771134)

The item be increased from R7 499 000 to R8 099 000

Tug of War	R100 000
Transport: clubs	R500 000

Projects and Housing

Upgrading of Rural Sport Facilities
(Item No. 113309195)

The item be decreased from R3 700 000 to R3 300 000

Public Transport Regulation

Roads Safety Education
(Item No. 116155018)

The item be increased from R1 114 000 to R1 614 000

(ii) GENERAL EXPENDITURE

Consultancy Fees
(Item No. 112010213)

The item be reduced from R2 056 340 to R1 136 340

Provincial Finance Management Grant
(Item No. 112010817)

The item be reduced from R2 056 340 to –R1 136 340

(c) It be recommended to Council to -

- (i) Take cognisance of the Mid-year Budget and Performance Assessment Report for the period 1 July 2016 to 31 December 2016 as stipulated in section 54(1)(f) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) (Annexure "F");
- (ii) Approve the 2016/2017 Adjustments Budget distributed electronically as Annexures "A", "B", "C", "D", "E" "G" and "H" with the additions and adjustments as outlined in (b) above.

BURGEMEESTERSKOMITEE: 14 FEBRUARIE 2017: ITEM BK.7.2.2

BESLUIT: Dat –

(a) Kennis geneem word van die volgende –

- (i) Dat die Rekenpligtige Beampte die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2016 tot 31 Desember 2016, soos opgestel ingevolge van artikel 72 van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA) aan die Uitvoerende Burgemeester voorgelê het (Bylae "F");
- (ii) Dat besparings van R6 292 984 op die 2016/2017 Kapitaalbegroting gerealiseer is;

(b) Die volgende wysigings in die 2016/2017 Aansuiweringsbegroting aangebring word:

(i) **PROJEKTE:**

Regulering van Openbare Vervoer

Sypaadjies en inhamme
(Item No. 116155179)

Die item verminder van R8 500 000 na R8 000 000

Maatskaplike Ontwikkeling

Vaardigheidsontwikkeling
(Item No. 114750551)

Die item verminder van R1 761 250 na R1 500 000

Landelike Ontwikkeling

Sport, Ontspanning en Kultuur
(Item No. 114771134)

Die item vermeerder van R7 499 000 na R8 099 000

Toutrek	R100 000
Vervoer: klubs	R500 000

Projekte en Behuising

Opgradering van Landelike Sportfasiliteite
(Item No. 113309195)

Die item verminder van R3 700 000 na R3 300 000

Regulering van Openbare Vervoer

Opvoeding oor Padveiligheid
(Item No. 116155018)

Die item vermeerder van R1 114 000 na R1 614 000

(ii) ALGEMENE UITGAWES

Konsultantgelde
(Item No. 112010213)

Die item verminder van R2 056 340 na R1 136 340

Provinsiale Finansiële Bestuurstoelae
(Item No. 112010817)

Die item verminder van R2 056 340 na –R1 136 340

(c) Daar by die Raad aanbeveel word om –

- (i) Kennis te neem van die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2016 tot 31 Desember 2016, soos bepaal in artikel 54(1)(f) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA) (Bylae "F");
- (ii) Die 2016/2017 Aansuiweringsbegroting wat elektronies as Bylae "A", "B", "C", "D", "E" "G" en "H" versprei is, met die toevoegings en wysigings soos uiteengesit in (b) hierbo, goed te keur.

IKOMITI KASODOLOPHU: UMHLA WE-14 KUFEBRUWARI 2017: UMBA MC.7.2.2

KUGQITYWE: Okokuba –

(a) Ingggalelo ithatyathelwe oku kulandelayo -

- (i) Okokuba iGosa eliNika iNgxelo lingenise uHlahlo Lwabiwo-mali lwaPhakathi eNyakeni kunye neNgxelo yoVavanyo lweNdlala yoKwenziwa koMsebenzi ukulungiselela isithuba esiqala ngomhla woku-1 kuJulayi 2016 ukuye kumhla wama-31 kuDisemba 2016, njengoko iqulunqwe ngokuhambelana necandelo lama-72 oMthetho kaMasipala: uMthetho wLawulo – mali kaMasipala, 2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) kuSodolophu wesiGqeba (iSihlomelo "F");
- (ii) Okokuba ulundolozo lwe-R6 292 984 lufezekiswe kuHlahlo Lwabiwo-mali lweNkunzi; realised on the 2016/2017 Capital Budget;

(b) Olu lungelelwaniso lulandelayo lumiliselwe kuHlahlo Lwabiwo-mali oluLungelelanisiweyo lowama-2016/2017:

(i) **IIPROJEKTI:**

UMthetho wezoThutho lukaRhulumente

Iipavumente kunye neebheyi ezivalakileyo
(INombolo yoMba 116155179)

Umba kufuneka uncitshiswe ukusuka kwi-R8 500 000 ukuya kwi-
R8 000 000

UPhuhliso lweNtlalo

UPhuhliso lwamaKhono
(INombolo yoMba 114750551)

Umba kufuneka uncitshiswe ukusuka kwi-R1 761 250 ukuya kwi-
R1 500 000

UPhuhliso lwamaPhandle

IMidlalo, uLonwabo neNkcubeko
(INombolo yoMba 114771134)

Umba kufuneka wandiswe ukusuka kwi-7 499 000 ukuya kwi-
R8 099 000

UMdlalo wokutsalana kuviwana amandla - R100 000
liklabhu zothutho R500 000

IiProjekti neZindlu

UkuHlaziywa kweZibonelelo zeMidlalo zasemaPhandleni
(INombolo yoMba 113309195)

Umba kufuneka uncitshiswe ukusuka kwi-R3 700 000 ukuya kwi-
R3 300 000

UMthetho wezThuthi zikaRhulumente

IMfundo yoKhuselo eziNdleleni
(INombolo yoMba 116155018)

Umba kufuneka wandiswe ukusuka kwi-R1 114 000 kuya kwi-
R1 614 000

(ii) INKCITHO NGOKUBANZI

ImiRhumo yeNgcebiso
(INombolo yoMba 112010213)

Umba kufuneka uncitshiswe ukusuka kwi- R2 056 340 ukuya kwi-
R1 136 340

UMnikelo woLawulo lweMali yePhondo
(INombolo yoMba 112010817)

Umba kufuneka uncitshiswe ukusuka kwi-R2 056 340 ukuya kwi-
R1 136 340

(c) Kufuneka kundululwe kwiBhunga okokuba -

- (i) Lithabathele ingqalelo uHlahlo Lwabiwo-mali lwaPhakathi eNyakeni kunye neNgxelo yoVavanyo lweNdlela yoKwenziwa koMsebenzi ukulungiselela isithuba esiqala ngomhla woku-1 kuJulayi 2016 ukuye kumhla wama-31 kuDisemba 2016, njengoko iqulunqwe ngokuhambelana necandelo lama-72 oMthetho kaMasipala: uMthetho wLawulo – mali kaMasipala, 2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) kuSodolophu wesiGqeba (iSihlomelo "F");
- (ii) Lamkele kuHlahlo Lwabiwo-mali oluLungelelanisiweyo lowama-2016/2017 oluthunyelwe ngekhompyutha kuye wonke umntu njengeZihlomelo A", "B", "C", "D", "E" "G" no "H" olunzongezelelo nolungelelwaniso njengoko luchaziwe apha ngasentla ku(b).

RECOMMENDATION BY MAYORAL COMMITTEE:

That Council consider to -

- (a) Take cognisance of the Mid-year Budget and Performance Assessment Report for the period 1 July 2016 to 31 December 2016 as stipulated in section 54(1)(f) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) (Annexure "F");
- (b) Approve the 2016/2017 Adjustments Budget, as amended, included in the agenda as Annexures "A", "B", "C", "D", "E" "G" and "H" with the additions and adjustments as outlined in (b) above;
- (c) Approve the Cape Winelands District Municipality's Service Delivery Business Implementation Plan 2016/2017 (CWDM SDBIP), as amended, included in the agenda under separate cover as Annexure "I".

AANBEVELING VAN BURGEMEESTERSKOMITEE:

Dat die Raad oorweging daaraan skenk om –

- (a) Kennis te neem van die Halfjaarlikse Begroting- en Prestasie-evalueringsverslag vir die tydperk 1 Julie 2016 tot 31 Desember 2016, soos bepaal in artikel 54(1)(f) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA) (Bylae "F");
- (b) Die 2016/2017 Aansuiweringsbegroting, soos gewysig, ingesluit by die agenda as Bylae "A", "B", "C", "D", "E" "G" en "H" versprei is, met die toevoegings en wysigings soos uiteengesit in (b) hierbo, goed te keur.
- (c) Die Kaapse Wynland Distriksmunisipaliteit (KWDM) se Dienslewering- en Begrotingsimplementeringsplan 2016/2017 (KWDM DLBIP), soos gewysig, ingesluit onder aparte omslag as Bylae "I", goed te keur.

INGCEBISO EYENZIWA YIKOMITI KAZODOLOPHU:

Yokokuba iBhunga licamngce -

- (a) Ngokuthathela ingqalelo uHlahlo Lwabiwo-mali lwaPhakathi eNyakeni kunye neNgxelo yoVavanyo lweNdlela yoKwenziwa koMsebenzi ukulungiselela isithuba esiqala ngomhla woku-1 kuJulayi 2016 ukuye kumhla wama-31 kuDisemba 2016, njengoko iqulunqwe ngokuhambelana necandelo lama-72 oMthetho kaMasipala: uMthetho wLawulo – mali kaMasipala, 2003 (uMthetho onguNombolo 56 wama-2003) (MFMA) kuSodolophu wesiGqeba (iSihlomelo "F");
- (b) Lamkele kuHlahlo Lwabiwo-mali oluLungelelanisiweyo lowama-2016/2017 oluthunyelwe ngekhompyutha kuye wonke umntu njrngeZihlomelo "A", "B", "C", "D", "E" "G" no "H" olunezongezelelo nolungelelwaniso njengoko luchaziwe apha ngasentla ku(b);
- (c) Lamkele isiCwangciso sukuMiliselwa kweShishini lokuNikezela nge Nkonzo likaMasipala wesiThili saseCape Winelands sowama-2016/2017 (CWDM SDBIP), njengoko silungisiwe, sibandakanyiwe kwi-ajenda phantsi kwephepha elilodwa njengoSihlomelo "I".

COUNCIL MEETING: 23 FEBRUARY 2017: ITEM C.14.1

*** The Executive Mayor presented her Budget Speech on the 2016/2017 Adjustments Budget for the Cape Winelands District Municipality (CWDM) to Council, a copy of which is attached as Annexure "A" to the minutes.

Councillor E. Qhankqiso from the Democratic Alliance (DA) congratulated the Executive Mayor for the 2016/2017 Adjustments Budget and confirmed that it is an indication of the Cape Winelands District Municipality's (CWDM) commitment to the community.

RESOLVED (Unanimously – 39 Councillors) : That -

- (a) Cognisance be taken of the Mid-year Budget and Performance Assessment Report for the period 1 July 2016 to 31 December 2016 as stipulated in section 54(1)(f) of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) (Annexure "F");
- (b) The 2016/2017 Adjustments Budget, as amended, included in the agenda as Annexures "A", "B", "C", "D", "E" "G" and "H" with the additions and adjustments, be approved;
- (c) The Cape Winelands District Municipality's Service Delivery Business Implementation Plan 2016/2017 (CWDM SDBIP), as amended, included in the agenda under separate cover as Annexure "I", be approved.

RAADSVERGADERING: 23 FEBRUARIE 2017: ITEM R.14.1

*** Die Uitvoerende Burgemeester lewer haar Begrotingstoespraak aan die Raad oor die 2016/2017 Aansuiweringsbegroting vir die Kaapse Wynland Distriksmunisipaliteit (KWDM); 'n afskrif daarvan word as Bylae "A" tot die notule aangeheg.

Raadslid E. Qhankqiso van die Demokratiese Alliansie (DA) wens die Uitvoerende Burgemeester geluk met die 2016/2017 Aansuiweringsbegroting en beaam dat dit 'n aanduiding van die Kaapse Wynland Distriksmunisipaliteit (KWDM) se verbintenis tot die gemeenskap is.

BESLUIT (Eenparig – 39 Raadslede) : Dat –

- (a) Kennis geneem word van die Halfjaarlikse Begroting- en Prestasie-evalueringverslag vir die tydperk 1 Julie 2016 tot 31 Desember 2016, soos bepaal in artikel 54(1)(f) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003) (MFMA) (Bylae "F");

- (b) Die 2016/2017 Aansuiweringsbegroting, soos gewysig, ingesluit by die agenda as Bylae "A", "B", "C", "D", "E" "G" en "H" met die toevoegings en wysigings, goedgekeur word;
- (c) Die Kaapse Wynland Distriksmunisipaliteit se Dienslewering- en Begrotingsimplementeringsplan 2016/2017 (KWDM DLBIP), soos gewysig, ingesluit onder aparte omslag as Bylae "I", goedgekeur word.

**INTLANGANISO YEBHUNGA: YOMHLA WAMA-23 KUFEBRUWARI 2017:
UMBA C.14.1**

USodolophu wesiGqeba unike iNtetho yakhe yoHlahlo Lwabiwo-mali ngoHlahlo Lwabiwo-mali oluLungelani siweyo lowama-2016/2017 loMasipala wesiThili saseCape Winelands (CWDM) kwiBhunga, ikopi encanyathiselwe njengeSihlomelo "A" kwimizuzu.

UCeba E. Qhankqiso ophuma kwiqela iDemocratic Alliance (DA) uvuyisene noSodolophu wesiGqeba ngoHlahlo Lwabiwo-mali oluLungelani siweyo lowama-2016/2017 waze waqiniskisa into yokokuba oku kukubonisa ukuzibophelela koMasipala wesiThili saseCape Winelands (CWDM) kuluntu.

KUGQITYWE: (Ngamxhelo mnye – OoCeba abangama-39) : Okokuba -

- (a) Inggalelo ithatyathelwe uHlahlo Lwabiwo-mali lwaPhakathi eNyakeni kunye neNgxelo yoVavanyo loKwenziwa koMsebenzi elungiselelwe isithuba somhla woku-1 kuJulayi 2016 ukuya kumhla wama-31 kuDisemba wama-2016 njengoko ichaziwe kwicandelo 54(1)(f) loMthetho kaMasipala : uMthetho woLawulo lweMali kaMasipala, wama-2003 (uMthetho onguNombolo 56 wama-2993) (MFMA) (iSihlomelo "F");
- (b) Ulungelelwaniso loHlahlo Lwabiwo-mali lowama-2016/2017, njengoko lulungisiwe, lubandakanywe kwi-ajenda njengeZihlomelo "A", "B", "C", "D", "E", "G" kunye no-"H" kunye nezongezelelo nolungelelwaniso, kufuneka lwamkelwe;
- (c) IsiCwangciso soMiliselo seShishini lokuNikezelwa kweNkonzo soMasipala wesiThili saseCape Winelands sowama-2016/2017 (CWDM SDBIP), njengoko silungisiwe, sibandakanyiwe kwi-ajenda phantsi kwephepha elilodwa njengeSihlomelo "I", kufuneka samkelwe.

- C.14.2 **DECLARATION OF A LOCAL STATE OF DISASTER IN THE AREA OF WITZENBERG MUNICIPALITY** (17/4/R)
- R.14.2 **VERKLARING VAN 'N PLAASLIKE RAMPTOESTAND IN DIE AREA VAN WITZENBERG MUNISIPALITEIT** (17/4/R)
- C.14.2 **UKUBHENGEZWA KWESIMO SENTLEKELEKUMMANDLA WOMASIPALA WASEWITZENBERG** (17/4/R)
-

PURPOSE OF SUBMISSION

That Council considers to support the declaration of a local state of disaster within the area of Witzenberg Municipality and as such promote the declaration to the Provincial Disaster Management Centre.

DOEL VAN VOORLEGGING

Dat die Raad oorweging daaraan skenk om die verklaring van 'n plaaslike ramptoestand binne die area van Witzenberg Munisipaliteit te steun en as sulks die verklaring aan die Provinsiale Rampbestuursentrum te bevorder.

INJONGO YONGENISO

Yeyokokuba iBhunga licamngce ngenkxaso yalo kubhengezo lwesimo sentlekele sengingqi kummandla woMasipala waseWitzenberg yaye ngoko lixhase isibhengezo kwiZiko loLawulo lweNtlekele yePhondo.

BACKGROUND

The rural area of the Ceres Karoo known as Droehoek has been experiencing extremely low rainfall over a period of three consecutive years. The Executive Mayor of Witzenberg Municipality and the Deputy Executive Mayor of the District Municipality inspected the area on 1 February 2017 and consulted with various affected farmers. The dire situation of the farmers and atrocious conditions on the farms were mainly a result of no or minimum rainfall over a three year period. Many of the farmers had to sell their livestock and even retrenched workers, because they have no more water for either animal or human consumption. The organised agriculture approached the Provincial Department of Agriculture for assistance and was advised that they can only do so if the municipality declares the area a local state of disaster.

In terms of section 55 of the Disaster Management Act, 2002 (Act No. 57 of 2002), the Council of a municipality having primary responsibility for the co-ordination and management of a disaster is authorised to publish the declaration of a local state of disaster in the Provincial Gazette should current legislation and contingency

measures be insufficient to deal with the situation effectively or other special circumstances warrant such a declaration. The requirements of sections 23, 35, 49, 56 and 57 also have to be complied with in order to declare a local state of disaster. These sections of the said Act clearly guide the responsibilities and competencies of local, provincial and national government structures during disastrous events of this nature and the consequent processes that follow afterwards in order to declare a state of disaster.

Attached as Annexure "A" is a copy of a Council resolution received from the Witzenberg Municipality in which it requests Council's consideration to support its request for the declaration of a local state of disaster to the Provincial Disaster Management Centre.

IMPLICATIONS

PERSONNEL

None.

Comment prepared by: Ms. K. Smit

FINANCIAL

Comment prepared by: Ms. F.A. du Raan-Groenewald

LEGAL

In terms of the Constitution of the Republic of South Africa, 1996 all spheres of government must observe and adhere to the principles of co-operative government in order to, inter alia, secure the well-being of the people of the Republic of South Africa.

The Disaster Management Act, 2002 (Act No. 57 of 2002) recognizes the wide-ranging opportunities in South Africa to avoid and reduce disaster losses through the concerted energies and efforts of all spheres of government, civil society and the private sector and also gives explicit priority to the application of the principle of co-operative governance for the purposes of disaster risk management and emphasises the involvement of all stakeholders in strengthening the capabilities of national, provincial and municipal organs of state to reduce the likelihood and severity of disasters.

Section 23 of the Disaster Management Act, 2002 (Act No. 57 of 2002) stipulates as follows:

- (1) When a disastrous event occurs or threatens to occur, the National Centre must, for the purpose of the proper application of this Act, determine whether the event should be regarded as a disaster in terms of this Act, and if so, the National Centre must immediately-
 - (a) assess the magnitude and severity or potential magnitude and severity of the disaster;
 - (b) classify the disaster as a local, provincial or national disaster in accordance with subsections (4), (5) and (6); and
 - (c) record the prescribed particulars concerning the disaster in the prescribed register.
- (2) When assessing the magnitude and severity or potential magnitude and severity of a disaster, the National Centre-
 - (a) must consider any information and recommendations concerning the disaster received from a provincial or municipal disaster management centre in terms section 35 or 49; and
 - (b) may enlist the assistance of an independent assessor to evaluate the disaster on site.
- (3) The National Centre may reclassify a disaster classified in terms of subsection (1)(b) as a local, provincial or national disaster at any time after consultation with the relevant provincial or municipal disaster management centres, if the magnitude and severity or potential magnitude and severity of the disaster is greater or lesser than the initial assessment.
- (4) A disaster is a local disaster if--
 - (a) it affects a single metropolitan, district or local municipality only; and
 - (b) the municipality concerned, or, if it is a district or local municipality, that Municipality, either alone or with the assistance of local municipalities in the area of the district municipality is able to deal with it effectively.
- (5) A disaster is a provincial disaster if-
 - (a) It affects-
 - (i) more than one metropolitan or district municipality in the same province;
 - (ii) a single metropolitan or district municipality in the province and that metropolitan municipality, or that district municipality with

- the assistance of the local municipalities within its area is unable to deal with it effectively; or
- (iii) a cross-boundary municipality in respect of which only one province exercises executive authority as envisaged by section 90(3)(a) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998); and
- (b) the province concerned is able to deal with it effectively.
- (6) A disaster is a national disaster if it affects-
- (a) more than one province: or
 - (b) a single province which is unable to deal with it effectively.
- (7) Until a disaster is classified in terms of this section, the disaster must be regarded as a local disaster.
- (8) The classification of a disaster in terms of this section designates primary responsibility to a particular sphere of government for the co-ordination and management of the disaster, but an organ of state in another sphere may assist the sphere having primary responsibility to deal with the disaster and its consequences.

Section 35 of the Disaster Management Act, 2002 (Act No. 57 of 2002) stipulates as follows:

- (1) When a disastrous event occurs or threatens to occur in a province, the disaster management centre of the province concerned must determine whether the event should be regarded as a disaster in terms of this Act, and, if so, the centre must immediately-
- (a) initiate efforts to assess the magnitude and severity or potential magnitude; and
 - (b) inform the National Centre of the disaster and its initial assessment of the magnitude and severity or potential magnitude and severity of the disaster;
 - (c) alert disaster management role-players in the province that may be of assistance in circumstances; and
 - (d) initiate the implementation of any contingency plans and emergency procedures that may be applicable in the circumstances.
- (2) When informing the National Centre in terms of subsection (1)(b), the provincial disaster management centre may make such recommendations regarding the classification of the disaster as may be appropriate.

Section 49 of the Disaster Management Act, 2002 (Act No. 57 of 2002) stipulates as follows:

- (1) When a disastrous event occurs or is threatening to occur in the area of a municipality, the disaster management centre of the municipality concerned must determine whether the event should be regarded as a disaster in terms of this Act, and, if so, must immediately-
 - (a) initiate efforts to assess the magnitude and severity or potential magnitude and severity of disaster;
 - (b) inform the National Centre and the relevant provincial disaster management centre of the disaster and its initial assessment of the magnitude and severity or potential magnitude and severity of the disaster;
 - (c) alert disaster management role-players in the municipal area that may be of assistance in the circumstances; and
 - (d) initiate the implementation of any contingency plans and emergency procedures that may be applicable in the circumstances
- (2) When informing the National Centre and the relevant provincial disaster management centre in terms of subsection (1)(b), the municipal disaster management centre may make such recommendations regarding the classification of the disaster as may be appropriate.

Section 55 of the Disaster Management Act, 2002 (Act No. 57 of 2002) stipulates as follows:

- (1) In the event of a local disaster the council of a municipality having primary responsibility for the co-ordination and management of the disaster may, by notice in the provincial gazette, declare a local state of disaster if-
 - (a) existing legislation and contingency arrangements do not adequately provide for that municipality to deal effectively with the disaster; or
 - (b) other special circumstances warrant the declaration of a local state of disaster.
- (2) If a local state of disaster has been declared in terms of subsection (1), the municipal council concerned may, subject to subsection (3), make by-laws or issue directions, or authorise the issue of directions, concerning-
 - (a) the release of any available resources of the municipality, including stores, equipment;
 - (b) the release of personnel of the municipality for the rendering of emergency services;

42
Council Meeting
23 February 2017

- (c) the implementation of all or any of the provisions of a municipal disaster management plan that are applicable in the circumstances;
 - (d) the evacuation to temporary shelters of all or part of the population from the disaster-stricken or threatened area if such action is necessary for the preservation of life;
 - (e) the regulation of traffic to, from or within the disaster-stricken or threatened area;
 - (f) the regulation of the movement of persons and goods to, from or within the disaster-stricken or threatened area;
 - (g) the control and occupancy of premises in the disaster-stricken or threatened area;
 - (h) the provision, control or use of temporary emergency accommodation;
 - (i) the suspension or limiting of the sale, dispensing or transportation of alcoholic beverages in the disaster-stricken or threatened area;
 - (j) the maintenance or installation of temporary lines of communication to, from or within the disaster area;
 - (k) the dissemination of information required for dealing with the disaster;
 - (l) emergency procurement procedures;
 - (m) the facilitation of response and post-disaster recovery and rehabilitation: or
 - (n) other steps that may be necessary to prevent an escalation of the disaster, or to alleviate, contain and minimise the effects of the disaster.
- (3) The powers referred to in subsection (2) may be exercised only to the extent that this is necessary for the purpose of--
- (a) assisting and protecting the public;
 - (b) providing relief to the public;
 - (c) protecting property;
 - (d) preventing or combating disruption;
 - (e) dealing with the destructive and other effects of the disaster.
- (4) By-laws made in terms of subsection (2) may include by-laws prescribing

- (5) A municipal state of disaster that has been declared in terms of subsection (2)--
 - (a) lapses three months after it has so been declared;
 - (b) may be terminated by the council by notice in the provincial gazette before it lapses in terms of paragraph (a); and
 - (c) may be extended by the council by notice in the provincial gazette for one month at a time before it lapses in terms of paragraph (a) or the existing extension is due to expire.

Section 56 of the Disaster Management Act, 2002 (Act No. 57 of 2002) stipulates as follows:

- (1) This Chapter is subject to sections 16 and 25 of the Public Finance Management Act, 1999, which provide for the use of funds in emergency situations.
- (2) When a disaster occurs the following principles apply:
 - (a) National, provincial and local organs of state may financially contribute to response efforts and post-disaster recovery and rehabilitation;
 - (b) The cost of repairing or replacing public sector infrastructure should be borne by the organ of state responsible for the maintenance of such infrastructure.
- (3) The Minister may, in the national disaster management framework, prescribe a percentage of the budget, or any aspect of a budget of a provincial organ of state or a municipal organ of state, as the case may be, as a threshold for accessing additional funding from the national government for response efforts.
- (4) Any financial assistance provided by a national, provincial or municipal organ of state in terms of subsection must be in accordance with the national disaster management framework and any applicable post-disaster recovery and rehabilitation policy of the relevant sphere of government, and may take into account-
 - (a) whether any prevention and mitigation measures were taken. and if not, the reasons for the absence of such measures;
 - (b) whether the disaster could have been avoided or minimised had prevention and mitigation measures been taken;
 - (c) whether it is reasonable to expect that prevention and mitigation measures should have been taken in the circumstances;

- (d) whether the damage caused by the disaster is covered by adequate insurance, and if not, the reasons for the absence or inadequacy of insurance cover;
- (e) the extent of financial assistance available from community, public or other non-governmental support programmes; and
- (f) the magnitude and severity of the disaster, the financial capacity of the victims of the disaster and their accessibility to commercial insurance.

Section 57 of the Disaster Management Act, 2002 (Act No. 57 of 2002) stipulates as follows:

When a municipality or a province in the event of a local or provincial disaster requests the national government to financially contribute to post-disaster recovery and rehabilitation, the following factors may be taken into account:

- (a) Whether any prevention and mitigation measures were taken or initiated by the municipality or province, and if not, the reasons for the absence of such measures;
- (b) whether the disaster could have been avoided or minimised had prevention and mitigation measures been taken;
- (c) whether it is reasonable to expect that prevention and mitigation measures should have been taken or initiated in the circumstances by the municipality or province;
- (d) whether the damage caused by the disaster is covered by adequate insurance, and if not, the reasons for the absence or inadequacy of insurance cover; and
- (e) the magnitude and severity of the disaster and whether or not available financial resources at local level, or if it is a provincial disaster, at provincial level, are exhausted.

Comment prepared by: Ms. W.M. Neethling

RECOMMENDATION BY MUNICIPAL MANAGER: That –

- (a) The Council of the Cape Winelands District Municipality support the declaration of a local state of disaster in the area of jurisdiction of Witzenberg Municipality and to publish the declaration of a local state of disaster after consideration by the Provincial Cabinet and classification and verification by the National Disaster Management Centre;

- (b) The Provincial Disaster Management Centre be advised accordingly and requested to promote the request in terms of the relevant legal requirements and prescribed procedures to the Provincial Cabinet and National Disaster Management Centre.

AANBEVELING DEUR MUNISIPALE BESTUURDER: Dat –

- (a) Die Raad van die Kaapse Wynland Distriksmunisipaliteit die verklaring van 'n plaaslike ramptoestand binne die jurisdiksiegebied van Witzenberg Munisipaliteit steun, na oorweging deur die Provinsiale Kabinet en klassifisering en verifieëring deur die Nasionale Rampbestuursentrum;
- (b) Die Provinsiale Rampbestuursentrum dienooreenkomstig geadviseer word en versoek word om die versoek ingevolge die relevante regsvoorskrifte en voorgeskrewe prosedures aan die Provinsiale Kabinet en Nasionale Rampbestuursentrum te bevorder

NGCEBISO EYENZIWA NGUMLAWULI KAMASIPALA: Kukuba –

- (a) IBhunga loMasipala wesiThili saseCape Winelands axhase isibhengezo sesimo sentlekele yengingqi kummandla ophantsi kolawulo loMasipala waseWitzenberg nokupapasha isibhengezo sesimo sentlekele segingqi emva kokucamngcwa yiKhabhinethi yePhondo nokuhlelwa nokuqinisekiswa liZiko leSizwe loLawulo lweNtlekele;
- (b) IZiko lePhondo loLawulo lweNtlekele kufuneka laziswe ngokufanelekileyo yaye ze licelwe okokuba lixhase isicelo ngokuhambelana neemfuno zomthetho ezifanelekileyo nemiqathango echaziweyo kwiKhabhinethi yePhondo neZiko leSizwe loLawulo lweNtlekele.

COUNCIL MEETING: 23 FEBRUARY 2017: ITEM C.14.2

RESOLVED: That -

- (a) The Cape Winelands District Municipality (CWDM) support the declaration of a local state of disaster in the area of jurisdiction of Witzenberg Municipality and to publish the declaration of a local state of disaster after consideration by the Provincial Cabinet and classification and verification by the National Disaster Management Centre;
- (b) The Provincial Disaster Management Centre be advised accordingly and requested to promote the request in terms of the relevant legal requirements and prescribed procedures to the Provincial Cabinet and National Disaster Management Centre.

RAADSVERGADERING: 23 FEBRUARIE 2017: ITEM R.14.2

BESLUIT: Dat –

- (a) Die Kaapse Wynland Distriksmunisipaliteit (KWDM) die verklaring van 'n plaaslike ramptoestand binne die jurisdiksiegebied van Witzenberg Munisipaliteit steun en dat die verklaring van 'n plaaslike ramptoestand gepubliseer word na oorweging deur die Provinsiale Kabinet en klassifisering en verifiëring deur die Nasionale Rampbestuursentrum;
- (b) Die Provinsiale Rampbestuursentrum dien ooreenkomstig geadviseer en versoek word om die versoek ingevolge die relevante regsvoorskrifte en voorgeskrewe prosedures aan die Provinsiale Kabinet en Nasionale Rampbestuursentrum te bevorder.

**INTLANGANISO YEBHUNGA: YOMHLA WAMA-23 KUFEBRUWARI 2017:
UMBA C.14.2**

KUGQITYWE: Okokuba -

- (a) UMasipala wesiThili saseCape Winelands (CWDM) axhase isibhengezo sesimo sentlekele yengingqi kummandla ophantsi kolawulo loMasipala waseWitzenberg nokupapasha isibhengezo sesimo sentlekele segingqi emva kokucamngcwa yiKhabhinethi yePhondo nokuhlelwa nokuqinisekiswa liZiko leSizwe loLawulo lweNtlekele;
- (b) IZiko lePhondo loLawulo lweNtlekele kufuneka laziswe ngokufanelekileyo yaye ze licelwe okokuba lixhase isicelo ngokuhambelana neemfuno zomthetho ezifanelekileyo nemiqathango echaziweyo kwiKhabhinethi yePhondo neZiko leSizwe loLawulo lweNtlekele.

C.15 CONCLUSION

The agenda was concluded at 14:25.

CONFIRMED ON THIS DAY OF 2017.

SPEAKER
DAH/iw

CWDM TABLING OF ADJUSTMENT BUDGET 23 FEBRUARY 2017
COUNCIL MEETING
ITEM C.14.1

Madame Speaker,

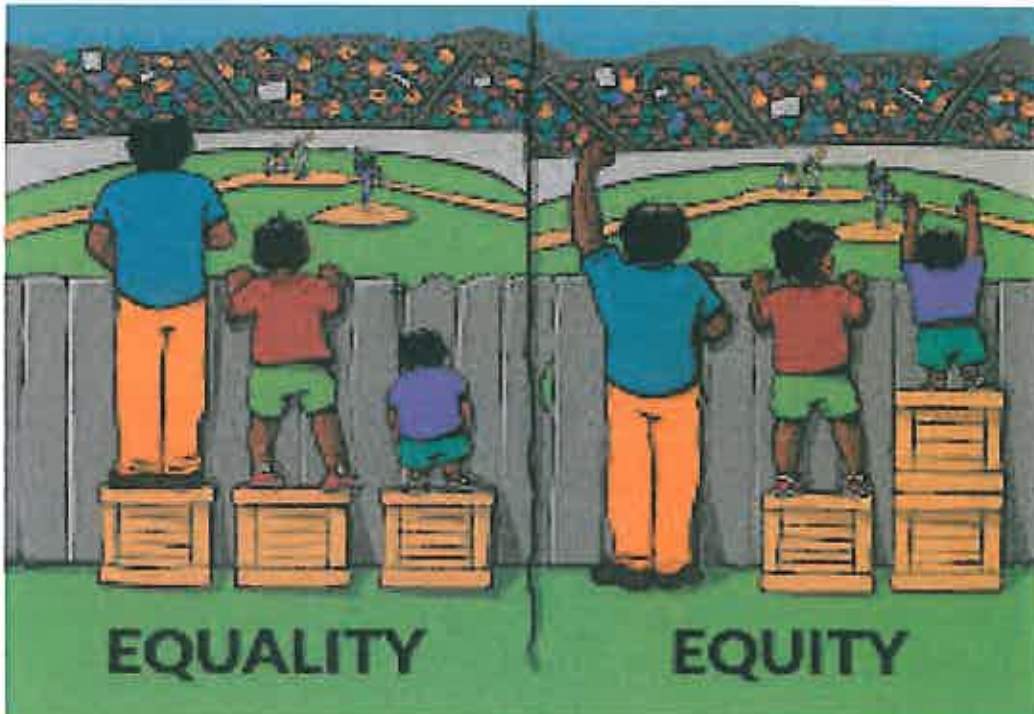
In tabling the 2016/2017 adjustment budget in terms of section 28(2)(b), (d) and (f) of the Local Government Municipal Finance Management Act, 2003 (56 of 2003) and Regulation 23(1) of the Municipal Budget and Reporting Regulations, 2008, I would like to first of all share the following principles in which I have approached this adjustment budget with the members of council.

Firstly, the Rule of Law which means to never bend the rule of law is consistently applied. Secondly a transparent and open process in dealing with the adjustment budget was applied. A work session with the opposition members of this council was arranged which was well attended. In this way not only transparent governance, but also participative governance was achieved. Political leadership strives to serve the community of the Cape Winelands in a humble, yet accountable manner which also mean that we as a council need to be responsive, consensus-orientated, effective and inclusive in our approach to the spending of public money.

The CWDM has an annual operational budget of R400 000 000.00.

We also need to contribute, within the legislative and financial boundaries and the functions of the district municipality, to redress the wrongs of the past. For this reason, I am sharing with the councilmembers one example of how we have implemented not only

equality but also equity in our approach. Equity is best demonstrated by the following visual image and I would urge the council to measure what we are presenting here today in terms of this principle:



- **2016/2017 Adjustments Budget Summary**

1. As background I refer you to the Mid-year report that served before the Council Meeting of 26 January 2017. This report was compiled in terms of Section 72 of the MFMA in which the Municipal Manager, after assessment of the Mid-Year performance, recommended to the Executive Mayor on 16 January that:

- (a) An Adjustments Budget for the 2016/2017 financial year be submitted to the council for approval; and
 - (b) That the relevant service delivery targets and performance indicators in the SDBIP be adjusted accordingly.
2. The Executive Mayor concurred with these recommendations of the Accounting Officer on 16 January 2017.
3. The relevant report was submitted to NT and PT as per section 72 of the MFMA as well as to Council as per section 54 of the MFMA.
4. The Municipality has to date spent 51% of its budget, which can be regarded as acceptable considering that compared to the previous financial year, most of the expenditure usually occurred in the second half of the financial year.
5. Notwithstanding the above, prudent actions were instituted during the Adjustments Budget process to improve on actual spending as anticipated.
6. The Municipality realised savings as a result of the following:
 - (a) Due to an earlier than expected RSC Levy grant transfer from NT, unexpected higher interest rates offered on investments and the spending patterns alluded to, the Municipality had a larger than expected investment portfolio. The expectation is that interest on investments

will increase with R8 million more than originally budgeted;

- (b) Savings on the salaries budget realised where for example vacant posts will only be filled later in this year or in the new financial year;
 - (c) Savings on general expenditure realised after a vigorous assessment to avoid money being held back that could have been utilised in service delivery to the communities we serve;
7. The savings mentioned were utilised towards increasing the following:
- (a) R6,1 million increase in respect of firefighting aerial support and parts & accessories;
 - (b) Projects increased with R7,6 million and for these adjustments on each project I am referring members to Annexure D on page 26:
 - LED and specifically the Investment attraction Programme and the mentorship programme have been increased with R100 000.00
 - Land use and spatial planning and in particular the EPWP project has been increased with R1 million
 - Projects and housing, upgrading of rural sport facilities, has been increased with R100 000.00

- Municipal health service and in particular the greening project has been increased with R250 000.00
 - In the Social Development Department, the budget has been increased with R2 980 000 specifically for projects such as HIV Projects, the elderly, families and children (including substance abuse), skills development, youth and women.
 - In the Rural development Programme, Sport, recreation and culture is increased with R4 600 000.00 and the programme for the disabled is increased with R700 000.00.
8. It is imperative to note that the Municipality do not have infrastructure assets that are used to provide economic services to the communities. The type of assets that the municipality acquire are mostly vehicles, upgrade to buildings, IT equipment, copy machines, and other operational items.
9. The total savings illustrated on the Capital Adjustments Budget amounts to R6,2 million. However, an additional R2,6 million savings must be added to the said amount, concerning a Firefighting Engine, that will be delivered in the 2017/2018 financial year.

10. The following major savings, in most cases after the completion of the SCM processes, are:

- (a) Mayoral Official vehicle;
- (b) Routers and switches;
- (c) Various building upgrades; and
- (d) VAT.

11. In order to fulfil the “building of capacity-role” of the district municipality, we are also offering R1 500 000.00 to all 5 our local municipalities to be spent before the end of our current financial year. They had to come up with their respective business plans from where the municipal managers will drive this financial support process.

12. After the adjustments budget amendments to the Capital Budget, expenditure including commitments reflect at 85% and this is a significant improvement from the previous year.

Madame Speaker, in the light of what I think is a very healthy and equitable adjustment budget for 2016/2017, for which I need to thank all officials for their respective input, I move that council approve of this adjustment budget.

I thank you.