

**RESOLUTIONS TAKEN AT AN ORDINARY MEETING OF THE COUNCIL  
OF LANGEBERG MUNICIPALITY HELD ON 25 APRIL 2017 AT 10H00  
IN THE COUNCIL CHAMBERS MUNICIPAL OFFICES, CHURCH STREET, ROBERTSON**

**4. CONSIDERATION OF REPORTS / OORWEGING VAN VERSLAE**

**4.1 REPORTS SUBMITTED TO COUNCIL FOR CONSIDERATION (A ITEMS)  
VERSLAE VOORGELÊ AAN DIE RAAD VIR OORWEGING (A ITEMS)**

**A 3421 URGENT MOTION : DEMOLISHING OF UNSAFE STRUCTURES ON ERF 373, ZOLANI**

Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017  
This item served before an Ordinary Meeting of Council on 25 April 2017  
Eenparig Besluit / Unanimously Resolved

That the structures on Erf 373, Zolani, if it is municipal land, be demolished as it is proving to be an unsafe and risky environment for the community and its vulnerable members.

**A 3388 APPROVAL OF PROPOSED ELECTRICITY BY-LAW FOR LANGEBERG MUNICIPALITY (MANAGER ELECTRICAL SERVICES)**

Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017  
This item served before an Ordinary Meeting of Council on 25 April 2017  
Eenparig Besluit / Unanimously Resolved

1. That the proposed Electricity By-Law be approved in principle and be advertised to afford the public the opportunity to make representations in terms of Section 12 of the MSA.
2. That the report be resubmitted, with the inclusion of the public comments, for Council's consideration.
3. That an explanatory and instructive brochure be compiled and distributed widely throughout all communities, published on the municipal website, in the Langeberg Express, etc where all the details about prepaid block tariffs are set out in layman's terms in order to educate consumers. In these brochures consumers should also be encouraged to report vendors who require a purchase of their products as a prerequisite for buying electricity.

**A 3389 REQUEST FOR WRITE-OFF OF CHARGES FOR WATER CONSUMPTION: P F WINTERBACH, ASHTON (5/12/1) (CHIEF FINANCIAL OFFICER)**

Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017  
This item served before an Ordinary Meeting of Council on 25 April 2017  
Eenparig Besluit / Unanimously Resolved

1. That the charges for water consumption for the period December 2016 and January 2017 on account 340001490164 of P F Winterbach be recalculated/based at the average water consumption and that the rest of the charges be written off.

*Dat die heffings vir watergebruik vir die maande Desember 2016 en Januarie 2017 op rekeningnommer 340001490164 van P F Winterbach herbereken word teen die gemiddelde en dat die oorblywende bedrae afgeskryf word.*

2. That a policy be drafted that will guide the administration when dealing with similar cases in future.

**A 3390 APPLICATION FOR THE PURCHASE OF A PORTION OF MUNICIPAL LAND (±288m<sup>2</sup>) ADJACENT TO ERF 2793, MONTAGU (7/2/3/2/4) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)**

Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017  
This item served before an Ordinary Meeting of Council on 25 April 2017  
Eenparig Besluit / Unanimously Resolved

1. That it be confirmed that a portion (±288m<sup>2</sup>) of land adjacent to erf 2793, Montagu is not needed for the provision of the minimum level of basic municipal services.(S14 of the MFMA 2003, Act 56 of 2003)

*Dat dit bevestig word dat 'n gedeelte ( $\pm 288\text{m}^2$ ) van die grond aanliggend erf 2793, Montagu nie benodig word vir die verskaffing van die minimum vlak van basiese munisipale dienste nie. (S14 van die MFBW 2003, Wet 56 van 2003)*

2. That the application of Mr F Steyn to purchase a portion ( $\pm 288\text{m}^2$ ) of land adjacent to erf 2793, Montagu be approved.

*Dat die aansoek van Mnr F Steyn om 'n gedeelte ( $\pm 288\text{m}^2$ ) van die grond aanliggend tot erf 2793, Montagu te koop goedgekeur word.*

3. That written notices be served on all adjoining property owners.

*Dat geskrewe kennisgewings aan al die aanliggende eienaars bedien word.*

4. That a portion ( $\pm 288\text{m}^2$ ) of land adjacent to erf 2793, Montagu be alienated to Mr F Steyn subject to the following conditions:

*Dat 'n gedeelte ( $\pm 288\text{m}^2$ ) van die grond aanliggend tot erf 2793, Montagu vervreem word onderworpe aan die volgende voorwaardes:*

- 4.1 That the selling price be determined based on a reasonable market value certificate.

*Dat die verkoopprijs van die eiendom bereken word, baser op 'n billike markwaarde sertifikaat.*

- 4.2 That a deposit of 10% be payable at the signing of the deed of sale and that the remainder of the purchase price be payable with registration.

*Dat 'n deposito van 10% betaal word by ondertekening van die koopvooreenoms en dat die restant van die koopprijs teen registrasie betaalbaar is.*

- 4.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.

*Dat die koper verantwoordelik sal wees vir alle aansluitingsfooie vir munisipale dienste gelewer aan die perseel.*

- 4.4 The electrical low voltage overhead line crossing the proposed land, be removed at the expense of the applicant.

*Dat die lae-spanning oorhoofse lyn wat die eiendom kruis, verwyder word vir die rekening van die koper.*

- 4.5 That the purchaser be responsible for all costs regarding the alienation which includes the road closure, consolidation of the purchased portion with erf 2793 and rezoning.

*Dat die koper verantwoordelik sal wees vir alle koste met betrekking tot die vervreemding wat insluit die sluiting van die pad, konsolidering van die aangekoopte gedeelte van erf 2793 asook hersonering.*

- 4.6 That the purchase deal be finalized within a period of 6 months after allocation of the property, failing which the offer will expire irrevocably.

*Dat die kooptransaksie binne 'n periode van 6 maande vanaf datum van toekenning van die erf afgehandel word, by versuim waarvan, die aanbod onherroeplik verval.*

5. That a servitude for municipal services on the property be registered in favour of the Municipality and that the Municipality will have unrestricted access to the property.

*Dat 'n servituut vir munisipale dienste op die terrein ten gunste van die Munisipaliteit geregistreer word en dat die Munisipaliteit onbeperkte toegang tot die eiendom sal hê.*

6. That no additional buildings be erected on the property.

*Dat geen addisionele geboue op die eiendom opgerig mag word nie.*

**A 3391      CHRISTMAS LIGHT FUNCTIONS FUNDED BY THE CAPE WINELANDS DISTRICT MUNICIPALITY (12/2/3/3) (MANAGER: SOCIAL DEVELOPMENT)**

**Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017**  
**This item served before an Ordinary Meeting of Council on 25 April 2017**  
**Besluit / Resolved**

That the matter be referred to the Municipal Public Accounts Committee (MPAC) for investigation and report thereafter to Council.

*Dat die aangeleentheid na die Munisipale Openbare Rekeninge Komitee (MORK) verwys word vir ondersoek en terugrapportering daarna aan die Raad.*

**A 3392      RESUBMISSION - MATTERS TO BE DISCUSSED BY THE AD HOC COMMITTEE FOR URGENT MATTERS**

**Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017**  
**This item served before an Ordinary Meeting of Council on 25 April 2017**  
**Eenparig Besluit / Unanimously Resolved**

1. That the contents of the report be noted and be referred back to the Ad Hoc Committee where all processes and projects must be unpacked one by one and then be referred to Council for consideration.
2. That all illegal electricity connections be removed as stipulated in the relevant by-law to prevent any claims against the Council in terms of Section 9 of the Occupational Health and Safety Act due to injuries/deaths caused by any such illegal electricity connections.
3. That 40 of the serviced erven on Erf 136, Nkqubela, be allocated (if approved by the Human Settlements Department, Western Cape Government), to households from Nkqubela who qualify with an income of R 3 501 – R 7 000, or if differently approved.
4. That the other 108 serviced erven on Erf 136, Nkqubela, be sold to residents of Langeberg Municipality of which at least 50% must be to residents of Nkqubela, subject to the approval of the corresponding change in the Langeberg Human Settlements Plan by the Human Settlements Department, Western Cape Government.

**A 3393      RESUBMISSION: SWANNS PROPERTIES (PTY) LTD: APPLICATION TO PURCHASE MUNICIPAL LAND, A PORTION OF PORTION 71 OF THE FARM GOREE NO.158, ASHTON (7/2/3/2/1) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)**  
*(Was B5175)*

**Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017**  
**This item served before an Ordinary Meeting of Council on 25 April 2017**  
**Eenparig Besluit / Unanimously Resolved**

That the application received from Mr Swanepoel to purchase a Portion of Portion 71 of the Farm Goree no.158, Ashton(±3 000m<sup>2</sup>) be approved subject to the following conditions:

*Dat die aansoek ontvang van Mnr Swanepoel om 'n gedeelte van Gedeelte 71 van die Plaas Goree no.158, Ashton (±3 000m<sup>2</sup>) te koop goedgekeur word onderworpe aan die volgende voorwaardes:*

1. That it be confirmed that a portion of portion 71 of the Farm Goree no.158, Ashton is not needed for the provision of the minimum level of basic municipal services.

*Dat dit bevestig word dat 'n gedeelte van gedeelte 71 van die Plaas Goree no.158, Ashton nie benodig word vir die verskaffing van die minimum vlak van basiese munisipale dienste nie.*

2. That written notices been served on all adjoining property owners.

*Dat geskrewe kennisgewings aan alle aangrensende eienaars gestuur word.*

3. That the erf be alienated at a market related price.

*Dat die erf verkoop word teen 'n markverwante prys*

4. That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.

*Dat 'n deposito van 10% betaalbaar sal wees met ondertekening van die koopvooreenkomst en dat die resant van die koopsom betaalbaar is by registrasie.*

5. That the purchaser be responsible to reroute the 2 x 11kV overhead lines which crosses the property for his/her own cost in collaboration with the Electrical Department of the Municipality.

*Dat die Koper verantwoordelik sal wees om die 2 x 11kV oorhoofse lyne wat die eiendom kruis in samewerking met die Elektriese Departement van die Munisipaliteit te verskuif vir sy/haar koste.*

6. That a servitude for municipal services on the property be registered in favour of the Municipality and that the Municipality will have unrestricted access to the property.

*Dat 'n servituut vir die munisipale dienste op die terrein ten gunste van die Munisipaliteit geregistreer word en dat die Munisipaliteit onbeperkte toegang tot die eiendom sal hê.*

7. That the purchaser be responsible to consolidate the two portions of land and that the purchaser be responsible for all costs involved which may include surveying, consolidation, registration of servitudes and registration of the property in his/her name.

*Dat die koper verantwoordelik sal wees om die twee gedeeltes grond te konsolideer en dat die koper verantwoordelik sal wees vir alle kostes wat mag insluit die landmeter, konsolidering, registrasie van die servitute en registrasie van die eiendom in sy/haar naam.*

8. That the buyer be responsible for all the connection fees for municipal services rendered to the property.

*Dat die koper verantwoordelik sal wees vir alle aansluitingsfooie vir munisipale dienste gelewer aan die perseel.*

**A 3397     AUDIT & PERFORMANCE COMMITTEE - FEEDBACK COVER REPORT & MINUTES FOR THE QUARTER JULY 2016 – DECEMBER 2016 (5/14/1/2/2) (CHAIRPERSON)**

**Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017**  
**This item served before an Ordinary Meeting of Council on 25 April 2017**  
**Eenparig Besluit / Unanimously Resolved**

That the content of the report and the Audit Committee's minutes be noted.

*Dat kennis geneem word van die inhoud van die verslag en die Ouditkomitee se notules*

**A 3398     RISK MANAGEMENT COMMITTEE - FEEDBACK COVER REPORT FOR THE QUARTER JULY 2016 – DECEMBER 2016 (5/14/1/2/2)**

**Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017**  
**This item served before an Ordinary Meeting of Council on 25 April 2017**  
**Eenparig Besluit / Unanimously Resolved**

That the content of the report and the strategic risk register be noted.

*Dat kennis geneem word van die inhoud van die verslag en die strategiese risiko register.*

**A 3407     MIG APPLICATION: THE UPGRADING OF THE VAN ZYL STREET SPORTS GROUNDS, ROBERTSON (17/8/3/5/3) (MANAGER: COMMUNITY FACILITIES)**

**Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017**  
**This item served before an Ordinary Meeting of Council on 25 April 2017**  
**Eenparig Besluit / Unanimously Resolved**

1. That Council approves The Van Zyl Street Sports Grounds Project to be registered for a MIG application.

*Dat die Raad goedkeuring verleen dat Die Van Zylstraat Sportgronde as a MIG aansoek geregistreer word.*

2. That Council notes the co-funding requirement for MIG funding that will have to be considered.

*Dat die Raad kennis neem van die bykomende befondsing vir MIG wat later oorweeg sal moet word.*

3. That should there be any funds left over, it be used at another local sports ground, at the discretion of the relevant Minister, following a formal application in this regard.
4. That a full investigation be conducted into this upgrading and application to redo the Van Zyl Street Sports Grounds and that the Director Community Services and other officials depending on the outcome of the investigation, be charged with undermining the Municipal Manager and Council, and acting or being part to the change in the funding application from Montagu to Van Zyl Street, without the approval of the Municipal Manager and Council.

**A 3411 SUBMISSION OF VARIOUS MOTIONS : CLLR CJ GROOTBOOM**

~ Cllr CJ Grootboom withdrew the motions ~

**A 3412 SUBMISSION OF MOTION : CLLR BH NTETA : TRANSFORM & IDENTIFY THE ZOLANI RUGBY STADIUM INTO A MULTI PURPOSE CENTRE**

**Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017**

**This item served before an Ordinary Meeting of Council on 25 April 2017**

**Eenparig Besluit / Unanimously Resolved**

1. That the report be referred back for resubmission to the Community Services Portfolio Committee for consideration.
2. That the project be included in the IDP as a 'multi-purpose centre'.

**A 3413 EXPENDITURE OF THE 2016 / 2017 BUDGET MEASURED BY THE TOP LEVEL SDBIP FOR THE THIRD QUARTER (5/1/3) (DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT)**

**Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017**

**This item served before an Ordinary Meeting of Council on 25 April 2017**

**Eenparig Besluit / Unanimously Resolved**

That Council notes the contents of the report

*Dat die Raad kennis neem van die inhoud van die verslag*

**A3414 REPORT ON THE SALE OF MUNICIPAL PROPERTY – ERVEN 745, 746 AND 750 BONNIEVALE AND A PORTION OF ERF 2, ROBERTSON (7/2/3/1/2 + 7/2/3/2/2 AND 7/2/3/2/5)(DIRECTOR CORPORATE SERVICES)**

**Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017**

**This item served before an Ordinary Meeting of Council on 25 April 2017**

**Eenparig Besluit / Unanimously Resolved**

1. That the application received from Van Niekerk & Linde on behalf of JGE Funding Trust to purchase portions of municipal land ( $\pm 4230\text{m}^2$ ) situated between erven 745 and 746, to the Northern side & erf 750 to the Southern side, Happy Valley, Bonnievale be approved subject to the following conditions:

*Dat die aansoek ontvang vanaf Van Niekerk & Linde namens JGE Funding Trust om gedeeltes van Munisipale grond ( $\pm 4230\text{m}^2$ ) te koop geleë tussen erwe 745 en 746, aan die Noordekant en erf 750 aan die Suidekant, Happy Valley, Bonnievale goedgekeur word onderworpe aan die volgende voorwaardes:*

- 1.1 That it be confirmed that the portion needed situated between erven 745 and 746, to the Northern side & erf 750 to the Southern side, Happy Valley, Bonnievale is not needed for the provision of the minimum level of basic municipal services. (S14 of the MFMA 2003, Act 56 of 2003).

- 1.2 *Dat dit bevestig word dat die gedeelte benodig geleë tussen erwe 745 en 746, aan die Noordekant en erf 750 aan die Suidekant, Happy Valley, Bonnievale nie benodig word vir die verskaffing van die minimum vlak van basiese munisipale dienste nie. (S14 van die MFMA 2003, /wet 56 van 2003).*
- 1.3 That the intention of the Municipality to alienate portions of land to JGE Funding trust be advertised for comments before the Deed of Sale is finalized. If no objections have been received, the property be alienated to JGE Funding Trust at a market related price subject to the following conditions.
- Dat die Munisipaliteit se intensie om gedeeltes Munisipale grond te verkoop aan JGE Funding Trust geadverteer word vir kommentaar voordat die Koopoporeenkoms finaliseer word. Indien word geen besware ontvang word nie, die gedeeltes grond aan JGE Funding Trust verkoop word teen n markverwante prys.*
- 1.4 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
- Dat 'n deposito van 10% betaalbaar sal wees met ondertekening van die koopoporeenkoms en dat die restant van die koopsom betaalbaar is by registrasie.*
- 1.5 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
- Dat die koper verantwoordelik sal wees vir alle aansluitingsfooie vir munisipale dienste gelewer aan die perseel.*
- 1.6 That the Buyer be responsible to register a servitude in favour of the Municipality for the municipal services that runs through municipal land and that the Municipality will have unrestricted access to the property. The cost will be for the account of the Buyer.
- Dat die Koper verantwoordelik is om 'n servituut ten gunste van die Munisipaliteit registreer vir die munisipale dienste wat oor munisipale grond loop en dat die Munisipaliteit onbeperkte en onbelemmerde toegang tot die eiendom sal hê. Die koste hiervan is vir die rekening van die Koper.*
- 1.7 That the portion of land be suitably fenced and that the fencing cost as well as the maintenance thereof be for the account of the Buyer.
- Dat die gedeelte grond behoorlik omhein word en die koste hiervan sowel as die instandhouding daarvan deur die Koper gedra word.*
- 1.8 That the purchaser be responsible for all costs regarding the alienation.
- Dat die koper verantwoordelik sal wees vir alle kostes met betrekking tot die vervreemding.*
- 1.9 That the purchaser be responsible for the cost involved for surveying, rezoning, subdivision and registration of the property in his/her name as well as successful NEMA procedures.
- Dat die koper verantwoordelik sal wees vir alle kostes van die landmeter, hersonering, onderverdeling en registrasie van die eiendom in sy/haar naam sowel as suksesvolle NEMA prosedures.*
- 1.10 That the purchase deal be finalized within a period of 6 months after allocation of the property, failing which the offer will expire irrevocably.
- Dat die kooptransaksie binne 'n periode van 8 maande vanaf datum van toekenning van die erf afgehandel word, by versuim waarvan, die aanbod onherroeplik verval.*

**SUBMISSION OF VARIOUS MOTIONS : CLLR CJ GROOTBOOM****Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017****This item served before an Ordinary Meeting of Council on 25 April 2017****MOTION 1. Recall of Agenda Point B5159 – Application For The Purchase Of Municipal Land Situated On A Portion Of Erf 2 (+/- 4000m²), Robertson (7/2/3/2/5) (Principal Clerk: Property Administration)****Resolved / Besluit**

That the application received from Mr W van der Bank to purchase a portion of municipal land situated on Erf 2 (±4000m²), Robertson for recreational purposes be referred back for a site inspection by Councillors and that it thereafter be resubmitted with all relevant information for consideration to the Corporate Services Portfolio Committee.

**MOTION 2. Withdrawing of the Position Manager Traffic Services in the Directorate Corporate Services from the advertisement which was published on the website of Langeberg Municipality and the Breederivier Gazette of Tuesday 04 April 2017.****Unanimously Resolved / Eenparig Besluit**

That the advertisement of the position of Manager Traffic Services in the Directorate Corporate Services be withdrawn.

**MOTION 3. Timeframes for implementation of Council and Mayco Decisions / Resolutions.****Unanimously Resolved / Eenparig Besluit**

That a six-monthly report be submitted to Council for information indicating which council resolutions have been implemented and which have not, to assist Council in its oversight role.

**MOTION 4. Longer repayment for erven / plots which are sold to the public through public tender.****Unanimously Resolved / Eenparig Besluit**

That this motion be referred back to the relevant Portfolio Committee for consideration after a full report on the legal implications has been compiled.

**MOTION 5. Buying of external hard-drives for councillors to save Council and Mayco Agendas and Minutes.****Unanimously Resolved / Eenparig Besluit**

That the purchase of hard drives for Councillors to store their electronic agendas and minutes be investigated and if funds are available, it be purchased.

**SUPPLEMENTARY REPORT - CHRISTMAS LIGHTS FESTIVITIES – ACCOUNTING OFFICER'S REPORT****Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017****This item served before an Ordinary Meeting of Council on 25 April 2017****Besluit / Resolved**

That the matter be referred to the Municipal Public Accounts Committee (MPAC) for investigation and report to Council.

*Dat die aangeleentheid na die Munisipale Openbare Rekeninge Komitee (MORK) verwys word vir ondersoek en verslagdoening aan die Raad.*

**FINANCIAL REPORTING IN TERMS OF SECTION 71 FOR THE MONTHLY BUDGET STATEMENT & SECTION 52 (D) FOR THE QUARTERLY BUDGET ASSESSMENT STATEMENT FOR MARCH 2017 (9/2/1/3) (CHIEF FINANCIAL OFFICER)**

A 3420 FINANCIAL REPORTING IN TERMS OF SECTION 71 FOR THE MONTHLY BUDGET STATEMENT & SECTION 52 (D) FOR THE QUATERLY BUDGET ASSESSMENT STATEMENT FOR MARCH 2017 (9/2/1/3) (CHIEF FINANCIAL OFFICER)  
(Was A  
2416 - 2)

Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017  
This item served before an Ordinary Meeting of Council on 25 April 2017  
Eenparig Besluit / Unanimously Resolved

That the content of the report be noted.

*Dat kennis geneem word van die inhoud van die verslag.*

A 3421 URGENT MOTION BY CLLR BH NTETA : DEMOLISHING OF UNSAFE STRUCTURES ON ERF 373, ZOLANI

Hierdie item het voor 'n Gewone Vergadering van die Raad gedien op 25 April 2017  
This item served before an Ordinary Meeting of Council on 25 April 2017  
Eenparig Besluit / Unanimously Resolved

That the structures on Erf 373, Zolani, if it is municipal land, be demolished as it is proving to be an unsafe and risky environment for the community and its vulnerable members.

12.2 Reports submitted to Council for consideration (AA Items)  
Verslae voorgelê aan die Raad vir oorweging (AA-Items)

None ~ Geen

12.3 Reports dealt with in terms of the delegated powers by the Mayoral Committee (B & BB Items)  
Verslae afgehandel deur die Burgemeesterskomitee in terme van gedelegeerde bevoegdhede (B & BB-Items)

That Council note the B and BB reports that were dealt with by the Executive Mayoral Committee in terms of the delegated powers.

*Dat die Raad kennis neem van die B en BB verslae wat deur die Uitvoerende Burgemeesterkomitee in terme van gedelegeerde bevoegdhede hanteer is.*

- oOo -