

**MINUTES OF AN ORDINARY MEETING OF COUNCIL OF THE LANGEBOG MUNICIPALITY**  
**HELD ON 10 DECEMBER 2018 AT 10H00 IN THE COUNCIL CHAMBERS**  
**MUNICIPAL OFFICES, CHURCH STREET, ROBERTSON**

12. **Oorweging van Verslae / Consideration of Reports:**

12.1 **Reports submitted to Council for consideration (A Items)**  
**Verslae voorgelê aan die Raad vir oorweging (A-Items)**

**A 3721 PROGRAMME OF DATES FOR MEETINGS 2019 ~ SECTION 79 COMMITTEES, EXECUTIVE MAYORAL COMMITTEE AND COUNCIL ~ JANUARY TO DECEMBER 2019 (3/2/3/1) (DIRECTOR CORPORATE SERVICES)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Eenparig Besluit / Unanimously Resolved**

1. That the following dates for the meetings of the Section 79 Committees, MPAC, Mayoral Committee and Council for 2019 be approved.

*Dat die vergaderingsdatums soos hieronder aangedui, van die Artikel 79 Komitees, MORK, Burgemeesterskomitee en Raad vir 2019 goedgekeur word.*

2. That the proposed dates be compared with other known dates of meetings that councillors regularly attend throughout the year, in order to avoid the clashing of meetings.

<b><u>ART 79 COMMITTEES</u></b> Corporate Services, Strategy + Social Development, Community Services, Engineering Services, MPAC & Finance	<b><u>EXECUTIVE MAYORAL COMMITTEE</u></b> At 10h00	<b><u>COUNCIL MEETING</u></b> At 10h00	<b><u>STATUTORY COUNCIL MEETING</u></b> (Urgent matters) At 10h00
15 January 2019 08h00 – 08h45= Corporate Services Committee 08h45 – 09h30= Strategy + Social Development 09h30 – 10h15= Community Services Committee 10h15 – 11h00= Engineering Services Committee 11h00 – 11h45= MPAC 18 January 2019 = Finance Committee	22 January 2019	29 January 2019	
01 January 2019 = New Year's Day. Schools reopen on 09 January 2019			
12 February 2019 08h00 – 08h45= Corporate Services Committee 08h45 – 09h30= Strategy + Social Development 09h30 – 10h15= Community Services Committee 10h15 – 11h00= Engineering Services Committee 11h00 – 11h45= MPAC 14 February 2019 = Finance Committee	19 February 2019	26 February 2019	
12 March 2019 08h00 – 08h45= Corporate Services Committee 08h45 – 09h30= Strategy + Social Development 09h30 – 10h15= Community Services Committee 10h15 – 11h00= Engineering Services Committee 11h00 – 11h45= MPAC 14 March 2019 = Finance Committee	19 March 2019	26 March 2019	
21 March 2019 = Human Rights Day. Schools close 15 March 2019 (Autumn);			
09 April 2019 08h00 – 08h45= Corporate Services Committee 08h45 – 09h30= Strategy + Social Development 09h30 – 10h15= Community Services Committee 10h15 – 11h00= Engineering Services Committee 11h00 – 11h45= MPAC 18 April 2019 = Finance Committee	16 April 2019	30 April 2019	
Schools reopen on 02 April 2019, Good Friday = 19 April 2019, Family Day = 22 April 2019, Freedom Day = 27 April 2019			

14 May 2019 08h00 – 08h45= Corporate Services Committee 08h45 – 09h30= Strategy + Social Development 09h30 – 10h15= Community Services Committee 10h15 – 11h00= Engineering Services Committee 11h00 – 11h45= MPAC 16 May 2019 = Finance Committee	21 May 2019	28 May 2019	
Workers' Day = 01 May 2019			
No Portfolio meetings in June 2019	No Mayco meeting in June 2019	No Council meeting in June 2019	14 June 2019
14 June 2019 = Schools close, Youth day = 16 June 2019, Public holiday on Monday 17 June 2019			
09 July 2019 08h00 – 08h45= Corporate Services Committee 08h45 – 09h30= Strategy + Social Development 09h30 – 10h15= Community Services Committee 10h15 – 11h00= Engineering Services Committee 11h00 – 11h45= MPAC 17 July 2019 = Finance Committee	23 July 2019	30 July 2019	
09 July 2019 = Schools re-open			
13 Aug 2019 08h00 – 08h45= Corporate Services Committee 08h45 – 09h30= Strategy + Social Development 09h30 – 10h15= Community Services Committee 10h15 – 11h00= Engineering Services Committee 11h00 – 11h45= MPAC 16 August 2019 = Finance Committee	20 August 2019	27 August 2019	
09 August 2019 = National Women's Day.			
10 September 2019 08h00 – 08h45= Corporate Services Committee 08h45 – 09h30= Strategy + Social Development 09h30 – 10h15= Community Services Committee 10h15 – 11h00= Engineering Services Committee 11h00 – 11h45= MPAC 16 September 2019 = Finance Committee	17 September 2019	25 September 2019	
24 Sept 2019 = Heritage Day. Schools close on 20 Sept 2019 (Spring)			
08 October 2019 08h00 – 08h45= Corporate Services Committee 08h45 – 09h30= Strategy + Social Development 09h30 – 10h15= Community Services Committee 10h15 – 11h00= Engineering Services Committee 11h00 – 11h45= MPAC 17 October 2019 = Finance Committee	22 October 2019	29 October 2019	
12 November 2019 08h00 – 08h45= Corporate Services Committee 08h45 – 09h30= Strategy + Social Development 09h30 – 10h15= Community Services Committee 10h15 – 11h00= Engineering Services Committee 11h00 – 11h45= MPAC 18 November 2019 = Finance Committee	26 November 2019	No Council meeting	
Schools close on 04 Dec 2019 (Summer). 16 Dec 2019 = Day of Reconciliation. 25 Dec 2019 = Christmas Day. 26 Dec 2019 = Day of Goodwill. Schools re-open in mid-January 2020 (date to be confirmed).			

3. That in the event there is a need for a Council meeting in June or December 2019 to address any compliance matters, statutory council meetings be arranged on dates as determined by the Municipal Manager and the Speaker.

**A 3722 SUBMISSION OF THE AUDITED FINANCIAL STATEMENTS OF THE LOCAL TOURISM ASSOCIATIONS FOR THE PERIOD 01 JULY 2017 TO 30 JUNE 2018 (12/2/3/3) (MANAGER: SOCIAL DEVELOPMENT)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Eenparig Besluit / Unanimously Resolved**

1. That the audited financial statements of the Local Tourism Associations for the period 01 July 2017 to 30 June 2018 be noted and that the questions raised by the Chief Audit Executive be responded to at the next meeting of the Strategy and Social Development Portfolio Committee meeting
2. That a quarterly presentation be made by the Chairperson of each Association to the Strategy & Social Development Portfolio Committee about the tourism projects that have been done in the preceding financial quarter and are planned for the next financial quarter.
3. That the quarterly presentation must include a report on the SMME development by the Association in terms of the service level agreement with the Municipality, i.e. what do they do to promote tourism in their previously disadvantaged areas with the funds they are receiving from the Municipality as well as the applicable SLA's

**A 3723 APPLICATION TO PURCHASE OF A PORTION OF MUNICIPAL LAND (±180M²) SITUATED ON ERF 1 ADJACENT TO ERF 4341, ROBERTSON (7/2/3/2/4) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Eenparig Besluit / Unanimously Resolved**

That the application received from Mr Eppel to purchase a portion of erf 1 Robertson (180m²) as well as a portion of erf 4328, Robertson at a market related price be approved once the process to transfer erf 4328, Robertson to the Municipality has been finalized subject to the following conditions:

- 1.1 That it be confirmed that a portion of Erf 1, Robertson (180m²) as well as a portion of erf 4328, Robertson is not needed to provide the minimum level of basic municipal services (S14 of the MFMA of 2003, Act 56 of 2003).

*Dat dit bevestig word dat die gedeelte van Erf 1, Robertson (180m²) asook 'n gedeelte van erf 4328, Robertson nie benodig word vir die verskaffing van die minimum vlak van basiese munisipale dienste nie (S14 van die MFMA 2003, Wet 56 van 2003).*

- 1.2 That written notices be served on all adjoining property owners.

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

- 1.3 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 koop-ooreenkoms en dat die resant van die koopsom betaalbaar is by registrasie.*

- 1.4 That the relevant portion of erf 1, Robertson must be subdivided and rezoned from Undetermined zone to Single residential zone I for the cost of the applicant.

*Dat die relevante gedeelte van erf 1, Robertson onderverdeel en hersoneer word van Onbepaald 1 na Enkel Residensieël I vir die rekening van die aansoeker.*

- 1.5 That the portion of erf 4328, Robertson that lies between erven 4341 and 1, Robertson, be closed as a Public Place, subdivided and rezoned from Open space zone I to Single residential zone I.

*Dat die gedeelte van erf 4328, Robertson wat tussen erwe 4341 en 1, Robertson geleë is, gesluit word as Openbare Gedeelte, onderverdeel en hersoneer word vanaf Openbare Gedeelte 1 na Enkel Residensieël 1.*

- 1.6 That a Land Surveyor be appointed to determine the portion of erf 4341, Robertson which has been exceeded for the cost of the applicant.

*Dat 'n Landmeter aangestel word om te bepaal watter gedeelte van erf 4341, Robertson oorskry word vir die rekening van die aansoeker.*

- 1.7 That the abovementioned portions be simultaneously registered and consolidated with erf 4341, Robertson.

*Dat die bovermelde gedeeltes gelyktydig geregistreer en konsolideer word met erf 4341, Robertson.*

- 1.8 The applicant will be responsible for the required applications in terms of the Langeberg Municipal Land Use Planning By-law, 2015 to give effect to the town planning actions mentioned above.

Dat die aansoeker verantwoordelik sal wees vir die vereiste aansoeke in terme van Langeberg Munisipaliteit Grondgebruik Beplannings By-Wet, 2015 om te voldoen aan bovermelde stadsbeplannings aksies.

- 1.9 That the applicant be responsible for all Town Planning cost involved which may include rezoning, subdivision, consolidation, surveying and registration of the property in his/her name.

*Dat die aansoeker verantwoordelik sal wees vir alle Stadsbeplannings koste wat mag insluit hersonering, onderverdeling, konsolidasie, landmeter en registrasie van die eiendom in sy/haar naam.*

- 1.10 That the applicant be responsible for all connection fees for municipal services rendered to the property.

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

- 1.11 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.

**A 3724 ALIENATION OF BUILDING SITUATED ON ERF 1128, ASHTON KNOWN AS HEIDILAND CRÈCHE (7/1/4/1/1) (MANAGER: ADMINISTRATIVE SUPPORT)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**

**This item served before an Ordinary Meeting of Council on 10 December 2018**

**Eenparig Besluit / Unanimously Resolved**

1. That it be confirmed that the municipal building known as Heidiland Crèche situated on erf 1128, Ashton 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 die munisipale gebou bekend as Heidiland Crèche geleë te erf 1128, Ashton nie benodig word vir die verskaffing van die minimum vlak van basiese dienste nie. (S14 van die MFMA, Wet 56 van 2003)

2. That the building situated on erf 1128, Ashton be alienated "voetstoots" by way of public tender subject to the following conditions:

Dat die gebou geleë erf 1128, Ashton by wyse van 'n openbare tender "voetstoots" verkoop word onderworpe aan die volgende voorwaardes:

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

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

- 2.2 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 koop-ooreenkoms en dat die resant van die koopsom betaalbaar is by registrasie.*

- 2.3 That the Purchaser be responsible for the payment of all services rendered to the portion of land.

*Dat die Koper verantwoordelik is vir die betaling van alle dienste gelewer aan hierdie gedeelte grond.*

- 2.4 That the Purchaser be responsible for the cost involved for rezoning, subdivision, consolidation, surveying, registration of servitudes and registration of the property in his/her name, where applicable.

*Dat die Koper verantwoordelik sal wees vir alle kostes van hersonering, onderverdeling, konsolidasie, landmeter, registrasie van die servitude en registrasie van die eiendom in sy/haar naam, waar van toepassing.*

- 2.5 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.*

**A 3725 MONTHLY REPORTS FROM THE LOCAL TOURISM ASSOCIATIONS – OCTOBER 2018 (12/2/3/3)  
MANAGER: SOCIAL DEVELOPMENT**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Eenparig Besluit / Unanimously Resolved**

That the contents of the report from the Local Tourism Associations for October 2018 be noted

**A 3726 FINANCIAL REPORTING IN TERMS OF SECTION 71 OF THE LOCAL GOVERNMENT: MUNICIPAL  
FINANCE MANAGEMENT ACT, 2003 – OCTOBER 2018 (9/2/1/3) (CHIEF FINANCIAL OFFICER)**

The Executive Mayor presented the Executive Summary to Council.

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Eenparig Besluit / Unanimously Resolved**

That the contents of the report be noted.

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

**A 3727 SILWERSTRAND INVESTEC - REBATE ON PROPERTY RATES (5/3/1/3) (CHIEF FINANCIAL OFFICER)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Besluit / Resolved**

1. That the current 100% rebate on property rates and taxes that has been afforded to Silverstrand Development Company (Pty) Ltd be extended to Investec Bank Ltd or its subsidiary. Each owner of an Erf shall become liable for municipal rates and taxes from the date on which the Erf is transferred from Investec Bank Ltd or its subsidiary into the name of the new owner.
2. That a time limit and phase-out approach be applied to the recommendation in point 1, and that the decision to extent the 100% rebates be recalled and that Investec Bank Ltd be liable for rates in terms of the approved budget and Rates policy applicable at the time as follows:
  - 2.1 01 July 2019 - Only eligible for a 50% rebate
  - 2.2 01 July 2020 - Only eligible for a 30% rebate
  - 2.3 01 July 2021 - 0% rebate

**A 3728 RESUBMISSION - REMUNERATION OF THE AUDIT & PERFORMANCE COMMITTEE MEMBERS OF LANGEBOERG MUNICIPALITY (5/14/R) (CHIEF AUDIT EXECUTIVE)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**

**This item served before an Ordinary Meeting of Council on 10 December 2018**

**Eenparig Besluit / Unanimously Resolved**

1. That the remuneration payable to the Audit & Performance Committee members be adjusted as follows with effect from 01 November 2018:

Chairperson	R4 317.00 per meeting per day
Member	R2 619.00 per meeting per day
Traveling time	R 220.00 per hour (applicable to members traveling more than an hour to attend meetings)
Fuel cost.	As a result of the fluctuations of the fuel price, the tariffs contained in Transport Circular No 1 of 1977 ( <i>Transport Handbook on Tariffs for the use of Motor Transport</i> ) are reviewed monthly. Hence, the fuel cost payable to Audit & Performance Committee members will be based on the tariffs as per the latest circular as approved by the Department of Transport.)
2. That the remuneration payable to the Risk Management Committee be adjusted as follows with effect from 01 November 2018 (4 meetings):

Chairperson	R4 317.00 per meeting per day x 4 meetings
Traveling time	R 220.00 per hour x 4 hours per meeting x 4 meetings
Fuel cost	As a result of the fluctuations of the fuel price, the tariffs contained in Transport Circular No 1 of 1977 ( <i>Transport Handbook on Tariffs for the use of Motor Transport</i> ) are reviewed monthly. Hence, the fuel cost payable to the Risk Management Committee chairperson will be based on the tariffs as per the latest circular as approved by the Department of Transport.)

**A 3729 KEY PERFORMANCE INDICATORS TO BE AMENDED - THE TOP LAYER SDBIP (2018 / 2019) (DIRECTOR: STRATEGY & SOCIAL DEVELOPMENT)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**

**This item served before an Ordinary Meeting of Council on 10 December 2018**

**Eenparig Besluit / Unanimously Resolved**

That Council approve the inclusion / removal / amendment to the KPI's on the Top level SDBIP's for 2018 / 2019, as reflected in the report.

**A 3730 PROVISION OF BASIC SERVICES TO INFORMAL SETTLEMENTS IN LANGEBOERG MUNICIPALITY (DIRECTOR ENGINEERING SERVICES)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**

**This item served before an Ordinary Meeting of Council on 10 December 2018**

**Eenparig Besluit / Unanimously Resolved**

1. That the Administration proceed with the planning process to provide basic services to informal settlements.
2. That the process be proceeded with to have those residents in the informal settlement areas complete the necessary forms to apply for the basic services.

**A 3731 ALLOCATED FUNDING: HUMAN SETTLEMENTS DEVELOPMENT GRANT AGREEMENT OF DELIVERY DATES: (17/5/8/5) (DIRECTOR: COMMUNITY SERVICES)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**

**This item served before an Ordinary Meeting of Council on 10 December 2018**

**Eenparig Besluit / Unanimously Resolved**

That the Department of Human Settlements be requested to roll over the allocated R 1 800 000 for the Montagu Strydom Street and R2 600 000 for McGregor project into the 2019/20 financial year in order to first finalise all outstanding issues pertaining to these projects.

**A 3732 MCGREGOR HOUSING PROJECT – REQUEST FOR ALLOCATION OF THE OUTSTANDING 68 UNITS TO BE BUILT & ALLOCATION OF THE 10 SERVICE SITES TO THE NON-QUALIFIERS IN THE PROJECT (17/5/R) (SENIOR HOUSING CLERK: MONTAGU)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Eenparig Besluit / Resolved**

1. That be proceeded with the McGregor Housing Database list up until 30 September 2016 to see whether 54 beneficiaries can be identified and approved, to complete the project.
2. That the new Housing Database list up until 30 September 2016 approved by Council, be advertised for thirty (30) days on the public notice board of McGregor municipal offices for notification.
3. That the allocation of the ten (10) service sites for the income group R3 501 – R 7 000 be allocated from the approved prioritized list by Council of 24 August 2015 and according to the date of registration on the Housing Database / Waiting list of McGregor.
4. That all applicants be made aware that they need to fulfil the same criteria as laid down by the Department of Human Settlements.

**A 3733 APPOINTMENT / DELEGATION OF COUNCILLORS AND REPRESENTATIVES ON PORTFOLIO COMMITTEES AND TO SERVE ON EXTERNAL BODIES (3/1/2 + 3/1/4)(DIRECTOR CORP SERVICES)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Besluit / Resolved**

1. That the following Councillors be appointed to serve on the following Portfolio Committees-
  - **Corporate Services ~ No Changes**  
Cllr NJ Beginsel (Chairperson)  
Cllr JJS Januarie  
Cllr OC Simpson  
Cllr LM Swanepoel  
Cllr JDF van Zyl
  - **Strategy & Social Development**  
Cllr P Hess (Chairperson)  
Cllr HF Mangenengene  
Cllr BH Nteta  
Cllr TM van der Merwe  
**COPE councillor**
  - **Engineering Services**  
**Cllr J Kriel** (Chairperson)  
Cllr NJ Beginsel  
Cllr S Du Plessis  
Cllr AJ Shibili  
**COPE councillor**
  - **Community Services**  
Cllr HF Mangenengene (Chairperson)  
Cllr NJ Beginsel  
Cllr E Bosjan  
Cllr P Hess

**Cllr OC Simpson**

**- Financial Services**

**Cllr JDF van Zyl** (Chairperson)

Cllr CJ Grootboom

Cllr P Hess

Cllr JS Mafilika

**Cllr J Kriel**

**- MPAC ~ No Changes**

Cllr LM Swanepoel (Chairperson)

Cllr NJ Beginsel

Cllr J Kriel

Cllr JS Mafilika

Cllr HF Mangenengene

2. That the following Councillors be appointed and delegated to serve on the following committees / bodies-

**- Rules Committee**

**Cllr JJ Januarie**

**- LA Pension Fund**

**Cllr OC Simpson**

3. That the *Ad Hoc Committee for Urgent Matters* be disestablished as there is already a Water Committee to deal with water matters .

**A 3734 AUDIT & PERFORMANCE COMMITTEE - QUARTERLY REPORT OF THE AUDIT & PERFORMANCE COMMITTEE (5/14/R) (AUDIT & PERFORMANCE COMMITTEE CHAIRPERSON)**

Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018

This item served before an Ordinary Meeting of Council on 10 December 2018

Eenparig Besluit / Unanimously Resolved

That Council takes note of the Quarterly report of the Audit & Performance Committee.

**A 3735 AUDIT & PERFORMANCE COMMITTEE - RISK ACCEPTANCE CERTIFICATE – ILLEGAL ELECTRICITY CONNECTIONS (5/14/R) (CHIEF AUDIT EXECUTIVE)**

Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018

This item served before an Ordinary Meeting of Council on 10 December 2018

Eenparig Besluit / Unanimously Resolved

That the report be referred back and that additional information be sourced and included where after the report be resubmitted at a workshop in January 2019.

**A 3736 RISK MANAGEMENT COMMITTEE - RISK MANAGEMENT OPERATIONAL PLAN, RISK MANAGEMENT COMMITTEE REPORT FIRST QUARTER & RISK REGISTER – 2018 / 2019 (5/14/R) (CHIEF AUDIT EXECUTIVE)**

Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018

This item served before an Ordinary Meeting of Council on 10 December 2018

Eenparig Besluit / Unanimously Resolved

That the contents of the Risk Management Operational Plan, the Risk Management Committee Report and the Risk Register for First Quarter of 2018/19 be noted by Council.

**A3737 COMPILING OF THE 2018 / 2019 ADJUSTMENT BUDGET (2018/2019) (CHIEF FINANCIAL OFFICER)**



**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Eenparig Besluit / Unanimously Resolved**

1. That the Adjustments budget for 2018 / 2019 for additional allocations and the approval of unspent grants by National and Provincial Treasury as submitted be approved.
2. That in terms of Section 28 (2) (c) of the Local Government- Municipal Finance Management Act, 2003 (Act No. 56 of 2003) and Section 23 of the Municipal Budgeting and Reporting Regulations (MBRR) the Municipality authorises the appropriation in the adjustments budget of the unforeseeable and unavoidable expenditure as approved by the Mayor of the Municipality.

**A 3738 FEEDBACK ON THE HAWKS RAID AND INVESTIGATION (MUNICIPAL MANAGER)**

**Hawks Raid and Investigation -- Advocate Jan F Koekemoer, 10 December 2018**

- This verbal feedback is given at the suggestion of the Minister for Local Government in the Western Cape, after a discussion between the Exec Mayor, the Municipal Manager and Adv Koekemoer.
- During the first week of June, 2018, just more than 6 months ago, Langeberg Municipality was raided by the Hawks after a warrant to this effect was issued which was based on sworn affidavits made by a number of persons and a case opened at McGregor Police station during March 2018.
- The raid was well publicised on national, provincial and local media based on media releases by or interviews with the Hawks. The Hawks declared that their groundwork was done before the raid. Numerous members of the Hawks took part in the raid and 15 private homes were raided as well as the Robertson and Ashton offices of the municipality. Documents and files were seized, some of which have been returned since.
- The Hawks stated that the private homes were raided because there were allegations that incriminating documents were hidden at these homes.
- After the raid a decision was taken that a firm of attorneys be appointed to be the attorneys of record. The MM communicated with the investigating officer offering the Municipality's response to the allegations. The response was positive and the MM appointed Adv Koekemoer to conduct interviews with all persons implicated and if they were willing, to submit sworn affidavits by them to the Hawks as part of a covering affidavit by Mr Mokweni.
- This affidavit was sworn to on 13 August 2018 and handed to the investigating officer as soon as a meeting with her could be arranged (29 August).
- What were the allegations that we answered? Please note that as the investigation is continued with by the Hawks as well as the fact that the investigation on the charges showed that there was no substance to any of the charges, I am not at liberty to divulge the names of some of the persons who were alleged to have committed irregularities.
- Wrong house to Nyamana
- Payment for a house in a housing scheme

- Katriena Engelbrecht did not receive a house although she was supposed to.
- Cliffe Dekker report
- Ernest & Young report
- Glynell
- Documents at homes
- Social housing: Councillors and Official
- Contracts: MM and Managers
- Christmas Lights
- Everson: Tenders
- Appointments. 1 employee, 1 tender, 2 independent contractual employees
- Nel: Tender
- Yethu Tender
- Who made these allegations under oath? Cllr (as he was then) Nyamana: Dismissed for serious misconduct by the MEC. Criminal case pending. Mr D Kuhn: Former official dismissed for serious misconduct. Criminal case pending. Mr Wilson Nel: Several convictions of serious misconduct. During the time of the raid he was an official of Langeberg but has since left the service. Former councillor Klaas: Dismissed as councillor. Mr Mgoqi: Former political official: Criminal case by municipality pending. It is ironic that the Hawks got a warrant for the disciplinary records of all officials against whom allegations were made, but not in respect of former officials and councillors who made the allegations.
- All the persons against whom false allegations were made under oath, stated in their sworn affidavits to the Hawks that they want criminal charges to be opened against those who made the false allegations.
- So far nothing has been heard from the Hawks in regard to the allegations made, as well as in regard to the request that criminal prosecution be instituted against those who made the false charges.
- Although charges which are simple to investigate were laid against the above persons long before the case was opened against the Municipality, there has still not been any response from the SAPS or prosecuting authority regarding these charges.
- The question should be asked if the Hawks did any 'groundwork' before the raid. Even if they just looked at facts which were in possession of the SAPS when the allegations were made against the municipality, they

should have realised that they are dealing with disgruntled persons who wanted to harm the municipality and certain individuals.

- The matter has cost the Municipality a great deal of money already and will cost even more as it is incumbent on the municipality to assist those against which these false allegations were made in civil actions for damages which may follow.
- The Municipality requested assistance from the Minister for Local Government in the Western Cape that the appropriate authorities be approached to discuss the actions of the Hawks regarding the raid, as well as that of the SAPS and prosecuting authority, whichever may be applicable, in not proceeding with criminal charges laid against the same persons by the Municipality.

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Eenparig Besluit / Unanimously Resolved**

1. That the verbal feedback provided about the raid of the Hawks on municipal offices, private homes of officials, councillors and a private business and well as the seizure of documents and equipment on 07 June 2018 be noted.
2. That a press release be issued to publicize the true facts of the criminal charges and allegations to the Langeberg public in order to mitigate the damage that was done to the officials and the Municipality's reputation and good name.

**A 3739    TABLING OF THE DRAFT ANNUAL REPORT FOR 2017 / 2018 (5/14/1/1) (DIRECTOR- STRATEGY AND SOCIAL DEVELOPMENT)**

**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 10 Desember 2018**  
**This item served before an Ordinary Meeting of Council on 10 December 2018**  
**Eenparig Besluit / Unanimously Resolved**

1. That the draft Annual Report for 2017 / 2018 be approved in principle by Council and that for oversight purposes, the report be advertised for public comment.

*.Dat die Jaarverslag vir 2017/ 2018 in beginsel deur die Raad goedgekeur word en dat dit vir oorsigdoeleindes geadverteer word vir publieke kommentaar.*

2. That the final Annual Report be tabled in Council once the AGSA has finalised their audit report

*Dat die finale Jaarverslag voorgele word aan die Raad sodra die OG die oudit verslag gefinaliseer het*

**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)**

**B 5446    DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES FOR SEPTEMBER 2018 – DIRECTORATE: CORPORATE SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

**This item served before the Executive Mayoral Committee on 29 November 2018**  
**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 29 November 2018**  
**Eenparig Besluit / Unanimously Resolved**

That the contents of the report of deviations from the procurement processes be noted.

*Dat kennis geneem word van die inhoud van die verslag in verband met afwykings van die verkrygingsprosesse.*

**B 5447    DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES FOR SEPTEMBER 2018 – DIRECTORATE: ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

**This item served before the Executive Mayoral Committee on 29 November 2018**  
**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 29 November 2018**  
**Eenparig Besluit / Unanimously Resolved**

That the contents of the report of deviations from the procurement processes be noted.

*Dat kennis geneem word van die inhoud van die verslag in verband met afwykings van die verkrygingsprosesse.*

**B 5448 APPLICATION FOR THE LEASE OR PURCHASE OF A PORTION OF MUNICIPAL LAND (±11.9 HA)  
SITUATED ON ERF 330, MCGREGOR (7/2/3/2/3) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)**

**This item served before the Executive Mayoral Committee on 29 November 2018**  
**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 29 November 2018**  
**Eenparig Besluit / Unanimously Resolved**

That the application received from Ms E Farre for the lease or purchase of a portion of municipal land (±11.9 ha) situated on erf 330, McGregor, not be approved out of an environmental point of view due to the floodplain of the Houtbaai river and Critical Biodiversity Area.

Dat die aansoek ontvang vanaf Me E Farre vir die huur of koop van 'n gedeelte munisipale grond (±11.9ha) geleë te erf 330, McGregor nie goedgekeur word nie uit 'n ongewingsoogpunt in aggenome die vloedlyn van die Houtbaai rivier en Kritiese Biodiversiteit Gebied.

**B 5449 APPLICATION TO LEASE A PORTION OF MUNICIPAL LAND SITUATED ON ERF 330 NORTH TO  
MCGREGOR KNOWN AS "DIE BRAK" (7/2/R) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)**

**This item served before the Executive Mayoral Committee on 29 November 2018**  
**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 29 November 2018**  
**Eenparig Besluit / Unanimously Resolved**

That the applications received from Mr AB Page and A Booysen to lease portions of municipal property situated on portions of Erf 330 known as "Die Brak" be approved for a 3-year period, subject to the following conditions:

Dat die aansoeke ontvang van Mnre AB Page en A Booysen vir die huur van munisipale grond geleë te Erf 330, McGregor bekend as "Die Brak" goedgekeur word vir 'n 3-jaar periode, onderhewig aan die volgende voorwaardes:

1. That it be confirmed that the portions of land are 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 die gedeeltes grond nie benodig word vir die verskaffing van die minimum vlak van basiese munisipale dienste nie. (S14 van die MFMA 2003, Wet 56 van 2003)*

2. That the Municipality's intention to lease the portions of Municipal land known as "Die Brak" out of hand to Mr AB Page and A Booysen be advertised for comments and if no legal and/or valid objections have been received the lease agreements be entered into.

*Dat die Munisipaliteit se voorneme om die gedeeltes van Munisipale grond bekend as "Die Brak" uit die hand uit te verhuur aan Mnre AB Page en A Booysen advertiseer word vir kommentaar en indien geen geldige / enof wettige besware ontvang word nie, daar voortgegaan word om die huurorrenkomste te finaliseer.*

3. That the portions be leased at a market related tariff and the Lessee's be responsible for the cost of the lease related certificate. The rental amount will escalate annually with a percentage that will be determined by the yearly CPI.

*Dat die gedeeltes verhuur word teen 'n markverwante tarief en die Huurder verantwoordelik sal wees vir die koste verbonde aan die verkryging van die billikke huurwaarde sertifikaat. Die huurtarief sal jaarliks eskaleer met 'n persentasie wat bepaal word deur die VPI.*

4. That all cattle be branded and the brand mark with the owner's particulars be submitted to the Municipality for control purposes.

*Dat alle beeste gebrandmerk word en dat die brandmerk met die eienaar se besonderhede by die Munisipaliteit ingedien word vir beheer doeleindes.*

5. That all animals be kept and cared for in accordance with the requirements set out by the Department: Agriculture and the SPCA.

*Dat alle diere aangehou en versorg word volgens die vereistes van die Departement Landbou en die DBV.*

6. That all animals receive additional feed and not be dependant only on natural grazing and that the SPCA monitor that the cattle do indeed receive the additional feed.

*Dat alle diere bykomstige voeding ontvang en nie net afhanklik van natuurlike weiding sal wees nie en dat die DBV monitor dat die beeste wel addisionele voeding ontvang.*

7. That the portions of land be suitably fenced to ensure that the cattle remain on the land at all times and that the fencing cost as well as the maintenance thereof be for the Lessee.

*Dat die gedeeltes grond behoorlik omhein word om te verseker dat die beeste ten alle tye op die grond bly en die koste hiervan sowel as die instandhouding daarvan deur die huurder gedra word.*

8. That if any Municipal services are utilized, it be for the account of the Lessee.

*Dat indien enige Munisipale dienste gebruik word, dit vir die rekening van die Huurder sal wees.*

**A 3720    RESUBMISSION - WATER EXCHANGE WITH UITSIG FARM, ROBERTSON (16/1/1) (DIRECTOR ENGINEERING SERVICES)**

**This item served before the Executive Mayoral Committee on 29 November 2018**

**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 29 November 2018**

**Eenparig Besluit / Unanimously Resolved**

1. That the municipal water from the Meulskloof Stream in De Hoop be made available to Poekel Bruwer Boerdery on a temporary basis.
2. That the water be sold at an applicable irrigation water tariff included in the 2018 / 2019 tariffs. This tariff was calculated at R 1.33 per kilolitre.
3. That the water be provided on a month to month basis and that the water situation be assessed weekly.
4. That the flow be measured daily and that this flow be accepted as the daily average flow for the calculation of the volume of water provided per month.
5. That a monthly report be submitted to Council on the water situation of this source.
6. That an agreement for the provision of this water be drafted by the applicant for approval by the Municipal Manager and the Executive Mayor.
7. That the authority be delegated to the Executive Mayor and the Municipal Manager to take a final decision in this regard.