

**OVERSIGHT REPORT IN RESPECT OF 2019 / 2020 ANNUAL REPORT FOR THE LANGEBERG MUNICIPALITY (DIRECTOR STRATEGY AND SOCIAL DEVELOPMENT)**

**1. PURPOSE OF THE REPORT**

To enable the Committee to execute its oversight responsibility in considering the Langeberg Municipality's Annual Report in terms of Section 129 of the Local Government: Municipal Finance Management Act (Act 56 of 2003) (MFMA)

**2. BACKGROUND**

The draft Annual Report for 2019 / 2020 is available as a drop box link to all councillors:

<https://langebergmuni.sharepoint.com/:b:/g/ERIMZEtLiPpMspeDwOA4gv8BW1uskG7Oe1MKW1QliL-14A?e=4%3aqySy4x&at=9>

**STRATEGIC INTENT**

Organisational Transformation and Good Corporate Governance

**3. LEGAL IMPLICATIONS**

- 3.1 Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)
- 3.2 Local Government: Municipal System Act, 2000 (Act 32 of 2000) Chapter 6, as read with the Local Government: Municipal Systems Amendment Act, 2003 (Act 44 of 2003)
- 3.3 Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)

**4. FOR DECISION**

Langeberg Municipal Council


**5. EXECUTIVE SUMMARY**

- 5.1 The Municipality's Annual Report process has been prepared according to Section 121 (1) of the MFMA, which prescribes that, every municipality must for each financial year prepare an annual report. The council of a municipality must within nine months after the end of a financial year deal with the annual report of the municipality in accordance with section 129
- 5.2 In terms of Section 129 of the MFMA, the council must consider the annual report of the municipality, and by no later than two months from the date which the annual report was tabled in the council, adopt an oversight report containing the council's comments on the annual report, which must include a statement whether the council-
  - (a) Has approved the annual report with or without reservations
  - (b) Has rejected the annual report; or
  - (c) Has referred the annual report back for revision of those components that can be revised.
- 5.3 MFMA Circular number 32 recommends the establishment of an oversight committee for the detailed analysis and review of the annual report (s), following their tabling in Council, receiving and reviewing representations made by the public, inputs from other councillors and Council Portfolio Committees and then drafting and oversight report that may take to full Council for discussion.
- 5.4 In terms of the MFMA Circular Number 32, in order to approve the Annual Report without reservations, Council should be able to agree that the information contained in the reports is a fair and reasonable record of the performance of the municipality in the financial year reported upon. Approval means that the executive and administration have discharged in full, their accountability for decisions and actions and that their performance meets the criteria set by performance objectives and measures and is also acceptable in the community.

## 5.5 Municipal website

The Document with its Annex attached, and the Advertisement is listed on the website at: <https://www.langeberg.gov.za/langeberg-documents-and-notice/publications/annual-report/annual-report-2019-2020>

For COVID-19 updates, visit the official government website [www.sacoronavirus.co.za](http://www.sacoronavirus.co.za)



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Valuations

Annual Report

**Annual Report 2019/2020**

Annual Report 2018/2019

Annual Report 2017/2018

Annual Report 2016/2017

Annual Report 2015/2016

Annual Report 2014/2015

Annual Report 2013/2014

Annual Report 2012/2013

Annual Report 2011/2012

Annual Report 2010/2011

Annual Report 2009/2010

Annual Report 2008/2009

Annual Report 2007/2008

Policies

SDBIP

SDF

IDP

Waste Management

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 **2019/2020 DRAFT ANNUAL REPORT (Advertisement)**


Published on 30 March 2021



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 **2019/2020 DRAFT ANNUAL REPORT (Open for Public Comments)**

Published on 30 March 2021



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Notice is hereby given in terms of section 21(a) of the Local Government: Municipal Systems Act, 2000 (Act no. 32 of 2000), read with section 127(s)(a) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003).

Members of the public and communities within the Langeberg Municipality, Government Institutions, the private sector and organs of the civil society, are hereby invited to comment on the Draft Annual Report for the 2019/2020 financial year.

The report can be accessed on the municipal website: [www.langeberg.gov.za](http://www.langeberg.gov.za) from 30 March 2021 Hard copies are also available for comments and viewing at the Municipal offices and libraries.

Closing date for the submission of comments and representations is 30 April 2021 Written comments may be addressed to: The Municipal Manager, Private Bag X2, Ashton, 6715 or may be hand delivered to any of the Municipal Offices listed above.

ASA DE KLERK  
Municipal Manager  
Private Bag X2,  
ASHTON, 6715

## 5.6 Auditor-General (Annexure A )

The Annual report was electronically submitted to the Auditor General on 31 March 2021.

Good day All

Please take note that the below documentation has been submitted via one drive this afternoon.

Please find attached the following Council Resolutions that served before Council on 30 March 2021, with regards to the tabling of the Draft Budget, IDP and related Policies and the Draft Annual Report 2019/2020

### **A4132: TABLING OF THE DRAFT ANNUAL REPORT FOR 2019 / 2020**

Annual Report Link

<https://www.langeberg.gov.za/langeberg-documents-and-notice/publications/annual-report/annual-report-2019-2020>

you are hereby kindly requested to acknowledge receipt of this e-mail

Kind regards

### **COMMENTS FROM AGSA**

**From:** Botha, Dewald <DewaldB@agsa.co.za>

**Sent:** Wednesday, 28 April 2021 13:09

**To:** Celeste Matthys <CMatthys@langeberg.gov.za>

**Subject:** RE: Afhandeling van verslae: Raadsvergadering van 30 Maart 2021 - A4132

Hello

Not sure if I answered you.

We presented the audit report to the council and did not have problems with the annual report.

Regards

**Dewald Botha, RGA**

---

Manager • Western Cape • Auditor-General of South Africa

Tel: +27(0)21 528 4100 • Fax: +27(0)21 528 4200 • Email: [dewaldb@agsa.co.za](mailto:dewaldb@agsa.co.za)

*Auditing to build public confidence*

## 5.7 National and Provincial Treasury

5.7.1 The Annual Report was submitted to National and Provincial Treasury office on 31 March 2021

The Municipal Manager  
Langeberg Municipality  
Private Bag X  
WORCESTER  
6849

Dear Mr de Klerk

## **PROVINCIAL TREASURY COMMENTS ON THE TABLED 2019/20 ANNUAL REPORT**

### **1. INTRODUCTION**

Section 121(1) of the Municipal Finance Management Act (MFMA) (Act No. 56 of 2003) states that every municipality and every municipal entity must prepare an annual report for each financial year. The council of a municipality must within nine months after the end of the financial year deal with the annual report of the municipality and of any municipal entity under the municipality's sole or shared control in accordance with section 129. MFMA sections 121(3) and (4) sets out the framework relating to the content of the annual reports for both municipalities and municipal entities.

National Treasury has further introduced the new annual report template and MFMA Circular No. 63 on 26 September 2012. MFMA Circular 63 aims to provide guidance to municipalities and municipal entities on the Annual Report format and its contents.

The municipal council is then obliged to consider any views of the local community; the National Treasury, the relevant provincial treasury and any provincial or national organs of state or municipalities which made submissions on the Annual Report.

Cognisance of the prolonged impact of COVID-19 on municipal planning, budgeting and reporting efforts, the National Minister of Finance (through proclamation in Government Gazette No. 43582) provided a 2-month extension to Section 126(1) & (2), S127(1) & (2), 129(1) and S133(2) of the MFMA insofar it relates to the 2019/20 municipal financial year. The deadline for the mayor to table the (draft) annual report in council therefore shifted from the prescribed seven (7) months [S127(2)] to nine (9) months i.e. not the end of January 2021, but the end of March 2021. The revised timeframes were communicated to all municipalities via MFMA Circular No 104 of 2020 (7 August 2020).

Provincial Treasury reminded all municipalities of this responsibility on 14 January 2021 and reiterated the requirement in Treasury Circular No 5 of 2021 (17 March 2021).

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## 2. LEGISLATIVE COMPLIANCE

The conformance assessment highlights compliance by the Municipality with the MFMA and MFMA Circular 104 as follows:

- a. The annual report was tabled before Council on 30 March 2021, which is within the deadline prescribed in MFMA Circular 104.
- b. The annual report was placed on the website within 5 days after tabling in council in accordance with section 75 of the MFMA.
- c. The public was invited to comment on the Annual Report by 30 April 2021.
- d. The Municipality's tabled annual report has mostly been compiled in line with the format proposed in MFMA Circular 63, albeit that the required appendices have not been included.

## 3. SERVICE DELIVERY PERFORMANCE

The Municipality's approved 2019/20 SDBIP contained a total of 73 performance indicators.

Strategic Objective	Number of targets as per Adjusted SDBIP	Number of targets achieved	Number of targets <u>not</u> achieved
SO1: Facilitate integrated human settlements and improved living conditions of all households.	1	0	1
SO2: Provide and maintain infrastructure to provide basic services to all citizens.	35	21	14
SO3: Promote an enabling environment for economic growth and decent employment	1	1	0
SO4: A responsive and accountable administration	24	16	8
SO5: Adherence to all laws and regulations applicable to LG	12	10	2
<b>TOTAL</b>	<b>73</b>	<b>48</b>	<b>25</b>

The annual report reflects that 65.7 per cent (48 of 73) of the top levels KPIs were achieved in the 2019/20 financial year. This reflects a variance of 34.3 per cent between actual and planned

performance for 2019/20. The variance falls outside of the acceptable norm and need to be monitored closely.

Of the 25 targets not achieved, most relate to SO2: *Provision and maintenance of infrastructure to provide basic services to all citizens and a responsive and accountable government*. Under performance by the Municipality against this important basic service delivery objective is particularly problematic given its close association with the improvement of overall quality of life. The Municipality has provided explanations and corrective measures around the missed targets which indicates they have /are being addressed.

Despite the impact of the lockdown on the economy of the Municipality, access to basic service for indigent households have increased. The 2019/20 Annual report indicate that the municipality provided free basic services to 6 738 households.

To improve service delivery within the municipal area, the Municipality successfully completed the following projects:

- 100 per cent of water samples tested complied with SANS241 micro biological indicators, exceeding the target of 95 per cent.
- 99,7 per cent of the total amount budgeted for the replacement and repair of streetlights was spent, exceeding the target of 95 per cent.
- 98.5 per cent of the total amount budgeted for new connections was spent, exceeding the target of 95 per cent.
- 97.5 per cent of the total amount budgeted for the replacement of pre-paid meters was spent, exceeding the target of 95 per cent.
- 109.99 per cent of the total amount budgeted for the construction of paved roads, to upgrade gravel roads was spent exceeding the target of 95 per cent.

#### **4. AUDITOR GENERAL FINDINGS**

The Auditor-General awarded the Municipality an unqualified audit for the 2019/20 financial year.

#### **5. CONCLUSION AND RECOMMENDATIONS**

The Municipality adhered to all of the requirements of the MFMA (and revised timeframes) insofar the timeous development, tabling and submission of the draft annual report is concerned. The Municipality should however attempt to include the prescribed appendices (as per MFMA Circular 63) when finalising the annual report.

In conclusion, the Municipality is reminded of its responsibility to finalise and adopt the annual report and the oversight report by no later than two months from the date on which the annual report was tabled before council in terms of section 127 of the MFMA.

Kind regards



**MS N RINQUEST**

**DIRECTOR (ACTING): LOCAL GOVERNMENT BUDGET OFFICE**

**DATE: 30 April 2021**

#### **COMMENTS FROM DIRECTOR STRATEGY AND SOCIAL DEVELOPMENT**

Note the comments received from Provincial Treasury and will consider for the next APR.



## 6. PUBLIC PARTICIPATION

6.1 Advert placed in the Langeberg Express on 30 March 2021

6.2 Soft copies were placed at libraries on 31 March 2021

6.3 Advert was placed on the Municipal website on 30 March 2021 and were downloaded 107 times.

For COVID-19 updates, visit the official government website [www.sacoronavirus.co.za](http://www.sacoronavirus.co.za)

**LANGBERG**  
MUNICIPALITY

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### Annual Report 2019/2020

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Notice is hereby given in terms of section 21(a) of the Local Government: Municipal Systems Act, 2000 (Act no. 32 of 2000), read with section 127(5)(a) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003). Members of the public and communities within the Langeberg Municipality, Government Institutions, the private sector and organs of the civil society, are hereby invited to comment on the Draft Annual Report for the 2019/2020 financial year.

The report can be accessed on the municipal website: <https://www.langeberg.gov.za/lanageberg-documents-and-notices/publications/annual-report/annual-report-2019-2020> from 30 March 2021

Hard copies are also available for comments and viewing at the Municipal offices and libraries. The closing date for the submission of comments and representations is 30 April 2021.

Written comments must be clearly marked: ANNUAL REPORT 2019/2020 and must be addressed to: the Municipal Manager, Private Bag X2, Ashton, 6715 or emailed to [info@langeberg.gov.za](mailto:info@langeberg.gov.za) and [mm@langeberg.gov.za](mailto:mm@langeberg.gov.za) or hand-delivered to any of our municipal offices.

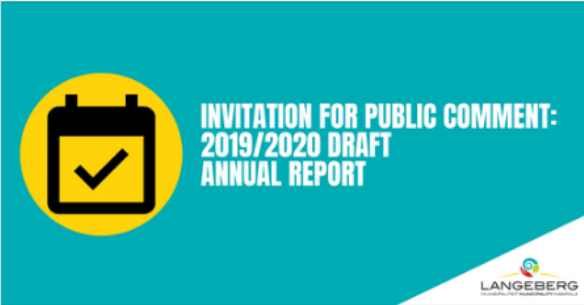
ASA DE KLERK  
Municipal Manager  
Private Bag X2,  
ASHTON,  
6715

## 6.4 Advert was placed on Social Media on 30 March 2021

### 6.4.1 Facebook: No comments were received.

Post Details

**Langeberg Municipality**  
April 20 · 🌐



**Langeberg Municipality**  
March 30

2019/2020 DRAFT ANNUAL REPORT OPEN FOR PUBLIC COMMENTS  
Notice is hereby given in terms of section 21(a) of the Local Government: Municipal Systems Act, 2000 (Ac...  
See More

1,039 People Reached    10 Engagements    Boost Unavailable

Kenneth Conradie and Michelle Ngive

Like    Comment    Share

**Performance for Your Post**

**1,039** People Reached

**2** Likes, Comments & Shares

2 Likes	2 On Post	0 On Shares
0 Comments	0 On Post	0 On Shares
0 Shares	0 On Post	0 On Shares

**8** Post Clicks

0 Photo Views	0 Link Clicks	8 Other Clicks
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**NEGATIVE FEEDBACK**

0 Hide Post	0 Hide All Posts
0 Report as Spam	0 Unlike Page

Reported stats may be delayed from what appears on posts

### 6.4.2 Twitter: No comments were received.

← **Tweet**

**Langeberg Municipality**  
@Langeberg\_Muni

2019/2020 DRAFT ANNUAL REPORT OPEN FOR PUBLIC COMMENTS [langeberg.gov.za/langeberg-docu...](https://www.langeberg.gov.za/langeberg-docu...)



4:11 PM · Mar 30, 2021 · Twitter Web App

View Tweet activity

Reply    Retweet    Like    Share

**Tweet Analytics**

**Langeberg Municipality** @Langeberg\_Muni  
2019/2020 DRAFT ANNUAL REPORT OPEN FOR PUBLIC COMMENTS - <https://www.langeberg.gov.za/langeberg-documents-and-notice/publications/annual-report/annual-report-2019-2020> ... [pic.twitter.com/XtEMMFIMei](https://pic.twitter.com/XtEMMFIMei)

Impressions	140
times people saw this Tweet on Twitter	
Total engagements	5
times people interacted with this Tweet	
Link clicks	2
clicks on a URL or Card in this Tweet	
Detail expands	2
times people viewed the details about this Tweet	
Profile clicks	1
number of clicks on your name, @ handle, or profile photo	



## 6.5 Ward Committee Inputs: No comments were received

**From:** AB Bronn <[ABronn@langeberg.gov.za](mailto:ABronn@langeberg.gov.za)>  
**Sent:** Monday, 03 May 2021 10:24  
**To:** Melissa Jones <[mjones@langeberg.gov.za](mailto:mjones@langeberg.gov.za)>  
**Cc:** Willy-John Gordon <[wgordon@langeberg.gov.za](mailto:wgordon@langeberg.gov.za)>  
**Subject:** RE: draft Annual Performance Report inputs/comments

Good day Me Pieterse  
Please be informed that we have not received any comments or input on the draft annual Report via the Ward Committees.  
Regards







A BRÖNN  
GOVERNANCE SUPPORT  
LANEBERG MUNICIPALITY  
S :063 010 0171 T :023 615 2219  
F : 023 615 1563

## 6.6 Through the municipal administration Archive system: 2 comments were received









**From:** Adrian Williams <[awilliams@langeberg.gov.za](mailto:awilliams@langeberg.gov.za)>  
**Sent:** Monday, 03 May 2021 09:01  
**To:** Willy-John Gordon <[wgordon@langeberg.gov.za](mailto:wgordon@langeberg.gov.za)>  
**Subject:** RE: Annual Report 2019/2020 comments

Good day Willy

The following comments was received.

Email 771060, FW: Kommentaar - Jaarverslag 2019/2020.      

View workflows with status:

875772 Process User E-Mail								
Ref	Task ID	Date Allocated	Due Date	Date Completed	User	Task Title	% Compl	Actions
90-1	T2769601	23-04-2021 09:23	28-04-2021 09:23	23-04-2021 11:32	 Adrian Williams	Index Incoming E-mail	100%	
90-4	T2769897	23-04-2021 11:32	28-04-2021 11:32	23-04-2021 11:33	 Adrian Williams	Verify and Allocate Incoming/Outgoing/Internal E-mail	100%	
90-5	T2769898	23-04-2021 11:33	28-04-2021 11:33	23-04-2021 11:33	 Adrian Williams	File Correspondence in Corporate File Plan	100%	
90-3	T2769899	23-04-2021 11:33	28-04-2021 11:33	23-04-2021 14:57	 Celeste Matthys	Action Incoming E-mail	100%	

Regards

**Adrian J Williams**

**REKORDS AFDELING / RECORDS SECTION**

**Langeberg Munisipaliteit • Langeberg Municipality**

Privaatsak X2 Private Bag • ASHTON • 6715

Tel • (023) 615 8000 • Phone

Faks • (023) 615 1563 • Fax

6.6.1

**From:** Ernie Oosthuisen <[ernieo@telkomsa.net](mailto:ernieo@telkomsa.net)>  
**Sent:** Thursday, 22 April 2021 18:51  
**To:** MM <[mm@langeberg.gov.za](mailto:mm@langeberg.gov.za)>  
**Subject:** **Kommentaar - Jaarverslag 2019/2020.**

Badstraat 88,  
Montagu. 6720  
22 April 2021.

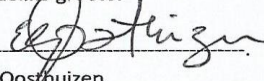
Die Munisipale Bestuurder,  
Langeberg Munisipaleiteit.  
Privaatsak X2 , Ashton . 6715.  
Aandag : Mnr ASA De Klerk.

Meneer – is : Jaarverslag 2019/2020. Uitnodiging om kommentaar.

Graag wens ek die volgende op te haal :

- Groot kommer heers oor die styging in onverklaarbare verliese soos aangeteken in die finansiële state. In die geval van elektrisiteit , byna verdubbeling in persentasie ! Wonder wat gedoen kan word aan hierdie groot verlies – volgens aankoopsprys , byna R 4,5 miljoen . te beperk.
- U poging om agterstallige gelde in te vorder , is prysenswaardig. Ongelukkig is die 90/10 persentasie glad nie aanvaarbaar nie en gaan , volgens my , aanleiding gee tot meer onwettige aansluitings. Dit is goeie beginsel , maar hierdie persentasie , gesien in die huidige ekonomiese klimaat , Covid en af-seisoen , wil ek pleit vir meer aanvaarbare persentasie. Daar is groot ongelukkigheid in die Montagu gemeenskap en inwoners is baie ongelukkig. Selfs al het hulle relings getref met die kantoor.
- Daar is R62 miljoen oorgedra na reserwes. Totaal tans R 816 miljoen sterk. Kan daar dalk groter klem gelê word op herseel van strate. Met die tipe reserwe ingebou is die Munisipaleiteit seker in staat om befondsing te bekom. Strate oor die algemeen is in swak toestand op Montagu.
- Die “operating surplus” lyk werklik gesond.
- Die bykans 20 % vakante poste soos aangeteken is groot rede tot kommer. Dit beteken dat meer druk op bestaande personeel geplaas word om mikpunte te bereik. Kan ook dienslewering benadeel.

Vriendelike groete.

  
Ernie Oosthuizen

**From:** Annette Naude [<mailto:jcnaude123@gmail.com>]  
**Sent:** Thursday, 29 April 2021 8:22 AM  
**To:** [info@Langeberg.gov.zs](mailto:info@Langeberg.gov.zs)  
**Subject:** Comment on the LM IDP 2021: BUDGET 2020-2021

More Me Swanepoel,

Sal U asb verseker dat die aangehegde document wat kommentaar lewer op die LM IDP by ons Burgemeester ingedien word. Hy vra in 'n web kennisgewing om die document BUDGET 2020-2021 te noem en in te handig voor 30 April 2021.

Die document moet ook asb aan die Delta konsultante gaan voor die sperdatum.  
Die dokument bevat egter meer as die budget.  
Sal U asb ontvangs erken.

Groete,  
Annette Naude  
29a Dennelaan  
Robertson 6705  
Selfoon: 082 577 4272

#### **COMMENTS ON THE DRAFT INTEGRATED DEVELOPMENT PLAN 2021 & DRAFT WASTE MANAGEMENT PLAN for 2020/2021.**

##### **OBJECTIVE OF THE REVIEW:**

The objective was to read the various AVAILABLE ON-LINE reports with attention and try and correlate information and or statements between the various interlinked reports to form a firm background of understanding on which valuable comments for the IDP could be constructed. Comments on the Draft IDP were invited by the Municipal Manager of Langeberg Municipality while comments on the Draft Integrated Waste Management Plan was invited on the Langeberg website by Mrs Chanté Stander of Delta Build Environment Consultants.

##### **METHODOLOGY:**

The Draft IWMP Document of February 2021 (p20088, REPORT 4 LANGEBERG. REV.00-DRAFT IWMP DOC) prepared by Delta Build Environmental Consultant, was compared to the four relevant documents, namely:

- Municipal TOP LEVEL SDBIP, 2020/21 Attachment 4118 prepared for the DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT.
- DRAFT ANNUAL REPORT 2019/2020 by Langeberg Municipality. (A4132).
- Breede River/ Winelands By-Laws published on 24 June 2008 in the Provincial Gazette Extraordinary. EXECUTIVE SUMMARY.
- 3<sup>rd</sup> Generation LM IDP, 2016/2017 by Mott MacDonald.

The findings on Integrated Waste Management in the various reports

- do not always concur.
- may vary between Official Reports in terms of facts and/or data.
- are variably non-specific and indicates a possible lack of comprehension of a specific function or portfolio of work.
- possibly indicate that the IDP does not carry any serious commitment for the municipality as previous recommendations were often ignored.
- are possibly a showcase of complacency as the scoring of objectives, strategies and KPI's are showcased as magnificent. However, the facts on which the scoring is based are not substantiated nor detailed in the report.

##### **THE AUTHOR:**

Annette Naude is a resident of Robertson for the past five years as well as a very concerned citizen. In dealings with the Robertson Municipality as a resident, individual environmentalist and contributor to the Langeberg Integrated Waste Management Group, I have experience untold negativity, witnessed refuse removal in residential areas and experienced the lack of recycling first hand. My aim is to provide comment and input

without implicating the concerned employee. With more focussed support and specific training, great things can be accomplished.

CMC	Controlled Microbial Composting
C&D	Construction and Demolition Waste
HW	Hazardous Waste
HHW	Household Hazardous Waste
IDP	Integrated Development Plan in terms of Chapters 4 & 5 of the Municipal Systems Act, Act 32 of 2000.
IWM	Integrated Waste Management Plan as required by Sections 11 & 12 of NEM:WA, Act 59 of 2008.
KPI	Key Performance Indicators.
LM	Langeberg Municipality
LLM	Langeberg Local Municipality
SDBIP	Service Delivery and Budget Implementation Plan.
NEM:WA	National Environmental Management: Waste Act, Act 59 of 2008.
MFSA	Municipal Finance and S Act, Act 32 of 2000.
MRF	Material Recycling Facility
v/v	Volume by volume
WMO	Waste Management Officer

COMMENTS ON THE DRAFT IDP, with specific reference to the INTEGRATED WASTE MANAGEMENT PLAN AND VALIDATION OF SUCH COMMENTS:

#### 1. STATUARY REQUIREMENTS:

##### 1.1 Waste By-Laws:

#### FINDINGS:

- LLM and thus Robertson Municipality have outdated Waste Management By-Laws as identified in the IDP prepared for LM dated 2016<sup>1</sup>. The list of By-Laws published on 24 June 2008<sup>2</sup> in the Provincial Gazette Extraordinary contains By-Laws relating to Air Pollution, Bee Keeping, Cemeteries, Poultry Keeping, Sanitation, etc. There is none, even in draft form on waste management available on the LM website to contemplate.
- **In Chapter 5 of the Risk Register (Component D Local Governance), of the Draft Annual Report 2019/20 (A4132) lists the possible pollution to the environment due to non-removal of littering in water courses.**
- Goal 6 in Component D: Corporate Governance of the Draft Annual Report by LM, 2019/2020 states the improvement of regulatory compliance. Objective 1 of Goal 6 calls for the review and development of appropriate By-Laws. Goal 6, Objective 2 refers to the lack of external compliance audits not been done on any of the LM waste facilities since possible 2005 and before, if any.

#### COMMENTS:

- There is no visible progress of the preparation of new Waste By-Laws for LM and/or LLM. In conflict with both the 2006 IDP and Goal 6 referred to above.
- The RISK REGISTER DIRECTIVE<sup>3</sup> was not implemented.

CAVEAT: There is a now a new direct cost for the cleaning of the environment as well as the LOSS of potential income for the municipality in terms of Pollution and Littering fines that could be generated.

- CAVEAT: Non-compliance to NEM:WA statutory requirements for annual compliance audits.

##### 1.2 Internal and External Compliance Audits:

#### FINDINGS:

- The internal audits is supposedly done.<sup>4</sup>

<sup>1</sup>Previous LM IDP, 2016/2017 by Mott MacDonald Africa.

<sup>2</sup> Breede River/ Winelands By-Laws published on 24 June 2008 in the Provincial Gazette Extraordinary.

<sup>3</sup> Risk Register, Chapter 5 of Component D Local Governance of the Draft Annual Report 2019/20 (A4132).

<sup>4</sup> Tables 4-21 upto and including Table 4-24., Bonnievale-, Ashton and MacGregor, Robertson Landfill Site Summary. Page 66/128. Draft IWMP Document of February 2021 (p20088, REPORT 4 LANGEBERG. REV.00-DRAFT IWMP DOC) prepared by Delta Build Environmental.

- There were no External Compliance<sup>5</sup> audits done in terms of NEM:WA<sup>6</sup>. Apparently too costly.

#### COMMENTS:

- External Compliance auditing is a requirement for the operation of WMF per NEM:WA<sup>7</sup>.

CAVEAT: This non-compliance can actually lead to rescinding the Environmental Authority. The future cost must be budgeted for.

- The Internal audits performed by the local municipality is an illusion. The internal audit score of 86% for the Robertson Closed Landfill near the Breede River flood plane is unrealistic<sup>8</sup> and not validated by any of the information pertained in the reports.
- There is a cost estimate given for the management of biogas and leachate (as on June 2019). There is no reference what management means. It can be interpreted as installing whirly birds for biogas flow and building trenches to divert leachate to a catchment dam. There is however no indication of measurements and record keeping of standards and volumes of both biogas and leachate. There were never as far as the author can research any biogas or ground water monitoring done on the WMF<sup>9</sup>s, neither effective recycling since the destruction of the MRF.

## 2. WASTE TYPES

#### FINDINGS:

The 2016 waste profile done by DEA&DP during 2016, on behalf of LLM is still in use. The figures below are from the IDP LM by Mott 2016. The findings are:

- General Waste contains 64% v/v recyclables equating to 43% by mass, while the non-recyclables equates to 23% v/v and 25% by mass.
- Organics forms 16% v/v and 32% by mass
- Construction and Demolition waste is not specified.
- Health Care Risk Waste is not specified.
- Household Hazardous waste is not specified.

GENERAL VOLUMES: The figures provided by Mott McDonald 2016 varies from the DELTA figures provided.

<sup>10</sup>Recyclable material is 61%, organic waste is 15% and non-recyclables is 24%.

ORGANICS: The Draft IDP of LM. (Table 4-7)<sup>11</sup> indicates a 100% diversion of organic waste from the landfill for the local production of CMC. Thus: Diversion of 14303t during 2018, 1557t during 2019 and 1871t during 2020. However, note that in Table 5-2 of the said report the GAPS IDENTIFIED is the *Low Garden Refuse and Organic Waste diversion from landfills*. As the report does not identify the *Organic waste* as kitchen waste, it is assumed to be organics for composting.

CONSTRUCTION AND DEMOLITION WASTE: In the Draft IDP for LM by Delta, 100% of C&D waste was diverted in 20218 (2261t), 2019 (2698t), 2020 (1136t). The records were also used in the IPWIS report.

HAZARDOUS WASTE: There is no hazardous waste analysis, neither analysis of the Medical Waste and Household Hazardous Waste. As the management of Hazardous waste, including Medical waste is the function of the District Municipality, it is understandably not addressed.<sup>12</sup> Training: **Two people attended a chemical awareness workshop in Worcester on 2 March 2020 (M Huckleby & N Mdalase) as per the Draft Annual Report of LM, 2019/20 (A4132).**

### 2.1 Recyclables in General Waste:

#### COMMENTS:

<sup>5</sup> Table 2-21 Robertson Landfill Summary. P 66/128. Draft IWMP Document of February 2021 (p20088, REPORT 4 LANGEBOEG. REV.00-DRAFT IWMP DOC) prepared by Delta Build Environmental

<sup>6</sup> Goal 6 Objective3 p115/1282. Draft IWMP Document of February 2021 (p20088, REPORT 4 LANGEBOEG. REV.00-DRAFT IWMP DOC) prepared by Delta Build Environmental.

<sup>7</sup> KPI 12 of the 3<sup>rd</sup> generation IDP by Mott MacDonald Africa report, 2016/17.

<sup>8</sup> Section 4.6.2.1 Robertson Landfill Site (closed). P 65/128. DRAFT IDP LM, February 2021. Delta. P20088

<sup>9</sup> Cost Estimates Section 3.4.6.3 Solid Waste. P 108/546. DRAFT LM I 2021/22DP p113/546.

<sup>10</sup> EXECUTIVE SUMMARY. WASTE CATEGORIES AND GENERATION p5/128. DRAFT IDP LM, February 2021. Delta. P20088

<sup>11</sup> Organic: p 74 /128. DRAFT ID LM 2021/2022 Delta

<sup>12</sup> Sections 5.1 and 5.5 of Waste Service Delivery, waste Minimisation and recycling. Draft IDP LM by Delta, 2021. Pages 20,21 and 88/128

GENERAL VOLUMES: The figures provided by Mott McDonald 2016 varies from the figures provided by Delta, LLM IWMP DRAFT REV 00 of 2021. <sup>13</sup>Recyclable material is 61%, organic waste is 15% and non-recyclables is 24%. The fact that the figures come from the same source, namely the DEA&DP 2016 analysis, indicates low attention to detail by the person providing the detail in one or both of the consultant's reports or the person supplying the detail to the consultants. Also, revision of the data content of the document was lacking. In the DRAFT IDP LM p512/<sup>14</sup>, The Department/Programme description refers to the Directorate Waste Management hosting of four Western Cape Recycling Group meetings in 2020/2021 as well as 2021/2022. The residents of Robertson as well as the existing interest Groups such as the Langeberg IWMG and previous SWOP SHOP Recycling group co-hosted by Robertson Tourism were never notified or invited for participation.

## 2.2 Non Recyclables in General Waste:

### COMMENT:

GENERAL WASTE: The non-recyclables are not specified. Does it include C&D waste? Also does it include HHW?

## 2.3 Organic Wastes:

### COMMENTS:

CAVEAT: If 100% as claimed by LM is diverted, why does the Draft IDP of LM indicate a GAP and specifically states *Low Garden Refuse and Organic Waste diversion from landfills*.

CAVEAT: The composting process is claimed to be a controlled microbial process (CMC). If this statement is valid, I request the analysis of the quarterly moisture content, ash content as well as the core temperatures taken on a weekly/every forth nightly basis. How often are the rows turned and/or aerated? The required data should be made within two weeks as it should be on file.

CAVEAT: Is the compost registered in terms of the Fertilizer Act? If not, it is illegal to sell as a compost and can only be sold as an unlisted soil nutrient.

## 2.4. Construction & Demolition Waste:

### COMMENT:

The final user of the diverted C&D waste end user was not stated and it is thus assumed the Municipality takes back the crushed C&D and uses it as cover on the landfill. The consultant refers to the use of the C&D by the LM as a cover. If the C&D is used as landfill cover, it can be added to the actual Minimisation Achieved by LM as required by National Waste Management Strategy.<sup>15</sup>

## 2.5 Hazardous Waste:

### COMMENT:

The safe disposal of such materials should be described in the IDP as there may be local generators that will be made aware of the treatment and disposal options available.

The disposal of Household Hazardous Waste such as used batteries and fluorescent tubing by retailers like Pick and Pay should be noted, even if it is an private initiative. The recycling or reuse of spent oil should for the same reason be addressed. Also, the name of the Garage or retailer supplying such a service and the end product formed. A safe collection point for Household medical waste such as Covid related medications and scheduled medicines should be provided for, even if the container is kept at a registered Hospital and disposed of accordingly by the District. The pesticide generation and management in the Robertson area as well as the greater district is also of interest in the IDP.

## 3. WASTE MINIMISATION:

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<sup>13</sup> EXECUTIVE SUMMARY. WASTE CATEGORIES AND GENERATION p5/ 128. DRAFT IDP LM, February 2021. Delta. P20088

<sup>14</sup>LOCAL GOVERNMENT MTEF ALLOCATIONS 2021/2011-2023/2024. 1) Department of Environment Affairs and Development Planning. Status of existing projects in Robertson. P 513/ 546. DRAFT ID LM 2021/2022

<sup>15</sup> Section 3.2.2.14. P24/128. 20088 FDRAFT IDP LM, Delta February 2021



The required Waste Minimised figures per NEM:WA, as listed as the 2<sup>nd</sup> Strategic Goal in the Draft IFDP for LM by Delta, 2021 is 40% reuse, recycling, recovery or alternative treatment. Also a 20% reduction in waste generation and 20% reused in the economic value chain.

The NWMA 2020's 2<sup>nd</sup> and 3<sup>rd</sup> Strategic Goals states a 40% reuse, recycling, recovery or alternative treatment. Waste Minimisation at source as promoted by the DEAT National WM Policy is not a stranger to LM. However, since the vandalism of the Ashton MRF is 2020, various Robertson municipal collection vehicles collect both the recycling bag and waste refuse bags in the same vehicle. There is no proof or indication that the recycling and refuse will be separated at the WMF and is thus all assumed to be disposed of at the Ashton landfill.

#### 4. MATERIAL RECOVERY FACILITY:

##### FINDINGS:

The Transfer Station at Robertson was managed by LLM. The MRF was vandalised in May 2020. Currently all the recycling is claimed to go to Southey's in Ashton.<sup>16</sup>

The approval and development of the new MRF is still way down the line as Table 5-5 indicates that Council still needs to approve the development of a new MRF.<sup>17</sup>

An estimated cost for the new MRF is given as R40 000,00.<sup>18</sup>

##### COMMENTS:

Are the Southey's records that are used in the LM report for the % recycled material in Table 4-26<sup>19</sup> under the heading *Municipal*?

Are the records available to the public from the initiation of the 2020 diversion of the recycled material due to Southey's?

CAVEAT: The approval and development of the new MRF was/is not done. It is indicated that Council still needs to approve the development of a new MRF.<sup>20</sup>

#### 1. BUDGET:

##### FINDINGS:

The 2016 JPCE Report<sup>21</sup>, namely *The Assessment of Municipal Integrated Waste Management Infrastructure Summary Report* refers to the possible closure of the Ashton and Bonnievale WDF commencing in 2012. The report states that closure is not financially viable and that the lifespan of the landfill can be extended with 5 years. This action has obviously been taken. However, The JPCE Report simultaneously requested R4.1m for Operational Requirements during the extended lifespan, R23.7m for Rehabilitation Compliance. The cost for 20% diversion for Ashton was R18m and R12.5m for Bonnievale WDF. The 2016 budget for SWM in LLM was R36.5m with a deficit of R8.2m. The current capital budget for LLM 2021 is R2.12m which will include the Ashton Landfill upgrade and fencing.

The operational budget allows for maintenance, equipment and wages for solid waste workers and street cleaners.

##### COMMENT:

CAVEAT: The landfill lifespans were extended without any budget provision for rehabilitation, compliance auditing and diversion operations.

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<sup>16</sup> P20088\_REPORTS. DRAFT LM IDP by DELTA February 2021. P 81/128.

<sup>17</sup> ASHTON LANDFILL SITE. P71/128 P20088\_REPORTS. DRAFT LM IDP by DELTA February 2021. AND TABLE 5-5, p 91/128

<sup>18</sup> Table 7-2: Implementation Plan. P144/128. Draft IDP for LM by Delta Build Environmental Consultants dated February 2021.

<sup>17</sup> Section 5.5 p 90/128 and p81/128. Draft IDP for LM by Delta Build Environmental Consultants dated February 2021.

<sup>20</sup> ASHTON LANDFILL SITE. P71/128 P20088\_REPORTS. DRAFT LM IDP by DELTA February 2021. AND TABLE 5-5, p 91/128

<sup>21</sup> 2016 JPCE Report, namely *The Assessment of Municipal Integrated Waste Management Infrastructure Summary*.

There is no indication of a past or an immediate budget/capital available for the restructuring and commissioning of a MRF. Also refer to MRF as a TOPIC in this Comments Table. The MRF is apparently not yet Council approved<sup>22</sup>. No timeline is provided for the design, costing, development and commissioning of the MRF.

## 2. WASTE MANAGEMENT SERVICE:

### FINDINGS:

Ward 10(and others) in Robertson has no rubbish disposal.

LLM offers collection of source separated waste to all households as stated in the LM Draft Annual Report, 2019/2020 (A4132)<sup>23</sup>

### COMMENT:

No rubbish disposal: Does this service refers to illegal litter removal? There is no evidence of the WMO appointed during November 2015, such a person must control incidents in the municipality.<sup>24</sup>

## **RESPONSE FROM LANGE BERG MUNICIPALITY**

COMMENTS WILL BE REFERRED TO CONSULTANT ON THE WASTE MANAGEMENT PLAN

## **RECOMMENDATIONS: Municipal Public Accounts Committee (MPAC) / OVERSIGHT COMMITTEE**

That the annual report for 2019/2020 be considered and adopted by Council without reservations.

*Dat die Jaarverslag vir 2019/2020 oorweeg word en sonder voorbehoud aanvaar word deur die Raad*

**This item served before the Municipal Public Accounts Committee (MPAC) on 05 May 2021**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 05 Mei 2021**  
**Recommendation / Aanbeveling**

That the annual report for 2019/2020 be considered and adopted by Council without reservations.

*Dat die Jaarverslag vir 2019/2020 oorweeg word en sonder voorbehoud aanvaar word deur die Raad*

**This item served before the Executive Mayoral Committee on 19 May 2021**  
**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 Mei 2021**  
**Aanbeveling / Recommendation**

That the annual report for 2019/2020 be considered and adopted by Council without reservations.

*Dat die Jaarverslag vir 2019/2020 oorweeg word en sonder voorbehoud aanvaar word deur die Raad*

**This item served before an Ordinary Meeting of Council on 25 May 2021**  
**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 25 Mei 2021**  
**Eenparig Besluit / Unanimously Resolved**

That after the annual report for 2019/2020 has been considered by Council, it be adopted by Council without reservations.

*Dat nadat die Jaarverslag vir 2019/2020 oorweeg was deur die Raad, dit sonder voorbehoud aanvaar word deur die Raad*

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