



**Raadslede van die Raad van die
Langeberg Munisipaliteit**

Kennis geskied hiermee van 'n Raadsvergadering
van die Raad van Langeberg Munisipaliteit wat gehou sal word op

25 APRIL 2022 om 10H00

in die Stadsaal, Munisipale Kantore, Kerkstraat, Robertson
om oorweging te verleen aan die items op die aangehegte agenda.

...

**Councillors of the Council of the
Langeberg Municipality**

Notice is hereby given of a Council Meeting
of the Municipal Council of the Langeberg Municipality to be held on

25 APRIL 2022 at 10H00

in the Town Hall, Municipal Offices,
Church Street, Robertson to discuss the items on the appended agenda.


CLLR • RDL P HESS
SPEAKER

BIRTHDAY LIST 2022

| | |
|-----------------|---------------------------------|
| JANUARY | |
| 05 | Mr Maynard Johnson |
| 19 | Cllr Owenita Simpson |
| 26 | Cllr Johnny Steenkamp |
| FEBRUARY | |
| 09 | Mr Dave van Schalkwyk |
| 24 | Mr Theuns Carstens |
| 26 | Mr Mike Mgajo |
| MARCH | |
| 11 | Mr Neil Albertyn |
| APRIL | |
| 03 | Cllr Yvonne Siegel |
| 07 | Mr Mava Shude |
| 16 | Mr Albert de Klerk |
| 27 | Mrs Celeste Matthys |
| MAY | |
| 05 | Cllr Danie September |
| 12 | Mrs Suzette Kotzé |
| 20 | Mr Anton Everson |
| 26 | Cllr Andisiwe Ndongeni |
| 28 | Cllr JJ Januarie |
| JUNE | |
| 01 | Cllr Maria Oostendorff-Kraukamp |
| 19 | Cllr Gideon Joubert |
| 19 | Cllr Catherin Pokwas |
| 24 | Ald Schalk van Eeden |
| 30 | Mr Kobus Brand |

| | |
|------------------|------------------------------|
| JULY | |
| 07 | Mr Carl Posthumus |
| 11 | Cllr Craig Steyn |
| AUGUST | |
| 14 | Mr Glenn Slingers |
| 19 | Mr Eugene Jooste |
| 29 | Cllr Theuns Coetzee |
| SEPTEMBER | |
| 02 | Cllr Denzil Felix |
| 05 | Cllr Lungani Gxowa |
| 07 | Mr Zamuxolo Qhanqisa |
| 10 | Mr Corné Franken |
| 19 | Cllr Dendeline B Janse |
| 23 | Cllr Lindiwe Kahla |
| 24 | Cllr Judy Mafilika |
| OCTOBER | |
| 17 | Cllr Pauline Hess |
| NOVEMBER | |
| 02 | Cllr Nicklaas Beginzel |
| DECEMBER | |
| 05 | Mr Sabelo Ngongolo |
| 09 | Cllr Johan Coetzee |
| 25 | Cllr Magdalena Gertse |
| 25 | Cllr Rosswell Henn |
| 26 | Cllr Christopher J Grootboom |

A G E N D A

~ 25 APRIL 2022 ~

1. Opening / Opening
2. Attendance / Bywoning
3. Applications for leave of Absence / Aansoeke vir verlof tot afwesigheid
4. Approval of Minutes / Goedkeuring van Notule
 - 4.1 Confirmation of the Minutes of a Statutory Meeting of the Council of Langeberg Municipality held on 31 March 2022 at 09h58 in the Town Hall, Church Street, Robertson 05 - 10
Bekragtiging van die Notule van 'n Statutêre Vergadering van die Raad van Langeberg Munisipaliteit gehou op 31 Maart 2022 om 09h58 in die Stadsaal, Munisipale Kantore, Kerkstraat, Robertson.
5. Statements & Announcements by the Speaker / Verklarings & Mededelings deur die Speaker
6. Interviews with Delegations / Onderhoude met Afvaardigings
None / Geen
7. Statements & Announcements by the Mayor / Verklarings & Mededelings deur die Burgemeester
8. Urgent Matters & Reports, Statements & Announcements submitted by the Municipal Manager
Dringende Aangeleenthede & Verslae, Verklarings & Mededelings voorgelê deur die Munisipale Bestuurder

- | |
|---|
| <ol style="list-style-type: none">8.1 Matters which must be handled in terms of Section 30(5) of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998), as amended. Aforesaid stipulation reads as follows: (5) Before a municipal council takes a decision on any of the following matters it must first require its executive committee or executive mayor, if it has such a committee or mayor, to submit to it a report and recommendation on the matter: (1) any matter mentioned in Section 160(2) of the Constitution; (2) the approval of an integrated development plan for the municipality, and any amendment to that plan; and (3) the appointment and conditions of service of the municipal manager and a head of a department of the municipality. <i>Sake wat hanteer moet word in terme van Artikel 30(5) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No 117 van 1998), soos gewysig. Voormelde bepaling lees as volg: (5) Alvorens 'n munisipale raad 'n besluit oor enige van die volgende aangeleenthede neem, moet hy eers sy uitvoerende komitee of uitvoerende burgemeester, indien hy so 'n komitee of burgemeester het, versoek om 'n verslag en aanbeveling oor die aangeleentheid aan hom voor te lê: (1) enige aangeleentheid genoem in Artikel 160(2) van die Grondwet; (2) die goedkeuring van 'n geïntegreerde ontwikkelingsplan vir die munisipaliteit, en enige wysigings van daardie plan; (3) die aanstelling en diensvoorwaardes van die munisipale bestuurder en 'n hoof van 'n departement van die munisipaliteit.</i>8.2 Matters which must be handled in terms of Section 32(1) and (2) of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) as amended, and approved per Council Resolution A82 of 19 March 2001. / <i>Sake wat hanteer moet word in terme van die delegasies toegestaan ingevolge Artikel 32(1) en (2) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No 117 van 1998), soos gewysig en aanvaar per Raadsbesluit A82 van 19 Maart 2001.</i>8.3 Report on matters of concern by representatives at the Cape Winelands District Municipality. / <i>Rapportering aangaande sake van belang deur verteenwoordigers by die Kaapse Wynland Distrikmunisipaliteit.</i>8.4 Other Matters / Ander Sake |
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9. Consideration of Notice of Motions / Oorweging van Kennisgewing van Mosies

None / Geen

10. Consideration of Notice of Questions / Oorweging van Kennisgewing van Vrae

None / Geen

11. Consideration of Urgent Motions / Oorweging van Dringende Mosies

None / Geen

12. Consideration of Reports / Oorweging van Verslae

| | | |
|------|--|-----|
| 12.1 | Reports submitted to Council for consideration (A Items) Verslae voorgelê aan die Raad vir oorweging (A Items) | 12 |
| 12.2 | Reports submitted to Council for consideration (AA Items) Verslae voorgelê aan die Raad vir oorweging (AA-Items) | ... |
| 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) | 53 |

MINUTES OF A STATUTORY MEETING OF THE COUNCIL OF LANGEBERG MUNICIPALITY
HELD ON 31 MARCH 2022 AT 09H58, TOWN HALL, ROBERTSON

1. **Opening**

The Speaker welcomed the Executive Mayor, Councillors and the Administration to the meeting and Cllr Gertse opened the meeting with a prayer.

2. **Attendance**

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|------------------------------------|--|
| Cllr Hess, P | Speaker |
| Ald Van Eeden, SW | Executive Mayor |
| Cllr Steenkamp, JG | Executive Deputy Mayor |
| Cllr Coetzee, JCJ | Councillor (Member of Mayco) |
| Cllr Felix, DAT | Councillor (Member of Mayco) |
| Cllr Henn, RC | Councillor (Member of Mayco) |
| Cllr Steyn, C | Councillor (Member of Mayco) |
| Cllr Beginsel, NJ..... | Councillor |
| Cllr Coetzee, T | Councillor |
| Cllr Gertse, M..... | Councillor |
| Cllr Gxowa, L | Councillor |
| Cllr Grootboom, CJ | Councillor |
| Cllr Janse, DB | Councillor |
| Cllr Januarie, JJ | Councillor |
| Cllr Kahla, LL | Councillor |
| Cllr Mafilika, JS | Councillor |
| Cllr Ndongeni, A | Councillor |
| Cllr Oostendorff-Kraukamp, MG..... | Councillor |
| Cllr Pokwas, C | Councillor |
| Cllr September, D..... | Councillor |
| Cllr Siegel, Y | Councillor |
| Cllr Simpson, OC | Councillor |
| Mr De Klerk, ASA..... | Municipal Manager |
| Mr Everson, AWJ | Director Corporate Services |
| Mr Johnson, M | Director Engineering Services |
| Mr Mgajo, M..... | Director Community Services |
| Ms Matthys, CO | Director Strategy & Social Development |
| Me Shude, M..... | Director Financial Services |
| Ms Kotzé, S..... | Manager Administrative Support |
| Mr Van Heerden, S | Clerk Administration |

3. 3.1 **Applications for leave of absence / Aansoek om verlof tot afwesigheid**

Cllr Joubert, GD

Councillor

3.2 **Absent without leave / Afwesig sonder verlof**

None / Geen

4. **Approval of Minutes / Goedkeuring van Notule**

4.1 Confirmation of the Minutes of an Ordinary Meeting of the Council of Langeberg Municipality held on 22 February 2022 at 09h57 in the Town Hall, Church Street, Robertson

Bekragtiging van die Notule van 'n Gewone Vergadering van die Raad van Langeberg Munisipaliteit gehou op 22 Februarie 2022 om 09h57 in die Stadsaal, Munisipale Kantore, Kerkstraat, Robertson.

4.2 Confirmation of the Minutes of a Special Meeting of the Council of Langeberg Municipality held on

22 March 2022 at 10h00 in the Town Hall, Church Street, Robertson

*Bekragting van die Notule van 'n Spesiale Vergadering van die Raad van Langeberg
Munisipaliteit gehou op 22 Maart 2022 om 10h00 in die Stadsaal, Munisipale Kantore, Kerkstraat,
Robertson.*

5. **Statements & Announcements by the Speaker / Verklarings & Mededelings deur die Speaker**

"I would like to welcome the Executive Mayor van Eeden, Deputy Mayor Steenkamp, all Councillors, Municipal Manager, Municipal Directors and Administration to our statutory council meeting.

I would hereby like to express this council condolences to those who have lost their loved ones since our last council meeting. Our thoughts and prayer are with these families in their time of sorrow and pain. May we stand and observe a moment of silence.

Council members are reminded of the IDP and Budget meetings that will be starting on 04 April 2022. It has been advertised in our local newspaper for the community as well on our Municipal website. It is important that councillors attend these meetings as it is compulsory. PR councillors should also attend these meeting where they have been placed.

Council should take note that our Council Meeting for April 2022 will not take place on 26 April but will be moved to 25 April 2022 at 10h00. Therefore, from 26 April till 02 May 2022 Council will be in recess.

I would humbly like to request that councillors really should read they emails on a regular basis and respond on emails as well. And that councillors should answer their phones especially when the office calls. Councillors tend to not answer their phones.

I would like to thank all councillors and our administration team for the dedication and hard work during this month. Especially Mr Shude and his team for getting the budget ready for approval by council.

I thank you."

6. **Interviews with Delegations / Onderhoude met Afvaardigings**

None / Geen

7. **Statements & Announcements by the Mayor / Verklarings & Mededelings deur die Burgemeester**

The Executive Mayor wanted to thank the Administration for the hard work they have done during the month, especially the Director: Financial Services and his team that had to compile the Budget that is being tabled today. He also wanted to thank the Councillors of Nkqubela and the Director: Strategy & Social Development for all the hard work they have done during the unrest that took place in Nkqubela.

8. **Urgent Matters & Reports, Statements & Announcements submitted by the Municipal Manager
Dringende Aangeleenthede & Verslae, Verklarings & Mededelings voorgelê deur die Munisipale
Bestuurder**

9. **Consideration of Notice of Motions / Oorweging van Kennisgewing van Mosies**

None / Geen

10. **Consideration of Notice of Questions / Oorweging van Kennisgewing van Vrae**

None / Geen

11. **Consideration of Urgent Motions / Oorweging van Dringende Mosies**

None / Geen

12. Oorweging van Verslae / Consideration of Reports

A4288 REPORT ON UNAUTHORISED & IRREGULAR EXPENDITURE (2021/2022) (CHIEF FINANCIAL OFFICER)

This item served before a Statutory Meeting of Council on 31 March 2022

Hierdie item het gedien voor 'n Statutêre Vergadering van die Raad op 31 Maart 2022

Eenparig Besluit / Unanimously Resolved

That the unauthorised expenditure of R14 763 593 and irregular expenditure amount of R4 041 885.33 in terms of Section 32 (2)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), after investigation by a council committee, (MPAC) be certified by Council as irrecoverable and be written off by Council.

A4289 REPORT ON THE ELECTION OF WARD COMMITTEE MEMBERS FOR THE 12 WARDS AS BEEN DEMARCATED (3/1/6) ASSISTANT MANAGER: GOVERNANCE SUPPORT

Cllr Beginsel wanted to know what it means for the wards/blocks that are being Co-Opted. The Director: Corporate Services stated that in the ward committees, members are co-opted to fill vacancies. He further stated that in the past when there were no nominations, members of the ward committees were co-opted to fill the vacancies. Cllr Beginsel asked if another election is going to take place to elect members, to which the Director: Corporate Services responded saying that there will not be another election, but through the process ward committee members will fill vacancies. Cllr Kahla wanted to know if someone living in 1 block in the ward can stand in another block. The Director: Corporate Services stated that it is preferable that someone in the block co-opts. Cllr Kahla brought it under the attention of the Speaker that in Ward 8 a member is living in 1 block but stands in a block he does not live in. The Speaker and the Director: Corporate Services stated that they will do a follow-up with the Official, Mr Bronn. Cllr January wanted to express his most sincere appreciation for the officials that helped with the training of the ward committees. He stated that now the ward committees are also informed of the processes of the Council and the Municipality and they now know their roles and responsibilities within the ward committees. He further stated that as he sees it no election was done in Ward 8 and that it seems like some wards have different rules than other wards. The Executive Mayor stated that his ward went through the same processes as the other wards and they have the same rules governing them. Cllr January stated that he was not accusing anybody and that he just made an observation. Cllr Beginsel wanted to know if the PR Councillors could attend the ward committee meetings, to which the Speaker responded saying that the Ward Councillors chair the meeting, but other councilors can attend the meetings.

This item served before a Statutory Meeting of Council on 31 March 2022

Hierdie item het gedien voor 'n Statutêre Vergadering van die Raad op 31 Maart 2022

Eenparig Besluit / Unanimously Resolved

1. That Council takes note of the nomination process followed as well as the elections held and the outcome of the election results.

Dat die Raad kennis neem van die proses gevolg vir die benoeming en verkiesing van wykskomiteelede en die verkiesing uitslae.

2. That the results of the ward committee election be accepted and approved.

Dat die resultate van die wykskomitee verkiesing aanvaar en goedgekeur word

A4290 RE-WRITE OF THE LANGEBOEG LOCAL MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (LSDF) DIRECTOR ENGINEERING SERVICES

Cllr Grootboom stated that the Speaker should not rush through the Agenda, but rather give ample opportunity for all present to debate the matters. He further stated that he has a problem with the fourth point of the recommendation and feels that it should be removed and the process be all inclusive. Cllr January stated that he agrees with Cllr Grootboom. He felt that the Town planners did not plan for sidewalks or parks in the poorer areas the way they did for the "white" areas. The Director: Engineering Services stated that the Intergovernmental steering committee is basically different governmental departments that takes part in the whole process. He further stated that if no Intergovernmental Committee is formed the Municipality will still advertise the matters for the public to participate in.

This item served before a Statutory Meeting of Council on 31 March 2022
Hierdie item het gedien voor 'n Statutêre Vergadering van die Raad op 31 Maart 2022
Eenparig Besluit / Unanimously Resolved

1. That Council note the re-writing of the SDF be done in terms of the process referred to in section 28 and 29 of the Municipal Systems Act, 2000 (Act 32 of 2000), Section 20 of the Spatial Planning and Land Use Act, 2013 (Act 16 of 2013), Section 11 of the Western Cape Land Use Planning Act 2014 (Act 13 of 2014) and Section 3(2)(a) of the Langeberg Municipality: Land Use Planning By-Law, 2015; and
2. That Council note the steps that need to be followed to compile a MSDF.
3. That Council note that the re-drafted SDF will be included as part of the Fifth Generation IDP (2023 – 2027).
4. That no Intergovernmental Steering Committee be established.

A4291

APPOINTMENT / DELEGATION OF REPRESENTATIVES TO SERVE ON INTERNAL COMMITTEES AND EXTERNAL BODIES (3/1/2 + 3/1/4) (DIRECTOR CORPORATE SERVICES)

Cllr Steyn stated that the Democratic Alliance has already compiled a list of names and wanted to know if the opposition has a list they wished to submit. Cllr Grootboom stated that he heard Cllr Steyn has a list and he is of the view that if his name is on the list it should be removed or he will not attend the meetings, for the Democratic Alliance did not consult with anybody when they compiled the list of names for the Internal Committees and External Bodies. Cllr January stated that seeing as the council consists of various political parties with different political agendas he was of the belief that the various whips of each party should get together and discuss the list. He further stated that the African National Congress has already divided the list playing to each member's strength. He further proposed that the chief whips have a caucus to discuss the list seeing as each party chose their whip based on trust and mutual respect. Cllr Grootboom stated that he agrees with Cllr January and stated that this report must be referred back and serve before the next council meeting, which gives the whips the time to compile a list of names together and debate the merit of each choice until they are satisfied. The Executive Mayor stated that the report cannot be referred back to the next council meeting, because SALGA wanted the names of the committee members by the end of the day. Cllr Siegel requested a caucus. Cllr Maflika wanted to know that if the report was so urgent why was it not prioritised. Cllr Beginzel stated that the strategic session that the Mayoral Committee and the Municipal Manager had was very important. It was promised that the same session would be held with the rest of the councilors as well, but up to now nothing has happened. The Executive Mayor stated on a Point of Order, Cllr Beginzel is not staying with the points of the agenda.

Caucus – 10:29

Meeting resumed – 10:38

Cllr Siegel stated that the Democratic Alliance was of the opinion that the council can work through the report and submit names. They felt it is not necessary to refer the report back to the next council meeting. Cllr Grootboom was of the opinion that the Democratic Alliance does not understand the term consulting, because they went for a caucus and did not ask any of the other whips to join them. He further stated that if his name is on a committee he will not attend the meetings of the committee, because he was not consulted on the matter. Cllr Maflika stated that she agreed with Cllr Grootboom regarding the matter of the whips getting together and discussing the matter. She stated that the Democratic Alliance cannot decide who goes where without looking at the credentials of all the councilors and discussing the matter. The Deputy Mayor stated that the Democratic Alliance is not dictating what goes on and they stated they wish to take the report line by line and discuss it before the full council. Cllr January stated that after the caucus the DA came back with a proposal, but currently there is an proposal from Cllr Grootboom on the table and the proposal was seconded. The proposal was that the chief whips caucus and compare each list and see if they could compile a list of councilors to serve on the committees and external bodies. Cllr Grootboom requested that this item be moved to the end of the meeting so that the other items on the agenda can be handled and then come back to this report. The Executive Mayor stated that he wishes to second the motion made by Cllr Siegel and work through the report line for line. Cllr Beginzel stated that it was not a motion, but a proposal. Cllr Grootboom requested if he could leave the meeting while this point is being discussed and come back when the other items of the agenda are discussed.

Cllr Grootboom left the meeting – 10:49

Cllr Januarie stated that in the past the Executive Mayor was adamant to withdraw from SALGA, but now he is adamant to please SALGA. Cllr Maflika requested an 10 minute caucus which the Speaker granted.

Caucus – 10:50
Meeting resumed – 10:55
Cllr Grootboom re-entered the meeting at 10:55

Cllr Maflika requested that the item be moved to the end of the meeting and that the other items be discussed.

After the other items on the agenda have been dealt with, Cllr Grootboom asked the Municipal Manager if the Directors could be excused, due to them not having any impact on the item at hand. All Directors, other than Mr A Everson, left the meeting. The Executive Mayor stated that currently there are two proposals on the table and both were seconded. He asked if a vote will take place now. The Speaker stated that a vote must happen seeing as there are two proposals tabled. She stated that the proposal from Cllr Grootboom will be voted on first. Cllr T Coetzee wanted to know why the parties did not come together to discuss this item, because this will happen in the future as well. All parties knew this will happen so why not avoid it by coming together and discussing it. Cllr Henn stated that even if the whips go and discuss the item and compile a list it will still have to come to council and be voted on. Cllr Gxowa raised his hand to make a comment and when the Speaker gave him permission to speak, he spoke in his mother tongue. After Cllr Gxowa finished, Cllr Grootboom requested an translation of what was said by Cllr Gxowa. The Speaker stated that she cannot assist with an translation as there is no translator in the meeting and that she had a discussion with the Executive Mayor, Municipal Manager and the Director: Corporate Services regarding the matter of a translator for council meetings, but it is currently not in the budget or the Municipal organogram. Cllr Grootboom stated that it happened in the previous meeting and that it is each and every councilor's constitutional right to speak in his or her home language and it is each councilor's right to understand what was said. He further stated that his rights to understand what his colleague has said are being infringed and he proposed that an translator be organised for the remainder of the meeting. Cllr January stated that as previously stated by Cllr Grootboom, this happened in a previous meeting and an official, Mr Jongi Mfutwana was dragged away from his work to come translate and this will continue to happen in the future. He laid the blame for this issue before the Executive Mayor and the Municipal Manager and requested that an translator be organised. Cllr Henn stated that Cllr Grootboom is off the point. Cllr Grootboom stated that he has a point of order. The Speaker inquired what his point of order was. An verbal altercation took place after which the Speaker ruled that the meeting will end there and that the report be referred back to the next Portfolio meeting and then comes back to serve before the council.

This item served before a Statutory Meeting of Council on 31 March 2022
Hierdie item het gedien voor 'n Statutêre Vergadering van die Raad op 31 Maart 2022
Eenparig Besluit / Unanimously Resolved

That the report be referred back to the next Council meeting to give the parties time to discuss the matter and compile a list of names before the next council meeting.

A4292 WATER SERVICES DEVELOPMENT PLAN (WSDP) (civil engineering services)

This item served before a Statutory Meeting of Council on 31 March 2022
Hierdie item het gedien voor 'n Statutêre Vergadering van die Raad op 31 Maart 2022
Eenparig Besluit / Unanimously Resolved

That Council adopts the Annual WSDP Performance and Water Services Audit Report for the Year 2020/2021.

A4294 FINANCIAL REPORTING IN TERMS OF SECTION 71 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 – FEBRUARY 2022 (9/2/1/3) (CHIEF FINANCIAL OFFICER)

The Executive Mayor tabled the report.

This item served before a Statutory Meeting of Council on 31 March 2022
Hierdie item het gedien voor 'n Statutêre Vergadering van die Raad op 31 Maart 2022
Eenparig Besluit / Unanimously Resolved

That the content of the report be noted.

Dat kennis geneem word van die inhoud van die verslag.

A4295 SUBMISSION OF THE 2022 / 2023 TO 2024 / 2025 OPERATING / CAPITAL BUDGET, IDP & POLICY DOCUMENTS (5/1/1-2019/2020) (CHIEF FINANCIAL OFFICER)

The Executive Mayor tabled the Budget. Cllr January thanked the Mayor for tabling the Budget and urged the

Director: Financial Services to take the comments made by the public in to consideration. Cllr Grootboom requested that the Mayor make his speech available to all the councilors. The Executive Mayor stated that he will send it to Administration and request that they send it to all the councilors.

This item served before a Statutory Meeting of Council on 31 March 2022

Hierdie item het gedien voor 'n Statutêre Vergadering van die Raad op 31 Maart 2022

Eenparig Besluit / Unanimously Resolved

1. That the Executive Mayor table the 2022-2023 MTREF Budget & IDP at the Statutory Council Meeting of 31 March 2022.
2. That the tabling of 2022 / 2023 to 2024 / 2025
 - Operating / Capital Budget,
 - IDP
 - SDF
 - all budget related policies
 - Langeberg Municipal Property Rates by-law
 - IDP Related Policy Documents
 - ICT policies be noted.
3. All relevant documents be made available for public comment and be forward to all relevant National and Provincial departments.
4. The budget and IDP be referred to all wards for discussion and inputs.

The meeting ended at 11h18

SPEAKER

DATE

A ITEMS

| | | |
|-------|---|----|
| A4291 | RESUBMISSION: APPOINTMENT / DELEGATION OF REPRESENTATIVES TO SERVE ON INTERNAL COMMITTEES AND EXTERNAL BODIES (3/1/2 + 3/1/4) (DIRECTOR CORPORATE SERVICES) | 12 |
| A4296 | DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES - FEBRUARY 2022 : DIRECTORATE STRATEGY & SOCIAL DEVELOPMENT (9/2/1) (CHIEF FINANCIAL OFFICER) | 19 |
| A4297 | DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – FEBRUARY 2022 : DIRECTORATE COMMUNITY SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER) | 20 |
| A4298 | DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – FEBRUARY 2022 : DIRECTORATE ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER) | 21 |
| A4299 | DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES - FEBRUARY 2022 : DIRECTORATE FINANCIAL SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER) | 22 |
| A4300 | RESUBMISSION: DEPARTMENT OF PUBLIC WORKS: OFFER: LEASE NEGOTIATIONS FOR THE RENEWAL OF LEASE AGREEMENTS FOR MUNICIPAL PROPERTY SITUATED IN THE LANGEBERG MUNICIPAL AREA (7/1/R) (DIRECTORATE: CORPORATE SERVICES) | 23 |
| A4301 | CONFERMENT OF ALDERMANSHIP ON COUNCILLORS OF LANGEBERG MUNICIPALITY (3/1/R) (DIRECTOR CORPORATE SERVICES) | 28 |
| A4302 | KEY PERFORMANCE INDICATORS TO BE AMENDED – TOP LEVEL SDBIP (2021 / 2022) (DIRECTOR: STRATEGY & SOCIAL DEVELOPMENT) | 30 |
| A4303 | EVENTS IN THE LANGEBERG MUNICIPAL AREA FOR 2022 (12/2/3/3) DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT | 34 |
| A4304 | APPLICATION FOR THE 61 BENEFICAIRIES OF KENANA TO REMAIN ON THE ENHANCED SERVICED SITES AS PART OF THE KENANA 505 UISP PROJECT (17/5/2) (DIRECTORATE: COMMUNITY SERVICES) | 36 |
| A4305 | FEASIBILITY STUDY: RAISING OF DASSIESHOEK DAM (DIRECTOR ENGINEERING SERVICES) | 38 |
| A4306 | QUARTERLY REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY: JANUARY 2022 TO MARCH 2022 (DIRECTOR: FINANCIAL SERVICES (CFO) | 44 |
| A4307 | LANGEBERG MUNICIPALITY TECHNICAL INTEGRATED MUNICIPAL ENGAGEMENT REPORT - 2021 / 2022 (5/14/R) (CHIEF FINANCIAL OFFICER) | 49 |
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RESUBMISSION: APPOINTMENT / DELEGATION OF REPRESENTATIVES TO SERVE ON INTERNAL COMMITTEES AND EXTERNAL BODIES (3/1/2 + 3/1/4) (DIRECTOR CORPORATE SERVICES)

Purpose of report

To re-submit to Council for consideration a report on the appointment of representatives to serve on internal committees and external bodies.

Background

The following structures and committees representation need to be considered by Council:

"STATUTÊRE VERTEENWOORDIGING / STATUTORY REPRESENTATION"

Provincial & District Intergovernmental Forums

Cllr
Municipal Manager

Provincial Health Council

Cllr P Hess (As per council decision item A 4244 of 25 January 2022.)

ProvTech - Provincial Department of Transport

Director Infrastructure Development
Cllr

SALGA Working Groups

Economic Development Planning & Environmental Working Group

Cllr (Cllr - Secundus)

Governance, Intergovernmental Relations & International Relations Working Group

Cllr

Human Resource Development Working Group

Cllr (Cllr - Secundus)

Municipal Finance & Corporate Working Group

Cllr (Cllr - Secundus)

Municipal Services & Infrastructure Working Group

Cllr (Cllr - Secundus)

Social Development, Health & Safety Working Group

Cllr (Cllr - Secundus)

Cape Winelands District Assessment Committee

Cllr
Administration

ETHICS COMMITTEE . This committee is chaired by the Speaker and is responsible for hearing disciplinary cases where members of Council have transgressed the Code of Conduct for Councillors. In addition, this Committee will also be responsible for reviewing the Rules of Order for the conduct of meetings of the Council and Ward Committees.

Speaker.....Cllr P Hess (Chairperson)

Cllr

Cllr

Cllr

Director Corporate Services.....Mr AWJ Everson (Secretariat)

APPEALS COMMITTEE. This Committee comprising of councillors has to consider appeals in terms of Sect. 62 of the LG Systems Act. This relates to decisions taken by the Executive Mayor, Political Office Bearers or a Councillor.

Cllr

Cllr

Cllr

COUNCIL COMMITTEES

Local Labour Forum (10 / 10)

According to number of members, nominated by SAMWU

According to number of members, nominated by IMATU

Cllr

Cllr

Cllr

Cllr

Municipal Manager

5 x Directors

- **LLF Subcommittee - Human Resources Development Committee**

Cllr

Cllr

An official / officials as delegated by the Municipal Manager

- **LLF Subcommittee - Workplace and Service Restructuring Committee**

Cllr

An official / officials delegated by the Municipal Manager

- **LLF Subcommittee - Basic Conditions Committee**

Cllr

Cllr

An official / officials as delegated by the Municipal Manager

Employment Equity Committee

Municipal Manager

Representative SAMWU

Representative IMATU

Skills Development Committee

Skills Development Facilitator (Chairman)

Cllr

Representative SAMWU

Representative IMATU

COUNCIL REPRESENTATIVES : STATUTORY PUBLIC BODIES

Montagu Museum Board

Cllr (Cllr - Sekundus)

Montagu Hospital Council

Cllr

Robertson Museum Board of Trustees

Cllr

Robertson Hospital Board

Cllr (Cllr - Sekundus)

Water User Association - Robertson Sub Council

Cllr

Water User Association – Kabous River

Cllr

Water User Association - Keurkloof

Cllr

Water User Association - Zanddrift

Cllr

Water User Association - Marthinusvlei

Cllr

Water User Association – Central Breede River (CBR)

Cllr

Administrasie

Cogmanskloof Irrigation Board

Cllr (Appointed by National Minister of Water Affairs)

Lingelihle Home for the Aged and Disabled

Cllr

[Nota: Bywoning van bogenoemde vergaderings is opsioneel - nie verpligtend nie.]

[Attendance of the aforementioned meetings is optional not compulsory]

RAADSVERTEENWOORDIGERS: GEMEENSKAPSORGANISASIES

Ashton Gemeenskaps Polisiëringsforum

Cllr (Councillor for Ward 9)

Cllr

Cllr

Ashton BRAM Patient Care Centre

Cllr

Bonnievale SAPD Gemeenskap Skakelforum

Cllr

McGregor Polisiëringsforum / Local Joint Structure S A Police Service

Cllr

Montagu Polisie Gemeenskaps Adviesforum

Cllr

Montagu Gesondheid- en Welsynkomitee

Cllr

Robertson Gemeenskaps Polisiëringsforum

Cllr

Langeberg Landelike Ontwikkelingsvereniging

Cllr

RAADSVERTEENWOORDIGERS: MUNISIPALE AANGELEENTHEDE: PENSIOEN EN MEDIESE FONDSE

Consolidated Retirement Fund

Cllr

LA Pension Fund

Cllr

Mediese Fondse

Cllr

This item served before the Corporate Services Portfolio Committee on 09 March 2022

Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 09 Maart 2022

Recommendation / Aanbeveling

Submitted for consideration

This item served before the Executive Mayoral Committee on 16 March 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 16 Maart 2022

Aanbeveling / Recommendation

Submitted for consideration

This item served before a Statutory Meeting of Council on 31 March 2022

Hierdie item het gedien voor 'n Statutêre Vergadering van die Raad op 31 Maart 2022

Eenparig Besluit / Unanimously Resolved

That the report be referred back to the Portfolio Committee meeting to give the parties time to discuss the matter and compile a list of names before the next council meeting.

A session between the Whips of the parties was held to discuss and consider the representatives of Langeberg Municipality on the various committees and organisations and is the following the list received from the Speaker:

"STATUTÊRE VERTEENWOORDIGING / STATUTORY REPRESENTATION

Provincial & District Intergovernmental Forums

Cllr Mayor

Municipal Manager

Provincial Health Council

Cllr P Hess (As per council decision item A 4244 of 25 January 2022.)

ProvTech - Provincial Department of Transport

Director Infrastructure Development

Cllr MMC

SALGA Working Groups

Economic Development Planning & Environmental Working Group

Cllr Steenkamp (Cllr Grootboom - Secundus)

Governance, Intergovernmental Relations & International Relations Working Group

Cllr Mayor

Human Resource Development Working Group

Cllr MMC (Cllr Januarie - Secundus) – Corporate Services

Municipal Finance & Corporate Working Group

Cllr MMC (Cllr Mafilika - Secundus)

Municipal Services & Infrastructure Working Group

Cllr J Coetzee (Cllr T Coetzee - Secundus)

Social Development, Health & Safety Working Group

Cllr MMC (Cllr Siegel - Secundus)

Cape Winelands District Assessment Committee

Cllr Simpson

Administration

ETHICS COMMITTEE . This committee is chaired by the Speaker and is responsible for hearing disciplinary cases where members of Council have transgressed the Code of Conduct for Councillors. In addition, this Committee will also be responsible for reviewing the Rules of Order for the conduct of meetings of the Council and Ward Committees.

Speaker.....Cllr P Hess (Chairperson)

Cllr Steenkamp

Cllr Steyn

Cllr Grootboom

Director Corporate Services.....Mr AWJ Everson (Secretariat)

APPEALS COMMITTEE . This Committee comprising of councillors has to consider appeals in terms of Sect. 62 of the LG Systems Act. This relates to decisions taken by the Executive Mayor, Political Office Bearers or a Councillor.

Cllr Joubert

Cllr Januarie

Cllr Kraukamp

COUNCIL COMMITTEES

Local Labour Forum (10 / 10)

According to number of members, nominated by SAMWU

According to number of members, nominated by IMATU

Cllr MMC

Cllr Beginsel

Cllr Joubert

Cllr September

Municipal Manager

5 x Directors

• **LLF Subcommittee - Human Resources Development Committee**

Cllr Joubert

Cllr September

An official / officials as delegated by the Municipal Manager

• **LLF Subcommittee - Workplace and Service Restructuring Committee**

Cllr Steyn

An official / officials delegated by the Municipal Manager

- **LLF Subcommittee - Basic Conditions Committee**

Cllr Steyn

Cllr Beginsel

An official / officials as delegated by the Municipal Manager

Employment Equity Committee

Municipal Manager

Representative SAMWU

Representative IMATU

Skills Development Committee

Skills Development Facilitator (Chairman)

Cllr Steyn

Representative SAMWU

Representative IMATU

COUNCIL REPRESENTATIVES : STATUTORY PUBLIC BODIES

Montagu Museum Board

Cllr Felix (Cllr Pokwas - Sekundus)

Montagu Hospital Council

Cllr Gertse

Robertson Museum Board of Trustees

Cllr Joubert

Robertson Hospital Board

Cllr Henn (Cllr Gxowa - Sekundus)

Water User Association - Robertson Sub Council

Cllr Joubert

Water User Association – Kabous River

Cllr Van Eeden

Water User Association - Keurkloof

Cllr Janse

Water User Association - Zanddrift

Cllr T Coetzee

Water User Association - Marthinusvlei

Cllr Beginsel

Water User Association – Central Breede River (CBR)

Cllr Joubert

Administrasie

Cogmanskloof Irrigation Board

Cllr Felix (Appointed by National Minister of Water Affairs)

Lingelihle Home for the Aged and Disabled

Cllr Ngongeni

[Nota: Bywoning van bogenoemde vergaderings is opsioneel - nie verpligtend nie.]
[Attendance of the aforementioned meetings is optional not compulsory]

RAADSVERTEENWOORDIGERS: GEMEENSKAPSORGANISASIES

Ashton Gemeenskaps Polisiëringsforum

Cllr Siegel (Councillor for Ward 9)

Cllr Beginsel

Cllr Gertse

Ashton BRAM Patient Care Centre

Cllr Gertse

Bonnievale SAPD Gemeenskap Skakelforum

Cllr Kahla

McGregor Polisiëringsforum / Local Joint Structure S A Police Service

Cllr Kraukamp

Montagu Polisie Gemeenskaps Adviesforum

Cllr Felix

Montagu Gesondheid- en Welsynkomitee

Cllr Pokwas

Robertson Gemeenskaps Polisiëringsforum

Cllr Coetzee / September

Langeberg Landelike Ontwikkelingsvereniging

Cllr Joubert

RAADSVERTEENWOORDIGERS: MUNISIPALE AANGELEENTHEDE: PENSIOEN EN MEDIESE FONDSE

Consolidated Retirement Fund

Cllr Grootboom

LA Pension Fund

Cllr

Mediese Fondse

Cllr Mafilika

Woman Commisioner

Cllr Janse, Simpson"

Submitted for consideration

DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES - FEBRUARY 2022 : DIRECTORATE STRATEGY & SOCIAL DEVELOPMENT (9/2/1) (CHIEF FINANCIAL OFFICER)

Purpose of Report

To submit a report on deviations from the normal procurement processes for Council's notification.

Background

Paragraph 27(2) of the Supply Chain Management Policy of Council reads as follows:

- (2) *The Accounting Officer must record the reasons for any deviations in terms of subparagraph 1(a) and 1(b) of this Policy and report them to the next meeting of the Council and include as a note to the annual financial statements.*

The Report on Deviations for February 2022 was attached to this report.

Aanbeveling / Recommendation

That the contents of the report on deviations from the procurement processes is noted.

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

NOTE: The annexure was distributed as part of the agenda for the MPAC Committee meeting of 06 April 2022 (pg. 07)

This item served before the Municipal Public Accounts Committee (MPAC) on 06 April 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 06 April 2022
Recommendation / Aanbeveling

That the contents of the report on deviations from the procurement processes is noted.

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

**DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – FEBRUARY 2022 : DIRECTORATE
COMMUNITY SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

Purpose of Report

To submit a report on deviations from the normal procurement processes for Council's notification.

Background

Paragraph 27(2) of the Supply Chain Management Policy of Council reads as follows:

- (2) *The Accounting Officer must record the reasons for any deviations in terms of subparagraph 1(a) and 1(b) of this Policy and report them to the next meeting of the Council and include it as a note to the annual financial statements.*

The Report on Deviations for February 2022 was attached to this report.

Aanbeveling / Recommendation

That the contents of the report on deviations from the procurement processes is noted.

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

NOTE: The annexure was distributed as part of the agenda for the MPAC Committee meeting of 06 April 2022 (pg. 09)

This item served before the Municipal Public Accounts Committee (MPAC) on 06 April 2022

Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 06 April 2022

Recommendation / Aanbeveling

That the contents of the report on deviations from the procurement processes is noted.

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

**DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – FEBRUARY 2022 : DIRECTORATE
ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

Purpose of Report

To submit a report on deviations from the normal procurement processes for Council's notification.

Background

Paragraph 27(2) of the Supply Chain Management Policy of Council reads as follows:

- (2) *The Accounting Officer must record the reasons for any deviations in terms of subparagraph 1(a) and 1(b) of this Policy and report them to the next meeting of the Council and include as a note to the annual financial statements.*

The Report on Deviations for February 2022 was attached to this report.

Aanbeveling / Recommendation

That the contents of the report on deviations from the procurement processes is noted.

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

NOTE: The annexure was distributed as part of the agenda for the MPAC Committee meeting of 06 April 2022 (pg. 11 – 14)

This item served before the Municipal Public Accounts Committee (MPAC) on 06 April 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 06 April 2022
Recommendation / Aanbeveling

That the contents of the report on deviations from the procurement processes is noted.

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

**DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES - FEBRUARY 2022 : DIRECTORATE
FINANCIAL SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

Purpose of Report

To submit a report on deviations from the normal procurement processes for Council's notification.

Background

Paragraph 27(2) of the Supply Chain Management Policy of Council reads as follows:

- (2) *The Accounting Officer must record the reasons for any deviations in terms of subparagraph 1(a) and 1(b) of this Policy and report them to the next meeting of the Council and include as a note to the annual financial statements.*

The Report on Deviations for February 2022 was attached to this report.

Aanbeveling / Recommendation

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.

NOTE: The annexure was distributed as part of the agenda for the MPAC Committee meeting of 06 April 2022 (pg. 16)

This item served before the Municipal Public Accounts Committee (MPAC) on 06 April 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 06 April 2022
Recommendation / Aanbeveling

That the contents of the report on deviations from the procurement processes is noted.

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

RESUBMISSION: DEPARTMENT OF PUBLIC WORKS: OFFER: LEASE NEGOTIATIONS FOR THE RENEWAL OF LEASE AGREEMENTS FOR MUNICIPAL PROPERTY SITUATED IN THE LANGEBERG MUNICIPAL AREA (7/1/R) (DIRECTORATE: CORPORATE SERVICES)

Purpose of report

To re-submit a report to the Mayoral Committee for consideration regarding an application received from Me N Hlengwa on behalf of the Department of Public Works.

The following letter was received from the Department of Public Works:

"Department of Public Works (DPW), together with the Department of National Treasury, are currently working on reforms in the leasing environment for the Public Service. The reforms are aimed at, inter alia, obtaining value for money for the State's leases acquired and at the same time align to the requirements of the Government, which could either be a long- term or short-term.

The new property management strategy, involves the renegotiations of leases using a price benchmark that takes into account the age and state of the building is determined by the grading certificate (see attached the explanatory note) which is issued by an Architect or Professional Valuer.

Over 5 % of our leasehold portfolio is above market and these rentals are on average 45% above market rentals. One of the reasons for the high portfolio rentals relative to market rentals is the escalation mechanism the department had entered into in the past. It is for this reason that National Treasury has directed that escalation be capped at a maximum of 6.5% in these negotiations.

To this end, in order to give effect to the reforms as stated we are currently reviewing all the leases. After dueconsideration of your existing lease or that has expired and currently running on month to month which is as follows:

- 1. Nkqubela Police Station, erf 172 Nkqubela, Robertson**
 - R32.76 per m² (VAT exclusive) for offices of 98.12m²
 - 10% escalation

Offer: lease negotiation:

Without committing the Government and prejudicing its rights in terms of the conditions of this offer, we hereby submit our offer to you as follows (as per Client's needs assessment).

- R32. 76 per m² (VAT exclusive) for offices of 98.12m²
- 6% escalation
- 9 years 11 months lease

- 2. Zolani Satelite Police Station, erf 263 Zolani, Ashton**
 - R60.48 per m² (VAT exclusive) for offices of 56.6m²
 - 8% escalation

Offer: lease negotiation:

Without committing the Government and prejudicing its rights in terms of the conditions of this offer, we hereby submit our offer to you as follows (as per Client's needs assessment).

- R50.00 per m² (VAT exclusive) for offices of 56.6m²
- 6% escalation
- 9 years 11 months lease

Your favourable consideration would be appreciated.

Comments

A location map was attached.

Comments: Director: Community Services

Lease agreement supported.

Comments: Director: Strategy & Social Development

No objection to the renewal of SAPS in these areas

Comments: Director: Engineering Services

The engineering directorate has no objection to the renewal of SAPS.

Comments: Chief Financial Officer

I recommend that the escalation be rather the maximum of 6.5% as per the NT directive referred in the memo.

Comments: Cllr Gxowa

I personal in support of the renewal of lease agreement for Nkqubela SAPS situated on erf 172.

Comments: Cllr Ndongeni

The application is supported because we have noticed a rise in many crime activities in Zolani recently such as Burglary, Drug related , rapes and many more , So the building would play a bigger role in making the community achieve crime alleviation.

Recommendation

1. That it be confirmed that the municipal buildings are not needed for the provision of the minimum level of basic municipal services (S14 of the MFMA 2003, Act 56 of 2003)
2. That the application received from the Department of Public Works for the renewal of the municipal buildings situated on erf 172, Nkqubela, Robertson & erf 263 Zolani, Ashton be approved in principle and the intention of the Municipality to lease the properties for a period of 9 years 11 months be advertised for comments.
3. That after the period for comments has lapsed and if no objections were received, the intention of the Municipality to lease the properties for a period of 9 years 11 months be communicated to National Treasury and if no written views or objections were received, lease be proceeded with, subject to the following conditions:
 - 3.1 That the rental amount escalates annually with a percentage that will be determined by the yearly 6.5% and the Lessee is responsible for the payment of the insurance of the buildings, which is calculated as a percentage of the municipal insurance portfolio.
 - 3.2 That the Lessee be responsible for maintenance, repairs, upgrading work to be done to the buildings.
 - 3.3 That no alterations be done to the buildings without the written consent of the Municipality.
 - 3.4 That the Lessee be responsible for the payment of all services rendered to the facilities.
 - 3.5 That no portion of the properties be sublet without the written approval of the Municipality.
 - 3.6 That no structures may be erected on the premises without the written approval of Municipality.

- 3.7 That the Lessee complies with all the conditions as contained in the Health By-Laws, National Building Regulations and Standards, Fire emergency requirements, Health Regulations and any other conditions applicable for the usage of this buildings.

The resolution was communicated to the Department of Public Works.

The following letter was received from the Department of Public Works.

"As per National Treasury Instruction this office cannot accept a 6.5% escalation as approval was granted for a 6% escalation on the renewal of leases. The Department of Public Works and Infrastructure cannot accept the responsibility to pay for insurance on leased buildings.

Kindly also supply this office with the proposed start date of the lease agreement.

Our urgent response will be appreciated."

Comments: Chief Financial Officer

If the maximum escalation percentage per treasury is 6%, then it is recommended that the Municipality use the 6% for this contract.

With regards to the insurance provision in our contract, Finance would advise that if it is stipulated in the other lease agreements that the Municipality has, it should be treated consistently.

Recommendation

1. That it be confirmed that the municipal buildings are not needed for the provision of the minimum level of basic municipal services (S14 of the MFMA 2003, Act 56 of 2003)
2. That the application received from the Department of Public Works for the renewal of the municipal buildings situated on erf 172, Nkqubela, Robertson & erf 263 Zolani, Ashton be approved in principle and the intention of the Municipality to lease the properties for a period of 9 years 11 months be advertised for comments.
3. That after the period for comments has lapsed and if no objections were received, the intention of the Municipality to lease the properties for a period of 9 years 11 months be communicated to National Treasury and if no written views or objections were received, lease be proceeded with, subject to the following conditions:
 - 3.1 That the rental amount escalates annually with a percentage that will be determined by the yearly 6% and the Lessee is responsible for the payment of the insurance of the buildings, which is calculated as a percentage of the municipal insurance portfolio.
 - 3.2 That the Lessee be responsible for maintenance, repairs, upgrading work to be done to the buildings.
 - 3.3 That no alterations be done to the buildings without the written consent of the Municipality.
 - 3.4 That the Lessee be responsible for the payment of all services rendered to the facilities.
 - 3.5 That no portion of the properties be sublet without the written approval of the Municipality.
 - 3.6 That no structures may be erected on the premises without the written approval of Municipality.
 - 3.7 That the Lessee complies with all the conditions as contained in the Health By-Laws, National Building Regulations and Standards, Fire emergency requirements, Health Regulations and any other conditions applicable for the usage of this buildings.

NOTE: The annexure was distributed as part of the agenda for the Corporate Services Portfolio Committee meeting of 06 April 2022 (pg. 71 – 72)

This item served before the Corporate Services Portfolio Committee on 06 April 2022
Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 06 April 2022
Recommendation / Aanbeveling

1. That it be confirmed that the municipal buildings are not needed for the provision of the minimum level of basic municipal services (S14 of the MFMA 2003, Act 56 of 2003)
2. That the application received from the Department of Public Works for the renewal of the municipal buildings situated on erf 172, Nkqubela, Robertson & erf 263 Zolani, Ashton be approved in principle and the intention of the Municipality to lease the properties for a period of 9 years 11 months be advertised for comments.
3. That after the period for comments has lapsed and if no objections were received, the intention of the Municipality to lease the properties for a period of 9 years 11 months be communicated to National Treasury and if no written views or objections were received, lease be proceeded with, subject to the following conditions:
 - 3.1 That the rental amount escalates annually with a percentage that will be determined by the yearly 6% and the Lessee is responsible for the payment of the insurance of the buildings, which is calculated as a percentage of the municipal insurance portfolio.
 - 3.2 That the Lessee be responsible for maintenance, repairs, upgrading work to be done to the buildings.
 - 3.3 That no alterations be done to the buildings without the written consent of the Municipality.
 - 3.4 That the Lessee be responsible for the payment of all services rendered to the facilities.
 - 3.5 That no portion of the properties be sublet without the written approval of the Municipality.
 - 3.6 That no structures may be erected on the premises without the written approval of Municipality.
 - 3.7 That the Lessee complies with all the conditions as contained in the Health By-Laws, National Building Regulations and Standards, Fire emergency requirements, Health Regulations and any other conditions applicable for the usage of this buildings.

This item served before the Executive Mayoral Committee on 19 April 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022
Aanbeveling / Recommendation

1. That it be confirmed that the municipal buildings are not needed for the provision of the minimum level of basic municipal services (S14 of the MFMA 2003, Act 56 of 2003)
2. That the application received from the Department of Public Works for the renewal of the municipal buildings situated on erf 172, Nkqubela, Robertson & erf 263 Zolani, Ashton be approved in principle and the intention of the Municipality to lease the properties for a period of 9 years 11 months be advertised for comments.
3. That after the period for comments has lapsed and if no objections were received, the intention of the Municipality to lease the properties for a period of 9 years 11 months be communicated to National Treasury and if no written views or objections were received, lease be proceeded with, subject to the following conditions:
 - 3.1 That the rental amount escalates annually with a percentage that will be determined by the yearly 6% and the Lessee is responsible for the payment of the insurance of the buildings, which is calculated as a percentage of the municipal insurance portfolio.
 - 3.2 That the Lessee be responsible for maintenance, repairs, upgrading work to be done to the buildings.

- 3.3 That no alterations be done to the buildings without the written consent of the Municipality.
- 3.4 That the Lessee be responsible for the payment of all services rendered to the facilities.
- 3.5 That no portion of the properties be sublet without the written approval of the Municipality.
- 3.6 That no structures may be erected on the premises without the written approval of Municipality.
- 3.7 That the Lessee complies with all the conditions as contained in the Health By-Laws, National Building Regulations and Standards, Fire emergency requirements, Health Regulations and any other conditions applicable for the usage of this buildings.

CONFERMENT OF ALDERMANSHIP ON COUNCILLORS OF LANGEBERG MUNICIPALITY (3/1/R) (DIRECTOR CORPORATE SERVICES)

Purpose of report

To submit to Council for consideration a report to confer Aldermanship on a Councillor.

Background

Council at its meeting of 29 August 2017 under item A 3479 resolved as follow:

"That the policy – Conferment of Aldermanship on Councillors of Langeberg Municipality be approved and implemented for councillors of Langeberg Municipality."

A copy of this policy was attached as **Annexure A** to this report.

The following is the contents of a letter dated 9 March 2022 received from Cllr CJ Grootboom:

"TOEKENNING VAN RAASHEERSKAP AAN RAADSLEDE VAN DIE LANGEBERG MUNISIPALITEIT"

Soos u weet is ek al reeds sestien (16) jaar 'n Munisipale Raadslid by Langeberg Munisipaliteit en het ook in my eerste termyn twee (2) jaar op die Kaapse Wynland Distriksraad gedien.

Na aanleiding van die beleid vir toekenning van Raadsheerskap is ek van mening dat ek daarvoor kwalifiseer.

Sien my uiteensetting vir punte toekenning:

| TERMYN | TYDPERK |
|---------------|-------------------------------|
| Termyn 1 | Maart 2006 – Mei 2011 |
| Termyn 2 | Mei 2011 – Augustus 2016 |
| Termyn 3 | Augustus 2016 – November 2021 |
| Termyn 4 | November 2021 - Nou |

| POSISIE | TYDPERK | JARE | PUNTE |
|--------------------------------|----------------|----------------|--------------------------|
| Gewone PR Raadslid | 2006 - 2008 | 2 Jaar | 1punt X 2 = 2 |
| Onder Uitvoerende Burgemeester | 2008 - 2011 | 3 Jaar | 2 punte X 3 = 6 |
| MPAC Voorsitter | 2011 - 2016 | 5 Jaar | 2 punte X 5 = 10 |
| Gewone PR Raadslid | 2016 - 2021 | 5 Jaar | 1 punt X 5 = 5 |
| Gewone PR Raadslid | 2021 - Nou | 1 Jaar | 1 punt X 1 = 1 |
| | | 16 Jaar | Totale Punte = 24 |

U is welkom om die punte toekenning te verifieer.

Byvoorbaat dank

Raadslid Christopher J Grootboom

Comments

The information set out in the letter of Cllr CJ Grootboom has been verified and is correct.

In terms of the stipulations in the policy and the 24 points obtained, Aldermanship should be conferred upon Cllr CJ Grootboom.

Recommendation

That based on the facts contained in the letter dated 9 March 2022 received from Cllr CJ Grootboom aldermanship be conferred on him.

NOTE: The annexure was distributed as part of the agenda for the Corporate Services Portfolio Committee meeting of 06 April 2022 (pg. 75 – 83)

This item served before the Corporate Services Portfolio Committee on 06 April 2022

Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 06 April 2022

Recommendation / Aanbeveling

That based on the facts contained in the letter dated 9 March 2022 received from Cllr CJ Grootboom aldermanship be conferred on him.

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022

Aanbeveling / Recommendation

That based on the facts contained in the letter dated 9 March 2022 received from Cllr CJ Grootboom aldermanship be conferred on him.

KEY PERFORMANCE INDICATORS TO BE AMENDED – TOP LEVEL SDBIP (2021 / 2022) (DIRECTOR: STRATEGY & SOCIAL DEVELOPMENT)

Purpose of the Report

To submit a report to Council to consider the amendment of KPIs to the 2021 / 2022 Top Level SDBIP (Service Delivery Budget Implementation Plan).

Background

The adjustment budget will be compiled and submitted to Council on for consideration.

Legal Framework

Section 28 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) stipulates as follows:

Municipal adjustments budgets

28. (1) A municipality may revise an approved annual budget through an adjustments budget.
- (2) An adjustments budget —
- (a) must adjust the revenue and expenditure estimates downwards if there is material under-collection of revenue during the budget year;
 - (b) may appropriate additional revenues that have become available, over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;
 - (c) may, within a prescribed framework, authorise unforeseeable and unavoidable expenditure recommended by the mayor of the municipality;
 - (d) may authorise the utilisation of projected savings in one vote towards spending under another vote;
 - (e) may authorise the spending of funds that were unspent at the end of the financial year preceding the budget year, where the under-spending could not reasonably have been foreseen at the time when the annual budget for the budget year was approved by the council;
 - (f) may correct any errors in the annual budget; and
 - (g) may provide for any other expenditure within a prescribed framework.

S54 “Budgetary Control and early identification of financial problems”

On receipt of a statement or report submitted by the Accounting Officer of the municipality in terms of S71 and 72 the Mayor must:-

- (a) Consider the report;
- (b) Check whether the municipality's approved budget is implemented in Accordance with the service delivery and budget implementation plan;
- (c) **Consider and, if necessary, make any revisions to the service delivery and budget implementation plan, provided that revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following approval of an adjustments budget;**
- (d) Issue any appropriate instructions to the accounting officer to ensure-
 - (i) That the budget is implemented in accordance with the service delivery and budget implementation plan; and
 - (ii) That spending of funds and revenue collection proceed in accordance with the budget;

Comments

The 2021/22 TOP LAYER SDBIP was approved by the Executive Mayor on 01 June 2021.

There are few KPI's that needs to be amended and Council's approval is requested to amend the following KPI's in the TL SDBIP for 2021 / 2022.

KPI to be amended on the TLSDBIP:

1. From

| KPI Ref | Directorate | Sub directorate | KPI | Unit of Measurement |
|---------|--------------------|-----------------|---|---|
| TL8 | Corporate services | Human resource | Number of people from the EE target groups employed in the 3 highest levels of management in compliance with the approved EE plan | Number of people from the EE target groups employed in the highest 3 levels of management |

To

| KPI Ref | Directorate | Sub directorate | KPI | Unit of Measurement | Reason for amendment |
|---------|--------------------|-----------------|--|--|--|
| TL8 | Corporate services | Human resource | Number of people from the EE target groups employed by 30 June 2022 in the 3 highest levels of management in compliance with the approved EE plan | Number of people from the EE target groups employed in the highest 3 levels of management by 30 June 2022 | The KPI was not time bound and will not pass the criteria for usefulness |

2. From

| KPI Ref | Directorate | Sub directorate | KPI | Unit of Measurement |
|---------|----------------------|-------------------|---|---------------------------------|
| TL14 | Engineering services | Civil engineering | 95% of water samples comply with SANS241 micro biological indicators {(Number of water samples that comply with SANS241 indicators/Number of water samples tested) x 100} | % of effluent samples compliant |

To

| KPI Ref | Directorate | Sub directorate | KPI | Unit of Measurement | Reason for amendment |
|---------|----------------------|-------------------|---|---------------------------------|--|
| TL14 | Engineering services | Civil engineering | Achieve 95% of water samples comply with SANS241 micro biological indicators on a monthly basis {(Number of water samples that comply | % of effluent samples compliant | The KPI was not time bound and will not pass the criteria for usefulness |

| KPI Ref | Directorate | Sub directorate | KPI | Unit of Measurement | Reason for amendment |
|---------|-------------|-----------------|--|---------------------|----------------------|
| | | | with SANS241 indicators/Number of water samples tested) x 100} | | |

3. From

| KPI Ref | Directorate | Sub directorate | KPI | Unit of Measurement |
|---------|----------------------|-------------------|---|---------------------------------|
| TL18 | Engineering services | Civil engineering | 80% of effluent samples comply with permit values {(Number of effluent samples that comply with permit values/Number of effluent samples tested) x 100} | % of effluent samples compliant |

To

| KPI Ref | Directorate | Sub directorate | KPI | Unit of Measurement | Reason for amendment |
|---------|----------------------|-------------------|--|---------------------------------|--|
| TL18 | Engineering services | Civil engineering | Achieve 80% of effluent samples comply with permit values on a monthly basis {(Number of effluent samples that comply with permit values/Number of effluent samples tested) x 100} | % of effluent samples compliant | The KPI was not time bound and will not pass the criteria for usefulness |

4. From

| KPI Ref | Directorate | Sub directorate | KPI | Unit of Measurement |
|---------|------------------------------|-----------------|---|--------------------------|
| TL51 | Strategy and Social Services | IDP | Obtain inputs for the IDP and budget process from all wards | Proof of inputs received |

To

| KPI Ref | Directorate | Sub directorate | KPI | Unit of Measurement | Reason for amendment |
|---------|------------------------------|-----------------|---|--------------------------|--|
| TL18 | Strategy and Social Services | IDP | Obtain inputs for the IDP and budget process from all wards by 30 April 2022 | Proof of inputs received | The KPI was not time bound and will not pass the criteria for usefulness |

Recommendation

That Council note the amended KPI's as reflected in the report, to the Top Level SDBIP's for 2021/2022.

This item served before the Strategy & Social Development Portfolio Committee on 06 April 2022.
Hierdie item het gedien by die Strategiese & Sosiale Ontwikkeling Portefeulje Komitee op 06 April 2022
Aanbeveling / Recommendation

That Council note the amended KPI's as reflected in the report, to the Top Level SDBIP's for 2021/2022.

This item served before the Executive Mayoral Committee on 19 April 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022
Aanbeveling / Recommendation

That Council note the amended KPI's as reflected in the report, to the Top Level SDBIP's for 2021/2022.

EVENTS IN THE LANGEBERG MUNICIPAL AREA FOR 2022 (12/2/3/3) DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT

Purpose of the Report

To submit a report to Council regarding the events scheduled in the Langeberg Municipal area, during 2022.

Background

An events calendar has been compiled from information gathered from the Local Tourism Offices and other event organizers.

Comments

The following events have been organized by the local tourism offices as well as event organizer, for 2022. Other events, currently not on the Events Calendar, could materialize during the year and which will be dealt with accordingly.

EVENT CALENDAR UP TO 30 JUNE 2022

The following amounts were made available in the 2021/2022 budget for tourism related events:

- Monetary support to tourism events R29 580.00
- In kind support to tourism events R29 580.00 (to pay for traffic services, road closures, etc.)

| <u>NAME OF EVENT</u> | <u>DATE</u> | <u>HELP NEEDED FROM LANGEBERG MUNICIPALITY</u> |
|--|-----------------------------|---|
| Drinkwaterskloof Trail Run | 1 January 2022 | n/a |
| Ashton CP School Carnival | 11 and 12 February 2022 | n/a |
| H Venter Spinning Event | 5 and 6 March 2022 | n/a |
| Robbies Event Robertson High School | 19 March 2022 | Road closures |
| Montagu Easter Market | 15 and 16 April 2022 | n/a |
| CBR Lounge Family Day | 16 April 2022 | Street closures |
| Montagu Art Deco Festival | 27 April 2022 to 1 May 2022 | n/a |
| Bake off Competition in McGregor | April / May 2022 | Assist with marketing |
| Eroica SA | 7 May 2022 | Traffic Escort and cleaning of roads from De Bos |
| Boomerang MTB at Doringlaagte | 14 May 2022 | n/a |
| The Brewery Mountain Bike and Gravel Bike Race | 14 and 15 May 2022 | Awaiting full application |
| Montagu Mountain Mania | 28 May 2022 | Permission to use the Montagu Mountain Reserve and trails |
| Local is Lekker in McGregor | 4 June 2022 | Cleaning of streets, marketing and refuse bins |
| Montagu Wellness Fair | 17 to 27 June 2022 | Cleaning of streets |

EVENT CALENDAR FROM 1 JULY 2022 TO 31 DECEMBER 2022

The following amounts have been requested for the 2022/2023 budget for tourism related events:

- Monetary support to tourism events R25 000.00
- In kind support to tourism events R25 000.00 (to pay for traffic services, road closures, etc.)

| NAME OF EVENT | DATE | HELP NEEDED FROM LANGEBURG MUNICIPALITY |
|---|--------------------------|---|
| Montagu Book Festival | 21 to 24 July 2022 | n/a |
| Robertson Sky Run | 6 August 2022 | Permission to use Arangieskop Trails and Dassieshoek Nature Reserve |
| MMADD Montagu Youth Arts Festival | 10 to 20 August 2022 | n/a |
| Karoo Poison 99 MTB Race | 3 September 2022 | In the Koo on private property and gravel roads |
| Local is Lekker in Montagu | 2 to 3 September 2022 | Marketing support |
| Western Province Breede River Canoe Marathon | 3 and 4 September 2022 | Assistance with traffic control at the McGregor Bridge |
| Ride2Nowhere and the Run2Nowhere | 10 and 11 September 2022 | Traffic services in McGregor |
| Robertson Fermentable Festival, Riovierzicht, Goree | 8 October 2022 | Marketing |
| Celebrating the Arts in McGregor | 23 to 25 September 2022 | Marketing and refuse bins |
| JAVA MTB and Trail Run | 8 October 2022 | n/a |
| Cape Classic 380 | 21 to 23 October 2022 | Traffic escort, temporary Road Closures and traffic escort |
| McGregor Poetry Festival | 18 to 20 November 2022 | ? |
| Climb4Hope | 12 November 2022 | Permission to utilize the Montagu Mountain Reserve climbing routes |
| McGregor Christmas Night Market | 16 December 2022 | Road closure, marketing and refuse bins |

Recommendations

1. That Council note and support the lists of events
2. That the Municipal Manager be mandated to execute the request in terms of the available budget.

This item served before the Strategy & Social Development Portfolio Committee on 06 April 2022.

Hierdie item het gedien by die Strategiese & Sosiale Ontwikkeling Portefeulje Komitee op 06 April 2022
Aanbeveling / Recommendation

1. That Council note and support the lists of events
2. That the Municipal Manager be mandated to execute the request in terms of the available budget.

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022
Aanbeveling / Recommendation

1. That Council note and support the lists of events
2. That the Municipal Manager be mandated to execute the request in terms of the available budget.

APPLICATION FOR THE 61 BENEFICIAIRES OF KENANA TO REMAIN ON THE ENHANCED SERVICED SITES AS PART OF THE KENANA 505 UISP PROJECT (17/5/2) (DIRECTORATE: COMMUNITY SERVICES)

Purpose of report

To submit a report to Council for consideration of above-mentioned matter.

Background

An application was lodged in September 2019 for the above-mentioned beneficiaries to be moved from the 505 UISP project to the 172 IRDP project which consist of top structures. The then Municipal Manager Mr. Mokweni approved and supported this application based on the following:

1. That the 61 approved beneficiaries from the UISP 505 be moved to the Nqkubela 172 IRDP top structures project.
2. That the vacant sites be allocated the other potential beneficiaries on the database.
3. That the application be submitted to the department to move the 61 from the UISP 505 to the Nqkubela 172 IRDP.
4. That the current deeds of sale be cancelled and that new deeds of sale entered between the afore mentioned for the new erven in Nqubela 172 IRDP.
5. That ASLA, conveyancers, assets and finance department be informed on point 4 herein.

Comments

Our department is of the opinion that this approval is no longer practical since, all 61 beneficiaries have been approved for enhanced serviced site to which they have signed happy letters and deeds of sale. To date 16 has been successfully transferred and another 33 to be submitted to the deed's office. In a recent site visit we discovered that some of the erven has already been sold, some have back yard dwellers and the condition of the site is deteriorated as beneficiaries has been residing there for three years.

Should we comply with the September 2019 approval it will have the following implications:

1. Withdraw UISP subsidies for services and re-apply for new beneficiaries which in turn will not have the full benefit of the subsidy as already sites will be handed over as is with no rectification or improvement to any damages incurred on the site
2. Cancel transferred properties from the deeds office to which council will be liable as subsidy only makes provision for one transfer per subsidy.
3. De-registered owners need to be motivated again to the department for top structures which can delay the construction.

Documentation attached to this report

- Memo (16 September 2019)
- List of approved 61 beneficiaries

Comments: Cllr Lungani Gxowa

My own observation is that we made an agreement with this people, my view is that we stick on what we decided, all in all those that we were promised to be removed must taste our commitment

Recommendation / Aanbeveling

1. Council resolves that 61 beneficiaries remain part of the Kenana 505 UISP project as sites has already been partially transferred in their names.
2. Department of human settlement -Western Cape (DOHS-WC) be informed accordingly.

NOTE: The annexure was distributed as part of the agenda for the Community Services Portfolio Committee meeting of 06 April 2022 (pg. 07 – 12)

This item served before a Community Services Portfolio Committee on 06 April 2022

Hierdie verslag het voor die Gemeenskapsdienste Portefeulje Komitee gedien op 06 April 2022

Aanbeveling / Recommendation

1. Council resolves that 61 beneficiaries remain part of the Kenana 505 UISP project as sites has already been partially transferred in their names.
2. Department of Human Settlement - Western Cape (DOHS-WC) be informed accordingly.
3. Application for top structures be submitted to the Department of Human Settlement for qualifying beneficiaries.
4. A meeting be set up will all 61 beneficiaries to accordingly inform of the decision taken on point one (1) above.

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022

Aanbeveling / Recommendation

1. Council resolves that 61 beneficiaries remain part of the Kenana 505 UISP project as sites has already been partially transferred in their names.
2. Department of Human Settlement - Western Cape (DOHS-WC) be informed accordingly.
3. Application for top structures be submitted to the Department of Human Settlement for qualifying beneficiaries.
4. A meeting be set up will all 61 beneficiaries to accordingly inform of the decision taken on point one (1) above.

FEASIBILITY STUDY: RAISING OF DASSIESHOEK DAM (DIRECTOR ENGINEERING SERVICES)

Purpose of report

To submit a report to council for consideration on the raising of the Dassieshoek Dam to increase the bulk water supply for Robertson.

Background

DJ HAGEN and Associates were appointed by the municipality, to complete a feasibility study for the raising of the Dassieshoek dam.

Dassieshoek dam is a zoned earth fill embankment dam, constructed in 1992, to supply domestic and industrial water for Robertson. The dam has a capacity of 835 000m³ with a maximum wall height of 28m. The spillway consists of an uncontrolled concrete weir with a downstream concrete apron slab located in an open channel at the end of the left flank of the dam.

The dam is a medium-sized dam with a High hazard rating and is currently classified as a Category III dam.

EXISTING DAM CONDITIONS:

TERRAIN

Dassieshoek Dam is located at the foot of the Langeberg Mountains in a hilly area and located on the Willem Nels tributary of the Breede River. The dam terrain is covered with light bush vegetation and some indigenous trees.

GENERAL CONDITION OF EMBANKMENT WALL

The embankment crest and slopes are generally in good condition. No signs of cracks, slope instability or significant settlement were observed. Foundation seepage is evident around the valve chamber building. The seepage occurred since the completion of the dam since completion in 1992 and is taking place through the dam basin and the foundation near the valve house. The seepage does not pose a threat to the safety of the dam at present. Seepage monitoring records revealed that the seepage has reduced from 6 l/s to around 2.5 l/s.

SPILLWAY

The spillway consist of an uncontrolled concrete weir with a downstream concrete apron slab located in an open channel at the end of the left flank of the dam. The spillway overflow wall and apron slab are in a good condition and is founded on solid metamorphic rock (quartzite and phyllite) of the Malmesbury Formation. The rock is clearly visible within the spillway discharge channel on the left bank. Grouting holes are visible at the downstream end of the apron slab. The spillway is regularly in operation during the latter part of the winter rainy season when the dam overflows. Despite this, erosion in the spillway discharge channel is stable and no additional protection works are necessary.

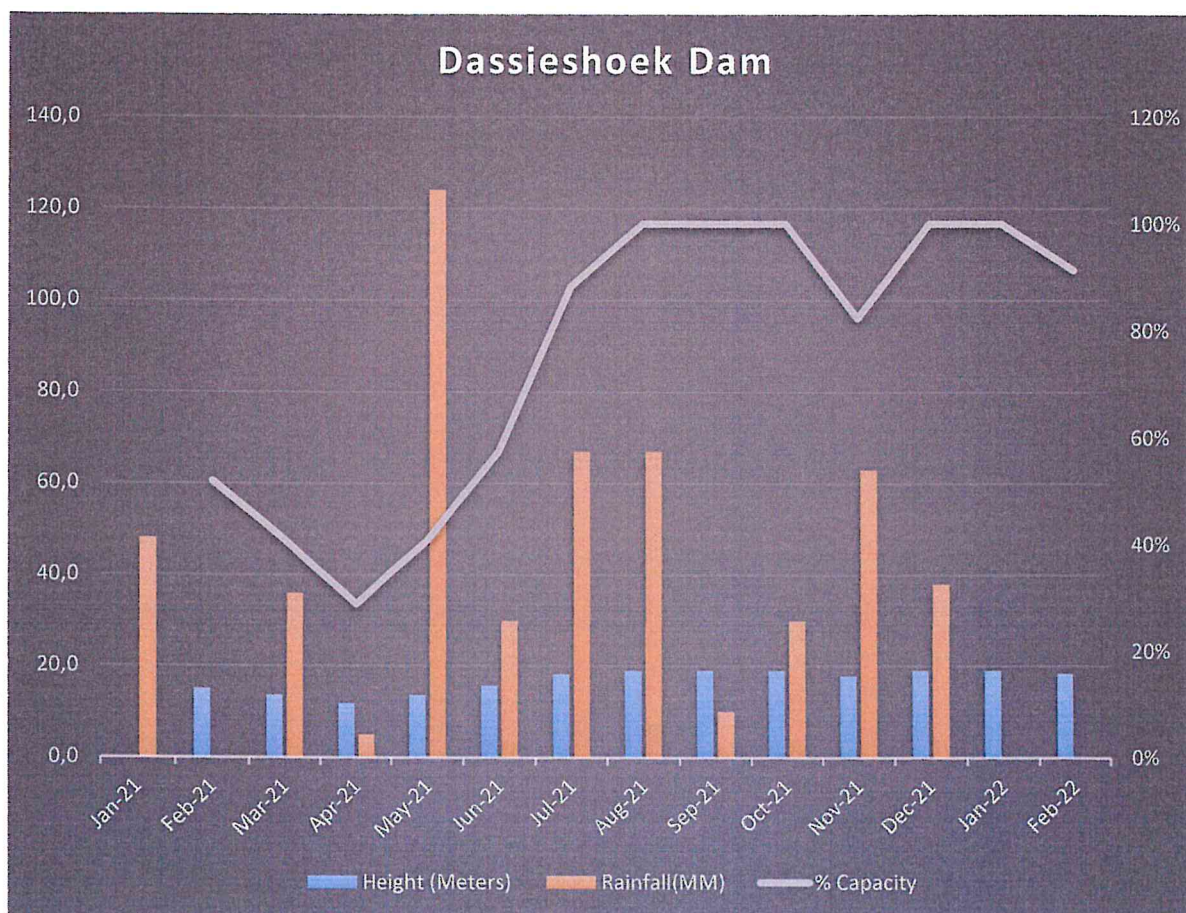
OUTLET WORKS

The outlet works consist of 2 x 375 mm diameter asbestos cement pipes encased together in a single reinforced concrete encasement underneath the embankment. Both pipes are equipped with 350 mm diameter hydraulically controlled valves at the upstream end, as well as 2 x 350mm diameter valves within the downstream valve house.

The upstream valves are manually operated when the water level in the dam allows this.

CATCHMENT, RUNOFF AND SEDIMENTATION

The dam is situated in a 10 km² mountainous catchment with a Mean Annual Precipitation of 427mm per annum. The Mean Annual Runoff of the catchment is estimated at 1 270 000 m³/a, however, in a report compiled by Louis Bruwer ING/INC, dated December 2010, it is assumed that the provision of more storage capacity will increase the percentage utilisation of the flood runoff in the Dassieshoek River. Increasing the capacity of the dam will however require re-negotiations with the Willemnalsrivier Water Users Association. Despite the fact that the dam overflowed at a number of occasions since its completion in 1992, indicating that there still is an opportunity to utilise this source better, the lack of proper long-term records makes it impossible to quantify the additional volume that may be available. The rainfall versus dam levels, for the winter of 2021, is tabled below:



From the graph, it is evident that the dam started to overflow during the month of August 2021 till October 2021 and again during December 2021 and January 2022.

FLOOD HYDROLOGY

The flood peak estimates from the 4th Dam Safety Evaluation as summarised as follow:

| 4 th Dam Safety (2021) | Recommended Design Discharge (m ³ /s) | Safety Evaluation Discharge (m ³ /s) | Recommended Design Flood (m ³ /s) | Safety Evaluation Flood (m ³ /s) | Probable Maximum Flood (m ³ /s) |
|-----------------------------------|--|---|--|---|--|
| | 221 | 363 | 170 | 356 | 356 |

Based on the results of flood routing carried out during the 4th Dam Safety Evaluation, flood attenuation in the order of 25% can be expected during the SEF. For the purpose of the raising study, it has been assumed that the spillway must be sized to accommodate 267 m³/s (75% of 356m³/s).

FLOW PEAKS

The dam spillway consist of a 41.5 m wide uncontrolled weir with a downstream concrete apron slab. The maximum spillway discharge capacity was calculated using an approximate equation based on the effective width of the trapezoidal channel.

A discharge coefficient of 1.45 was used, as the low overflow wall/sill with the road backfill on its upstream side will act as a broad crested weir. The maximum spillway discharge capacity is calculated to be 337 m³/s. From the calculations it is evident that the spillway capacity is sufficient to pass the flood peaks and dam levels not to overflow the dam wall but will then only have a freeboard of 370mm.

FREEBOARD

The minimum calculated freeboard required for the dam in its current operational status, is 2.70m. The actual freeboard of 3.07 m is therefore sufficient.

STORAGE CAPACITY

At a full level of 19m, the dam's full capacity amounts to 835 000m³. The Willemnellsrivier Water Users Association hold, according agreements, 20% of the dam's capacity leaving the municipality with 668 000 m³ effectively.

OPTOINS FOR RAISING OF DAM

Several proposals for the possible raising of the dam were investigated.

OPTION 1: FIXED RAISING OF THE SPILLWAY WITHOUT RAISING THE EMBANKMENT

The available dry freeboard on the existing spillway allows consideration for a fixed raising of the spillway concrete weir without raising the non-overspill crest of the embankment. If the built-up access road upstream of the weir is lowered by 2m, the discharge coefficient of the concrete weir will improve from 1,45 to 1,84 (broad crest to sharp crest). A fixed raising of the spillway of 0,82m can then be considered which will provide 100 000m³ of additional storage capacity.

The existing access road to the dam valve chamber over the spillway will have to be relocated and a new gravel access road to be constructed, with a drift, downstream of the embankment to gain access to the right flank of the dam. A servitude will have to be negotiated with the downstream farm owner. The downstream access is allowed for in all raising option due to the fact that the road at the existing overflow will be submerged.

OPTION 2: RAISE EMBANKMENT WITH 1m HIGH PARAPET WALL AND FIXED RAISING OF THE SPILLWAY

A 1m high parapet wall positioned on the upstream edge of the non-overspill crest of the embankment is proposed. The road, upstream of the spillway weir, to be lowered with 1m to operate the weir as a sharp crest as for Option 1. The weir can be raised in concrete with a maximum of 1.85m to accommodate the Safety Evaluation Flood with a total freeboard of 2.25m. This will increase the dam's storage capacity with 235 000m³.

OPTION 3: RAISE EMBANKMENT WITH 1m HIGH PARAPET WALL AND RAISE SPILLWAY WITH A LABYRINTH WEIR

This entails the same construction method as option 2, however the flow through the overflow will be increased with a labyrinth overflow wall. The spillway crest level can be raised by a maximum of 2.26m to achieve an additional 290 000m³ storage capacity. The total freeboard will be 1.84m to accommodate the SEF.

OPTION 4: RAISE SPILLWAY WITH AUTOMATIC TOPS GATES

The spillway will be raised by 2.1m with automatic TOPS gates. Four 9.6m long and 2.1m high gates will be installed in the existing overflow weir space. The gates release automatically when reaching a capacity where it automatically flips open. This will increase the storage capacity with 255 000m³.

OPTION 5: MAXIMUM DOWNSTREAM RAISING OF THE EMBANKMENT AND FIXED RAISING OF THE SPILLWAY

The topographical survey confirmed the minimum height of the upstream bridge crossing at 348.15m ASL (above sea level) and the minimum invert level of the culvert pipe below the bridge as 347.07m ASL. A possible maximum raise full supply level of 347m ASL is therefore proposed (spillway raising of 4.0m) without relocating the upstream road. A non-overspill crest level of 349.5m ASL will provide for a 2.2m freeboard to accommodate the SEF. A downstream raising of 3.2m of the embankment crest can be carried out with the dam remaining in operation. The spillway side retaining wall will need to be extended as well as the concrete apron slab. The outlet pipes and concrete encasement at the downstream end will also have to be extended and the valve house to be relocated further downstream.

This option will increase the capacity with 505 000m³.

OPTION 6: MAXIMUM DOWNSTREAM RAISING OF THE EMBANKMENT AND RAISING OF THE SPILLWAY WITH A LABYRINTH WEIR

This option entails the same construction as option 5 with the difference of a labyrinth overflow constructed in the spillway.

This option will increase the capacity with 505 000m³.

LEGAL REQUIREMENTS

Before the construction of the raising may commence, the municipality will need to be in possession of the following

- A water Use Licence in terms of Chapter 4 of the Water Act.
- Environmental Authorization
- A licence to Enlarge, as issued by the Department of Water Affairs, in terms of Chapter 12 of the Water Act (Act 36 of 1998).
- An agreement with the Willemnsrivier Water Users Association on the raising of the dam wall.

Dassieshoek dam is a Category III dam. The required Licence to Enlarge a Category III dam will not be considered until the design, drawings and specifications have been completed and submitted for consideration to the Dam Safety Office of DWS in Pretoria.

COMPARISON OF OPTIONS

| No | Option | Raising of Full Supply Level, FSL (m) | New FSL (m ASL) | Increase in gross storage capacity (m³) | New gross storage capacity (m³) | % Increase | Project cost (excl Vat) | Cost of increase d storage (R/m³) |
|----|---|---------------------------------------|-----------------|---|---------------------------------|------------|-------------------------|-----------------------------------|
| 1 | Fixed raising of spillway | 0.82 | 343.82 | 100 000 | 935 000 | 12 | R 2 044 938 | R 20.45 |
| 2 | Raising embankment with parapet wall | 1.85 | 344.85 | 235 000 | 1 070 000 | 28.1 | R 3 222 550 | R 13.71 |
| 3 | Raising embankment with parapet wall and Labyrinth weir | 2.26 | 345.26 | 290 000 | 1 125 000 | 34.7 | R 4 438 625 | R 15.31 |
| 4 | Raising spillway with automatic TOPS gates | 2.0 | 345.00 | 255 000 | 1 090 000 | 30.5 | R 6 015 000 | R 23.59 |
| 5 | Maximum downstream raising embankment with fixed spillway | 4.0 | 347.00 | 505 000 | 1 340 000 | 60.5 | R 9 155 688 | R 18.13 |
| 6 | Maximum downstream raising embankment with fixed spillway with Labyrinth weir | 4.0 | 347.00 | 505 000 | 1 340 000 | 60.5 | R 10 070 125 | R 19.94 |

The options to raise the embankment with a parapet wall (Option 2 & 3) prove to be the most economical option compared to downstream raising options, where major earthworks and concrete works are required. After council has

Recommendation

1. That council support the raising of the Dassieshoek dam level by raising the embankment with 1m high parapet wall and fixed raising of the spillway (option2).
2. That council support the appointment of a service provider, listed as an Approved Professional Person, as stipulated by the Department of Water Affairs, to:
 - (i) To draw up the necessary procurement documents for construction
 - (ii) Negotiate the terms with the Willems Water Users Association for the raising of the dam.
 - (iii) Negotiate and register a servitude for the access road to the dam valve chamber situated below the dam wall.
 - (iv) Submit an EIA application to the department of Environmental Affairs.
 - (v) Complete the design, drawings and specification to submit:
 - (a) A Water Users Licence Application to the Department of Water Affairs
 - (b) A licence application to Department of Water Affairs, to enlarge the Dassieshoekdam.
3. That provision be made in the budget for the financial year that the project will be implemented in.

This item served before an Engineering Services Portfolio Committee on 06 April 2022

Hierdie verslag het voor die Ingenieursdienste Portefeulje Komitee gedien op 06 April 2022

Aanbeveling / Recommendation

1. That council support the raising of the Dassieshoek dam level by raising the embankment with 1m high parapet wall and fixed raising of the spillway (option2).
2. That council support the appointment of a service provider, listed as an Approved Professional Person, as stipulated by the Department of Water Affairs, to:

- (i) To draw up the necessary procurement documents for construction
- (ii) Negotiate the terms with the Willemnells Water Users Association for the raising of the dam.
- (iii) Negotiate and register a servitude for the access road to the dam valve chamber situated below the dam wall.
- (iv) Submit an EIA application to the department of Environmental Affairs.
- (v) Complete the design, drawings and specification to submit:
 - (c) A Water Users Licence Application to the Department of Water Affairs
 - (d) A licence application to Department of Water Affairs, to enlarge the Dassieshoekdam.

3. That provision be made in the budget for the financial year that the project will be implemented in.

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022

Aanbeveling / Recommendation

1. That council support the raising of the Dassieshoek dam level by raising the embankment with 1m high parapet wall and fixed raising of the spillway (option2).
2. That council support the appointment of a service provider, listed as an Approved Professional Person, as stipulated by the Department of Water Affairs, to:
 - (i) To draw up the necessary procurement documents for construction
 - (ii) Negotiate the terms with the Willemnells Water Users Association for the raising of the dam.
 - (iii) Negotiate and register a servitude for the access road to the dam valve chamber situated below the dam wall.
 - (iv) Submit an EIA application to the department of Environmental Affairs.
 - (v) Complete the design, drawings and specification to submit:
 - (e) A Water Users Licence Application to the Department of Water Affairs
 - (f) A licence application to Department of Water Affairs, to enlarge the Dassieshoekdam.
3. That provision be made in the budget for the financial year that the project will be implemented in.

QUARTERLY REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY: JANUARY 2022 TO MARCH 2022 (DIRECTOR: FINANCIAL SERVICES (CFO))

Purpose of the report

To submit a report to the Executive Mayor for consideration regarding the implementation of the Langeberg Municipality's Supply Chain Management Policy for the third quarter of 2021/2022 financial year (01 January 2022 – 31 March 2022).

Background

Section 4 of the SCM Policy states as follows:

That Council must maintain oversight over the implementation of the Supply Chain Management Policy.
For the purpose of such oversight, the Accounting Officer must: -

- (a) **within 10 days after the end of each quarter, submit a report on the implementation of the Policy to the Executive Mayor;**
- (b) within 30 days after the end of the financial year, submit a report on the implementation of the Policy to the Council;
- (c) whenever there are serious and material problems in the implementation of the Policy, immediately submit a report to the Executive Mayor; and
- (d) make public the reports on the Policy in accordance with section 21A of the Systems Act.

1. Adoption of Policy

The SCM Policy was adopted by Council on 25 May 2021 for implementation in the 2021 / 2022 financial year.

2. Delegation

The following delegations were approved by the Municipal Manager and implemented:

- Delegations to do electronic transfers
- Delegations to sign cheques
- Delegations to sign purchase orders
- Delegations to approve requisitions

3. Sub-delegation

- (1) The Accounting Officer may in terms of section 79 of the MFMA sub-delegate any supply chain management powers and duties, including those delegated to the Accounting Officer in terms of this policy, but any such sub-delegation must be consistent with legislation, this policy and subparagraph (2) of this paragraph.
- (2) The power to make a final award with a transaction value: -
 - (a) above R 10 000 000 may not be sub-delegated;
 - (b) of R 200 000, but not exceeding R 10 000 000, may be sub-delegated but only to a bid adjudication committee of which the chief financial officer is the chairperson and at least 3 (three) senior managers are members and present at the consideration and all are in favour of the award; and
 - (c) up to R 200 000 may be sub-delegated to an official.
- (3) This paragraph may not be interpreted as permitting an official to whom the power to make final awards has been sub-delegated to make a final award in a competitive bidding process, otherwise than through the committee system provided for in paragraph 8 of the policy.

4. Supply Chain Management Unit (SCM Unit)

The SCM Unit operates under the Finance Directorate, and the Manager: SCM reports directly to the Chief Financial Officer.

**5. PREFERENTIAL PROCUREMENT REGULATIONS, 2017 - MINISTER OF FINANCE V AFRIBUSINESS NPC [2022]
ZACC 4 – DIRECTOR FINANCIAL SERVICES (CFO)**

This item served before a Special Meeting of Council on 22 March 2022
Unanimously Resolved

That council adopts the following interim measures to manage their own delivery risks:

1. Maintain the status quo and apply the Preferential Procurement Policy Framework Regulations, 2017 (PPPFR) up until such time as the Constitutional Court clarifies the applicable date of the invalidity of said Regulations, or new Procurement Regulations come into effect.
2. Use the pre-existing points system with thresholds and associated formulas as per the PPPFR, 2017 i.e., 80/20 preference point system for procurement with a rand value equal to or above R30 000 up to R50million and the 90/10 preference point system for procurement above R50million (all applicable taxes included);
3. Use the pre-existing mechanism to address the evidence requirements as it relates to the allocation of points for preference i.e., B-BBEE certificates and affidavits given that these matters were not in dispute and will be covered by the new National Treasury regulations;
4. Sub-contracting requirements as contemplated in the 2017 Procurement Regulations have also been declared as invalid and that the amended SCM policy be amended in line with this. However, the cidb prescripts/ regulations in terms of empowerment impact assessments may still be concluded and sub-contracting as per the cidb prescripts/ regulations in terms of the different cidb contracts may still be used in terms of the different contracting models for construction-related bids; and
5. The status quo in terms of the advertisement and evaluation and awarding of quotations below R30 000 to be maintained.

6 Range of Procurement processes

- (1) The procurement of goods and services will be procured as follows: -
 - (a) petty cash purchases up to a transaction value of R 100. The Chief Financial Officer or senior manager can approve petty cash purchases up to an amount of R 500 per transaction in exceptional cases;
 - (b) a documented verbal quotation for purchases below R 2 000 which are not petty cash purchases;
 - (c) 3 (three) formal written quotations where the transaction value is between R 2 000 to R 200 000;
 - (d) a competitive bidding process is required for: -
 - (i) procurement for transactions above a value of R 200 000; and
 - (ii) the procurement of long-term contracts.
- (2) The Accounting Officer may in writing lower, but not increase, the threshold values specified in (1) above.
- (3) Goods or services may not be split into parts or items of a lesser value to avoid complying with the requirements of this Policy.
- (4) When determining transaction values, the procurement of goods or services consisting of different parts or items must be treated and dealt with as a single transaction.

7 Bid Documents

The bid documents as prescribed by National Treasury include the *General Conditions of Contract*.

8 Bid Committee Structures

The following committees have been established:

- (i) A Bid Specification Committee
- (ii) A Bid Evaluation Committee
- (iii) A Bid Adjudication Committee

COMPOSITION OF COMMITTEES

- (i) **Bid Specification Committee** - The Accounting Officer appoints members to the Bid Specification Committee for each tender.

| <u>NAMES</u> | <u>DEPARTMENT / SECTION</u> |
|---------------------|---|
| Ms. C.O. Matthys | Director: Strategy & Social Development (Chairperson) |
| Ms. C. Coetzee | Practitioner: Supply Chain Management |
| Ms L.J Jass-Holmes | Practitioner: Supply Chain Management |
| User department | User department responsible for the function involved |
| When appropriate | External Specialist Advisor |

The following table details the number of Bid Specification Committee meetings held for the quarter under review:

| Bid Specification Committee | No. of Meetings | No. of Items | No. of Agendas |
|------------------------------------|------------------------|---------------------|-----------------------|
| January 2022 - March 2022 | 11 | 31 | 11 |

- (ii) **Bid Evaluation Committee** - The following members have been appointed by the Accounting Officer:

| <u>NAMES</u> | <u>DEPARTMENT / SECTION</u> |
|---------------------|--|
| Mr. T.H Carstens | Manager: Human Resources (Chairperson) |
| Mr. Z Qhanqisa | Manager: Income Services |
| Ms. L Deutchen | Practitioner: Supply Chain Management |
| Secundi | |
| Mr Corné Franken | Manager: Expenditure services |

The following table details the number of Bid Evaluation Committee meetings held for the quarter under review.

| Bid Evaluation Committee | No. of Meetings | No. of Items | No. of Agendas |
|---------------------------------|------------------------|---------------------|-----------------------|
| January 2022 - March 2022 | 8 | 28 | 8 |

- (iii) **Bid Adjudication Committee** – The following members have been appointed by the Accounting Officer:

| <u>NAMES</u> | <u>DEPARTMENT / SECTION</u> |
|---------------------|---|
| Mr. M. Shude | Chief Financial Officer (Chairperson) |
| Mr. A.W.J. Everson | Director: Corporate Services |
| Ms. C.O. Matthys | Director: Strategy & Social Development |
| Mr. M. Mgajo | Director: Community Services |
| Mr. M Johnson | Director: Engineering Services |

| | |
|--------------------|---------------------------------------|
| Mr. S. Ngcongolo | Manager: Supply Chain Management |
| Secundi | |
| Mrs L. Jass-Holmes | Practitioner: Supply Chain Management |

The following table details the number of Bid Adjudication Committee meetings held for the quarter under review:

| Bid Adjudication Committee | No. of Meetings | No. of Items | No. of Agendas |
|-----------------------------------|------------------------|---------------------|-----------------------|
| January 2022 - March 2022 | 8 | 28 | 8 |

9 Verbal price quotations

The procurement of goods or services by means of a verbal quotation referred to in paragraph 14(1)(b) is as follows: -

- (a) a verbal quotation may only be obtained for a transaction of a value of not more than R 2 000 (two thousand rand);
- (b) quotations must be obtained from at least one service provider preferably from, but not limited to, service providers whose names appear on the list of accredited service providers of the Municipality. If quotations are obtained from a service provider who is not listed, such service provider must supply the information as set out in paragraph 16 of this Policy; and
- (c) if a quotation was obtained verbally, the order may only be placed after written confirmation of such quotation and the required information have been received from the service provider.

10 Formal written price quotations

The procurement of goods or services through formal written price quotations referred to in paragraph 14(1)(c) is as follows: -

- (a) quotations must be obtained in writing from the different providers whose names appear on the list of accredited service providers of the Municipality;
- (b) in the case of specialised plant, machinery and vehicles, quotations may be obtained from providers who are not listed, provided that such providers supply the information as set out in paragraph 16 of this Policy;
- (c) if it is not possible to obtain at least 3 quotations, the reasons must be recorded and approved by the Chief Financial Officer or an official(s) designated by the Chief Financial Officer. Documentary proof must be provided that quotations have been requested;
- (d) the official(s) referred in (c) above must within 3 days after the end of each month report to the Chief Financial Officer on any approvals given during that month by that official(s); and
- (e) the names of the service providers and their written quotations must be recorded.

11 Further Procedures: formal written quotations

In addition to paragraph 19, the following must also be considered regarding formal written price quotations: -

- (a) all transactions in excess of R 30 000 that are made by means of written quotations, must be advertised for at least 7 calendar days on the website and official notice board;
- (b) where the quotations have been invited via the notice board and website of the Municipality, no additional quotations need to be obtained should the number of responses be less than 3 quotations;
- (c) when using the list of accredited service providers, the Municipality must: -
 - (i) promote ongoing competition amongst the providers, including by inviting providers to submit quotations on a rotational basis;
 - (ii) promote the objectives of the Broad-Based Black Economic Empowerment Act;
 - (iii) apply the Preferential Procurement Policy Framework Act and any applicable regulations; and
 - (iv) promote the goals as identified by Council;

- (d) the Accounting Officer must take all reasonable steps to ensure that the procurement of goods and services through formal written price quotations is not abused;
- (e) the Accounting Officer must on a monthly basis be notified in writing of all formal written quotations accepted by an official acting in terms of a sub-delegation;
- (f) offers below R 30 000 must be awarded based on compliance to specifications and conditions of contract, ability and capability to deliver the goods and services and lowest price;
- (g) acceptable offers, which are subject to the preference points system (PPPFA and associated regulations), must be awarded to the bidder who scored the highest points;
- (h) a proper record must be kept of the received written quotations;
- (i) the goals of Council must be taken into account before offers/quotations are awarded; and
- (j) in the case of construction works, where required a site inspection may be conducted before the close of the quotation due date to ensure that providers understand the scope of the project and that they comply with the conditions and requirements.

12 Central Supplier Database

Langeberg Municipality is using service providers registered on the Central Supplier Database for all its procurement.

Recommendation

That Council note the contents of the report

**LANGEBERG MUNICIPALITY TECHNICAL INTEGRATED MUNICIPAL ENGAGEMENT REPORT - 2021 / 2022
(5/14/R) (CHIEF FINANCIAL OFFICER)**

Purpose of report

The purpose of this report is to submit the Municipal Action Plan to address matters raised in the 2021/22 Technical Integrated Municipal Engagement (TIME) Report to Council for approval.

Background

According to Treasury Circular Mun No. 2/2022, the TIME engagements took place between the 16 – 22 February 2022. The engagement covered following processes:

- Integrated Municipal Governance Assessment – based on the municipal self-assessment via the Western Cape Municipal Monitoring and Evaluation System (WCMES);
- Response to 2020/21 Audit Outcomes;
- Mid-year Budget and Performance Assessment;
- MTREF budget readiness;
- Cooperative Governance; and
- Spatial and Environmental Governance and Performance.

In compliance with National Treasury Financial Management Capability Maturity Model (FMCMM) reporting requirements, the Municipal Action Plan must be sent to Municipal Council for approval. The TIME report and Municipal Action Plan are attached to this report.

Recommendation

That the Municipal Action Plan be approved by Council.

A4308

FINANCIAL REPORTING IN TERMS OF SECTION 71 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 – MARCH 2022 (9/2/1/3) (CHIEF FINANCIAL OFFICER)

Purpose of report

To submit a report in terms of the Monthly Budget Statement of the Local Government: Municipal Finance Management Act, 2003 to Council for information.

Comments

The report, as submitted to the Executive Mayor, National Treasury and Provincial Treasury, **is attached to this report.**

Aanbeveling / Recommendation

That the content of the report be noted.

Dat kennis geneem word van die inhoud van die verslag.

EXPENDITURE OF THE 2021/2022 BUDGET MEASURED BY THE TOP LEVEL SDBIP FOR THE THIRD QUARTER (5/1/3) (DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT)

Purpose of report

To submit a report to Council regarding the expenditure on 2021/ 2022 budget and Service delivery and budget implementation plan (SDBIP) approved by the Mayor in terms of section 53 (1) (c) (I) & (ii) of the Local Government Municipal Financial Management Act., 56 of 2003 (MFMA).

Background

Section 52 (d) of the Municipal Finance Management Act, 56 of 2003, requires that a Mayor must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality.

This report informs Council on a quarterly basis of the expenditure and performance in the Budget

Comments:

The relevant documentation will be provided separately for distribution to all Councillors

Recommendation

1. That Council notes the content of the report
2. The report be tabled to the next round of Municipal Public Accounts Committee meeting (MPAC).

SLEGS VIR KENNISNAME • FOR INFORMATION ONLY

B & BB ITEMS

| | | |
|-------|---|----|
| B5739 | MONTAGU WINERY: RENEWAL OF LEASE AGREEMENT FOR AN UNDERGROUND PIPELINE FROM THE GOLF COURSE TO ELKANA CHICKEN FARMING, MONTAGU (7/2/R 16/1/7/R) (DIRECTORATE: CORPORATE SERVICES) | 53 |
| B5740 | DRAFT RULES OF ORDER TO REGULATE THE CONDUCT OF MEETINGS OF THE MUNICIPAL COUNCIL AND ITS COMMITTEE (3/3/3) (DIRECTOR CORPORATE SERVICES) | 53 |
| B5741 | RENEWAL OF LEASE AGREEMENT FOR UITSPAN KIOSK SITUATED AT THE BARNARD HALL, ASHTON (7/1/4/1/1) (DIRECTORATE: CORPORATE SERVICES) | 54 |
| B5743 | RESUBMISSION: VROLIKE VINKIES CRECHE: RENEWAL OF LEASE AGREEMENT FOR THE MUNICIPAL BUILDING SITUATED ON ERF 1482, ROBERTSON (7/1/4/1/5) (DIRECTORATE: CORPORATE SERVICES) | 54 |
| B5744 | N & R AGRI FARM COMPANY: APPLICATION TO LEASE A PORTION OF ERF 2, (±2HA), ROBERTSON (7/2/3/1/5) (DIRECTORATE: CORPORATE SERVICES) | 55 |
| B5745 | RESUBMISSION: OLOTHANDO EDUCARE & AFTERCARE CENTRE: APPLICATION FOR THE RENEWAL OF LEASE AGREEMENT, A PORTION OF MUNICIPAL LAND (±300M ²) SITUATED ON ERF 955 (PORTION OF ERF 653) NKQUBELA, ROBERTSON (7/2/3/1/5) DIRECTORATE: CORPORATE SERVICES) | 55 |
| B5746 | RENEWAL OF LEASE AGREEMENT FOR A PORTION OF SKILPADHOOGTE, (3.3 HA), MCGREGOR (7/2/3/1/3) (DIRECTORATE: CORPORATE SERVICES) | 56 |
| B5747 | APPLICATION TO PURCHASE A PORTION OF ERF 6106 (±200M ²) DROEHEUWEL, ROBERTSON, (7/2/3/2/5) (DIRECTORATE: CORPORATE SERVICES) | 57 |

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B & BB ITEMS

B5739 MONTAGU WINERY: RENEWAL OF LEASE AGREEMENT FOR AN UNDERGROUND PIPELINE FROM THE GOLF COURSE TO ELKANA CHICKEN FARMING, MONTAGU (7/2/R 16/1/7/R) (DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022

Eenparig Besluit / Unanimously Resolved

1. That it be confirmed that the municipal property is not needed for the provision of the minimum level of basic municipal services. (S14 of the MFMA 2003, Act 56 of 2003)
2. That the application received from Montagu Winery to lease a portion of land from the Golf Course to Elkana Chicken Farming, Montagu on which the pipeline above ground is installed be approved in principle and the intention of the Municipality to lease the property to Montagu Winery for a period of one (1) year be advertised for comments.
3. That after the period for comments has lapsed and if no written views and/ or valid objections were received, the intention of the Municipality to lease the property to Montagu Winery be proceed with, subject to the following conditions:
 - 3.1 That the rental amount per month will escalate annually with a percentage that will be determined by the yearly CPIX.
 - 3.2 The Lessee will not without prior written consent from the Lessor, be entitled to make any changes, improvements or additions to the property. No structure may be erected on the portion of land.
 - 3.3 That the Lessee ensure that the premises is in a tidy, hygienic and litter free condition at all times.
 - 3.4 That the Lessee will ensure that the premises be returned to the Lessor at the end of the lease period in this original status.
 - 3.5 The Lessee indemnifies the Lessor for any responsibility and also any liability that may arise from any action, lawsuits, judicial steps, claims or collections, costs, damage compensation or any other action of whatever nature which might occur from the leasing of the property to Montagu Winery as well as any transaction, action, omission or negligence by the Lessee, his workers or any person under his control and supervision. This indemnity will also be in effect in respect of third parties and/or their property.
 - 3.6 That this renewal cannot create a reasonable expectation of continues/ automatic renewal. The Lessee may apply for a further renewal at end of this lease agreement for consideration.

B5740 DRAFT RULES OF ORDER TO REGULATE THE CONDUCT OF MEETINGS OF THE MUNICIPAL COUNCIL AND ITS COMMITTEE (3/3/3) (DIRECTOR CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022

Eenparig Besluit / Unanimously Resolved

1. That a workshop be arranged and facilitated by Adv J Koekemoer around the draft rules of order.
2. That the report be referred back to the Corporate Services Portfolio Committee for further deliberation and recommendation. 53ouncil.

B5741 RENEWAL OF LEASE AGREEMENT FOR UITSPAN KIOSK SITUATED AT THE BARNARD HALL, ASHTON (7/1/4/1/1) (DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022

Eenparig Besluit / Unanimously Resolved

That the report be referred back to the Corporate Services Portfolio Committee for further discussion.

B5743 RESUBMISSION: VROLIKE VINKIES CRECHE: RENEWAL OF LEASE AGREEMENT FOR THE MUNICIPAL BUILDING SITUATED ON ERF 1482, ROBERTSON (7/1/4/1/5) (DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022

Eenparig Besluit / Unanimously Resolved

1. That it be confirmed that the municipal building situated on erf 1482, Robertson is not needed for the provision of the minimum level of basic municipal services (S14 of the MFMA 2003, Act 56 of 2003)
2. That the application from Vrolike Vinkies Crechê to renew their lease agreement for the municipal building situated on erf 1482, Robertson be approved in principle and the intention of the Municipality to lease the property for a period of three (3) years be advertised for comments.
3. That after the period for comments has lapsed and if no written views and/ or valid objections were received, the intention of the Municipality to lease the property to Vrolike Vinkies Crechê be proceed with, subject to the following conditions:
 - 3.1 That the building situated on erf 1482, Robertson be leased to Vrolike Vinkies Crèche at a nominal rent of R433.10 (VAT incl.) per annum.
 - 3.2 That the rental amount escalates annually with 10% and the Lessee is responsible for the payment of the insurance of the building, which is calculated as a percentage of the municipal insurance portfolio.
 - 3.3 That the Lessee be responsible for maintenance, repairs, upgrading work to be done to the building.
 - 3.4 That no alterations be done to the building without the written consent of the Municipality.
 - 3.5 That the Lessee be responsible for the payment of all services rendered to the facility.
 - 3.6 That the lessee complies with all the conditions as contained in the Health By-laws and further conditions set by the Cape Winelands District Municipality and relevant provincial departments from time to time.
 - 3.7 That the Lessee complies with all the conditions as contained in the Health By-laws, National Building Regulations and Standards which may include fire emergency requirements, gas installation certificate, electrical certificate of compliance, structural system compliance (engineers certificate of completion), an A19 certificate (roof trusses), IOPSA certificate (sewage/ plumbing), Health Regulations and any other conditions applicable for the usage of this building for a crèche purpose.
 - 3.8 That the Lessee shows proof of the facility registration issues by the Department of Social Development before the lease agreement is signed by the Municipal Manager.
 - 3.9 That the Lessee shows proof of facilities Certificate of Acceptability issues by the

Cape Winelands District Municipality as meals are prepared, served and consumed on the premises before the lease agreement is signed by the Municipal Manager.

B5744 N & R AGRI FARM COMPANY: APPLICATION TO LEASE A PORTION OF ERF 2, (±2HA), ROBERTSON (7/2/3/1/5) (DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022

Eenparig Besluit / Unanimously Resolved

1. That it be confirmed that the portions of land is not needed for the provision of the minimum level of basic municipal services. (S14 of MFMA 2003, Act 56 of 2003)
2. That the application received from Ms L Nentsa on behalf of N & R Agri Farm Company to lease a portion of erf 2 (±2ha) Robertson not be approved and the intention of the Municipality to lease the property by public tender for a period of 9 years 11 months be advertised for comments.
3. That after the period for comments has lapsed and if no written views and/ or valid objections were received, the intention of the Municipality to lease the property be proceed with, subject to the following conditions:
 - 3.1 That the portions be leased at a market related tariff. The rental amount will escalate annually with a percentage that will be determine by the yearly CPIX.
 - 3.2 That if any Municipal services are utilized it be for the account of the Lessee.
 - 3.3 That the portion of land (±2 ha) Robertson be suitably fenced to ensure that the livestock remain on the land at all times and that the fencing cost as well as the maintenance thereof be for the Lessee.
 - 3.4 That the Lessee be responsible to ensure that all livestock be branded and the brand mark with the owner's particulars be submitted to the Municipality for control purposes.
 - 3.5 That all animals be kept and cared for in accordance with the requirements set out by the Department: Agriculture and the SPCA.
 - 3.6 That all animals receive additional feed and not be dependant only on natural grazing and that the SPCA monitor that the livestock do indeed receive the additional feed.
 - 3.7 That the area must be kept in a clean and hygienic condition at all times and all must be disposed of in an approved manner.
 - 3.8 That no water may be extracted from the irrigation canal without the written permission from the Central Breede River Water User Association

B5745 RESUBMISSION: OLOTHANDO EDUCARE & AFTERCARE CENTRE: APPLICATION FOR THE RENEWAL OF LEASE AGREEMENT, A PORTION OF MUNICIPAL LAND (±300M²) SITUATED ON ERF 955 (PORTION OF ERF 653) NKQUBELA, ROBERTSON (7/2/3/1/5) DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022

Eenparig Besluit / Unanimously Resolved

1. That it be confirmed that a portion of municipal land (±300m²) situated on erf 955 (portion of erf 653) Nqubela, Robertson is not needed for the provision of the minimum level of basic municipal services.
2. That the application from Olothando Educare and Aftercare to renew their lease

agreement for a portion of municipal land ($\pm 300\text{m}^2$) situated on erf 955 (portion of erf 653) Nkqubela, Robertson be approved in principle and the intention of the Municipality to lease the property for a period of three (3) years be advertised for comments.

3. That after the period for comments has lapsed and if no written views and/ or valid objections were received, the intention of the Municipality to lease the property to Olothando Educare and Aftercare be proceed with, subject to the following conditions:
 - 3.1 That a portion of municipal land ($\pm 300\text{m}^2$) situated on erf 955 (portion of erf 653) Nkqubela, Robertson be approved at a nominal rent of R422.00 (VAT incl.) per month.
 - 3.2 That the rental amount escalates annually with a percentage that will be determined by the yearly CPIX. The Lessee is responsible for the pro-rata payment of the insurance of the land, which is calculated as a percentage of the municipal insurance portfolio.
 - 3.3 That the Lessee be responsible for maintenance of the property, repairs, upgrading work to be done to the temporary, removable containers.
 - 3.4 That the Lessee will be responsible for the fencing of a portion of municipal land ($\pm 300\text{m}^2$) situated on erf 955 (portion of erf 653) Nkqubela for his own account.
 - 3.4 That the Lessee be responsible for the payment of all services rendered to the facility.
 - 3.5 That should it be necessary to upgrade, repair or install municipal services on the portion of land, the Municipality then has the right to do so without being liable for damages.
 - 3.6 That the building plans for the erection of temporary, removable containers must comply with all requirements and regulations and be approved by the Building Department of the municipality before any containers are erected. All costs herein will be for the account of the Lessee.
 - 3.7 That the lessee complies with all the conditions as contained in the Health By-laws and further conditions set by the Cape Winelands District Municipality and relevant provincial departments from time to time.
 - 3.8 That the Lessee complies with all the conditions as contained in the Health By-laws, National Building Regulations and Standards which may include fire emergency requirements, gas installation certificate, electrical certificate of compliance, structural system compliance (engineers' certificate of completion), an A19 certificate (roof trusses), IOPSA certificate (sewage/ plumbing), Health Regulations and any other conditions applicable for the usage of this building for a crèche purpose.
 - 3.9 That the Lessee shows proof of the facility registration issues by the Department of Social Development before the lease agreement is signed by the Municipal Manager.
 - 3.10 That the Lessee shows proof of the facilities Certificate of Acceptability issues by the Cape Winelands District Municipality as meals are prepared, served and consumed on the premises before the lease agreement is signed by the Municipal Manager.

B5746 RENEWAL OF LEASE AGREEMENT FOR A PORTION OF SKILPADHOOGTE, (3.3 HA), MCGREGOR (7/2/31/3) (DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediën op 19 April 2022

Eenparig Besluit / Unanimously Resolved

1. That the application received from Mr van Wyk for the renewal of lease agreement for Skilpadhoogte (3.3 ha), McGregor not be approved seeing that he did not comply with the conditions applicable for the lease of the property.
2. That Mr Van Wyk be informed to vacate the property within 30 days of notice and make

arrangements to pay the amount in arrears

3. That the property be leased by way of public tender for a 9 years 11 month period subject to the following conditions:
 - 3.1 That it be confirmed that the portions of land is not needed for the provision of the minimum level of basic municipal services. (S14 of MFMA 2003, Act 56 of 2003)
 - 3.2 That the intention of the Municipality to lease the property by public tender for a period of 9 years 11 months be advertised for comments.
 - 3.3 That after the period for comments has lapsed and if no written views and/ or valid objections were received, the intention of the Municipality to lease the property be proceed with.
 - 3.4 That the portions be leased at a market related tariff. The rental amount will escalate annually with a percentage that will be determine by the yearly CPIX.
 - 3.5 That if any Municipal services are utilized it be for the account of the Lessee.
 - 3.6 That all cattle be branded and the brand mark with the owner's particulars be submitted to the Municipality for control purposes.
 - 3.7 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 feeding.
 - 3.8 That the portion 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.
 - 3.9 That Skilpadhoogte (3.3ha), McGregor be leased without water or the right to any water sources.
 - 3.10 That the Lessee for Skilpadhoogte may utilize the wáter from the Houtbaai River Canal, but subjct to the requirements as strictly stipulated by the Vrolikheid Water Users Association. This wáter may not be used for irrigation purposes but only as drinking wáter for the animals.
 - 3.11 That the area must be kept in a clean and hygienic condition at all times and all must be disposed of in an approved manner.

B5747 APPLICATION TO PURCHASE A PORTION OF ERF 6106 (±200M²) DROEHEUWEL, ROBERTSON, (7/2/3/2/5) (DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 19 April 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 19 April 2022

Eenparig Besluit / Unanimously Resolved

1. That the application received from Mr EE Louw to purchase a portion of erf 6106 (±200m²) Robertson not be approved taking in consideration comments received from the Director: Engineering Services that the erf lies under the 1- and 50-year flood line.
2. That the owner of the illegal wendy house be informed to remove the structure within 90 days and if not, an eviction order be obtained and all cost involved be for the account of the owner of the wendy house.