



**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

21 JUNIE 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

21 JUNE 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 Beginsel
DECEMBER	
05	Mr Sabelo Ngongolo
09	Cllr Johan Coetzee
25	Cllr Magdalena Gertse
25	Cllr Rosswell Henn
26	Cllr Christopher J Grootboom

AGENDA

~ 21 JUNE 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 an Ordinary Meeting of the Council of Langeberg Municipality held on 31 May 2022 at 10h01 in the Town Hall, Church Street, Robertson 05 - 16
Bekragtiging van die Notule van 'n Gewone Vergadering van die Raad van Langeberg Munisipaliteit gehou op 31 Mei 2022 om 10h01 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 15 June 2022 at 11h01 in the Town Hall, Church Street, Robertson 17 - 18
Bekragtiging van die Notule van 'n Spesiale Vergadering van die Raad van Langeberg Munisipaliteit gehou op 15 Junie 2022 om 11h01 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

- | |
|---|
| <p>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></p> <p>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></p> <p>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></p> <p>8.4 Other Matters / Ander Sake</p> |
|---|

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)	20
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)	54

MINUTES OF AN ORDINARY MEETING OF COUNCIL OF THE LANGEBERG MUNICIPALITY
HELD ON 31 MAY 2022 AT 10H01 IN THE TOWN HALL
MUNICIPAL OFFICES, CHURCH STREET, ROBERTSON

1. **Opening**

The Speaker welcomed the the Deputy Executive Mayor, Councillors and the Administration to the meeting. Pastor Alex Oosthuisen of the AFM, Robertson opened the meeting with a prayer.

2. **Attendance**

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

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

None / Geen

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

None / Geen

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

- 4.1 Confirmation of the Minutes of an Ordinary Meeting of the Council of Langeberg Municipality held on 25 April 2022 at 10h11 in the Town Hall, Church Street, Robertson
- Bekragtiging van die Notule van 'n Gewone Vergadering van die Raad van Langeberg Munisipaliteit gehou op 25 April 2022 om 10h11 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 03 May 2022 at 10h00 in the Town Hall, Church Street, Robertson

*Bekräftiging van die Notule van 'n Spesiale Vergadering van die Raad van Langeberg
Munisipaliteit gehou op 03 Mei 2022 om 10h00 in die Stadsaal, Munisipale Kantore, Kerkstraat,
Robertson.*

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

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

I trust that the following councillors and directors had a blessed birthday and that you were spoiled by family members dearly:

1. Cllr Danie September
2. Mrs Suzette Kotze
3. Mr Anton Everson
4. Cllr Andisiwe Ndongeni
5. Cllr JJ Januarie

I would like to express our council condolences towards Cllr Simpson and Cllr Gxowa who has lost a loved one during this month. Our thoughts and prayer as a council are with you. As a council we share your sorrow and pain and trust that the Lord will heal everything in his time. Our prayers are also with the Hartnick family and Bonnievale community with the tragic death of young Diago Hartnick from Bonnievale Primary School. May we stand and observe a moment of silence.

Child Protection week: 30 May till 05 June 2022

I would like to ask that council members really see the urgency in answering emails and phone calls as it can be very urgent at times. It is important to acknowledge that you have received the email as well. Councillors should also take about the community meetings taking place this month, the dates have been advertised since yesterday.

A recess period will be announced in the next council meeting.

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

None / Geen

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

The Executive Mayor thanked the Councillors and officials for their hard work. He conveyed his condolences to all who lost loved ones this past month. He stated he will not repeat what the Speaker has already said and stated that all are waiting to see what the price of petrol will be tomorrow.

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

None / Geen

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

The Speaker wanted to know if the motions could be handled later on as it was in the agenda. Cllr Maflika requested that the motions be tabled and discussed now even though it was in the agenda for later. The Executive Mayor suggested that the motions be handled later. The Speaker requested that the request and suggestion made by Cllr Maflika and the Executive Mayor be proposed so that it can be put to a vote. **Proposal 1** – The Executive Mayor proposed that the motions be tabled later in the Agenda and his proposal was seconded by Cllr Steyn. **Proposal 2** – Cllr Maflika proposed that the motions be tabled at this point even if it is later in the Agenda. Her proposal was seconded by Cllr Januarie.

Proposal 1: (13)

SW Van Eeden, JG Steenkamp, JCJ Coetzee, DAT Felix, RC Henn, C Steyn, P Hess, T Coetzee, DB Janse, GD Joubert, M Oostendorff-Kraukamp, CJ Pokwas & Y Siegel.

Proposal 2: (9)

M Gertse, L Gxowa, CJ Grootboom, JJ Januarie, LL Kahla, JS Mafilika, A Ndongeni, OC Simpson & N Beginsel

Abstained: (1)

D September

The proposal made by the Executive Mayor was accepted.

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

None / Geen

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

None / Geen

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

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

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)**

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

That the content of the report be noted.

A4311 **SUBMISSION OF THE 2022 / 2023 TO 2024 / 2025 OPERATING / CAPITAL BUDGET, IDP & POLICY DOCUMENTS (CHIEF FINANCIAL OFFICER)**

The Executive Mayor tabled the Budget. Ald Grootboom requested that the Budget be made available to all councilors.

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

1. That the Executive Mayor present/table the 2022-2025 MTREF Budget & IDP at the Council Meeting of 31st May 2022 for council approval
2. That council approves all the following of 2022 / 2023 to 2024 / 2025
 - Operating / Capital Budget,
 - IDP
 - SDF
 - All budget related policies and Bylaws
 - IDP related policy documents
 - ICT policies
 - Organogram and staff establishment

3. That council approves the Municipal Performance framework and that this framework be workshopped with the unions where after if there are any changes it then be resubmitted to council for approval again taking into considerations such changes.
4. All relevant documents be made public and be forward to all relevant National and Provincial departments.

A4312 DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – MARCH 2022 : DIRECTORATE: CORPORATE SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

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.

A4313 DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – MARCH 2022 : DIRECTORATE ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

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.

A4314 DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES - MARCH 2022 : OFFICE OF THE MUNICIPAL MANAGER (9/2/1) (CHIEF FINANCIAL OFFICER)

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

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.

A4315 DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES - MARCH 2022 : DIRECTORATE FINANCIAL SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

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.

A4316 SIYAKHULA SMALL SCALE FARMERS: RENEWAL OF LEASE AGREEMENT FOR THE ANIMAL LAIRAGE IN ZOLANI (7/2/3/1/1) (DIRECTORATE: CORPORATE SERVICES)

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 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 the MFMA 2003, Act 56 of 2003)
2. That the application from Siyakhula Small Scale Farmers to renew their lease agreement for the animal lairage in Zolani be approved in principle and the intention of the Municipality to lease the property 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 animal lairage in Zolani be leased Siyakhula Small Scale Farmers 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 a complete list of all members utilizing this site, with name, physical address and telephone/mobile number must be provided with signing of the lease agreement.
 - 3.3 That no structures may be erected on the premises without the written approval of the Municipality.
 - 3.4 That all animals be kept and cared for in accordance with the requirements set out by the Department: Agriculture and the SPCA.
 - 3.5 That all animals be branded and the brand mark with the owners`s particulars be submitted to the Municipality for control purposes.
 - 3.6 That all waste, including animal waste, plastic bags and bottles, drums and other extraneous matter be removed from the site on a weekly basis to an approved refuse site.
 - 3.7 That all animals receive additional feed and not be dependant only on natural grazing and that the SPCA monitor that the animals do indeed receive the additional feed.
 - 3.8 That the portions of land be suitably fenced to ensure that the animals 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 if any Municipal services are utilized, it be for the account of the Lessee.

A4317 APPLICATION TO PURCHASE ERF 3231, ROBERTSON (7/2/3/2/5) (DIRECTORATE: CORPORATE SERVICES)

Cllr Beginsel stated that he is pleased to see that this erf will be sold by way of public tender.

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

1. That it be confirmed that the portion of land 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 Ms M Stevens to purchase erf 3231, Robertson not be approved.
3. That erf 3231, Robertson be alienated by way of public tender for residential purpose subject to the following conditions:

- 3.1 That the erf be alienated at a market related price.
- 3.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
- 3.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
- 3.4 That the erven only be utilized for the purposes as prescribed in the applicable town- planning scheme.
- 3.5 That the buyer be responsible for all costs regarding the property in his/ her name.
- 3.6 That the buyer be responsible for all Town Planning cost involved which may include rezoning, subdivision, consolidation, surveying, registration of servitudes where applicable
- 3.7 That the purchase deal be finalized within a period of 6 months after allocation of the property, failing which the offer will expire irrevocably.

A4318 CASE 16602/2019 – ERIC FEUTH / PREMIER OF THE WESTERN CAPE AND OTHER (15/4/13/R) (DIRECTORATE CORPORATE SERVICES)

Ald Grootboom wanted to know if there is already an agreement between the Municipality and the other party involved in this matter. The Director: Corporate Services stated that once Council takes a decision regarding this matter, the Municipality will communicate with the attorney representing Mr Feuth.

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

1. That based on the legal advice received from the Attorneys representing the Municipality, a final counter settlement proposal of R 350 000 be made to Messrs Krouwkams Attorneys representing Mr E Feuth in Case 16602/2019.
2. That no interest be paid on this claim.
3. That each party pay its own legal costs.

A4319 PROGRESS REPORT ON JOB OPPORTUNITIES CREATED FOR THE PERIOD 1 JANUARY 2022 to 31 MARCH 2022 - (9/2/1/9) - DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT

Cllr Beginsel stated that he wanted to thank the Director: Strategy & Social Development for clearing up an issue that arose in the Portfolio Committee meeting. Cllr T Coetzee wanted to know if it would be possible when the next report is submitted the effectiveness of the EPWP workers be submitted as well so that the councilors can see the value for money the EPWP workers brings to the Municipality. Cllr Januarie stated that he wanted to congratulate the whole of the EPWP project in all the towns. He stated that he can see the difference they make in all off the towns. Ald Grootboom stated that the question asked by Cllr T Coetzee has not been answered yet and requested that Administration give Cllr T Coetzee an answer. The Director: Strategy & Social Development stated that the councilor should give some clarity since he stated 1 thing and Cllr Januarie praising the project. Cllr T Coetzee stated that he will get back to the Director regarding the matter.

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

That Council notes and approves the contents of the Progress Report on Job Opportunities for the period 1 January 2022 to 31 March 2022.

A4320 QUARTERLY REPORT: LOCAL ECONOMIC DEVELOPMENT: 1 JANUARY 2022 to 31 MARCH 2022 (9/2/1/9) DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

That Council note and approve the contents of the Quarterly LED report for the period 1 January 2022 to 31 March 2022 to March 2022.

A4321 ZOLANI YOUTH CHOIR (12/2/1/30) DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 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).
2. That the application by Zolani Youth Chair to lease municipal property situated on a portion of erf 276, Zolani not be approved.
3. That the portion of erf 276 Zolani be leased by way of public tender for local economic development purpose for a period of three (3) years subject to the following conditions:
 - 3.1 That this portion be leased at a market related tariff. The rental amount will escalate annually with a percentage that will be determined by the yearly CPIX.
 - 3.2 That the Lessee be responsible for the maintenance of the portion of land.
 - 3.3 That the Lessee be responsible for the payment of all services, if any that is rendered to the facility.
 - 3.4 That no portion of the leased area may be sublet.
 - 3.5 That no building or structure may be erected on the portion if building plans have not been submitted and approved by the relevant department in the Municipality.
 - 3.6 That any maintenance of the property is for the account of the Lessee.
4. That the highest bidder will not necessarily get the land, but rather the applicant who plays a bigger social role in the community.

A4322 BLUE TRAIN – ROBERTSON TOWN WINERY ROUTE / STOP OVER (12/2/3/3) DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

1. The economic initiative is supported by the Municipality
2. The request for dedicated parking areas is not supported as the area is being used by all other businesses in Voortrekker Road
3. All services rendered by the Municipality on **private property** should be charged for in accordance with the approved tariff policies to the applicant
4. The Municipality can provide assistance in the form of allowing the relevant applicant to enter into a payment arrangement
5. Security cameras can be installed to monitor the tourism precinct cost of monitoring is for the applicant.

- A4323 APPLICATION FOR COUNCIL TO APPROVE REVIEWED DRAFT HOUSING SELECTION POLICY (17/5/B) (HOUSING MANAGER)**
- This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved
- That the Community Services Portfolio Committee takes cognisance of the draft housing selection policy in order to arrange a suitable date and time for a workshop with all ward and interested PR councillors.
- A4324 PROGRESS REPORT ON ALLOCATED HUMAN SETTLEMENTS PROJECTS WITHIN LANGEBERG MUNICIPALITY FOR JANUARY – MARCH 2022 (17/5/R) (DIRECTOR: COMMUNITY SERVICES)**
- This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved
- That the Council takes cognisance of the current progress project readiness report for the Langeberg Municipality.
- A4325 FEEDBACK TO COUNCIL: EXECUTION OF COUNCIL RESOLUTIONS: JANUARY – MARCH 2022 (3/2/1/3) (MUNICIPAL MANAGER)**
- This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved
- That the contents of the report be noted.
- Dat kennis geneem word van die inhoud van die verslag.*
- A4326 REMOVAL OF ILLEGAL ELECTRICITY CONNECTIONS IN INFORMAL SETTLEMENT: (DIRECTOR ENGINEERING SERVICES)**
- This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved
1. That the report be referred back to the next Portfolio Committee meeting.
 2. That a circular be given to all the ward committees so that they can inform the public of the removal of the illegal connections.
 3. That the Director: Engineering Services draft a Plan of Implementation and submit it at the next Portfolio Committee meeting.
- A4327 FINANCIAL REPORTING IN TERMS OF SECTION 71 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 – APRIL 2022 (9/2/1/3) (CHIEF FINANCIAL OFFICER)**
- The Executive Mayor tabled the report.
- This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved
1. That the content of the report be noted.
 2. That each directorate give report at the next Mayoral Committee meeting concerning the low expenditure with regards to the CAPEX.

A4328 MOTION: CLLR T COETZEE – AUDIT OF MUNICIPAL INFRASTRUCTURE

Cllr T Coetzee retracted the motion

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

That the retraction of the motion be noted.

A4329 MOTION: CLLR T COETZEE - MUNICIPAL REGULATIONS ARE REQUESTED WITH REGARDS TO THE USE OF ALTERNATIVE ENERGY SOURCES

Cllr T Coetzee retracted the motion

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

That the retraction of the motion be noted.

A4330 MOTION: CLLR T COETZEE – WHISTLEBLOWER POLICY

Cllr T Coetzee retracted the motion

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

That the retraction of the motion be noted.

A4331 MOTION: CLLR T COETZEE – INSURANCE OF THE FIXED ASSETS OF THE MUNICIPALITY

Cllr T Coetzee retracted the motion

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

That the retraction of the motion be noted.

A4332 MOTION: CLLR J JANUARIE – APPLICATION TO TRANSFER ERF 2469 AND 2493 PANORAMA ROBERTSON TO LANGEBOOM MUNICIPALITY FROM WESTERN CAPE GOVERNMENT TITLE DEED HOLDERS: AFRICAN NATIONAL CONGRESS

Cllr Januarie tabled the motion. Cllr Beginsel seconded the motion. Ald Grootboom stated that this motion is a factual matter and has been going on for a number of years. He stated that these people just want ownership of the houses they live in. He further stated that this is not a matter for politics, but a matter for helping the community. He stated that to solve the matter and assist the community the owners of the land, the Western Cape Government, must be invited to Langeboom to show them what the Municipality want to do with the land. Cllr Henn stated that the matter must be discussed with the Portfolio Committee and then see what can be done for these people. Ald Grootboom stated that he agrees with what Cllr Januarie said. The Municipality must invite the Western Cape Government to the Municipality so that the Municipality can engage with them regarding the land in question since it is the property of the Western Cape Government. Cllr Henn stated that the Director: Community Services will arrange a meeting with the Western Cape Government to see what can be arranged.

This item served before an Ordinary Meeting of Council on 31 May 2022
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 31 Mei 2022
Eenparig Besluit / Unanimously Resolved

1. Investigation must be done by Housing Department to determine occupancy.

MINUTES OF AN SPECIAL MEETING OF COUNCIL OF THE LANGEBOG MUNICIPALITY
HELD ON 15 JUNE 2022 AT 11H01 IN THE TOWN HALL
MUNICIPAL OFFICES, CHURCH STREET, ROBERTSON

1. **Opening**

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

2. **Attendance**

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

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

Cllr Felix, DAT	Mayco Member
Cllr Coetzee, T	Councillor
Cllr Januarie, JJ	Councillor

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

Cllr Ndongeni, A	Councillor
------------------------	------------

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

4.1 **Reports submitted to Council for consideration**
Verslae voorgelê aan die Raad vir oorweging

A ITEMS

A4335	DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – APRIL 2022 : DIRECTORATE: CORPORATE SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)	20
A4338	DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES - APRIL 2022 : DIRECTORATE FINANCIAL SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)	21
A4339	APPLICATION FOR THE LEASE AND OR PURCHASE FOR A PORTION OF ERF 2, (436M ²) KNOWN AS “PAGLANDE” ROBERTSON (7/2/R) DIRECTORATE: CORPORATE SERVICES)	22
A4340	APPLICATION FOR THE LEASE AND / OR PURCHASE OF ERF 923, MCGREGOR (7/2/R) (DIRECTORATE: CORPORATE SERVICES)	26
A4341	APPLICATION TO LEASE A PORTION OF ERF 462 (±1 HA) SITUATED AT SEWERAGE RESERVOIR, BONNIEVALE (7/2/3/1/4) (DIRECTORATE: CORPORATE SERVICES)	29
A4342	RIVER OF LIFE PROPHETIC MINISTRIES INTERNATIONAL: APPLICATION TO PURCHASE ERF 3847, ROBERTSON (7/2/3/2/5) (DIRECTORATE: CORPORATE SERVICES)	33
A4343	RESUBMISSION – JGE FUNDING TRUST: APPLICATION TO LEASE ERF 782, BONNIEVALE FOR THE DEVELOPMENT OF A RUGBYVELD & REQUEST FOR THE USE OF MUNICIPAL WATER FOR IRRIGATION PURPOSES (7/2/3/1/2) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)	37
A4347	AMENDMENT OF MIG DETAILED PROJECT IMPLEMENTATION PLAN 2021/2022, 2022/2023, 2023/2024 (DIRECTOR ENGINEERING SERVICES)	42
A4348	AUDIT & PERFORMANCE COMMITTEE: SUBMISSION OF THE QUARTERLY REPORT FOR QUARTER 3 OF 2021 / 2022 (5/14/R) (CHIEF AUDIT EXECUTIVE)	44
A4349	FRAUD & RISK MANAGEMENT COMMITTEE – FRAUD & RISK MANAGEMENT COMMITTEE REPORT FOR QUARTER 3 AND RISK REGISTER – 2021 / 2022 (5/14/R) (CHIEF AUDIT EXECUTIVE)	45
A4350	FRAUD & RISK MANAGEMENT COMMITTEE – ANNUAL RISK ASSESSMENT REPORT FOR 2021/22 AND RISK REGISTER FOR THE 2022/23 FINANCIAL YEAR (5/14/R) (CHIEF AUDIT EXECUTIVE)	46
A4351	FRAUD & RISK MANAGEMENT COMMITTEE: FRAUD & RISK MANAGEMENT COMMITTEE CHARTER, RISK MANAGEMENT POLICY, RISK MANAGEMENT STRATEGY, RISK IDENTIFICATION & ASSESSMENT METHODOLOGY, RISK MANAGEMENT ANNUAL OPERATIONAL PLAN, FRAUD PREVENTION POLICY, AND FRAUD PREVENTION PLAN & STRATEGY – 2022 / 2023, (5/14/R) (CHIEF AUDIT EXECUTIVE)	47
A4352	DRAFT – MUNICIPAL COMMUNITY SAFETY PLAN (12/2/2/1) (DIRECTOR: CORPORATE SERVICES)	48
A4354	APPOINTMENT OF ACTING MUNICIPAL MANAGER (2/5/1) (MUNICIPAL MANAGER)	50
A4357	RENEWAL OF TERM OF OFFICE OF AUDIT & PERFORMANCE COMMITTEE MEMBER IN COMPLIANCE WITH SECTION 166(5) OF THE MFMA - 2021 / 2022 (5/14/R) (CHIEF AUDIT EXECUTIVE)	51
A4358	FINANCIAL REPORTING IN TERMS OF SECTION 71 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 – MAY 2022 (9/2/1/3) (CHIEF FINANCIAL OFFICER)	52

**DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – APRIL 2022 : DIRECTORATE:
CORPORATE 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 April 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.

This item served before the Municipal Public Accounts Committee (MPAC) on 08 June 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Junie 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 - APRIL 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 April 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.

This item served before the Municipal Public Accounts Committee (MPAC) on 08 June 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Junie 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.

APPLICATION FOR THE LEASE AND OR PURCHASE FOR A PORTION OF ERF 2, (436M²) KNOWN AS "PAGLANDE" ROBERTSON (7/2/R) DIRECTORATE: CORPORATE SERVICES)

Purpose of report

To submit a report to Council for consideration regarding an application received from Ms M Williams.

Background

The following letter was received from Ms M Williams:

"My naam is Mercia Williams, ek is die Dieregesondheidtegnikus, Departement Landbou vir die Robertson/Bonnievale area en is al bedrywig hier vanaf Februarie 2015. My werk behels die behandeling, inenting en die voorkoming van enige dieresiektes in die kleinboeregemeenskap. Alle dienste aan die kleinboere word deur die staat befonds en is gratis.

Die rede vir my skrywe vandag, is dat ek aansoek doen vir die huur en/of koop van 'n stuk munisipale grond wat bekend staan as Paglande grond waarop ek boer hetsy met 'n maandelikse/jaarlíkse fooi ingesluit. Die grootte van die grond is 436m² en is die 5de stuk grond met die grondpad in. Ek verstaan van meneer Dave van Schalkwyk dat die grond waar ek boer nie deur die munisipaliteit aan die kleinboere toegeken is nie. Dat die grond onwettig bekom is nadat meer en meer kleinboere grond begin vat het om te boer.

Daar is 10 stukkies grond wat afgebaken is vir die aanhou van diere. Die stuk grond gebruik ek met die toestemming van meneer Willie Job, die voorsitter van die Robertson kleinboeregemeenskap. Ek boer daar met varke vanaf Oktober 2018 en as staatswerker kan ek verbied word om verder te boer indien ek nie toestemming van die plaaslike munisipaliteit kry nie. Ek het nog meer varkhokke daar opgerig, watertenk opgerig en die heinings verstewig. Ek wil graag verder boer en in die tussentyd help ek elke kleinboer wat hulp met die inenting van hul diere benodig of net advies vir die voorkoming van siektes, na-ure.

Ek heg kaarte aan om die ligging van die stuk grond aan te dui.

Ek is beskikbaar vir 'n ontmoeting indien my versoek u gunstig geval."

Comments:

A location map was attached.

The following comments were received:

Comments: Director: Strategy and Social Development

The area requested by Ms M Williams, falls outside of the land originally allocated to the Robertson Small Scale Farmers. There are a number of small scale farmers (+10), mainly pig farmers, and who were not beneficiaries of the Robertson Small Scale Farmer Project, who are using this Municipal property adjacent to the Robertson Small Scale Farmers land.

The application by Ms M Williams is supported subject to the area been kept in a sanitary condition and that all waste, extraneous matter etc, be removed from the site on a daily basis.,

It is further proposed that the other occupiers (+10) of this land be forced to apply for the use thereof

Comments: Director: Community Services

That portion of erf 2 known as PAGLANDE be sold on public tender.

Comments: Director: Engineering Services

The engineering directorate has no objection towards the application. However, it must be a condition that the applicant will be responsible to provide his own services such as water fit for use for animal consumption and disposal of animal waste.

Comments: Chief Financial Officer

In terms of section 14 of the MFMA. Disposal of capital assets.—(1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.

(2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

Should council decide to lease or sell the property, this should be done via open market tender

Comments: Cllr Coetzee

Indien die grond nie reeds aan die kleinboere toegeken is nie en die Raad die grond besit, sal ek die aansoek steun.

Recommendation/ Aanbeveling

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 the MFMA 2003, Act 56 of 2003)
2. That the application received from Ms M Williams for the lease and/or purchase for a portion of erf2 (436m²) known as "Paglande", 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 objections were received, the intention of the Municipality to lease a portion of erf2 (436m²) known as "Paglande", Robertson for a period of 9 years 11 months be communicated to National Treasury and if no written views or objections were received, lease per public tender be proceeded with, subject to the following conditions:
 - 3.1 That a portion of erf 2 (436m²) known as "Paglande", Robertson 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 Lessee be responsible to provide his own services such as water fit for use for animal consumption.
 - 3.3 That no structures may be erected on the premises without the written approval of the Municipality.
 - 3.4 That all pig sites and other structures must be kept in a clean condition at all times. in a sanitary condition and that all waste, extraneous matter etc, be removed from the site on a daily basis.
 - 3.5 That all waste, including animal waste, plastic bags and bottles, drums and other extraneous matter be removed from the site on a daily basis to an approved refuse site.
 - 3.6 That all animals be kept and cared for in accordance with the requirements set out by the Department: Agriculture and the SPCA.

- 3.7 That all animals receive additional feed and not be dependant only on natural grazing and that the SPCA monitor that the pigs do indeed receive the additional feed.
- 3.8 That the portions of land be suitably fenced to ensure that the pigs remain on the land at all times and that the fencing cost as well as the maintenance thereof be for the Lessee.
4. That written notices be submitted to the other illegal occupiers (+-10) to remove their cattle from Municipal land, a portion of erf 2 known as "Paglande" Robertson by not later than within 60 days and if not, an eviction order be obtained and all cost involved be for the account of the owners of the animals.

This item served before the Corporate Services Portfolio Committee on 08 June 2022

Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 08 Junie 2022

Recommendation / Aanbeveling

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 the MFMA 2003, Act 56 of 2003)
2. That the application received from Ms M Williams for the lease and/or purchase for a portion of erf2 (436m²) known as "Paglande", 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 objections were received, the intention of the Municipality to lease a portion of erf2 (436m²) known as "Paglande", Robertson for a period of 9 years 11 months be communicated to National Treasury and if no written views or objections were received, lease per public tender be proceeded with, subject to the following conditions:
 - 3.1 That a portion of erf 2 (436m²) known as "Paglande", Robertson 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 Lessee be responsible to provide his own services such as water fit for use for animal consumption.
 - 3.3 That no structures may be erected on the premises without the written approval of the Municipality.
 - 3.4 That all pig sites and other structures must be kept in a clean condition at all times. in a sanitary condition and that all waste, extraneous matter etc, be removed from the site on a daily basis.
 - 3.5 That all waste, including animal waste, plastic bags and bottles, drums and other extraneous matter be removed from the site on a daily basis to an approved refuse site.
 - 3.6 That all animals be kept and cared for in accordance with the requirements set out by the Department: Agriculture and the SPCA.
 - 3.7 That all animals receive additional feed and not be dependant only on natural grazing and that the SPCA monitor that the pigs do indeed receive the additional feed.
 - 3.8 That the portions of land be suitably fenced to ensure that the pigs remain on the land at all times and that the fencing cost as well as the maintenance thereof be for the Lessee.
4. That written notices be submitted to the other illegal occupiers (+-10) to remove their cattle from Municipal land, a portion of erf 2 known as "Paglande" Robertson by not later than within 60 days and if not, an eviction order be obtained and all cost involved be for the account of the owners of the animals.

This item served before the Executive Mayoral Committee on 15 June 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediens op 15 Junie 2022

Aanbeveling / Recommendation

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 the MFMA 2003, Act 56 of 2003)
2. That the application received from Ms M Williams for the lease and/or purchase for a portion of erf2 (436m²) known as "Paglande", 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 objections were received, the intention of the Municipality to lease a portion of erf2 (436m²) known as "Paglande", Robertson for a period of 9 years 11 months be communicated to National Treasury and if no written views or objections were received, lease per public tender be proceeded with, subject to the following conditions:
 - 3.1 That a portion of erf 2 (436m²) known as "Paglande", Robertson be leased at a market related tariff. The rental amount will escalate annually with a percentage that will be determined by the yearly CPI-X.
 - 3.2 That if any Municipal services are utilized, it be for the account of the Lessee.
 - 3.3 That the Lessee be responsible to provide his own services such as water fit for use for animal consumption.
 - 3.3 That no structures may be erected on the premises without the written approval of the Municipality.
 - 3.4 That all pig sites and other structures must be kept in a clean condition at all times. in a sanitary condition and that all waste, extraneous matter etc, be removed from the site on a daily basis.
 - 3.5 That all waste, including animal waste, plastic bags and bottles, drums and other extraneous matter be removed from the site on a daily basis to an approved refuse site.
 - 3.6 That all animals be kept and cared for in accordance with the requirements set out by the Department: Agriculture and the SPCA.
 - 3.7 That all animals receive additional feed and not be dependant only on natural grazing and that the SPCA monitor that the pigs do indeed receive the additional feed.
 - 3.8 That the portions of land be suitably fenced to ensure that the pigs remain on the land at all times and that the fencing cost as well as the maintenance thereof be for the Lessee.
4. That written notices be submitted to the other illegal occupiers (+-10) to remove their cattle from Municipal land, a portion of erf 2 known as "Paglande" Robertson by not later than within 60 days and if not, an eviction order be obtained and all cost involved be for the account of the owners of the animals.

APPLICATION FOR THE LEASE AND / OR PURCHASE OF ERF 923, MCGREGOR (7/2/R) (DIRECTORATE: CORPORATE SERVICES)

Purpose of report

To submit a report to Council for consideration regarding an application received from Ms H Muller.

Background

The following letter was received from Ms H Muller:

"Please accept this email, as a formal request, to be considered for my leasing and/or purchase of 2 Barry Street, McGregor. (Erf 923)

Together we are in the process of my buying 1 Barry Street (The Old Abbatoir) from Langeberg Municipality, which is the adjacent land.

I understand that a request is to be made to the Property Committee for consideration.

With regards."

Comments

A location map was attached.

The following comments were received:

Comments: Director: Strategy & Social Development

The portion of land adjacent can only be alienated via public tender

Comments: Director: Community Services

Purchase of erf 923 McGregor be dealt via public tender process.

Comments: Director: Engineering Services

The Engineering Directorate has no objection towards the application. The lessor will be responsible for all municipal services to this property which may include service connections.

Comments; Chief Financial Officer

In terms of section 14 of the MFMA. Disposal of capital assets.—(1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.

(2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

Should council decide to lease the property, this should be done via open market tender

Comments: Cllr Oostendorff-Kraukamp

I am in favour for the lease and/or purchase of said ERF 923 in McGregor, on one condition, that the lease and/or purchase be done according Municipal Regulation, via public tender to give the community an equal chance to tender for that property.

Recommendation/ Aanbeveling

1. That it be confirmed that erf 923, McGregor 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 Ms H Muller for the lease and or purchase erf 923, McGregor not be approved.
3. That erf 923, McGregor be alienated by way of public tender for residential purposes subject to the following conditions:
 - 3.1 That the erf be alienated at a market related price.
 - 3.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
 - 3.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
 - 3.4 That the buyer be responsible for all costs regarding the property in his/ her name.
 - 3.5 That the buyer be responsible for all Town Planning cost involved which may include rezoning, subdivision, consolidation, surveying, registration of servitudes where applicable and registration of the property in his/her name where applicable.
 - 3.6 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.

This item served before the Corporate Services Portfolio Committee on 08 June 2022

Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 08 Junie 2022

Recommendation / Aanbeveling

1. That it be confirmed that erf 923, McGregor 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 Ms H Muller for the lease and or purchase erf 923, McGregor not be approved.
3. That erf 923, McGregor be alienated by way of public tender for residential purposes subject to the following conditions:
 - 3.1 That the erf be alienated at a market related price.
 - 3.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
 - 3.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
 - 3.4 That the buyer be responsible for all costs regarding the property in his/ her name.
 - 3.5 That the buyer be responsible for all Town Planning cost involved which may include rezoning, subdivision, consolidation, surveying, registration of servitudes where applicable and registration of the property in his/her name where applicable.

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

This item served before the Executive Mayoral Committee on 15 June 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022

Aanbeveling / Recommendation

1. That it be confirmed that erf 923, McGregor 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 Ms H Muller for the lease and or purchase erf 923, McGregor not be approved.
3. That erf 923, McGregor be alienated by way of public tender for residential purposes subject to the following conditions:
 - 3.1 That the erf be alienated at a market related price.
 - 3.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
 - 3.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
 - 3.4 That the buyer be responsible for all costs regarding the property in his/ her name.
 - 3.5 That the buyer be responsible for all Town Planning cost involved which may include rezoning, subdivision, consolidation, surveying, registration of servitudes where applicable and registration of the property in his/her name where applicable.
 - 3.6 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.

APPLICATION TO LEASE A PORTION OF ERF 462 (±1 HA) SITUATED AT SEWERAGE RESERVOIR, BONNIEVALE (7/2/3/1/4) (DIRECTORATE: CORPORATE SERVICES)

Purpose of report

To submit a report to Council for consideration regarding an application received from Mr G Theodore.

The following letter was received from Mr G Theodore:

"Graag wens ons hiermee aansoek te doen vir die huur van 'n gedeelte van grond vir ons beeste. Daar is kamp beskikbaar en ons wil graag ons kleinboere bedryf uitbrei.

Al die kleinboere is tans besig om 'n Vereniging te stig sodat ons formeel kan boer. Dit sal baie waardeer word indien u ons behulpsaam kan wees. Raadslid Januarie is ons ook behulpsaam om by NAFTO te registreer.

Baie dankie byvoorbaat vir die ondersteuning in die verband.:

Comments:

A location map was attached

The following comments were received:

Comments: Director: Engineering Services

The engineering directorate has no objection towards the application. However, it must be a condition that the applicant will be responsible to provide his own services such as water fit for use for animal consumption and disposal of animal waste.

Comments: Chief Financial Officer

In terms of section 14 of the MFMA. Disposal of capital assets.—(1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.

(2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

Should council decide to lease the property, this should be done via open market tender

Comments: Director: Community Services

Application not supported. Sewerage reservoir should remain only available for municipal staff and any other authorised person.

Comments: Director: Strategy and Social Development

Two small scale farmers currently lease portions of land adjacent to the Bonnievale Sewage Works and this application is an extension of this land.

The application from Mr G Theodore to lease a portion of land at the Bonnievale Sewage Works is hereby supported subject to the entire area being securely fenced to prevent animals accessing the tar road.

Comments: Cllr Van Eeden

Geen Beswaar teen aansoek indien hulle die gebied afkamp en sorg dat daar water is

Recommendation

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 the MFMA 2003, Act 56 of 2003)
2. That the application from Mr G Theodore to lease a portion of erf 462 (± 1 ha) situated at sewerage reservoir, Bonnievale not be approved and the intention of the Municipality to lease the property by public tender for a period of 9 years 11 months for agriculture purposes 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 a portion of erf 462 (± 1 ha) situated at sewerage reservoir, Bonnievale for a period of 9 years 11 months be communicated to National Treasury and if no written views or objections were received, lease per public tender be proceeded with, subject to the following conditions:
 - 3.1 That a portion of erf 462 (± 1 ha) situated at sewerage reservoir, Bonnievale 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 Lessee be responsible to provide his own services such as water fit for use for animal consumption.
 - 3.3 That no structures may be erected on the premises without the written approval of the Municipality.
 - 3.4 That all structures must be kept in a clean condition at all times. in a sanitary condition and that all waste, extraneous matter etc, be removed from the site on a daily basis.
 - 3.5 That all waste, including animal waste, plastic bags and bottles, drums and other extraneous matter be removed from the site on a daily basis to an approved refuse site.
 - 3.6 That all animals be kept and cared for in accordance with the requirements set out by the Department: Agriculture and the SPCA.
 - 3.7 That all animals receive additional feed and not be dependant only on natural grazing and that the SPCA monitor that the pigs do indeed receive the additional feed.
 - 3.8 That the portions of land be suitably fenced to ensure that the animals remain on the land at all times and that the fencing cost as well as the maintenance thereof be for the Lessee.

This item served before the Corporate Services Portfolio Committee on 08 June 2022

Die item het voor die Korporatiewe Dienste Portefeulje Komitee gediens op 08 Junie 2022

Recommendation / Aanbeveling

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 the MFMA 2003, Act 56 of 2003)
2. That the application from Mr G Theodore to lease a portion of erf 462 (± 1 ha) situated at sewerage reservoir, Bonnievale not be approved and the intention of the Municipality to lease the property by public tender for a period of 9 years 11 months for agriculture purposes 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 a portion of erf 462 (± 1 ha) situated at sewerage reservoir, Bonnievale for a period

of 9 years 11 months be communicated to National Treasury and if no written views or objections were received, lease per public tender be proceeded with, subject to the following conditions:

- 3.1 That a portion of erf 462 (± 1 ha) situated at sewerage reservoir, Bonnievale be leased at a market related tariff. The rental amount will escalate annually with a percentage that will be determined 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 Lessee be responsible to provide his own services such as water fit for use for animal consumption.
- 3.3 That no structures may be erected on the premises without the written approval of the Municipality.
- 3.4 That all structures must be kept in a clean condition at all times. in a sanitary condition and that all waste, extraneous matter etc, be removed from the site on a daily basis.
- 3.5 That all waste, including animal waste, plastic bags and bottles, drums and other extraneous matter be removed from the site on a daily basis to an approved refuse site.
- 3.6 That all animals be kept and cared for in accordance with the requirements set out by the Department: Agriculture and the SPCA.
- 3.7 That all animals receive additional feed and not be dependant only on natural grazing and that the SPCA monitor that the pigs do indeed receive the additional feed.
- 3.8 That the portions of land be suitably fenced to ensure that the animals remain on the land at all times and that the fencing cost as well as the maintenance thereof be for the Lessee.

This item served before the Executive Mayoral Committee on 15 June 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediën op 15 Junie 2022

Aanbeveling / Recommendation

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 the MFMA 2003, Act 56 of 2003)
2. That the application from Mr G Theodore to lease a portion of erf 462 (± 1 ha) situated at sewerage reservoir, Bonnievale not be approved and the intention of the Municipality to lease the property by public tender for a period of 9 years 11 months for agriculture purposes 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 a portion of erf 462 (± 1 ha) situated at sewerage reservoir, Bonnievale for a period of 9 years 11 months be communicated to National Treasury and if no written views or objections were received, lease per public tender be proceeded with, subject to the following conditions:
 - 3.1 That a portion of erf 462 (± 1 ha) situated at sewerage reservoir, Bonnievale be leased at a market related tariff. The rental amount will escalate annually with a percentage that will be determined 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 Lessee be responsible to provide his own services such as water fit for use for animal consumption.
 - 3.3 That no structures may be erected on the premises without the written approval of the Municipality.

- 3.4 That all structures must be kept in a clean condition at all times. in a sanitary condition and that all waste, extraneous matter etc, be removed from the site on a daily basis.
- 3.5 That all waste, including animal waste, plastic bags and bottles, drums and other extraneous matter be removed from the site on a daily basis to an approved refuse site.
- 3.6 That all animals be kept and cared for in accordance with the requirements set out by the Department: Agriculture and the SPCA.
- 3.7 That all animals receive additional feed and not be dependant only on natural grazing and that the SPCA monitor that the pigs do indeed receive the additional feed.
- 3.8 That the portions of land be suitably fenced to ensure that the animals remain on the land at all times and that the fencing cost as well as the maintenance thereof be for the Lessee.

RIVER OF LIFE PROPHETIC MINISTRIES INTERNATIONAL: APPLICATION TO PURCHASE ERF 3847, ROBERTSON (7/2/3/2/5) (DIRECTORATE: CORPORATE SERVICES)

Purpose of report

To submit a report to the Mayoral Committee for consideration regarding an application received from Mr S Nair on behalf of River of Life Prophetic Ministries International.

Background

The following letter was received from Mr S Nair:

"I trust this email finds you well?!"

I would like to start by saying that over the past 5 years my wife and I, along with our ministry directors and staff have been addressing and serving the needs of the Robertson community, particularly the young people.

As you are no doubt aware many in our community are caught up in drugs, alcohol, and sexual abuse. This dire situation has only been made worse by Covid-19 and the increase, poverty, stress, and mental health issues it brought with it. Notwithstanding the pain and suffering to so many with lost loved ones and friends.

During this we have personally witnessed the continuing change in the hearts and lives of individuals that our ministry has and is directly serving. At our last count we are currently undertaking counselling sessions and direct interaction with over 100 young people and their respective families in the little villages of Moreson, Dorpsig and Droëheuwel.

We opened our ministry facilities at 90 Barry Street, which we are leasing from Foxton Beach Trading Company. Our premises is used to coordinate counselling sessions, run church services, and develop a strong foundation and positive community awareness and wellbeing!

In recent weeks we have sadly experienced some resistance from our surrounding neighbours, who would prefer for us to shut everything down. We are currently at a loss to understand why or what offence/s we have caused as we have only sought to enhance our community through positive action.

That said, we fully appreciate the diversity of our community and therefore would not seek to create or cause offence with anyone. Sadly however, it appears that this is proving difficult.

Considering this, please may I/we respectfully request that the Robertson Municipality undertake to find us a suitable location within the community whereby we can continue this vital work. We are aware that there are several large churches with more than adequate space and facilities that would easily accommodate us.

We have also identified the following properties which will be ideal to build the Christian Youth Community Centre, as you are aware that in Robertson there is no youth Centre for the youth.

These are the following ERF numbers: 1. 3847, on the corner of Wesley Street and Scholtz Street, and 1st Avenue Burnholme

2. ERF 6106

3. ERF 5817

We would really appreciate your support.

Alternatively, if the Municipal is kindly able to support us with a small holding or similar enable us to establish a Christian Youth Community Centre, which as you will no doubt know will have a massively important and positive

impact. To give you an idea of our plans...we are looking to workshops for cookery, IT, Agriculture, and farming; dance, drama and leadership to name but a few.

We sense and feel that this would have an incredible impact and one that is likely to continue to grow in both stature and credibility. We also sense that with the Robertson Municipality's inclusion and assistance in this would greatly enhance the credibility of our project but also generate a much greater cohesion between local government and the people.

Please may we ask you to graciously give this request your serious attention? We would be more than willing to arrange a meeting with you, in whatever format, to discuss this further and/or to provide furnish you with more details.

Thank you in advance and we look forward to hearing from you!

Yours Sincerely

Comments:

Erven 5817 & 6106, Robertson cannot be considered for alienation seeing that it lies under the 1 & 50 year flood lines.

A location map was attached.

The following comments were received:

Comments: Director: Strategy and Social Development

This application is hereby supported as this portion of land has lay undeveloped for a number of years and is currently used as a bus stop to park the bus's which bring learners to De Villiers Primary School. The erf is also used as a dump site by neighbouring residents and development of this property could reduce the dumping problem.

But it should follow a transparent Public process

Comments: Engineering Services

The engineering directorate has no objection towards the proposed sale of erf 3847, Robertson. Water and sewage are available on the boundary of the erf. The cost of water and sewage connections will be for the account of the applicant. Bulk connections contribution will be payable if erf needed to be rezoned.

Comments: Director: Community Services

That erf 3847 Robertson be sold via public tender process.

Comments: Chief Financial Officer

In terms of section 14 of the MFMA. Disposal of capital assets.—(1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.

(2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

Should council decide to sell the property, this should be done via open market tender

Comments: Cllr Steyn

After meeting with Mr Nair, I can conclude that he only has the best wishes of the community in mind. Unfortunately, he was placed in a predicament that was beyond his control with regards to where he is currently renting. He is now seeking to rectify the matter and not only continue his work in the community, but expand on it. The service he is providing is of vital importance to the area's he is serving and on this basis, I am in support of his request, provided it follows all legislated procedures.

Recommendation

1. That it be confirmed that erf 3847, 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 erf 3847, Robertson be alienated by way of public tender for church purposes subject to the following conditions:
 - 2.1 That the erf be alienated at a market related price.
 - 2.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
 - 2.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
 - 2.4 That the buyer is responsible for bulk connections contribution if erf needed to be rezoned.
 - 2.5 That the buyer be responsible for all costs regarding the property in his/ her name
 - 2.6 That the purchaser be responsible for all Land Use Statutory Requirements.
 - 2.7 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.
3. That a revisionary clause be included in the deed of sale that if a church is not erected within 2 years after transfer took place, the buyer must transfer the erf back to the Municipality at the original selling price, at the cost of the buyer.

This item served before the Corporate Services Portfolio Committee on 08 June 2022

Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 08 Junie 2022

Recommendation / Aanbeveling

1. That it be confirmed that erf 3847, 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 erf 3847, Robertson ($\pm 2\,780\text{m}^2$) be alienated by way of public tender subject to the following conditions:
 - 2.1 That the erf be alienated at a market related price.
 - 2.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
 - 2.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
 - 2.4 That the buyer is responsible for bulk connections contribution if erf needed to be rezoned.
 - 2.5 That the buyer be responsible for all costs regarding the property in his/ her name

- 2.6 That the purchaser be responsible for all Land Use Statutory Requirements.
- 2.7 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.

This item served before the Executive Mayoral Committee on 15 June 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022

Aanbeveling / Recommendation

- 1. That it be confirmed that erf 3847, 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 erf 3847, Robertson ($\pm 2\,780\text{m}^2$) be alienated by way of public tender subject to the following conditions:
 - 2.1 That the erf be alienated at a market related price.
 - 2.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
 - 2.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
 - 2.4 That the buyer is responsible for bulk connections contribution if erf needed to be rezoned.
 - 2.5 That the buyer be responsible for all costs regarding the property in his/ her name
 - 2.6 That the purchaser be responsible for all Land Use Statutory Requirements.
 - 2.7 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.

RESUBMISSION – JGE FUNDING TRUST: APPLICATION TO LEASE ERF 782, BONNIEVALE FOR THE DEVELOPMENT OF A RUGBYVELD & REQUEST FOR THE USE OF MUNICIPAL WATER FOR IRRIGATION PURPOSES (7/2/3/1/2) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)

Purpose of report

To re-submit a report to Council for consideration regarding an application received from Mr W De Wet on behalf of JGE Funding Trust.

Background

The following letter was received from Mr W De Wet:

“Gedurende die bou van Jakes Gerwel Tegnies het die Trust graag verwys na die verhaal van Nehemia, en hoe elke huisgesin verantwoordelik was om hulle stukkie van die Jerusalem muur voor hulle eie huise te moes herbou. Party het groot dele gebou, ander kleiner dele, maar elkeen se deel in muur maak dit heel. Daar is ‘n opgewondendheid in Bonnievale oor die opvoeding van ons kinders en die toekoms van Bonnievale. Bonnievale beskik oor twee baie goeie hoërskole en nege laerskole en is bevoorreg om onderwys personeel te hê wat toegewyd is tot hul taak.

Bonnievale Primêre Skool (BPS) het ‘n ryk geskiedenis van bykans 80 jaar. Die nuwe BPS is in 2016 herbou deur die Departement van Wes-Kaapse Onderwys. Weens begroting en grond beperkinge was daar nie voorsiening gemaak vir voldoende sportfasiliteite nie. Die nuwe skool geboue beslaan die volledige erf en leerders is beperk met speelruimte. Met ongeveer 1100 ingeskrewe leerders is pouses, veral nou tydens die Covid-19 pandemie, ‘n uitdaging vir die skool.

Bonnievale het ‘n sterk sportkultuur en het al vele uitblinkers opgelewer (Sampie Mastriet – oud Blou Bul en SA 7's; en Leyton Davids – tans SA 3-sprong atleet, om twee te noem).

Bonnievale Primêr deel tans die Munisipale sportgronde met talle senior klubs en ongelukkig voldoen die plaaslike sportvelde nie aan die aanvraag van die Bonnievale gemeenskap nie. Die veld word “uitgespeel” in die wintermaande en die afstand wat die leerders moet aflê om by die Munisipale sportvelde uit te kom is tydrowend en gevaarlik met klein kindertjies.

In samewerking met die Langeberg Munisipaliteit, Bonnievale Anglikaanse Gemeente en ‘n private donateur wil die JGE Befondsingstrust BPS ondersteun om beter sportfasiliteite te bekom vir leerders om hierdie deel van hul opvoeding ook ten volle te kan benut.

Erf 782 behoort aan Langberg Munisipaliteit. Die versoek aan die Munisipaliteit is of dit moontlik sal wees om Erf 782 beskikbaar te stel vir die uitsluitlike ontwikkeling en gebruik van ‘n “kleiner Rugbyveld” vir Bonnievale Primêre Skool. Aangesien dit enorme kostes inhou om die rugbyveld te ontwikkel, is die versoek dat daar ‘n langtermyn huur ooreenkoms met die Munisipaliteit gesluit word. Aangesien die veld met donasies ontwikkel gaan word en die fasiliteite tot voordeel van ons eie gemeenskap se kinders is, word daar versoek dat die Munisipaliteit die grond teen ‘n nominale bedrag aan die JGE Befondsingstrust sal verhuur.

‘n Addisionele versoek is dat ons die veld met Munisipale water besproei. Aanvanklike beramings blyk dat dit die Trust omtrent R100,000 per jaar sal kos om die veld met munisipale water te besproei teen die “skole tarief”. Hierdie koste is op die langduur wesenlik goedkoper as wat die Trust water sou moes aanlê en pomp vanaf die Jakes Gerwel Tegnies skooldam.

‘n Soortgelyke maar aparte versoek is gerig aan die Bonnievale Anglikaanse Kerk rakende gedeelte van erf 779 vir gebruik as meerdoelige netbalbane (rooi blokkie in die foto). Aanvanklike gesprekke blyk baie positief te wees en daar is selfs sprake van ‘n buite donateur wat die twee meerdoelige netbalbane gaan skenk. Met ‘n gedeelte van erf 779 en erf 782 tot BPS se beskikking sal die skool in staat wees om hul sport aktiwiteite ten volle te bedryf. Dis sal ook die druk op die Munisipale sportvelde verlig.

Die JGE Befondsingstrust is 'n langtermyn vennoot van Bonnievale Primêre Skool, en bied sy volle ondersteuning vir die herbou en transformasie van die Bonnievale gemeenskap.

Comments:

A location map was attached

The following comments were received:

Comments: Director: Corporate Services

A decision was taken under item B4477 that a sub divisional plan for erf 782, Bonnievale into erven of between 300 – 400m² be done and that once the rezoning and subdivision has been finalized, the erven be alienated at a market related price by way of formal tenders. A land surveyor has been appointed and has the sub divisional plan been finalized. Erf 782, Bonnievale has been sub divided into 12 erven.

The process of rezoning and subdivision has not been finalized seeing that erf 782, Bonnievale was leased to the Department of Transport and Public Works to be used for temporary accommodation for mobile class rooms. The lease agreement has lapsed after the construction work at the school has been finalized.

Comments: Chief Financial Officer

In terms of section 14 of the MFMA. Disposal of capital assets.—(1)A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.

(2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

Should council decide to lease the property, this should be done via open market tender.

Comments: Director: Engineering Services

Water, sanitation and electricity services are available to develop the 12 erven. A sewer line will have to be constructed over erf RE/174 in the building line to connect to the existing sewer network. Water connection will be made from Madeliefie Single with a 75mm pipe.

Comments: Director: Strategy & Social Development

The comments from Corporate service together with the growing housing need in Bonnievale it necessitates the need to release land for housing development . Thus the request is not supported and recommends that the municipality goes out on public tender for the selling of the 12 ervens

Comment: Director Community Services

In view of the comments provided by corporate services for which erf 782 has been rezoned and subdivided, I do support the status quo-erf 782 remain for housing development as approved.

Comments: Cllr Januarie

Was betrokke met bespreking Bonnievale Primêr het groot behoefte aan sport kompleks Derhalwe word aansoek ondersteun.

Recommendation

1. That the decision taken under Item B4477 on the subdivision plan creation of erven and rezoning be reconfirmed and the processes in this regard be finalized to create the 12 erven.
2. That it be confirmed that erf 782, Bonnievale is not needed for the provision of the minimum level of basic municipal services. (S14 of the MFMA 2003, Act 56 of 2003)
3. That once the process mentioned under point1 has been finalized, the erven be offer for sale for residential purposes by way of public tender subject to the following conditions:
 - 3.1 That the selling price be determined based on a reasonable market value certificate.
 - 3.2 That a deposit of 10% be payable at the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
 - 3.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
 - 3.4 That the purchaser be responsible for all costs regarding the alienation.
 - 3.5 That the purchase deal be finalized within a period of 6 months after allocation of the property failing which the offer will expire irrevocably.

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

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

Cllr January said that the Bonnievale Primary School applied for the portion of land years ago but has not been approved. He asked what the possibility is for an exchange transaction seeing that the School has a portion of land next to the Clinic. He also stated that it is now a catch 22 situation because there are a need for housing as well as for a sport facility.

The Executive Mayor stated that JGE funding Trust has the money to develop the land in question. The Executive Mayor also stated that they also have land in Happy Valley next to the Clinic which they are willing to exchange for the property next to the school. The Executive Mayor wanted to know what is the possibility that the resolution taken under Item B4477 be revoked and that the matter go out on an public participation process because we have to think of the future of the children.

The Director: Corporate Services stated that if they continue and approve the development of the land in question other that the purpose it is earmarked for under Item B4477, it will be considered as irregular, fruitless and wasteful expenditure seeing that expenditure has already occurred in terms of the applicable resolution.

The Executive Mayor stated that if 12 people purchase the erven and rezone it, the Municipality will lose the area in Happy Valley that could be used for housing purposes. The Executive Deputy Mayor stated that if a decision has been made by the previous council it cannot change. He further stated that if the erven are bought by JGE Trust the rezoning of the erven will still have to be made public and public participation process will still be applicable.

Cllr Beginsel stated that he would recommend the report be referred back seeing that new information came to light that was not captured in the report. Cllr Simpson seconded the proposal.

The Director: Corporate Services stated that all new information will have to be formally submitted and the report will only be able to serve after all the new information has been added to the report.

Recommendation / Aanbeveling

1. That the report be referred back and will only be submitted if the applicant submit new information as discussed in the meeting.
2. That an "In Loco" inspection be done by the Committee if and after the applicant submitted new and further information as was stated by the Executive Mayor.

Further comments

A meeting was attended at Bonnievale Primary School on 29 March 2022 attended by Ald S van Eeden, Cllrs C Steyn and JJ Januarie, Messrs A de Klerk, A Everson, M Johnson, Wilhelm de Wet, R Sampson, S Pieterse, R Piet and Mrs A Boord.

Mr Sampson the Principal of Bonnievale Primary School said that the wives of the Mayor and Mr Johnson is working at the school and he had asked them before to speak to their husbands about this application. He said, he is pleased that a meeting is now taking place with representatives of the Municipality around this application that is important for the school and the community it serves.

Mr De Klerk said the request that was received was for a long term lease. Mr W de Wet said taking the cost and time to establish a rugby field into consideration a short term lease will not work and is a 9 year 11 month lease proposed. He further said that the request is further that they do not pay any lease amount.

Cllr Januarie said that at a meeting where this matter was discussed the Mayor mentioned that there is a possible exchange option around this erf and other erven situated else where. Cllr Januarie said although there is a need for a rugby field is the need for erven for housing also in high demand.

He said although with the erven you assist 12 families, you on the other hand assist 1 200 learners if the erven is leased out to be used as a rugby field.

Mr De Klerk said that he will not advise council to consider on exchange of property. He said when these applications are considered council has to decide if the land in question is needed for the provision of basic municipal services. If not it can be considered for leasing or alienation. He said housing is a much higher priority than sport.

Mr Johnson said the site is not level and a lot of work will have to be done on the land to make it suitable as a rugby field. He said he is not sure if the land is big enough for a rugby field.

Mr Sampson said that he believe the matter on the table deal with the development of the children.

Cllr Steyn said, it need to be mentioned in the report when it is resubmitted that the previous information provided by the Mayor on the exchange of land is not an option.

Mr Sampson handed motivation lists signed by ± 800 persons over as support for their request. (Attached to this report).

This item served before the Corporate Services Portfolio Committee on 08 June 2022

Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 08 Junie 2022

Recommendation / Aanbeveling

1. That it be confirmed that erf 728, Bonnievale 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 Mr H de Wet on behalf of JGE Trust to lease erf 728, Bonnievale not be approved.

3. That the resolution taken under item B4477 be revoke.
4. That erf 782 Bonnievale ($\pm 5\,946\text{m}^2$) be alienated by way of public tender subject to the following conditions:
 - 4.1 That the erf be alienated at a market related price.
 - 4.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
 - 4.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
 - 4.4 That the buyer be responsible for all costs regarding the property in his/ her name.
 - 4.5 That the buyer be responsible for all Town Planning cost involved which may include rezoning, subdivision, consolidation, surveying, registration of servitudes where applicable and registration of the property in his/her name.
 - 4.6 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.

This item served before the Executive Mayoral Committee on 15 June 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022

Aanbeveling / Recommendation

1. That it be confirmed that erf 728, Bonnievale 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 Mr H de Wet on behalf of JGE Trust to lease erf 728, Bonnievale not be approved.
3. That the resolution taken under item B4477 be revoke.
4. That erf 782 Bonnievale ($\pm 5\,946\text{m}^2$) be alienated by way of public tender subject to the following conditions:
 - 4.1 That the erf be alienated at a market related price.
 - 4.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
 - 4.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property.
 - 4.4 That the buyer be responsible for all costs regarding the property in his/ her name.
 - 4.5 That the buyer be responsible for all Town Planning cost involved which may include rezoning, subdivision, consolidation, surveying, registration of servitudes where applicable and registration of the property in his/her name.
 - 4.6 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.

**AMENDMENT OF MIG DETAILED PROJECT IMPLEMENTATION PLAN 2021/2022, 2022/2023, 2023/2024
(DIRECTOR ENGINEERING SERVICES)**

Purpose of report

To obtain approval from Council for the amendment of the Langeberg Municipality MIG Detailed Project Implementation Plan (DPIP) utilization of MIG funding for 2021/2022, 2022/2023, 2023/2024 financial years.

Background

The allocated MIG funding for Langeberg Municipality for the 2021/2022, 2022/2023, 2023/2024 financial years as published in the DORA are as follows:

2021/22R 23 025 000
2022/23R 24 597 000
2023/24R 25 536 000

ALL AMOUNTS INDICATED ARE VAT INCLUSIVE

Approved MIG projects for 2021/2022 DPIP and amendment required are as follows:

PROJECT	MIG AMOUNT REGISTERED 2021/2022	AMMENDED DPIP 2021/2022	VARIATION
Upgrading of Roads & Stormwater (Nkqubela)	R 22 354 000	R 22 577 101.75	+R 223 101.75
Relocation of Materials Recovery Facility (Ashton MRF)	R 671 000	R 447 898.25	-R 223 101.75
TOTAL BUDGET 2021/2022	R 23 025 000.00	R 23 025 000	R 0.00

The above mentioned amended DPIP amounts are required to ensure 100% expenditure of MIG Grant funding in 2021/2022.

Approved MIG projects for 2022/2023 DPIP and amendment required are as follows

PROJECT	MIG AMOUNT REGISTERED 2022/2023	AMMENDED DPIP 2022/2023	VARIATION
Upgrading of Roads & Stormwater (Nkqubela)	R 1 747 593	R 1 524 491.25	-R 223 101.75
Relocation of Materials Recovery Facility (Ashton MRF)	R 9 073 771	R 9 296 872.75	+R 223 101.75
Refurbishment and Upgrade of Robertson Wastewater Treatment Works	R 13 775 636	R13 775 636	R 0.00
TOTAL BUDGET 2022/2023	R 24 597 000	R 24 597 000	R 0.00

Approved MIG projects for 2023/2024 DPIP and amendment required are as follows

PROJECT	MIG AMOUNT REGISTERED 2023/2024	AMMENDED DPIP 2023/2024	VARIATION
Refurbishment and Upgrade of Robertson Wastewater Treatment Works	R 25 536 000	R 25 536 000	R 0.00
TOTAL BUDGET 2023/2024	R 25 536 000	R 25 536 000	R 0.00

Recommendation:

That the amendments to the Langeberg Municipality DPIP be approved accordingly.

This item served before the Engineering Services Portfolio Committee on 08 June 2022
Hierdie verslag het voor die Ingenieursdienste Portefeulje Komitee gedien op 08 Junie 2022
Aanbeveling / Recommendation

That the amendments to the Langeberg Municipality MIG DPIP be approved accordingly.

This item served before the Executive Mayoral Committee on 15 June 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022
Aanbeveling / Recommendation

That the amendments to the Langeberg Municipality MIG DPIP be approved accordingly.

AUDIT & PERFORMANCE COMMITTEE: SUBMISSION OF THE QUARTERLY REPORT FOR QUARTER 3 OF 2021 / 2022 (5/14/R) (CHIEF AUDIT EXECUTIVE)

Purpose of report

To submit the Audit & Performance Committee report for quarter 3 of the 2021/22 financial year to Council for noting.

Background

In terms of Circular 65 of the Municipal Finance Management Act (MFMA), the Chairperson of the Audit & Performance Committee will report on a quarterly basis, or more frequently if required, to the Municipal Council on the operations of the Internal Audit Activity and the Audit & Performance Committee. The report should include:

- A summary of the work performed by the Internal Audit Activity and the Audit & Performance Committee against the annual work plan;
- Effectiveness of internal controls and additional measures that must be implemented to address identified risks;
- A summary of key issues dealt with such as significant internal and external audit findings, recommendations and updated status thereof;
- Progress with any investigations and its outcomes;
- Details of meetings and the number of meetings attended by each member; and
- Other matters requested of the Internal Audit Activity and Audit & Performance Committee.

The Audit & Performance Committee report for quarter 3 of 2021/22 was attached to this report.

Recommendation

That the contents of the Audit & Performance Committee report for quarter 3 of the 2021/22 financial year be noted by Council.

This item served before the Municipal Public Accounts Committee (MPAC) on 08 June 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Junie 2022
Recommendation / Aanbeveling

That the contents of the Audit & Performance Committee report for quarter 3 of the 2021/22 financial year be noted by Council.

FRAUD & RISK MANAGEMENT COMMITTEE – FRAUD & RISK MANAGEMENT COMMITTEE REPORT FOR QUARTER 3 AND RISK REGISTER – 2021 / 2022 (5/14/R) (CHIEF AUDIT EXECUTIVE)

Purpose of report

To submit the Fraud & Risk Management Committee report for quarter 3 of 2021/22 and the risk register which was updated for the aforementioned quarter to Council for noting.

Background

Section 62 (1) (c) (i) of the MFMA states that:

*"The Municipal Manager of a municipality is responsible for managing the financial administration of the municipality, and must for this purpose take all responsible steps to ensure that the municipality has and maintains effective, efficient and transparent systems of financial and **risk management** and internal control".*

Furthermore, it is also stated in the Risk Management Policy that:

"Council takes an interest in risk management to the extent necessary to obtain comfort that properly established and functioning systems of risk management are in place to protect the Langeberg Municipality against significant risks".

The Fraud & Risk Management Committee (FARMCO) report for quarter 3 of 2021/22 and the risk register which was updated for the aforementioned quarter were submitted and presented to the Audit & Performance Committee on 04 May 2022.

The FARMCO Report for Quarter 3 of 2021/22, and the updated risk register was attached to this report.

Recommendation

That the contents of the Fraud & Risk Management Committee (FARMCO) Report and the updated Risk Register for quarter 3 of the 2021/22 financial year be noted by Council.

This item served before the Municipal Public Accounts Committee (MPAC) on 08 June 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Junie 2022
Recommendation / Aanbeveling

That the contents of the Fraud & Risk Management Committee (FARMCO) Report and the updated Risk Register for quarter 3 of the 2021/22 financial year be noted by Council.

FRAUD & RISK MANAGEMENT COMMITTEE – ANNUAL RISK ASSESSMENT REPORT FOR 2021/22 AND RISK REGISTER FOR THE 2022/23 FINANCIAL YEAR (5/14/R) (CHIEF AUDIT EXECUTIVE)

Purpose of report

To submit the Annual Risk Assessment Report for 2021/22 and the updated risk register for 2022/23 to Council for noting.

Background

Section 62 (1) (c) (i) of the MFMA states that:

*"The Municipal Manager of a municipality is responsible for managing the financial administration of the municipality, and must for this purpose take all responsible steps to ensure that the municipality has and maintains effective, efficient and transparent systems of financial and **risk management** and internal control".*

Furthermore, it is also stated in the Risk Management Policy that:

"Council takes an interest in risk management to the extent necessary to obtain comfort that properly established and functioning systems of risk management are in place to protect the Langeberg Municipality against significant risks".

The Annual Risk Assessment Report for 2021/22 and the risk register for the 2022/23 financial year were submitted and presented to the FARMCO on 26 May 2022.

The Annual Risk Assessment Report for 2021/22, and the updated risk register for the 2022/23 financial year was attached to this report.

Recommendation

That the contents of the Annual Risk Assessment Report and the updated Risk Register for 2022/23 financial year be noted by Council.

This item served before the Municipal Public Accounts Committee (MPAC) on 08 June 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Junie 2022
Recommendation / Aanbeveling

That the contents of the Annual Risk Assessment Report and the updated Risk Register for 2022/23 financial year be noted by Council.

FRAUD & RISK MANAGEMENT COMMITTEE: FRAUD & RISK MANAGEMENT COMMITTEE CHARTER, RISK MANAGEMENT POLICY, RISK MANAGEMENT STRATEGY, RISK IDENTIFICATION & ASSESSMENT METHODOLOGY, RISK MANAGEMENT ANNUAL OPERATIONAL PLAN, FRAUD PREVENTION POLICY, AND FRAUD PREVENTION PLAN & STRATEGY – 2022 / 2023, (5/14/R) (CHIEF AUDIT EXECUTIVE)

Purpose of report

To submit the Fraud & Risk Management Committee Charter, Risk Management Policy, Fraud Prevention Policy for 2022/23 to Council for approval and the Fraud Prevention Plan & Strategy, Risk Management Strategy, Risk Identification & Assessment Methodology and Risk Management Annual Operational Plan for 2022/23 to Council for noting.

Background

Section 62 (1) (c) (i) of the MFMA states that:

"(1) the Municipal Manager of a municipality is responsible for managing the financial administration of the municipality, and must for this purpose take all responsible steps to ensure –

(c) that the municipality has and maintains effective, efficient and transparent systems –

*(i) of financial and **risk management** and internal control".*

Furthermore, it is also stated in the Risk Management Policy, that:

"Council takes an interest in risk management to the extent necessary to obtain comfort that properly established and functioning systems of risk management are in place to protect the Langeberg Municipality against significant risks".

The Fraud & Risk Management Committee (FARMCO) and the Municipal Manager (MM) accepted the Fraud & Risk Management Committee Charter, Risk Management Policy and Fraud Prevention Policy, and approved the Fraud Prevention Plan & Strategy, Risk Management Strategy, Risk Identification & Assessment Methodology and Risk Management Annual Operational Plan for 2022/23.

Key changes were only made on the FARMCO Charter, Risk Management Policy and Risk Identification & Assessment Methodology for 2022/23, mainly as a result of provisions in the Local Government Risk Management Framework issued by National Treasury. Changes to the Risk Management Strategy, Fraud Prevention Policy, Fraud Prevention Plan & Strategy, Risk Management Annual Operational Plan for 2022/23 are mostly on date changes to keep these documents relevant and up to date.

Recommendations

1. That the Fraud Prevention Policy, Fraud & Risk Management Committee Charter and Risk Management Policy for 2022/23 be approved by Council; and
2. That the approved Fraud Prevention Plan & Strategy, Risk Management Strategy, Risk Identification & Assessment Methodology and Risk Management Annual Operational Plan for 2022/23 be noted by Council.

This item served before the Municipal Public Accounts Committee (MPAC) on 08 June 2022

Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Junie 2022

Recommendation / Aanbeveling

1. That the Fraud Prevention Policy, Fraud & Risk Management Committee Charter and Risk Management Policy for 2022/23 be approved by Council; and
2. That the approved Fraud Prevention Plan & Strategy, Risk Management Strategy, Risk Identification & Assessment Methodology and Risk Management Annual Operational Plan for 2022/23 be noted by Council.

DRAFT – MUNICIPAL COMMUNITY SAFETY PLAN (12/2/21) (DIRECTOR: CORPORATE SERVICES)

Purpose of report

To submit to Council for consideration the draft municipal community safety plan.

Background

There is a need that community safety is better coordinated and streamlined in the Municipal area in order to have a better integrated and streamlined system in our area.

In going forward with this process we are fortunate to have the assistance from Adv Andre Van Dyk (Who is a retired Brigadier of SAPS), who is also residing in Montagu.

Attached to this report is a Copy of the Draft Municipal Community Safety Plan. This draft was also discussed at a meeting on 17 May 2022 with Adv Van Dyk attended by Ald S Van Eeden and Messrs A De Klerk and A Everson (Cllr C Steyn tendered his apology).

Adv Van Dyk said that it is not the purpose to replace the current CPF systems in each town (SAPS area of jurisdiction) but to use the legal systems already in place in terms of legislation to improve cooperation and coordination.

It is also not the function of a municipality to cater for private companies (ie security companies etc) as they should form part of the CPF's already established and in place in each town.

Adv Van Dyk reiterated that it is already a requirement of CPF's to have safety plans, so there is already 5 Safety plans in the Langeberg Municipal area.

What is of importance is that the systems and services already operational in all 5 towns need to be engaged with to also monitor and assist in protecting municipal assets and infrastructure in the respective towns.

Although the Safety function is within Corporate Services it is also the responsibility of all the directorates and directors to be involved in safety within their directorates.

As far as the CSF's (Community Safety Forums) is concerned is this a matter to be dealt with on regional level (5 towns) and should the representation on the municipal safety forum meetings from the communities be the Chairperson of the CPF's and the Station Commissioners of the 5 towns, thus a total of 10 people.

All other organizations and institutions (security sectors included) must form part of the respective CPF's and is not part of the municipal safety meeting.

Next process

The draft safety plan need to be approved and accepted in order to thereafter proceed with the meeting with the CPF Chairpersons and Station Commissioners.

The request will then be that each Station Commissioner provide their Safety Plans and further relevant information and statistics relevant to their areas.

After the aforementioned meeting and considering the needs of the Municipality and the 5 towns the priorities to be addressed will then be decided on to determine which sector or departments responsibility it is.

It is further a consideration that the Neighbourhood Watches in each town will also take interest and be prepared to protect Municipal Infrastructure and that it will not be necessary for the municipality to incur huge costs to protect municipal infrastructure and assets, which is after all the communities infrastructure and assets as well. It is of utmost

importance that communities start to take ownership of their areas and the municipal assets and infrastructure within the areas they live in.

This partnership will also assist in bringing the Municipality and communities closer to one another thus improving the working and trust relationship.

Recommendation

That Council note and approve the Draft Municipal Community Safety Plan and that the further processes be proceeded with.

This item served before the Corporate Services Portfolio Committee on 08 June 2022

Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 08 Junie 2022

Recommendation / Aanbeveling

That Council note and approve the Draft Municipal Community Safety Plan and that the further processes be proceeded with.

This item served before the Executive Mayoral Committee on 15 June 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022

Aanbeveling / Recommendation

1. That Council note and approve the Draft Municipal Community Safety Plan and that the further processes be proceeded with.
2. That the Draft Municipal Community Safety Plan be workshopped with all councillors before the end of July 2022.

APPOINTMENT OF ACTING MUNICIPAL MANAGER (2/5/1) (MUNICIPAL MANAGER)

Purpose of report

To submit to Council an item for Acting Municipal Manager for a period of three (3) months starting from 1 July 2022 – 30 September 2022.

Background

The Municipal Manager, Mr A S A de Klerk, resigned with his last working day being 30 June 2022.

A municipal council must appoint an Acting Municipal Manager until the appointment of a new Municipal Manager has been finalised and the involved incumbent take up his/her duties.

Section 54A of the Local Government: Municipal Systems Act, 2000, provides for the appointment of municipal managers and acting municipal managers, and provides inter alia as follows:

54A. Appointment of municipal managers and acting municipal managers –

- (1) *The municipal council must appoint—*
 - (a) *a municipal manager as head of the administration of the municipal council; or*
 - (b) *an acting municipal manager under circumstances and for a period as prescribed.*
- (2) *A person appointed as municipal manager in terms of subsection (1) must at least have the skills, expertise, competencies and qualifications as prescribed.*
- (2A) *(a) A person appointed in terms of subsection (1)(b) may not be appointed to act for a period that exceeds three months.*
 - (b) A municipal council may, in special circumstances and on good cause shown, apply in writing to the MEC for local government to extend the period of appointment contemplated in paragraph (a), for a further period that does not exceed three months.*
- (3) *A decision to appoint a person as municipal manager, and any contract concluded between the municipal council and that person in consequence of the decision, is null and void if—*
 - (a) the person appointed does not have the prescribed skills, expertise, competencies or qualifications; or*
 - (b) the appointment was otherwise made in contravention of this Act.*

Recommendation

That Council appoint for a period of three (3) months, starting from 1 July 2022 – 30 September 2022,
..... as Acting Municipal Manager in terms of Section 54A of the Local Government:
Municipal Systems Act, 2000.

This item served before the Executive Mayoral Committee on 15 June 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022

Aanbeveling / Recommendation

That Council appoint for a period of three (3) months, starting from 1 July 2022 – 30 September 2022,
..... as Acting Municipal Manager in terms of Section 54A of the Local Government:
Municipal Systems Act, 2000.

RENEWAL OF TERM OF OFFICE OF AUDIT & PERFORMANCE COMMITTEE MEMBER IN COMPLIANCE WITH SECTION 166(5) OF THE MFMA - 2021 / 2022 (5/14/R) (CHIEF AUDIT EXECUTIVE)

Purpose of report

The purpose of this report is to recommend to Council the renewal of the term of office of the Audit & Performance Committee members in compliance with section 166(5) of the Municipal Finance Management Act no. 56 of 2003 which states that:

The members of an audit committee must be appointed by the council of the municipality. One of the members who is not in the employ of the municipality or municipal entity, must be appointed as the chairperson of the committee. No councillor may be a member of an audit committee.

Background

Item A3818, served before an Ordinary Meeting of Council on 28 May 2019 whereby Council unanimously resolved to appoint Advocate Anda Njeza as a member of the Audit and Performance Committee for 3 years until 2 June 2022. As a result, one (1) vacancy will be open in the Audit & Performance Committee.

The approved Audit and Performance Committee Charter (Approved under item A4186 on 31 August 2021), makes provision for the renewal of the term of office of the Audit and Performance Committee members for a period of three (3) years.

Advocate Anda Njeza is suitably qualified to serve on the Audit and Performance Committee.

Recommendation

That the term of office of Audit & Performance Committee member: Advocate Anda Njeza be renewed for a period of 3 years as from 3 June 2022.

A4358

FINANCIAL REPORTING IN TERMS OF SECTION 71 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 – MAY 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.

SLEGS VIR KENNISNAME • FOR INFORMATION ONLY

B & BB ITEMS

B5741	RESUBMISSION: RENEWAL OF LEASE AGREEMENT FOR UITSPAN KIOSK SITUATED AT THE BARNARD HALL, ASHTON (7/1/4/1/1) (DIRECTORATE: CORPORATE SERVICES)	54
B5750	RENEWAL OF LEASE AGREEMENT FOR THE MUNICIPAL BUILDING SITUATED AT 46 VAN OUDSHOORN STREET, ERF 3190 ROBERTSON (7/1/4/1/5) (DIRECTORATE: CORPORATE SERVICES)	54
B5751	HOUSE OF POWER MINISTRIES INTERNATIONAL: APPLICATION TO LEASE A PORTION OF ERF 810 (2226M ²) NKQUBELA, ROBERTSON FOR PARKING PURPOSES (7/1/4/1/5) (DIRECTORATE: CORPORATE SERVICES)	55
B5752	ELECTRICAL CABLE THEFT (DIRECTOR ENGINEERING SERVICES)	55
BB722	REPORTING ON LITIGATION – MARCH 2022 TO MAY 2022 (7/1/R + 7/2/R) (DIRECTOR CORPORATE SERVICES)	55

SLEGS VIR KENNISNAME • FOR INFORMATION ONLY

B & BB ITEMS

B5741 RESUBMISSION: 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 15 June 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022

Eenparig Besluit / Unanimously Resolved

1. That it be confirmed that the Uitspan Kiosk situated at the Barnard Hall, Ashton 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 Mr SMR Islam for the renewal of the lease agreement for Uitspan Kiosk situated at the Barnard Hall, Ashton not be approved and that the municipal property be leased by way of public tender for a three-year period subject to the following conditions:
 - 2.1 That the kiosk be leased at a market related amount per month and the lease amount of the allocated tender escalates yearly with a percentage that will be determined by the yearly CPIX.
 - 2.2 That the Lessee be responsible for the payment of the insurance of the building which is calculated as a percentage of the municipal insurance portfolio.
 - 2.3 That the Lessee be responsible for the payment of all Municipal services rendered to the facility.
 - 2.4 That the Lessee be responsible for maintenance, repairs and upgrading work to be done to the building.
 - 2.5 No alterations may be made to the kiosk without the written consent of the Lessor.
 - 2.6 That the lessee must at all times comply with all Health Regulations

B5750 RENEWAL OF LEASE AGREEMENT FOR THE MUNICIPAL BUILDING SITUATED AT 46 VAN OUDSHOORN STREET, ERF 3190 ROBERTSON (7/1/4/1/5) (DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 15 June 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022

Eenparig Besluit / Unanimously Resolved

1. That it be confirmed that the municipal building situated at 46 Van Oudshoorn Street, erf 3190, 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 Ms JJ Jacobs to renew the lease agreement for the municipal building situated at 46 Van Oudshoorn Street, erf 3190, Robertson be approved in principle and the intention of the Municipality to lease the property for a period of 3 years be advertised for comments.
3. That after the period for comments has lapsed and if no objections were received, the lease be proceeded with, subject to the following conditions:
 - 3.1 That the property be leased at a market related rental and that the rental amount escalates annually with a percentage that will be determine by the yearly CPIX. The Lessee is also

responsible for the payment of the insurance of the building, which is calculated as a percentage of the municipal insurance portfolio.

- 3.2 That the property is personally occupied by Ms JJ Jacobs.
- 3.3 That no part of the building be subleased to another person.
- 3.4 That should the Lessee cease to occupy the property for any reason whatsoever, the property shall revert to the Municipality with immediate effect.
- 3.5 That the Lessee be responsible for maintenance, repairs and upgrading work to be done to the building.
- 3.6 That the Lessee be responsible for the payment of all services rendered to the municipal building.
- 3.7 That no alterations be done to the building without the written consent of the Municipality.
- 3.8 That the lease agreement can be terminated before the expire date with 3 months written notice to the other party.
- 3.9 That should the lease not be extended or terminated for whatever reason, then the agreement will be immediately terminate and the property will revert to the Lessor without any payment or any compensation of any sort for any improvements of any kind carried out by the Lessee.

B5751 HOUSE OF POWER MINISTRIES INTERNATIONAL: APPLICATION TO LEASE A PORTION OF ERF 810 (2226M²) NKQUBELA, ROBERTSON FOR PARKING PURPOSES (7/1/4/1/5) (DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 15 June 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022
Eenparig Besluit / Unanimously Resolved

That the application received from Mr PP Paka on behalf of House of Power Ministries International to lease a portion of erf 810 (2226m²) Nkqubela, Robertson for parking purposes not be approved taking in consideration comments received from the Director: Engineering Services that the proposed property falls within the Escom powerline servitude.

B5752 ELECTRICAL CABLE THEFT (DIRECTOR ENGINEERING SERVICES)

This item served before the Executive Mayoral Committee on 15 June 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022
Eenparig Besluit / Unanimously Resolved

That the contents of the report be noted.

BB722 REPORTING ON LITIGATION – MARCH 2022 TO MAY 2022 (7/1/R + 7/2/R) (DIRECTOR CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 15 June 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 15 Junie 2022
Eenparig Besluit / Unanimously Resolved

That the contents of the Report on Litigation for March 2022 to May 2022 be noted.