



**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
27 SEPTEMBER 2022 om 10H00
in die Raadsaal, 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
27 SEPTEMBER 2022 at 10H00
in the Council Chambers, Municipal Offices,
Church Street, Robertson to discuss the items on the appended agenda.

P. Hess

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
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

A G E N D A

~ 27 SEPTEMBER 2022 ~

1. Opening / Opening
2. Attendance / Bywoning
3. Applications for leave of Absence / Aansoeke vir verlof tot afwesigheid
4. Approval of Minutes / Goedkeuring van Notule
 - 4.1 Confirmation of the Minutes of a Special Meeting of the Council of Langeberg Municipality held on 25 August 2022 at 14h00 in the Council Chambers, Church Street, Robertson **06 - 07**
Bekräftiging van die Notule van 'n Spesiale Vergadering van die Raad van Langeberg Munisipaliteit gehou op 25 Augustus 2022 om 14h00 in die Raadsaal, Munisipale Kantore, Kerkstraat, Robertson.
 - 4.2 Confirmation of the Minutes of an Ordinary Meeting of the Council of Langeberg Municipality held on 31 August 2022 at 09h59 in the Council Chambers, Church Street, Robertson **08 - 18**
Bekräftiging van die Notule van 'n Gewone Vergadering van die Raad van Langeberg Munisipaliteit gehou op 31 Augustus 2022 om 09h59 in die Raadsaal, 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
 - 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. *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.*
 - 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. / *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.*
 - 8.3 Report on matters of concern by representatives at the Cape Winelands District Municipality. / *Rapportering aangaande sake van belang deur verteenwoordigers by die Kaapse Wynland Distrikmunisipaliteit.*
 - 8.4 Other Matters / Ander Sake

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

Purpose of Report

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

Background

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

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

The Report on Deviations for 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
Unanimously Resolved / Eenparig Besluit

That the report be referred back to the next MPAC meeting.

This item served before the Municipal Public Accounts Committee (MPAC) on 10 August 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 10 Augustus 2022
Unanimously Resolved / Eenparig Besluit

That the report be referred to the next MPAC committee meeting.

NOTE: The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 September 2022 (pg. 09 – 13)

This item served before the Municipal Public Accounts Committee (MPAC) on 07 September 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 September 2022
Recommendation / Aanbeveling

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

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

RESUBMISSION 2 - FEASIBILITY REPORT: FUTURE DEVELOPMENT OF PORTION OF ERF 2, ROBERTSON, ALSO KNOWN AS OVER-HET-ROODEZAND/BULLIDA GRONDE (DIRECTOR ENGINEERING SERVICES)

PURPOSE OF REPORT

To resubmit a final feasibility report to Council for their consideration and determination of the way forward.

BACKGROUND

The Langeberg Municipality invited proposals from suitably qualified service providers to present a detailed feasibility report relating to municipal land known as "Over-Het-Roodezand" (Bullida Gronde) Robertson, more commonly also known as the Bullida Gronde.

This land is located to the southeast of Robertson, inside the urban edge, between road R60 (between Robertson and Ashton) and road R317 (between Robertson and Bonnievale).

The purpose of the feasibility report is to give guidance to the Langeberg Municipality on the possible future utilization of this undeveloped portion of municipal land. The assignment must present detailed proposals.

The tender (T43/2018) was advertised on 17 August 2018 whereafter a compulsory clarification meeting was held on 24 August 2018. The closing date for receipt of Tenders was 12:00 on 7 September 2018. The Tender was awarded to CK Rumboll and Partners.

COMMENTS:

1. STUDY AREA

The study area is located towards the south-east of Robertson, south of the R60 leading towards Ashton and north of the R317 Road leading towards Bonnievale.

The property details are as follows¹ -

ERF 2 ROBERTSON

Owner:	Langeberg Municipality
Property Description:	A portion of Erf 2 Robertson
Extent:	47.1409 Ha
Zoning:	Undetermined

BULLIDA GROUNDS

Owner:	Langeberg Municipality
Property Description:	Portion 22 of Farm Over-Het-Roodezand, No. 112 Robertson RD (<i>also known as the Bullida Grounds</i>)
Extent:	167.57 Ha
Zoning:	Agricultural Zone

2. NEEDS

The consultants approached various key stakeholders during the consultation processes to establish the need for appropriately zoned land. The need for Industrial and Business zoned land was a priority identified by virtually all participants.

3. STUDIES

Various studies were undertaken to determine the opportunities and constraints of the site.

3.1 Spring Botanical Study

A spring botanical study was conducted which confirmed the following:

Vegetation:

The vegetation is mapped as Breede Alluvium Renosterveld which is Endangered. Vegetation on site corresponds closely to the locally recognised fine-scale vegetation type Bonnievale Renosterveld Thicket (Gwarrieveld), comprising thicket, renosterveld and karoid elements.

Botanical:

Recommended layout: It is noted that there is a need for the expansion of industrial land in the Robertson area and that there are insufficient/no areas available for such development. It is also most desirable that such development occur within the Robertson Urban Edge and also within a contained area directly adjacent to existing development and infrastructure. The target area fulfils these requirements. However, it is also noted that the entire property forms part of a CBA, and transformation of this natural habitat is unavoidable if development of this area proceeds.

Habitat:

The western portion of the site (Erf RE/2) is currently degraded and subjected to on-going disturbances encroaching from the neighbouring Nkqubela residential area. The portion of Farm 22/112, south of the railway is also disturbed and in a poor condition due to uncontrolled access and illegal dumping on site. The remainder of Farm 22/112, north of the railway comprises intact natural vegetation which is in a good condition.

CBAs and Wetlands:

The entire site is identified as a terrestrial Critical Biodiversity Area (CBA) based on endangered vegetation. There are no water courses, aquatic features or wetland areas mapped on site. There is however a seepage area / small drainage line evident within the eastern portion of Farm 22/112 which only function appears to be natural drainage.

Special plant species:

More than 100 plant species were recorded on site. Three species of special concern were recorded, including the Near Threatened (NT) succulent herb *Euphorbia nesemanii*, the Vulnerable (VU) shrub *Lotononis rigida* and the Vulnerable geophyte *Ixia vanzijliae*.

3.2 Municipal Services Capacity Services:

Civil Services

There are no civil services such as; water, sewerage, road infrastructure or electrical services (*apart from the power lines*) on site. It becomes paramount to determine the best use of the property when considering the cost associated with service provision. The best use of the property should justify the capital invested in services either by stimulating economic growth or creating socio-economic opportunities.

Roads

The development will be accessed via the R60 and the R317 major roads.

Roundabouts are proposed on these major roads to allow more than one point of entry into the proposed Commercial and Industrial Development Zone.

3.3 Cape Nature

The consultants met with Cape Nature to discuss the sensitivities surrounding the development of the precinct. The outcome of the meeting echoed the findings from the Botanical/Ecological Survey:

3.3.1 A large portion of the precinct has to be conserved and that the most appropriate portion of the development to be reserved would be the northern portion of Portion 22 of Farm Over-Het-Roodezand, No. 112 Robertson RD measuring 130.07 Ha.

3.3.2 It is recommended that a portion of the area be developed in order to accommodate the need for industrial expansion and that the remainder of the site be formally protected and degraded areas

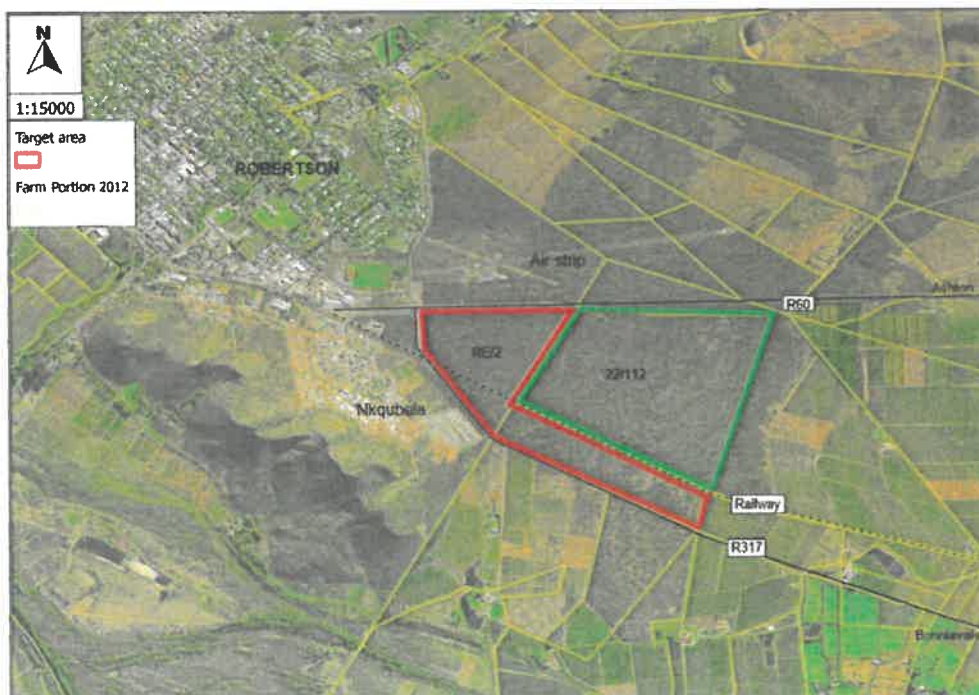
rehabilitated, in order to preserve populations of threatened plant species occurring on site as well as natural vegetation and habitat within a CBA.

3.3.3 The recommended development area proves most feasible in terms of biodiversity due to the following:

- The development will be located adjacent to developed or degraded areas.
- The development will be mainly restricted to areas that are currently disturbed, severely degraded and continuously subjected to disturbances.
- The development will buffer remaining natural areas from disturbances encroaching into the area from the adjacent informal settlement.
- The seepage area (small drainage line) within the eastern portion of the site is mainly excluded from the development.
- Developing the recommended site, under the condition that the remaining area is being formally protected, will improve the condition of the remaining CBA by means of rehabilitation and prevention of further degradation.
- The development will contribute in securing a significant portion of natural lowland renosterveld habitat in the local area, including populations of threatened plant species.
- Should no development occur on site, disturbances and illegitimate activities will continue to encroach into the area and it is likely that the area will be informally inhabited in future.

4 DEVELOPABLE LAND

Only a portion of the property is developable (*indicated in red in diagram below*) after accounting for all the constraints. The developable area amounts to approximately ± 82.72 Ha. For this reason, all layout alternatives only consider development of the area indicated in red.



5 LAND USES IDENTIFIED

Two primary types of zoning was identified during the initial stages that could accommodate all the identified needs; Industrial Zone I and Business Zone I. The primary and consent uses permitted under these two zoning designations covers a wide range of uses from manufacturing to sales, education and worship and only excludes noxious trades and residential uses. Residential uses was identified during the determination of the second phase, that is alternatives A-B. The chosen zoning is therefore flexible enough to accommodate most of the needs identified.

The layout alternatives illustrates land uses which correspond with the designated zoning. Industrial land uses relate to the industrial zoning retail and commercial land uses relate to the business zoning which residential land uses relate to the residential zoning. Industrial uses were divided into 3 categories to distinguish between sizes of those properties while business uses were divided into 2 categories to distinguish the retail focused business land uses from the “general” business uses.

6 DEVELOPMENT ALTERNATIVES

Comparison of first alternatives

The total developable area approximates to ± 82.72 Ha ($\pm 39.76\%$) of the entire study area. Table 1 below illustrates the number of erven provided for each land use (*commercial and industrial*) while also indicating the area reserved for such uses. This makes it easy to review the balance of each layout alternative with respect to commercial land, industrial land, roads and parking.

	Concept A	Concept B	Concept C
Developable area	± 82.72 Ha		
No of Industrial erven	82	75	69
Area reserved for industrial erven	± 45.60 ha	± 48.78 ha	± 45.34 ha
Commercial Erven	6	4	5
Area reserved for commercial erven	± 7.36 ha	± 4.86 ha	± 7.45 ha
Road surface	± 7.12 ha	± 6.68 ha	± 10.02 ha
Road reserve, parking and landscaped areas	± 22.64 ha	± 22.40 ha	± 19.91 ha

Table 1

In Table 2 the number of erven created for commercial and industrial uses for each layout, as well as the area reserved for such uses, are combined to provide a simplified overview of the area – number of erven ratio for each alternative. Here it is demonstrated that the best layout option, considering maximum profit is the primary objective, will be concept A as it provides the highest number of erven with the lowest road surface area.

	Total area developed (excluding roads & open spaces)	Number of erven created	Road surface area
Concept A	± 52.96	88	± 7.12 ha
Concept B	± 53.64	79	± 6.68 ha
Concept C	± 52.79	74	± 10.02 ha

Table 2

7 COMPARISON OF SECOND DRAFT ALTERNATIVE LAYOUTS

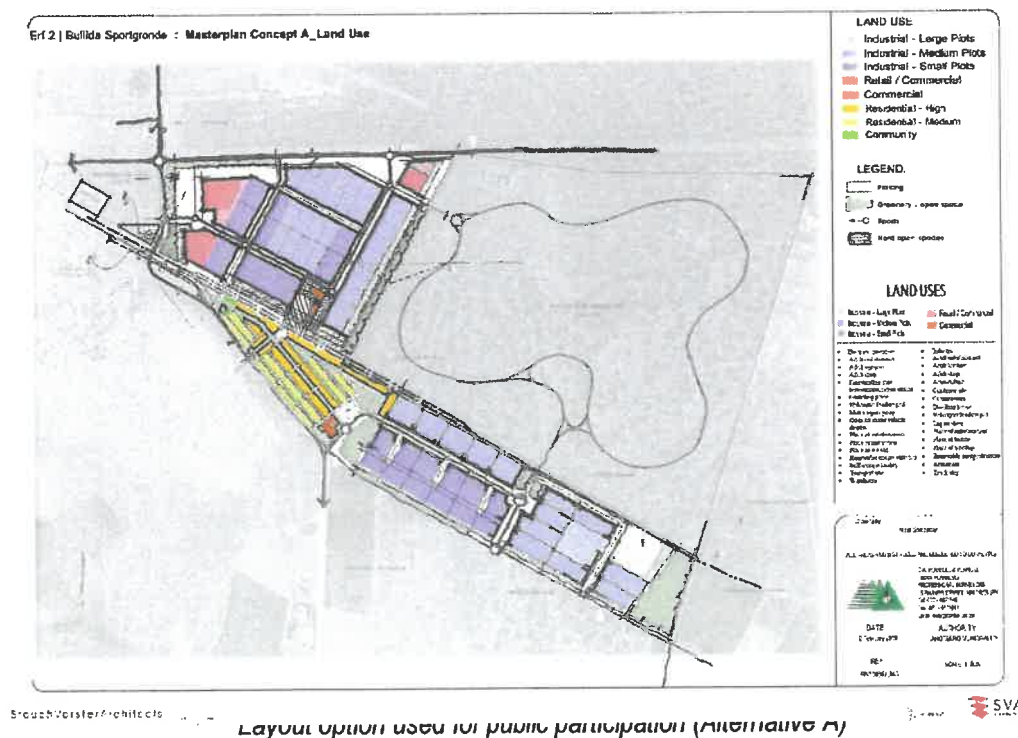
After presenting the three original layout alternatives the consultants were requested to generate alternatives which include at least 10 Ha of residential land (please refer to paragraph 10). Alternative A, B and C as presented formed the basis for the additional alternative layouts. The residential component were, in all cases, limited to the portion of Erf 2 located opposite Nkqubela as this was the most appropriate space to encourage integration and discourage urban sprawl. The difference between the

various additional alternative layouts primarily relate to the street layout, access and the transition between land uses.

8. PARTICIPATION PROCESS

Alternative A from the second draft alternatives was taken through a public participation process to identify possible challenges and/or areas of improvement. Lukhozi Consulting Engineers facilitated the public participation process for the project. The public participation requested input on layout from the broader public, stakeholders, parastatals and state departments. An open day meeting was held at the Callie De Villiers Sport Grounds in Robertson as well as placement of notifications at various places throughout Robertson (*Library, Spar etc.*). Site notices were also placed on Erf 2 and the Bullida Grounds. A workshop was arranged for the representatives from parastatals and state departments to properly gauge the position and expectations of each. The comments received during the public participation process assisted in determining the best use of the study area and resulted in some minor amendments of the layout. The layout consisted of the development of approximately ± 82.72 Ha which can be broken down as follows:

- ± 390 Residential Erven on ± 5.4 Ha (*an additional ± 4.6 Ha used as open spaces and roads*)
- 67 Industrial Erven on ± 36.8 Ha
- 5 Business/Commercial Erven on ± 7.36 Ha
- 1 School / College on ± 1.6 Ha
- 1 informal trading area on ± 1 Ha
- Road surface approximately ± 7.12 Ha
- Road reserve, parking and landscaped areas measuring approximately ± 18.84 Ha



8.1 Comments from public on layout

The following serves as a shortlist of the concerns raised by the proposal:

- Availability of water
- Property security and policing
- Any residential development should be located as close to Nkqubela as possible

- The aesthetics of the development will be important
- The safe crossing of the Provincial roads and railway is and will be a major challenge for pedestrians.

8.2 Comments from state departments on layout

Cape Nature:

Cape Nature does not oppose the proposed development if the larger portion of the Bullida Grounds is conserved as per the initial discussion between Cape Nature and CK Rumboll.

Transnet:

During the meeting with representatives of multiple departments, representatives from Transnet stated that a 3m setback is required along the railway and that multiple way leaves will be required (*services such as piping and storm water as well as vehicle and pedestrian level crossings*).

Department of Environmental Affairs & Development Planning (Development Management):

The department has, in principle, no objection against the proposed development. A light Industrial and mixed use precinct will ensure development is consistent with the guiding spatial principles as stipulated in the Western Cape Provincial Spatial Development Framework. The proposal will result in more efficient utilization of the currently underutilized land. Input should be obtained from The Department of Transport & Public Works as well as SANRAL/PRASA throughout the project due to possible impacts on road and rail infrastructure.

Department of Environmental Affairs & Development Planning (Environmental):

The comment from DEADP (*Environmental department*) identified multiple listed activities in terms of the NEMA EIA Regulations 2014. The activities identified were:

- Activity 15 of Listing Notice 2 – clearance of 20 Ha or more of indigenous vegetation.
- Activity 12 of Listing Notice 3 – clearance of 300 m² or more of indigenous vegetation.
- Activity 4 of Listing Notice 3 – the development of a road wider than 4 m in with a reserve less than 13.5 m.

Heritage Western Cape:

The department stated that a Heritage Impact Assessment would be required in order to develop the study area.

Eskom:

Eskom stated that rerouting or relocating of their infrastructure will be for the cost of the developer. Eskom will also need to be informed if any work takes place near the power lines. Furthermore, Eskom must be able to access their infrastructure and a 10m obstruction free zone needs to be maintained around pylons.

9. DIRECTIVES:

The tender required three final alternatives maximizing the development potential of Bullida Gronde. The public participation resulted in three alternatives.

- 3 Final Alternative 1 – Includes a large residential component
- 4 Final Alternative 2 – Includes a marginal residential component
- 5 Final Alternative 3 – No residential components

The Transport Feasibility Assessment resulted in a fourth alternatives

- 6 Final Alternative 4 – No residential components

The directives generated during the public participation process & final traffic assessment informed the design elements to follow:

- Firm proposals i.e.

Constraints/ Design Informants	Development & Design Elements	Principles
Security of property	Perimeter fence around conservation precinct	Safety & sociability
R60 Road class & Speed limit	Fixed full access point from R60	Accessibility
Road class & speed limit on R317	Fixed full access point at Nkqubela	Accessibility
Road class & speed limit on R317	Median Left in Left out access between railway and R60	Accessibility
Limited modes of transport (mobility)	Pedestrian link between R317 eastern & western precinct (parallel to R317)	Permeability
Development extent	Require a 4 th access off R317 opposite Major Hill Wine Estate (Farm Over-Het-Roodezand 4/112)	Accessibility

- Firm proposals with locations that vary:

Development & Design Elements	Principles
Pedestrian crossing at railway as part of R60 and Nkqubela access link: Over (level or bridge) or Under pass	Connectivity, Axiality Pedestrians First, , Permeability
Pedestrian link from west of Bullida to conservation area	Accessibility
Realignment of R317 and R60 (20 years) to avoid high speed road (R60 & R317) intersection in built up area	Connectivity
Internal roads to ease traffic circulation: Road reserve width 32m (primary) and secondary (25m servitude) roads with travel way being 7.5m	Pedestrians First: prioritize walking, permeability

10. COMPARISON OF FINAL ALTERNATIVES

The preferred alternative is Final Alternative 4 as the fixed road intersection proposals will have to be taken forward. (See Alternatives below) The detail designs of the precincts can be refined when the land use applications are prepared and as the phases get implemented. Alternatives with land uses limited to business and industry are preferred as these alternatives aid economic agglomeration. As the status of the road may change over the longer term, connectivity and access will improve. The change road status will ensure strong integration between the different precincts i.e. proposed business industry and existing residential uses. Keep in mind that the industrial and commercial uses are sufficiently robust to accommodate community markets, business hives and facilities that can be dualled to serve as educational institutions.

The table below provide a comparison of the four alternatives generated.

Final Alternative	FA 1	FA 2	FA 3	FA 4
Access	All access points are similar because of road class and speed limit and existing entrances, sight lines and distance from other intersections.			All access points are fixed as per Transport Feasibility Assessment
Connectivity	All layout options have strong grid layouts and connect fairly well with surrounding precincts			A less permeable grid layout and connect well with surrounding precincts
Residential land	Extensive residential	Some residential development	No residential development given	No residential development given the

	development (± 390 erven on $\pm 5.4ha$)	(± 160 erven on $\pm 4.2ha$)	the proximity of Nkqubela settlement	proximity of Nkqubela settlement
Industrial land	67 erven on $\pm 36.8ha$	71 erven on $\pm 41.8ha$	82 erven on $\pm 45.6ha$	66 erven on $\pm 54.32ha$
Commercial Land	5 erven on $\pm 5.36ha$	4 erven on $\pm 4.68ha$	6 erven on $\pm 7.36ha$	5 erven on $\pm 5.07ha$
Community amenities	Includes 1 erf ($\pm 1.6ha$) for a school or FET college		No area for a school / FET college but can be accommodated.	Mixed use precinct ($\pm 3.36ha$) could accommodate an FET college.
Informal trading	Includes 1 informal trading area / In ($\pm 1ha$)		No area for informal trading but can be accommodated.	Informal trading, informal markets and a community market can be accommodated.
Road surface	$\pm 11.72ha$	$\pm 9.89ha$	$\pm 7.12ha$	$\pm 6Ha$
Parking & Open Space	$\pm 20.84ha$	$\pm 19.55ha$	$\pm 22.64ha$	$\pm 10.97Ha$
Connectivity between precincts	Good connectivity and access from the R60 right across to Nkqubela			
	Best mobility (vehicle and pedestrian) alignment (pedestrian bridge).	Mobility (vehicle and pedestrian) alignment and permeability can and is likely to improve (placement of pedestrian bridge).	Better mobility (vehicle and pedestrian) alignment (pedestrian bridge).	Best mobility and permeability – underpass option between the R60 precinct and R317 precinct.
Interfaces between land uses	Best interface between industry and residential uses.		Interface limited to commercial and industry.	
Vitality of uses	Industry uses are sufficiently robust to accommodate community markets, business hives and educational institutions.			

To develop Bullida Gronde future decisions and activities should focus on the development model option to take forward i.e. is Langeberg Municipality going to be the developer or is Langeberg Municipality going to get the land use rights and then sell the land or is Langeberg Municipality going to sell the land.

FINAL ALTERNATIVE 1



LAND USE

- Industrial - Large Plots
- Industrial - Medium Plots
- Industrial - Small Plots
- Retail / Commercial
- Commercial
- Residential - High
- Residential - Medium
- Community

LEGEND:

Parking
 Greenery / open space
 Roads
 Hard open spaces

FINAL ALTERNATIVE 2



LAND USE

- Industrial - Large Plots
- Industrial - Medium Plots
- Industrial - Small Plots
- Retail / Commercial
- Commercial
- Residential - High
- Residential - Medium
- Community

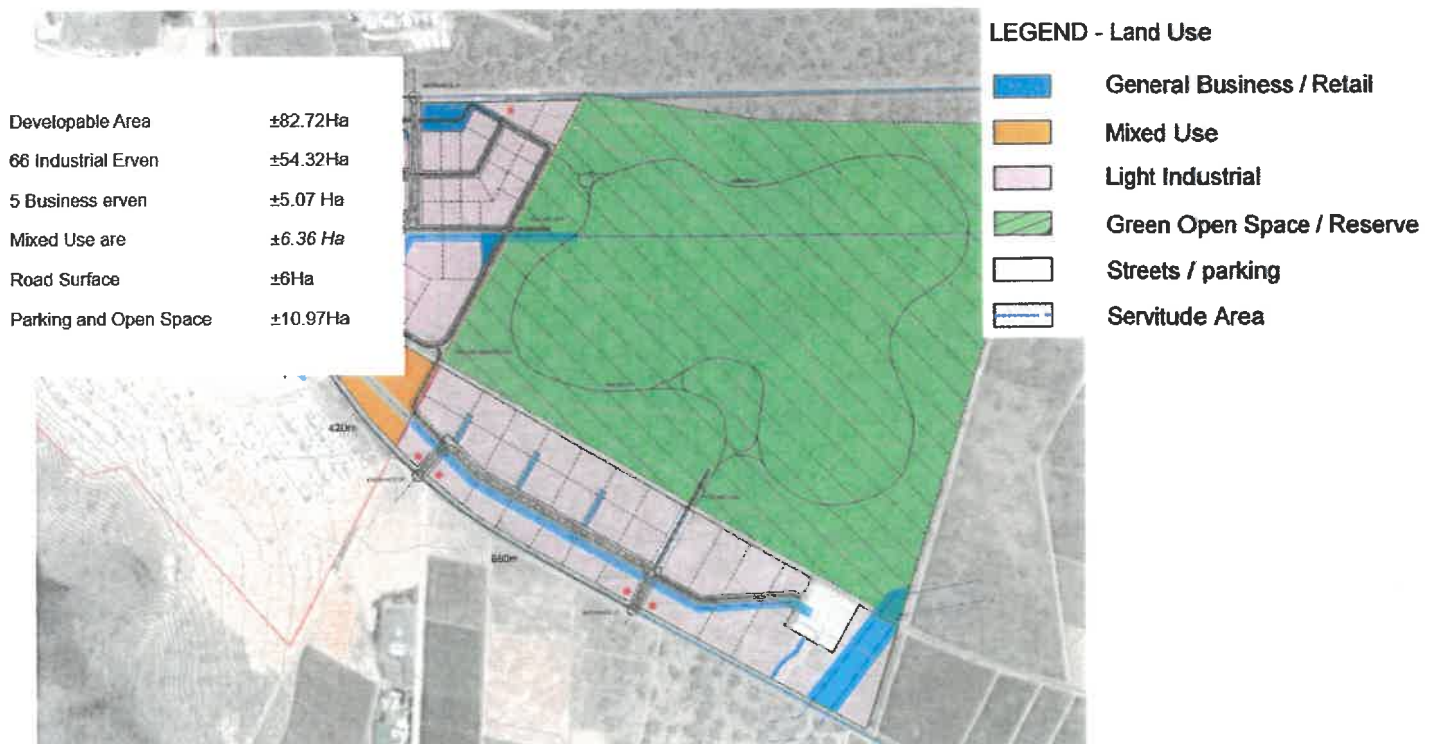
LEGEND:

Parking
 Greenery / open space
 Roads
 Hard open spaces

FINAL ALTERNATIVE 3



FINAL ALTERNATIVE 4



11. IMPLEMENTATION

Development of the Bullida Gronde should be phased in order to progressively integrate with the surrounding area. Phasing, determined by access and road works, will make it easier to finance the development with regard to service upgrades and maintenance. Three phases are suggested:

- R60 precinct (north of railway)

- R317 South-western precinct (south of the railway)
- R317 South-eastern precinct (south of the railway)

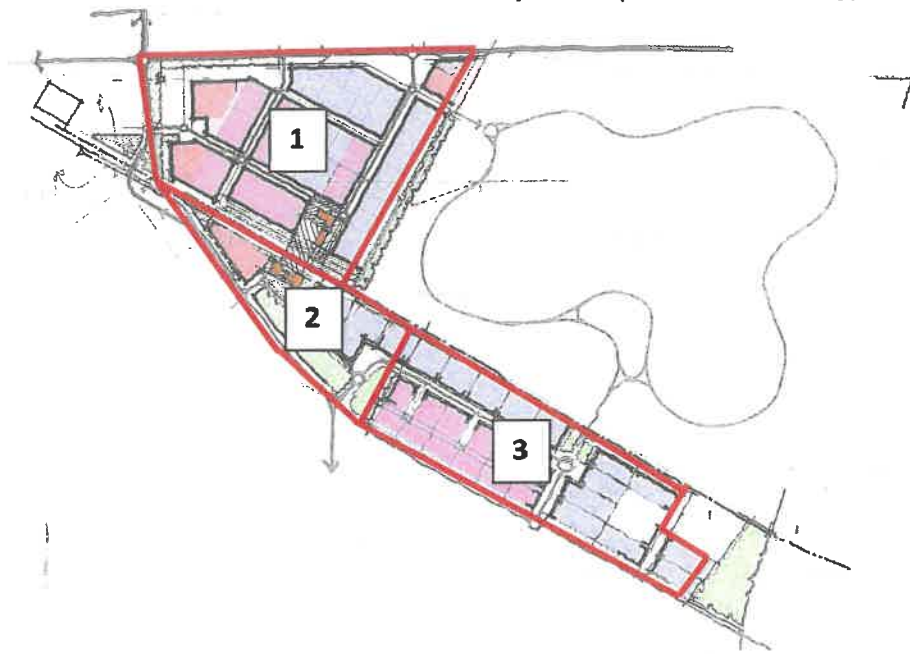


Figure 21: Phasing plan for development of Bullida Gronde.

12. WAY FORWARD

Upgrades Required: The proposal is based on the assumption that Langeberg Municipality will enable the upgrade of the following:

- Upgrades to bulk services of Robertson and provision of internal services (*sewage, water, electricity, storm water etc.*);
- Upgrade of road infrastructure (*roundabouts, bell mouths, realignment of roads and possibly bridges*)

The approvals required to obtain development rights to develop Bullida Gronde and vest these rights, are tabled below:

Approvals Required	Reports/ Studies	
	Completed	To Obtain
Environmental Approval in terms of NEMA for any listed activity that may be triggered	Botanical & Biodiversity	Environmental Impact Assessment <ul style="list-style-type: none"> • Socio-economic assessment
Approval from Heritage Western Cape	Comment on NID Urban Design Guidelines	Heritage Impact assessment &: <ol style="list-style-type: none"> 1.Archaeological Assessment 2.Visual Impact Assessment 3.Landscaping plan 4.Refined urban design guidelines
General Authorization to "use" water (WULA)	Comment	Freshwater report WULA application
Approval from ESKOM for the moving of pylons or for construction/ work near pylons	Comment	Services (Civil & Electrical) report detailing internal service layout as well as upgrades required to bulk infrastructure.
Approval from TRANSNET for service and level crossing way leaves.	Comment	Way leave applications

Approval from the Western Cape Department of Transport & Public Works for obtaining access from the R60 and R317 Roads.	Comment	Addendum to traffic Impact assessment
LUPA approval of the amendment of the Urban Edge, as demarcated in Langeberg SDF, to include Bullida Gronde	Topographical survey	AD-HOC amendment or amendment simultaneously with next SDF review
LUPA Section 53 approval		Section 53 Application
Land Use Approval from Langeberg Municipality for the rezoning of both properties to sub divisional area.		Land Use Application
Approval of the General Plan by Surveyor General.		Survey of erven and compilation of a General Plan
Certificate of registered title		Appointment of a conveyancer

13. SERVICES

The cost of internal civil works e.g. Mass Earthworks, Streets, Sewer network, Storm water and Detention Ponds and Electrical are estimated to approximately R166 643 581.32 (2019 estimation).

The cost of Road Infrastructure e.g. Access 1: Right turn lane and street lighting, Access 2: Right-turn lane and street lighting and Access 3: Median and left-in/left-out amounts to approximately R62 500 000 (2019 estimation).

14. COSTING

Two costings were undertaken as part of the study. The first was a calculation of costs pertaining to the provision of bulk infrastructure, services and road infrastructure. It was determined that the variations of layout alternatives would not make a difference to the expected expenditure associated with the provision of bulk infrastructure. This is because all layouts were consistent in terms determining that the dominant function of the study area should be to facilitate economic growth by providing ample land for accommodating light industrial and agricultural processing facilities.

The second costing related to the different approaches available to Langeberg Municipality for implementing the selected layout alternative. Three options were tabled in this regard:

- Option 1 – Municipality acts as sole developer of study area
- Option 2 – Municipality establishes development rights and sells study area to a private developer
- Option 3 – Municipality sells study area as is to a private developer

Each option has different implications for the municipality in terms of cost associated and the return on investment. In conclusion, the possibilities associated with suggested zoning will not be the deciding factor in determining whether development of the study area is viable. The cost of provision of bulk infrastructure paired with the cost associated with one or another implementation option will ultimately determine feasibility of the project, the financial risk and potential profit.

OUTCOMES

1. Final alternative 4 is the most favourable development proposal.
2. This is the only municipal land available in Robertson for industrial development.
3. A three phased development of alternative 4 will be a more favourable proposal in terms of the financial impact that the development may have on the municipality regarding the provision of services.
4. The costs reflected for the provision of services was conducted in 2019 and additional escalation needs to be considered at the time that the decision is taken to develop.
5. The costs do not reflect the additional cost needed for the provision of bulk electricity.
6. The formal Land Use procedures and EIA application must still commence in terms of the Langeberg LUP Bylaw, 2015.
7. Approaches available to Langeberg Municipality for implementing the selected layout alternative are as follow:
Option 1 – Municipality acts as sole developer of study area
Option 2 – Municipality establishes development rights and sells study area to a private developer
Option 3 – Municipality sells study area as is to a private developer

RECOMMENDATION

1. That Council notes the content of the report.
2. That Council acknowledge that the financial means to develop the Bullida Ground is not available.
3. Council indicate the process to be followed for the development of the land as one of the following options:
 - Option 1 – Municipality acts as sole developer of study area
 - Option 2 – Municipality establishes development rights and sells study area to a private developer
 - Option 3 – Municipality sells study area as is to a private developer

This item served before the Engineering Services Portfolio Committee on 08 June 2022
Hierdie verslag het voor die Ingenieursdienste Portefeulle Komitee gedien op 08 Junie 2022
Eenparig Besluit / Unanimously Resolved

1. That the report be referred back to the next Engineering Services Portfolio Meeting.
2. That an investigation be done to determine what the land can be used for.

Additional Comments: Engineering Services

The feasibility study indicate four possible alternative land uses with layouts for the land as final alternative 1 to 4.

RECOMMENDATION

- 1 That Council notes the content of the report.
- 2 That Council acknowledge that the financial means to develop the Bullida Ground is not available.
- 3 Council indicate the process to be followed for the development of the land as one of the following options:
 - Option 1 – Municipality acts as sole developer of study area
 - Option 2 – Municipality establishes development rights and sells study area to a private developer
 - Option 3 – Municipality sells study area as is to a private developer

This item served before the Engineering Services Portfolio Committee on 16 August 2022

Hierdie verslag het voor die Ingenieursdienste Portefeulje Komitee gedien op 16 Augustus 2022

Aanbeveling / Recommendation

1. *That the consultant, if available, give a presentation to all councillors before the Mayoral Committee Meeting of 24 August 2022, if not possible, that the presentation be done before the Council meeting of 30 August 2022.*
2. *That the report be referred back to the Engineering Services Portfolio Committee Meeting if the presentation by the consultants did not take place.*

This item served before the Executive Mayoral Committee on 24 August 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 24 Augustus 2022

Eenparig Besluit / Unanimously Resolved

That the report be referred back to the Engineering Services Portfolio Committee Meeting.

Additional Comments: Engineering Services

The consultants responsible for the drafting of the report will do a presentation to the council on 9 September 2022.

RECOMMENDATION

- 1 That Council notes the content of the report.
- 2 That Council decide between Alternative 1, Alternative 2, Alternative 3 or Alternative 4 to be developed.
- 3 That Council acknowledge that the financial means to develop the Bullida Ground is not available.
- 4 Council indicate the process to be followed for the development of the land as one of the following options:
 - Option 1 – Municipality acts as sole developer of study area

- Option 2 – Municipality establishes development rights and sells study area to a private developer
- Option 3 – Municipality sells study area as is to a private developer

This item served before the Engineering Services Portfolio Committee on 09 September 2022
Hierdie verslag het voor die Ingenieursdienste Portefeulje Komitee gedien op 09 September 2022
Aanbeveling / Recommendation

- 1 That Council notes the content of the report.
- 2 That Alternative 2 be chosen for development.
- 3 That Council acknowledge that the financial means to develop the Bullida Ground is not available.
- 4 That Council proceed with Option 2 – Municipality establishes development rights and sells study area to a private developer for the development of the land.

This item served before the Executive Mayoral Committee on 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 September 2022
Aanbeveling / Recommendation

- 1 That Council notes the content of the report.
- 2 That Alternative 2 be chosen for development.
- 3 That Council acknowledge that the financial means to develop the Bullida Ground is not available.
4. That Council proceed with Option 2 – Municipality establishes development rights and sells study area to a private developer for the development of the land.

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

Purpose of Report

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

Background

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

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

The Report on Deviations for May 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 10 August 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 10 Augustus 2022
Unanimously Resolved / Eenparig Besluit

That the report be referred to the next MPAC committee meeting.

NOTE: The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 September 2022 (pg. 15 – 20)

This item served before the Municipal Public Accounts Committee (MPAC) on 07 September 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 September 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 – JUNE 2022 : DIRECTORATE
ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

Purpose of Report

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

Background

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

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

The Report on Deviations for June 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 10 August 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 10 Augustus 2022
Unanimously Resolved / Eenparig Besluit

That the report be referred to the next MPAC committee meeting.

NOTE: The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 September 2022 (pg. 22 – 24)

This item served before the Municipal Public Accounts Committee (MPAC) on 07 September 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 September 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 – JULY 2022 : DIRECTORATE ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)

Purpose of Report

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

Background

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

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

The Report on Deviations for July 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 10 August 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 10 Augustus 2022
Unanimously Resolved / Eenparig Besluit

That the report be referred to the next MPAC committee meeting.

NOTE: The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 September 2022 (pg. 26 – 27)

This item served before the Municipal Public Accounts Committee (MPAC) on 07 September 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 September 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.

**EMPIRE TRUST PROPERTIES: APPLICATION TO PURCHASE A PORTION OF ERF 2, (3000M²),
ROBERTSON (7/2/3/2/5) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)**

Purpose of report

To submit a report to the Mayoral Committee for consideration regarding an application received from Ms E Muller on behalf of Empire Trust.

Background

The following letter was received from Ms E Muller:

"Graag wil ek aansoek doen om uitgemerkte stuk grond soos aangedui op aangehegte diagram te koop by Langeberg Munisipaliteit.

Die stuk grond is 3000 vierkante meter. Dit sal gebruik word vir opsit van 'n stoor waarin landbou produkte gestor sal word. My besigheid se naam is Conradie Landboudienste. Ek verkoop landbou produkte en kort 'n perseel vir die berg daarvan.

Dankie."

Comments:

A location map was attached.

The following comments were received:

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: Director: Engineering Services

The applicant indicates an erf with length of 58m along Wolhuter Street. The municipal Robertson canal pump and siphon line will be inside the proposed erf western boundary.

This is one of the main raw water sources for the town of Robertson. It is therefore recommended that the proposed erf length alongside Wolhuter Street be reduced to 45m. Water and sewer services are available from Wolhuter Street at the approved tariffs.

Comments: Director: Strategy & Social Development

If the municipality has no need for the land it should be sold via public tender at a market related price

Comments: Director: Community Services

Portion of erf 2, Robertson be advertised for public submissions.

Comments: Cllr J Coetzee

“Ek het geen beswaar teen die aansoek nie op voorwaarde dat daar voldoen sal word aan die bepalinge van die Wet op Munisipale Finansiële Bestuur.”

Recommendation

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 E Muller on behalf of Empire Trust to purchase a portion of municipal land situated on Erf 2 (3000m²), Robertson for business purposes not be approved.
3. That a Land Surveyor be appointed to determine the portion of land that is available for alienation taken into consideration municipal services crosses a portion of this portion of land.
4. That the portion of land that is being identified, be alienated by way of public tender for industrial purposes after point 3 has been adhered to 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 tenderer submit storm water plans, which must include a new storm water system alongside Wolhuter Street to connect to the existing storm water network. The cost of the installation for this system will be for the account of the applicant.
 - 4.4 That the successful tenderer submits a service plan that indicates the proposed electricity usage to enable the Engineering department to determine if the proposed electricity supply is available before the tender is awarded.
 - 4.5 That the proposed erf length alongside Wolhuter Street be reduced to 45m.
 - 4.6 That the tenderer be responsible for all the connection fees for municipal services rendered to the property.
 - 4.7 That a servitude for municipal services on the property be registered in favour of the Municipality and that the Municipality will have unrestricted access to the property.
 - 4.8 That the tenderer be responsible for the cost involved for all Town Planning costs which may be rezoning, subdivision, consolidation, Surveying fees, registration of servitudes and registration of the property in his/her name where applicable.
 - 4.9 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.

NOTE: The annexure was distributed as part of the agenda for the Corporate Services Portfolio Committee meeting of 07 September 2022 (pg. 32)

This item served before the Corporate Services Portfolio Committee on 07 September 2022
Die item het voor die Korporatiewe Dienste Portefeulje Komitee gediën op 07 September 2022
Recommendation / Aanbeveling

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 E Muller on behalf of Empire Trust to purchase a portion of municipal land situated on Erf 2 (3000m²), Robertson for business purposes not be approved.
3. That a Land Surveyor be appointed to determine the portion of land that is available for alienation taken into consideration municipal services crosses a portion of this portion of land.
4. That the portion of land that is being identified, be alienated by way of public tender for industrial purposes after point 3 has been adhered to 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 tenderer submit storm water plans, which must include a new storm water system alongside Wolhuter Street to connect to the existing storm water network. The cost of the installation for this system will be for the account of the applicant.
 - 4.4 That the successful tenderer submits a service plan that indicates the proposed electricity usage to enable the Engineering department to determine if the proposed electricity supply is available before the tender is awarded.
 - 4.5 That the proposed erf length alongside Wolhuter Street be reduced to 45m.
 - 4.6 That the tenderer be responsible for all the connection fees for municipal services rendered to the property.
 - 4.7 That a servitude for municipal services on the property be registered in favour of the Municipality and that the Municipality will have unrestricted access to the property.
 - 4.8 That the tenderer be responsible for the cost involved for all Town Planning costs which may be rezoning, subdivision, consolidation, Surveying fees, registration of servitudes and registration of the property in his/her name where applicable.
 - 4.9 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 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediën op 21 September 2022
Aanbeveling / Recommendation

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 E Muller on behalf of Empire Trust to purchase a portion of municipal land situated on Erf 2 (3000m²), Robertson for business purposes not be approved.
3. That a Land Surveyor be appointed to determine the portion of land that is available for alienation taken into consideration municipal services crosses a portion of this portion of land.
4. That the portion of land that is being identified, be alienated by way of public tender for industrial purposes

after point 3 has been adhered to 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 tenderer submit storm water plans, which must include a new storm water system alongside Wolhuter Street to connect to the existing storm water network. The cost of the installation for this system will be for the account of the applicant.
- 4.4 That the successful tenderer submits a service plan that indicates the proposed electricity usage to enable the Engineering department to determine if the proposed electricity supply is available before the tender is awarded.
- 4.5 That the proposed erf length alongside Wolhuter Street be reduced to 45m.
- 4.6 That the tenderer be responsible for all the connection fees for municipal services rendered to the property.
- 4.7 That a servitude for municipal services on the property be registered in favour of the Municipality and that the Municipality will have unrestricted access to the property.
- 4.8 That the tenderer be responsible for the cost involved for all Town Planning costs which may be rezoning, subdivision, consolidation, Surveying fees, registration of servitudes and registration of the property in his/her name where applicable.
- 4.9 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 PURCHASE ERF 5154, ROBERTSON FOR CRECHE PURPOSES (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 Ms C Koert.

Background

The following letter was received from Ms C Koert:

"Ek Catherine Koert het 'n passie vir kleiner kinders en het my kwalifikasie in Vroeë Kinderontwikkeling (ECD) verwerf. Met jare se goeie ondervinding om met mense wat kinders insluit te werk is my passie.

In die bogenoemde omgewing is daar 'n behoefte vir 'n veilige leer en speel fasiliteit vir ons kleuters. Ons beoog om kleuters tussen die ouderdom van 1 tot 4 jaar te akkommodeer. Waar ons hulle onder meer basiese voorskoolse ontwikkeling soos geletterdheid, sosiale en emosionele vaardighede te leer, soos hoe om rigtings te deel en op te volg, onder andere, ontwikkelende toepaslike gedrag. Ons beoog ook om die kinders te leer van getalle, vorms, kleure en vele meer, alles in vorm van prettige spelletjies.

Daar is tans 'n goot behoefte vir voor-en naskoolse sorg in die bogenoemde buurt, omdat baie ouers werk deur die dag en kleuters altyd 'n versorger nodig het. Dit het my tot die gevolgtrekking gebring dat ek hierdie behoefte in my buurt kan vervul.

Graag wil ek die moontlikheid bespreek om die bogenoemde erf met 'n totale grootte van 807m te benut, dit kan die ideale tuiste vir ons kleuters skep, wat al die basiese geriewe kan insluit. Kan u en die Raad dit goedgunstig oorweeg om die grond vry te stel om benut te word vir 'n goeie doeleinde wat 'n goeie belegging sal skep vir ons jeug in die nabye toekoms.

Ek verneem graag van u."

A location map was attached.

The following comments were received:

Comments: Director: Engineering Services

The current zoning is open space 1 and a rezoning application process needs to be followed. All engineering services is available to erf 5154. Application supported if the processes are followed.

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: Director: Community Services

If property not used to render municipal services it should be sold on public tender.

Comments: Director: Strategy & Social Development

If there is no municipal use for the piece of land it is recommended that the land, be disposed of via public tender at market related price

Comments: Cllr Steyn

"I am aware of the piece of land in question. I have had conversations with Me Michaels of De Villiers Primary, who has pointed out that there is a great need for a crèche in the Moreson area. Furthermore she has outlined the challenges the school faces with regards to children being exposed to dangerous activities before they even get to the school going age. A crèche would greatly reduce this burden and also serve the public in a very positive and uplifting manner. Because of this reasoning, I fully support her intention and feel the piece of land should go by way of normal procedure"

Recommendation

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 C Koert to purchase erf 5154, Robertson not be approved.
3. That erf 5154, Robertson be alienated by way of public tender for crèche 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.
4. That a revisionary clause be included in the deed of sale that in the event that the erf is no longer used as crèche purposes, the buyer must transfer the erf back to the Municipality at the original selling price, at the cost of the buyer.

NOTE: The annexure was distributed as part of the agenda for the Corporate Services Portfolio Committee meeting of 07 September 2022 (pg. 35)

This item served before the Corporate Services Portfolio Committee on 07 September 2022
Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 07 September 2022
Recommendation / Aanbeveling

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 C Koert to purchase erf 5154, Robertson not be approved.
3. That erf 5154, Robertson be alienated by way of public tender 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.
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 - 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.

This item served before the Executive Mayoral Committee on 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 September 2022
Aanbeveling / Recommendation

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 C Koert to purchase erf 5154, Robertson not be approved.
3. That erf 5154, Robertson be alienated by way of public tender 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

UMSIZA PLANNING: APPLICATION FOR REGISTRATION OF A SERVITUDE ON A REMAINDER OF REMAINDER OF ERF1, MONTAGU (PROPOSED 7M WIDE ROW SERVITUDE, ±85M²) TO ERF 1094, MONTAGU (7/2/R) (DIRECTORATE: CORPORATE SERVICES)

Purpose of report

To submit a report to the Mayoral Committee for consideration regarding an application received from Umsiza Planning on behalf of BSW Property Holdings PTY.

Background

The following letter was received from Umsiza Planning

“Ons wil graag toestemming vra vir toegang R/erf 1 na Erf 1094, Montagu. (sien aangehegte plan). Daar is `n pad – Dienerlaan maar ons is nie seker waar die eindig nie.”

Die wydte is reg, maar ek weet nie hoe lank dit is nie. Arnold was ook nie seker waar die padreserwe is nie. Die LG Plan is baie oud. As die pad breër is, gaan die serwituut heelwat korter wees. Dus die grootte mag dalk kleiner wees.

Huidige eienaar van Erf 1094 Montagu is BSW Prop Holdings Pty Ltd.

Hul wil Ged A verkoop aan Roy McCarthy wat addisionele ingang soek. Onderverdelingsaansoek moet nog by Montagu ingedien word.

Daar is kontrak opgestel deur Terblanche Geldenhuys Prokureurs in Montagu.

A location map was attached.

The following comments were received:

Comments: Director Engineering Services

Usually municipal access roads give access to the adjacent land uses. In this case, Diener Avenue runs between Erf 1094 Montagu on the northern side and Erven 895 and 3733 Montagu on the southern side, but a much broader triangle piece of land was left open where it connects with Bath Street, for unknown reasons. This open piece of land is part of Re/Erf 1 Montagu.

It is most probable that there is a portion of R/Erf 1 located between Diener Avenue and Erf 1094 adjacent to Portion A due to the triangle. Therefore, the applicant is requesting permission to cross Re/Erf 1 from Diener Avenue to Portion A/Erf 1094 Montagu. A registered servitude will secure access.

Portion A will get access from the existing access road from Bath Street. As this road is used by the whole Erf 1094, it is proposed that the access road remains on the Remainder and that a servitude right-of-way is registered over the Remainder in favour of Portion A. Such an application, together with a subdivision application, will be submitted to the Planning Department.

BUT, proposed Portion A is very small for an industrial erf where large trucks/interlinks need to turn on site to exit in Bath Street again. Such road turning circles will cover the whole erf with no remaining land for additional buildings and will nullified the reason for buying the property.

Therefore, the applicant requested that an additional access from Diener Avenue be applied to ensure a one-direction/way access from Diener Avenue through Portion A to exit in Bath Street.

The application is supported in principle.

Comments: Chief Financial Officer

I support the comments from the Engineering Department

Comments: Director: Strategy and Social Development

The application for registration of a servitude on a remainder of erf 1, Montagu is supported subject to no business or person being disadvantaged

Comments: Director: Community Services

No objection subject to following compliance regulations.

Comments: Cllr Felix

I have no objection against this application.

Recommendation

1. That it be confirmed that the portion over municipal land situated on a remainder of erf1, (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu are not needed for the provision of the minimum level of basic municipal services. (S14 of the MFMA 2003, Act 56 of 2003)
2. That the application from BSW Property Holdings PTY to register a servitude on a remainder of erf1 (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu not be approved.
3. That a remainder of erf1 (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu to register a servitude be alienated by way of public tender subject to the following conditions:
 - 3.1 That the portion 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 where applicable.
 - 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
 - 3.6 That the buyer registers a servitude on a remainder of erf1 (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu, (as indicated on the plan submitted). The compensation to be paid to Langeberg Municipality for the servitude will be determined as the fair market value of the area of the servitude.
 - 3.7 That the permission, to the satisfaction of the Municipality, of all the affected properties by the total pipelines servitude be obtained by the buyer before this resolution becomes effective and that the future maintenance of this servitude area be for the account of the buyer.

- 3.8 That the servitude is subject to municipal rates being levied to be paid by the applicant.
- 3.9 That access from Diener Avenue be applied to ensure a one-direction/way access from Diener Avenue through Portion A to exit in Bath Street.
- 3.10 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.

NOTE: The annexure was distributed as part of the agenda for the Corporate Services Portfolio Committee meeting of 07 September 2022 (pg. 39)

This item served before the Corporate Services Portfolio Committee on 07 September 2022
Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 07 September 2022
Recommendation / Aanbeveling

1. That it be confirmed that the portion over municipal land situated on a remainder of erf1, (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu are not needed for the provision of the minimum level of basic municipal services. (S14 of the MFMA 2003, Act 56 of 2003)
2. That the application from BSW Property Holdings PTY to register a servitude on a remainder of erf1 (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu not be approved.
3. That a remainder of erf1 (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu to register a servitude be alienated by way of public tender subject to the following conditions:
 - 3.1 That the portion 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 where applicable.
 - 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
 - 3.6 That the buyer registers a servitude on a remainder of erf1 (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu, (as indicated on the plan submitted). The compensation to be paid to Langeberg Municipality for the servitude will be determined as the fair market value of the area of the servitude.
 - 3.7 That the permission, to the satisfaction of the Municipality, of all the affected properties by the total pipelines servitude be obtained by the buyer before this resolution becomes effective and that the future maintenance of this servitude area be for the account of the buyer.
 - 3.8 That the servitude is subject to municipal rates being levied to be paid by the applicant.
 - 3.9 That access from Diener Avenue be applied to ensure a one-direction/way access from Diener Avenue through Portion A to exit in Bath Street.
 - 3.10 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 21 September 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediën op 21 September 2022

Aanbeveling / Recommendation

1. That it be confirmed that the portion over municipal land situated on a remainder of erf1, (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu are not needed for the provision of the minimum level of basic municipal services. (S14 of the MFMA 2003, Act 56 of 2003)
2. That the application from BSW Property Holdings PTY to register a servitude on a remainder of erf1 (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu not be approved.
3. That a remainder of erf1 (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu to register a servitude be alienated by way of public tender subject to the following conditions:
 - 3.1 That the portion 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 where applicable.
 - 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
 - 3.6 That the buyer registers a servitude on a remainder of erf1 (proposed 7m wide row servitude, $\pm 85\text{m}^2$) to erf 1094, Montagu, (as indicated on the plan submitted). The compensation to be paid to Langeberg Municipality for the servitude will be determined as the fair market value of the area of the servitude.
 - 3.7 That the permission, to the satisfaction of the Municipality, of all the affected properties by the total pipelines servitude be obtained by the buyer before this resolution becomes effective and that the future maintenance of this servitude area be for the account of the buyer.
 - 3.8 That the servitude is subject to municipal rates being levied to be paid by the applicant.
 - 3.9 That access from Diener Avenue be applied to ensure a one-direction/way access from Diener Avenue through Portion A to exit in Bath Street.
 - 3.10 That the purchase deal be finalized within a period of 8 months after allocation of the property, failing which the offer will expire irrevocably.

CHRISTMAS EVENT 2022 (12/2/3) DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT

Purpose of the Report

To submit a report to Council regarding the Christmas Event 2022.

Background

The Langeberg Municipality has hosted a Christmas Event for a number of years, which rotated amongst the different towns. The last event took place in McGregor in 2019. The 2020 and the 2021 Christmas Event, which was scheduled for Montagu, was cancelled by Council due to the Covid pandemic

Comments

The 2022 Christmas Event is therefore scheduled to take place in Montagu

There is a small amount of R17 433.00 available, for transport, sound system, stipend for performers and consumables in the 2022 /2023 budget.

Recommendations

1. That the 2022 Christmas Event take place in Montagu
2. That an organizing committee, consisting of the following persons, be established to organize the event:
 - a. Portfolio Head for Strategy and Social Development
 - b. Ward Councillors (Wards 7, 11 and 12)
 - c. Manager: LED and Rural Development
 - d. Development Officer
 - e. Principle Clerk: LED
 - f. A ward committee member from each ward
 - g. A representative from the Montagu Tourism Association
3. That the allocated budget of R17 433.00, for the Christmas Event be supported and approved

This item served before the Strategy & Social Development Portfolio Committee on 07 September 2022.
Hierdie item het gedien by die Strategiese & Sosiale Ontwikkeling Portefeulie Komitee op 07 September 2022
Aanbeveling / Recommendation

1. That the 2022 Christmas Event take place in Montagu
2. That an organizing committee, consisting of the following persons, be established to organize the event:
 - a. Portfolio Head for Strategy and Social Development
 - b. Ward Councillors (Wards 7, 11 and 12)
 - c. Manager: LED and Rural Development
 - d. Development Officer
 - e. Principle Clerk: LED
 - f. A ward committee member from each ward
 - g. A representative from the Montagu Tourism Association
3. That the allocated budget of R17 433.00, for the Christmas Event be supported and approved

This item served before the Executive Mayoral Committee on 21 September 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediens op 21 September 2022

Aanbeveling / Recommendation

1. That the 2022 Christmas Event take place in Montagu
2. That an organizing committee, consisting of the following persons, be established to organize the event:
 - a. Portfolio Head for Strategy and Social Development
 - b. Ward Councillors (Wards 7, 11 and 12)
 - c. Manager: LED and Rural Development
 - d. Development Officer
 - e. Principle Clerk: LED
 - f. A ward committee member from each ward
 - g. A representative from the Montagu Tourism Association
3. That the allocated budget of R17 433.00, for the Christmas Event be supported and approved

SUBMISSION OF THE INVESTIGATION REPORT TO MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) ON SECTION 24G ADMINISTRATIVE FINE FOR BOEKENHOUTSKLOOF INFORMAL SETTLEMENT (5/14/R) (CHIEF AUDIT EXECUTIVE)

Purpose of report

To submit the preliminary investigations report on the section 24G administrative fine for Boekenhoutskloof informal settlement to MPAC for further investigation and recommendations to Council.

Background

The Langeberg Municipality was issued with an administrative fine in terms of section 24G of the National Environmental Management Act, for the clearing of vegetation and establishment of infrastructure for Boekenhoutskloof informal settlement in Bonnievale, without environmental authorization. The initial fine of R250 000 was reduced to R125 000 after the Municipality appealed the decision of the Department of Environmental Affairs and Development Planning.

The Internal Audit Activity was requested to perform a preliminary investigation to determine whether the payment of R125 000 for the administrative fine is unauthorised, irregular, or fruitless & wasteful expenditure.

In terms of section 32 of the Municipal Finance Management Act (MFMA), a council committee of the Municipality is required to investigate matters on unauthorised, irregular, or fruitless & wasteful expenditure to determine whether such expenditure is recoverable or should be written off. This responsibility has been delegated to MPAC in terms of their terms of reference and therefore the preliminary investigation report is submitted to MPAC to assist with their investigation and reporting to Council on their findings and recommendations. Council already resolved under item A4256 on 25 January 2022 that this matter be referred to MPAC for further investigation.

The Internal Audit Preliminary Investigation Report on Section 24G Administrative Fine for Boekenhoutskloof Informal Settlement in Bonnievale and supporting information was attached to this report.

Recommendation

It is recommended:

1. That the contents of the Internal Audit Preliminary Investigation Report on Section 24G Administrative Fine for Boekenhoutskloof Informal Settlement in Bonnievale be used as a basis by MPAC to fulfil their responsibilities in terms of section 32 of the MFMA and the terms of reference.
2. That the findings and recommendations from MPAC be submitted to Council to certify whether the irregular expenditure as identified is recoverable or should be written off by the Municipal Council.

NOTE: The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 September 2022 (pg. 29 – 31)

This item served before the Municipal Public Accounts Committee (MPAC) on 07 September 2022
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 September 2022
Recommendation / Aanbeveling

It is recommended:

1. That the contents of the Internal Audit Preliminary Investigation Report on Section 24G Administrative Fine for Boekenhoutskloof Informal Settlement in Bonnievale be used as a basis by MPAC to fulfil their responsibilities in terms of section 32 of the MFMA and the terms of reference.

2. That the findings and recommendations from MPAC be submitted to Council to certify whether the irregular expenditure as identified is recoverable or should be written off by the Municipal Council.

NAMIBIAN TOURISM EXPO 2022 (12/2/3/3) DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT

Purpose of the Report

To submit a report to Council regarding the attendance of the Namibian Tourism Expo 2022.

Background

The Namibian Tourism Expo 2022 takes place from Thursday, 3 November 2022 to Saturday, 5 November 2022 at the SKW Sport Fields, Windhoek, Namibia.

Langeberg Municipality attended the Namibian Tourism Expo for a number of years as it is a very good tourism market for the Langeberg area. A lot of product owners have also benefited through this expo by obtain Namibian markets for their products.

Comments

The following invitation has been received from the Cape Winelands District Municipality.

Good Morning All,

Hope you are well.

The CWDM LED Unit's attendance for the Namibia Tourism Expo 2022 has been approved.

Please find attached information on the Namibia Tourism Expo 2022 should you as LTA and/ or municipality or any product owner or tourism related business be interested to attend. The expo will be held from 3-5 November in Windhoek. The CWDM will assist with courier of products and/or marketing collateral such as brochures, maps etc (no more than 250kgs). Each exhibitor is responsible for their own travel, accommodation and meal expenses to and from Namibia.

LTAs please send this information to your members as well.

Please indicate confirmation of attendance by 2 September 2022.

Regards.

Prudence

The following invitation was received from the Events Manager – Namibian Tourism Expo

Good morning Exhibitor

We are very excited to share that Namibia Tourism Expo bookings are open!

3-5 NOVEMBER 2022

SKW SPORT FIELDS

We would like to invite you to be part of the Expo to showcase and network your product or company

See attached Terms and Conditions

Please kindly go online <http://nte.nmh.com.na> and book your stand.

Please feel free to contact me directly if there are any further information or queries.

Many thanks

Michelle le Roux

Events Manager

Tel: +264 61 297 2104 | Cell: +264 81 286 4311

P.O.Box 3436 | 11B Genl. Murtala Muhammed Ave | Eros | Windhoek | Namibia



The Cape Winelands District Municipality will pay for the stand, border control paper work and the transportation of marketing material, to a maximum of 250kg's per delegation, to Namibia.

The Langeberg Municipality will be responsible for the following costs:

- Air fares to Namibia
- Accommodation
- Meals
- Vehicle hire

There is limited funding in the current budget to delegate two (2) persons to attend the 2022 Namibian Tourism Expo

Recommendations

That Council approve the attendance of the 2022 Namibian Tourism Expo, by two (2) persons, from the 3 to the 5 November 2022

That Council nominate two (2) persons, to attend the Namibian Tourism Expo, who will market the Langeberg area as a preferred tourist destination.

According to Council Resolution A2999 dated 24 June 2014 the System of Delegations states as follows:

113 Emergency Decision-making

1. To decide on and acts in cases requiring an immediate decision, in consultation with the Executive Mayor or Deputy Mayor or Speaker. If the Executive Mayor or Deputy Mayor or Speaker is not available, then only in exceptional cases the Municipal Manager may act on his/her own initiative.
- a) This delegation may only be exercised in an emergency or in exceptional circumstances which may severely prejudice and have a detrimental impact on the Municipality and/or its residents, without detracting from the principle of accountability.
- b) This power cannot be delegated or sub-delegated and whenever it is exercised, a report must be submitted to Council as soon as possible.

This item served before the Strategy & Social Development Portfolio Committee on 07 September 2022.

Hierdie item het gedien by die Strategiese & Sosiale Ontwikkeling Portefeulje Komitee op 07 September 2022

Aanbeveling / Recommendation

1. That Council approve the attendance of the 2022 Namibian Tourism Expo, by two (2) persons, from the 3 to the 5 November 2022
2. That Council nominate two (2) persons, to attend the Namibian Tourism Expo, who will market the Langeberg area as a preferred tourist destination.

This item served before the Executive Mayoral Committee on 21 September 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 September 2022

Aanbeveling / Recommendation

1. That Council approve the attendance of the 2022 Namibian Tourism Expo, by two (2) persons, from the 3 to the 5 November 2022
2. That Council nominate two (2) persons, to attend the Namibian Tourism Expo, who will market the Langeberg area as a preferred tourist destination.

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

Purpose of report

To submit a report regarding the methodology and process that will be followed.

Background

The Langeberg Municipality has embarked on the proposed re-write of its Spatial Development Framework (SDF) in terms of the requirements as set out in the Municipal Systems Act, Act 32 of 2000 (MSA); the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013, i.e. SPLUMA); the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014, i.e. LUPA) and the Langeberg Municipal Land Use Planning By-law, 2015 (Bylaw).

On 31 March 2022 Council discussed a report regarding the proposed re-write of the Langeberg Municipality SDF and unanimously resolved (A3719) as follows:

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

In terms of Section 11(b) of LUPA, the Municipality has therefore opted not to establish an Intergovernmental Steering Committee. A Project Committee has however been established in terms of Section 4 of the Bylaw.

In terms of Section 20(3) of SPLUMA and Section 29(1)(b)(iii) of the MSA the Langeberg Municipality will be required to invite the public, local community, organs of state or other role players to submit written comment on the proposed amended Langeberg SDF. The SDF amendment report will therefore be advertised for a 60-day commenting period in the local press and Government Gazette only after due processes were followed.

In terms of Section 13 of LUPA the draft Langeberg SDF will also be submitted to the Provincial Minister, responsible for land use planning, for written comment.

The appointment of the successful tenderer (CK Rumboll and Partners-Planning) was finalized on 27 June 2022 after the objection/appeal period.

The first step in this process to re-write the SDF, was the submission of the **Inception Report and Project Plan**. (Annexure)

The Inception Report basically address an outline of the approach, the methodology and process that will be followed to complete the re-write of the SDF. The Inception Report also contains a proposed **Project Management Schedule** (work plan) including a proposed public participation and meeting Schedule. Given the timeframes available, this work plan will be subject to changes.

Recommendation

That Council note the content of the Inception Report and the process that will be followed to re-write the Spatial Development Framework.

NOTE: The annexure was distributed as part of the agenda for the Engineering Services Portfolio Committee meeting of 09 September 2022 (pg. 22 – 47)

This item served before the Engineering Services Portfolio Committee on 09 September 2022
Hierdie verslag het voor die Ingenieursdienste Portefeulje Komitee gedien op 09 September 2022
Aanbeveling / Recommendation

That Council note the content of the Inception Report and the process that will be followed to re-write the Spatial Development Framework.

This item served before the Executive Mayoral Committee on 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 September 2022
Aanbeveling / Recommendation

That Council note the content of the Inception Report and the process that will be followed to re-write the Spatial Development Framework.

TEMPORALLY SUSPENSION OF IRRIGATION WATER ROBERTSON: (DIRECTOR ENGINEERING SERVICES)

Purpose of report

To submit a report to council for the temporally suspension of irrigation water in Robertson.

Background

Irrigation water is supplied to properties which has irrigation water rights through the title deeds of that erven. Irrigation water is supplied, through the irrigation channel system, from September till May each year. Planning indicated that the supply of irrigation water will again commence on 12 September 2022 till 31 May 2023 for this financial year.

Water, for irrigation purposes, is pumped from the Central Breede River Water Users Association canal, at the Robertson Waste Water Treatment Works, to the Gum Grove dam, with a siphon pipeline, from where it is distributed to the irrigation dams in Van Zyl Street (Noordedam) and Pollack Street (Suidedam). The irrigation water is then supplied to the erven from these dams.

Several leaks were detected, during the previous season, on the syphon line, leaving certain areas, specifically the Robertson show grounds, soggy and swampy. Planning was done to replace 204 meters of the siphon line.

Tender 35/2022 for the Purchase of 204 meters HDPE PE 100 Pipe for the Robertson Siphon, was advertised on 6 May 2022 with the final award letter dated 27 July 2022. An order was placed with the successful tenderer, Ithuba Industries, on the 1 August 2022 with an indication from the supplier to expect a 10 to 14 days delivery. On the 16 August 2022, the service provider indicated that the delivery of the pipe has been delayed due to the availability of raw material for manufacturing. The delivery date is now anticipated to be towards the end of September. It is therefore not possible to replace the portion of the pipeline before the end of September 2022. The incapability to pump water from the canal to Gum Grove dam will not make it possible to supply irrigation water.

In terms of the municipal Irrigation Water Bylaw, published in 24 June 2008, the following:

22. Suspension or Reducing of Irrigation water-

The average flow strength is approximately 11 litres/second, but is not guaranteed by the council. The council reserves the right, with due notification to the parties concerned, to suspend or reduce the water-turns in cases of drought, urgent maintenance on the system, water shortages or any emergency situations that may arise, without a refund of any monies.

The following tables indicate the estimated usage versus the sources availability. Table 1 presents the water situation if the repair of the siphon line is completed in the middle of September 2022 while Table 2 indicates the water situation if the siphon is only repaired at the end of October 2022.

Table 1

Month 2022 /2023	Consumption m³	Irrigation Water m³	Robertson canal m³	Hoopsriver m³	Dassieshoek/Koos Kok water used m³	Storage Dams Capacity Remains (462800m³)	Wilhelm Nelsriver Farmers m³
September	-200560	-20500	90720	51840	78500	384300	
October	-212410	-41500	187488	53568	12854	371446	
November	-211756	-41000	181440	51840	19476	351970	-29074
December	-219030	-41500	187488	53568	19474	303422	
January	-274230	-41500	187488	53568	74674	228748	
February	-256070	-41000	169344	49997	77729	151019	
March	-257900	-41500	187488	53568	58344	92675	

Table 2

Month 2022 /2023	Consumption m³	Irrigation Water m³	Robertson canal m³	Hoopsriver m³	Dassieshoek/Koos Kok water used m³	Storage Dams Capacity Remains (462800m³)	Wilhelm Nelsriver Farmers m³
September	-200560	-20500	0	51840	169220	293580	
October	-212410	-41500	0	53568	200342	93238	
November	-211756	-41000	181440	51840	19476	73762	-29074
December	-219030	-41500	187488	53568	19474	25212	
January	-274230	-41500	187488	53568	74674	-49462	
February	-256070	-41000	169344	49997	77729	-127191	
March	-257900	-41500	187488	53568	58344	-219866	

From the tables it became very clear that if the siphon is not repaired immediately and assuming that our rainfall season is past, the Town of Robertson be without water in the middle of January 2023.

Director Strategy and Social Development

If the suspension is considered proper communication to all affected should be done in advance directly to those affected

Director Community Services

As shown on the table above, suspension on provision of irrigation supported if immediate replacement of siphon pipeline are not successful.

Director Corporate Services

From the two(2) tables in the report it is clear that the replacement must be done immediately, if not the larger community of Robertson will experience a shortage of water by the end of the year.

Secondly, the letter attached to the report in which consent is given to proceed with the works on the showgrounds is not worth anything as it is not dated and also does not indicate the name of the person who signed the letter giving permission.

In the case of the said organisation, there must be a decision to indicate who is person/s authorised to sign letters or documents on behalf of the landowner.

As it stand at this stage there is no consent for the municipality to start work on the showgrounds.

Director Financial Services

The suspension is supported based on the information provided by the Engineering department. The affected clients must be informed of the suspension in time.

RECOMMENDATION

1. That the provision of irrigation in Robertson be suspended till the replacement of the 204 meters of the siphon pipeline has been replaced.
2. That the residents be informed of the suspension.
3. That the replacement of the 204m siphon pipeline be undertaken immediately.

NOTE: The annexure was distributed as part of the agenda for the Engineering Services Portfolio Committee meeting of 09 September 2022 (pg. 51 – 52)

This item served before the Engineering Services Portfolio Committee on 09 September 2022
Hierdie verslag het voor die Ingenieursdienste Portefeulje Komitee gedien op 09 September 2022
Aanbeveling / Recommendation

1. That the provision of irrigation in Robertson be suspended till the replacement of the 204 meters of the siphon pipeline has been replaced.
2. That the residents be informed of the suspension.
3. That the replacement of the 204m siphon pipeline be undertaken immediately.

This item served before the Executive Mayoral Committee on 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 September 2022
Aanbeveling / Recommendation

1. That the provision of irrigation in Robertson be suspended till the replacement of the 204 meters of the siphon pipeline has been replaced.
2. That the residents be informed of the suspension.
3. That the replacement of the 204m siphon pipeline be undertaken immediately.

FINANCIAL REPORTING IN TERMS OF SECTION 71 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 – AUGUST 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, was attached to this report.

Aanbeveling / Recommendation

That the content of the report be noted.

Dat kennis geneem word van die inhoud van die verslag.

NOTE: The annexure was distributed as part of the agenda for the Finance Portfolio Committee meeting of 21 September 2022 (pg. 06 – 44)

This item served before the Finance Portfolio Committee on 21 September 2022

Hierdie item het gedien voor die Finansies Portefeulje Komitee op 21 September 2022

Recommendation / Aanbeveling

That the content of the report be noted.

Dat kennis geneem word van die inhoud van die verslag.

This item served before the Executive Mayoral Committee on 21 September 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 September 2022

Aanbeveling / Recommendation

That the content of the report be noted.

Dat kennis geneem word van die inhoud van die verslag.

KEY PERFORMANCE INDICATORS TO BE AMENDED – TOP LEVEL SDBIP (2022 / 2023) (DIRECTOR: STRATEGY & SOCIAL DEVELOPMENT)

Purpose of the Report

To submit a report to Council to consider the amendment of KPIs to the 2022 / 2023 Top Level SDBIP (Service Delivery Budget Implementation Plan).

Background

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

Legal Framework

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

Municipal adjustments budgets

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

S54 “Budgetary Control and early identification of financial problems”

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

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

Comments

The 2022/23 TOP LAYER SDBIP was approved by the Executive Mayor on 02 June 2022.

The rollover projects from the previous financial year need to be included as part of the approved SDBIP, please see the amended TL SDBIP for 2022/2023.

Recommendation

That Council approves the proposed amendments of the TL KPI's as encapsulated in the amended 2022/2023 Top layer SDBIP.

This item served before the Executive Mayoral Committee on 21 September 2022

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediens op 21 September 2022

Aanbeveling / Recommendation

That Council approves the proposed amendments of the TL KPI's as encapsulated in the amended 2022/2023 Top layer SDBIP.

SLEGS VIR KENNISNAME • FOR INFORMATION ONLY

B & BB ITEMS

B5689	RESUBMISSION: APPLICATION TO PURCHASE A PORTION OF MUNICIPAL LAND ($\pm 70\text{M}^2$) ADJACENT TO ERF 980 ZOLANI, ASHTON (7/2/3/2/1) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)	68
B5690	RESUBMISSION: APPLICATION TO LEASE A PORTION OF ERF 276 ($\pm 200\text{M}^2$), ZOLANI ASHTON FOR A CAR WASH (7/2/3/1/1) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)	68
B5691	RESUBMISSION: APPLICATION TO LEASE A PORTION OF ERF 1127 (1600M^2), ZOLANI ASHTON FOR A DRIVING SCHOOL (7/2/3/1/1) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)	68
B5742	RESUBMISSION: APPLICATION TO LEASE OF A PORTION OF ERF 278 (400M^2) ZOLANI, ASHTON FOR PARKING PURPOSES (7/2/3/1/1) (DIRECTORATE: CORPORATE SERVICES)	69
B5759	THE LANGEBERG DOULOS TRUST: APPLICATION FOR THE LEASE AND OR PURCHASE OF THE MUNICIPAL BUILDING SITUATED AT THE SEWERAGE WORKS, ROBERTSON (7/2/3/1/5: 7/2/3/2/5) DIRECTORATE: CORPORATE SERVICES)	69
B5760	UNIQUE WHOLESALERS T/A JMAXXWHOLESALERS: APPLICATION TO PURCHASE A PORTION OF ERF 2, ($\pm 3000\text{M}^2$), ROBERTSON (7/2/3/2/5) (DIRECTORATE: CORPORATE SERVICES)	69

SLEGS VIR KENNISNAME • FOR INFORMATION ONLY

B & BB ITEMS

B5689 RESUBMISSION: APPLICATION TO PURCHASE A PORTION OF MUNICIPAL LAND ($\pm 70\text{m}^2$) ADJACENT TO ERF 980 ZOLANI, ASHTON (7/2/3/2/1) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)

This item served before the Executive Mayoral Committee on 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediën op 21 September 2022
Eenparig Besluit / Unanimously Resolved

That the application received from Ms N Morris to purchase a portion of municipal land ($\pm 70\text{m}^2$) adjacent to erf 980, Zolani not be approved taking in consideration comments received from the Director: Engineering Services that the road between erf 980 and 983 is 8m in width resulting into the street front portions for erf 981 and 982 to be 4m in width. In the 8m wide road reserve services are also installed. Extending erf 983 into the road reserve will narrow the entrance of erf 981 making it impractical to have vehicle access.

Dat die aansoek vanaf Me N Morris vir die koop van 'n gedeelte munisipale grond ($\pm 70\text{m}^2$) aangrensend erf 980, Zolani nie goedgekeur word nie in aggenome kommentaar ontvang van die Direkteur: Ingenieursdienste dat die pad tussen erf 980 en 983, 8m in wydte is wat veroorsaak dat die voorste straat gedeelte van erf 981 en 982, 4 m in wydte is. In die 8 m wye padreserwe is dienste ook geïnstalleer. Uitbreiding van erf 980 in die padreserwe sal die ingang van erf 981 vernou wat dit onprakties maak vir toegang van voertuie.

B5690 RESUBMISSION: APPLICATION TO LEASE A PORTION OF ERF 276 ($\pm 200\text{m}^2$), ZOLANI ASHTON FOR A CAR WASH (7/2/3/1/1) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)

This item served before the Executive Mayoral Committee on 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediën op 21 September 2022
Eenparig Besluit / Unanimously Resolved

That the application received from Mr Nkomonye to lease a portion of erf 276 ($\pm 200\text{m}^2$) Zolani, Ashton for a car wash not be approved seeing that the area is zoned as Public Open Space1 and such an activity will hinder the playground area and also the recreational purpose of it.

Dat die aansoek ontvang van Mnr Nkomonye vir die huur van 'n gedeelte van erf 276 ($\pm 200\text{m}^2$) Zolani, Ashton vir die gebruik as 'n "car wash" nie goedgekeur word nie aangesien die gedeelte Publieke Oop Spasie 1 soneer is en dat so 'n aktiwiteit die speelgrond asook die ontspannings doeleindes sal belemmer.

B5691 RESUBMISSION: APPLICATION TO LEASE A PORTION OF ERF 1127 (1600m^2), ZOLANI ASHTON FOR A DRIVING SCHOOL (7/2/3/1/1) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)

This item served before the Executive Mayoral Committee on 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediën op 21 September 2022
Eenparig Besluit / Unanimously Resolved

That the application received from Mr S. Nkomonye to lease a portion of erf 1127 (1600m^2) Zolani, Ashton for a driving school not be approved seeing that this area is close to a wetland area that is not suitable for an activity as proposed.

Dat die aansoek vanaf Mnr S Nkomonye vir die huur van 'n gedeelte van erf 1127 (1600m^2) Zolani, Ashton vir 'n bestuurskool nie goedgekeur word nie aangesien hierdie oop ruimte naby 'n vleiland gebied is wat nie voldoende is vir die voorgestelde aktiwiteit.

B5742 RESUBMISSION: APPLICATION TO LEASE OF A PORTION OF ERF 278 (400M²) ZOLANI, ASHTON FOR PARKING PURPOSES (7/2/3/1/1) (DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 September 2022
Eenparig Besluit / Unanimously Resolved

That the application received from Mr Mbi to lease of a portion of erf 278 (400m²) Zolani, Ashton for parking purposes not be approved taking in consideration comments received from the Director: Engineering Services that the land adjacent to Erf 278, Zolani, is currently public open space and is used as a green (buffer) area and that the approved building plan for the liquor store/ tavern indicated 20 on site parking bays which is sufficient in terms of the zoning scheme.

B5759 THE LANGEBERG DOULOS TRUST: APPLICATION FOR THE LEASE AND OR PURCHASE OF THE MUNICIPAL BUILDING SITUATED AT THE SEWERAGE WORKS, ROBERTSON (7/2/3/1/5: 7/2/3/2/5) DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 September 2022
Eenparig Besluit / Unanimously Resolved

That the application received from Mr J Stander on behalf of the Langeberg Doulos Trust for the lease and or purchase of the municipal building situated at the sewerage works, Robertson not be approved seeing there are municipal houses situated next to this building which are leased.

B5760 UNIQUE WHOLESALERS T/A JMAXXWHOLESALERS: APPLICATION TO PURCHASE A PORTION OF ERF 2, (±3000M²), ROBERTSON (7/2/3/2/5) (DIRECTORATE: CORPORATE SERVICES)

This item served before the Executive Mayoral Committee on 21 September 2022
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 September 2022
Eenparig Besluit / Unanimously Resolved

That the application received from Mr J Mukadam on behalf of Unique Wholesalers T/A JMaxxwholesalers to purchase a portion of municipal land situated on Erf 2 (±3000m²), Robertson for business purposes not be approved taking in consideration comments received from the Director: Engineering Services due to the non-availability of electricity.

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