



**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

**28 MAART 2023 om 10H00**

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

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**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

**28 MARCH 2023 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**

# A G E N D A

~ 28 MARCH 2023 ~

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 08 February 2023 at 13h25 in the Council Chambers, Church Street, Robertson **05 - 08**  
*Bekräftiging van die Notule van 'n Spesiale Vergadering van die Raad van Langeberg Munisipaliteit gehou op 08 Februarie 2023 om 13h25 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 28 February 2023 at 09h58 in the Council Chambers, Church Street, Robertson **09 - 20**  
*Bekräftiging van die Notule van 'n Gewone Vergadering van die Raad van Langeberg Munisipaliteit gehou op 28 Februarie 2023 om 09h58 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
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

9. Consideration of Notice of Motions / *Oorweging van Kennisgewing van Mosies*
10. Consideration of Notice of Questions / *Oorweging van Kennisgewing van Vrae*
11. Consideration of Urgent Motions / *Oorweging van Dringende Mosies*
12. Consideration of Reports / *Oorweging van Verslae*

12.1	Reports submitted to Council for consideration <b>(A Items)</b> Verslae voorgelê aan die Raad vir oorweging <b>(A Items)</b>	<b>22</b>
12.2	Reports submitted to Council for consideration <b>(AA Items)</b> Verslae voorgelê aan die Raad vir oorweging <b>(AA-Items)</b>	<b>...</b>
12.3	Reports dealt with in terms of the delegated powers by the Mayoral Committee <b>(B &amp; BB Items)</b> Verslae afgehandel deur die Burgemeesterskomitee in terme van gedelegeerde bevoegdhede <b>(B &amp; BB-Items)</b>	<b>52</b>

## **A ITEMS**

<b>A4466</b>	<b>DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – OCTOBER 2022 : DIRECTORATE COMMUNITY SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)</b>	<b>22</b>
<b>A4467</b>	<b>DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – OCTOBER 2022 : DIRECTORATE ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)</b>	<b>23</b>
<b>A4486</b>	<b>DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – NOVEMBER 2022 : DIRECTORATE COMMUNITY SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)</b>	<b>24</b>
<b>A4487</b>	<b>DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – NOVEMBER 2022 : DIRECTORATE ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)</b>	<b>25</b>
<b>A4491</b>	<b>DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – DECEMBER 2022 : DIRECTORATE COMMUNITY SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)</b>	<b>26</b>
<b>A4492</b>	<b>DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – DECEMBER 2022 : DIRECTORATE ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)</b>	<b>27</b>
<b>A4502</b>	<b>UMSIZA PLANNING: APPLICATION FOR ACCESS TO ERF 729 MONTAGU ACROSS MUNICIPAL (7/2/R: 15/4/8/3) (DIRECTORATE: CORPORATE SERVICES)</b>	<b>28</b>
<b>A4503</b>	<b>PROPOSED NEW RULES OF ORDER (3/2/1/6) (DIRECTOR CORPORATE SERVICES)</b>	<b>33</b>
<b>A4504</b>	<b>COMMUNITY PARTICIPATION IN RESPECT OF ALTERNATIVE ELECTRICAL GENERATION AND ELECTRICAL MASTER PLANNING (DIRECTOR ENGINEERING SERVICES)</b>	<b>34</b>
<b>A4505</b>	<b>AUDIT &amp; PERFORMANCE COMMITTEE: SUBMISSION OF THE QUARTERLY REPORT FOR QUARTER 2 OF 2022 / 2023 (5/14/R) (CHIEF AUDIT EXECUTIVE)</b>	<b>40</b>
<b>A4506</b>	<b>DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – JANUARY 2023 : DIRECTORATE: CORPORATE SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)</b>	<b>41</b>
<b>A4507</b>	<b>DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – JANUARY 2023 : DIRECTORATE COMMUNITY SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)</b>	<b>42</b>
<b>A4508</b>	<b>DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – JANUARY 2023 : DIRECTORATE ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)</b>	<b>43</b>
<b>A4509</b>	<b>DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – JANUARY 2023 : DIRECTORATE FINANCIAL SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)</b>	<b>44</b>
<b>A4510</b>	<b>APPOINTMENT / DELEGATION OF REPRESENTATIVES OF THE COUNCIL ON EXTERNAL BODIES (3/1/2 + 3/14) (DIRECTOR CORPORATE SERVICES)</b>	<b>45</b>
<b>A4511</b>	<b>FINANCIAL REPORTING IN TERMS OF SECTION 71 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 – FEBRUARY 2023 (9/2/1/3) (CHIEF FINANCIAL OFFICER)</b>	<b>46</b>
<b>A4512</b>	<b>SUBMISSION OF THE 2023 / 2024 TO 2025 / 2026 OPERATING / CAPITAL BUDGET, IDP &amp; POLICY DOCUMENTS (CHIEF FINANCIAL OFFICER)</b>	<b>47</b>

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

**Purpose of Report**

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

**Background**

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

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

The Report on Deviations for October 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 February 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Februarie 2023**  
**Unanimously Resolved / Eenparig Besluit**

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

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 March 2023 (pg. 12)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023**  
**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 – OCTOBER 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:

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**Aanbeveling / Recommendation**

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

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 08 February 2023 (pg. 21 – 24)

**This item served before the Municipal Public Accounts Committee (MPAC) on 08 February 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Februarie 2023**  
**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.*

**This item served before an Ordinary Meeting of Council on 28 February 2023**  
**Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 28 Februarie 2023**  
**Eenparig Besluit / Unanimously Resolved**

That the report be referred back to the MPAC Committee meeting so that the outstanding information can be resubmitted.

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 March 2023 (pg. 14 – 17)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023**  
**Unanimously Resolved / Eenparig Besluit**

That the report be referred back to the MPAC Committee meeting so that the outstanding information can be resubmitted.

**This item served before the Special Municipal Public Accounts Committee (MPAC) on 15 March 2023**  
**Die item het voor die Spesiale Munisipale Openbare Rekeninge Komitee (MORK) gedien op 15 Maart 2023**  
**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 – NOVEMBER 2022 : DIRECTORATE  
COMMUNITY SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

**Purpose of Report**

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

**Background**

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

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

The Report on Deviations for November 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 February 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Februarie 2023**  
**Unanimously Resolved / Eenparig Besluit**

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

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07  
March 2023 (pg. 19 – 20)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023**  
**Recommendation / Aanbeveling**

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

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

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 08 February 2023 (pg. 60 – 64)

**This item served before the Municipal Public Accounts Committee (MPAC) on 08 February 2023  
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Februarie 2023  
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.*

**This item served before an Ordinary Meeting of Council on 28 February 2023  
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 28 Februarie 2023  
Eenparig Besluit / Unanimously Resolved**

That the report be referred back to the MPAC Committee meeting so that the relevant additional information can be resubmitted.

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 March 2023 (pg. 22 – 26)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023  
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023  
Unanimously Resolved / Eenparig Besluit**

That the report be referred back to the MPAC Committee meeting so that the outstanding information can be resubmitted.

**This item served before the Special Municipal Public Accounts Committee (MPAC) on 15 March 2023  
Die item het voor die Spesiale Munisipale Openbare Rekeninge Komitee (MORK) gedien op 15 Maart 2023  
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 – DECEMBER 2022 : DIRECTORATE  
COMMUNITY SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

**Purpose of Report**

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

**Background**

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

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

The Report on Deviations for December 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 February 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Februarie 2023**  
**Unanimously Resolved / Eenparig Besluit**

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

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 March 2023 (pg. 28)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023**  
**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 – DECEMBER 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 December 2022 was attached to this report.

**Aanbeveling / Recommendation**

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

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

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 08 February 2023 (pg. 75 – 77)

**This item served before the Municipal Public Accounts Committee (MPAC) on 08 February 2023  
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 08 Februarie 2023  
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.*

**This item served before an Ordinary Meeting of Council on 28 February 2023  
Hierdie item het gedien voor 'n Gewone Vergadering van die Raad op 28 Februarie 2023  
Eenparig Besluit / Unanimously Resolved**

That the report be referred back to the MPAC Committee meeting so that the relevant additional information can be resubmitted.

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 March 2023 (pg. 30 – 32)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023  
Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023  
Unanimously Resolved / Eenparig Besluit**

That the report be referred back to the MPAC Committee meeting so that the outstanding information can be resubmitted.

**This item served before the Special Municipal Public Accounts Committee (MPAC) on 15 March 2023  
Die item het voor die Spesiale Munisipale Openbare Rekeninge Komitee (MORK) gedien op 15 Maart 2023  
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.*

**UMSIZA PLANNING: APPLICATION FOR ACCESS TO ERF 729 MONTAGU ACROSS MUNICIPAL (7/2/R: 15/4/8/3) (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 Mr D Barnard.

**Background**

The following letter was received from Umsiza Planning:

*"Erf 729, Montagu is owned by Dawid Andreas Barnard and is 7,3067 ha in extent according to Deed of Transfer T 14775/2014.*

*It is located in the Open Space Zone IV (nature reserve) to the western side of the Montagu- South residential suburbs. Erf 729 Montagu has, however, no approved access.*

*A dwelling house and outbuildings are located on a koppie on the eastern half of the property with views to Montagu town. A water servitude 3m wide with pump station from Bloupunt Avenue is registered across Re/1 and Re/728 Montagu (both municipal land) in favour of Erf 729, Montagu.*

*A borehole is located on the western side of erf 2739 Montagu, as well as a pump and container. The gradient of the property does not allow access across the property to this area, and therefore an additional access is proposed to this part of the application site as well.*

**PROPOSED ACCESSES TO ERF 729, MONTAGU**

*It is proposed/ requested that erf 729 Montagu gets access from both eastern and western side:*

- Eastern side to dwelling house: ROW 4m wide parallel to the existing water servitude from the end of Bloupunt Avenue over Re/1 and Re/728 (both municipal land) straight to the boundary of erf 729 (in favour of erf 729). All costs will be the responsibility of the owner of erf 729.*
- Western side bore hole, pump and container: ROW 4m wide (wider on corner because of 90-degree turn) from the end of Van der Merwe Street parallel to the northern boundary of erf 3 over RE/1 and Re/728 (both municipal land) to the north-west corner of erf 729 (in favour of erf 729).*

*A portion of this road does already exist and gives access to the houses on erf 2 Montagu. The applicant will construct the remainder of the road at his own costs.*

*A location map was attached.*

**The following comments were received:**

**Comments: Manager: Town Planning**

**The proposal along the 4m wide existing water servitude is recommended with a further 1m requested by the owner.**

- Eastern side to dwelling house: ROW 4m wide parallel to the existing water servitude from the end of Bloupunt Avenue over Re/1 and Re/728 (both municipal land) straight to the boundary of erf 729 (in favour of erf 729). All costs will be the responsibility of the owner of erf 729.*

- Western side bore hole, pump and container: ROW 4m wide (wider on corner because of 90-degree turn) from the end of Van der Merwe Street parallel to the northern boundary of erf 3 over RE/1 and Re/728 (both municipal land) to the north-west corner of erf 729 (in favour of erf 729).

As this will be a private access, the maintenance thereof will be for the applicant. It is assumed that the registration of ROW is to formalise the existing access to the properties in question and no future development is proposed/taking place that might result in an increase of traffic volumes in Bloupunt Ave and Van Der Merwe Street.

1. Eastern access: No objection
2. Western access: Existing electrical services as indicated below (in blue); ROW to be coordinated (if possible)



1. From the Eastern access I have no objection
2. From the Western access I do not recommend access as there is existing electrical services.

### **Comments: Director: Community Services**

Support comments of the CFO.

### **Comments: Director: Strategy & Social Development**

The recommendation from electrical department to only recommend access from eastern side is supported.

### **Comments: Cllr Felix**

Hiermee my ondersteuning vir die betrokke aansoek, mits dit aan alle wetlikke vereistes voldoen.

### **Recommendation**

1. That it be confirmed that the portion over municipal land situated on a remainder of erf1, ( $\pm 1600\text{m}^2$ ,  $\pm 260\text{m}^2$  long proposed 4m wide row servitude,  $\pm 75\text{m}$ ) to the western side & (proposed 4m wide row servitude,  $992\text{m}^2$ ) to the eastern side of erf 729, 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 Umsiza Planning on behalf of Mr D Barnard to register a servitude on the western side of erf 729, Montagu ( $\pm 1600\text{m}^2$ ,  $\pm 260\text{m}^2$  long proposed 4m wide row servitude,  $\pm 75\text{m}$ ) on remainder of erf 1, Montagu not be approved taking in consideration comments received from the Manager: Electrical Engineering Services that there is existing electrical services and comments received from the Manager; Town Planning that this will create a negative environmental impact.
3. That the application from Umsiza Planning on behalf of Mr D Barnard to register a servitude on the eastern side of erf 729, Montagu (proposed 4m wide row servitude,  $992\text{m}^2$  from the end of Bloupunt Avenue over Re/1 and Re/728 (both municipal land) straight to the eastern boundary of erf 729 (in favour of erf 729), Montagu be approved in principle and the intention of the Municipality to alienate the property be advertised for comments.
4. That after the period for comments has lapsed and if no written views and/ or valid objections were received, the intention of the Municipality to alienate the property to Mr D Barnard be proceed with, subject to the following conditions:
  - 4.1 That the portion be alienated at a market related price.
  - 4.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
  - 4.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property where applicable.
  - 4.4 That the buyer be responsible for all costs regarding registration of the property in his/ her name.
  - 4.5 That the buyer be responsible for all Town Planning cost involved which may include rezoning, subdivision, consolidation, surveying, registration of servitudes where applicable
  - 4.6 That the buyer registers a servitude on a remainder of erf1 (proposed 4m wide row servitude,  $992\text{m}^2$  from the end of Bloupunt Avenue over Re/1 and Re/728 (both municipal land) straight to the eastern boundary of erf 729 (in favour of erf 729), Montagu (as indicated on the plan submitted). All costs will be the responsibility of the buyer.
  - 4.7 That the servitude is subject to municipal rates being levied to be paid by the applicant.

**NOTE:** The annexure was distributed as part of the agenda for the Corporate Services Portfolio Committee meeting of 07 March 2023 (pg. 15)

**This item served before the Corporate Services Portfolio Committee on 07 March 2023**

**Die item het voor die Korporatiewe Dienste Portefeulje Komitee gedien op 07 Maart 2023**

**Recommendation / Aanbeveling**

1. That it be confirmed that the portion over municipal land situated on a remainder of erf1, ( $\pm 1600\text{m}^2$ ,  $\pm 260\text{m}^2$  long proposed 4m wide row servitude,  $\pm 75\text{m}$ ) to the western side & (proposed 4m wide row servitude,  $992\text{m}^2$ ) to the eastern side of erf 729, 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 Umsiza Planning on behalf of Mr D Barnard to register a servitude on the western side of erf 729, Montagu ( $\pm 1600\text{m}^2$ ,  $\pm 260\text{m}^2$  long proposed 4m wide row servitude,  $\pm 75\text{m}^2$ ) on remainder of erf 1, Montagu not be approved taking in consideration comments received from the Manager: Electrical Engineering Services that there is existing electrical services and comments received from the Manager; Town Planning that this will create a negative environmental impact.
3. That the application from Umsiza Planning on behalf of Mr D Barnard to register a servitude on the eastern side of erf 729, Montagu (proposed 4m wide row servitude,  $992\text{m}^2$  from the end of Bloupunt Avenue over Re/1 and Re/728 (both municipal land) straight to the eastern boundary of erf 729 (in favour of erf 729), Montagu be approved in principle and the intention of the Municipality to alienate the property be advertised for comments.
4. That after the period for comments has lapsed and if no written views and/ or valid objections were received, the intention of the Municipality to alienate the property to Mr D Barnard be proceed with, subject to the following conditions:
  - 4.1 That the portion be alienated at a market related price.
  - 4.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
  - 4.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property where applicable.
  - 4.4 That the buyer be responsible for all costs regarding registration of the property in his/ her name.
  - 4.5 That the buyer be responsible for all Town Planning cost involved which may include rezoning, subdivision, consolidation, surveying, registration of servitudes where applicable
  - 4.6 That the buyer registers a servitude on a remainder of erf1 (proposed 4m wide row servitude,  $992\text{m}^2$  from the end of Bloupunt Avenue over Re/1 and Re/728 (both municipal land) straight to the eastern boundary of erf 729 (in favour of erf 729), Montagu (as indicated on the plan submitted). All costs will be the responsibility of the buyer.
  - 4.7 That the servitude is subject to municipal rates being levied to be paid by the applicant.

**This item served before the Executive Mayoral Committee on 16 March 2023**

**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 16 Maart 2023**

**Aanbeveling / Recommendation**

1. That it be confirmed that the portion over municipal land situated on a remainder of erf1, ( $\pm 1600\text{m}^2$ ,  $\pm 260\text{m}^2$  long proposed 4m wide row servitude,  $\pm 75\text{m}$ ) to the western side & (proposed 4m wide row

servitude, 992m<sup>2</sup>) to the eastern side of erf 729, 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 Umsiza Planning on behalf of Mr D Barnard to register a servitude on the western side of erf 729, Montagu ( $\pm 1600\text{m}^2$ ,  $\pm 260\text{m}^2$  long proposed 4m wide row servitude,  $\pm 75\text{m}^2$ ) on remainder of erf 1, Montagu not be approved taking in consideration comments received from the Manager: Electrical Engineering Services that there is existing electrical services and comments received from the Manager; Town Planning that this will create a negative environmental impact.
3. That the application from Umsiza Planning on behalf of Mr D Barnard to register a servitude on the eastern side of erf 729, Montagu (proposed 4m wide row servitude, 992m<sup>2</sup> from the end of Bloupunt Avenue over Re/1 and Re/728 (both municipal land) straight to the eastern boundary of erf 729 (in favour of erf 729), Montagu be approved in principle and the intention of the Municipality to alienate the property be advertised for comments.
4. That after the period for comments has lapsed and if no written views and/ or valid objections were received, the intention of the Municipality to alienate the property to Mr D Barnard be proceed with, subject to the following conditions:
  - 4.1 That the portion be alienated at a market related price.
  - 4.2 That a deposit of 10% be payable with the signing of the deed of sale and that the remainder of the purchase price be payable with registration.
  - 4.3 That the buyer be responsible for all the connection fees for municipal services rendered to the property where applicable.
  - 4.4 That the buyer be responsible for all costs regarding registration of the property in his/ her name.
  - 4.5 That the buyer be responsible for all Town Planning cost involved which may include rezoning, subdivision, consolidation, surveying, registration of servitudes where applicable
  - 4.6 That the buyer registers a servitude on a remainder of erf1 (proposed 4m wide row servitude, 992m<sup>2</sup> from the end of Bloupunt Avenue over Re/1 and Re/728 (both municipal land) straight to the eastern boundary of erf 729 (in favour of erf 729), Montagu (as indicated on the plan submitted). All costs will be the responsibility of the buyer.
  - 4.7 That the servitude is subject to municipal rates being levied to be paid by the applicant.

**PROPOSED NEW RULES OF ORDER (3/2/1/6) (DIRECTOR CORPORATE SERVICES)**

**Purpose of report**

To submit to Council for consideration the standard rules of order as used by most municipalities in the Western Cape.

**Background**

Following the Workshop held during 2022 on the then proposed Rules of Order, also facilitated by Adv JF Koekemoer it was agreed that the proposed Standard Rules of Order in the Province of the Western Cape and on which Task Team Adv JF Koekemoer served as a member representing Langeberg Municipality, that this proposed Rules of Order be workshopped with Councillors in 2023 to consider adoption thereof.

**Comments**

The Workshop with Councillors and Adv JF Koekemoer was held on Friday, 24 February 2023 and as was discussed at the Workshop and proposed by Adv Koekemoer can council adopt these Rules of Order and implement from a date determined by Council.

If adopted it need not be promulgated at this stage and will thus be used in Council and its Committees and will be applicable to Councillors and Officials, but as far as the public is concerned will the old Rules promulgated in 2003 still be applicable.

Attached to the report as **Annexure A** is a copy of the proposed Rules of Order.

**Recommendation**

That the Draft Rules of Order attached as **Annexure A** to the report be accepted and approved effective from 1 April 2023.

**NOTE:** The annexure was distributed as part of the agenda for the Corporate Services Portfolio Committee meeting of 07 March 2023 (pg. 17 – 70)

**This item served before the Corporate Services Portfolio Committee on 07 March 2023**

**Die item het voor die Korporatiewe Dienste Portefeulje Komitee gediens op 07 Maart 2023**

**Recommendation / Aanbeveling**

That the Draft Rules of Order attached as **Annexure A** to the report be accepted and approved effective from 1 April 2023.

**This item served before the Executive Mayoral Committee on 16 March 2023**

**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediens op 16 Maart 2023**

**Aanbeveling / Recommendation**

That the Draft Rules of Order attached as **Annexure A** to the report be accepted and approved effective from 1 April 2023.



**COMMUNITY PARTICIPATION IN RESPECT OF ALTERNATIVE ELECTRICAL GENERATION AND ELECTRICAL MASTER PLANNING (DIRECTOR ENGINEERING SERVICES)**

**Purpose of report**

For Council to consider comments received from the process of community participation in terms of Local Government: Municipal System Act, 2000 (Act 32 of 2000) Chapter 6 and adopt Reports A4410, A4411, A4412 & A4415 for implementation.

**Background**

Council approved (at an Ordinary Meeting of Council on 24 October 2022) Reports A4410, A4411, A4412 & A4415 to be made available for public comments as per the MFMA Section 33 and MSA Chapter 6.

The reports were titled and resolved as follows:

**A4410: Legal Framework for Procurement of New Generation Energy Capacity by Municipalities and Municipal Entities**

1. That council approve and adopt the Legal Framework for Procurement of New Generation Energy Capacity by Municipalities and Municipal Entities.
2. That all future applications for New Generation Energy Capacity be submitted to council for consideration.

**A4411: Electrical Master Plan**

1. That the Council approve the updated Electrical Master Plan.
2. That the updated Electrical Master Plan be published on the Langeberg Municipality's website.

**A4412: Action Plan to produce energy**

1. That Council note the status quo report.
2. That Council consider in future budgets for the estimated amount of R 16 836 952 (excluding VAT) payable to Eskom for the upgrading of the Notified Maximum Demand for Robertson and Montagu with two and one MVA respectively.
3. That consideration be given to the possible appointment of a team of experts (Transactional Advisors) to assist the municipality in the process of procuring alternative energy.

**A4415: Alternative Electrical Generation**

1. That Council approve the new Requirements for Alternative Electrical Generation.
2. That Council approve the proposed new Application form.
3. That Council approve the updated Agreement to connect AE to the Municipal Electrical network.

**Process followed**

The above-mentioned reports were published on the Municipal Website under "Council Resolutions" on 4 November 2022

An article was published on the Municipal Website on 11 November requesting comment from the public by 11 December 2022

The November issue of the Internal Newsletter that was sent to the Administration and Council via email on 16 November 2022 also included the above-mentioned article.

A presentation with a question and answer session was done at the Ward Based Planning meeting in the Robertson Community Hall in Hospital Street on 19 November 2022.

The External Newsletter (October/November issue) was published on the website on 07 November 2022. The link to the newsletter was distributed to the Municipal bulk sms database, via sms, on 8 December 2022.

The advertisement was published in the Breederivier Gazette on 22 November 2022.

## Comments Received

<p><b>Stage Zero Comment:</b> Accredited installer: (pg. 4 -5) The reference to an accredited installer should refer to a person whose company is registered with the department of employment and labour and who employees a registered electrician as part of the electrical contractor. This is a requirement from the OH&amp;S act 1993 on the electrical installation regulations 2009.</p>	<p><b>Municipality Response:</b> The definition provided by Stage Zero is for the electrical installation and for the issuing of a Certificate of Compliance. For PV the PV green card requirement is a recommendation from SALGA which ensures the quality of installations and protection of the customers.</p>
<p><b>Stage Zero Comment:</b> Grid tied, standby (off-grid), UPS, and off-grid. (pg. 7 – 11)</p> <ul style="list-style-type: none"> <li>• The definition of grid-tied includes the definition of grid connected.</li> <li>• A device that is grid-tied is a device that connects to the grid and interacts with the grid such as exporting energy to the network. The installation of a reverse flow blocking meter is required for systems that wish not to export power to the grid. The inverter is able to interact with the grid and hence the need for an NRS097-2-1 certification.</li> <li>• A device that is connected to the grid and can not export power to the grid does not have a reverse power blocking meter since it can not export power to the grid. This is a grid connected inverter which only uses the grid to charge batteries in the event that the batteries are low, and no solar energy is available. These inverters are built to the same topology as a UPS which has a topology specified in SANS 62040-3 and does not have the mechanical or electrical means to interact with the grid. These inverters are not able to be tested to the NRS097-2-1 specifications since it can not interact with the grid.</li> <li>• A UPS device is seen as a standby system and has its own testing standard SANS 62040-3. This requirement does not require the NRS097-2-1 approved inverters since the inverter does not interface with the grid and can not export any energy to the grid.</li> <li>• Off grid systems are completely decoupled from the grid and do not need to be NRS97-2-1 approved since there is no grid interface.</li> </ul>	<p><b>Municipality Response:</b> The definitions provided by Stage Zero are their interpretation of the definitions. The terminology is well defined and will be interpreted as such by the Municipality.</p>

<p><b>Stage Zero Comment:</b> Application Form: Type of alternative electrical generation category (pg. 2)</p> <ul style="list-style-type: none"> <li>The application form does not allow for any system that operates as a standby SSEG system in the event of a power failure. The standby system with grid assistance inverter cannot be registered by the municipality as the device is not a NRS097-2-1 approved inverter, however, the inverter does follow the SANS 62040-3 approved inverter topology.</li> <li>A UPS with no embedded generation can not be seen as an SSEG system and shouldn't follow the same municipal approval process as the SSEG system.</li> </ul>	<p><b>Municipality Response:</b> The application form allows for a system that operates as a standby SSEG system in the event of a power failure:</p> <table border="1" data-bbox="225 232 316 1133"> <tr> <td data-bbox="225 232 268 1133">2. GRID-TIED HYBRID SSEG (include a Passive standby UPS utilized as a standby hybrid SSEG) (Grid assisted and interconnected with electrical installation)</td><td data-bbox="268 232 316 1133"></td></tr> <tr> <td data-bbox="268 232 316 1133">MAXIMUM BATTERY CHARGER POWER (KVA or Amps) (maximum battery charger power drawn from the grid (DB board) by the inverter to charge the batteries.)</td><td data-bbox="268 232 316 1133"></td></tr> </table> <p>If the system contains an inverter, it is considered an SSEG system.</p>	2. GRID-TIED HYBRID SSEG (include a Passive standby UPS utilized as a standby hybrid SSEG) (Grid assisted and interconnected with electrical installation)		MAXIMUM BATTERY CHARGER POWER (KVA or Amps) (maximum battery charger power drawn from the grid (DB board) by the inverter to charge the batteries.)	
2. GRID-TIED HYBRID SSEG (include a Passive standby UPS utilized as a standby hybrid SSEG) (Grid assisted and interconnected with electrical installation)					
MAXIMUM BATTERY CHARGER POWER (KVA or Amps) (maximum battery charger power drawn from the grid (DB board) by the inverter to charge the batteries.)					
<p><b>Stage Zero Comment:</b> General:</p> <ul style="list-style-type: none"> <li>It must be emphasized that the definition of grid-tied and grid connected is completely different. A grid-tied system can export to the network whereas a grid connected device can only consume from the grid.</li> <li>The topology from SANS 62040-3 is not considered throughout the SSEG and back-up power solution (UPS) for inverters that do not interface with the grid and are not referenced as "grid-tied" but are grid connected.</li> </ul>	<p><b>Municipality Response:</b> The definitions provided by Stage Zero are their interpretation of the definitions. The terminology is well defined and will be interpreted as such by the Municipality. The "UPS" category of alternative generation is covered in the Application Form.</p>				

<p><b>Hannes Jansen Comment:</b> Alternatiewe energie – PROSES Eerstens baie geluk aan die Munisipaliteit vir hierdie inisiatief – alhoewel dalk 'n bietjie laat!! Met verwysing na die onderstaande uittreksel van die artikel in Langeberg Express van November 2022, die volgende vrae :</p> <p>Die Raad het die aanstelling van span kundiges (uitvoerende raadgewers) goedgekeur om die munisipaliteit met tegniese-, finansiële-, omgewings- en regsadvies by te staan, in die proses om alternatiewe energie te bekom. Enige aanbeveling vanaf hierdie span sal aan die Raad voorgelê word vir oorweging en goedkeuring.</p> <ol style="list-style-type: none"> <li>1. Wat is die beoogde tydperk vir afhandeling en implimentering van hierdie projek</li> <li>2. Tydswaarde is 'n belangrike komponent in voorwaartse besigheids beplanning.</li> <li>3. Wat is die beraamde koste en hoe beoog die Munisipaliteit om hierdie projek te financier?</li> <li>4. In hoe 'n mate beoog die Munisipaliteit om plaaslike dienste verskaffers te benut in hierdie projek ?</li> <li>5. Teen watter tarief beoog die Munisipaliteit om 'buite verskaffers' te vergoed vir elektrisiteit wat in die stelsel terug geplaas word – die oorglopende antwoord behoort te wees ... “dieselfde tarief as wat die Munisipaliteit aan Eskom betaal”</li> <li>6. Gegewe die strategies belangrikheid van hierdie projek, sou ons dit graag wil aanbeveel dat die " uitvoerende raadgewers " inligtings vergaderings in die onderskeie dorpe aanbied om insette te lewer tot die lang termyn en kort termyn strategie van die Munisipaliteit..</li> </ol> <p>“Ons is saam in hierdie kookpot – vele hande maak ligte werk, vele gedagtes gee vele planne !!”</p>	<p><b>Municipality Response:</b> The process will be executed according to the MFMA Section 33. The following response was sent via email: Baie dankie vir u belangstelling en navraag in hierdie verband. Ons is nog redelik vroeg in die proses en meeste van die vrae sal ongelukkig eers op 'n latere stadium beantwoord kan word, as die span kundiges die Raad adviseur in hierdie verband. Rakende die tyd raamwerk vir die projek, word dit bespreek in die dokument <a href="#">A4412: ACTION PLAN TO PRODUCE ENERGY</a>; lees gerus en laat weet as daar nog onduidelikheid is. U navraag na maandelike vergaderings om belanghebbendes te betrek; ons sal dit aanbeveel vir die span kundiges, en implimenter sover as wat prakties moontlik is.</p>
<p><b>Cobus Bester Comment:</b> Weens die omvang en impak van die elektrisiteitsbeleid sou ek glo dat hierdie as 'n minimum by die GOP ingesluit sal word en behoorlike uitnodiging vir publieke deelname sal plaasvind alvorens die raad enige besluit sal maak. Onderstaande bewoording van die besluit laat my egter met kommer dat die proses weereens net deur die raad hanteer gaan word en buite-om die toepaslike raamwerk hanteer gaan word.</p>	<p><b>Municipality Response:</b> The procurement of alternative energy will be included in the IDP.</p>

## **Conclusion**

- A public participation process was followed for A4410, A4411, A4412 & A4415.
- Comments received have been answered and no amendments are required to the above-mentioned reports.

## **Recommendation**

- That the Council take note of the community participation process followed and the comments received.
- That Council adopts the following resolutions for further implementation:
  - A4410: Legal Framework for Procurement of New Generation Energy Capacity by Municipalities and Municipal Entities *(for the procurement of energy from other sources)*
  - A4411: Electrical Master Plan *(Electrical Master Plan for the next 5 – 10 years)*
  - A4412: Action Plan to produce energy *(plan to procure energy and capacity, including wheeling of energy)*
  - A4415: Alternative Electrical Generation *(Updated municipal regulations & requirements, application form and agreement for Small Scale Embedded Generation)*

**This item served before an Engineering Services Portfolio Committee on 07 March 2023**

**Hierdie verslag het voor die Ingenieursdienste Portefeulje Komitee gedien op 07 Maart 2023**

### **Aanbeveling / Recommendation**

1. That the Council take note of the community participation process followed and the comments received.
2. That Council adopts the following resolutions for further implementation:
  - 2.1 A4410: Legal Framework for Procurement of New Generation Energy Capacity by Municipalities and Municipal Entities *(for the procurement of energy from other sources)*
  - 2.2 A4411: Electrical Master Plan *(Electrical Master Plan for the next 5 – 10 years)*
  - 2.3 A4412: Action Plan to produce energy *(plan to procure energy and capacity, including wheeling of energy)*
  - 2.4 A4415: Alternative Electrical Generation *(Updated municipal regulations & requirements, application form and agreement for Small Scale Embedded Generation)*

**This item served before the Executive Mayoral Committee on 16 March 2023**

**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 16 Maart 2023**

### **Aanbeveling / Recommendation**

1. That the Council take note of the community participation process followed and the comments received.
2. That Council adopts the following resolutions for further implementation:
  - 2.1 A4410: Legal Framework for Procurement of New Generation Energy Capacity by Municipalities and Municipal Entities *(for the procurement of energy from other sources)*
  - 2.2 A4411: Electrical Master Plan *(Electrical Master Plan for the next 5 – 10 years)*
  - 2.3 A4412: Action Plan to produce energy *(plan to procure energy and capacity, including wheeling of energy)*
  - 2.4 A4415: Alternative Electrical Generation *(Updated municipal regulations & requirements, application form and agreement for Small Scale Embedded Generation)*

**AUDIT & PERFORMANCE COMMITTEE: SUBMISSION OF THE QUARTERLY REPORT FOR QUARTER 2 OF 2022 / 2023 (5/14/R) (CHIEF AUDIT EXECUTIVE)**

**Purpose of report**

To submit the Audit & Performance Committee report for quarter 2 of the 2022/23 financial year to Council for noting.

**Background**

In terms of Circular 65 of the Municipal Finance Management Act (MFMA) (Act No. 56 of 2003), the chairperson of the Audit & Performance Committee will report on a quarterly basis, or more frequently if required, to the municipal council on the operations of the Internal Audit Activity and the Audit & Performance Committee. The report should include:

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

The Audit & Performance Committee report for quarter 2 of 2022/23 was attached to this report.

**Recommendation**

That the contents of the Audit & Performance Committee report for quarter 2 of the 2022/23 financial year be noted by Council.

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 March 2023 (pg. 34 – 37)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023**

**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023**

**Recommendation / Aanbeveling**

That the contents of the Audit & Performance Committee report for quarter 2 of the 2022/23 financial year be noted by Council.

**DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES – JANUARY 2023 : DIRECTORATE:  
CORPORATE SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

**Purpose of Report**

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

**Background**

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

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

The Report on Deviations for January 2023 was attached to this report.

**Aanbeveling / Recommendation**

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

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

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 March 2023 (pg. 39)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023**  
**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 – JANUARY 2023 : DIRECTORATE  
COMMUNITY SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

**Purpose of Report**

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

**Background**

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

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

The Report on Deviations for January 2023 was attached to this report.

**Aanbeveling / Recommendation**

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

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

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 March 2023 (pg. 41)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023**  
**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 – JANUARY 2023 : 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 January 2023 was attached to this report.

**Aanbeveling / Recommendation**

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

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

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 March 2023 (pg. 43 – 46)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023**  
**Unanimously Resolved / Eenparig Besluit**

That the report be referred back to the MPAC Committee meeting so that the outstanding information can be resubmitted.

**This item served before the Special Municipal Public Accounts Committee (MPAC) on 15 March 2023**  
**Die item het voor die Spesiale Munisipale Openbare Rekeninge Komitee (MORK) gedien op 15 Maart 2023**  
**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 – JANUARY 2023 : DIRECTORATE  
FINANCIAL SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)**

**Purpose of Report**

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

**Background**

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

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

The Report on Deviations for January 2023 was attached to this report.

**Aanbeveling / Recommendation**

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

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

**NOTE:** The annexure was distributed as part of the agenda for the MPAC Committee meeting of 07 March 2023 (pg. 48)

**This item served before the Municipal Public Accounts Committee (MPAC) on 07 March 2023**  
**Die item het voor die Munisipale Openbare Rekeninge Komitee (MORK) gedien op 07 Maart 2023**  
**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.*

**APPOINTMENT / DELEGATION OF REPRESENTATIVES OF THE COUNCIL ON EXTERNAL BODIES (3/1/2 + 3/14)**  
**(DIRECTOR CORPORATE SERVICES)**

**Purpose of report**

To submit to Council for consideration a report to nominate councillors as Employer representatives on pension and retirement funds.

**Background**

There are currently no Councillors (Employer representatives) of Langeberg Municipality nominated for SALA Pension Fund, Municipal Workers Retirement Fund and LA Retirement Fund.

SALA Pension Fund has now requested that the particulars of the Employer Representative (Councillor) be provided to them as they intend having a meeting in due course.

**Recommendation**

That Council nominate Employer representatives (Council) to represent Langeberg Municipality at the meetings of the following funds:

1. SALA Pension Fund – Cllr .....
2. Municipal Workers Retirement Fund – Cllr .....
3. LA Retirement Fund – Cllr .....

**This item served before the Executive Mayoral Committee on 16 March 2023**

**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediens op 16 Maart 2023**

**Aanbeveling / Recommendation**

That Council nominate Employer representatives (Council) to represent Langeberg Municipality at the meetings of the following funds:

1. SALA Pension Fund – Cllr .....
2. Municipal Workers Retirement Fund – Cllr .....
3. LA Retirement Fund – Cllr .....

**FINANCIAL REPORTING IN TERMS OF SECTION 71 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 – FEBRUARY 2023 (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 17 February 2023 (pg. 06 – 44)

**This item served before the Finance Portfolio Committee on 17 March 2023**

**Hierdie item het gedien voor die Finansies Portefeulje Komitee op 17 Maart 2023**

**Recommendation / Aanbeveling**

1. That the content of the report be noted.
2. That the Directors come to the next Finance Portfolio Committee meeting and report back regarding the underspending of each Directorate and report back on the status of all projects not completed yet.
3. That a item regarding the extension of the cutoff date for the payment of Rates and Taxes levied by the Municipality from October to either November or December serve at the next Finance Portfolio Committee meeting.

**SUBMISSION OF THE 2023 / 2024 TO 2025 / 2026 OPERATING / CAPITAL BUDGET, IDP & POLICY DOCUMENTS**  
**(CHIEF FINANCIAL OFFICER)**

**Purpose of the report**

To inform Council that the 2023 / 2024 to 2025 / 2026 Operating/Capital Budget and IDP Documents will be tabled at the Council meeting of 28<sup>th</sup> March 2023.

**Legal Framework**

Section 16 - 18 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) stipulates as follows:

**Annual budgets**

16. (1) The council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year.
- (2) In order for a municipality to comply with subsection (1), the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.
- (3) Subsection (1) does not preclude the appropriation of money for capital expenditure for a period not exceeding three financial years, provided a separate appropriation is made for each of those financial years.

**Contents of annual budgets and supporting documents**

17. (1) An annual budget of a municipality must be a schedule in the prescribed format –
- (a) setting out realistically anticipated revenue for the budget year from each revenue source;
  - (b) appropriating expenditure for the budget year under the different votes of the municipality;
  - (c) setting out indicative revenue per revenue source and projected expenditure by vote for the two financial years following the budget year;
  - (d) setting out –
    - (i) estimated revenue and expenditure by vote for the current year; and
    - (ii) actual revenue and expenditure by vote for the financial year preceding the current year; and
  - (e) a statement containing any other information required by section 215 (3) of the Constitution or as may be prescribed.
- (2) An annual budget must generally be divided into a capital and an operating budget in accordance with international best practice, as may be prescribed.
- (3) When an annual budget is tabled in terms of section 16 (2), it must be accompanied by the following documents:
- (a) draft resolutions –
    - (i) approving the budget of the municipality;
    - (ii) imposing any municipal tax and setting any municipal tariffs as may be required for the budget year;
    - (iii) approving the budgets for the relevant financial year of each municipal entity under the sole or shared control of the municipality; and
    - (iv) approving any other matter that may be prescribed;
  - (b) measurable performance objectives for each vote in the budget, taking into account the municipality's integrated development plan.
  - (c) a projection of cash flow for the budget year by revenue source, broken down per month;
  - (d) any proposed amendments to the municipality's integrated development plan following the annual review of the integrated development plan in terms of section 34 of the Municipal Systems Act;

- (e) any proposed amendments to the budget-related policies of the municipality;
- (f) particulars of the municipality's investments;
- (g) any prescribed budget information on municipal entities under the sole or shared control of the municipality;
- (h) particulars of all proposed new municipal entities which the municipality intends to establish or in which the municipality intends to participate;
- (i) particulars of any proposed service delivery agreements, including material amendments to existing service delivery agreements;
- (j) particulars of any proposed allocations or grants by the municipality to –
  - (i) other municipalities;
  - (ii) any municipal entities and other external mechanisms assisting the municipality in the exercise of its functions or powers;
  - (iii) any other organs of state;
  - (iv) any organisations or bodies referred to in section 67 (1);
- (k) the proposed cost to the municipality for the budget year of the salary, allowances and benefits of–
  - (i) each political office-bearer of the municipality;
  - (ii) councillors of the municipality; and
  - (iii) the municipal manager, the chief financial officer, each senior manager of the municipality and any other official of the municipality at a remuneration package at least equal to that of a senior manager;
- (l) the proposed cost for the budget year to a municipal entity under the sole or shared control of the municipality of the salary, allowances and benefits of –
  - (i) each member of the entity's board of directors; and
  - (ii) the chief executive officer and each senior manager of the entity; and
- (m) any other supporting documentation as may be prescribed.

#### **Funding of expenditures**

18. (1) An annual budget may only be funded from –
- (a) realistically anticipated revenues to be collected;
  - (b) cash-backed accumulated funds from previous years' surpluses not committed for other purposes; and
  - (c) borrowed funds, but only for the capital budget referred to in section 17 (2).
- (2) Revenue projections in the budget must be realistic, taking into account –
- (a) projected revenue for the current year based on collection levels to date; and
  - (b) actual revenue collected in previous financial years.

## **INTEGRATED DEVELOPMENT PLANNING**

### **Section 34 of Municipal System Act refers :**

#### **Annual review and amendment of integrated development plan**

A municipal council

a) must review its integrated development plan

- (i) annually in accordance with an assessment of its performance measurements in terms of section 41 and
- (ii) to the extent that changing circumstances so demand; and

**b) may amend its integrated development plan in accordance with a prescribed process.**

In terms of section 34 of the MSA a municipal council must review its integrated development plan (IDP) annually in accordance with an assessment of its performance measurements and to the extent that changing circumstances so demand, and may amend its IDP in accordance with a prescribed process. The Local Government Municipal Systems Regulations, 2001, stipulates the process to be followed during the IDP amendment in chapter 2, section 3. The process is prescribed as follows: -

*(1) Only a member or committee of a municipal council may introduce a proposal for amending the municipality's integrated development plan in the council.*

*(2) Any proposal for amending a municipality's integrated development plan must be-*

*(a) accompanied by a memorandum setting out the reasons for the proposal; and*

*(b) aligned with the framework adopted in terms of section 27 of the Act.*

*(3) An amendment to a municipality's integrated development plan is adopted by a decision taken by a municipal council in accordance with the rules and orders of the council.*

*(4) No amendment to a municipality's integrated development plan may be adopted by the municipal council unless-*

*(a) all the members of the council have been given reasonable notice*

*(b) the proposed amendment has been published for public comment for a period of at least 21 days in a manner that allows the public an opportunity to make representations with regard to the proposed amendment;*

*(c) the municipality, if it is a district municipality, has complied with subregulation (5); and*

*(d) the municipality, if it is a local municipality, has complied with subregulation (6)*

*(5) A district municipality that considers an amendment to its integrated development plan must:*

*(a) consult all the local municipalities in the area of the district municipality on the proposed amendment; and*

*(b) take all comments submitted to it by the local municipalities in that area into account before it takes a final decision on the proposed amendment*

*(6) A local municipality that considers an amendment to its integrated development plan must:*

*(a) consult the district municipality in whose area it falls on the proposed amendment; and*

*(b) take all comments submitted to it by the district municipality into account before it takes a final decision on the proposed amendment.*

#### **Comments**

The 2023-2024 MTREF Budget documents and IDP have been compiled in terms of the Municipal Budget and Reporting Regulations and **will be tabled at the Statutory Council Meeting of 28 March 2023.**

Budget-related policies will be **placed on the municipal website** and will also be available at the municipal offices for comments /inputs.

IDP related policies, including ICT policies will be **placed on the municipal website** and will also be available at the municipal offices for comments /inputs.



### **Recommendation / Aanbeveling**

1. That the Executive Mayor table the 2023-2024 MTREF Budget & IDP at the Statutory Council Meeting of 28 March 2023.
2. That the tabling of 2023 / 2024 to 2025 / 2026
  - Operating / Capital Budget,
  - IDP
  - SDF
  - all budget related policies
  - Langeberg Municipal Property Rates by-law
  - IDP Related Policy Documents
  - ICT policies be noted.
3. All relevant documents be made available for public comment and be forwarded to all relevant National and Provincial departments.
4. The budget and IDP be referred to all wards for discussion and inputs.

**SLEGS VIR KENNISNAME • FOR INFORMATION ONLY**

**B & BB ITEMS**

B5778	MONTAGU WINERY: RENEWAL OF LEASE AGREEMENT FOR AN UNDERGROUND PIPELINE FROM THE GOLF COURSE TO ELKANA CHICKEN FARMING, MONTAGU (7/2/R 16/1/7/R) (DIRECTOR: CORPORATE SERVICES)	52
B5779	APPLICATION TO TRANSFER RDP HOUSE: ERF 1331, 10 MBOTSHELWA STREET, ZOLANI - ASHTON FROM LANGEBOEG MUNICIPALITY TO ROSSELIE JORDAAN (17/5/R) (SNR CLERK-HOUSING ADMINISTRATION, ASHTON).	52
B5780	APPLICATION TO TRANSFER RDP HOUSE: ERF 1603, 8 DAFODIL STREET, ASHTON FROM LANGEBOEG MUNICIPALITY TO MONIQUE MERIDITH MAARMAN (17/5/R) (SNR CLERK-HOUSING ADMINISTRATION, ASHTON).	53

## **SLEGS VIR KENNISNAME • FOR INFORMATION ONLY**

### **B & BB ITEMS**

**B5778 MONTAGU WINERY: RENEWAL OF LEASE AGREEMENT FOR AN UNDERGROUND PIPELINE FROM THE GOLF COURSE TO ELKANA CHICKEN FARMING, MONTAGU (7/2/R 16/1/7/R) (DIRECTOR: CORPORATE SERVICES)**

**This item served before the Executive Mayoral Committee on 16 March 2023**

**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 16 Maart 2023**

**Eenparig Besluit / Unanimously Resolved**

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

**B5779 APPLICATION TO TRANSFER RDP HOUSE: ERF 1331, 10 MBOTSHELWA STREET, ZOLANI - ASHTON FROM LANGEBOEG MUNICIPALITY TO ROSSELIEN JORDAAN (17/5/R) (SNR CLERK- HOUSING ADMINISTRATION, ASHTON).**

**This item served before the Executive Mayoral Committee on 16 March 2023**

**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 16 Maart 2023**

**Eenparig Besluit / Unanimously Resolved**

It is therefore recommended that the RDP House situated at plot 1331, 10 Mbotshelwa Street, Zolani, Ashton be allocated to Rosselien Jordaan on the following conditions:

*Word aanbevel dat die HOP woning gelee te erf 1331, 10 Mbotshelwa Street, Zolani op die volgende*

voorwaardes toegeken word aan Rosselien Jordaan:

1. That a housing subsidy application be submitted to the Provincial Housing Board for consideration on behalf of Rosselien Jordaan.

*Dat 'n behuisingssubsidie aansoek namens Rosselien Jordaan aan die Provinsiale Behuisingsraad voorgele word ter oorweging.*

2. That once the subsidy as mentioned in point 1 above, is approved, the property be transferred into the name of Rosselien Jordaan.

*Dat nadat die subsidie soos in punt 1 gemeld, goedgekeur is, die eiendom in Rosselien Jordaan se naam getranspoteer word.*

3. That Rosselien Jordaan enter into a Lease Agreement with the Municipality until the housing subsidy has been approved after which a Deed of Sale will be entered into between herself and the Municipality.

*Dat Rosselien Jordaan 'n huurkontrak sluit met die Munisipaliteit totdat die behuisingssubsidie in haar naam goedgekeur is waarna 'n koopkontrak met haar gesluit word.*

4. That Rosselien Jordaan be held responsible for the payment of all outstanding as well as all future municipal charges with respect to erf 1331, 10 Mbotshelwa Street, Zolani Ashton

*Dat Rosselien Jordaan aanspreeklik gehou word vir die betaling van alle uitstaande asook toekomstige munisipale heffings met betrekking tot erf 1331, Mbotshelwa Straat 10, Zolani Ashton*

**B5780**

**APPLICATION TO TRANSFER RDP HOUSE: ERF 1603, 8 DAFODIL STREET, ASHTON FROM LANGEBOURG MUNICIPALITY TO MONIQUE MERIDITH MAARMAN (17/5/R) (SNR CLERK-HOUSING ADMINISTRATION, ASHTON).**

**This item served before the Executive Mayoral Committee on 16 March 2023**

**Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 16 Maart 2023**

**Eenparig Besluit / Unanimously Resolved**

It is therefore recommended that the RDP House situated at plot 1603, 8 Dafodil Street, Ashton be allocated to Monique Meridith Maarman on the following conditions:

*Word aanbevel dat die HOP woning gelee te erf 1603, 8 Dafodil Street, Ashton op die volgende voorwaardes toegeken word aan Monique Meridith Maarman:*

1. That a housing subsidy application be submitted to the Provincial Housing Board for consideration on behalf of Monique Meridith Maarman.

*Dat 'n behuisingssubsidie aansoek namens Monique Meridith Maarman aan die Provinsiale Behuisingsraad voorgele word ter oorweging.*

2. That once the subsidy as mentioned in point 1 above, is approved, the property be transferred into the name of Monique Meridith Maarman.

*Dat nadat die subsidie soos in punt 1 gemeld, goedgekeur is, die eiendom in Monique Meridith Maarman se naam getranspoteer word.*

3. That Monique Meridith Maarman enter into a Lease Agreement with the Municipality until the housing subsidy has been approved after which a Deed of Sale will be entered into between herself and the Municipality.

*Dat Monique Meridith Maarman 'n huurkontrak sluit met die Munisipaliteit totdat die behuisingssubsidie in haar naam goedgekeur is waarna 'n koopkontrak met haar gesluit word.*

4. That Monique Meridith Maarman be held responsible for the payment of all outstanding as well as all future municipal charges with respect to erf 1603, 8 Dafodil Street, Ashton

*Dat Monique Meridith Maarman aanspreeklik gehou word vir die betaling van alle uitstaande asook toekomstige munisipale heffings met betrekking tot erf 1603, Dafodil Straat 8, Ashton*

~ oOo ~