

**MINUTES OF THE CONTINUATION OF THE APRIL COUNCIL MEETING OF
LANGEBERG MUNICIPALITY HELD ON 09 MAY 2019 AT 10H00 IN THE COUNCIL CHAMBERS
MUNICIPAL OFFICES, CHURCH STREET, ROBERTSON**

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

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

A3794 EXTENSION OF CONTRACT OF ASLA CONSTRUCTION (PTY) LTD AS IMPLEMENTING AGENT FOR HOUSING PROJECTS (17/5/1) (DIRECTOR: COMMUNITY SERVICES)

This item served before the Continuation of the April Meeting of Council held on 09 May 2019
Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Besluit / Resolved

1. That the existing contract of Asla Construction (Pty) Ltd as Implementing Agent for Housing Projects in Langeberg Municipality be extended to include in their existing scope of work the Strydom Street Project in Montagu as well as the Uitsig Development in Bonnievale.
2. That the Engineering Department monitors that the construction work is up to standard.

A3795 FINANCIAL REPORTING IN TERMS OF SECTION 71 FOR THE MONTHLY BUDGET STATEMENT & SECTION 52 (D) FOR THE QUARTERLY BUDGET ASSESSMENT STATEMENT FOR MARCH 2019 (9/2/1/3) (CHIEF FINANCIAL OFFICER)

This item served before the Continuation of the April Meeting of Council held on 09 May 2019
Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

That the contents of the report be noted.

Dat kennis geneem word van die inhoud van die verslag.

A3796 EXTENSION OF CONTRACT OF ABSA FOR PROVISION OF BANKING SERVICES FOR A PERIOD OF 1 YEAR

This item served before the Continuation of the April Meeting of Council held on 09 May 2019
Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

That the existing contract of ABSA for *The Provision of Banking Services* be extended for a period of 12 months while the Municipality will commence with the process of procuring a bank services in accordance with Clause 30 of the Municipal Supply Chain Management Regulations.

A3797 RESUBMISSION: LANGEBERG ASSOCIATED WINERIES (PTY) LTD: APPLICATION TO LEASE A PORTION OF ERF 2 (±1 HA) ALONG THE MCGREGOR ROAD, ROBERTSON (7/2/3/1/5 (PRINCIPAL CLERK: PROPERTY ADMINISTRATION) ~ Was B 5491 ~

This item served before the Continuation of the April Meeting of Council held on 09 May 2019
Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

1. That the application received from Langeberg Associated Wineries (Pty) Ltd. Mr H to lease a portion of erf 2, (±1 ha) along the McGregor road, Robertson be approved for a 9 year and 11 months' period subject to the following conditions:

Dat die aansoek ontvang van Langeberg Associated Wineries (Pty) Ltd. om 'n gedeelte van erf 2, (±1 ha) geleë

op die McGregor pad, Robertson te huur goedgekeur word vir 'n 9 jaar en 11 maande periode onderworpe aan die volgende voorwaardes:

- 1.1 That the intention of the Municipality to lease the property to Langeberg Associated Wineries (Pty) Ltd on a long term basis be advertised for comments before the lease agreement is finalized. If no objections have been received, the property be leased to Langeberg Associated Wineries (Pty) Ltd at a market related rental for a 9 year 11-month period subject to the following conditions:

Dat die Munisipaliteit se intensie om hierdie eiendom aan Langeberg Associated Wineries (Pty) Ltd vir 'n lang termyn te verhuur adverteer word vir kommentaar voordat die huurooreenkoms finaliseer word. Indien geen besware ontvang word nie, die gedeelte grond aan Mnr van Niekerk verhuur word teen 'n markverwante huur vir 'n periode van 9 jaar 11 maande onderworpe aan die volgende voorwaardes:

- 1.2 That this portion of land which forms part of a Critical Biodiversity Area along the Hoops River must be maintained as a natural area as part of the riverine corridor which is important ecologically and for flood mitigation.

Dat aangesien hierdie gedeelte grond wat deel vorm van die Kritiese Biodiversiteits Area langs die Hoopsrivier, moet dit onderhou word as 'n natuurlike area wat deel vorm van die rivier korridor wat ekologies belangrik is en vir vloedbeheer.

- 1.3 That all relevant legislation, including the Environmental Impact Assessment regulations in terms of NEMA No. 107 of 1998 and the Conservation of Agricultural Resources Act 43 of 1983 must be adhered to before the lease agreement is finalized.

Dat daar voldoen word aan alle relevante wetgewing, insluitende die Omgewings Impak Asseserings Regulasies in terme van NEMA No. 107 Wet van 1998 en die Bewaring van Landbou Hulpbronne Wet 43 van 1983.

- 1.4 That the applicant contacts the Electrical department to switch off the line before the Lessee starts clearing the trees next to the MV line crossing this portion of erf2 along the McGregor road, Robertson. The Electrical personnel of the Municipality must have access to line at all times.

Dat die Elektriese department gekontak moet word om die lyn af te skakel alvorens die Huurder begin om die bome netjies te maak langs aan die MV lyn wat die gedeelte van erf2, geleë op McGregor pad, Robertson kruis. Die Elektriese personeel van die Munisipaliteit moet ten alle tye toegang hê tot die lyn.

- 1.5 That all costs involved with the beautifying of the portion of erf2, along the McGregor road, Robertson be for the account of the Lessee.

Dat alle kostes betrokke met die skoon en netjies maak van die gedeelte van erf2, geleë op McGregor pad, Robertson vir die rekening van die Huurder is.

3. That if any objections have been received, the application be referred back to the Mayoral Committee for consideration.

Dat indien enige besware ontvang word, die aansoek na die Burgemeesterskomitee verwys word vir oorweging.

A 3798 FEEDBACK TO COUNCIL: EXECUTION OF COUNCIL RESOLUTIONS: JANUARY – MARCH 2019 (3/2/1/3) (MUNICIPAL MANAGER)

This item served before the Continuation of the April Meeting of Council held on 09 May 2019

Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

That the contents of the report be noted.

Dat kennis geneem word van die inhoud van die verslag.

A 3799 EXPANSION OF CONTRACT - TENDER 25/2018 SUPPLY, DELIVERY & INSTALLATION OF ENVIRONMENTAL CONTROL SYSTEMS FOR SERVER ROOMS

This item served before the Continuation of the April Meeting of Council held on 09 May 2019

Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

1. That "Tender 25/2018 Supply, Delivery & Installation of Environmental Control Systems For Server Rooms" that was awarded to Emerald Infrastructure Solutions CC be extended and expanded for an amount of R148 249.65 (VAT inclusive) subject to section 116(3), of the MFMA Act 56 of 2003.
2. That funds be paid against vote number –9/181-286-286; available funds are R 519 068.99 (VAT exclusive).

A 3800 UTILIZATION OF MIG FUNDING FOR 2019 / 2020 TO 2021 / 2022 (17/8/3/5/3) (DIRECTOR ENGINEERING SERVICES)

This item served before the Continuation of the April Meeting of Council held on 09 May 2019

Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

That the MIG allocations for Langeberg Municipality for the 2019 / 2020, 2020 / 2021 and 2021 / 2022 financial years be utilised as follows:

2019 / 2020	(R 21 983 000)	Upgrading of Gravel Roads in Ashton, Montagu & Bonnievale (R 21 983 000)
2020 / 2021	(R 23 008 000)	Finalization of the Gravel Roads in Ashton, (Zolani & Cogmanskloof), Montagu (Ashbury) & Bonnievale (Happy Valley) Upgrading of the Waste Water Treatment Works McGregor sports field new pavilion and secured vibracrete boundary wall for Bonnievale, Happy Valley Sports Field (R 3 451 200)
2021 / 2022	(R 24 482 000)	Replacement of old Water Lines (R 14 309 700) Upgrading of the McGregor Water Treatment Plant (R 6 500 000) Secured vibracrete boundary wall for Robertson Van Zyl Street Sports Field, Ashton Cogmanskloof Sports field & Zolani Sports field (R 3 672 300)

A 3801 SUBMISSION OF MOTION 1 : CLLR CJ GROOTBOOM : PDM : NEW HOUSING DEVELOPMENT ADJOINING ERF 15, C/O PADDY & PAUL KRUGER STREETS ROBERTSON

This item served before the Continuation of the April Meeting of Council held on 09 May 2019

Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

That the relevant information about the alienation of Erf 4024 Robertson and the proposed development be made available to Cllr CJ Grootboom and any other councillors who formally request it.

A 3802 SUBMISSION OF MOTION 2 : CLLR CJ GROOTBOOM : PDM : THE APPOINTMENT OF PERSONNEL IN SOME POSTS WITHIN THE MUNICIPALITY

This item served before the Continuation of the April Meeting of Council held on 09 May 2019

Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

That the content of the report and the information provided by the Municipal Manager be noted.

A 3803 SUBMISSION OF MOTION 3 : CLLR CJ GROOTBOOM : PDM : COUNCILLORS WHO DO NOT FULFIL THEIR DUTIES

This item served before the Continuation of the April Meeting of Council held on 09 May 2019
Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

That the content of the report be noted.

A 3804 EXPENDITURE OF THE 2018 / 2019 BUDGET MEASURED BY THE TOP LEVEL SDBIP FOR THE THIRD QUARTER (5/1/3) (DIRECTOR: STRATEGY AND SOCIAL DEVELOPMENT)

This item served before the Continuation of the April Meeting of Council held on 09 May 2019
Hierdie item het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

That Council notes the contents of the report

Dat die Raad kennis neem van die inhoud van die verslag

12.3 Reports dealt with in terms of the delegated powers by the Mayoral Committee (B & BB Items)
Verslae afgehandel deur die Burgemeesterskomitee in terme van gedelegeerde bevoegdhede (B & BB-items)

This items served before the Continuation of the April Meeting of Council held on 09 May 2019
Hierdie items het gedien voor die Voortsetting van die April Vergadering van die Raad gehou op 09 Mei 2019
Eenparig Besluit / Unanimously Resolved

That Council note the B and BB reports that were dealt with by the Executive Mayoral Committee in terms of the delegated powers:

Dat die Raad kennis neem van die B en BB verslae wat deur die Uitvoerende Burgemeesterkomitee in terme van gedelegeerde bevoegdhede hanteer is:

B5493 DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES FOR MARCH 2019 – DIRECTORATE: COMMUNITY SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)

This item served before the Executive Mayoral Committee on 21 May 2019
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 Mei 2019
Eenparig Besluit / Unanimously Resolved

That the content 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.

B5494 DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES FOR MARCH 2019 – DIRECTORATE: ENGINEERING SERVICES (9/2/1) (CHIEF FINANCIAL OFFICER)

This item served before the Executive Mayoral Committee on 21 May 2019
Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 Mei 2019
Eenparig Besluit / Unanimously Resolved

That the content 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.

B5495 DEVIATIONS FROM THE NORMAL PROCUREMENT PROCESSES FOR MARCH 2019 – FINANCE SERVICES (9/2/1) CHIEF FINANCIAL OFFICER

This item served before the Executive Mayoral Committee on 21 May 2019

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 Mei 2019

Eenparig Besluit / Unanimously Resolved

That the content 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.

B5496 QUARTERLY REPORT OF DIRECTOR COMMUNITY SERVICES: MEETINGS WITH WARD COMMITTEES & INFORMAL SETTLEMENTS - JANUARY TO MARCH 2019 (DIRECTOR COMMUNITY SERVICES)

This item served before the Executive Mayoral Committee on 21 May 2019

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 Mei 2019

Eenparig Besluit / Unanimously Resolved

1. That the Executive Mayoral Committee takes note of the ward committee reports and attendance registers as attached
2. That if issues arise from the Director Community Services' meetings with the ward committees and informal settlements, such issues be submitted to the Community Services Portfolio Committee for consideration.
3. That any actions emanating from resolutions taken by the Mayoral Committee in this regard, be included for the annual review of the Integrated Development Plan.

B5498 ATC SITE 350994 SA WIRELESS INFRASTRUCTURE (PTY) LTD: APPLICATION FOR RENEWAL OF LEASE AGREEMENT FOR A PORTION OF ERF1, MUISKRAALSKOP, ROBERTSON (7/2/3/1/5) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)

This item served before the Executive Mayoral Committee on 21 May 2019

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 Mei 2019

Eenparig Besluit / Unanimously Resolved

1. That it be confirmed that a portion of Erf 1, Muiskraalskop, Robertson is not needed for the provision of the minimum level of basic municipal services. (S14 of the MFMA 2003, Act 56 of 2003)

Dat dit bevestig word dat 'n gedeelte van Erf 1, Muiskraalskop, Robertson nie benodig word vir die verskaffing van die minimum vlak van basiese munisipale dienste nie.

2. That the application be advertised for comments/objections and after this period has lapsed and no objections have been received, the municipal land situated on a portion of Erf 1, Muiskraalskop, Robertson be leased to ATC Site 350994 South Africa Wireless Infrastructure (Pty) Ltd subject to the following conditions:

Dat die aansoek adverteer word vir kommentare/besware en nadat hierdie tydperk verstryk het en geen besware ontvang is nie, die munisipale eiendom geleë op 'n gedeelte van Erf 1, Muiskraalskop, Robertson verhuur word aan ATC Site 350944 South Africa Wireless (PTY) Ltd onderworpe aan die volgende voorwaardes:

- 2.1 That the property situated on a portion of a portion of erf 1, Muiskraalskop, Robertson be leased to ATC Site 350994 South Africa for a period of 5 years.

Dat die eiendom geleë op 'n gedeelte van erf 1, Miskraalkop, Robertson aan ATC Site 350994 South Africa verhuur word vir 'n periode van 5 jaar.

- 2.2 That the lease amount be R85 704.88 per year. The rental amount will escalate annually with a percentage that will be determined by the yearly CPI.

Dat die huurbedrag R85 704.88 per jaar sal wees. Die huurtarief sal jaarliks eskaleer met 'n persentasie wat bepaal word deur die VPI.

- 2.3 That the cost for the supply of electricity will be for the account of ATC Site 350994 South Africa.

Dat ATC Site 350994 South Africa verantwoordelik sal wees vir die betaling van die voorsiening van elektrisiteit na die perseel.

- 2.4 That ATC Site 350994 South Africa be responsible for the maintenance of the access road to the premises.

Dat ATC Site 350994 South Africa verantwoordelik sal wees vir die instandhouding van die toegangspad tot die perseel.

- 2.5 That the property leased to ATC Site 350994 South Africa be suitably fenced by the Lessee.

Dat die eiendom verhuur aan ATC Site 350944 South Africa behoorlik omhein word deur die Huurder.

B5499 APPLICATION TO TRANSFER MUNICIPAL RENTAL SCHEME 1 HOUSE: ERF 1768, BONNIEVALE FROM THE LATE MINA CUPIDO (BANDA) TO ROSELIE BAND (17/5/6/1/1) (SENIOR HOUSING CLERK: BONNIEVALE)

This item served before the Executive Mayoral Committee on 21 May 2019

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gediens op 21 Mei 2019

Eenparig Besluit / Unanimously Resolved

That the Municipal Rental Scheme 1 house situated on erf 1768, Bonnievale be allocated to Roselien Banda on the following conditions.

Dat die Munisipale huurskema 1 woning geleë te erf 1768, Bonnievale op die volgende voorwaardes aan Roselien Banda toegeken word.

1. That the Municipal Rental Scheme 1 House on erf 1768, Bonnievale be sold to Roselien Banda for the amount of R6 465.53 in terms of the Enhanced Extended Discount Benefit Scheme (EEDBS).

Dat die Munisipale huurskema 1 woning geleë te erf 1768, Bonnievale vir die bedrag van R6 465.53 in terme van die Verbeterde Uitgebreide Afslag Voordeelskema (EEDBS) aan Roselien Banda vervreem word.

2. That Roselien Banda be responsible for the payment of the transfer costs in respect of the registration of the property into her name.

Dat Roselien Banda aanspreeklik is vir die betaling van die oordragkoste met betrekking tot die registrasie van die eiendom in haar naam.

3. That Roselien Banda enter into a lease agreement with the Municipality until her subsidy for discount benefit (EEDBS) is approved by the Provincial Department of Human Settlements, whereafter a deed of sale is entered into between herself and the Municipality.

Dat Roselien Banda 'n huurkontrak sluit met die Munisipaliteit totdat haar subsidie vir die verbeterde uitgebreide afslag voordeelskema (EEDBS) deur die Provinsiale Departement van Menslike Nedersettings goedgekeur is waarna 'n koop-ooreenkoms tussen haarself en die Munisipaliteit gesluit word.

B5500 FAJRUL ISLAM CENTRE: APPLICATION TO LEASE OR PURCHASE MUNICIPAL LAND SITUATED ON ERF 5164, MONTAGU (7/2/3/2/4) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)

This item served before the Executive Mayoral Committee on 21 May 2019

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 Mei 2019

Eenparig Besluit / Unanimously Resolved

1. That it be confirmed that the portion of land is not needed for the provision of the minimum level of basic municipal services. (S14 of the MFMA 2003, Act 56 of 2003)

Dat dit bevestig word dat die gedeelte grond nie benodig word vir die verskaffing van die minimum vlak van basiese munisipale dienste nie. (S14 of the MFMA 2003, Wet 56 van 2003)

2. That the application received from Dr S. Salama on behalf of Fajrul Islam Centre for the purchase of municipal land situated on erf 5164, Montagu not be approved seeing that this erf lies within a drainage area.

Dat die aansoek vanaf Dr S Salama namens Fajrul Islam Centre vir die koop van munisipale grond geleë te erf 5164, Montagu nie goedgekeur word nie aangesien die erf binne 'n dreinerings area geleë is.

3. That the municipal land situated on erf 5164, Montagu be leased to Fajrul Islam Centre for a period of eight (8) months subject to the following conditions:

Dat die munisipale grond geleë te erf 5164, Montagu verhuur word aan Fajrul Islam Centre vir 'n periode van agt (8) maande onderhewig aan die volgende voorwaardes:

- 3.1 That erf 5164, Montagu be leased at a market related rental.

Dat erf 5164, Montagu verhuur word teen 'n markverwante huurtarief.

- 3.2 That erf 5164 only be used for the storage of building material during the construction period

Dat erf 5164, Montgau slegs gebruik word vir die stoor van bou materiaal gedurende konstruksie periode.

- 3.3 That the portion of land be restricted with safety tape.

Dat die gedeelte grond met veiligheids lint ingeperk word.

- 3.4 That the contractor indemnifies the Municipality 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 using the portion of municipal land as well as any action, omission or negligence by the contractor, his workers or any person under his control and supervision. This indemnity will also be in effect of respect of third parties and/or their property.

Dat die kontrakteur die Munisipaliteit vrywaar van enige aanspreeklikheid vir skade, verliese, eise wat mag ontstaan om welke rede ookal voortspruitend uit die Huurder se gebruik van die die gedeelte grond sowel as enige handeling, nalatigheid van die kontrakteur, sy werkers of enige persoon onder sy beheer en toesighouding. Die vrywaring is ook effek in respek van derde partye en/of hul eiendom.

- 3.5 That the portion of Municipal land used, be rehabilitated to the original status as at the date on occupation.

Dat die gedeelte Munisipale grond wat gebruik word, in die oorspronklike stand teruggegee word soos met die dag van okkupasie.

- 3.6 That the lessee will ensure that the premise is in a tidy, hygienic and litter free condition at all times.

Dat die huurder sal toesien dat die gronde te alle tye skoon, higiënies en vry is van enige rommel.

- 3.7 No structures may be erected on the premises without the written approval of Council.

Geen strukture mag op die eiendom opgerig word sonder skriftelike goedkeuring van die Munisipaliteit nie.

B5502 CONSTRUCTION OF ILLEGAL HOUSE ON MUNICIPAL LAND IN UITSIG, BONNIEVALE (ACTING MANAGER HOUSING – DEPARTMENT COMMUNITY SERVICES)

This item served before the Executive Mayoral Committee on 21 May 2019

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 Mei 2019

Eenparig Besluit / Unanimously Resolved

1. To give Dawid and Dadian Johnson an option to buy plot 44 [Map attached] on the following conditions.
 - Pay market value for the erf.
 - Must submit a building plan for approval to the Municipal Town Planning offices.
 - Must pay for the installation of municipal services.
 - Pay the penalty as stipulated in the Municipal Service Charges for illegal building without approved building plan.
2. If they do not accept the option, they must be responsible for the demolish and the removal of the building rubble from the site, on their own cost.

A3810 AFRICAN MISSION CHURCH: APPLICATION FOR THE LEASE OR PURCHASE OF MUNICIPAL LAND SITUATED ON ERF 254, NKQUBELA, ROBERTSON (7/2/3/1/5: 7/2/3/2/5) (PRINCIPAL CLERK: PROPERTY ADMINISTRATION)

This item served before the Executive Mayoral Committee on 21 May 2019

Hierdie item het voor die Uitvoerende Burgemeesterskomitee gedien op 21 Mei 2019

Eenparig Besluit / Unanimously Resolved

That the report be referred back for reconsideration taking into account that the African Mission Church has used this Erf 254, Nkqubela, Robertson for 20 years.