

ANNEXURE A

MINUTES



NOTULES VAN DIE / MINUTES OF THE

RAADSVERGADERING VAN DIE CEDERBERG MUNISIPALITEIT SOOS GEHOU OP

31 MAART / MARCH 2021

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COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY, HELD ON

**THIS IS A PERMANENT DOCUMENT PLEASE RETAIN IT AS IT WILL NOT BE
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**MINUTES OF THE VIRTUAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY
HELD ON 31 MARCH 2021.**

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CIRCULATED AGAIN.**

PRESENT AND IN ATTENDANCE:

-Cllr. P Strauss	-Mr. A Titus
-Cllr. N Qunta	-Mr. M Memani
-Cllr. L Scheepers	-Mr. J Kotze
-Cllr. M Heins	-Mr. R Meyers
-Cllr. F Kamfer	-Ms. P Majeni
-Cllr. E Majikijela	-Ms. E Visser
-Cllr. R Pretorius	-Mr. D Frantz
-Cllr. W Farmer	
-Cllr. R Witbooi	
-Cllr. F Sokuyeka	

ABSENT WITHOUT APOLOGY:

- Geen / None

1. OPENING

- The Chairperson, Cllr. P Strauss called the meeting to order and welcomed all present. Cllr. F Kamfer opened the meeting with a prayer.

2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY

- N/A

3. APPLICATIONS FOR LEAVE OF ABSENCE

Rules of Order for Internal Arrangement

Part 3

7. Leave of absence

- 7.1 Leave of absence may be obtained from Municipal Council by a member who wishes to absent himself or herself from meetings. Should a member be prevented from obtaining leave of absence based on special circumstances, the Speaker has the discretion to on grant such leave.
- 7.2 A written application for leave of absence from a meeting of the Municipal Council or a Committee must be addressed to the Speaker by the Member applying for leave.
- 7.3 Written applications include emails sent to the Speaker.
- 7.4 In certain instances, the granting of applications for leave is deemed. These instance include:
 - 7.4.1 the Member is acting on behalf of the Municipal Council on other matters elsewhere based on instructions of Council or the Mayor.
 - 7.4.2 the Member is required to remove himself/herself from a meeting by the Municipal Council, Mayor or Committee in circumstances envisaged in item 3(b) of Schedule 1 to the Systems Act, or the member recuses him/herself.
- 7.5 The Speaker may also grant leave of absence to a member for the following reasons:
 - 7.5.1 illness or any other valid reasonable reason making it impossible for the member to attend;
 - 7.5.2 business, personal commitments, or personal circumstances of the member.
 - 7.5.3 The failure to deliver notice of a meeting or the delivery of notice less than 72 hours prior to commencement provided that this does not relate to an ordinary meeting of the Council or Committees or changes of addresses of members.
 - 7.5.4 The lack of informing the Municipal Manager of a revised address for the service of documentation at least 7 days before the relevant meeting;
 - 7.5.5 Where circumstances envisaged in item 3(b) of the Code of Conduct for Councillors in Schedule 1 to the Systems Act occur which prevent the Member from attendance;
 - 7.5.6 Other circumstances where the member is prevented from attending the meeting.

3.1 A blank Application for Leave of Absence form is enclosed

3.2 The Attendance Registers will be available at the meeting

Rules of Order for Internal Arrangement

Part 3

6. Attendance at meetings

- 6.1 An attendance register must be kept in relation to all meetings. Such register is to be signed by every member that attends the meeting/s
- 6.2 Instances when a member may be absent from a meeting include the following:
 - 6.2.1 upon leave of absence being granted in terms of rule 7; and
 - 6.2.2 upon withdrawal on the basis of a legal requirement.

- Cllr. J Meyer

4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS

Rules of Order for Internal Arrangement

Part 6

6. Deputations

Should deputations seek an interview with council, the municipal manager must be provided with ten working days written notice of the intent of the deputation with details of the representations that are to be made as well as its source. The notice must be submitted to the Speaker by the Municipal Manager with recommendations and comments. The Speaker has the discretion to then grant the interview and instate conditions.

- Geen / None

5. CONFIRMATION OF MINUTES

Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)

Part Four

1. Minutes

- 1.1 Minutes of the proceedings of meetings must be recorded in writing in a minute book;
- 1.2 Such minutes shall be compiled in printed form and be confirmed by the council at the following meeting of Municipal Council and signed by the speaker.
- 1.3 The minutes shall be deemed to have been read for the purpose of confirmation provided a copy thereof was sent to each member within a reasonable period prior to the following meeting.
- 1.4 Discussions or motions in relation to the accuracy of minutes shall be entertained. No further discussion or motions in relation to any other matters forming part of the minutes shall occur.
- 1.5 Minutes shall consist of recordings of all business discussed as well as the names of members that were in attendance, absent, and granted leave of absence.
- 1.6 Should any member have requested that their dissent, abstention or support be recorded during voting, these are to be recorded in the minutes.
- 1.7 Audio recordings of all meetings of Municipal Council must be kept for a period of three years for administrative purposes.

RESOLVED:

- a) That the Minutes of the following Meetings be approved:
 - 1) Virtual Council Meeting of 25 January 2021;
 - 2) Virtual Special Council Meeting of 04 February 2021;
 - 3) Virtual Special Council Meeting of 26 February 2021; and
 - 4) Virtual Special Council Meeting of 16 March 2021.

Proposed: Cllr. L Scheepers

Seconded: Cllr. N Qunta

6. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

- Geen / None

7. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

- Geen / None

8. REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE EXECUTIVE MAYOR TOGETHER WITH THE MAYORAL COMMITTEE

Rules of Order for Internal Arrangement
PART 3: MEETINGS

5. Order of business

(1) The business of meetings of the Council will appear in the following order on the agenda
 (h) Report by the Executive Mayor on decisions taken by the Executive Mayor, the Executive Mayor together with the Deputy Executive Mayor, and the Executive Mayor together with the Mayoral Committee;

- 1) The Executive Mayor reports to the municipal council on all decisions taken by the Executive Mayor (excluding Special Council Meetings).
- 2) The reports of the Executive Mayor shall be for information and nothing by council and no debate, question, motions, points for information, clarity or points of order on the report shall be allowed save where motions or questions are raised in compliance with the provisions of the Council's Rules of Order.

RESOLVED:

- a) That the Executive Mayoral Report be approved.

Proposed: Cllr. F Kamfer
Seconded: Cllr. M heins
Counter Proposal: Cllr. R Pretorius (Items of Mayco is not provided)
Seconded: Cllr. F Sokuyeka

VOTE		
FOR	AGAINST	ABSTAIN
ANC - 6	DA – 2 ADC - 1	-

9. MATTERS FOR CONSIDERATION

Rules of Order for Internal Arrangement

Part Four:

2. DECISIONS AND VOTING

- 2.1 In the event that the Speaker enquires from the attendees at a meeting if they are in agreement with recommendation/s and there is no opposition by any member present, recommendations are adopted.
- 2.2 The Speaker must put every apposed motion to the vote by calling upon the members to indicate by a raising of hands unless otherwise prescribed by law, whether they are in favour of or against such motion. The result of the vote must thereafter be declared by the Speaker.
- 2.3 The number of members voting in favour of or against an item, is to be recorded in the minutes. Members may abstain from voting without leaving the meeting and may request that his/her abstention be recorded in the minutes of that meeting. Consequently, subsequent to the speaker's declaration of the result, a member may demand that his or her opposition or support of a decision be recorded in the minutes and the Municipal Manager must accordingly arrange for the same.
- 2.4 All decisions must be taken by a supporting vote of the majority of the members present at any meeting of the Council.
- 2.5 The Municipal Council must reconsider a decision taken if the majority of members lodge a request in writing with the Municipal Manager. This shall apply unless such reconsideration adversely affects existing rights. Motions for the reconsideration of decision must be submitted in terms of Rule 5 of the Rules of Order.
- 2.6 Notwithstanding the provision of this Rule, the Council may at any time following a recommendation by the Mayor, rescind or amend any resolution passed by it.

Part 5

4. Councillor to address chair

A member who speaks at a meeting must address the chair.

Part 5

16. Order of priority

- 16.1 The Speaker must ensure that there is maintenance of order. To this end, the Speaker may, if he / she deems it necessary, at any time in a meeting direct an officer to remove or cause the removal of any person, excluding a member, from the Council Chamber. The Speaker may also direct that the public gallery be vacated.
- 16.2 The removal of any person or persons who refuse to carry out any reasonable instruction given by the Speaker or obstructs the carrying out of such instruction may be ordered by the Speaker.

Part 5

3. Precedence of the Speaker

Silence must be observed by all present in meeting when the Speaker addresses meetings in order for the Speaker to be heard without interruption. Whenever the speaker addresses the meeting, all members must be silent so that the speaker may be heard without any interruption. Council must be addressed by members through the Speaker.

13. Relevance

Speeches by members must address the subject or matter under discussion or to an explanation or to a point of order. In this regard, no discussion shall be tolerated in relation to the anticipation of any matter on the agenda or in respect of any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of inquiry, whether instituted in terms of legislation or not, is pending, provided that such matter may be considered with the permission of Council.

Part 5

5. Right to speak

A member is provided with an opportunity to speak with the permission of the Speaker only once for no longer than 5 (five) minutes on a matter before the meeting unless authorised by the Chairperson.

A member is entitled to speak once on any recommendation, motion or proposal, provided that the Mayor or Member may reply to conclude a debate and shall restrict himself/herself to answering previous speakers rather than the introduction of new matters.

Prior to the consideration of any item contained in the report of the mayor in reply to a specific question or during discussion of the same, the Speaker shall permit the Mayor, MMC or Chairperson of the Committee in terms of section 79 and 80 of the Local Government Municipal Structures Act 117 of 1998 who made the proposal in terms of rule 9 or rule 14 of part 5 of these Rules to make an explanatory statement.

6. Length of speeches

- 6.1 A member may (unless authorised otherwise by the Speaker) only speak once to-
- 6.1.1 the matter and any amendments to that matter that is before the council;
- 6.1.2 any motion before the council;
- 6.1.3 to a matter or an amendment proposed or to be proposed by himself or herself;
- 6.1.4 a point of order or a question of privilege, unless authorised by the speaker or as provided for in terms of these rules.
- 6.2 No new matters may be introduced by a mover that speaks to a motion and replies to previous speakers in a debate. The right of reply shall not extend to the mover of an amendment which, having been carried, has become substantive motion.

9.1 Items submitted by Officials of Council

**KANTOOR VAN DIE MUNISIPALE BESTUURDER
OFFICE OF MUNICIPAL MANAGER
IOFISI YOMPHATHI KAMASIPALA**

31 MARCH 2021

**ITEM: ADOPTION OF THE DRAFT ANNUAL REVIEW FOURTH (4TH)
GENERATION INTEGRATED DEVELOPMENT PLAN FOR 2021/2022**

RB9.1.1/31-03-2021

31 MAART/ MARCH 2021

REPORT FROM MANAGER: ACTING MANAGER STRATEGIC SERVICES

PURPOSE OF THE REPORT/DOEL VAN VERSLAG

The purpose of this report is to obtain approval from Council for the draft annual review of the fourth generation Integrated Development Plan (IDP) 2021- 2022 as prescribed by relevant legislation to provide strategic direction to the municipal administration and the commitment towards its community. That it serve in pursuit of its constitutional mandate and developmental local government.

BACKGROUND

The Draft Annual Review of the Fourth (4th) Generation Integrated Development Plan (IDP) of Cederberg Municipality was drafted in accordance with the Local Government: Municipal Systems Act (32 of 2000) and the Local Government: Municipal Planning and Performance Management Regulations, 2001. The Draft Annual Review 2021-2022 Fourth (4th) Generation Integrated Development Plan (IDP) was circulated to all councillors, senior managers and will be made available to the public to allow them to submit their written comments. This strategic document will be regarded as the Draft Annual Review Fourth (4th) Generation IDP for the period 2021-2022. The Draft Annual Review Fourth (4th) Generation IDP for the period 2021-2022 emanated from the 5 year Fourth (4th) Generation IDP for the period 2017-2022 and should be read in conjunction with each other. The 5 year Fourth (4th) Generation IDP therefore serve as a baseline document for the 2021-2022 IDP as it includes all the strategic sessions held to gather the information for the drafting of the IDP. The ward

priorities were reviewed during Public meetings that took place in October and November 2020 to revise the ward needs for prioritization for the new financial year 2021-2021.

The draft annual review IDP 2021-2022 will be made available in April 2021 for public comment. A public participation roadshow will also be held in April 2021 for public comments before the submission of the final 2021-2022 annual review IDP. The Draft Annual Review 2020-2021 Fourth (4th) Generation Integrated Development Plan (IDP) is attached to this report as Annexure

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

- Budget for 2021/2022 financial year

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- The Local Government: Municipal Systems Act 32 of 2000, Section 34 and Section 25 (4)

COMMENTS: MUNICIPAL MANAGER

Item Supported

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

Item Supported

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

Item Supported

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

Item Supported

COMMENTS: MANAGER LEGAL SERVICES

Item Supported

RECOMMENDATION

That in respect of the:

ADOPTION OF THE DRAFT ANNUAL REVIEW FOURTH (4th) GENERATION INTEGRATED DEVELOPMENT PLAN FOR 2021/2022:

discussed by Council at the Virtual Council meeting held on 31 March 2021:

- 1.1. That Council take note of the processes followed to develop the Draft Annual Review Fourth (4th) Generation Integrated Development Plan for 2021/2022;
- 1.2. That Council approve the Draft Annual Review of the fourth generation Integrated Development Plan 2021-2022 including Annexures;
- 1.3. That the public participation process as per the IDP and Budget Process Plan be proceeded with;
- 1.4. That all councillors make use of the opportunity to submit their comments on the Draft IDP document before 07 May 2021;
- 1.5. That all outstanding information as highlighted within the Draft IDP be included in the final document that is to be tabled before Council by end of May 2021;
- 1.6. That copies of the Draft IDP document be made available at the following places:
 - a) Municipal Offices
 - b) Municipal Libraries
 - c) Municipal Website
 - d) Copies sent to Provincial Treasury, National Treasury and Department of Local Government.

APPENDIX

DRAFT ANNUAL REVIEW FOURTH (4th) GENERATION INTEGRATED DEVELOPMENT PLAN FOR 2021/2022

RESOLVED

That in respect of the:

**ADOPTION OF THE DRAFT ANNUAL REVIEW FOURTH (4th) GENERATION
INTEGRATED DEVELOPMENT PLAN FOR 2021/2022:**

discussed by Council at the Virtual Council meeting held on 31 March 2021:

1. That Council take note of the processes followed to develop the Draft Annual Review Fourth (4th) Generation Integrated Development Plan for 2021/2022;
2. That Council approve the Draft Annual Review of the fourth generation Integrated Development Plan 2021-2022 including Annexures;
3. That the public participation process as per the IDP and Budget Process Plan be proceeded with;
4. That all councillors make use of the opportunity to submit their comments on the Draft IDP document before 07 May 2021;
5. That all outstanding information as highlighted within the Draft IDP be included in the final document that is to be tabled before Council by end of May 2021;
6. That copies of the Draft IDP document be made available at the following places:
 - a) Municipal Offices
 - b) Municipal Libraries
 - c) Municipal Website
 - d) Copies sent to Provincial Treasury, National Treasury and Department of Local Government.

Proposed: Cllr. F Kamfer

Seconded: Cllr. L Scheepers

Counter Proposal: Cllr. R Pretorius (Nr. 6 pertaining the tariffs is problematic to the community)

Seconded: Cllr. W Farmer

VOTE

FOR	AGAINST	ABSTAIN
6 - ANC	2 – DA 1 - ADC	-

31 MARCH 2021

TABLING OF 2021/2022 DRAFT ANNUAL BUDGET

RB9.1.2/31-03-2021

31 MARCH 2021

REPORT FROM EXECUTIVE MAYOR

PURPOSE OF THE ITEM

To submit the Draft Annual Budget for the 2021/2022 financial year and two outer years for Council consideration and approval for public consultation.

LEGISLATIVE FRAMEWORK

Chapter 4, Section 16 of the Municipal Finance Management Act states that:

- (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.

Furthermore, Chapter 4, section 17 (1) of the Municipal Finance Management Act states that:

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 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.

The Budget has been drafted in accordance with the requirements of MFMA Circular No 107 & 108.

The Division of Revenue Bill B3 of 2021 and the provincial gazette 8400.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Financial implications are detailed in the MTREF Budget Report herein attached.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- Municipal Finance Management Act No.56 of 2003
- MFMA Circular No 107 & 108
- Division of Revenue Bill B3 of 2021 and the provincial gazette 8400

COMMENTS: MUNICIPAL MANAGER

The item is supported.

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

The item is supported.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

RECOMMENDATION

It is recommended that:

1. Council approves for public consultation the draft annual budget Report APPENDIX A.
2. Council approves for public consultation the draft annual budget tables as prescribed by the Budgeting and Reporting Regulations, as set out in APPENDIX B.
3. Council approves for public consultation the draft annual budget supporting tables as prescribed by the Budgeting and Reporting Regulations, as set out in APPENDIX C.
4. Council approves the Quality Certificate signed by the Accounting Officer, as set out in APPENDIX D.
5. Council approves for consultation the revised budget related policies, as set out in APENDIX E.
6. Council approves for public consultation the property rates and charges on properties, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in APPENDIX F.
7. That council approves the Procurement Plans & Budget Locking certificate, as set out in APPENDIX H & I.
8. The Draft Budget for the period 2021/2022 is made available to the public for comment.

APPENDIX/AANHANGSELS/ ISIHLOMELO

- 1) MTREF Budget Report (Appendix A)
- 2) Annual Budget tables (Appendix B)
- 3) Annual Budget supporting tables (Appendix C)
- 4) Quality Certificate (Appendix D)
- 5) Revised budget related policies (Appendix E)
 - Absenteeism and Desertion Policy
 - Accounting Policy to the AFS
 - Asset Management Policy
 - Borrowing Policy
 - Budget Policy
 - Capital Contributions for bulk services Policy
 - Cash Management Policy
 - Cederberg Risk Management Policy Annex A - rating scales amended
 - Circular No 01-2018 – Disciplinary Procedure Collective Agreement
 - Code of Ethics Policy
 - Consequence management FWK and SOP
 - Consumer Service Charter - Cederberg LM
 - Cost Containment Policy
 - Customer Care Improvement Policy
 - Customer Care, Credit Control, Debt Collection, Debt Collection, Indigent and Tampering Policy
 - E3-Sexual Harassment policy
 - Education Training and Development Policy
 - Employment Equity Plan - Cederberg Municipality 2018-2023
 - Employment Equity Policy
 - Enterprise Risk Management Policy
 - Enterprise Risk Management Strategy
 - EPWP Policy
 - Finance Management Internship Policy
 - Fleet Management Policy
 - Fraud and Corruption Prevention Policy
 - Fraud and Corruption Prevention Strategy
 - Free Basic Energy Policy Guidelines

- Funding and Reserves Policy
- Grants-In-Aid Policy
- HIV AND AIDS Workplace Policy
- ICT Data Backup and Recovery Policy
- ICT Disaster Recovery Policy
- ICT Municipal Corporate Governance of ICT - Cederberg
- ICT Operating System Security Controls Policy
- ICT Security Controls Policy
- ICT User Access Management Policy
- Insurance Management Policy
- Investment Policy
- Kollektiewe Ooreenkoms rakende Dissiplinere Prosedure
- Liquidity Policy
- Long-Term Financial Plan Policy
- Operational Risk Register
- Overtime & Standby Policy
- Performance Management Framework Policy
- Petty Cash Policy
- PPE Procedure 1
- Property Rates By-Law Cederberg
- Property Rates Policy
- Relocation Policy
- Revenue Enhancement Policy
- Risk and Ethics Management Committee Terms of Reference
- Risk assessment Methodology
- Risk Management Committee Charter
- Risk Management Policy
- Risk Management Register
- Risk Management Risk Appetite Framework
- Risk Management Strategy
- Smoking Policy
- Special Rating Areas Policy
- Study Aid Policy

- Study Bursary Policy
- Substance Abuse Policy
- Supply Chain Management Policy - Cederberg Municipality
- Tariff Policy
- Tariff Rules Building Development Management Tariff Structure for 15-16
- Tariff Rules Town Planning Tariff Structure for 2015-2016
- Top 10 Strategic Risks
- Travel and Subsistence Allowances Policy
- Unauthorised, Irregular or Fruitless and Wasteful Expenditure Policy
- Virement Policy
- Water meter Vervangings Beleid
- Whistle Blowing Policy

6) Tariff list (Appendix F)

7) Municipal Budget Circular 107 & 108 for the 2021/2022 MTREF, Provincial Gazette 8400, Dora Bill 3 of 2021 & Draft Service Level Standards (Appendix G)

8) Procurement Plans (Appendix H)

9) Budget Locking Certificate (Appendix I)

RESOLVED

that:

1. Council approves for public consultation the draft annual budget Report APPENDIX A.
2. Council approves for public consultation the draft annual budget tables as prescribed by the Budgeting and Reporting Regulations, as set out in APPENDIX B.

3. Council approves for public consultation the draft annual budget supporting tables as prescribed by the Budgeting and Reporting Regulations, as set out in APPENDIX C.
4. Council approves the Quality Certificate signed by the Accounting Officer, as set out in APPENDIX D.
5. Council approves for consultation the revised budget related policies, as set out in APENDIX E.

- Absenteeism and Desertion Policy
- Accounting Policy to the AFS
- Asset Management Policy
- Borrowing Policy
- Budget Policy
- Capital Contributions for bulk services Policy
- Cash Management Policy
- Cederberg Risk Management Policy Annex A - rating scales amended
- Circular No 01-2018 – Disciplinary Procedure Collective Agreement
- Code of Ethics Policy
- Consequence management FWK and SOP
- Consumer Service Charter - Cederberg LM
- Cost Containment Policy
- Customer Care Improvement Policy
- Customer Care, Credit Control, Debt Collection, Debt Collection, Indigent and Tampering Policy
- E3-Sexual Harassment policy
- Education Training and Development Policy
- Employment Equity Plan - Cederberg Municipality 2018-2023
- Employment Equity Policy
- Enterprise Risk Management Policy
- Enterprise Risk Management Strategy

- EPWP Policy
- Finance Management Internship Policy
- Fleet Management Policy
- Fraud and Corruption Prevention Policy
- Fraud and Corruption Prevention Strategy
- Free Basic Energy Policy Guidelines
- Funding and Reserves Policy
- Grants-In-Aid Policy
- HIV AND AIDS Workplace Policy
- ICT Data Backup and Recovery Policy
- ICT Disaster Recovery Policy
- ICT Municipal Corporate Governance of ICT - Cederberg
- ICT Operating System Security Controls Policy
- ICT Security Controls Policy
- ICT User Access Management Policy
- Insurance Management Policy
- Investment Policy
- Kollektiewe Ooreenkoms rakende Dissiplinere Prosedure
- Liquidity Policy
- Long-Term Financial Plan Policy
- Operational Risk Register
- Overtime & Standby Policy
- Performance Management Framework Policy
- Petty Cash Policy
- PPE Procedure 1
- Property Rates By-Law Cederberg
- Property Rates Policy
- Relocation Policy
- Revenue Enhancement Policy
- Risk and Ethics Management Committee Terms of Reference
- Risk assessment Methodology
- Risk Management Committee Charter
- Risk Management Policy

- Risk Management Register
- Risk Management Risk Appetite Framework
- Risk Management Strategy
- Smoking Policy
- Special Rating Areas Policy
- Study Aid Policy
- Study Bursary Policy
- Substance Abuse Policy
- Supply Chain Management Policy - Cederberg Municipality
- Tariff Policy
- Tariff Rules Building Development Management Tariff Structure for 15-16
- Tariff Rules Town Planning Tariff Structure for 2015-2016
- Top 10 Strategic Risks
- Travel and Subsistence Allowances Policy
- Unauthorised, Irregular or Fruitless and Wasteful Expenditure Policy
- Virement Policy
- Water meter Vervangings Beleid
- Whistle Blowing Policy

6. Council approves for public consultation the property rates and charges on properties, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in APPENDIX F.
7. That council approves the Procurement Plans & Budget Locking certificate, as set out in APPENDIX H & I.
8. The Draft Budget for the period 2021/2022 is made available to the public for comment.

Proposed: Cllr. F Kamfer

Seconded: Cllr. L Scheepers

DA & ADC component abstain from item

**KANTOOR VAN DIE MUNISIPALE BESTUURDER
OFFICE OF MUNICIPAL MANAGER
IOFISI YOMPHATHI KAMASIPALA**

31 MARCH 2021

**ITEM: DRAFT TOP LAYER SERVICE DELIVERY BUDGET
IMPLEMENTATION PLAN (SDBIP) 2021/2022**

RB9.1.3/31-03-2021

31 MAART/ MARCH 2021

REPORT FROM MANAGER: ACTING MANAGER STRATEGIC SERVICES

PURPOSE OF THE REPORT/DOEL VAN VERSLAG

The purpose of this report is for Council to take note of the content of the Top Layer Service Delivery Budget Implementation Plan (SDBIP) 2021/2022. The submission of the Top Layer Service Delivery and Budget Implementation Plan are part of the obligation arising from section 53 of the Local Government: Municipal Finance Management Act, 2003 (MFMA)

BACKGROUND

Performance Management within a municipal environment is institutionalized through the legislative framework for Local Government. The Service Delivery Budget and Implementation Plan (SDBIP) is a detailed plan which must be approved by Mayor for implementing the municipality's delivery of municipal services and its annual budget.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

- Budget for the 2021/2022 financial year.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- a) Municipal Systems Act 32 of 2000, Chapter 6.
- b) Chapter 7, Section 53 of the Local Government: Municipal Finance Management Act, 56 of 2003.

COMMENTS: MUNICIPAL MANAGER

Item Supported

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

Item Supported

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

Item Supported

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

Item Supported

COMMENTS: MANAGER LEGAL SERVICES

Item Supported

EXECUTIVE SUMMARY

The development, implementation and monitoring of a Service Delivery and Budget Implementation Plan (SDBIP) is a requirement of the Municipal Finance Management Act, (MFMA) (Act No. 56 of 2003).

The SDBIP is the management and implementation tool which sets in-year information, e.g. quarterly service delivery and monthly budget targets, and links each service delivery output to the budget of the Municipality. It provides credible management information and a detailed plan how the Municipality will provide services, and which inputs and financial resources should be used.

It is the mechanism that ensures that the IDP and Budget are aligned. It is an expression of the objectives of the municipality in quantifiable outcomes that will be implemented by the administration for the financial period. It includes the service delivery targets and performance indicators for each quarter, which is linked to the performance agreements of senior management. It therefore facilitates oversight over financial and nonfinancial performance of the municipality.

The SDBIP also assists the executive, council and the community in their respective oversight responsibilities since it serves as an implementation and monitoring tool. The IDP process and the performance management process must be seamlessly integrated. The IDP fulfils the planning stage of performance management. Performance management in turn, fulfils the implementation management, monitoring and evaluation of the IDP.

The organisational performance will be evaluated by means of a municipal scorecard (Top Layer SDBIP) at organisational level and through the service delivery budget implementation plan (SDBIP) at directorate and departmental levels.

The SDBIP is a plan that converts the IDP and budget into measurable criteria on how, where and when the strategies, objectives and normal business processes of the municipality will be implemented. It also allocates responsibility to directorates to deliver the services in terms of the IDP and budget.

The MFMA Circular No.13 prescribes that:

- The IDP and budget must be aligned
- The budget must address the strategic priorities
- The SDBIP should indicate what the municipality is going to do during next 12 months
- The SDBIP should form the basis for measuring the performance against goals set during the budget /IDP processes.

The SDBIP needs to be prepared as described in the paragraphs below and submitted to the executive mayor within 14 days after the budget has been approved. The executive mayor needs to approve the SDBIP within 28 days after the budget has been approved.

RECOMMENDATION

That in respect of the:

DRAFT TOP LAYER SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN (SDBIP) 2020 /2021

discussed by Council at the Virtual Council meeting held on 31 March 2021:

1. That Council takes note of that Council take note of the content of the Draft Top Layer Service Delivery Budget Implementation Plan (SDBIP) for the 2021/2022 financial year
2. That the Mayor approves the Top Layer Service Delivery Budget Implementation Plan (SDBIP) for the 2021/2022 as prescribed in Chapter 7, Section 53 of the Municipal Financial Management Act of the Local Government: Municipal Finance Management Act, 56 of 2003.

APPENDIX

**DRAFT TOP LAYER SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN (SDBIP)
2020 /2021**

RESOLVED

1. That Council takes note of that Council take note of the content of the Draft Top Layer Service Delivery Budget Implementation Plan (SDBIP) for the 2021/2022 financial year
2. That the Mayor approves the Top Layer Service Delivery Budget Implementation Plan (SDBIP) for the 2021/2022 as prescribed in Chapter 7, Section 53 of the Municipal Financial Management Act of the Local Government: Municipal Finance Management Act, 56 of 2003.

**KANTOOR VAN DIE MUNISIPALE BESTUURDER
OFFICE OF MUNICIPAL MANAGER
IOFISI YOMPHATHI KAMASIPALA**

31 MARCH 2021

ITEM: SUBMISSION AND TABLING OF ANNUAL REPORT 2019/2020

RB9.1.4/31-03-2021

31 MAART/ MARCH 2021

REPORT FROM MANAGER: ACTING MANAGER STRATEGIC SERVICES

PURPOSE OF THE REPORT/DOEL VAN VERSLAG

The purpose of this report is to submit to Council the Annual Report of Cederberg Municipality for 2019/2020 financial year to be adopted.

BACKGROUND

The Annual Report is prepared in terms of Section 127 of the MFMA which indicates that the e mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality and of any municipal entity under the municipality's sole or shared control. The report thus provides an opportunity to the public to review the municipal performance as per the Municipal Systems Act as well as the Municipal Finance Management Act.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

- a) Compilation of the Annual Report;
- b) Quality review on the Annual Financial Statements;
- c) Oversight from the Municipal Public Accounts Committee; and
- d) Audit fee for the said period 2019-2020 financial year.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- a) Municipal Systems Act, 32 of 2000 (as amended);

- b) Municipal Finance Management Act, 56 of 2003; Sections 127(3)(a-b) and Section 133(1)(a)
- c) MFMA Circular 11 (Annual Report Guidelines – 14 January 2005); and
- d) MFMA Circular 68 (Unauthorised, irregular, fruitless and wasteful expenditure);

COMMENTS: MUNICIPAL MANAGER

Item Supported

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

Item Supported

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

Item Supported

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

Item Supported

COMMENTS: MANAGER LEGAL SERVICES

Item Supported

EXECUTIVE SUMMARY

The sole purpose of the Annual report is to provide a record of activities of the municipality during the 2019/2020 financial year. To provide a report on performance in service delivery and budget implementation for the financial year. With this the municipality are able to account to the local community on the decisions made throughout the year.

Due to the impact of Covid-19 on the work processes of the Auditor General and the 2 month extension granted for the completion of the audit processes, the Audited Financial Statements will be tabled later than normal. No extension was granted for the Annual Report to be tabled when the AFS becomes available.

Based on the above Section 127(3(a-)) and Section 133(1)(a) provide clear guidance on how Cederberg Municipal Mayor should deal with this matter.

Section 127(3)(a) – (b) provides further that if the mayor is unable to table in the council, the annual report, the mayor must: (a) Promptly submit to the council a written explanation referred to in section 133(1)(a) setting out the reasons for the delay, together with any components of the annual report listed in Section 121(3) or (4) that are ready; and (b) Submit to the council the outstanding annual report or the outstanding components of the annual report as soon as may be possible.

If the mayor is unable to table the Annual Report within the legislated timeframe, as per section 127(3)(a) of MFMA, the mayor must promptly submit to the council a written explanation referred to in section 133(1)(a) setting out the reasons for the delay, together with any components of the annual report listed in section 121(3) or (4) that are ready. If the Audit Report is not yet available at this time, all other components of the Annual Report must be tabled by this date. As per section 127(3)(b) of the MFMA, the mayor must submit to the council the outstanding annual report or the outstanding components of the annual report as soon as may be possible. It is for this reasons that the Annual 2019/2020 Annual Report is submitted without the Audited Financial Statements.

RECOMMENDATION

That in respect of the:

SUBMISSION AND TABLING OF ANNUAL REPORT 2019/2020

discussed by Council at the Virtual Council meeting held on 31 March 2021:

1. Council to adopt the Annual Report of Cederberg Municipality for the 2019/2020 financial year without the Audited Financial Statements.
2. That when the 2019/2020 Financial Statements becomes available it be submitted to Council and included in the Annual Report 2019/2020
3. That the administration submits an OPCAR (Operation Clean Audit Reports), related and relevant to this report to correct all audit findings to the Municipal Public Accounts Committee.
4. That the Municipal Public Accounts Committee within two months from today in terms of Section 129 of the MFMA, submit an Oversight Report containing the Council's comments on the Annual Report.
5. That the administration makes the Annual Report public via the official Municipal Website and other communication channels.

APPENDIX

▪ ANNUAL REPORT 2019/2020

RESOLVED

that

1. Council adopt the Annual Report of Cederberg Municipality for the 2019/2020 financial year without the Audited Financial Statements.
2. That when the 2019/2020 Financial Statements becomes available it be submitted to Council and included in the Annual Report 2019/2020
3. That the administration submits an OPCAR (Operation Clean Audit Reports), related and relevant to this report to correct all audit findings to the Municipal Public Accounts Committee.
4. That the Municipal Public Accounts Committee within two months from today in terms of Section 129 of the MFMA, submit an Oversight Report containing the Council's comments on the Annual Report.
5. That the administration makes the Annual Report public via the official Municipal Website and other communication channels.

Proposed: Cllr. L Scheepers

Seconded: Cllr. E Majikijela

DA & ADC component abstain from item

**KANTOOR VAN DIE MUNISIPALE BESTUURDER
OFFICE OF MUNICIPAL MANAGER
IOFISI YOMPHATHI KAMASIPALA**

31 MARCH 2021

**ITEM: ADJUSTED PERFORMANCE AGREEMENT 2020/2021 OF THE
MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE
TO THE MUNICIPAL MANAGER**

RB9.1.5/31-03-2021

31 MAART/ MARCH 2021

REPORT FROM MANAGER: ACTING MANAGER STRATEGIC SERVICES

PURPOSE OF THE REPORT/DOEL VAN VERSLAG

The purpose of this report is for Council to take note of the adjusted performance agreement 2020/2021 of the municipal manager and managers directly accountable to the municipal manager in terms of RB6.1.2/26-02-2021.

BACKGROUND

A recommendation to council has been made during the tabling of the Adjusted SDBIP RB6.1.2/26-02-2021; that an Adjusted/amended Performance Agreement be prepared according to the Adjusted SDBIP 2020/2021. It is with this that the adjusted/amended Performance agreement 2020/2021 is tabled to Council.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

None

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- a) Chapter 7 of the Local Government: Municipal Systems Act 32 of 2000
- b) Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to the Municipal Manager, Notice 805 of 2006
- c) Local Government: Municipal Finance Management Act 56 of 2003

COMMENTS: MUNICIPAL MANAGER

Item Supported

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

Item Supported

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

Item Supported

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

Item Supported

COMMENTS: MANAGER LEGAL SERVICES

Item Supported

EXECUTIVE SUMMARY

In terms of Section 57 of the Municipal Systems Act a person to be appointed as a municipal manager or manager directly accountable to the municipal manager may only be appointed in that position in terms of an employment contract and a separate performance agreement. The performance agreements must be formally reviewed twice per annum. It is with this that the performance agreement has been adjusted in accordance with the adjusted SDBIP tabled to council on the 26 February 2021.

RECOMMENDATION

That in respect of the:

ADJUSTED PERFORMANCE AGREEMENT 2020/2021 OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO HE MUNICIPAL MANAGER discussed by Council at the Virtual Council meeting held on 31 March 2021:

1. That Council take note of the Adjusted Performance Agreement 2020/2021 of the Municipal Manager and managers directly accountable to the municipal manager

2. That copies of the adjusted performance agreement 2020/21 of the municipal manager and managers directly accountable to the municipal manager be sent to MEC Local Government, Provincial Treasury, National Treasury and Department of Local Government.

APPENDIX

ADJUSTED PERFORMANCE AGREEMENT 2020/2021 OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO HE MUNICIPAL MANAGER

RESOLVED

1. That Council take note of the Adjusted Performance Agreement 2020/2021 of the Municipal Manager and managers directly accountable to the municipal manager
2. That copies of the adjusted performance agreement 2020/21 of the municipal manager and managers directly accountable to the municipal manager be sent to MEC Local Government, Provincial Treasury, National Treasury and Department of Local Government.

RB9.1.6/31-03-2021

THE MUNICIPAL INFRASTRUCTURE GRANT (MIG) ADJUSTED ALLOCATION FOR 2020/21 AND DETAILED PROJECT IMPLEMENTATION PLAN (DPIP) FOR 2021/2022 MTREF PERIOD

Ref.: 5/6/1/1

Municipal Manager: H. Slimmert
Acting Director Technical Services: J. Kotze
Compiled by PMU: P. Majeni

STRATEGIC PURPOSE

The purpose of the report is two-fold:

- For Council to approve the adjusted Detailed Project Implementation Plan (DPIP) for the remainder of the 2020/21 financial year as a result of a reduced allocation;
- For Council to approve the Municipal Infrastructure Grant Detailed Project Implementation Plan for the MTREF period commencing from 2021/22 in line with the Division of Revenue Bill B3 of 2021.

BACKGROUND

The Municipal Infrastructure Grant (MIG) is a Schedule 5, Part B grant. The MIG aims to eradicate municipal infrastructure backlogs in poor communities to ensure the provision of basic services such as water, sanitation, roads and community lighting. The Department of Cooperative Governance (DCoG) is responsible for managing and transferring the MIG and provides support to provinces and municipalities on implementing MIG projects.

2020/21 Financial Year Adjusted Allocation

Cederberg Municipality's 2020/21 annual MIG allocation was R 15 590 000.00. In February 2021, the municipality received communication from the Municipal Infrastructure office of the Department of Local Government regarding the Division of Revenue Second Amendment Act 20 of 2020 (*Annexure A*). The 2020/21 MIG allocation of R14 671 101 000 for the country has been reduced by R180 036 000 for the current financial year, which equates to a 1.23% reduction which was mostly evenly distributed amongst all municipalities in the nine provinces. The original MIG allocation for the Western Cape was promulgated in the 2020/21 Division of Revenue Act (DoRA) at an amount of R 442 423 000. However, after the adjustment of the Division of Revenue Second Amendment Act 20 of 2020, the original allocation was reduced to an amount of R 436 998 000. This resulted in a negative

difference of R 5 425 000 which included Cederberg Municipality's reduction of an amount of R 191 000 as gazetted in the attached MIG Schedule 5B Adjustment February 2021 (*Annexure B*).

The municipality is therefore required to update its DPIP to the revised allocation of R 15 399 000.00 in order to adjust expected commitments and cashflows accordingly.

The current 2020/21 Detailed Project Implementation Plan is as follows:

PROJECT NAME	TOTAL BUDGET 2020/21
Citrusdal: New Wastewater Treatment Works	R 11 175 146.00
Citrusdal: Upgrade Roads and Stormwater Infrastructure	R 1 120 945.00
Clanwilliam: Upgrade Sports Fields	R 2 514 409.00
Clanwilliam: PMU 2020/21	R 779 500.00
Total 2020/21 Original MIG Allocation (VAT Incl.)	R 15 590 000.00

The adjusted 2020/21 Detailed Project Implementation Plan (*Annexure C*) is as follows:

PROJECT NAME	TOTAL BUDGET 2020/21
Citrusdal: New Wastewater Treatment Works	R 11 248 051.00
Citrusdal: Upgrade Roads and Stormwater Infrastructure	R 857 040.00
Clanwilliam: Upgrade Sports Fields	R 2 514 409.00
Clanwilliam: PMU 2020/21	R 779 500.00
Total 2020/21 Adjusted MIG Allocation (VAT Incl.)	R 15 399 000.00

The PMU allocation was not adjusted as it is as per the approved PMU business plan. The Clanwilliam: Upgrade Sports Fields allocation has not been adjusted as a contractor has been appointed in March 2021 to commence with the 4 month construction of the project which has an allocation of R 1 718 293.20 (VAT Incl.) from own funds. The Citrusdal: Upgrade Roads and Stormwater Infrastructure project's phase 4 was completed with a balance on the year's allocation of R 263 905. The reduced allocation of R 191 000 was deducted from this amount, leaving an amount of R 72 905 which is added to the multi-year project of the Citrusdal: New Wastewater Treatment Works.

2021/22 Medium Term Revenue and Expenditure Framework (MTREF) Period

In order to receive the first tranche of the MIG for the succeeding financial year of 2021/22, the municipality must have followed the process of approval of 2021/22 projects, and have confirmed by 30 April 2021 with the Department of Cooperative Governance, its programme, project planning and implementation readiness in the form of a council approved implementation plan that includes cashflow projections. Municipal allocations must be fully committed to registered projects prior to the year of implementation and be informed by the Integrated Development Plan (IDP) and Three-Year Capital Plan. MIG priorities set by the municipality as stated in the MIG implementation plan can only be changed in-year with other MIG registered projects, after municipal Council approval and DCoG.

The 2021/22 project implementation plan consists of projects that are contained in the Cederberg Municipality Capital Infrastructure Plan (2019/20 – 2021/22) (RB 8.1.7/ 26-03-2020), and are registered on the MIG MIS system as guided by the MIG Framework. The revision of the 3 Year Capital Infrastructure Plan for 2020/21 – 2022/23 is tabled under a separate item. Additional projects are those registered during the first lockdown period of the Covid-19 pandemic. These were the Emergency Upgrades at the Elands Bay Clean Water Reservoir in order to curb water losses, ablution facilities and wash troughs for approximately 38 households in the informal settlement of Elands Bay and the provision of 3 ablution blocks and 6 water points with related 160mm diameter sewer pipes and 75mm diameter water pipes for 52 households of Khayelitsha along the Ou Kaapse Weg.

The 2021/22 Detailed Project Implementation Plan (*Annexure C*) is as follows:

PROJECT NAME	TOTAL BUDGET 2021/22
Citrusdal New Wastewater Treatment Works	R 8 402 974.00
Citrusdal Upgrade Roads and Stormwater Infrastructure	R 4 684 177.00
Emergency Upgrades at the Elands Bay Clean Water Reservoir	R 659 438.00 Counter-funding (Own Funds) required: R 59 910.03
Elands Bay Informal Settlement	R 797 334.00
Clanwilliam Informal Settlement Water and Sanitation	R 960 077.00
2021/22 PMU (5%)	R 816 000.00
Total 2021/22 MIG Allocation (VAT Incl.)	R 16 320 000.00

Further detail regarding the projects is found on the attached DPIP. In line with the above, Cederberg Municipality is herewith following the process of approval of 2021/22 MIG projects, and will confirm by 30 April 2021 with the Department of Cooperative Governance the above programme, project planning and implementation readiness in the form of an implementation plan (DPIP) that includes cashflow projections. The framework requires that this implementation plan be approved by Council.

APPLICABLE LEGISLATION

- The Municipal Finance Management Act, No. 56 of 2003;
- The Division of Revenue Act, 2018;
- The Division of Revenue Second Amendment Act No. 20 of 2020;
- The Division of Revenue Bill, B3 of 2021.

PERSONNEL IMPLICATIONS

- The municipality must have appropriate capacity to implement the MIG. This must be supported by the human resource plan of the municipality.

FINANCIAL IMPLICATIONS

- The original 2020/21 MIG allocation of R 15 590 000.00 has been reduced by an amount of R 191 000.00 resulting in a revised allocation of R 15 399 000.00;
- The 2021/22 financial year MIG allocation is R 16 320 000.00 as gazetted in the DoRB B3 of 2021.

COMMENTS BY SECTION 57 MANAGERS

Municipal Manager: Supported

Acting Director Financial and Support Services: Supported

Acting Director Community Services and Public Safety: Supported

Acting Director Technical Services: Supported

RECOMMENDATION

That in respect of the:

**THE MUNICIPAL INFRASTRUCTURE GRANT (MIG) ADJUSTED ALLOCATION FOR
2020/21 AND DETAILED PROJECT IMPLEMENTATION PLAN (DPIP) FOR 2021/2022
MTREF PERIOD**

discussed by Council at the Council meeting held on 31 March 2021:

- a) That Council approve the Municipal Infrastructure Grant (MIG) Detailed Project Implementation Plan (DPIP) for the remainder of the 2020/21 financial year incorporating the reduced allocation of R 15 399 000, which will be reflected in the next 2020/21 adjustment budget; and

PROJECT NAME	TOTAL BUDGET 2020/21
Citrusdal: New Wastewater Treatment Works	R 11 248 051.00
Citrusdal: Upgrade Roads and Stormwater Infrastructure	R 857 040.00
Clanwilliam: Upgrade Sports Fields	R 2 514 409.00
Clanwilliam: PMU 2020/21	R 779 500.00
Total 2020/21 Adjusted MIG Allocation (VAT Incl.)	R 15 399 000.00

- b) That Council approve the Detailed Project Implementation Plan for the MTREF period commencing from 2021/22 which includes the implementation of the following projects:

PROJECT NAME	TOTAL BUDGET 2021/22
Citrusdal New Wastewater Treatment Works	R 8 402 974.00
Citrusdal Upgrade Roads and Stormwater Infrastructure	R 4 684 177.00
Emergency Upgrades at the Elands Bay Clean Water Reservoir	R 659 438.00 Counter-funding (Own Funds) required: R 59 910.03
Elands Bay Informal Settlement	R 797 334.00
Clanwilliam Informal Settlement Water and Sanitation	R 960 077.00
2021/22 PMU (5%)	R 816 000.00
Total 2021/22 MIG Allocation (VAT Incl.)	R 16 320 000.00

Attachments:

1. Annexure A: Division of Revenue Second Amendment Act 20 of 2020
2. Annexure B: Schedule 5B February Gazette DoR2AB, 2020/21 Adjusted Allocation
3. Annexure C: DPIP for 2020/21 (Adjustment) and 2021/22 MTREF Period

RESOLVED

- a) That Council approve the Municipal Infrastructure Grant (MIG) Detailed Project Implementation Plan (DPIP) for the remainder of the 2020/21 financial year incorporating the reduced allocation of R 15 399 000, which will be reflected in the next 2020/21 adjustment budget; and

PROJECT NAME	TOTAL BUDGET 2020/21
Citrusdal: New Wastewater Treatment Works	R 11 248 051.00
Citrusdal: Upgrade Roads and Stormwater Infrastructure	R 857 040.00
Clanwilliam: Upgrade Sports Fields	R 2 514 409.00
Clanwilliam: PMU 2020/21	R 779 500.00
Total 2020/21 Adjusted MIG Allocation (VAT Incl.)	R 15 399 000.00

- b) That Council approve the Detailed Project Implementation Plan for the MTREF period commencing from 2021/22 which includes the implementation of the following projects:

PROJECT NAME	TOTAL BUDGET 2021/22
Citrusdal New Wastewater Treatment Works	R 8 402 974.00
Citrusdal Upgrade Roads and Stormwater Infrastructure	R 4 684 177.00
Emergency Upgrades at the Elands Bay Clean Water Reservoir	R 659 438.00 Counter-funding (Own Funds) required: R 59 910.03
Elands Bay Informal Settlement	R 797 334.00
Clanwilliam Informal Settlement Water and Sanitation	R 960 077.00
2021/22 PMU (5%)	R 816 000.00
Total 2021/22 MIG Allocation (VAT Incl.)	R 16 320 000.00

Proposed: Cllr. M Heins

Seconded: Cllr. N Qunta

DA & ADC component abstain from item

RB9.1.7/31-03-2021

CEDERBERG MUNICIPALITY CAPITAL INFRASTRUCTURE PLAN (2020/21 – 2023/24)

Ref.: 5/6/1/1

Municipal Manager: H. Slimmert
Acting Director Technical Services: J. Kotze
Compiled by PMU: P. Majeni

STRATEGIC PURPOSE

To obtain an in-principle approval of the proposed Cederberg Municipality Capital Infrastructure Plan for 2020/21 – 2023/24.

BACKGROUND

On 26 March 2020, Council approved the Municipal Infrastructure Grant (MIG) three (3) year capital plan (RB 8.1.7/26-03-2020).

The Division of Revenue Act (DoRA) MIG Framework of 2021 indicates that:

- Municipal allocations must be fully committed to registered projects prior to the year of implementation and be informed by the Integrated Development Plans (IDPs) and three-year capital plans which are aligned to the relevant One Plan of district areas developed under the District Development Model;
- Projects not implemented within three years of approval by the relevant appraisal committee will be deregistered;
- Stalled projects where MIG funds have already been spent and not completed should be prioritised for implementation before any new projects are considered for registration, provided the municipality is not fully committed for the MTEF period;
- Stalled projects can only be deregistered on confirmation that they are functional and benefitting the intended beneficiaries as per the project registration and within approved itemized cost.

In order to receive the first tranche of the 2021/22 allocation of R 16 320 000.00, the municipality must have followed the process of approval of 2021/22 projects and have confirmed by 30 April 2021 with the Department of Cooperative Governance (DCoG), their programme, project planning and implementation readiness in the form of a council

approved implementation plan that includes cashflow projections. The submission to DCoG will comprise of the approved Detailed Project Implementation Plan (DPIP) for 2021/22, the approved Cederberg Municipality Capital Infrastructure Plan (2020/21 – 2023/24) (*Annexure A*) as well as the Supporting Table SA36 detailed capital budget for the 2021/22 financial year.

The purpose of the Capital Infrastructure Plan includes the following:

- Planning and prioritisation of projects;
- Planning of integrated infrastructure and intergovernmental and private collaborations;
- Alignment of projects with the Division of Revenue Act and funding sources;
- Alignment of Detailed Project Implementation Plans (DPIPs) with SA36 budget schedules.

Within the MIG Programme, there are planning and reporting requirements from both a programmatic and project perspective. There are important linkages between the MIG programme processes and MIG project processes. These include that a MIG project cannot be registered unless it has been included in the three year capital plan. Also that the three year capital plan cannot be prepared without referring to the MIG allocation in the Division of Revenue Act since this allocation defines the percentage of funds that the municipality can spend on different types of infrastructure (water, sanitation, roads etc.).

The prioritisation of capital projects assists the municipality with planning; taking into consideration limited funding sources as well as associated funding requirements such as the provision of counter funding for the non-social component of the project cost. Additionally, the prioritisation of projects for implementation makes provision for the finalisation of incomplete projects instead of only focussing on the development of new infrastructure.

The schedule of capital projects could consist of a mixture of roll-over committed projects, grant-funded projects, counter-funding commitments and operational expenditure requirements. The above issues are considered to ensure that the momentum in delivering the capital programme is not disrupted.

The Capital Infrastructure Plan therefore includes information such as funding sources, counter funding requirements and project descriptions aligned to registered project names. Other capital projects in the Division of Revenue Act funded by sources other than the MIG are also included as well as unfunded projects identified in the municipality's IDP.

APPLICABLE LEGISLATION:

- The Division of Revenue Act, 2018 (DoRA)
- The DoRA Municipal Infrastructure Grant (MIG) Framework (2021)

PERSONNEL IMPLICATIONS

The municipality must have appropriate capacity to implement the MIG. This must be supported by the human resource plan of the municipality.

FINANCIAL IMPLICATIONS

- Inclusion of all grant funded projects in the Supporting Table SA36 detailed capital budget.
- Municipality to be cognisant of commitment of counter funding required for the non-social component of each project as part of the beneficiary breakdown confirmation required for project registration.
- Provision to be made by the municipality for counter-funding portions for projects to be implemented in line with the Detailed Project Implementation Plan (DPIP).

COMMENTS BY SECTION 57 MANAGERS

Municipal Manager: Supported

Acting Director Financial and Support Services: Supported

Acting Director Community Services and Public Safety: Supported

Acting Director Technical Services: Supported

RECOMMENDATION

That in respect of the:

**CEDERBERG MUNICIPALITY CAPITAL INFRASTRUCTURE PLAN (2020/21 – 2023/24)
discussed by Council at the Virtual Council meeting held on 31 March 2021:**

- a. Council note the detail of the municipality's Capital Infrastructure Plan for Municipal Capital Infrastructure Projects in the financial years 2020/21 to 2023/24 as outlined in Annexure A;

- b. Council approve in-principle the proposed Capital Infrastructure Plan (2020/21 – 2023/24) submitted as Annexure A;
- c. The Administration update and review the Capital Infrastructure Plan for the prioritisation of future projects and submit any revisions to Council for approval.

Attachments:

- 1. *Annexure A: Cederberg Municipality Capital Infrastructure Plan (2020/21 – 2023/24)*

RESOLVED:

- a. That Council note the detail of the municipality's Capital Infrastructure Plan for Municipal Capital Infrastructure Projects in the financial years 2020/21 to 2023/24 as outlined in Annexure A;
- b. Council approve in-principle the proposed Capital Infrastructure Plan (2020/21 – 2023/24) submitted as Annexure A;
- c. The Administration update and review the Capital Infrastructure Plan for the prioritisation of future projects and submit any revisions to Council for approval.

Proposed: Cllr. L Scheepers

Seconded: Cllr. E Majikijela

DA & ADC component abstain from item

MARCH 2021

PROGRESS REPORT ON THE BUDGET FUNDING PLAN

RB9.1.8/31-03-2021

31 MARCH 2021

REPORT FROM ACTING CHIEF FINANCIAL OFFICER

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To submit progress report on the Budget Funding Plan to Council for consideration and approval.

AGTERGROND / BACKGROUND

The municipal Council approved a 2020/2021 MTREF Budget before the start of the financial year subsequent to that, three adjustment Budget were tabled and approved by Council with the latest one being in February 2021.

In line with their mandate, Provincial Treasury and National Treasury assessed Cederberg Municipality's approved budget and found the budget to be unfunded.

When tabling an approved budget it is a requirement that the budget must be credible and funded.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Contained in detail in the monthly Section 71 Report of February 2021.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- Municipal Finance Management Act No.56 of 2003
- MFMA Circular No 98

COMMENTS: MUNICIPAL MANAGER

This item is supported.

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

This item is supported.

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

The item is supported.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

This item is supported.

DISCUSSION

The Municipality was required in terms of the Act to prepare in conjunction with provincial treasury a budget funding plan which was subsequently approved by Council. The plan is an on-going monitoring tool until such time that the municipality has fully recovered financially. Monthly Reports are submitted to Council.

CONCLUSION

The item is submitted in order to comply with the requirements from National Treasury. The credible Budget Funding Plan should not be read in isolation from the Financial and Revenue Improvement Plan.

RECOMMENDATION

It is recommended that:

1. Council take note of the progress on the Budget Funding Plan.
2. Council adopt and approve the amended Budget Funding Plan.
3. That this report is submitted to Provincial Treasury on the implementation and monitoring of the plan.

APPENDIX/AANHANGSELS/ ISIHLOMELO

1. Implementation Plan towards a Funded Budget

RESOLVED:

that:

1. Council take note of the progress on the Budget Funding Plan.
2. Council adopt and approve the amended Budget Funding Plan.
3. That this report is submitted to Provincial Treasury on the implementation and monitoring of the plan.

Proposed: Cllr. L Scheepers

Seconded: Cllr. E Majikijela

DA & ADC component abstain from item

9.2 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

31 MARCH 2021

ITEM: REQUEST FOR EXTENTION OF THE GENERAL VALUATION ROLL
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RB9.2.1/31-03-2021

31 MAART / MARCH 2021.

REPORT FROM ACTING CHIEF FINANCIAL OFFICER

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To submit an urgent item for Council approval to submit a request to the MEC of Local Government, Environmental Affairs and Development Planning for the extension of the municipality's General Valuation Roll which come to an end on 30 June 2021.

AGTERGROND / BACKGROUND

Cederberg Municipality advertised and awarded the tender for a new Valuation Roll to be effective 01 July 2021 until 30 June 2026.

Siyakhula Property Valuers was appointed to prepare the Roll. The Service Provider experience delays which were communicated to the municipality and an agreement was reach between the two parties for extension. On receipt of the first draft, the Service Provider was informed of the fundamental errors in the Roll and subsequently was given an opportunity to correct such errors and provide the municipality with a copy of the Roll.

The municipality received what should have been a corrected roll, however discovered that there were still quite a lot of fundamental errors. The incorrect Roll was published and has caused a great unhappiness and dissatisfaction amongst the residents and created an administrative burden for the municipality. The municipality was left with no option but to terminate the services with the Service Provider and as such Siyakhula Property Valuers was informed in writing of termination.

A condonation and extension was requested from the MEC and COGTA and we have been advised that an extension must be accompanied by Council resolution.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

The amount of R 280 548.84 has been paid to Siyakhula Property Valuers. Siyakhula Property Valuers were informed that they may be held liable for any costs incurred in this regard due to poor performance on their side.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- Local Government MPRA Act 6 Of 2004

COMMENTS: MUNICIPAL MANAGER

The item is supported.

COMMENTS: ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

The item is supported.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

CONCLUSION

The municipality is currently receiving high volume of objections regarding the increase in property rates. The municipality needs to inform the public as soon as possible that a request was submitted to the MEC and awaits approval for extension and condonation in order to continue with the current General Valuation for a period of one year.

RECOMMENDATION

It is recommended that:

1. Council takes note of the termination of services of Siyakhula Property Valuers.
2. Council delegates the administration to submit a request to the MEC of Local Government, Environmental Affairs and Development Planning for the extension of the municipality's old General Valuation Roll that would have expired on 30 June 2021.
3. The extension required is for a year to continue with the current General Valuation Roll while the municipality prepares properly for the new General Valuation for 2022 – 2027.

APPENDIX/AANHANGSELS/ ISIHLOMELO

- Termination letter submitted to Siyakhula Property Valuers.

RESOLVED

that:

1. Council takes note of the termination of services of Siyakhula Property Valuers.
2. Council delegates the administration to submit a request to the MEC of Local Government, Environmental Affairs and Development Planning for the extension of the municipality's old General Valuation Roll that would have expired on 30 June 2021.
3. The extension required is for a year to continue with the current General Valuation Roll while the municipality prepares properly for the new General Valuation for 2022 – 2027.

Proposed: Cllr. F Kamfer

Seconded: Cllr. L Scheepers

DA & ADC component abstain from item

9.3 Matters for notification

- Geen / None

9.4 Consideration of motions of exigency

Rules of Order for internal Arrangement

Part 4

8. Motion of exigency

- 8.1 A motion of exigency exists when the attention of Municipal Council is directed to any matter not appearing on the agenda for which no notice was provided. The subject of the matter is briefly stated as well as reference to the fact that the motion to which attention has been directed be considered a matter of exigency.
- 8.2 The attention to the matter is drawn by a member. The matter is brought under the consideration of council by way of motion or question only if the motion is seconded and carried by a majority of the members present.

- Geen / None

10. CLOSURE

- Meeting adjourned 14h45.

VOORSITTER / CHAIRPERSON

DATUM / DATE



NOTULES VAN DIE / MINUTES OF THE

**VIRTUELE SPESIALE RAADSVERGADERING VAN DIE CEDERBERG MUNISIPALITEIT
SOOS GEHOU OP**

23 APRIL 2021

.....

**VIRTUAL SPECIAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY, HELD
ON**

**THIS IS A PERMANENT DOCUMENT PLEASE RETAIN IT AS IT WILL NOT BE
CIRCULATED AGAIN**

**MINUTES OF THE VIRTUAL SPECIAL COUNCIL MEETING OF THE CEDERBERG
MUNICIPALITY HELD ON 16 MARCH 2021.**

**PLEASE RETAIN THIS DOCUMENT FOR RECORD PURPOSES AS IT WILL NOT BE
CIRCULATED AGAIN.**

PRESENT AND IN ATTENDANCE:

As per the attendance registers copied into the minutes after the final item:

- Cllr. P Strauss
- Cllr. N Qunta
- Cllr. L Scheepers
- Cllr. F Kamfer
- Cllr. M Heins
- Cllr. E Majikijela
- Cllr. R Pretorius
- Cllr. R Witbooi
- Cllr. F Sokuyeka

- Mr. A Titus
- Mr. H Slimmert
- Mr. J Kotze
- Mr. B Blaauw
- Mr. N Mercurur
- Ms. P Majeni
- Ms. E Visser
- Mr. R Meyers

ABSENT WITHOUT APOLOGY:

- Geen / None

1. OPENING

- Cllr. P Strauss welcomed all present and Cllr. Pretorius opened the meeting with a prayer.

02. ELECTION OF (ACTING) SPEAKER, IF NECESSARY

- N/A

3. APPLICATIONS FOR LEAVE OF ABSENCE

Rules of Order for Internal Arrangement

Part 3

7. Leave of absence

- 7.1 Leave of absence may be obtained from Municipal Council by a member who wishes to absent himself or herself from meetings. Should a member be prevented from obtaining leave of absence based on special circumstances, the Speaker has the discretion to on grant such leave.
- 7.2 A written application for leave of absence from a meeting of the Municipal Council or a Committee must be addressed to the Speaker by the Member applying for leave.
- 7.3 Written applications include emails sent to the Speaker.
- 7.4 In certain instances, the granting of applications for leave is deemed. These instance include:
 - 7.4.1 the Member is acting on behalf of the Municipal Council on other matters elsewhere based on instructions of Council or the Mayor.
 - 7.4.2 the Member is required to remove himself/herself from a meeting by the Municipal Council, Mayor or Committee in circumstances envisaged in item 3(b) of Schedule 1 to the Systems Act, or the member recuses him/herself.
- 7.5 The Speaker may also grant leave of absence to a member for the following reasons:
 - 7.5.1 illness or any other valid reasonable reason making it impossible for the member to attend;
 - 7.5.2 business, personal commitments, or personal circumstances of the member.
 - 7.5.3 The failure to deliver notice of a meeting or the delivery of notice less than 72 hours prior to commencement provided that this does not relate to an ordinary meeting of the Council or Committees or changes of addresses of members.
 - 7.5.4 The lack of informing the Municipal Manager of a revised address for the service of documentation at least 7 days before the relevant meeting;
 - 7.5.5 Where circumstances envisaged in item 3(b) of the Code of Conduct for Councillors in Schedule 1 to the Systems Act occur which prevent the Member from attendance;
 - 7.5.6 Other circumstances where the member is prevented from attending the meeting.

- Cllr. W Farmer

04. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

- Geen / None

05. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

- Geen / None

06. MATTERS FOR CONSIDERATION

Rules of Order for Internal Arrangement

Part Four:

2. DECISIONS AND VOTING

- 2.1 In the event that the Speaker enquires from the attendees at a meeting if they are in agreement with recommendation/s and there is no opposition by any member present, recommendations are adopted.
- 2.2 The Speaker must put every opposed motion to the vote by calling upon the members to indicate by a raising of hands unless otherwise prescribed by law, whether they are in favour of or against such motion. The result of the vote must thereafter be declared by the Speaker.
- 2.3 The number of members voting in favour of or against an item, is to be recorded in the minutes. Members may abstain from voting without leaving the meeting and may request that his/her abstention be recorded in the minutes of that meeting. Consequently, subsequent to the speaker's declaration of the result, a member may demand that his or her opposition or support of a decision be recorded in the minutes and the Municipal Manager must accordingly arrange for the same.
- 2.4 All decisions must be taken by a supporting vote of the majority of the members present at any meeting of the Council.
- 2.5 The Municipal Council must reconsider a decision taken if the majority of members lodge a request in writing with the Municipal Manager. This shall apply unless such reconsideration adversely affects existing rights. Motions for the reconsideration of decision must be submitted in terms of Rule 5 of the Rules of Order.
- 2.6 Notwithstanding the provision of this Rule, the Council may at any time following a recommendation by the Mayor, rescind or amend any resolution passed by it.

Part 5

4. Councillor to address chair

A member who speaks at a meeting must address the chair.

Part 5

16. Order of priority

- 16.1 The Speaker must ensure that there is maintenance of order. To this end, the Speaker may, if he / she deems it necessary, at any time in a meeting direct an officer to remove or cause the removal of any person, excluding a member, from the Council Chamber. The Speaker may also direct that the public gallery be vacated.
- 16.2 The removal of any person or persons who refuse to carry out any reasonable instruction given by the Speaker or obstructs the carrying out of such instruction may be ordered by the Speaker.

Part 5

3. Precedence of the Speaker

Silence must be observed by all present in meeting when the Speaker addresses meetings in order for the Speaker to be heard without interruption. Whenever the speaker addresses the meeting, all members must be silent so that the speaker may be heard without any interruption. Council must be addressed by members through the Speaker.

13. Relevance

Speeches by members must address the subject or matter under discussion or to an explanation or to a point of order. In this regard, no discussion shall be tolerated in relation to the anticipation of any matter on the agenda or in respect of any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of inquiry, whether instituted in terms of legislation or not, is pending, provided that such matter may be considered with the permission of Council.

Part 5

5. Right to speak

A member is provided with an opportunity to speak with the permission of the Speaker only once for no longer than 5 (five) minutes on a matter before the meeting unless authorised by the Chairperson.

A member is entitled to speak once on any recommendation, motion or proposal, provided that the Mayor or Member may reply to conclude a debate and shall restrict himself/herself to answering previous speakers rather than the introduction of new matters.

Prior to the consideration of any item contained in the report of the mayor in reply to a specific question or during discussion of the same, the Speaker shall permit the Mayor, MMC or Chairperson of the Committee in terms of section 79 and 80 of the Local Government Municipal Structures Act 117 of 1998 who made the proposal in terms of rule 9 or rule 14 of part 5 of these Rules to make an explanatory statement.

6. Length of speeches

- 6.1 A member may (unless authorised otherwise by the Speaker) only speak once to the matter and any amendments to that matter that is before the council;
 - 6.1.1 any motion before the council;
 - 6.1.2 to a matter or an amendment proposed or to be proposed by himself or herself;
 - 6.1.4 a point of order or a question of privilege, unless authorised by the speaker or as provided for in terms of these rules.
- 6.2 No new matters may be introduced by a mover that speaks to a motion and replies to previous speakers in a debate. The right of reply shall not extend to the mover of an amendment which, having been carried, has become substantive motion.

6.1 Items submitted by Officials of Council

22 APRIL 2021

**AMENDMENTS TO INCOME, OPERATIONAL AND CAPITAL EXPENDITURE
PROJECTIONS - ADJUSTMENT BUDGET 2020/2021 APRIL 2021**

RB6.1.1/22-04-2021

22 APRIL 2021

REPORT FROM ACTING DIRECTOR SUPPORT SERVICES

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To submit a fifth adjustment budget for 2020/2021 for approval by Council, as a result of amendments to grant funding and income projections.

AGTERGROND / BACKGROUND

In terms of Chapter 4, Section 28 of the MFMA;

- (1) A municipality may revise an approved annual budget through an adjustment budget.
- (2) An adjustment budget-
 - (a) **must adjust the revenue and expenditure estimates downwards if there is material under-collection of revenue during the current year;**
 - (b) **may appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;**
 - (c) may, within a prescribed framework, authorise unforeseeable and unavoidable expenditure recommended by the mayor of the municipality;
 - (d) may authorise the utilisation of projected savings in one vote towards spending under another vote;

- (e) may authorise the spending of funds that were unspent at the end of the past financial year where the under-spending could not reasonably have been foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council;
 - (f) **may correct any errors in the annual budget; and**
 - (g) May provide for any other expenditure within a prescribed framework.
-
- (3) An adjustment budget must be in a prescribed form.
 - (4) Only the mayor may table an adjustment budget in the municipal council, but an adjustment budget in terms of subsection (2)(b) to (g) may only be tabled within any prescribed limitations as to timing of frequency.
 - (5) When an adjustment budget is tabled, it must be accompanied by –
 - (a) an explanation how the adjustment budget affects the annual budget;
 - (b) a motivation of any material changes to the annual budget;
 - (c) an explanation of the impact of any increased spending on the annual budget and the annual budgets for the next two financial years; and
 - (d) Any other supporting documentation that may be prescribed.
 - (6) Municipal tax and tariffs may not be increased during a financial year excepts when required in terms of a financial recovery plan.
 - (7) Sections 22(b), 23(3) and 24(3) apply in respect of an adjustment budget , and in such application a reference in those sections to an annual budget must be read as a reference to an adjustments budget.

Municipal Budget and Reporting Regulations further provides that:

A. Timeframes for tabling of adjustment budgets

- Only one adjustment budget referred to in sub regulation (1) may be tabled in the municipal council during a financial year, except when the additional revenues contemplated in Chapter 4, section 28(2)(b) of the Act are allocations to a Municipality in a National or Provincial adjustment budget, in which case sub regulation (3) applies. If a National or Provincial adjustment budget allocates or transfer additional revenue to a

Municipality, the Mayor of the Municipality must, at the next available meeting, but within 60 days of the approval of the relevant National or Provincial adjustment budget, table an adjustment budget referred to in Chapter 4, section (28(2) (b) of the Act in the Municipal council to appropriate these additional.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

(a) Operational Revenue

- The total service charges decreased by R6.274 million. The reasons for the decrease is due to lower collection than anticipated on electricity and water (Electricity R 2.839 million and Water R3.585 million)

(c) Capital Expenditure

- A decrease of R34.620 million. The reason for the decrease are as follows:
 - The R30 million which was initially gazette for WSIG. This amount was however taken away with the latest gazette.
 - The unspent WSIG grant of R9.5 million which has been taken away by National Treasury.
 - A reduction of R 494 thousand due to the project to be completed in the new financial year.

It should be noted that the above amounts are inclusive of VAT; however the B-Schedules are exclusive of VAT.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- The MFMA, Chapter 4, Section 28
- Municipal Budget and Reporting Regulations
- Council Budget related Policies

COMMENTS: MUNICIPAL MANAGER

The item is supported.

COMMENTS: DIRECTOR COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING DIRECTOR: SUPPORT SERVICES

The item is supported. It must be noted that the acting CFO already advised and warned the Council in January & February 2021 that the Municipality will find itself back into financial difficulties should the WSIG Grant Funding of R9.5 million be taken away. This funding was already received, however it was utilised for operational expenditure which also resulted in an audit finding. The matter will be referred to MPAC for investigation. As a result of this, the municipality has to adjust the budget downwards as this amount was deducted with the transfer of the Equitable Share. The original budget for the Equitable Share was R53 million and it was further adjusted upwards to R60.766 million as result of additional allocation.

The following amounts have been received from the Equitable Share with the respective dates indicated:

- 07 July 2020: R 23 881 000
- 08 December 2020: R 14 134 000
- 16 March 2021: R 13 267 000

This gives a total of R 51.582 million. It can be noted that the amount received is less by R 9 484 597 when compared to the total gazetted allocation.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

RECOMMENDATION

It is recommended that:

1. Council approves the fifth Adjustment Budget for 2020/21 financial year, amendments to income, operational and capital expenditure projections as set out in the following:

- Municipal Budget tables B1 – B10
 - Municipal Budget Supporting Documentation SB1 – SB19
2. The Service Delivery Budget Implementation Plan to be amended in line with these adjustments.

APPENDIX/AANHANGSELS/ ISIHLOMELO

Part 1 – Adjustment Budget

Adjustment Budget Tables (Annexure A)

The adjustment budget tables are contained in this report. The adjustment budget tables contain the following:

1. Table B1 Adjustment Budget Summary
2. Table B2 Adjust Budget Financial Performance (standard classification)
3. Table B3 Adjustment Budget Financial Performance (revenue and expenditure by municipal vote)
4. Table B4 Adjustment Budget Financial Performance (revenue and expenditure)
5. Table B5 Adjustment Capital Expenditure Budget by vote and funding
6. Table B6 Adjustment Budget Financial Position
7. Table B7 Adjustment Budget Cash Flow
8. Table B8 Cash backed reserves / accumulated surplus reconciliation
9. Table B9 Asset Management
10. Table B10 Basic Service Delivery Measurement

Part 2 – Supporting Documentation (Annexure B)

The budget supporting documentation is contained in this report.

- This information is contained in supporting documents SB1 to SB19.

Other supporting Documents

Annexure C is the quality certificate.

RESOLVED

that:

1. Council approves the fifth Adjustment Budget for 2020/21 financial year, amendments to income, operational and capital expenditure projections as set out in the following:
 - Municipal Budget tables B1 – B10
 - Municipal Budget Supporting Documentation SB1 – SB19

2. The Service Delivery Budget Implementation Plan to be amended in line with these adjustments.

Proposed: Cllr. M Heins

Seconded: Cllr. F Kamfer

DA Component abstain from item

22 APRIL 2021

DEFERRED INDIGENT APPLICATION PROCESS FOR 2020/2021

RB6.1.2/22-04-2021

22 APRIL 2021

REPORT FROM THE ACTING DIRECTOR: SUPPORT SERVICES

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To obtain approval from Council to defer the Indigent Subsidy application process for the 2020/2021 financial year, to 30 June 2021. .

AGTERGROND / BACKGROUND

Council, in its meeting held on 25 June 2020 under item nr RB9.1.2/25-06-2020 resolved as follows:

1. Deferral be granted until 31 December 2020 for the completion of the indigent application process for 2020/21; and
2. The public be informed in this regard through the Municipality's Facebook page, website, notices on municipal accounts and on all municipal notice boards in offices and libraries.

Clause 4.6 of the Council's Indigent Subsidy Policy provides that the annual registration process of indigents take place annually between March and June for implementation on 1 July each year. The registration process would under normal circumstances be held in our community halls in the respective towns of our municipality. Due to the COVID 19 pandemic, only essential staff worked from office during March 2020, April 2020 and May 2020 and the use of public facilities were prohibited according to the lock-down regulations.

An item was submitted to council to request for deferred indigent application process which was approved by Council as per the above resolution. However, approval was requested and granted for only from 01 July 2020 till 31 December 2020.

In view of the lockdown been further extended and the fact that we were on level 3 during December 2020 and January 2021 meant that the Income Section was unable to handle this process in a normal way through having community members coming to community halls.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

To be contained in the Annual Financial Statements for 2020/2021.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

Clause 4.6 of Council's Indigent Subsidy Policy.

COMMENTS: ACTING MUNICIPAL MANAGER

The item is supported.

COMMENTS: DIRECTOR COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING DIRECTOR: SUPPORT SERVICES

Considering the continued lockdown and limitation in terms of numbers on public spaces, the community is hampered in terms of the application process.

It was initially thought that the process could have been handled before 01st of November 2020. Council approval is required in order to deviate from the policy and be able to prove to the Auditor General compelling reasons that led to the deviation from the policy.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

RECOMMENDATION

It is recommended that:

1. Council, take note of the report;
2. Council approve further deferment of the indigent application process for the 2020/2021 financial year till 30 June 2021.

APPENDIX/AANHANGSELS/ ISIHLOMELO

1. Council Resolution RB9.1.2/25-06-2020

RESOLVED

that:

1. Council, take note of the report;
2. Council approve further deferment of the indigent application process for the 2020/2021 financial year till 30 June 2021; and
3. That persons 65 years and older be exempted from applying for indigent.

Proposed: Cllr. R Pretorius

Seconded: Cllr. L Scheepers

22 APRIL 2021

OUTCOME OF THE AUDIT FOR THE 2019/2020 FINANCIAL YEAR

RB6.1.3/22-04-2021

22 APRIL 2021

REPORT FROM THE ACTING DIRECTOR: SUPPORT SERVICES

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To inform Council of the Audit Outcome for the 2019/2020 financial year.

AGTERGROND / BACKGROUND

In terms of Government Gazette No. 4352 dated 05 August 2020, the Minister of Finance issued an exemption for municipalities in terms of Section 177(1)(b) of the MFMA.

The extension related to compliance with Section 126(1) and (2) as well as Section 127 (1) and (2) and Section 133(2) of the Local Government Municipal Finance Management Act, 2003 (Act No. 56 of 2003).

The implication of this exemption meant that instead of submission of Annual Financial Statements by 30th August to the Auditor General, municipalities were given until end of October 2020 to submit the AFS. This affected the audit period in completion of the audit which would have normally been completed by end of November.

The Auditor General further informed the Speaker of the delays on the completion of the audit (See attached letter from Auditor General).

All of the above as a result of the Covid-19 pandemic.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Contained in the Final Audited Annual Financial Statements.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

MFMA Section 177(1), Section 126(1) and (2), Section 127 (1) and (2) and Section 133(2).

COMMENTS: ACTING MUNICIPAL MANAGER

The item is supported.

COMMENTS: DIRECTOR COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING DIRECTOR: SUPPORT SERVICES

It should be noted that the municipality slightly regressed from the previous year's audit outcome. In the 2018/2019 financial year the municipality received unqualified audit with no material findings, however for the 2019/2020 financial year there were material findings relating to non-compliance with legislation.

Further to this the annual financial statements are unqualified with no findings in relation to financial information but with findings regarding non-compliance with legislation.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

RECOMMENDATION

It is recommended that:

1. Council, take note of the audit outcome for the 2019/2020 financial year;
2. The Accounting Officer prepares an Audit Action Plan on how the findings will be addressed;
3. That such Audit Action Plan is submitted to the Audit Committee and Council by 30th May 2021.

APPENDIX/AANHANGSELS/ ISIHLOMELO

2. Letter from Auditor General - MFMA Delays on 2019-20 Cederberg Audit Report
3. FMR Executive Summary for Cederberg Municipality 2019-2020.

RESOLVED

that:

1. Council, take note of the audit outcome for the 2019/2020 financial year;
2. The Accounting Officer prepares an Audit Action Plan on how the findings will be addressed;
3. That such Audit Action Plan is submitted to the Audit Committee and Council by 30th May 2021.

22 APRIL 2021

CONSIDERATION FOR APPROVAL OF OVERDRAFT FACILITY

RB 0/0/0/00

22 APRIL 2021

REPORT FROM THE ACTING DIRECTOR: SUPPORT SERVICES

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To obtain Council's approval for the overdraft facility of R 7 000 000.00.

AGTERGROND / BACKGROUND

During the discussion between Municipal finance officials and Standard bank on the review of the municipality facilities, Standard Bank advised that financial products can be approved as set out below:

The approved financial products are as follow:

- (i) Overdraft Facility: R 7 000 000.00 (Seven million Rand)

The Overdraft Facility to be payable as follows:

- (i) R 3 000 000.00 (Three million Rand) by end of May 2021
- (ii) R 4 000 000.00 (Four million Rand) by the 15th of June 2021.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Estimated application fee of R 77 400.00 will be charged and interest of 8.65% by the financial institution.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

Chapter 6 of the Municipal Finance Management Act No.56 of 2003:

Short-term debt

45. (1) A municipality may incur short-term debt only in accordance with and subject to the provisions of this Act and only when necessary to bridge –
- (a) shortfalls within a financial year during which the debt is incurred, in expectation of specific and realistic anticipated income to be received within that financial year; or
 - (b) capital needs within a financial year, to be repaid from specific funds to be received from enforceable allocation or long-term debt commitments.
- (2) A municipality may incur short-term debt only if –
- (a) a resolution of the municipal council, signed by the mayor, has approved the debt agreement; and
 - (b) the accounting officer has signed the agreement or other document which creates or acknowledge debt.
- (3) For the purpose of subsection (2)(a), a municipal council may –
- (a) approve a short-term debt transaction individually; or
 - (b) approve an agreement with a lender for a short-term credit facility to be accessed as and when required, including a line of credit bank overdraft facility, provided that –
 - (i) the credit limit must be specified in the resolution of the council;
 - (ii) the terms of the agreement, including the credit limit, may be changed only by a resolution of council; and
 - (i) if the council approves a credit facility that is limited to emergency use, the accounting officer must notify the council in writing as soon as practical of the amount, duration and cost of any debt incurred in terms of such a credit facility, as well as options for repaying such debt.
- (4) A municipality –
- (a) must pay off short-term debt within the financial year; and
 - (b) may not renew or refinance short-term debt, whether its own debt or that any other entity, where such renewal or refinancing will have the effect of extending the short-term debt into a new financial year.

- (5) (a) No lender may wilfully extends credit to a municipality for the purpose of renewing or refinancing short-term debt that must be paid off in terms of subsection (4)(a).
- (b) If a lender wilfully extends credit to a municipality in contravention of paragraph (a), the municipality is not bound to repay the loan or interest on the loan.
- (6) Subsection (5)(b) does not apply if the lender –
- (a) relied in good faith on written representations of the municipality as to the purpose of the borrowing; and
- (b) did not know and had no reason to believe that the borrowing was for the purpose of renewing or refinancing short-term debt.

COMMENTS: ACTING MUNICIPAL MANAGER

The item is supported.

COMMENTS: DIRECTOR COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING DIRECTOR: SUPPORT SERVICES

The item is supported. Due to cash flow challenges experienced by the municipality it is advisable to apply for the overdraft facility until the end of the financial year. The acting CFO already advised Council in February 2021 that should the Municipality lose the R 9,5 million unspent (WISIG) grant funding, it will find itself back in financial difficulties after having managed to pay its commitments including Eskom account. It is confirmed that the Municipality has lost this grant funding.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

RECOMMENDATION

It is recommended that:

1. Council, in terms of section 45 of the MFMA, consider and approve the following:
 - (i) Overdraft Facility of R 7 000 000.00 payable as set out as follow:
 - a) R 3 000 000.00 (Three million Rand) by end of May 2021
 - b) R 4 000 000.00 (Four million Rand) by the 15th of June 2021.
2. The Municipal Manager, Mr Andries Titus, ID: 701005 5083 08 5 be mandated to sign all relevant documents with Standard Bank.
3. Certified Council Resolution signed by the Mayor, confirming the limit required, the purpose of the facility and confirmation that the facility will be settled on 15 June 2021.
4. Written request from Municipal Manager, confirming the requested amount, the purpose and the date of repayment to be sent to Standard Bank.
5. Banking Facilities Agreement to be provided by Standard Bank and to be signed by the Municipal Manager.

APPENDIX/AANHANGSELS/ ISIHLOMELO

4. Previous Council resolution approving Overdraft Facility.
5. Email from Standard Bank

RESOLVED:

that:

1. Council, in terms of section 45 of the MFMA, consider and approve the following:
 - (i) Overdraft Facility of R 7 000 000.00 payable as set out as follow:
 - a) R 3 000 000.00 (Three million Rand) by end of May 2021
 - b) R 4 000 000.00 (Four million Rand) by the 15th of June 2021.
2. The Acting Municipal Manager, Mr Andries Titus, ID: 701005 5083 08 5 be mandated to sign all relevant documents with Standard Bank.
3. Certified Council Resolution signed by the Mayor, confirming the limit required, the purpose of the facility and confirmation that the facility will be settled on 15 June 2021.
4. Written request from Municipal Manager, confirming the requested amount, the purpose and the date of repayment to be sent to Standard Bank.
5. Banking Facilities Agreement to be provided by Standard Bank and to be signed by the Municipal Manager.

Proposed: Cllr. L Scheepers

Seconded: Cllr. E Majikijela

22 APRIL 2021

**QUARTERLY BUDGET INCLUSIVE OF TOP LAYER SERVICE DELIVERY
BUDGET IMPLEMENTATION PLAN (SDBIP) AND SUPPLY CHAIN
MANAGEMENT REPORTS: JANUARY 2021 – MARCH 2021**

RB6.1.5/22-04-2021

22 APRIL 2021

REPORT FROM THE ACTING DIRECTOR: SUPPORT SERVICES

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To submit to Council the Quarterly Budget, Supply Chain Management and Top Layer Service Delivery Budget Implementation Plan (SDBIP) Reports for the 3rd Quarter of the 2020/2021 Financial Year.

AGTERGROND / BACKGROUND

In terms of Chapter 7 Section 52 of the Local Government Municipal Finance Management Act, 2003 (MFMA):

The mayor of a municipality—

- (a) must provide general political guidance over the fiscal and financial affairs of the municipality;
- (b) in providing such general political guidance, may monitor and, to the extent provided in this Act, oversee the exercise of responsibilities assigned in terms of this Act to the accounting officer and the chief financial officer, but may not interfere in the exercise of those responsibilities;
- (c) must take all reasonable steps to ensure that the municipality performs its constitutional and statutory functions within the limits of the municipality's approved budget;

- (d) must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality; and
- (e) must exercise the other powers and perform the other duties assigned to the mayor in terms of this Act or delegated by the council to the mayor.

According to the Municipal Supply Chain Management Regulations (2005), paragraph 6(3) – Oversight role of council of municipality or board of directors of the municipal entity:

“The accounting officer must within 10 days of the end of each quarter, submit a report on the implementation of the supply chain management policy to the mayor of the municipality or the board of directors of the municipal entity, as the case may be.”

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Contained in detail in the annexure to this report.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

Chapter 7, Section 52 of the Local Government Municipal Finance Management Act, 2003.

Municipal Supply Chain Management Regulations (2005).

COMMENTS: ACTING MUNICIPAL MANAGER

The item is supported.

COMMENTS: DIRECTOR COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING DIRECTOR: SUPPORT SERVICES

The item is supported.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

RECOMMENDATION

That Council; takes note of the:

1. Take note of the Quarterly Budget Statement inclusive of Top Layer Service Delivery Budget Implementation Plan (SDBIP),
2. Take note of the Virements Report for the third Quarter,
3. Take note of the Supply Chain Management Report for the third Quarter, January – March 2021.

APPENDIX/AANHANGSELS/ ISIHLOMELO

1. Quarterly Budget Statement inclusive of Top Layer Service Delivery Budget Implementation Plan (SDBIP): January 2021 – March 2021.
2. Virements Report: January 2021 – March 2021.
3. Supply Chain Management Implementation Report: January 2021 – March 2021.

RESOLVED

a) That Council; takes note of the:

1. Take note of the Quarterly Budget Statement inclusive of Top Layer Service Delivery Budget Implementation Plan (SDBIP),
2. Take note of the Virements Report for the third Quarter,
3. Take note of the Supply Chain Management Report for the third Quarter, January – March 2021.

22 APRIL 2021

**ITEM: UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL
AND EXPENDITURE**

RB6.1.6/22-04-2021

22 APRIL 2021

REPORT FROM THE ACTING DIRECTOR: SUPPORT SERVICES

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

To submit to Council the Unauthorised, Irregular, Fruitless and Wasteful Expenditure as contained in the Annual Financial Statements for referral to MPAC for investigation.

AGTERGROND / BACKGROUND

During the preparation of the 2019/2020 Annual Financial Statements, UIFW expenditure was identified. Further to identified UIFW the Auditor General through its audit indicated additional UIFW. The detail of which is contained in the notes to the Annual Financial Statements (Note 42).

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Unauthorised Expenditure Total:	R 7 606 055
- Opening Balance	R 1 461 115
- Unauthorised expenditure current year – operating	R 4 749 109
- Unauthorised expenditure current year – capital	R 1 395 830
Irregular Expenditure:	R 107 584 888
- Opening Balance	R 71 359 748

- Irregular expenditure incurred in the current year	R 36 225 140
Fruitless and Wasteful Expenditure:	R 1 296 371
- Opening Balance	R 4 770
- Fruitless and wasteful expenditure incurred	R 1 291 601

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- Municipal Finance Management Act No.56 of 2003

COMMENTS: ACTING MUNICIPAL MANAGER

The item is supported.

COMMENTS: DIRECTOR COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING DIRECTOR: SUPPORT SERVICES

The item is supported for council to refer the matter to MPAC for investigation.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

CONCLUSION

In terms of the Municipal Finance Management Act No. 56 of 2003 it is required that UIFW expenditure must be investigated by a committee of Council and only after the investigation, the committee must make its recommendation to Council for consideration and approval.

With regard to UIFW of the previous financial year, MPAC has already dealt with those matters. Council approval was only done on 16 March 2021 under Item RB6.1.1/16-03-2021, meaning the opening balance on Irregular Expenditure, Unauthorised Expenditure and Fruitless and Wasteful Expenditure has been dealt with (See attached Council Resolution). Therefor only the remaining items for the 2019/2020 and the Fruitless and Wasteful Expenditure of ESKOM needs to be dealt with.

In this case, reference to the Council committee is Municipal Public Accounts Committee (MPAC).

RECOMMENDATION

It is recommended that:

1. Council take note of the Report.
2. Council take note of resolution number RB6.1.1/16-03-2021.
3. Council refer the outstanding matters to Municipal Public Accounts Committee (MPAC) for investigation.
4. Municipal Public Accounts Committee (MPAC) report back to Council on each finding.

APPENDIX/AANHANGSELS/ ISIHLOMELO

1. Copy of AFS note 42.
2. Council Resolution: RB6.1.1/16-03-2021

RESOLVED

that:

1. Council take note of the Report.
2. Council take note of resolution number RB6.1.1/16-03-2021.

3. Council refer the outstanding matters to Municipal Public Accounts Committee (MPAC) for investigation.
4. Municipal Public Accounts Committee (MPAC) report back to Council on each finding.

Proposed: Cllr. F Kamfer

Seconded: Cllr. L Scheepers

22 APRIL 2021

WRITE-OFF OF OUTSTANDING DEBT OF INDIGENT CUSTOMERS

RB6.1.7/22-04-2021

22 APRIL 2021

REPORT FROM THE ACTING DIRECTOR: SUPPORT SERVICES

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

The purpose of this report is to seek Council approval to write off irrecoverable debt for indigent customers.

AGTERGROND / BACKGROUND

IRRECOVERABLE DEBT

*The Municipal Council may, on recommendation from the Accounting Officer, or any duly delegated official, write off any debt **or portion thereof, provided that the Municipal Council is satisfied that the debt or portion thereof is irrecoverable** or that it will be in the best interest of the Municipality to accept part payment of the debt in full and final settlement.*

The Chief Financial Officer may recommend to the Municipal Council that any outstanding debt or **portion thereof be written off**, if in **his/her opinion it would be in the best interest of the Municipality**, and that the **writing off of the debt will not be contrary to the provisions of the Local Government: Municipal Finance Management Act, (Act No. 56 of 2003).**

The Chief financial Officer and Accounting Officer also have the right to authorise write off, of debt if the amount falls within their delegated power.

The process for considering debt as irrecoverable is contained in section 25 of the

customer care, credit control and debt collection policy. The Accounting Officer has ensured that all avenues were utilized to collect the arrear debt.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Provision for bad debt to be written off to the amount of R 48 million was approved in the 2020/2021 Budget. This debt write-off includes an amount of R 16 million for traffic fines in terms of iGRAP and R 32 million for service charges.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- Credit Control and Debt Collection Policy.
- Section 44(1) and (2) of the Municipal Finance Management Act, No. 56 of 2003,

DISCUSSION

The Council will consider to approve an amount of R 48 million during the April adjustment budget for the debt write off. The Outstanding debt report of March 2021 shows all the outstanding balances per service. It must be noted that water and property rates are the two highest at 30.57 percent and 23.89 percent respectively. The two makes up 54.46 per cent of the total outstanding debt per service.

With property rates although the debt is outstanding there is and will always be a potential to collect due to the fact that the Municipality has to issue a rates clearance certificate. When the rates clearance certificate is issued all monies due to the Municipality must be settled before the property is transferred. The finance department must however improve its process of collecting debt on property rates.

With regard to electricity, all indigent households who are still on conventional electricity meters must be converted to the pre-payment system. This will significantly reduce outstanding debt for indigents.

CONCLUSION

The implementation of the revenue enhancement and conversion of conventional electricity meters to pre-paid will improve the collection rate of the Municipality and significantly reduce outstanding debt on all households. With the challenges the consumers are experiencing as a result of the Covid-19 pandemic, it is the conclusion of the administration that it will be in the best interest of the Municipality to consider write-off of all indigent consumer debtors whose accounts is outstanding over three hundred and sixty (360) days. This will reduce and resolve all the disputed accounts and frustration of indigent customers as well as all query related to indigent accounts.

The Municipality has started a process of consumer/customer data cleansing hence at this stage the recommendation for write off is only on outstanding debt more than a year.

A balancing act must always be maintained whenever debt write-off is being considered and approved. Here you will have indigent consumers who have kept their accounts up to date but does not benefit on the debt write-off. Than you will have indigent consumers whose accounts is behind who will benefit on any debt write-off. This may create a culture of non-payment for municipal services and rates due to the expectation created that the municipality will write-off the debt if not paid.

Attached Annexure A is a list of indigent customers whose accounts are outstanding for over three hundred and sixty (360) days. It must be noted however that the data in the financial system does not contain everyone's full details e.g. identity number. It is therefore against this background that all those whose details are not properly updated must be encouraged to visit the municipal offices to apply on individual basis.

The following conditions should apply on the write-off:

1. No write-off should be done where the owner is not residing on the property or renting the property;
2. Where the property is rented for a spaza shop, hair salon any other form of business; and
3. No write-offs will be done if any of the people residing in the household works for any sphere of government or government entities.

COMMENTS: ACTING MUNICIPAL MANAGER

The municipality has implemented 60/40 auxiliary system and notices were distributed.

COMMENTS: DIRECTOR COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING DIRECTOR: SUPPORT SERVICES

The current economic climate caused by the Covid-19 pandemic has resulted in job losses as well as opportunity lost for temporary employment during the season in our municipal area. The municipality has appointed a service provider for revenue enhancement and is in a process to finalising awarding of a tender for debt collection to an experience firm to assist with debt collection and credit control and is expected that this process will be finalized by end of June 2021.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

RECOMMENDATION

It is recommended that:

1. That Council note the report of the irrecoverable debt on indigent households;

2. That Council approve write-off of debt above three hundred and sixty (360) days for all indigent consumers by June 2021; and
3. The total amount of debt to be written off is contained in column J of the attached annexure and amounts to R 22.7 million.

APPENDIX/AANHANGSELS/ ISIHLOMELO

RESOLVED

that:

1. That Council note the report of the irrecoverable debt on indigent households;
2. That Council approve write-off of debt above three hundred and sixty (360) days for all indigent consumers by June 2021; and
3. The total amount of debt to be written off is contained in column J of the attached annexure and amounts to R 22.7 million.

Proposed: Cllr. L Scheepers

Seconded: Cllr. E Majikijela

22 APRIL 2021

WRITE-OFF OF OUTSTANDING DEBT OF SENIOR CITIZENS (AGE 65 AND ABOVE)

RB6.1.8/22-04-2021

22 APRIL 2021

REPORT FROM THE ACTING DIRECTOR: SUPPORT SERVICES

PURPOSE OF THE ITEM / DOEL VAN DIE ITEM

The purpose of this report is to seek Council approval to write off irrecoverable debt for customers over the age of 65.

AGTERGROND / BACKGROUND

IRRECOVERABLE DEBT

*The Municipal Council may, on recommendation from the Accounting Officer, or any duly delegated official, write off any debt **or portion thereof, provided that the Municipal Council is satisfied that the debt or portion thereof is irrecoverable** or that it will be in the best interest of the Municipality to accept part payment of the debt in full and final settlement.*

The Chief Financial Officer may recommend to the Municipal Council that any outstanding debt or **portion thereof be written off**, if in **his/her opinion it would be in the best interest of the Municipality**, and that the **writing off of the debt will not be contrary to the provisions of the Local Government: Municipal Finance Management Act, (Act No. 56 of 2003).**

The Chief financial Officer and Accounting Officer also have the right to authorise write off, of debt if the amount falls within their delegated power.

The process for considering debt as irrecoverable is contained in section 25 of the customer care, credit control and debt collection policy. The Accounting Officer has ensured that all avenues were utilized to collect the arrear debt.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Provision for bad debt to be written off to the amount of R 48 million was approved in the 2020/2021 Budget. This debt write-off includes an amount of R 16 million for traffic fines in terms of iGRAP and R 32 million for service charges.

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- Credit Control and Debt Collection Policy.
- Section 44(1) and (2) of the Municipal Finance Management Act, No. 56 of 2003,

DISCUSSION

The Council will consider to approve an amount of R 48 million during the April adjustment budget for the debt write off. The Outstanding debt report of March 2021 shows all the outstanding balances per service. It must be noted that water and property rates are the two highest at 30.57 percent and 23.89 percent respectively. The two makes up 54.46 per cent of the total outstanding debt per service.

With property rates although the debt is outstanding there is and will always be a potential to collect due to the fact that the Municipality has to issue a rates clearance certificate. When the rates clearance certificate is issued all monies due to the Municipality must be settled before the property is transferred. The finance department must however improve its process of collecting debt on property rates.

With regard to electricity, all indigent households who are older than 65 years and are still on conventional electricity meters must be converted to the pre-payment system. This will significantly reduce outstanding debt for indigents.

CONCLUSION

The implementation of the revenue enhancement and conversion of conventional electricity meters to pre-paid will improve the collection rate of the Municipality and significantly reduce outstanding debt on all households. With the challenges the consumers are experiencing as a result of the Covid-19 pandemic, it is the conclusion of the administration that it will be in the best interest of the Municipality to consider write-off of all consumer debtors who are older than 65 over three hundred and sixty (360) days. This will reduce and resolve all the disputed accounts and frustration of indigent customers as well as all query related to indigent accounts.

The Municipality has started a process of consumer/customer data cleansing hence at this stage the recommendation for write off is only on outstanding debt more than a year.

A balancing act must always be maintained whenever debt write-off is being considered and approved. Here you will have consumers who have kept their accounts up to date but does not benefit on the debt write-off. Than you will have consumers whose accounts is behind who will benefit on any debt write-off. This may create a culture of non-payment for municipal services and rates due to the expectation created that the municipality will write-off the debt if not paid.

Attached Annexure A is a list of customers over the age of 65. It must be noted however that the data in the financial system does not contain everyone's full details e.g. identity number. It is therefore against this background that all those who are 65 and older but not listed on this list must be encouraged to visit the municipal offices to apply on individual basis.

The following conditions should apply on the write-off:

4. No write-off should be done where the owner is not residing on the property or renting the property;
5. Where the property is rented for a spaza shop, hair salon any other form of business; and
6. No write-offs will be done if any of the people residing in the household works for any sphere of government or government entities.

COMMENTS: ACTING MUNICIPAL MANAGER

The municipality has implemented 60/40 auxiliary system and notices were distributed.

COMMENTS: DIRECTOR COMMUNITY SERVICES

The item is supported.

COMMENTS: ACTING DIRECTOR: SUPPORT SERVICES

The current economic climate caused by the Covid-19 pandemic has resulted in job losses as well as opportunity lost for temporary employment during the season in our municipal area. The municipality has appointed a service provider for revenue enhancement and is in a process to finalising awarding of a tender for debt collection to an experience firm to assist with debt collection and credit control and is expected that this process will be finalized by end of June 2021.

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

The item is supported.

COMMENTS: MANAGER LEGAL SERVICES

The item is supported.

RECOMMENDATION

It is recommended that:

1. That Council note the report of the irrecoverable debt on indigent households who are older than 65 years;
2. That Council approve write-off of debt above three hundred and sixty (360) days for all consumers who are above the age of 65 by June 2021; and
3. The total amount of debt to be written off is contained in Column K of the attached annexure and amounts to R 4.1 million.

APPENDIX/AANHANGSELS/ ISIHLOMELO

RESOLVED

that:

1. That Council note the report of the irrecoverable debt on indigent households who are older than 65 years;
2. That Council approve write-off of debt above three hundred and sixty (360) days for all consumers who are above the age of 65 by June 2021; and
3. The total amount of debt to be written off is contained in Column K of the attached annexure and amounts to R 4.1 million.

Proposed: Cllr. L Scheepers

Seconded: Cllr. E Majikijela

RB6.1.9	CONSIDERATION FOR APPROVAL OF UNSOLICITED BID
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- **Item was withdrawn.**

22 APRIL 2022

CEDERBERG RURAL FEMALE EMPOWEREMENT SESSION

REF: 5/16/1/1

RURAL DEVELOPMENT OFFICER: BW ZASS

PURPOSE

The purpose of this report is to inform council of a request received from the organisers of the CEDERBERG RURAL FEMALE EMPOWEREMENT SESSION/EVENT and to obtain approval, in respect of financial and in-kind support, for this event. It is therefore requested that Cederberg Municipality would assist in monetary value of 50%, of the overall amount, in order to make the event a success.

BACKGROUND

Cederberg Municipality (Department – Rural Development – Tourism), received correspondence via email, from the event organisers, KK&PP NPO, in respect of the above mentioned project. Such project will commence on ***Friday 30 April 2021*** until ***Sunday 2 May 2021 (3 days)***

Miss SA 2019, Sasha-Lee Oliver and local renowned actress, Denise Newman, will be in attendance and both ladies are assigned pivotal roles, as part of the event. There are 2 main objectives, guaranteed to be obtained, which are:

1. An empowerment session, held on the Saturday 1 May 2021, whereby local upcoming female entrepreneurs will form part of a workshop team, focussing on
 - a. Registration of new businesses
 - b. Sustainability pointers on endurance of the business
(Hosted by Sasha-Lee Oliver)

2. The two main Icons will be utilized to promote tourism in the Cederberg Municipality, by promoting unique selling points, to the Country, via their personal social media platforms.

- a. The organisers will dedicate Sunday 2 May 2021 to a Tourist hotspot campaign, whereby Sasha-Lee Oliver will pay visit to the Elands Bay/Lamberts Bay area.
- b. This includes many pit stops e.g. site and restaurant visits.
- c. The socio-economic sector of Cederberg region will receive support by emphasis being placed on the aged and the fragile. Denise Newman together with Sasha-Lee Olivier will pay visit to a local old age home, by using a community based care approach. The aim is to acknowledge our senior citizens and the vital role they played in shaping and being the pillars in our communities, once upon a time.

FINANCIAL IMPLICATIONS

1. 50% contribution to the event
 - a. Overall cost : R25 000
 - b. Requested amount : R12 500

Itemized listing:_____

1. Venue Fee – R3750
2. Empowerment Manual – R5250
3. Event hosts – R3500

PERSONNEL IMPLICATIONS

1. Law Enforcement for Friday 30 April 2021
 - a. A Law enforcement vehicle to escort/lead the Miss SA 2019 convoy and guarantee her overall safety, during public appearances at the same time
2. LED unit

COMMENTS FROM DIRECTOR COMMUNITY SERVICES – H SLIMMERT

COMMENTS FROM ACTING CFO M MEMANI

COMMENTS FROM ACTING DIRECTOR TECHNICAL SERVICES J KOTZE

COMMENTS FROM ACTING MUNICIPAL MANAGER A TITUS

In support and recognizes the economic growth, such event could offer.

EVENT LOCATION

Clanwilliam – Yellow Aloe Guest house

IMPORTANCE OF EVENT/SESSION IN FOR CEDERBERG

It is of high importance to acknowledge that Covid-19 and its aftermath brought the Tourism sector to a complete standstill, locally and abroad, for quite a long period of time. As a result, economies were crippled and this contributed to a vast influx in poverty, more evidently so in the poorer rural communities.

As lock down levels and regulations slowly decreased, phased in approaches in the Tourism and Local Economic Development sectors, with regards to economic rebuilt are being used.

The Cederberg region would not only have general investment through this event, but also be able to attract tourists, back to our area, by emphasizing local tourism hot spots, thus boosting economic growth. It is a rather scarce and deficient opportunity, to host two mainstream celebrities, at the same time. Both their personal platforms could expose the beauty of our region and the Cederberg could reclaim it's once upon a time title, as the traveling hotspot in the Western Cape.

Also – upcoming or aspiring business women would be empowered in the trade and the host of such session is a profound recognised business woman herself, Miss SA 2019, Sasha-Lee Olivier.

RECOMMENDATIONS

It is recommended that in respect of the *Rural Women Empowerment session*:

1. The Council take cognisance of the report
2. The Council recommend to council to support the Woman Empowerment Event , to be held on Saturday, 1 May 2021
3. Council approve a financial contribution of R12 500
4. Law Enforcement staff be availed to assist in convoy escort and securing overall safety during/on Friday 30 April 2021.

RESOLVED

that

1. Council take cognisance of the report
2. The Council recommend to council to support the Woman Empowerment Event , to be held on Saturday, 1 May 2021
3. Council approve a financial contribution of R12 500
4. Law Enforcement staff be availed to assist in convoy escort and securing overall safety during/on Friday 30 April 2021.

Proposed: Cllr L Scheepers

Seconded: Cllr. R Pretorius

6.2 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

RB9.2.1 REGIONAL WASTE LANDFILL SITE

- Item was withdrawn from the Agenda.

**KANTOOR VAN DIE MUNISIPALE BESTUURDER
OFFICE OF MUNICIPAL MANAGER
IOFISI YOMPHATHI KAMASIPALA**

22 APRIL 2021

**ITEM: APPOINTMENT DELEGATED CONTACT PERSON BETWEEN SIU
AND CEDERBERG MUNICIPALITY/AANWYSING VAN GEDELEGEERDE
KONTAK PERSOON TUSSEN SOE EN CEDERBERG MUNISIPALITEIT**

RB6.2.2/22-04-2021

22 APRIL 2021

REPORT FROM MANAGER: ACTING MUNICIPAL MANAGER

PURPOSE OF THE REPORT/DOEL VAN VERSLAG

- To brief and inform Council and public about the status of the SIU investigation
- To appoint/delegate a new liaison person with the SIU on behalf of the Cederberg Municipality to replace Mr Mbulelo Memane.

BACKGROUND

The SIU raided the Cederberg Municipal offices during September 2020. The raid relates to alleged irregular procurement of personal protective equipment (PPE). Stemming from this investigation several officials have been interviewed and questioned by the SIU. The investigation included, confiscating of tools of trade and private cell phone of the former Municipal Manager and now Director Community Services and the IT Manager during September 2020.

Council appointed/delegate Mr Mbulelo Memane as the liaison person between the SIU and Cederberg Municipality on 4 December 2020.

FINANCIAL IMPLICATIONS / FINANSIËLE IMPLIKASIES

Not applicable

RELEVANT LEGISLATION / RELEVANTE WETGEWING

- Relevant sections of the systems of delegation

COMMENTS: MUNICIPAL MANAGER

Item is supported

COMMENTS: DIRECTOR COMMUNITY SERVICES

The Director of Community Services cannot comment on this item due his direct involvement in the case as a affected party.

COMMENTS: ACTING CHIEF FINANCIAL OFFICER

Item Supported

COMMENTS: ACTING DIRECTOR TECHNICAL SERVICES

Item Supported

COMMENTS: MANAGER LEGAL SERVICES

Item Supported

EXECUTIVE SUMMARY

The Council of Cederberg Municipality affirms its position to incorporate with all relevant law enforcement agencies and has confidence in the South African Judiciary system. The affected employees are presumed innocent until proven otherwise by a competent court of law in the Republic of South Africa.

Considering that the accounting officer is amongst the employees being subjected to a legal process as a result of the investigation, that one of the senior managers be delegated / appointed to be the liaison person between the SIU and Cederberg Municipality. The SIU indicated that they want to interview 8 more staff members.

That the staff be afforded an opportunity for a legal representation as they are summoned to appear in court or before the SIU Tribunal for allegations that are in relation to performance of their duties. Council at this stage will monitor the progress of the court proceedings and make an informed decision once the outcome is known.
The

RECOMMENDATION

That in respect of the:

Special Investigation Unit (SIU) versus Cederberg Municipality case discussed by Council at the Council meeting held on 22 April 2021 it is recommended:

1. That Mr. Brian Blaauw (Acting Manager: Strategic Services) be appointed as the replacement of Mr. Mbulelo Memane as the contact person between the SIU and Cederberg Municipality.
2. That Mr. Brian Blaauw (Acting Manager: Strategic Services) provides all relevant information as may be requested by the SIU.
3. That Mr. Craig Sheldon liaises between the officials who require Council's legal advisors assistance.
4. That the SIU and Commercial Crimes Unit be informed about the changes in liaison/contact person.

RESOLVED

1. That Mr. Brian Blaauw (Acting Manager: Strategic Services) be appointed as the replacement of Mr. Mbulelo Memane as the contact person between the SIU and Cederberg Municipality.

2. That Mr. Brian Blaauw (Acting Manager: Strategic Services) provides all relevant information as may be requested by the SIU.
3. That Mr. Craig Sheldon liaises between the officials who require Council's legal advisors assistance.
4. That the SIU and Commercial Crimes Unit be informed about the changes in liaison/contact person.

Proposed: Cllr. M Heins

Seconded: Cllr. E Majikijela

DA Component abstain from item

22 APRIL 2021

**THE MUNICIPAL INFRASTRUCTURE GRANT (MIG):
ADJUSTED ALLOCATION FOR 2020/21 AND DETAILED
PROJECT IMPLEMENTATION PLAN (DPIP) FOR 2021/2022
MTREF PERIOD**

RB6.2.3/22-04-2021

22 APRIL 2021

REPORT FROM: MANAGER PMU

PURPOSE OF THE REPORT

The purpose of the report is two-fold:

- For Council to approve the adjusted Detailed Project Implementation Plan (DPIP) for the remainder of the 2020/21 financial year as a result of an increased allocation;
- For Council to approve the Municipal Infrastructure Grant Detailed Project Implementation Plan (DPIP) for the MTREF period commencing from 2021/22 in line with the Division of Revenue Bill B3 of 2021.

BACKGROUND

The Municipal Infrastructure Grant (MIG) is a Schedule 5, Part B grant. The MIG aims to eradicate municipal infrastructure backlogs in poor communities to ensure the provision of basic services such as water, sanitation, roads and community lighting. The Department of Cooperative Governance (DCoG) is responsible for managing and transferring the MIG and provides support to provinces and municipalities on implementing MIG projects.

On 31 March 2021, the Project Management Unit presented an item to Council on the above subject with reference number 5/6/1/1 with a Council Resolution number RB 9.1.6/ 31-03-2021. As part of the final recommendation and approval of the item, an additional recommendation that the administration submit an item to the next Council meeting to incorporate the adjustments and allocations of the government gazette of 29 March 2021 was recorded. This is thus the amendment to the adjustment of the DPIP for the 2020/21 and 2021/22 financial years.

2020/21 Financial Year Adjusted Allocation

Cederberg Municipality's 2020/21 annual MIG allocation was R 15 590 000.00. In February 2021, the municipality received communication from the Municipal Infrastructure office of the Department of Local Government regarding the Division of Revenue Second Amendment Act 20 of 2020 (*Annexure A*). The 2020/21 MIG allocation of R14 671 101 000

for the country has been reduced by R180 036 000 for the current financial year, which equates to a 1.23% reduction which was mostly evenly distributed amongst all municipalities in the nine provinces. The original MIG allocation for the Western Cape was promulgated in the 2020/21 Division of Revenue Act (DoRA) at an amount of R 442 423 000. However, after the adjustment of the Division of Revenue Second Amendment Act 20 of 2020, the original allocation was reduced to an amount of R 436 998 000. This resulted in a negative difference of R 5 425 000 which included Cederberg Municipality's reduction of an amount of R 191 000 as gazetted in the attached MIG Schedule 5B Adjustment February 2021 (*Annexure B*).

The municipality was therefore required to update its DPIP to the revised allocation of R 15 399 000.00 in order to adjust expected commitments and cashflows accordingly.

The original 2020/21 Detailed Project Implementation Plan was as follows:

PROJECT NAME	TOTAL BUDGET 2020/21
Citrusdal: New Wastewater Treatment Works	R 11 175 146.00
Citrusdal: Upgrade Roads and Stormwater Infrastructure	R 1 120 945.00
Clanwilliam: Upgrade Sports Fields	R 2 514 409.00
Clanwilliam: PMU 2020/21	R 779 500.00
Total 2020/21 Original MIG Allocation (VAT Incl.)	R 15 590 000.00

The adjusted 2020/21 Detailed Project Implementation Plan for the reduction was as follows:

PROJECT NAME	TOTAL BUDGET 2020/21
Citrusdal: New Wastewater Treatment Works	R 11 248 051.00
Citrusdal: Upgrade Roads and Stormwater Infrastructure	R 857 040.00
Clanwilliam: Upgrade Sports Fields	R 2 514 409.00
Clanwilliam: PMU 2020/21	R 779 500.00
Total 2020/21 Adjusted MIG Allocation (VAT Incl.)	R 15 399 000.00

The PMU allocation was not adjusted as it is as per the approved PMU business plan. The Clanwilliam: Upgrade Sports Fields allocation was not adjusted as a contractor had just been appointed on 10 March 2021 to commence with the 4 month construction of the project which has an allocation of R 1 718 293.20 (VAT Incl.) from own funds. The Citrusdal: Upgrade Roads and Stormwater Infrastructure project's phase 4 was completed with a balance on the year's allocation of R 263 905. The reduced allocation of R 191 000 was deducted from this amount, leaving an amount of R 72 905 which was added to the multi-year project of the Citrusdal: New Wastewater Treatment Works.

Subsequently, on 31 March 2021 the municipality received a letter from DCoG regarding additional MIG Transfers received in March 2021 against the MIG adjusted allocation for 2020/21. Cederberg Municipality received an additional allocation of R 500 000 as gazetted in the Stopping and Re-allocation Gazette No. 44349 of 29 March 2021 - DoRA, 2020(Act No.4 of 2020), as amended by the DoRAAct, 2020 (Act No.10 of 2020) and the DoRSAA, 2020 (Act No.20 of 2020) (Annexure D).

The final adjusted 2020/21 Detailed Project Implementation Plan (Annexure E) for the increase is as follows:

PROJECT NAME	TOTAL BUDGET 2020/21
Citrusdal: New Wastewater Treatment Works	R 12 748 051.00
Citrusdal: Upgrade Roads and Stormwater Infrastructure	R 857 040.00
Clanwilliam: Upgrade Sports Fields	R 1 514 409.00
Clanwilliam: PMU 2020/21	R 779 500.00
Total 2020/21 Final Adjusted MIG Allocation (VAT Incl.)	R 15 899 000.00

Considering the site handover for the Clanwilliam Sports Fields project of 29 March 2021 and a 4 month construction period, an amount of R 1 000 000 was re-allocated to the Citrusdal: New Wastewater Treatment Works project for this year as the project has significantly progressed. This would also ensure that the municipality avoids non-expenditure on the sports field project funded by MIG and own funds. It must be noted that the reduced amount of R 1 000 000 is allocated in the 2021/22 financial year commencing in July 2021. Additionally the amount of R 500 000 is allocated to the wastewater treatment plant project.

2021/22 Medium Term Revenue and Expenditure Framework (MTREF) Period

In order to receive the first tranche of the MIG for the succeeding financial year of 2021/22, the municipality must have followed the process of approval of 2021/22 projects, and have confirmed by 30 April 2021 with the Department of Cooperative Governance, its programme, project planning and implementation readiness in the form of a council approved implementation plan that includes cashflow projections. Municipal allocations must be fully committed to registered projects prior to the year of implementation and be informed by the Integrated Development Plan (IDP) and Three-Year Capital Plan. MIG priorities set by the municipality as stated in the MIG implementation plan can only be changed in-year with other MIG registered projects, after municipal Council approval and DCoG.

The 2021/22 project implementation plan consists of projects that are contained in the Cederberg Municipality Capital Infrastructure Plan (2020/21 – 2023/24) (RB9.1.7/31-03-2021), and are registered on the MIG MIS system as guided by the MIG Framework. Additional projects are those registered during the first lockdown period of the Covid-19 pandemic. These were the Emergency Upgrades at the Elands Bay Clean Water Reservoir

in order to curb water losses, ablution facilities and wash troughs for approximately 38 households in the informal settlement of Elands Bay and the provision of 3 ablution blocks and 6 water points with related 160mm diameter sewer pipes and 75mm diameter water pipes for 52 households of Khayelitsha along the Ou Kaapse Weg.

The 2021/22 Detailed Project Implementation Plan (Annexure E) is as follows:

PROJECT NAME	TOTAL BUDGET 2021/22
Citrusdal New Wastewater Treatment Works	R 6 902 974.00
Citrusdal Upgrade Roads and Stormwater Infrastructure	R 5 184 177.00
Clanwilliam: Upgrade Sports Fields	R 1 000 000.00
Emergency Upgrades at the Elands Bay Clean Water Reservoir	R 659 438.00 Counter-funding (Own Funds) required: R 59 910.03
Elands Bay Informal Settlement	R 797 334.00
Clanwilliam Informal Settlement Water and Sanitation	R 960 077.00
2021/22 PMU (5%)	R 816 000.00
Total 2021/22 MIG Allocation (VAT Incl.)	R 16 320 000.00

Further detail regarding the projects is found on the attached DPIP (Annexure E). In line with the above, Cederberg Municipality is herewith following the process of approval of 2021/22 MIG projects, and will confirm by 30 April 2021 with the Department of Cooperative Governance the above programme, project planning and implementation readiness in the form of an implementation plan (DPIP) that includes cashflow projections. The framework requires that this implementation plan be approved by Council.

FINANCIAL IMPLICATIONS

- The original 2020/21 MIG allocation of R 15 590 000.00 has been reduced by an amount of R 191 000.00 resulting in a revised allocation of R 15 399 000.00;
- An additional amount of R 500 000 was added to the R 15 399 000.00 allocation as gazetted on 29 March 2021;
- The 2021/22 financial year MIG allocation is R 16 320 000.00 as gazetted in the DoRB B3 of 2021.

RELEVANT LEGISLATION

- a) The Municipal Finance Management Act, No. 56 of 2003;
- b) The Division of Revenue Act, 2018;
- c) The Division of Revenue Second Amendment Act No. 20 of 2020;

d) The Division of Revenue Bill, B3 of 2021.

COMMENTS: MUNICIPAL MANAGER

The item is supported.

RECOMMENDATION

The recommendation is that Council:

a) Approve the Municipal Infrastructure Grant (MIG) Detailed Project Implementation Plan (DPIP) for the remainder of the 2020/21 financial year incorporating the increased allocation of R 15 899 000, which will be reflected in the next 2020/21 adjustment budget; and

PROJECT NAME	TOTAL BUDGET 2020/21
Citrusdal: New Wastewater Treatment Works	R 12 748 051.00
Citrusdal: Upgrade Roads and Stormwater Infrastructure	R 857 040.00
Clanwilliam: Upgrade Sports Fields	R 1 514 409.00
Clanwilliam: PMU 2020/21	R 779 500.00
Total 2020/21 Final Adjusted MIG Allocation (VAT Incl.)	R 15 899 000.00

b) That Council approve the Detailed Project Implementation Plan for the MTREF period commencing from 2021/22 which includes the implementation of the following projects:

PROJECT NAME	TOTAL BUDGET 2021/22
Citrusdal New Wastewater Treatment Works	R 6 902 974.00
Citrusdal Upgrade Roads and Stormwater Infrastructure	R 5 184 177.00
Clanwilliam: Upgrade Sports Fields	R 1 000 000.00
Emergency Upgrades at the Elands Bay Clean Water Reservoir	R 659 438.00
Elands Bay Informal Settlement	R 797 334.00
Clanwilliam Informal Settlement Water and Sanitation	R 960 077.00
2021/22 PMU (5%)	R 816 000.00

Total 2021/22 MIG Allocation (VAT Incl.)	R 16 320 000.00
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APPENDIX

1. Annexure A: Division of Revenue Second Amendment Act 20 of 2020
2. Annexure B: Schedule 5B February Gazette DoR2AB, 2020/21 Adjusted Allocation
3. Annexure C_Cederberg 2020-21 MIG Reallocation
4. Annexure D_Stopping and Reallocation Gazette - Dated 29 March 2021 - Gazette No 44349
5. Annexure E_Consolidated DPIP 15.04.2021_2020-21 and 2021-22 MTREF

RESOLVED

that Council:

- a) Approve the Municipal Infrastructure Grant (MIG) Detailed Project Implementation Plan (DPIP) for the remainder of the 2020/21 financial year incorporating the increased allocation of R 15 899 000, which will be reflected in the next 2020/21 adjustment budget; and

PROJECT NAME	TOTAL BUDGET 2020/21
Citrusdal: New Wastewater Treatment Works	R 12 748 051.00
Citrusdal: Upgrade Roads and Stormwater Infrastructure	R 857 040.00
Clanwilliam: Upgrade Sports Fields	R 1 514 409.00
Clanwilliam: PMU 2020/21	R 779 500.00
Total 2020/21 Final Adjusted MIG Allocation (VAT Incl.)	R 15 899 000.00

- b) That Council approve the Detailed Project Implementation Plan for the MTREF period commencing from 2021/22 which includes the implementation of the following projects:

PROJECT NAME	TOTAL BUDGET 2021/22
Citrusdal New Wastewater Treatment Works	R 6 902 974.00
Citrusdal Upgrade Roads and Stormwater Infrastructure	R 5 184 177.00

Clanwilliam: Upgrade Sports Fields	R 1 000 000.00
Emergency Upgrades at the Elands Bay Clean Water Reservoir	R 659 438.00
Elands Bay Informal Settlement	R 797 334.00
Clanwilliam Informal Settlement Water and Sanitation	R 960 077.00
2021/22 PMU (5%)	R 816 000.00
Total 2021/22 MIG Allocation (VAT Incl.)	R 16 320 000.00

Proposed: Cllr. F Kamfer

Seconded: Cllr. E Majikijela

DA Component abstain from item

DEPARTMENT ADMINISTRATION

RB6.2.4/23-04-2021

23 APRIL 2021

**DEPARTMENT: SUPPORT SERVICES: APPOINTMENT OF THE MUNICIPAL
ELECTORAL OFFICER (MEO)**

Reference: 3/2/1/8

Director: Community Services: H Slimmert

Report compiled by: N Mercurur

PURPOSE:

The purpose of this report is to inform Council of the resignation of the Municipal Electoral Officer (MEO) and to make a recommendation to the IEC to appoint an MEO with immediate effect.

BACKGROUND:

Local Government elections are attended to by the Independent Electoral Commission (IEC) and are held in terms of the provisions of the Local Government: Municipal Electoral Act 27 of 2000. The appointment of all election officers are done by the IEC in terms of the provisions of the said Act. The officials appointed include the Local Representative of the IEC in the municipality, also referred to as the Municipal Election Officer of the MEO, presiding officers for each voting station, election officers and counting officers.

The appointment of MEOs is dealt with in section 12 of the Act, which provides as follows:

- 1) When an election has been called, the Commission must appoint, for the area of the municipality in which the election will be held, an employee or other person as its representative for the purpose of the election.
- 2) A local representative of the Commission-
 - (a) may exercise the powers and must perform the duties conferred on or assigned to a local representative by or under this Act;
 - (b) performs those functions of office subject to the directions, control and disciplinary authority of the chief electoral officer; and

- (c) holds office subject to section 37. The MEO positions are predominantly filled by municipal officials, in certain instances the Municipal Manager, but it can also be another official or person not in the service of the municipality.

The MEO exercises the powers and performs the duties assigned to him or her under the act and does so subject to the direction, control and disciplinary authority of the Chief Electoral Officer.

Section 27 of the Local Government: Municipal Electoral Act 27 of 2000 deals with the appointment of presiding officers. The said section provides as follows: As soon as practicable after an election has been called, the Commission must appoint a presiding officer and a deputy presiding officer for each voting station at which the election is to be conducted. The criteria for the appointment of election officials (presiding and deputy presiding officers, in particular) include:

- Presiding (and deputy presiding) officers must not in the last five years have held political office or been a candidate in an election or have been politically active for a political party;
- Must not, in the last five years, have held office in an organization that has party political affiliations or aims.

The Municipal Electoral Officer (MEO) for Cederberg Local Municipality has become vacant with the resignation of Mr Henry Slimmert on 1 April 2021.

In preparation for future local elections, a Municipal Electoral Officer (MEO) must be appointed by the IEC.

FINANCIAL IMPLICATIONS:

None

PERSONNEL IMPLICATIONS:

None

LEGISLATIVE IMPLICATIONS:

1. Constitution of the Republic of South – Africa, (No. 108 of 1996),
2. Municipal Structures Act, (No. 117 of 1998),
3. Municipal Electoral Act, (No. 27 of 2000)

RECOMMENDATIONS:

that in respect of the

APPOINTMENT OF THE MUNICIPAL ELECTORAL OFFICER (MEO),

discussed by Council at the Council Meeting held on 23 April 2020:

- (i) That the IEC be informed of the resignation of Mr Henry Slimmert as Municipal Manager.
- (ii) Council recommend to the IEC to appoint the Acting Municipal Manager as (Mr Andries Titus) the Municipal Electoral Officer (MEO);
- (iii) The IEC be informed accordingly.

RESOLVED:

- (i) That the IEC be informed of the resignation of Mr Henry Slimmert as Municipal Manager.
- (ii) Council recommend to the IEC to appoint the Acting Municipal Manager as (Mr Andries Titus) the Municipal Electoral Officer (MEO);
- (iii) The IEC be informed accordingly.

6.3 Matters for notification

- Director Support Services had ended and on behalf of the Administration and Council thanked mr. Memani for his selfless and good services provided to the municipality.
- The Speaker informed all that the funeral of Cllr. J Meyer will be held in due time and on behalf of Council and the Administration shared condolences to the family.

6.4 Consideration of motions of exigency

Rules of Order for internal Arrangement
Part 4

8. Motion of exigency

- 8.1 A motion of exigency exists when the attention of Municipal Council is directed to any matter not appearing on the agenda for which no notice was provided. The subject of the matter is briefly stated as well as reference to the fact that the motion to which attention has been directed be considered a matter of exigency.
- 8.2 The attention to the matter is drawn by a member. The matter is brought under the consideration of council by way of motion or question only if the motion is seconded and carried by a majority of the members present.

- Geen / None

7. CLOSURE

- Meeting adjourned.

VOORSITTER / CHAIRPERSON

DATUM / DATE