



NOTULES VAN DIE / MINUTES OF THE

RAADSVERGADERING VAN DIE CEDERBERG MUNISIPALITEIT SOOS GEHOU OP

COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY, HELD ON

31 AUGUSTUS / AUGUST 2022

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**MINUTES OF THE COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY HELD ON
31 AUGUST 2022**

Index of resolutions taken on 31 August 2022

Contents

9.1	RESOLUTIONS TAKEN BY COUNCIL	6
RB9.1.1/31-08-2022	.....	6
	ADOPTION OF THE PROCESS PLAN FOR THE PERIOD 2023-2027	6
RB9.1.3/31-08-2022	.....	7
	PROPOSED INDUSTRIAL AREA EXTENSION	7
RB9.1.4/31-08-2022	.....	8
	POLICY FOR THE NAMING & RENAMING OF STREETS, & PUBLIC PLACES	8
RB9.1.5/31-08-2022	.....	9
	AIR QUALITY MANAGEMENT BY-LAW FINE LIST	9
RB9.1.6/31-08-2022	.....	9
	CEDERBERG COASTAL MANAGEMENT BY-LAW FINE LIST	9
RB9.1.7/31-08-2022	.....	10
	CEDERBERG AMENDED COASTAL MANAGEMENT BY-LAW	10
RB9.1.8/31-08-2022	.....	10
	BY-LAW RELATING TO THE CONTROL OF BOATS AND BOATING ON THE CLANWILLIAM DAM	10
RB9.1.9/31-08-2022	.....	11
	ELAND'S BAY PUBLIC LAUNCH SITE.....	11
RB9.1.10/31-08-2022	.....	12
	QUARTERLY BUDGET INCLUSIVE OF TOP LAYER SERVICE DELIVERY IMPLEMENTATION PLAN (SDBIP) AND SUPPLY CHAIN MANAGEMENT REPORTS: APRIL 2022 – JUNE 2022	12
RB9.1.13/31-08-2022	.....	13
	DEVIATION FROM AND RATIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESSES	13
RB9.1.14/31-08-2022	.....	13
	REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD ENDING 30 JUNE 2022	13
RB9.1.15/31-08-2022	.....	14

REPORT TO COUNCIL: LEASING OF SANDVELDHUISIE, CITRUSDAL	14
RB9.1.16/31-08-2022	14
REPORT TO COUNCIL: OH DAM MUSIC FESTIVAL.....	14
RB9.1.17/31-08-2022	15
RENTING OF OFFICE SPACE BY CWP: CITRUSDAL	15
RB9.1.18/31-08-2022	16
PRE-AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022	16
RB9.1.19/31-08-2022	16
TABLING OF THE BUDGET FUNDING PLAN	16
RB9.1.20/31-08-2022	17
REPORT TO COUNCIL ON ACVV REQUEST FOR USE OF ERF 168, LAMBERT’S BAY	17
RB9.1.21/31-08-2022	17
OPPORTUNITIES FOR THE ALIENATION OF PORTION OF ERF 279, CLANWILLIAM.....	17
RB9.1.22/31-08-2022	18
REPORT TO COUNCIL: OPPORTUNITIES FOR THE ALIENATION OF MUNICIPAL PROPERTIES.....	18
9.2 URGENT ITEMS SUBMITTED BY THE ACTING MUNICIPAL MANAGER	19
RB9.2.1/31-08-2022	19
REPORT TO COUNCIL: SPECIAL COMMITTEE – R R CIAHRDS INVEGTIGATION	19
RB9.2.2/31-08-2022	20
APPOINTMENT OF MPAC (MUNICIPAL PUBLIC ACCOUNTS COMMITTEE) CHAIRPERSON	20
RB9.2.3/31-08-2022	20
CONCLUSION OF SPECIAL COMMITTEE PERTAINING ALLEGED BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS BY THE SPEAKER OF COUNCIL, CLLR. M HEINS.....	20
RB9.2.4/31-08-2022	21
COUNCIL IN RECESS.....	21

PRESENT AND IN ATTENDANCE:

As per the attendance registers copied into the minutes.

- Cllr. M Heins
- Cllr. W Farmer
- Cllr. F Kamfer
- Cllr. P Strauss
- Cllr. A Scheepers
- Cllr. R Richards
- Cllr. M Bergh
- Cllr. T Waldeck
- Cllr. F Berry
- Cllr. J Van Heerden

- Mr. C Sheldon
- Mr. A Titus
- Mr. C Appel
- Mr. N Mercur

ABSENT WITHOUT APOLOGY:

None / Geen

1. OPENING

- The Chairperson welcomed all present and Cllr. F Kamfer opened the meeting with a prayer.

2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY

- N/A

3. APPLICATIONS FOR LEAVE OF ABSENCE

- Geen / None

4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS

- Geen / None

5. CONFIRMATION OF MINUTES

Resolved:

1. That the following minutes be approved:
 - a) Council Meeting of 20 May 2022;
 - b) Special Council Meeting of 26 May 2022;
 - c) Special Council Meeting of 10 June 2022;
 - d) Special Council Meeting of 23 June 2022;
 - e) Special Council Meeting of 04 July 2022;
 - f) Special Council Meeting of 13 July 2022;
 - g) Special Council Meeting of 20 July 2022;
 - h) Urgent Special Council Meeting of 15 August 2022; and

2. That Council should note the following:
 - a) That 2 Urgent Special Council Meetings were called on 11 and 12 August 2022. Due to a lack of quorum, the meetings could not take place.

 - b) That the following Councillors were present for the meetings mentioned in point 2(a)::
 - Cllr. M Heins
 - Cllr. F Kamfer
 - Cllr. P Strauss
 - Cllr. A Scheepers
 - Cllr. W Farmer (virtually present); and

 - c) That the following Councillors were absent without apology from the meetings mentioned in point 2(a):
 - Cllr. R Richards
 - Cllr. M Bergh
 - Cllr. Cllr. T Waldeck
 - Cllr. J Van Heerden

 - d) Councillor Bergh informed council that he did tender his apology for the meeting although the Speaker did not accept it.

Proposed: Cllr. W Farmer

Seconded: Cllr. F Kamfer

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

- Geen / None

9. MATTERS FOR CONSIDERATION

9.1 RESOLUTIONS TAKEN BY COUNCIL

RB9.1.1/31-08-2022

ADOPTION OF THE PROCESS PLAN FOR THE PERIOD 2023-2027

RESOLVED:

- a) That council approve the process plan for the period 2023-2027.
- b) That council note that no public comment was received on the process plan as advertised.
- c) That a copy of the process plan 2023/27 be submitted to Provincial Government

Proposed: Cllr. F Kamfer

Seconded: Cllr. P Strauss

RB9.1.2/31-08-2022

ANNUAL PERFORMANCE REPORT 2021/2022

RESOLVED:

- a) That council approve the Annual Performance Report 2021/2022.
- b) That a copy of the Annual Performance Report 2021/2022 be submitted to the Auditor General.

Proposed: Cllr. F Kamfer

Seconded: Cllr. T Waldeck

RB9.1.3/31-08-2022

PROPOSED INDUSTRIAL AREA EXTENSION

RESOLVED:

- a) That the Council takes note of this report.
- b) Council approves in principle the commencement of the necessary processes to obtain development rights and subsequent approvals for the development of industrial erven on a portion of Erf 357 Clanwilliam.
- c) Council approves in principle the alienation of the identified portions of immovable land in terms of section 14 of the MFMA and the Asset Transfer Regulations as well as the Supply Chain Management Policy and any other related legislative requirements.
- d) Council to resolve that the asset on reasonable grounds are not needed to provide the minimum level of basic municipal services.

- e) The administration to be mandated to commence with the disposal process.
- f) Council to consider the fair market value of the asset and the economic and community value to be received in exchange for the asset.
- g) That the administration be mandated to go ahead with the alienation of the identified portion of immovable land as per the determined fair market value.

Proposed: Cllr. W Farmer
Seconded: Cllr. A Scheepers
Counter Proposal: Cllr. M Bergh
Seconded: Cllr. R Richards

VOTE		
FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1 Casting vote from Speaker - 1	CE – 3 VF+ - 1 DA - 1	-

RB9.1.4/31-08-2022

POLICY FOR THE NAMING & RENAMING OF STREETS, & PUBLIC PLACES

RESOLVED:

- a) That Council takes note of this report.
- b) That Council adopts the Policy for the Naming & Renaming of Streets, & Public Places.

Proposed: Cllr. W Farmer

Seconded: Cllr. P Strauss

RB9.1.5/31-08-2022

AIR QUALITY MANAGEMENT BY-LAW FINE LIST

RESOLVED:

1. That Council approves of administrative procedures required for the enforcement of the Cederberg Municipality Air Quality Management By-law Fine list.
2. Adopt the Air Quality Management By-law Fine list that will guide the enforcement and management of the Air pollution control zone within Cederberg

Proposed: Cllr. A Scheepers

Seconded: Cllr. W Farmer

RB9.1.6/31-08-2022

CEDERBERG COASTAL MANAGEMENT BY-LAW FINE LIST

RESOLVED:

1. That Council approve of administrative procedures required for the enforcement of the Cederberg Municipality Coastal Management By-law Fine list.
2. Adopt the Coastal Management By-law Fine list that will guide the enforcement and management of coastal areas within Cederberg;

Proposed: Cllr. F Kamfer

Seconded: Cllr. P Strauss

RB9.1.7/31-08-2022

CEDERBERG AMENDED COASTAL MANAGEMENT BY-LAW

RESOLVED:

1. That Council approves of administrative procedures required for the publication and enforcement of the Cederberg Municipality Amended Coastal Management By-law.
2. Adopts the Amended Coastal Management By-law that will guide the enforcement and management of coastal areas within Cederberg;

Proposed: Cllr. P Strauss

Seconded: Cllr. A Scheepers

RB9.1.8/31-08-2022

BY-LAW RELATING TO THE CONTROL OF BOATS AND BOATING ON THE CLANWILLIAM DAM

RESOLVED:

- 1 That Council approves of administrative procedures required for the publication and enforcement of the Cederberg Municipality Amended By-law relating to

the control of boats and boating on the Clanwilliam dam;

2. Adopts the Amended By-law relating to the control of boats and boating on the Clanwilliam dam that will guide the enforcement and management of boating on Clanwilliam dam.

Proposed: Cllr. A Scheepers

Seconded: Cllr. T Waldeck

RB9.1.9/31-08-2022

ELAND'S BAY PUBLIC LAUNCH SITE

RESOLVED:

1. Takes note and supports the Eland's Bay Public Launch site listing process that will ensure that the Eland's Bay slipway remains a lawful and registered launching site for the local fishermen community.
2. Takes note and support a lease agreement between Cederberg Municipality and Department of Public works in order to ensure that repairs can be done for the damaged slipway and break wall as well as that there can be safe launching conditions for the fishermen and their boats.
3. That Council approves the implementation of the Operational plan required for the effective management of the Eland's Bay Public Launch site.

Proposed: Cllr. P Strauss

Seconded: Cllr A Scheepers

RB9.1.10/31-08-2022

**QUARTERLY BUDGET INCLUSIVE OF TOP LAYER SERVICE DELIVERY
IMPLEMENTATION PLAN (SDBIP) AND SUPPLY CHAIN MANAGEMENT
REPORTS: APRIL 2022 – JUNE 2022**

RESOLVED:

- A. That Council takes note of the:
1. Quarterly Budget Statement inclusive of the Top Layer Service Delivery Implementation Plan (SDBIP),
 2. Virements Report for the fourth quarter, and
 3. Supply Chain Management Report for the fourth quarter.

RB9.1.11/31-08-2022

MONTHLY BUDGET STATEMENT: JULY 2022

RESOLVED:

1. That Council takes note of the Monthly Budget Statement for the month July 2022.

RB9.1.12/31-08-2022

**AMENDMENTS TO THE CUSTOMER CARE, CREDIT
CONTROL, DEBT COLLECTION AND INDIGENT
POLICY 2022/23**

RESOLVED:

1. Sections 12 (d), (e) and (f) is removed from the policy and the previous Council approval / resolution be rescinded which allows 100% exemption of interest charges and 40% on the outstanding capital amounts.
2. Council resolve to remove Section 12 (d), (e) and (f) of the Customer Care, Credit Control, Debt Collection and Indigent Policy:

Proposed: Cllr. A Scheepers

Seconded: Cllr. P Strauss

RB9.1.13/31-08-2022

DEVIATION FROM AND RATIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESSES

RESOLVED:

1. Council, in terms of Section 36 of the Supply Chain Management regulations, takes cognizance of the transactions for the month June 2022.

RB9.1.14/31-08-2022

REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD ENDING 30 JUNE 2022

RESOLVED:

- a) Council, in terms of Section 6 of the Supply Chain Management regulations, takes cognizance of the attached report.

RB9.1.15/31-08-2022

REPORT TO COUNCIL: LEASING OF SANDVELDHUISIE, CITRUSDAL

RESOLVED:

- a. The Council takes cognisance of the report;
- b. The Sandveldhuisie property is not needed to provide municipal services;
- c. The property be leased out to interested locally based organisations by means of a call for proposals.

Proposed: Cllr. F Kamfer

Seconded: Cllr. T Waldeck

RB9.1.16/31-08-2022

REPORT TO COUNCIL: OH DAM MUSIC FESTIVAL

RESOLVED:

- a) The Council takes note of the request from Camissa to host the Oh Dam Music Festival from 22 to 26 September 2022;
- b) Council recognises the importance of Oh Dam Music Festival as one of the key cultural and entertainment events on the Cederberg annual events calendar and its impact on the promotion of tourism in the region;

- c) The municipality enter into an agreement with Camissa to host the event in Cederberg over the next 3 years;
- d) The Clanwilliam Dam Resort be made available to the event at no cost;
- e) Given the municipality's financial position, the municipality is not able to make any direct financial contribution towards the staging of the event;
- f) The municipal manager be mandated to enter into a 3 year agreement with Camissa in respect of the Oh Dam Festival.

Proposed: Cllr. A Scheepers

Seconded: Cllr. W Farmer

RB9.1.17/31-08-2022

RENTING OF OFFICE SPACE BY CWP: CITRUSDAL

RESOLVED:

1. The Council takes cognisance of the report;
2. The Council approves the reduction of the rental amount to 10% of the approved Council rates and to enter into a 3 year agreement in respect of the rental of offices in Citrusdal.

Proposed: Cllr. F Kamfer

Seconded: Cllr. T Waldeck

RB9.1.18/31-08-2022

PRE-AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022

RESOLVED:

1. Council takes note of the Pre-Audited Financial Statements for the period ended 30 June 2022;
2. Council take note that the administration will make additional changes to the Pre-Audited Financial Statements before final submission to the Auditor General.

RB9.1.19/31-08-2022

TABLING OF THE BUDGET FUNDING PLAN

RESOLVED:

1. Council adopts and approves the amended Budget Funding Plan.
2. Monthly progress reports are submitted to National Treasury, Provincial Treasury and Council on the implementation of the plan.

Proposed: Cllr. F Kamfer

Seconded: Cllr. W Farmer

Counter Proposal: Cllr. R Richards

Seconded: Cllr. J Van Heerden

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4	CE – 2	CE - 1

PA – 1	VF+ - 1 DA - 1	
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RB9.1.20/31-08-2022

REPORT TO COUNCIL ON ACVV REQUEST FOR USE OF ERF 168, LAMBERT'S BAY

RESOLVED

- a) Council takes note of the application received;
- b) Council considers in principle the lease of the unregistered erf 2609 Lambert's Bay to ACVV Somerkoelte Residential Facility for the purpose of a garden;
- c) The administration be mandated and authorised to commence with the public participation process in accordance with the Municipal Finance Management Act;
- d) A report be submitted to council after the conclusion of the public participation process, for final approval.

Proposed: Cllr. W Farmer

Seconded: Cllr. A Scheepers

RB9.1.21/31-08-2022

OPPORTUNITIES FOR THE ALIENATION OF PORTION OF ERF 279, CLANWILLIAM

RESOLVED:

That:

- a) Council approves, in principle, the disposal of portions of erf 279, Clanwilliam, for economic development opportunities within the parameters of the Supply Chain Management Policy and other related legislative requirements.
- b) Cost estimates for the installation of services (if required) be done by a suitably qualified engineer.
- c) The administration be mandated to commence with the appropriate process or alternative mechanisms and submit progress reports to Council as implementation progresses.

Proposed: Cllr. F Kamfer

Seconded: Cllr. W Farmer

RB9.1.22/31-08-2022

REPORT TO COUNCIL: OPPORTUNITIES FOR THE ALIENATION OF MUNICIPAL PROPERTIES

RESOLVED:

That:

- a) Council approves, in principle, the disposal of municipal land for GAP housing and economic development opportunities within the parameters of the Supply Chain Management Policy and other related legislative requirements.

- b) Cost estimates for the installation of services be done by a suitably qualified engineer.
- c) The administration be mandated to commence with the disposal and/or appropriate process or alternative mechanisms and submit progress reports to Council as implementation progresses.

Proposed: Cllr. W Farmer

Seconded: Cllr. A Scheepers

9.2 URGENT ITEMS SUBMITTED BY THE ACTING MUNICIPAL MANAGER

RB9.2.1/31-08-2022

REPORT TO COUNCIL: SPECIAL COMMITTEE – R R CIAHRDS INVESTIGATION

RESOLVED:

That:

- a) Council Resolution RB7.1.1/13-07-2022 be amended as follows:
 - i. Mr. W Van Neel be replaced by Councillor Cllr. A Scheepers.

Proposed: Cllr. F Kamfer

Seconded: Cllr. W Farmer

RB9.2.2/31-08-2022

APPOINTMENT OF MPAC (MUNICIPAL PUBLIC ACCOUNTS COMMITTEE) CHAIRPERSON

RESOLVED:

- a) That Councillor T Waldeck is appointed as MPAC Chairperson.

Proposed: Cllr. W Farmer

Seconded: Cllr. F Kamfer

RB9.2.3/31-08-2022

CONCLUSION OF SPECIAL COMMITTEE PERTAINING ALLEGED BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS BY THE SPEAKER OF COUNCIL, CLLR. M HEINS

RESOLVED:

- a) It be noted that:
 - (I) the Special Committee concluded its investigation;
 - (II) That the Speaker of Council did not breach the Code of Conduct for Councillors; and
 - (III) That the MEC be informed, accordingly.

RB9.2.4/31-08-2022

COUNCIL IN RECESS

RESOLVED:

- a) It be noted that Council is now in recess until 12 October 2022; and
- b) That Councillors should however be available should any urgent matters arise, in which case the Speaker will liaise with the whips of the various parties

9.3 MATTERS FOR NOTIFICATION

- Geen / None

9.4 Consideration of notices of motion

- Geen / None

9.5 Consideration of notices of questions

- Geen / None

9.6 Consideration of motions of exigency

- Geen / None

10. CLOSURE

- Meeting adjourned.

VOORSITTER / CHAIRPERSON

DATUM / DATE