



**NOTULES VAN DIE / MINUTES OF THE**

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

**04 APRIL 2024**

.....

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

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**MINUTES OF THE COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY HELD ON  
28 MARCH 2024**

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**PRESENT AND IN ATTENDANCE:**

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

**ABSENT WITHOUT APOLOGY:**

- Cllr. W Farmer

**1. OPENING**

- The Chairperson welcomed all present opened the meeting with a moment of silence

.

**2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY**

- N/A

**3. APPLICATIONS FOR LEAVE OF ABSENCE**

- Geen / None

## Contents

4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS .....	4
5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER .....	5
6. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR .....	5
7. 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 .....	5
9. MATTERS FOR CONSIDERATION .....	6
9.1 RESOLUTIONS TAKEN BY COUNCIL .....	7
RB8.1.1/04-04-2024 .....	7
AMENDMENTS TO INCOME: OPERATIONAL AND CAPITAL EXPENDITURE PROJECTIONS – ADJUSTMENTS BUDGET 2023/2024 APRIL 2024 .....	7
RB8.1.2/04-04-2024 .....	8
LAND DISPOSAL MANAGEMENT POLICY .....	8
RB8.1.3/04-04-2024 .....	8
INFORMATION COMMUNICATION TECHNOLOGY STRATEGY PLAN 2024 - 2028 .....	8
RB8.1.4/04-04-2024 INFORMATION COMMUNICATION TECHNOLOGY GOVERNANCE CHARTER.....	9
RB8.1.5/28-03-2024 .....	9
HOUSE SHOP POLICY .....	9
RB8.1.6/04-04-2024 .....	10
DISPOSAL OF REMAINDER OF ERF 292 GRAAFWATER .....	10
RB9.1.7/28-03-2024 .....	10
MEMORANDUM OF AGREEMENT (MOA) BETWEEN DEPARTMENT OF WATER AND SANITATION AND CEDERBERG MUNICIPALITY .....	10
RB8.1.8/04-04-2024 .....	11
MIG: AMENDMENT OF DETAILED PROJECT IMPLEMENTATION PLAN .....	11
RB8.1.9/04-04-2024 .....	12
AMENDMENT TO THE CUSTOMERCARE, CREDIT CONTROL, DEBT COLLECTION, INDIGENT AND TAMPERING POLICY 2023/2024 .....	12
RB8.1.10/04-04-2024 .....	13
ADJUSTMENT REVIEW OF THE TL SDBIP 2023/2024 .....	13
RB8.1.11/04-04-2024 .....	14
REPORT FROM WSP – FUNDING ALLOCATION FROM THE MUNICIPAL DISASTER GRANT (MDRG) ...	14
RB8.1.12/04-04-2024 .....	14
IN-COMMITTEE: SIU INVOICE FOR SERVICES RENDERED .....	14

RB8.1.13/04-04-2024 .....	15
RECESS OF COUNCIL .....	15
RB8.2/04-04-2024 .....	15
URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER .....	15
RB8.3/04-04-2024 .....	16
MATTERS FOR NOTIFICATION .....	16
RB8.4/04-04-2024 .....	16
CONSIDERATION OF MOTIONS OF EXIGENCY.....	16
09. CLOSURE.....	16

## **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. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER**

- Consequence Management Seasonal School for Councillors. The Speaker emphasize the importance of this workshop/gathering attendance to all Councillors.

## **6. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR**

- Geen / None

## **7. 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

### 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 and 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 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 RESOLUTIONS TAKEN BY COUNCIL

### RB8.1.1/04-04-2024

#### AMENDMENTS TO INCOME: OPERATIONAL AND CAPITAL EXPENDITURE PROJECTIONS – ADJUSTMENTS BUDGET 2023/2024 APRIL 2024

##### RESOLVED

1. That Council approves the Adjustments Budget for 2023/24 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. That Council notes that the Service Delivery Budget Implementation Plan be amended in line with these adjustments.

**Proposed:** Cllr. J Van Heerden

**Secondant:** Cllr. L Venter

**Counter proposal:** Cllr. A Scheepers

**Proposed:** Cllr. F Kamfer

##### VOTE

FOR	AGAINST	ABSTAIN
3 – CE 2 – DA 1 – FF+	2 - ANC	

## RB8.1.2/04-04-2024

### LAND DISPOSAL MANAGEMENT POLICY

#### RESOLVED:

- a) That in respect of the "LAND DISPOSAL MANAGEMENT POLICY" that Council approved said policy for implementation by the administration.

**Proposed:** Cllr. J Van Heerden

**Secondant:** Cllr. L Venter

**Counter proposal:** Cllr. A Scheepers

**Proposed:** Cllr. F Kamfer

#### VOTE

FOR	AGAINST	ABSTAIN
3 – CE 2 – DA 1 – FF+	2 - ANC	

## RB8.1.3/04-04-2024

### INFORMATION COMMUNICATION TECHNOLOGY STRATEGY PLAN 2024 - 2028

#### RESOLVED:

1. That Council approved the Information Communication Strategic Plan 2024 - 2028.

**Proposed:** Cllr. F Kamfer

**Secondant:** Cllr. L Venter



## **RB8.1.4/04-04-2024 INFORMATION COMMUNICATION TECHNOLOGY GOVERNANCE CHARTER**

### **RESOLVED:**

- a) That Council approved the ICT Corporate Governance Charter.

**Proposed:** Cllr. F Kamfer

**Secondant:** Cllr. L Venter

## **RB8.1.5/28-03-2024**

### **HOUSE SHOP POLICY**

### **RESOLVED:**

- a) The item be deferred back to the administration to clarify the legal terms and language in the said policy; and
- b) Bring it back to Council for consideration.

**Proposed:** Cllr. F Kamfer

**Secondant:** Cllr. L Venter

## **RB8.1.6/04-04-2024**

### **DISPOSAL OF REMAINDER OF ERF 292 GRAAFWATER**

#### **RESOLVED**

1. That said municipal property is not required for the provision of basic municipal services;
2. That erf 292 Graafwater may be sold at market related value;
3. That the administration be mandated to complete the prescribed tender processes after which the matter is referred back to council for final consideration before transfer.
4. That all awarded tenderers must ensure to have no outstanding matters as well as unresolved matters with the municipality.

**Proposed:** Cllr. L Venter

**Secondant:** Cllr. F Kamfer

## **RB9.1.7/28-03-2024**

### **MEMORANDUM OF AGREEMENT (MOA) BETWEEN DEPARTMENT OF WATER AND SANITATION AND CEDERBERG MUNICIPALITY**

#### **RESOLVED:**

1. That the item be deferred back to the Administration until a legal opinion is obtained.

**Proposed:** Cllr. L Venter

**Secondant:** Cllr. J Van Heerden

## RB8.1.8/04-04-2024

### MIG: AMENDMENT OF DETAILED PROJECT IMPLEMENTATION PLAN

#### RESOLVED:

1. The Council took note of the content of this report;
2. The Council approved the amendment to the 2023/24 Detailed Project Implementation Plan (DPIP) of the Municipal Infrastructure Grant (MIG), resulting in the below amended budgets, in line with the adjustment budget to be tabled by the CFO.

Project Name	2023/24	2024/25
Graafwater Upgrading of Roads and Storm Water ph 1	R 372 574,65	R -
Graafwater Construction of Multi-Purpose Centre	R 565 309.11	R8 683 361.00
Clanwilliam Refurbishment of WWTP	R 3 600 000.00	R8 034 739.00
Citrusdal Upgrade Roads & Stormwater Infrastructure	R1 983 020.34	
Specialized Waste Vehicles	R 8 746 502.66	
Graafwater Upgrading of Roads and Storm Water ph 2	R 536 793.24	
PMU	R 894 800,00	R879 900.00
	R16 699 000.00	R17 598 000.00

**Proposed:** Cllr. J van Heerden

**Secondant:** Cllr. F Kamfer

**RB8.1.9/04-04-2024**

**AMENDMENT TO THE CUSTOMERCARE, CREDIT CONTROL, DEBT COLLECTION, INDIGENT AND TAMPERING POLICY 2023/2024**

**RESOLVED:**

- a) Council approved the minor change in definition in the Customer Care, Credit Control, Debt Collection, Indigent and Tampering Policy 2023/2024 as approved by Council on 31<sup>st</sup> of May 2023.
  
- b) That the amendments to the definition be implemented with effect 01<sup>st</sup> of July 2023.

**Definition as listed in the policy is:**

**"Interest"** means a charge levied on all arrear accounts calculated at a rate of 1% higher than the prime interest rate.

**Define to read:**

**"Interest"** means a charge levied on all arrear accounts 60 days and older calculated at a rate of 1% higher than the prime interest rate.

**Proposed:** Cllr. J Van Heerden

**Secondant:** Cllr. L Venter

**Counter proposal:** Cllr. A Scheepers

**Proposed:** Cllr. F Kamfer

**VOTE**

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
3 – CE 2 – DA 1 – FF+	2 - ANC	

## RB8.1.10/04-04-2024

### ADJUSTMENT REVIEW OF THE TL SDBIP 2023/2024

#### RESOLVED:

1. That council approved the Adjustment/Review Top Layer Service Delivery Budget Implementation Plan (SDBIP) 2023/24
2. That the proposed changes be made on the Web based performance system;  
and
3. That copies of the Adjustment/Review Top Layer Service Delivery Budget Implementation Plan (SDBIP) 2023/24 be made available on the Municipal Website
  - o Copies sent to Provincial Treasury, National Treasury and Department of Local Government.

**Proposed:** Cllr. J Van Heerden

**Secondant:** Cllr. L Venter

**Counter proposal:** Cllr. F Kamfer

**Proposed:** Cllr. A Scheepers

#### VOTE

FOR	AGAINST	ABSTAIN
3 – CE 2 – DA 1 – FF+	2 - ANC	

## **RB8.1.11/04-04-2024**

### **REPORT FROM WSP – FUNDING ALLOCATION FROM THE MUNICIPAL DISASTER GRANT (MDRG)**

#### **RESOLVED:**

- A) That council take note of the funds received by the MDRG and of the limited time period to effect spending thereof.

## **RB8.1.12/04-04-2024**

### **IN-COMMITTEE: SIU INVOICE FOR SERVICES RENDERED**

#### **RESOLVED:**

- a) That Council approved the agreement to enter into payment arrangements as indicated in this item.
- b) That Council mandates the Municipal Manager to request SIU recoup cost from persons implicated.

**Proposed:** Cllr. L Venter

**Secondant:** Cllr. J Van Heerden

**Counter proposal:** Cllr. F Kamfer (Officials not be held liable for the cost of the SIU investigation)

**Proposed:** Cllr. A Mouton

**VOTE**

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
2 – CE 2 – DA 1 – FF+	2 – ANC 1 - CE	-

**RB8.1.13/04-04-2024**

**RECESS OF COUNCIL**

**RESOLVED:**

- a) That Council will be in recess from 15 May 2024 until 05 June 2024; and
- b) That although in recess, Councillors be available for any meeting called by the Speaker should any urgency arise.

**Unanimous**

**RB8.2/04-04-2024**

**URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER**

- Geen / None

## **RB8.3/04-04-2024**

### **MATTERS FOR NOTIFICATION**

- Geen / None

## **RB8.4/04-04-2024**

### **CONSIDERATION OF MOTIONS OF EXIGENCY**

- Geen / None

## **09. CLOSURE**

- The Speaker congratulated and informed the meeting that he got confirmation that a certain pupil residing in Lamberts Bay just broke the South African record for 1500m for u/17. He is Khail Van Den Heever.
- Meeting adjourned.

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**VOORSITTER / CHAIRPERSON**

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**DATUM / DATE**