



NOTULES VAN DIE / MINUTES OF THE

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

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

09 DESEMBER / DECEMBER 2023

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**MINUTES OF THE URGENT SPECIAL COUNCIL MEETING OF THE
CEDERBERG MUNICIPALITY HELD ON 09 DECEMBER 2023 IN THE COUNCIL
CHAMBER AT 2A VOORTREKKER STREET, CLANWILLIAM.**

Resolutions taken at council meeting of 9 December 2022

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PRESENT AND IN ATTENDANCE:

As per the attendance register:

Cllr. M Heins
Cllr. W Farmer
Cllr. F Kamfer
Cllr. P Strauss
Cllr. A Scheepers
Cllr. R Richards
Cllr. J Hayes
Cllr. J Van Heerden
Cllr. L Venter

Mr. B Kannemeyer, Mr. M Matchaba, Mr. C Sheldon, Mr. A Titus, Mr. N Mercur, Miss E Visser, Mrs. S Mouton, Miss J Maarman, Miss J Cloete

APOLOGIES:

- Cllr. M Bergh
- Mr. C Appel (Currently in a meeting with the Auditor General)

ABSENT WITHOUT APOLOGY:

- Geen / None

1. OPENING AND WELCOMING

- The Chairperson, Cllr. M Heins welcomed all present and Cllr. J Van Heerden opened the meeting with a prayer.

2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY

N/A

3. APPLICATIONS FOR LEAVE OF ABSENCE

- Cllr. M Bergh
- Mr. C Appel (Currently in a meeting with the Auditor General)

4. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

- The Speaker, Acting Municipal Manager, Eecutive Mayor and Cllr. R Richards, welcomed Mr. Matchaba at Cederberg Municipality.

5. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

- The Executive Mayor informed the house that it is quite clear that the opposition is undermining the Rules of Order in terms of the dress code.
- He also requested that Cllr. Hayes provide an official apology regarding his accusations and allegations regarding remarks of gangsterism on social media as well as the disappearing of the television in the Lamberts Bay Council Chambers.
- It also be known that Cllr. Hayes brought Council in disrepute and that a criminal case will be opened if he (Cllr. Hayes) does not apologise.

Cllr. Van Heerden raised a point of order and mentioned that the Rules of Order speakes of a suitable dress code and Cllr. Kamfer then informed the house that the dress code matter was a ruling made by the previous Speaker so the ruling is binding and final.

In his response, Cllr Hayes informed Council that it is Cllr. Farmer's right to press charges but it be known that nor Council nor Cllr Farmer's name was mentioned in his social media posts.

Die Speaker deel die vergadering mee dat hy dit goedgepink het om die Top 12 Kampioene van die Noord-Weste Rugby Kamioenskappe te nooi vir erkenning en gelukwensing namens die Raad. Die Burgemeester en Speaker het dan die toekenning(s) oorhandig aan die bestuur van genoemde klubs, Delicious Rugby Klub van Clanwilliam en Lemoene Rugby Klub van Citrusdal. Mnr. A Titus het namens Lemoene Rugby Klub se bestuur die toekenning ontvang.

6. 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

7. MATTERS FOR CONSIDERATION

- The Speaker informed the house that Items will be handled in the following order as there are some officials that are currently busy with prior engagements.
- Cllr. Richards, through the Speaker informed Council that the Agenda currently being handled, obtain more than 1050 pages and that this document was issues less than 48 hours prior to this meeting which did not give them adequate time to prepare for the business of the day nor can they properly exercise their oversight role as Councillors.

RB7.1.9/09-12-2022

REPORT TO COUNCIL ON THE ALLOCATION OF A VACANT AND VANDALISED HOUSE SITUATED AT FAROA STREET IN LAMBERTS BAY

RESOLVED:

That:

- a) Council takes note of this item.
- b) Council consider and approve the allocation of the vacant and vandalise house in Lamberts Bay.

- c) The Human Settlements Unit is mandated to administer allocation process in conjunction with Finance department processes.
- d) Manager Administration and legal Service Unit deals with the Lease Agreement between Municipality and lessee.
- e) Human Settlement Unit provides support with the repairs to the house under the prescribed vote of Vulnerable Household Assistance
- f) Integrated Support between the different service units of Cederberg Municipality namely Technical, Administration, Finance and Human Settlement Units to conclude this project and provide report to Council on the completion.

It was further resolved that:

- g) That the matter be advertised for any objections from the community; and
- h) That a list of all vacant land and erven, in the Cederberg area, be circulated to all Councillors.

Proposed: Cllr. W Farmer

Seconded: Cllr. F Kamfer

RB7.1.1/09-12-2022

PROGRESS REPORT ON THE BUDGET FUNDING PLAN

RESOLVED

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

Proposed: Cllr. W Farmer

Seconded: Cllr. F Kamfer

Counter Proposal: Cllr. R Richards

(Does not dispute the Budget Funding Plan, however there was not adequate time to exercise their oversight role as the Agendas were late)

Seconded: Cllr. J Van Heerden

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.2/09-12-2022

DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF MEMEBERS OF MUNICIPAL COUNCILS AS PER GOVERNMENT GAZETTE NO.11440 OF 02 JUNE 2022

RESOLVED:

1. Council take cognizance of the content of the Government Gazette No. 45420, dated 02 November 2021,
2. Council take cognizance of the content of the Government Gazette No. 11440, dated 02 June 2022,
3. Council approve the implementation of the upper limits,
4. That the tools of trade be approved based on provisions made in the budget, and
5. The Speaker is mandated to handle further communication with the MEC in this regard.

Proposed: Cllr. A Scheepers

Seconded: Cllr. P Strauss

Counter Proposal: Cllr. J Van Heerden

(That the item not be approved until all relevant documentation (figures) are provided)

Seconded: Cllr. R Richards

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.3/09-12-2022

AMENDMENTS TO INCOME, OPERATIONAL AND CAPITAL EXPENDITURE PROJECTIONS – ADJUSTMENTS BUDDGET 2022/2023 - DECEMBER 2022

RESOLVED

- Council approves the Adjustments Budget for 2022/23 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
- Council notes that the Service Delivery Budget Implementation Plan be amended in line with these adjustments.

Proposed: Cllr. F Kamfer

Seconded: Cllr. W Farmer

Counter Proposal: Cllr. R Richards

Seconded: Cllr. J Van Heerden

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

1. It was further resolved that:

- a) Councillors should note that in terms of the Establishment Notice for Cederberg Municipality a majority of Councillors are 6;

- b) That a total of 6 votes, in favour of this item, will give an approval to the Adjustment Budget; and
- c) That approval for this item can't be granted due to the above mentioned votes.

RB7.1.4/09-12-2022

MONTHLY BUDGET STATEMENT: OCTOBER 2022

RESOLVED:

1. The Council takes note of the Monthly Budget Statement for the month October 2022.

RB7.1.10/09-12-2022

AMENDMENT OF THE SUPPLY CHAIN MANAGEMENT POLICY OF CEDERBERG MUNICIPALITY

RESOLVED:

1. Council adopts the amended Supply Chain Management Policy of Cederberg Municipality.

Proposed: Cllr. W Farmer

Seconded: Cllr. F Kamfer

Counter Proposal: Cllr. J Van Heerden

(There was not adequate time to exercise their oversight role as the Agendas were distributed late)

Seconded: Cllr. L Venter

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.11/09-12-2022

CEDERBERG MUNICIPAL PREFERENTIAL PROCUREMENT POLICY, 2022/2023

RESOLVED:

1. Council approves the adoption of Cederberg Municipality's Preferential Procurement Policy in terms of Section 2(1) of the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000).
2. The Cederberg Municipality's Preferential Procurement Policy takes effect on 16 January 2023.

Proposed: Cllr. F Kamfer

Seconded: Cllr. A Scheepers

Counter Proposal: Cllr. J Van Heerden

(There was not adequate time to

exercise their oversight role as the
Agendas were distributed late)

Seconded: Cllr. R Richards

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.5/09-12-2022

LAMBERTS BAY DESALINATION PLANT

RESOLVED:

- a) That Council take note of the content of this report;

RB7.1.6/09-12-2022

LAMBERTS BAY WATER CRISIS

RESOLVED:

- a) That Council take note of the contents of this report;

RB7.1.7/09-12-2022

WATER MASTER PLAN – CEDERBERG MUNICIPALITY

RESOLVED:

1. Council take note of the contents of this report;

2. Council hereby:
 - a) approve the terms of, and the transactions contemplated by, the Grant Agreement;

 - b) approves of the execution of the Grant Agreement by Municipal Manager, being the person authorised by the Municipality to execute the Grant Agreement; and

 - c) ratifies in full all actions related to the approval of the Grant Amount, the Grant Agreement, and the entry by the Municipality into the Grant Agreement.

3. Furthermore, the Municipal Manager be and is hereby authorised to:
 - a) enter into any other agreements, deeds, documents or notices (including, if relevant, any disbursement requests) which may be incidental or related to the Grant Agreement or the transactions contemplated by or the agreements referred to in the Grant Agreement and any addenda to the Grant Agreement required to amplify and/or amend any of the provisions of the Grant Agreement (collectively referred to as the "**Relevant Documents**");

 - b) negotiate, settle the final terms of, sign and implement the Relevant Documents on behalf of the Municipality;

 - c) act as the Municipality's representative to give effect to the above resolutions; and

 - d) do all acts and things so as to give effect to the resolutions contained herein and/or to give or execute all notices, communications, acknowledgements, resolutions or other documents or agreements on behalf of the Municipality in connection with the transactions contemplated thereby.

4. To the extent that the Municipal Manager has already signed any Relevant Document or done any act or thing so as to give effect to the resolutions contained herein, the actions of the Municipal Manager in this regard (to the extent legally possible) be and are hereby retrospectively approved and are ratified and adopted in their entirety.

Proposed: Cllr. A Scheepers

Seconded: Cllr. W Farmer

Counter Proposal: Cllr. J Van Heerden

(There was not adequate time to exercise their oversight role as the Agendas were distributed late)

Seconded: Cllr. R Richards

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.8/09-12-2022

REPORT TO COUNCIL ON THE ALIENATION OF NON VIABLE MUNICIPAL LAND
 PORTION OF ERF 279 CLANWILLIAM, CLANWILLIAM HILLS

RESOLVED:

That:

1. Council note that no comments or inputs have been received regarding the proposed alienation of the above-mentioned portions of land;

2. Council approve the Alienation of the Non-Viable Municipal Land: Portion of Erf 279 Clanwilliam, Clanwilliam Hills at the market value received from the independent valuer.

Proposed: Cllr. A Scheepers

Seconded: Cllr. P Strauss

Counter Proposal: Cllr. R Richards

Seconded: Cllr. L Venter

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.12/09-12-2022

TABLING OF DRAFT CASH FLOW COMMITTEE TERMS OF REFERENCE

RESOLVED:

1. Council adopts the Draft Cash Flow Committee Terms of Reference.

Proposed: Cllr. F Kamfer

Seconded: Cllr. P Strauss

Counter Proposal: Cllr. R Richards

(There was not adequate time to exercise their oversight role as the Agendas were distributed late)

Seconded: Cllr. J Van Heerden

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.13/09-12-2022

ENVIRONMENTAL MANAGEMENT ITEM: ELAND'S BAY PUBLIC LAUNCH SITE

RESOLVED:

1. That Council approves the implementation of the Operational plan required for the effective management of the Eland's Bay Public Launch site.
2. That Council supports the liaison with Department of Public Works and Department Forestry, Fisheries and Environment (DFFE) in order to source funding for the repair work.

Proposed: Cllr. P Strauss

Seconded: Cllr. A Scheepers

Counter Proposal: Cllr. R Richards

(There was not adequate time to exercise their oversight role as the Agendas were distributed late)

Seconded: Cllr. J Van Heerden

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.14/09-12-2022

WASTE MANAGEMENT ITEM: INTEGRATED WASTE MANAGEMENT PLAN

RESOLVED:

1. That Council approve of administrative procedures required for the public participation process for the Draft Integrated waste management plan for Cederberg Municipality;
2. That JPCE consultant will liaise with Council and Administration regarding the public participation time frames.
3. Adopt the Draft Integrated waste management plan.

Proposed: Cllr. F Kamfer

Seconded: Cllr. P Strauss

Counter Proposal: Cllr. R Richards

(There was not adequate time to

exercise their oversight role as
the Agendas were distributed late)

Seconded: Cllr. J Van Heerden

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.15/09-12-2022

RED TIDE EMERGENCIES AND MARINE ANIMAL BEACHING

RESOLVED:

1. That Council takes note of the content of the report, particularly the organisational capacity and financial implications. Council to approve that the emergency and disaster vote with a budget allocated to this vote during the revised budget process can be used during unforeseen red tide incidents with lobster walkouts, marine animal breaching/stranding on the beach that needs to be buried by the Municipality.
2. That Council approve of implementation of the way forward in addressing Red Tide emergency incidents along the Cederberg Municipal coastline.

A proposal from Local Municipal level is that WCDM, under the exiting WCDM: Red Tide

Emergency Plan Rock Lobster Marine Coastal Resources Contingency Emergency plan, dated 2015, take the lead in addressing Red Tide Emergencies along the West Coast District and thus provide the machinery, plant and required equipment and EPWP workers for such incidents along the coastline of the Local Municipalities under WCDM.

The Local Municipalities can assist with administrative duties, such as approval for burial sites from the required Departments, community awareness and communication, assistance with law enforcement and traffic control and possibly provision of staff and EPWP workers to assist with the clean-up/ burial operation of the beached Marine mammals.

3. That Council's point of view regarding this matter be communicated to the Technical and Community Services Directorates and to the Disaster Management and Environmental Management Directorate at WCDM, as well as to the Chairman of DFFE at the Red Tide Workshop.

Proposed: Cllr. A Scheepers

Seconded: Cllr. P Strauss

Counter Proposal: Cllr. R Richards

(There was not adequate time to exercise their oversight role as the Agendas were distributed late)

Seconded: Cllr. J Van Heerden

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.16/09-12-2022

DETAILED PROJECT IMPLEMENTATION PLAN

RESOLVED:

1. Council take note of the contents of this report;
2. Council hereby:
 - a) Approve the Municipal Infrastructure Grant (MIG) Detailed Project Implementation Plan (DPIP) for the remainder of the 2022/23 financial year incorporating the rollover amount of R 2.612 mill as per **Error! Reference source not found. & Error! Reference source not found..**

Proposed: Cllr. F Kamfer

Seconded: Cllr. A Scheepers

Counter Proposal: Cllr. R Richards

(There was not adequate time to exercise their oversight role as the Agendas were distributed late)

Seconded: Cllr. J Van Heerden

VOTE

FOR	AGAINST	ABSTAIN
ANC – 4 PA – 1	CE – 1 VF+ - 1 DA - 2	-

RB7.1.17/09-12-2022

COUNCIL IN RECESS

RESOLVED:

- a) It be noted that Council will be in recess until 09 January 2023, but Councillors be available, should any urgent matters arise.

7.2 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

- Geen / None

7.3 MATTERS FOR NOTIFICATION

- Council proceeded in an In-Committee

7.4 CONSIDERATION OF NOTICES OF MOTION

- Geen / None

7.5 CONSIDERATION OF NOTICES OF QUESTION

- Geen / None

08. CLOSURE

- Meeting adjourned.

VOORSITTER/CHAIRPERSON

DATUM/DATE