

NOTULES VAN DIE / MINUTES OF THE

RAADSVERGADERING VAN DIE CEDERBERG MUNISIPALITEIT SOOS GEHOU OP

31 MEI / MAY 2023	

COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY, HELD ON

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PRESENT AND IN ATTENDANCE:

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

Cllr. J Hayes - Cllr. F Kamfer

- Cllr. R Richards - Cllr. P Strauss

- Cllr. A Mouton - Cllr. M Heins

- Cllr. M Bergh - Cllr. A Scheepers

- Cllr. J Van Heerden - Cllr. W Farmer

- Cllr. L Venter

- Mr. GF Matthyse

- Mr. C Appel

- Mr. C Sheldon

- Mr. A Titus

- Mr. E Delport

- Mr. D Frantz

- Miss E Visser

- Miss J Maarman

- Mr. A Neethling

- Miss D Joubert

- Mr. R September

- Mr. R Bassonr

- Mr. B Zass

- Miss J Cloete

ABSENT WITHOUT APOLOGY:

Geen / None

MINUTES OF THE COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY HELD ON 31 MAY 2023

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1. OPENING

- The Chairperson welcomed all present and asked for a moment of silence.

2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY

- N/A

3. APPLICATIONS FOR LEAVE OF ABSENCE

- Geen / None

4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS

- N/A

4.1 ANNOUNCEMENT BY THE SPEAKER

 The Speaker informed the Meeting that the order of business were to be changed as Council will now convene in an In-Committee and continue after that with the open Council Meeting. He asked that the public excused themselves from this part of Council business and requested that only the necessary officials remain seated.

4.1A IN-COMMITTEE ITEMS DISCUSSED

RB9.1.19/31-05-2023	APPOINTMENT OF MUNICIPAL MANAGER
RB9.1.20/31-05-2023	APPOINTMENT OF CHIEF FINANCIAL OFFICER
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RB9.1.22/31-05-2023	LEGAL OPINION – PERFORMANCE REVIEW:
	M MEMANI
RB9.1.23/31-05-2023	CLACKSON POWER

4.1B ANNOUNCEMENT EMINATING FROM IN-COMMITTEE

 The Speaker requested that Mr. G Matthyse re-join the meeting after he was excused for 1 item from the In-Committee relating the Appointment of the Municipal Manager. The Chairperson then congratulated Mr. Matthyse on his appointment as Municipal Manager, by Council.

5. CONFIRMATION OF MINUTES

RESOLVED:

That in respect of the

CONFIRMATION OF MINUTES

discussed by Council at the Council Meeting held on 31 May 2023

- 1) That Council approved the following minutes:
 - a) Minutes of Council Meeting held on 31 March 2023;
 - b) Minutes of Urgent Special Council Meeting held on 14 April 2023; and
 - c) Minutes of Urgent Special Council Meeting held on 16 May 2023.

Proposed: Cllr. R Richards
Seconded: Cllr. A Mouton

Counter Proposal: None

6. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

 The Speaker thanked messrs. Matthyse, Appels, miss Visser and the Administration for providing the Agenda pack and for the time and effort that was put into it. He also thanked all Councillors and Mayco for their input and emphasised that this effort were much appreciated.

7. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

- See attached.

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

- a) Council takes cognisance of the Mayco minutes of 26 April 2023; and
- b) Council takes cognisance and condone the Mayco resolution taken on 19 May 2023:
 - (i) BK8.1.10/19-05-2023 REQUEST TO TEST THE MARKET WITH A REQUEST FOR PROPOSAL TO FOR CERTAIN MUNICIPAL SERVICE DELIVERY RELATED FUNCTION:
 - 1. That Mayoral Committee approved of the following potential areas identified for the first round of RFP's:
 - 1.1 Resorts
 - 1.2 Tourism function
 - 1.3 Pipe and Pump repair services
 - 1.4 Renewable energy
 - 1.5 Debt collection
 - 1.6 Ombudsman and whistle blowing services
 - 1.7 Solid waste removal
 - 1.8 Vehicle Test and Examination center
 - 2. The Administration be mandated to proceed with the RFP's after approval from Council is obtained.

9. MATTERS FOR CONSIDERATION

9.1 RESOLUTIONS TAKEN BY COUNCIL

RB9.1.1/31-05-2023 ADOPTION OF THE FINAL AMENDED FIFTH (5th) GENERATION INTEGRATED DEVELOPMENT PLAN FOR 2023/2024:

RESOLVED:

- 1. That Council take note of the processes followed to develop the Final Amended Fifth (5th) Generation Integrated Development Plan for 2023/2024;
- 2. That Council approve the Final amended fifth Generation Integrated Development Plan 2023-2024;
- 3. That Council take note of the changes as specified on the memorandum in terms of MSA Regulation 3;
- 4. That council take note of the public participation process on the IDP, SDF and Budget.
- 5. Council to note that the SDF has been included as a chapter in the IDP and that the full document are included as a separate item for adoption;
- 6. Council to note that all outstanding information i.e Executive summary and Chapter 5 has been included in the Final IDP;
- 7. That copies of the Final amended IDP document be made available at the following places:
 - Municipal Offices
 - Municipal Libraries
 - Municipal Website
 - Copies sent to Provincial Treasury, National Treasury and Department of Local Government.

Proposed: Cllr. R Richards

Seconded: Cllr. J Van Heerden

No Counter Proposals

RB9.1.2/31-05-2023

TABLING OF 2023/2024 ANNUAL BUDGET

RESOLVED:

- 1. That Council approved the final tabled annual budget of Cederberg municipality for the financial year 2023/24 and the two outer years 2024/25 and 2025/26 as per Annexure A (Budget schedules A1 to A10 and supporting schedules SA1 to SA 38.
- 2. Council approved the final tabled 2023-2024 Annual Budget Report as Annexure B;
- 3. That Council approved the final tabled property rates and tariffs on service charges and other municipal services as contained in Annexure C for the 2023/24 financial year and also with the following amendments:
 - 3.1 <u>Malkopbaai</u> must be removed from tariff list as the municipality no longer owns this asset.

3.2 Caravan Park tariff changes:

- a. A standard tariff applies equally to all caravan parks.
- b. That standard fee for 2023/24 budget year to be R4,400.00 (four thousand four hundred rand) per month across all caravan parks for long term clients.
- c. Long term stay to be limited to 3 months excluding peak periods namely December (Christmas and New Year) and Easter weekend.
- d. The percentage increase to be 15% (and not the 5,3%) as it currently reflects in the tariff list.

3.3 All Garden Rubble including Household Waste:

Garbage (Residential and/or Business) up to 1 ton of vehicle capacity/ refuse dumped at



zero

municipal Landfill sites		
Garbage (Residential and/or Business) 1- 3 tons		
of vehicle capacity/ refuse dumped at municipal		
Landfill sites	New	250,00
Garbage (Residential and/or Business) 3 tons		
and above of vehicle capacity/ refuse dumped at		
municipal Landfill sites	New	500,00
'		1

3.4 Town Planning

3.4.1 Residential Buildings be changed to:

0 - 25m ²	625,65	5,3%	658,81	691,09	723,57
>26 - 50m²	1 279,27	5,3%	1 347,08	1 413,08	1 479,50
>51 - 75m²	1 943,20	5,3%	2 046,19	2 146,45	2 247,34
>76 - 100m²	3 082,62	5,3%	3 246,00	3 405,06	3 565,10
>101 - 125m²	3 540,45	5,3%	3 728,10	3 910,78	4 094,58
>126 - 150m²	4 375,15	5,3%	4 607,03	4 832,78	5 059,92
>151 - 175m²	5 376,19	5,3%	5 661,13	5 938,52	6 217,64
>176m² - 200m²	6 496,48	5,3%	6 840,79	7 175,99	7 513,26
>200m² = R25/m²					

- 4. That Council approves the electricity tariffs as included in Annexure C as approved by NERSA.
- 5. That Council adopt and approves the budget related policies listed in Annexure D, as workshopped with Council;
- 6. That the tabled Service Level Standards Framework attached as Annexure E be approved;
- 7. That the 2023/24 MTREF Procurement Plan per Annexure F be approved;

- 8. That Council approves the Quality Certificate & Budget Locking Certificate as set out in Annexure G; and
- 9. That Council takes note of the Tariff Setting Tool as per Annexure K.

Proposed: Cllr. J Van Heerder

Seconded: Cllr. L Venter

No Counter Proposals

RB9.1.3/31-05-2023 TABLING OF THE BUDGET FUNDING PLAN

RESOLVED:

- 1. Council adopted and approved the amended Budget Funding Plan; and
- 2. That monthly progress reports are submitted to National Treasury, Provincial Treasury and Council on the implementation of the plan.

It was further resolved that:

- 3. At the next Council Meeting a Budget Funding Plan be tabled again, inclusive of the following detail:
 - a) Action steps
 - b) Detail in terms of monies
 - c) Alignment in terms of collection rate
 - d) Policy alignment

Proposed: Cllr. J Van Heerden

Seconded: Cllr. L Venter

No Counter Proposals

RB9.1.4/31-05-2023 DRAFT TOP LAYER SERVICE BUDGET IMPLEMENTATION PLAN 2023/2024

RESOLVED:

1. That Council take note of the content of the Draft Top Layer Service Delivery Budget Implementation Plan (SDBIP) for the 2023/2024 financial year,

 That the Mayor approves the Top Layer Service Delivery Budget Implementation Plan (SDBIP) for the 2023/2024 financial year as prescribed in Chapter 7, Section 53 of the Municipal Financial Management Act of the Local Government: Municipal Finance Management Act, 56 of 2003.

RB9.1.5/31-05-2023 ADOPTION OF THE AMENDED CEDERBERG SPATIAL DEVELOPMENT FRAMEWORK

RESOLVED

a) That Council take note of this report.

b) That Council adopted the amended Cederberg Spatial Development Framework in terms of section 7(3) of the Cederberg Municipality: By-Law on Municipal Land Use Planning (PN8062/2019), subject to the following:

c) That the Council resolution must, within 14 days of decision making, give notice of its decision in the media and Provincial Gazette;

d) Any stakeholder commenting in the public participation process be informed by council's decision; and

e) All future development proposals be evaluated in accordance with the principles as set in the Cederberg Municipality's Spatial Development Framework.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. L Venter

No Counter Proposals

RB9.1.6/31-05-2023 BIODIVERSITY SECTOR PLAN

RESOLVED:

A. That Council:

- 1. Noted and adopted the Biodiversity Sector Plan.
- 2. Include the final plan in the Integrated Development Plan.

Proposed: Cllr. A Mouton Seconded: Cllr. L Venter **No Counter Proposals**

RB9.1.7/31-05-2023 **REPORT 2021/22**

OVERSIGHT REVIEW OF THE ANNUAL

RESOLVED

- 1. Council, having fully considered the MPAC Oversight Report on the Annual Report 2021/2022 of Cederberg Municipality, adopted the Oversight Report.
- 2 Council, having fully considered the Final Annual Report 2021/2022, attached hereto, adopted the Annual Report 2021/2022 with reservations re: 4.4 of the Oversight Report 2021/2022;
- 3. The MPAC Oversight Report 2021/2022 be made public in accordance with Section 129(3) of the MFMA, and;
- 4. The MPAC Oversight Report on the Annual Report 2021/2022 be submitted to the Provincial Legislature in accordance with Section 132(2) of the MFMA.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. L Venter **No Counter Proposals**

It be noted that CIIr. F Kamfer requested that the Municipal Manager and CFO investigate a few figures mentioned in the report i.e. the R296 000.

RB9.1.8/31-05-2023 MUNICIPAL DEBT RELIEF APPLICATION

RESOLVED:

1. That Council:

- a. Submit a written application to the National Treasury to qualify for the relief as set-out in MFMA Circular 124 (included in Attachment 1);
- Approved the Municipal Manager and Chief Financial Officer's motivation included as part of the municipality's application for Municipal Debt Relief (included in Attachment 2);
- c. Approved the conditions for Municipal Debt Relief set out in MFMA Circular 124 (item 6.1 to 6.14) and Section 2 in the Municipal Debt Relief Application (Attachment 2) and
- d. Provide assurance to monitor compliance with the conditions for Municipal Debt Relief to the satisfaction of National Treasury included in Section 2.2.7 in the Municipal Debt Relief Application (Attachment 2);
- e. Approved the submission to the National Treasury of the indigent information included in Section1.2.4 in the Municipal Debt Relief Application (Attachment 2);
- f. Approved the submission to the National Treasury of the revenue collection related information included in Section 2.2.5 in the Municipal Debt Relief Application (Attachment 2);
- g. Approved the submission of the information to the National Treasury validating the completeness of the Municipality's revenue base included in Section 2.2.6 of the Municipal Debt Relief Application (Attachment 2); and

h. Approved through a signed Council resolution and as an instruction to the Municipal Administration it's approval to submit the application for Municipal Debt Relief as required in MFMA Circular 124 (Item 3.5).

Proposed: Cllr. R Richards

Seconded: Cllr. J Van Heerden

No Counter Proposals

Speaker allowed a 5minute break requested by Cllr. J Van Heerden. After 5 minutes the meeting convened.

RB9.1.9/31-05-2023 AMENDMENT OF THE PREFERENTIAL PROCUREMENT POLICY OF CEDERBERG MUNICIPALITY

RESOLVED:

1. Council adopts the amended Preferential Procurement Policy of Cederberg Municipality.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. W Farmer

No Counter Proposals

RB9.1.10/31-05-2023 AMENDMENT OF THE SUPPLY CHAIN MANAGEMENT POLICY OF CEDERBERG MUNICIPALITY

1. Council adopted the Supply Chain Management Policy of Cederberg Municipality with the following amendments:

Section 29 - Bid Adjudication Committees

2(e) The AO may utilise the services of the West Coast District Municipal Area's senior managers to serve on its BAC, in event of not having a fully composed committee.

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Proposed: Cllr. R RichardsSeconded: Cllr. W FarmerNo Counter Proposals

RB9.1.11/31-05-2023 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 April 2023.

RB9.1.12/31-05-2023 ADOPTION OF THE INTEGRATED WASTE MANAGEMENT PLAN (IWMP)

- 1. That Council adopted the final Integrated Waste Management Plan for Cederberg Municipality;
- 2. That Council Include the final plan in the Integrated Development Plan; and

3. Implement the final IWMP.

Proposed: Cllr. A Mouton
Seconded: Cllr. L Venter

No Counter Proposals

RB9.1.13/31-05-2023 REPORT TO COUNCIL ON THE ALIENATION OF ERF 1669 AND ERF 1427, PAUL DE VILLIERS STREET, CITRUSDAL

RESOLVED:

That,

a) Council noted that these assets are not needed to provide the minimum level of basic services, and <u>approved a call for proposal</u> of the property for commercial and local economic development within the parameters of the Supply Chain Management Policy and other related legislative requirements

b) The Administration Department be mandated to administer the process for the call for <u>proposal</u> and submit progress reports to Council as implementation progresses.

c) That such process includes detailed specifications, thus ensuring it is aligned with content of this item.

Proposed: Cllr. L VenterSeconded: Cllr. F Kamfer

No Counter Proposals

RB9.1.14/31-05-2023 REPORT TO COUNCIL ON LIQUOR LICENCE APPLICATION FOR JAMAKA BK, TO TRADE UNDER THE BUSSINESS JAMAKA CAFE; JAMAKA ORGANIC FARM & RESORT; OU KAAPSE WEG, CLANWILLLIAM, WESTERN CAPE

a) That Council referred the application back to the Administration

RB9.1.15/31-05-2023 PROPERTIES

ACQUISITION OF COUNCIL

RESOLVED:

 Cederberg municipal council accepted the expropriation of the relevant properties by Department Water and Sanitation, i.e. portions of Remainder Erf 279, Remainder Erf 357, and Erf 478 Clanwilliam.

 That Council mandate the Municipal Manager to follow due processes in obtaining the market related value for the properties in question. The valuation report for the abovementioned properties can be requested from the Department Water and Sanitation to fast track the process.

3. That Council gives consent to the Administration facilitating the process of acquisition of Council properties with the Department of Water and Sanitation.

4. That Council gives consent to the acquisition of Council above-mentioned properties, subject to the negotiation regarding the valuation report and Municipal Manager's recommendation.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. L Venter

No Counter Proposals

RB9.1.16/31-05-2023 AMENDMENT OF THE MIG DPIP (MUNICIPAL INFRASTRUCTURE GRANT DETAILED PROJECT IMPLEMENTATION PLAN)

1. That Council approves the amendment of the "DPIP" for the financial year 2022/2023.

Proposed: Cllr. A Mouton

Seconded: Cllr. J Van Heerden

No Counter Proposals

RB9.1.17/31-05-2023 APPROVAL OF POLICIES AND HUMAN RESOURCES STRATEGY ALIGNED WITH THE MUNICIPAL STAFF REGULATIONS

RESOLVED:

- That Council approved the implementation of the below-mentioned policies and human resources strategy as aligned with the new Local Government Municipal Staff Regulations as promulgated in Government Gazette 45181 of 20 September 2021:
 - 1.1 Recruitment and selection
 - 1.2 Acting Allowance
 - 1.3 Employment Equity
 - 1.4 Induction and On-boarding
 - 1.5 Probation
 - 1.6 Education, Training & Development
 - 1.7 Scarce Skills & Retention
 - 1.8 Placement
 - 1.9 T.A.S.K Job Evaluation
 - 1.10 Exit Management
 - 1.11 Human Resources Strategy

And

2. That such policies and Human Resources Strategy be approved for implementation as of 01 June 2023

Proposed: Cllr. L Venter

Seconded: Cllr. J Van Heerden

No Counter Proposals

RB9.1.18/31-05-2023 DATES AND FREQUENCY OF FUTURE MEETINGS / DATUMS EN FREKWENSIE VAN TOEKOMSTIGE VERGADERINGS

RESOLVED:

- 1. The dates be approved for Council- , Executive Mayoral Committee- and Portfolio Committee Meetings of the Cederberg Municipality; and
- 2. That the public be informed accordingly.

Proposed: Cllr. R Richards **Seconded**: Cllr. A Mouton

No Counter Proposals

Miss. E Visser informed the meeting that there are certain compliance matters that need to be dealt with before year-end and requested that a Special Council be held before30 June 2023 to address these matters, if the Speaker and Council will allow. The Speaker responded and informed her that his office will revert back to the Administration in due time.

RB9.2/31-05-2023 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

A: The Municipal Manager informed Councill on the following:

1. JAMBOREE:

Clanwilliam 3rd, Lamberts Bay 10th, Elands Bay and Graafwater 24th.

2. EMERGENCY LOADSHEDDING PACKS:

Mid July – Hit the streets and hand out emergency loadshedding packs to all our indigent customers, donated by WCPG.

VOORSITTER / CHAIRPER	SON	DATUM / DATE
 Meeting adjourned 	at 16h45.	
10. CLOSURE		
- Geen / None		
RB9.5/31-05-2023	CONSIDERATION OF MOTIONS OF	EXIGENCY
- Geen / None		
RB9.4/31-05-2023	CONSIDERATION OF MOTIONS OF	QUESTIONS
- Geen / None		

MATTERS FOR NOTIFICATION

RB9.3/31-05-2023