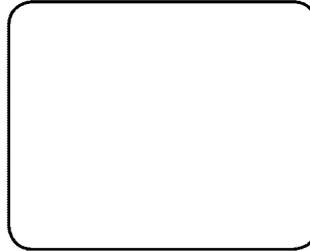


NORTHERN CAPE PROVINCE

PROFENSI YA KAPA-BOKONE

NOORD-KAAP PROVINSIE



IPHONDO LOMNTLA KOLONI

**Provincial Gazette
Kasete ya Profensi**

**iGazethi YePhondo
Provinsiale Koerant**

Vol. 25

KIMBERLEY
21 MAY 2018
21 MEI 2018

No. 2182

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Closing times for **ORDINARY WEEKLY** **2018** **NORTHERN CAPE PROVINCIAL GAZETTE**

The closing time is **15:00** sharp on the following days:

- **20 December 2017**, Wednesday for the issue of Monday **01 January 2018**
- **29 December 2017**, Friday for the issue of Monday **08 January 2018**
- **08 January**, Monday for the issue of Monday **15 January 2018**
- **15 January**, Monday for the issue of Monday **22 January 2018**
- **22 January**, Monday for the issue of Monday **29 January 2018**
- **29 January**, Monday for the issue of Monday **05 February 2018**
- **05 February**, Monday for the issue of Monday **12 February 2018**
- **12 February**, Monday for the issue of Monday **19 February 2018**
- **19 February**, Monday for the issue of Monday **26 February 2018**
- **26 February**, Monday for the issue of Monday **05 March 2018**
- **05 March**, Monday for the issue of Monday **12 March 2018**
- **12 March**, Monday for the issue of Monday **19 March 2018**
- **16 March**, Monday for the issue of Monday **26 March 2018**
- **23 March**, Monday for the issue of Monday **02 April 2018**
- **28 March**, Wednesday for the issue of Monday **09 April 2018**
- **09 April**, Monday for the issue of Monday **16 April 2018**
- **16 April**, Monday for the issue of Monday **23 April 2018**
- **20 April**, Friday for the issue of Monday **30 April 2018**
- **26 April**, Thursday for the issue of Monday **07 May 2018**
- **07 May**, Monday for the issue of Monday **14 May 2018**
- **14 May**, Monday for the issue of Monday **21 May 2018**
- **21 May**, Monday for the issue of Monday **28 May 2018**
- **28 May**, Monday for the issue of Monday **04 June 2018**
- **04 June**, Monday for the issue of Monday **11 June 2018**
- **11 June**, Monday for the issue of Monday **18 June 2018**
- **18 June**, Monday for the issue of Monday **25 June 2018**
- **25 June**, Monday for the issue of Monday **02 July 2018**
- **02 July**, Monday for the issue of Monday **09 July 2018**
- **09 July**, Monday for the issue of Monday **16 July 2018**
- **16 July**, Monday for the issue of Monday **23 July 2018**
- **23 July**, Monday, for the issue of Monday **30 July 2018**
- **30 July**, Monday for the issue of Monday **06 August 2018**
- **03 August**, Friday for the issue of Monday **13 August 2018**
- **13 August**, Monday for the issue of Monday **20 August 2018**
- **20 August**, Monday for the issue of Monday **27 August 2018**
- **27 August**, Monday for the issue of Monday **03 September 2018**
- **03 September**, Monday for the issue of Monday **10 September 2018**
- **10 September**, Monday for the issue of Monday **17 September 2018**
- **17 September**, Monday for the issue of Monday **24 September 2018**
- **21 September**, Friday for the issue of Monday **01 October 2018**
- **01 October**, Monday for the issue of Monday **08 October 2018**
- **08 October**, Monday for the issue of Monday **15 October 2018**
- **15 October**, Monday for the issue of Monday **22 October 2018**
- **22 October**, Monday for the issue of Monday **29 October 2018**
- **29 October**, Monday for the issue of Monday **05 November 2018**
- **05 November**, Monday for the issue of Monday **12 November 2018**
- **12 November**, Monday for the issue of Monday **19 November 2018**
- **19 November**, Monday for the issue of Monday **26 November 2018**
- **26 November**, Monday for the issue of Monday **03 December 2018**
- **03 December**, Monday, for the issue of Monday **10 December 2018**
- **10 December**, Monday, for the issue of Monday **17 December 2018**
- **14 December**, Friday for the issue of Monday **24 December 2018**

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 59 OF 2018**KGATELOPELE MUNICIPALITY****Revision of the Spatial Development Framework (SDF) of the Kgatelopele Local Municipality**
KLM2017/18/016

Notice is hereby given of the intention of the Kgatelopele Municipality to review and expand the Spatial Development Framework in terms of the Spatial Planning and Land Use Management Act (Act 16 of 2013).

The Spatial Development Framework is a strategic document setting out objectives reflecting the desired spatial form of the municipality, as well as identifying strategies and policies through which to achieve such objectives. Further details and complete documentation will be made available to the general public for inputs and comments throughout the process. The town planning firm, Macroplan (4A Murray Avenue) has been appointed by the Kgatelopele Municipality to complete this project.

Further details and background to the process may be attained from the Kgatelopele Municipality (Head Town Planner, Mr Thanyani Mushadu), Telephone 053 384 8600, during normal office hours (Mondays to Fridays, 07:30 to 12:30 and 13:30 to 16:30).

You are invited to register as an interested and affected party for the above mentioned processes at the offices of Macroplan Upington (4A Murray Avenue, Upington – Len Fourie and Rienie Cornelissen), telephone 054 332 3642 during normal office hours (Mondays to Fridays, 08:00 to 13:00 and 14:00 to 16:30), e-mail: macroplan@mweb.co.za.

The Municipal Manager
P.O Box 43
Daniëlskuil
8405

The Kalahari Bulletin: 17 May 2018
Provincial Gazette: 21 May 2018

KENNISGEWING 59 VAN 2018
MUNISIPALITEIT KGATELOPELE

Hersiening van die Ruimtelike Ontwikkelingsraamwerk (ROR) van die Plaaslike Munisipaliteit Kgatelopele
KLM2017/18/016

Kennis geskied dat die Munisipaliteit Kgatelopele beoog om die Ruimtelike Ontwikkelingsraamwerk te hersien en uit te brei in terme van die Ruimtelike Beplanning en Grondgebruik Bestuurswet (Wet 16 van 2013).

Die Ruimtelike Ontwikkelingsraamwerk is 'n strategiese dokument wat die doelwitte vir 'n wenslike stedelike vorm van die munisipaliteit uiteensit en wat ook strategieë en beleide identifiseer waardeur doelwitte bereik moet word. Nadere besonderhede en volledige dokumentasie sal deur die loop van die proses aan die algemene publiek, vir insette en kommentaar beskikbaar gestel word. Die Stadsbeplanningsfirma, Macroplan (Murraylaan 4A, Upington), is aangestel deur die Munisipaliteit Kgatelopele om die projek af te handel.

Nadere besonderhede in verband met die proses en die agtergrond tot die proses is verkrygbaar vanaf die Munisipaliteit Kgatelopele (Hoof Stadsbeplanner, Mnr. Thanyani Mushadu), Telefoon 053 384 8600, gedurende normale kantoorure (Maandae tot Vrydae, 07:30 tot 12:30 en 13:30 tot 16:30).

U word uitgenooi om te registreer as 'n belanghebbende en geaffekteerde party vir bovermelde proses by die kantore van Macroplan Upington (Murraylaan 4A, Upington – Len Fourie en Rienie Cornelissen), Telefoon 054 332 3642 gedurende normale kantoorure (Maandae tot Vrydae, 08:00 tot 13:00 en 14:00 tot 16:30), e-pos: macroplan@mweb.co.za.

Die Munisipale Bestuurder

Posbus 43
Daniëlskuil
8405

Die Kalahari Bulletin: 17 Mei 2018
Provinsiale Koerant: 21 Mei 2018

NOTICE 60 OF 2018

DAWID KRUIPER MUNICIPALITY

Spatial Planning and Land Use Management Act, 2013 [ACT 16 of 2013]

Applicant: Macroplan

Nature of application:

Removal of restrictive title conditions as enumerated in Title Deed T003047/2010, Section 2. (i) & Section 3. (1), (2), (3), (6), (7) & (8) in order to make the rezoning on Portion 107 of Farm Mier No. 585, Mier, possible.

Full particulars can be obtained from the Town Planner of the Council, Telephone 054-3387074, during normal office hours (Mondays to Fridays, 07:30 to 12:30 and 13:30 to 16:30) and objections against the application, if any, must be lodged in writing to the Town Planning Section of Council on or before **Friday, 08 June 2018**. Any person with objections against the application, who is unable to write, can report to Mr J du Plessis in office 071, during normal office hours, who will put such a person's objections in writing.

E NTOBA
MUNICIPAL MANAGER
Burger Centre
Private Bag X6003
UPINGTON
8800

KENNISGEWING 60 VAN 2018**MUNISIPALITEIT DAWID KRUIPER*****"Spatial Planning and Land Use Management Act", 2013 [Wet 16 van 2013]***

Aansoeker: Macroplan

Aard van aansoek:

Opheffing van beperkende titelvoorwaardes, soos vervat in Titelakte T003047/2010, Afdeling 2. (i) & Afdeling 3. (1), (2), (3), (6), (7) & (8) ten einde die hersonering op Gedeelte 107 van Plaas Mier No. 585, Mier, moontlik te maak.

Nadere besonderhede is verkrygbaar vanaf die Raad se Stadsbeplanner, Telefoon 054-3387074, gedurende normale kantoorure (Maandag tot Vrydag, 07:30 tot 12:30 en 13:30 tot 16:30) en besware teen die aansoek, indien enige, moet skriftelik voor of op **Vrydag, 08 Junie 2018**, by die Raad se Stadsbeplanningsafdeling ingedien word. Indien enige persoon wat kommentaar wil lewer/vertoë wil rig, nie kan skryf nie, kan sodanige persoon gedurende normale kantoorure by Mnr J du Plessis by kantoor 071 aanmeld, waar sodanige persoon se kommentaar/vertoë op skrif gestel sal word.

E NTOBA
MUNISIPALE BESTUURDER
Bugersentrum
Privaatsak X6003
UPINGTON
8800

PROCLAMATION • PROKLAMASIE

PROCLAMATION 1 OF 2018



**STANDING RULES AND
ORDERS REGULATING THE
MEETINGS OF THE COUNCIL
OF KAMIESBERG
MUNICIPALITY AND ALL ITS
COMMITTEES**

STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

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STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

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STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

1. Application of rules

- 1.1 The rules of order contained herein apply to all meetings of the Municipal Council and any Committee of the Municipal Council as well as any other Committee established within the municipality, unless the terms of reference for a specific structure explicitly excludes the application of the rules for such structure.
- 1.2 The rules are aimed at allowing free, open and constructive debate during meetings. The rules are encouraged and promote freedom of expression in such a manner that orderly debate is ensured within the time constraints of time allocated to meetings.
- 1.3 The rules endeavour to create the opportunity for councillors serving in council structures to air their view on any matter of public importance.

2. Definitions

The following terms and phrases used in these rules shall have the meaning assigned to them hereunder:

"Committee" shall mean any committee established in the municipality, including committees established in terms of section 79 and 80 of the Structures Act;

"Constitution" shall mean the Constitution of the Republic of South Africa, 1996;

"Council" shall mean the municipal council for the Kamiesberg Local Municipality;

"Mayor" shall mean the Mayor of the municipality as elected in terms of section 48 of the Structures Act;

"Member" shall mean a councillor serving in the municipal council of the municipality;

"Motion" shall mean a matter submitted by a member in accordance with rule 28 below;

"Municipality" shall mean the Kamiesberg Local Municipality;

"Procedural motion" shall mean a matter raised by a member at a meeting in terms of section

"Report" shall mean any item appearing on the agenda for consideration by the council or a committee;

"Senior managers" shall mean the persons appointed by the council as the municipal manager and all managers directly accountable to the municipal manager as approved on the official organisational structure of the municipality

"Speaker" shall mean the person as elected in terms of section 36 of the Structures Act;

"Structures Act" shall mean the Local Government: Municipal Structures Act, 1998;

STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

"Sub-committee" means any other committee, other than the executive committee / mayoral committee or committees appointed by the council or the executive committee;

"Systems Act" shall mean the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

"Whip" shall mean a member of the municipal council appointed by each political party represented in council to perform the function referred to in rule 9.8

3. Meeting of council open to public

The Municipal Council shall conduct its business in an open manner and every meeting of the council and all committees, shall be open to the public; provided that this section shall not apply when it is reasonable and justifiable to do so having regard to the nature of the business being transacted in terms of section 20 (1) (a) and (b) of the Systems Act and section 31 (1) of the Structures Act.

4. Council meetings

The Council shall hold an ordinary meeting for the transaction of business not less than once in every three months.

5. Special council meetings

5.1 The Speaker may at any time of own accord and shall, upon request in writing of not less than one-third of the councillors of the municipality, call a special meeting of the council, provided that no such special meeting shall take place unless all councillors were given at least 48 hours' notice prior to the date and time set for the meeting.

5.2 In the event where the Speaker fails and/or refuses to call a special meeting when requested in accordance with rule 5.1 above, the Municipal Manager must convene such meeting and conduct an election of an acting Speaker in terms of section 41 of the Structures Act.

6. Service of notices

At least 7 days before any ordinary meeting of the council and at least forty-eight (48) hours before any special meeting of the council, a summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Speaker or the acting Speaker as contemplated in rule 5.2 above, shall be:

- i. left or delivered to an accessible distribution point within the municipality as determined by the council from time to time;
- ii. sent by electronic mail to an address provided by the councillor as his/her official address / mail address.

STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

7. Non-service of notices

- i. A councillor may request an investigation by the Speaker regarding the non-receipt of a notice to attend council or any of its committee meetings;
- ii. Accidental non-receipt of a notice to attend a meeting shall not affect the validity of any meeting or proceedings of council or any of its committees.

8. Urgent matters

- 8.1 No business shall be transacted at a meeting of the Council or any Committee other than that specified in the summons relating thereto, except any matters which the relevant chairperson considers urgent and the said chairperson has ruled the matter to be urgent.
- 8.2 The Municipal Manager may raise matters which in his / her discretion is urgent, for decision by the Council. A matter will be deemed urgent when the decision required, if delayed, would prejudice the Council and / or its operations.
- 8.3 The Speaker or chairperson of the meeting will determine an appropriate time when the Municipal Manager may raise urgent matters and the time available for discussion thereof; provided that the Speaker may rule that the matter is not urgent as defined in rule 8.2 above.

9. Conduct at meetings

The Speaker or the chairperson of the meeting in the event of a meeting other than a council meeting shall:

1. Maintain order during meetings
2. Ensure compliance with the Code of Conduct for Councillors during meetings
3. Ensure that meetings are conducted in accordance with these Rules of Order
4. Ensure that members conduct themselves in a dignified and orderly manner during meetings
5. Ensure that members of the public attending meetings are seated in areas designated for that purpose
6. Ensure that members of the public attending meetings conduct themselves in an orderly manner and obey any ruling made by the Speaker or chairperson of the meeting
7. Ensure that any councillor or member of the public refusing to comply with the ruling of the Speaker or chairperson leaves the meeting
8. Ensure that the Whip of each political party represented in the municipal council, is responsible for maintaining discipline of his /her party's members during any meeting of the Council. Failure by any such Whip to take appropriate action may be dealt with in

STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

terms of Rule 9.2.

10. Interpretation of rules

The ruling of the Speaker or the Chairperson in the event of a meeting other than a council meeting, with regard to the application and interpretation of these Rules as well as other procedural matters not dealt with in the Rules of Order is final and binding, once the Speaker/chairperson has given his/her reasons for a ruling.

11. Quorum and acts of Council

11.1 A majority of the councillors must be present at a meeting of the council before any matter may be considered and / or voted on.

11.2 In the event of no quorum for a meeting, the meeting must be suspended for no more than 30 minutes, and if at the end of the said period there is still no quorum, the Speaker or chairperson may suspend the meeting for such a period he/she deems fit and thereafter adjourn the meeting to another date, time and/or venue.

12. Decisions and Voting

12.1 Subject to rule 12.3 below, all matters will be decided by a majority of councillors present at the meeting.

12.2 Before a formal vote is taken on any matter before the Council, the Speaker shall cause the bells to be rung for a period of 1 minute, after which all doors shall be closed and no member or other person shall be allowed to enter or leave the chamber.

12.3 The following matters are determined, in terms of section 160(2) of the Constitution, by a decision taken by the majority of the councillors in the Municipal Council:

12.3.1 The passing of By-Laws

12.3.2 The approval of Budgets

12.3.3 The imposition of rates and other taxes, levies and duties

12.3.4 The raising of loans

12.4 If on any question there is an equality of votes, the Speaker or chairperson of the Committee may exercise a casting vote in addition to that particular councillor's deliberative vote, provided that the casting of such vote shall fall within the ambit of the powers duly delegated to the relevant committee: Provided that for those matters listed in section 160(2) of the Constitution, there will be no provision for a casting vote.

12.5 If the Speaker or chairperson of a meeting asks the meeting if it is in agreement with the recommendations and if it is not opposed by any

STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

member present, the recommendations are adopted.

- 12.6 In the event of there being opposition to a recommendation, the proposal to be decided upon will be done by means of voting, either by show of hands or if requested and approved by the Speaker or chairperson, by way of secret ballot.
- 12.7 The Municipal Manager or an official designated by him shall count the votes and declare to the chairperson the result of the divisions. In the event of a secret ballot, the municipal manager shall hand to each councillor a ballot paper bearing the official mark or logo of the municipal council, and having the alternates to be voted for clearly depicted thereon, substantially in accordance with the following:



Date.....

| Proposal or motion to be voted for | Councillor's vote (X): For or against |
|------------------------------------|---------------------------------------|
| 1. | |
| 2. | |

- 12.8 The municipal manager shall collect all the ballot papers and count same in the presence of a representative from each party represented on the council or committee and present at such meeting.
- 12.9 The Speaker or chairperson shall thereupon declare the motion carried or lost, and it shall be entered upon the minutes.
- 12.10 The number of members voting will be recorded, and the general result of the vote. The outcome of the voting will be announced by the Speaker.
- 12.11 A member may abstain from voting without leaving the chamber.
- 12.12 A member may request that his/her support / dissent / abstention be recorded in the minutes of the meeting.

13. Declarations of financial or other interests

A Councillor shall –

- 13.1. Disclose to the Council, or to any Committee of which that Councillor is a member, any direct or indirect personal or private business interest that the Councillor, or the spouse, partner or business associate of that Councillor may have in any matter before the Council or the Committee;

STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

- 13.2. Withdraw from the proceedings of the Council or Committee meeting when the matter is being considered by the Council or Committee, unless the Council or the Committee decides by resolution, that the Councillor's direct or indirect interest in the matter is trivial or irrelevant. A Councillor who has so disclosed his/her interest may, with the approval of majority of the members of the Council or its Committee, address the Council or Committee on the matter prior to the deliberation and vote on the matter taking place, subject always to the ruling of the Speaker or Chairperson on the time to be allowed for such an address.
- 13.3. A Councillor who, or whose spouse, partner or business associate or close family member, acquires or stands to acquire any direct benefit from a contract concluded with the Municipality, must disclose full particulars of the benefit of which the Councillor is aware at the first meeting of the Council or Committee of the Council at which it is possible for the Councillor to make a disclosure.
- 13.4. This provision does not apply to an interest or benefit which a Councillor, or a spouse, partner or business associate or close family member, has or acquired in common with other residents and ratepayers of the Municipality.

14. Walkout

If a Councillor or group of Councillors leave any meeting in protest, and the remainder of the Councillors constitute a quorum the business of the meeting shall be proceeded with.

15. Count out

If during any sitting of the Council or any Committee, the attention of the Speaker or Chairperson is called to the number of members present, he/she shall count them, and if found that there is not a quorum present, the matter shall be dealt with in accordance with Rule 11 above.

16. Adjourned meetings

The Council or a Committee may adjourn a meeting to any date or hour, but no business shall be transacted at any adjourned meeting except such as was set out in the summons for the meeting of which it is an adjournment.

17. Notice of adjourned meeting

When a meeting is adjourned, notice of the adjourned meeting shall be sent out to each member of the council or committee, specifying the time, date and place of such adjourned meeting, except under the circumstances contemplated in rule 34 below.

STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

18. Chairperson of meetings

At every meeting of the council the Speaker, or if he/she is not present, an Acting Speaker, shall be the chairperson. An acting Speaker may be elected by the majority of councillors present at any meeting of the council where the Speaker is not present.

The Mayor shall chair meetings of the Executive Committee / Executive Mayor shall chair meetings of the Mayoral Committee and if not present, the Deputy Mayor / Deputy Executive Mayor or if the Deputy Mayor / Deputy Executive Mayor is also not available, any other councillor appointed by a majority members of the executive committee / mayoral committee in attendance.

The chairperson appointed by the Executive Committee / Executive Mayor shall chair meetings of the portfolio committees.

The person so nominated by the council, executive committee / mayoral committee or committee shall chair meetings of committees and sub-committees; Provided that where no such person was nominated the members present may elect their own chairperson.

19. Agenda

19.1 Subject to rules 19.2 and 19.3 below, all meetings must be conducted in accordance with the order in which matters appear on the agenda and only matters which appear on the agenda may be debated.

19.2 The Speaker or chairperson may, after considering a duly motivated request, change the order of matters appearing on the agenda.

19.3 The Speaker or chairperson may, after considering a duly motivated request, direct that a matter be moved between the confidential and open parts of the agenda.

20. Business at council meetings

The order of business at every ordinary meeting of the council, the executive committee / mayoral committee or a committee is as follows:

| Council | Executive Committee / Mayoral Committee | Committee |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Opening: Moment of reflection • Notice of the meeting • Applications for leave of absence • Acceptance of the agenda • Declaration of interest | <ul style="list-style-type: none"> Opening: Moment of reflection • Notice of the meeting • Applications for leave of absence | <ul style="list-style-type: none"> Opening: Moment of reflection • Notice of the meeting • Applications for leave of absence |

STANDING RULES AND ORDERS REGULATING THE MEETINGS OF THE COUNCIL OF KAMIESBERG MUNICIPALITY AND ALL ITS COMMITTEES

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| <ul style="list-style-type: none"> • <u>Announcement</u> • Presentations • Confirmation of minutes from previous minutes • Outstanding matters • Submission of reports from Council representatives from District/Local municipality • Reports of the Executive Committee / Executive Mayor, under the sections: recommendations to the council, decisions under delegated authority and decisions of the Executive Mayor taken with the Mayoral Committee • Reports from MPAC • Report from the Audit Committee • Reports on ward committees / consolidated report on ward committees • Report on SALGA activities • Monthly Activities • Reports for noting • Reports for consideration • Reports - In-Committee; • Notice of Motion • Questions • Urgent reports - allowed only with the consensus of the chairperson; and • Date of next meeting | <ul style="list-style-type: none"> • Acceptance of the agenda • Declaration of interest • <u>Announcement</u> • Presentations • Confirmation of minutes from previous minutes • Outstanding matters • Reports from Portfolio Committees • Reports from Audit Committees • Reports for noting • Reports for consideration • In-Committee reports • Urgent reports allowed- only with the consensus of the chairperson; and • Date of next meeting | <ul style="list-style-type: none"> • Acceptance of the agenda • Declaration of interest • <u>Announcement</u> • Presentations • Confirmation of minutes from previous minutes • Outstanding matters • Reports for noting • Reports for consideration • In-Committee reports • Notice of Motion • Urgent reports allowed only with the consensus of the chairperson; and • Date of next meeting |
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21. Leave of absence

- 21.1 Applications for leave of absence from any council or committee meeting must be submitted to the Speaker or the chairperson in writing and signed by the member applying for leave.
- 21.2 All applications for leave must be submitted at least 12 hours before the starting time of the meeting.
- 2.1.3 The Speaker or chairperson shall grant leave at his or her discretion.
- 2.1.4 Leave will be deemed to have been granted if a councillor has been delegated to attend a meeting or engagement on behalf of the council.

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22. Minutes to be kept and confirmation thereof

- 22.1 Minutes of the proceedings of every meeting of the council and committee, shall be electronically or otherwise recorded and be kept for that purpose by the Director: Corporate Services. The Municipal Manager shall be responsible for the correctness of the same, and the minutes of every meeting shall be confirmed at the next ordinary meeting.
- 22.2 Minutes of the proceedings of every meeting of the council or a shall be word processed or typed and printed, and shall if confirmed, be signed at the next ensuing ordinary meeting by the chairperson. Minutes shall be bound and kept secure.
- 22.3 The Municipal Manager must ensure that the minutes reflect the names of the members that attended the meeting, those that are absent and those that have been granted leave of absence.

23. No discussion on minutes under confirmation of minutes

No motion or discussion shall be allowed upon the confirmation of the minutes, except as to its accuracy.

24. Petitions to be written, typed or printed

Petitions, which must be clearly written, typed or printed, must be signed by not less than three citizens and must be couched in respectful language and presented to the office of the Municipal Manager who shall, if he/she deems it necessary, bring the matter before the executive committee / mayoral committee.

25. Deputations to submit memorandum

Deputations wishing to be received by the executive committee / mayoral committee shall be required, in the first instance to send a duly motivated memorandum in writing requesting same, and the Municipal Manager shall bring the memorandum before the executive committee / mayoral committee, which it may authorise, if it sees fit to receive the deputation, and to report to the council forthwith.

26. Reception of deputations

A deputation wishing to address the executive committee / mayoral committee shall not exceed five in number, but only one member thereof shall be at liberty to address the committee (except in reply to questions from members of the committee) and only for a period not exceeding ten minutes. The committee

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shall not further consider the matter until the deputation shall have withdrawn itself from the meeting.

27. Moving a report

The Speaker or chairperson shall move the recommendation contained in a report unless he/she shall have previously stated his/her disagreement with it. The chairperson of a committee or other member presenting a report may withdraw or amend any section with the consent of the committee, only if it has been established that a particular item or items in the original report was or were incorrectly recorded or it has been established that it would be in the best interest of the council not to adopt a recommendation or a part or parts thereof.

28. Motions

- 28.1 No matter shall be brought before the council or a committee by any member of the council except upon a notice of motion, which shall be in writing and signed by the member giving the notice as well as the member seconding it: Provided that a person who has a personal electronic mail address from where he or she can be identified by the Municipal Manager, can submit such motion by electronic mail.
- 28.2 Any notice of motion shall be submitted to the Speaker or chairperson before 12:00, ten days prior to the meeting of the council or committee.
- 28.3 A motion shall lapse if the member who submitted the motion is not present at the meeting where the motion is to be debated.
- 28.4 A member submitting a motion shall introduce such a motion and shall have the right of reply thereto.
- 28.5 When a member introduces a motion which is intended to rescind or amend a resolution passed by the council in the preceding three months or which has the purport as a motion that was not supported within the three preceding months shall not be entertained.
- 28.6 When dealing with motions the motion shall be read out together with the number thereof and the name of the mover.
- 28.7 The Speaker or chairperson shall ascertain which motions are unopposed and these shall be passed without debate and thereafter the opposed motions shall be called in accordance with the order of the agenda.
- 28.8 All notices of motion shall be dated and numbered as received by the Municipal Manager, and shall be entered on the agenda paper in the order in which it was received, save and except that notices of

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amendment to motions shall be entered immediately after such notice of motion, irrespective of the time at which the notice shall have been received.

- 28.9 No member shall have more than two notices of motion on the same agenda at the same time.
- 28.10 Before any notice of motion is placed on the agenda paper it shall be submitted to the Municipal Manager who must obtain the written technical input from the various heads of department of the municipality, if it is required, and, who, if he/she be of the opinion that it is *ultra vires* existing legislation, shall cause the giver of the notice to be so informed. The giver of the notice shall however, have the right to appeal to a sub-committee comprised of the Mayor and Whip of the Council, who shall review the matter and decide whether or not such notice of motion be placed on the agenda paper.
- 28.11 A motion affecting the making or amending of a by-law, shall be submitted to the Speaker for a report before the council passes a resolution in this regard.
- 28.12 The Speaker may disallow a motion which:
- May lead to discussions of a matter already dealt with on the agenda
 - Addresses a matter where the Council has no jurisdiction
 - Addresses a matter where a decision of a judicial or quasi-judicial body is pending
 - Has not been seconded
 - If passed, would be contrary to the law.
- 28.13 The mover with the consent of the seconder may withdraw a motion or amendment.
- 28.14 The Speaker or chairperson may call upon any mover of an amendment to a motion to reduce the same to writing, and, after signing it, to hand it to the Municipal Manager to read the amendments for the meeting to either adopt or reject such amendment.
- 28.15 Except upon the recommendation of the committee to which the council has delegated powers or duties to deal with the particular subject matter, no resolution passed at any meeting of the council shall be revoked or altered at any subsequent meeting unless notice of motion so to revoke or alter such resolution shall have been given to the Municipal Manager at least seven days before such subsequent meeting and the Municipal Manager shall, at least two days before such subsequent meeting, have forwarded a copy of such notice of motion to each councillor.

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29. Precedence of the Speaker

- 29.1 During the sitting of the council or a committee, members, except lady members and members in traditional, cultural or religious headdress shall have their heads uncovered.
- 29.2 When speaking, councillors shall be seated, but at all times, address their speech to the Speaker or chairperson.
- 29.3 Whenever the Speaker or chairperson speaks, any member then speaking or offering to speak must be silent in order for the Speaker to be audible and speak without interruption.

30. Relevance

A member who speaks shall confine his/her speech strictly to the motion or matter under discussion or to an explanation or a question of order.

31. Councillor to speak one only

Except for otherwise provided for in these rules, no speaker shall speak more than once on any recommendation, motion or proposal, provided that the Mayor / Executive Mayor or a member may reply in conclusion of a debate, but shall confine him / her to answering to previous speakers and shall not introduce any new matter into the debate.

32. Debate management

- 32.1 The time allocated to each political party or interest group represented in the municipal council, will be allocated having due regard to the number of seats held by such party or interest group. This will be agreed to in a council meeting.
- 32.2 At least 24 hours before the meeting, the whip of each political party or interest group represented in the municipality will provide the Speaker or chairperson with a list indicating which items on the agenda are to be debated.
- 32.3 At least 12 hours before the meeting, the whip of each political party or interest group represented in the municipality will provide the Speaker or chairperson with a list indicating which members will speak on which item included in the agenda.
- 32.4 The Speaker will determine the allocation of time per item and inform the whips of the speaking time allowed to each member included in the list, based on the principle in rule 32.1 above.

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- 32.5 Each political party or interest group represented in the municipality has the right to speak on each item on the agenda.

33. Length of speeches

- 33.1 No speech shall exceed **three (3)** minutes in length without the consent of the meeting. This period shall exclude consecutive translation time required.
- 33.2 The Speaker or the chairperson shall be entitled to, at any time, to set, limit or extend reasonable time limits for the discussion of and/or any decision or any item or group of items on the relevant agenda.
- 33.3 The time limits shall be at the sole discretion of the Speaker or chairperson guided by the principles of fairness, democracy, efficiency and good governance.

34. Disorderly conduct of councillor and the duty of the chairperson

- 34.1 If at any meeting of the council or committee a councillor conducts himself or herself in an improper fashion, behaves in an unseemly manner or persistently obstructs business to be carried out or challenges the ruling of the Speaker or chairperson on any point of order or declines to withdraw an expression when required to do so by the chairperson or indulges in tedious repetition or unbecoming language or commits any breach of these rules, the chairperson shall direct such councillor to conduct himself or herself properly and, if speaking, to discontinue his/her speech and resume his/her seat, is he/she was standing.
- 34.2 In the event of persistent disregard of the directions of the Speaker or chairperson, the Speaker or chairperson shall direct such councillor to retire from the venue where the meeting is being held for the remainder of the meeting, and shall, if necessary, cause him/her to be ejected there from.
- 34.3 The Speaker or a chairperson may exclude from a meeting, for such period of time during the meeting as he/she may deem fit, any member who has so committed an act of misconduct or behaved in an unseemly manner or persistently obstructed the business of the meeting or disregarded the authority of the chair, provided that a formal process will be initiated after the conclusion of the meeting.
- 34.4 Where a councillor refuses to retire or in the event of more than one councillor having to be ejected from the meeting, the chairperson of a meeting may adjourn proceedings for a period not exceeding 15 minutes,

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in order for the relevant councillors to retire or to be ejected from the venue of the meeting. If, at the resumption of proceedings, the councillor/s have not left / been ejected, the meeting may be adjourned for another 10 minutes to address the situation. The chairperson may rule that after the second adjournment the meeting will re-convene at another venue and any councillor/s ordered to retire or so evicted or ordered to be evicted will be refused entry to the alternative venue.

35. Obstruction by persons other than councillors

Any person, other than a councillor, who misconducts himself or herself, behaves in an unseemly manner or interrupts the proceedings of the council or any committee at any meeting shall, if the Speaker or chairperson so directs, be removed from the chamber or the venue where the meeting is being held, and the chairperson may exclude such person from further admittance to the council chamber or the meeting venue for such period as it may be deemed fit.

36. Points of order and personal explanation

- 36.1 Any member, regardless of whether he/she addressed the Council on the matter under debate or not, may:
- raise a point of order
 - raise a point of personal explanation at the end of the debate
- 36.2 Any point of order or personal explanation will not constitute a speech and will therefore not affect the right of any member to speak on a particular item, provided that the member will not be allowed to spend more than 2 (two) minutes on the point of order or personal explanation.
- 36.3 Any member contemplated in rule 36.1 shall be entitled to be heard and the councillor speaking at the time shall remain silent until a ruling has been made by the Speaker or chairperson.
- 36.4 The ruling of the Speaker or chairperson on a point of order or on the admissibility of a personal explanation shall be final and shall not be open to discussion.

37. Questions

- 37.1 Any member may submit a question requiring a written reply from any political office bearer, the municipal manager or senior manager of the municipality, concerning any matter related to the effective performance of the functions of the municipality and the exercise of its powers, provided that a written notice of such a questions has been submitted to the Speaker or chairperson and the municipal manager at least 10 (ten) days prior to the council or committee meeting and the political office

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bearer and the municipal manager shall ensure that the member receive a written reply at the meeting.

37.2 If after the question has been replied to, a member is of the opinion that the reply is not clear or satisfactory, he or she may, with the permission of the Speaker or chairperson, request a follow up question.

37.3 All questions duly given notice of and all responses submitted shall be recorded in the minutes of the meeting.

38. Terms of reference of sub-committees

Upon the appointment of any sub-committee the council a committee shall specifically determine the terms of reference of such sub-committee and shall fix the quorum of such sub-committee. The council's standing rules and orders shall apply to all sub-committees.

39. Council may increase or restrict powers

With the exception of the executive committee / mayoral committee whose functions are determined in terms of the Structures Act, and the committees whose functions and powers are determined in terms of Section 80 of the Structures Act by the executive committee / executive mayor, the council may at any time extend, withdraw or modify the duties and powers of a committee or sub-committee appointed in terms of Section 79 of the Structures Act.

40. Minutes of committees and sub-committees

Every committee, except when specifically exempted from this provision by a resolution of the council or the executive committee in view of the sensitivity, confidentiality or otherwise of the subject matter of a particular meeting and provided the final resolution or recommendation is duly recorded in writing, shall record minutes of its proceedings and cause the same to be duly kept by the Head of Corporate Services. At every ordinary meeting of a committee the unconfirmed minutes shall be taken as read, with a view to confirmation, provided that a copy of such minutes shall have been sent to each member of the committee twenty-four hours previously. No discussion shall be allowed upon the minutes, except as to their accuracy save at portfolio committees and even then at the sole discretion of the chairperson.

41. Inspection of minute books by councillors

The minutes of every council or committee shall be open for inspection by every

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member of the council during office hours; provided the demands of duties of the registry and secretariat staff are taken into account.

42. Member may resign seat on committee

Any member of a committee may resign his/her seat on the committee by a notice in writing signed by him and sent to the Municipal Manager. Any such resignation shall be reported to the council except those of members of section 80 committees which will be reported to executive committee/ mayoral committee to the end that the vacancy may be filled.

43. Non-attendance of members of committees

43.1 Should any member of a committee fail to attend three consecutive meetings of such committee without leave of absence having been granted as contemplated in 21 above, he/she shall be deemed to have forfeited his/her seat on such committee, and such forfeiture shall be reported to the council to the end that the vacancy may be filled.

43.2 A member shall forfeit his/her seat on the council if he/she fails to attend three consecutive meetings of a committee or the council without leave of absence having been granted, provided that a period of at least 12 full calendar months have expired between the first and the third meeting not being so attended.

44. Members of council attending committee meetings of which they are not members

44.1 Members of the municipal council may attend the meeting of any committee that they are not a member of, but will in all instances be granted the status of an observer and will not be allowed to participate or vote at such meetings.

44.2 The provisions of 44.1 will not be applicable to the Municipal Public Accounts Committee (MPAC) and members of the executive will be requested to attend the MPAC meeting and the request for attendance will specify the matters that the member of the executive will be expected to address the MPAC on.

44.3 The rules with regard to agendas as set out above will also be applicable to requests to attend MPAC and address it.

44.4 Any member of the executive requested to attend the MPAC may instruct the municipal manager or a senior manager to accompany him/ her to the MPAC meeting but may not instruct such official to appear and

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address the MPAC on his / her behalf.

45. Information to be obtained from municipal manager or the Head of Department concerned

Subject to the provisions of 37 above, members of the council who desire to obtain from any official of the council information with regard to the administrative work of the council, which is not accessible to the general public, should address their enquiries firstly to the Municipal Manager and then to the relevant senior manager.

46. Information to the press or other media: In-committee discussions

46.1 The Mayor, or in his/her absence the Speaker and the Municipal Manager in their discretion may, on application being made to him/her by any registered newspaper, radio station, television service or internet publisher, supply to such media or its representative, information and reports relating to the work of the municipality.

46.2 In view of the Municipal Manager, the Speaker or the Mayor being the authorised channel through which the media may receive information and reports, members of the council are therefore expected to refrain from sending to the media documents or information supplied to them with a view to their consideration by the council or any committee: Provided that this clause shall not be construed as abrogating a councillor's individual constitutional right to make press statements which reflect his/her own personal or political view and not that of the council, further provided however, that no discussion that took place in-committee may be conveyed to the public or the press except by the Mayor or Municipal Manager.

46.3 Chairpersons of committees must liaise with the Mayor and Municipal Manager for the publication of any information relating to committee and the Municipal Manager shall arrange, if approved, the publication of the relevant information.

47. Suspension of standing orders

No standing order shall be suspended without the vote of a majority of the members of the council or of three-fourths of the members present and a motion duly seconded to suspend the standing orders shall be put without debate.

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48. Legal defence and indemnification of councillors and officers of the council

The council may determine the circumstances in which it will undertake the defence of or pay the legal costs or the total costs and the amount in respect of any legal proceedings, whether civil or criminal, a councillor or an official may have against any person, body, organisation or institution arising from the councillor's or official's capacity as a councillor or official of the Municipality.

49. Speaker may refer matters for legal advice

The Speaker shall be entitled, within the framework of the approved operational budget of the municipality and subject to the supply chain management policy, to refer any matter pertaining to the council and its proceedings, for legal opinion to the council's legal advisors.

50. Activities prohibited within the council chamber or a meeting venue and the use of the council chamber by other persons or institutions

50.1 The dignity of the council chamber as the official seat of governance of the Municipality shall at all times be respected and adhered to by any person or institution using the facilities.

50.2 The following activities are strictly prohibited from being conducted within the confines of the council chamber or a meeting venue of the council or its committees by any person:

- **Having a cellular telephone switched on;**
- **Consuming any food or drink in his/her possession, excluding water.**

50.3 Caucus meetings of the various political parties may be held in the chamber provided it is booked with the Senior Admin Office prior to the meeting, and subject to such bookings to be on a rotational basis for all the parties.

50.4 The use of the council chamber by any other person or institution, other than a recognised committee, body of or person in the employ of the Municipality shall be subject to the approval by the Speaker, and at all times subject to the availability thereof in terms of the council's calendar of use, and the purpose for which it is applied for. Applications for use shall be made in writing to the Speaker who shall confer with the Head of Corporate Services in making the venue available in writing.

51. Ward committees

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The council may by resolution determine the rules of procedure for the election of ward committees, the procedures at meetings, the reporting rules, and the rendering of secretarial services to these committees

52. Sanctions and offences

Any person who wilfully contravenes any provision of these rules shall be guilty of an offence and shall be subject to the following sanctions imposed by the council:

- 52.1 Having a fine imposed by the council as determined by it from time to time for the categories of offences as approved by it by resolution from time to time;
- 52.2 Be suspended from the attendance of council or committee meetings as the council may determine for such a period as the council may by resolution determine from time to time for the categories of offences as determined by it; or
- 52.3 Be subject to the investigation by a special committee as envisaged in the Code of Conduct for Councillors contained in Schedule 1 to the Systems Act, and the sanction flowing there from.

53. Rules always subject to the Code of Conduct for Councillors

These rules shall be interpreted as if they are always subject to the provisions of the Code of Conduct for Councillors as contained in Schedule 1 to the Systems Act. (*Attached hereto as Annexure A*)