NOTULES VAN DIE / **MINUTES** OF THE

SPESIALE RAADSVERGADERING VAN DIE CEDERBERG MUNISIPALITEIT SOOS GEHOU OP

28 OKTOBER / OCTOBER 2026

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SPECIAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY, HELD ON

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MINUTES OF THE SPECIAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY HELD ON 28 OCTOBER 2026 IN THE COUNCIL CHAMBERS OF CEDERBERG MUNICIPALITY - CLANWILLIAM.

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PRESENT AND IN ATTENDANCE:

As per the attendance register:

Cllr. M Heins

Cllr. A Scheepers

Cllr. R Richards

Cllr. A Mouton

Cllr. J Van Heerden

Cllr. E Marshall

Cllr. Y Blaauw

Cllr. J Engelbrecht

Cllr. P Strauss

Messrs. G Matthyse, F Petersen, J Booysen, M January, Ms. T Luyt, Mrs. L Sampson, Ms J Cloete

APOLOGIES:

- Geen / None

ABSENT WITHOUT APOLOGY:

- Geen / None

1. OPENING AND WELCOMING

- The Chairperson, Cllr. M Heins, extended a warm welcome to all attendees. Pastor Jan Oosthuizen was invited to open the Council Meeting by sharing scripture, offering words of encouragement, and leading in prayer.

- The Speaker expressed gratitude to Pastor Oosthuizen and also extended best wishes.

2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY

- N/A

3. APPLICATIONS FOR LEAVE OF ABSENCE

- Geen / None

4. CONFIRMATION OF MINUTES

RESOLVED:

(i) That the following minutes was approved:

a) Special Council Minutes of Meeting held on 24 June 2026.

b) Council Minutes of Meeting held on 27 August 2026 with the following amendment:
1) That ito RB9.1.23/27-08-2026 the minutes must read:
A. That Council noted and accepted that Cllr. J Van Heerden, by informing Council of a possible perceived conflict of interest, recused himself before Council proceeded with this matter.

Proposed: Cllr. A Scheepers

Seconded: Cllr. R Richards

- Cllr. Strauss, with the Speaker's permission, noted that Cllr. J. Hayes was absent from the meeting. Referring to Pastor Oosthuizen's motivation and prayer, Cllr. Strauss said that Council should reflect on the message of love and peace. Cllr. Strauss also referred to social media reports that Cllr. Hayes had been suspended and asked why Cllr. Hayes was not present, noting that at the end of the day Council must consider whether Cllr. Hayes is suspended.

- The Speaker replied that the matter was listed as the next item on the agenda and would be addressed then.

5. STATEMENTS AND COMMUNICATION BY THE SPEAKER

RB5A/28-10-2026 RESIGNATION OF CLLR. FARMER

RESOLVED:

a) Council took note of the resignation of Cllr. W Farmer as of 30 September 2026.

RB5B/28-10-2026 CODE OF CONDUCT FOR COUNCILLORS, CEDERBERG MUNICIPALITY: COUNCILLOR JOHN HAYES

RESOLVED:

a) Without any objections, Council noted the correspondence received from the MEC of Local Government, pertaining to the outcome of the Social Media matter concerning Cllr J Hayes;

b) It was noted that this matter was now concluded.

Correspondence from MEC as read out by the Speaker:

"I refer to your correspondence dated 2 July 2026 regarding the above-mentioned matter.

After careful consideration of the allegations enlisted in your communication against Councillor Hayes for having breached the code of conduct for councillors by not acting in the best interest of the municipality and acting in a way that the credibility and the integrity of the municipality were compromised, I affirm that my power in so far as the code is concerned is contained in item 16, paragraph 7A of the code whereby I may suspend the Councillor for a period.

Furthermore, the findings and sanctions decided on by the council, which is us, must be reported back to me within 14 days after the conclusion of the investigation. In this regard, the Municipal Council duly acted in terms of item 16(1)(b), read with item 16, (2)(c) of the Code of Conduct for Councillors as contained in schedule 7 of the Municipal Structures Act 117 of 1998 and found that Councillor be suspended from office until 31st of October 2026.

After having considered all the evidence and representations by Councillor Hayes, I am of the opinion that Councillor Hayes breached the Code of Conduct for Councillors and hereby concur that the appropriate sanction be that Councillor Hayes be suspended until the 31st of October 2026.

Yours sincerely,
Anton Bredell."

- Cllr. Strauss noted that this was the final Council meeting of the five-year term and described the disciplinary committees as ineffective. He suggested and said he hopes that the incoming Council considers independent disciplinary committees rather than in-house Special Committees to handle such matters.

- Cllr. Richards supported the sentiment made pertaining to DC matters be handled independently.

RB5C/28-10-2026 OFFICIAL END OF TERM COMMUNICATION BY SPEAKER

- The Speaker mentioned that this was his last official communication as Speaker.

Honorable Executive Mayor, members of the Mayoral Committee, fellow Councillors, Municipal Manager, Administration, ladies and gentlemen of the public.

As we close this term of council, I wish to express my sincere gratitude. It has been an honour to serve as Speaker and Chairperson of this Council. My duty was to uphold the Constitution, the rules of order and the dignity and integrity of this House to ensure that every Councillor, regardless of party politics, had the right to be heard and that the debates was fair and orderly. We have debated, we have disagreed, we have fought many arguments, and we have at times differed very sharply. That is the nature of this democracy. But what is important is that we kept the people of Cederberg at the centre of our work.

From Lambert's Bay to Elands Bay, Clanwilliam to Citrusdal, Graafwater, Wupperthal and all other outer stations. Our communities do not ask for politics; they ask for services. for water, for jobs, for roads, for housing, and for accountable leadership. I therefore thank each and every one of you, Councillors, for respecting the Chair and the institution.

This is not about being loved or liked, but it is about respecting the office thereof, the Municipal Manager and officials. for their professional support during my tenure as speaker. I want to thank the residents of Cederberg for your patience and your trust.

Thank you for continuing to trust in us amidst the challenges of this municipality. As this term ends the responsibility now returns back to you, the most powerful ones in the Cederberg, through your hand on your ballot.

I trust that the next Council will build on and even, will build on what we have started and do even better for the people of Cederberg.

Thank you for allowing me to serve as Chairperson.

RB5D/28-10-2026: COMMUNICATION SHARED BY THE MUNICIPAL MANAGER: OUTCOME OF THE HIGH COURT JUDGMENT, DEMOCRATIC ALLIANCE AND JOHN HAYES VERSUS CEDERBERG MUTUAL MANAGER AND OTHERS.

RESOLVED:

a) Council noted:

The Municipal Manager said he wished to read the outcome into the record, noting that public funds had been spent on the matter and that it was in the public interest for the court's decision to be formally made public through Council

The date of the judgment was 22nd of September 2026, Western Cape Division of the High Court, Cape Town, presiding officer Judge Holderness, case number 225138439.
The purpose of this briefing is to inform council of the outcome of the High Court application by the Democratic Alliance and former Speaker John Hayes against the Municipal Manager as the first respondent and others and 2nd respondents challenging the legality of proceedings conducted at the Special Council Meeting on 14 February 2025, including the removal of the Speaker, the election of a replacement Speaker, and the requesting a cost and personal cost order against the Municipal Manager and others.

The applicant sought to relieve and set aside the decision at the Council meeting of the 14th February 2025, during which a Motion of No Confidence against the Speaker, John Hayse, was considered and adopted. Cllr. Hayes was removed from office as Speaker and Cllr. Maxwell Heins was elected as the new Speaker.

The applicant alleged that the meeting had been lawfully adjourned by the Speaker, that all proceedings thereafter were unconstitutional, unlawful and invalid. They further sought punitive orders and personal cost orders against the Municipal Manager and the Mayor. Court finding after considering the facts applicable legislation, Municipal Rules of Order and the relevant case law, the court found in favour of the Municipality and dismissed the DA and Councillor John Hates's application in its entirety with cost paid for the municipality's legal counsel.

The court Key findings were as follows:

Unreasonable delay. The court found that the applicants were unreasonably delayed in bringing the review application and failed to provide adequate explanation for the delay. The court held that the interest of justice did not justify overlooking the delay and this finding alone justifies dismissal of the application.

No lawful adjournment occurred. The court concluded that the former speaker repeatedly indicated during the proceedings that he had not adjourned the meeting and that it merely ruled that the motion could not proceed. Based on the official transcript and minutes, the court found that no valid adjournment occurred and that the council meeting remained in progress.

Actions of the Municipal Manager were lawful. The court found that once the speaker left the chamber, the municipal Rules of Order permitted the continuation of proceedings, including the Election of an Acting Speaker, Consideration of the Motion of No Confidence, Removal of the Speaker, and the Election of a replacement speaker. The court found that the Municipal Manager acted within the authority provided by the municipal Rules of Order and governance framework.

Significance of the judgment. The judgment represents the comprehensive legal vindication of the municipality's position and confirmed the validity of governance decisions taken at the Special Council meeting 14 February 2025. Specifically, the court confirmed the validity of the proceedings conducted on the 14th of February, the validity of the Motion of No Confidence against Councillor Hayes, the validity of the election of Councillor Max Heins as speaker, the

lawfulness of the Municipal Manager's actions during the meeting, the absence of any legal basis for personal liability against any municipal official.

The court further indicated that even if procedural irregularities had been established, it would likely not have been set this decision aside due to the absent of passage of time, settlement, governance arrangements, continuity of administration, public interest considerations.

The court issued the following order. The application of the DA and Councillor Hayes is dismissed. The applications of DA and Councillor Hayes are ordered to pay the respondents' legal cost jointly and severally, including the cost of council on scale B, which are the highest cost.

Legal conclusion. High court judgment constitutes significantly successful legal municipality, confirming that actions taken by Council and Municipal Manager during the Council meeting were lawful, procedures were valid and consistent with Rules of Order and applicable legislation, Municipal Systems Act and related legislation.

Judgment also provides judicial confirmation that the municipality and officials acted within the bounds of their statutory responsibility and governance obligations.

6. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

ADDRESS BY THE EXECUTIVE MAYOR

FINAL COUNCIL MEETING OF THE 2021–2026 TERM

Cederberg Municipality
Council Chamber, Clanwilliam
Ahead of the Local Government Elections, 4 November 2026

Speaker, Deputy Executive Mayor, Members of the Mayoral Committee, Councillors, Municipal Manager, Directors, officials, members of the public, the media, and most importantly, the people of Cederberg.

Good morning.

Today is not an ordinary Council meeting.

As we approach the **4 November 2026 Local Government Elections**, this is one of the final occasions on which the current Council meets as the collective political leadership that has served Cederberg during the 2021–2026 term.

It is therefore appropriate that we pause.

We should reflect honestly on where we came from, what we achieved together, where we fell short, and what responsibility we now hand to those who will serve after us.

Above all, we must remember one simple principle:

Political terms end. Institutions must continue.

A TERM OF CHALLENGE AND RECOVERY

Speaker,

We should not rewrite history.

This was not an easy term.

The Municipality experienced significant leadership instability, financial pressure, ageing infrastructure and fleet, service-delivery backlogs, weak customer-service capacity and serious governance challenges.

When the current Municipal Manager assumed office in 2023, Cederberg had experienced **six Municipal Managers between 2019 and 2023**. The administration also confronted a history of unfunded budgets, the risk of provincial intervention and approximately **R47 million in Eskom debt**.

Yet we close this term with a Municipality that is materially stronger financially and institutionally.

That does not belong to one person, one councillor or one political party.

It reflects the collective work of Council, management, municipal employees, our communities and our partners across government.

A STRONGER FINANCIAL FOUNDATION

The financial turnaround is perhaps the clearest evidence of progress.

Over the term, municipal turnover increased from approximately **R346 million to R575 million**.

Cash reserves increased from approximately **R9.75 million to R137 million**.

Our current ratio improved from **0.44:1 to 1.70:1**.

Revenue collection improved from approximately **89% to 94%**.

And capital expenditure reached approximately **R79.4 million in 2025/26**, representing a reported **91.3% implementation rate** against the capital budget, although final 2025/26 figures remain subject to the verification qualifications in the handover report.

Most significantly, Cederberg Municipality achieved an **unqualified audit opinion without findings for 2024/25**.

These achievements matter.

But a stronger balance sheet is not the final measure of municipal success.

The real challenge is to turn stronger finances into **better roads, secure water supplies, reliable electricity, functioning infrastructure, safer communities and better opportunities for our people.**

That must be the next chapter.

WE ALSO STRENGTHENED THE INSTITUTION

During this period, senior management was stabilised, approximately **R22 million was invested in vehicles and the service-delivery fleet**, customer relations were strengthened and the Municipality completed the requirements of the provincial recovery process. The reported R47 million Eskom debt was also removed through the debt-relief process involving Eskom, National Treasury, Provincial Treasury and the Municipality.

Our institutional performance improved from **45.10% in 2021/22 to a provisionally reported 80.82% in 2025/26**.

Our ICT environment was modernised, public-safety capability expanded, our municipal Fire Service was established, digital communication improved and our libraries and Thusong Centres increasingly became points of access to government, education and digital opportunity.

This represents meaningful progress.

BUT OUR WORK IS NOT FINISHED

Speaker,

A credible handover cannot speak only about success.

Leadership requires honesty about what remains unresolved.

Water security remains critical, especially as we face an El-Ninio and its climate change impact end December this year.

Clanwilliam, Citrusdal, Lamberts Bay and our rural communities require continued investment in water sources, treatment, storage, networks, metering and loss reduction.

Electricity losses remain a serious concern, especially none-revenue losses.

We embarked upon a roads upgrade and ageing infrastructure project ,however it require further and sustained renewal.

Housing remains one of our greatest social challenges, with **6,831 households recorded on the Housing Needs Database** at close-out.

Informal settlements continue to require an integrated response involving basic services, emergency access, safety, registration, law enforcement and progressive formalisation.

We also still have vacancies, substantial municipal debtors and significant climate and disaster risks.

We therefore do not leave behind a perfect Municipality.

We leave behind **a stronger Municipality with unfinished work clearly identified.**

And there is an important difference between those two statements.

THE NEXT ERA OF LOCAL GOVERNMENT

Colleagues,

We conclude this term at an important moment nationally.

The Final White Paper on Local Government, as incorporated into our handover framework, calls for a renewed system of local government built upon **reliable services, ethical political leadership, professional administration, financial sustainability, accountability, capable institutions, active communities and stronger cooperative government**.

Those principles are particularly relevant to Cederberg.

The next Council must protect the boundary between political leadership and professional administration.

Appointments must be based on merit.

Council must exercise strong oversight without interfering in administration.

Good financial management must be protected.

Communities must receive meaningful feedback.

And the IDP must remain a genuine instrument through which community priorities are translated into funded and measurable programmes.

The White Paper also reminds us that municipalities are different.

Cederberg is a vast rural municipality with dispersed communities, significant infrastructure needs, agricultural and tourism opportunities and growing climate vulnerability.

Our solutions must therefore respond to **our own circumstances while remaining accountable to national standards.**

A MESSAGE TO THE NEXT COUNCIL

Our handover identifies five broad outcomes for 2026–2031:

A financially sustainable Municipality.

A climate-resilient and water-secure Municipality.

Reliable infrastructure and basic services.

A growing local economy that creates employment opportunities.

And **a high-performing, accountable and responsive institution.**

But I would add one word to those priorities:

Continuity.

After an election, good projects must not stop merely because political leadership changes.

Where programmes are lawful, funded and in the public interest, continue them.

Where something is not working, correct it.

Where mistakes have been made, learn from them.

Where accountability processes are underway, allow them to reach their lawful conclusion.

Institutional memory must survive political change.

TO MY FELLOW COUNCILLORS

Colleagues,

We debated.

We disagreed.

Sometimes we disagreed strongly.

That is democracy.

But regardless of political affiliation, everyone who served in this chamber carried the responsibility of representing the people of Cederberg.

Today I therefore thank **every councillor who served during this term**.

Some members may return after the election.

Others may not.

But we should all remember:

Public office is temporary. Public service is the legacy we leave behind.

TO OUR ADMINISTRATION

To our Municipal Manager, Directors, managers and employees, thank you.

Behind every Council resolution that becomes reality stands an official who must implement it.

Behind every burst pipe repaired, every refuse truck dispatched, every fire attended, every account processed and every community facility maintained is a municipal employee.

The institutional recovery reflected in our handover did not happen by accident.

It required commitment, discipline and professionalism.

We thank you.

And we ask the administration to provide the incoming Council with the same professional and impartial service.

The administration belongs to the institution and must serve the people of Cederberg.

TO THE PEOPLE OF CEDERBERG

To our residents across Clanwilliam, Citrusdal, Graafwater, Lamberts Bay, Elands Bay, Wupperthal, Algeria, Leipoldtville, our farms and rural communities:

Thank you.

Thank you for working with us.

Thank you for challenging us.

And thank you for holding us accountable.

Your expectations of local government are justified.

You have the right to reliable basic services.

You have the right to transparent government.

You have the right to responsive leadership.

And you have the right to be treated with dignity.

AS WE GO TO THE POLLS

As we approach **4 November**, I encourage every eligible resident to participate peacefully in our democracy.

Vote according to your conscience.

Respect those who choose differently.

And remember that political competition should never permanently divide our communities.

There will be winners and losers in an election, but there must never be winners and losers among the communities we are elected to serve.

After the votes have been counted, we must again stand together as **one Cederberg**.

CLOSING

Speaker and fellow councillors,

We do not leave office claiming that every problem has been solved.

It has not.

But the evidence in our handover supports an important conclusion:

Cederberg Municipality is materially stronger financially and institutionally than the position from which this term began.

Our responsibility was not necessarily to finish everything.

Our responsibility was to move the Municipality forward and to leave those who follow us with a stronger platform from which to continue.

So when history asks:

Did we leave Cederberg stronger than we found it?

I believe we can answer:

Yes, progress was made.

Yes, difficult challenges remain.

And **yes, Cederberg has the capacity to move forward and to become 1 of the best municipalities in the country.**

My prayers is that the voters should elect political leaders who are competent, capable and ethical .

To those who will not return, thank you for your service.

To those who may return, remember:

A new mandate is not simply another term in office. It is another obligation to serve.

Let us therefore hand forward:

A stronger institution.
A responsible transition.
And a foundation for the future.

May the elections be peaceful, free and fair.

May those entrusted with leadership after 4 November govern with **humility, integrity and courage**.

And may we always remember:

Positions change. Councils change. Political majorities change. But Cederberg remains.

Thank you.
Baie dankie.
En mag God Cederberg en al sy mense seën.

- **Cllr. Strauss**, with the Speaker's permission, said that he had previously raised concerns with Council about poverty and hardship in the community. He added that the Mayor had visited his home and undertook to arrange a round-table discussion to address the issue, but the discussion never took place.

- **Cllr. Blaauw**, with the Speaker's permission, said that ward committee members had responsibilities in relation to the CWP meeting, but that the ward councillors had not attended. He urged the newly elected Council to remain engaged with the community, noting that the CWP programme offered opportunities for residents.

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

RESOLVED:

a) That Council approve the following minutes of:
   1. MayCo Meeting held on 19 February 2026;
   2. MayCo Meeting held on 18 May 2026;
   3. MayCo Meeting held on 08 July 2026;
   4. MayCo Meeting held on 17 August 2026; and
   5. Special MayCo Meeting held on 24 August 2026.

b) That Council approve the following minutes of:
   1. Portfolio Committee Meeting held on 06 May 2026
   2. Portfolio Committee Meeting held on 12 August 2026
   3. Portfolio Committee Meeting held on 17 September 2026.

Proposed: Cllr. R Richards
Seconded: Cllr. A Scheepers
Counter Proposal: None

8. 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 office 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.

8.1 ITEMS SUBMITTED BY THE OFFICIALS OF COUNCIL

RB8.1.1/28-10-2026 AMENDMENTS TO INCOME, OPERATIONAL AND CAPITAL EXPENDITURE PROJECTIONS - ADJUSTMENTS BUDGET 2026/2027 OCTOBER 2026

RESOLVED:

1. That Council approved the Adjustments Budget for 2026/27 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 noted that the Service Delivery Budget Implementation Plan be amended in line with these adjustments.

Proposed: Cllr. J Van Heerden
Seconded: Cllr. A Mouton
Counter Proposal: None

RB8.1.2/28-10-2026 ACCEPTANCE OF DONATION OF CHAIRS AND TABLES FROM ALSA FOUNDATION

RESOLVED:

1. Council took note of the list of donated assets
2. Council approved the donated assets contained in the report
3. Council mandated the Chief Financial Officer to update the asset register

Proposed: Cllr. A Scheepers
Seconded: Cllr. P Strauss
Counter Proposals: None

RB8.1.3/28-10-2026 NOTING OF THE GENERIC STANDARD RULES OF ORDER FOR CEDERBERG MUNICIPALITY

RESOLVED:

a) That Council took cognisance of the Generic Standard Rules of Order for Cederberg Municipality to regulate internal meeting procedures; and

b) Additionally, it was noted that:

1. It was recorded that the current approved Rules of Order contains a lot of inconsistencies and contradictions as was found when workshopped in July 2026 and therefore Council recommends the approval of these Generic Standard Rules of Order for Cederberg Municipality by the incoming Council.

RB8.1.4/28-10-2026 HANDOVER REPORT FOR THE 2021–2026 COUNCIL TERM IN OFFICE

RESOLVED:

That Council:

17.1 **NOTED** the amended Final Consolidated Handover Report for the 2021–2026 Council term, attached as ANNEXURE A

17.2 **NOTED** the amended Final Consolidated Handover Report as the Municipality's formal transition, continuity and institutional accountability record for the 2021–2026 Council term, subject to Incorporation of the applicable 2025/26 statutory and audited records.

17.3 **NOTED** that the final 2024/25 Annual Report provides the principal verified detailed baseline and that provisional or unaudited 2025/26 information must be reconciled to the final AFS, APR, AGSA outcome and supporting source records.

17.4 **NOTED** the material progress achieved in financial resilience, funded budgeting, liquidity, revenue collection, capital implementation, audit outcome, institutional performance, ICT modernization, customer capability, Public Safety and governance.

17.5 **NOTED** the ongoing projects relating to water security, ageing infrastructure, electricity losses, wastewater, waste facilities, informal settlements, housing demand, disaster and climate exposure, debtors, liabilities, statutory close-out and critical vacancies.

17.6 **NOTED** that projects or initiatives dependent on external funding, Eskom, DWS, WCDM, provincial or national departments, statutory authorities, landowners or other partners remain conditional until the required written approvals or commitments are obtained.

17.7 **NOTED** that the final Council record includes the adopted resolutions, this Council item, ANNEXURE A and all annexures forming part of the Final Consolidated Handover Report.

17.8 **RECORDED** its appreciation to Councilors, the administration, employees, communities, intergovernmental partners and stakeholders who contributed to the work of Cederberg Municipality during the 2021–2026 term.

17.9 **NOTED** that the Final White Paper on Local Government (September 2026) is incorporated as the applicable national policy-alignment framework for the 2026–2031 transition, without displacing existing statutory municipal powers, approved planning instruments, budgets or delegated authority.

17.10 **DIRECTED** that lawful and feasible Final White Paper-aligned actions be integrated, Where applicable, into the 2026–2031 IDP, SDF, MTREF, SDBIP, risk register, performance scorecard and directorate programmes, with accountable owners, funding status, milestones, risks and evidence requirements.

17.11 **NOTED** that reforms dependent on future national legislation, regulation, fiscal decisions, institutional design or transition guidance must be tracked separately and must not be represented as currently authorised, funded or mandatory municipal implementation actions.

17.12 **REQUIRED** quarterly oversight of the Final White Paper implementation register together with the consolidated handover action register, including governance and ethics, professional capability, financial sustainability, service delivery and infrastructure, citizen care, spatial and economic outcomes, climate resilience, and transition implementation.

17.13 Additionally, it was noted that Council considered the Handover Report for the 2021–2026 Council Term to be a fair and accurate reflection of the information provided; and

17.14 That Council endorsed and supported the Handover Report for the 2021–2026 Council Term in Office and recommended that it be considered and approved by the incoming Council post the LGE 2026.

Proposed: Cllr. R Richards
Seconded: Cllr. A Scheepers
Counter Proposal: None

- With the Speaker's permission, Cllr. Richards expressed Council's sincere gratitude to the Municipal Manager and his team for preparing the Handover document and for their hard work in improving the municipality's standing in this term.

RB8.1.5/28-10-2026 THE RESIGNATION OF CLLR. W FARMER AND DISSOLUTION OF THE SPECIAL COMMITTEE APPOINTED TO INVESTIGATE ALLEGED BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS BY COUNCILLOR WILLIAM FARMER

RESOLVED:

1. That Council:

a. Noted the Speaker's communication RB6C/27-08-2026 and Council's resolution of 27 August 2026 to appoint a three-member Special Committee to investigate the allegations against Councillor William Farmer;

b. Noted that Councillor Farmer resigned as a councillor of Cederberg Municipality with effect from 30 September 2026; and

c. Approved the dissolution of the Special Committee appointed to investigate the matter and compile findings and recommendations for Council and bring its mandate to an end.

Proposed: Cllr. R Richards
Seconded: Cllr. E Marshall
Counter Proposals: **None**

RB8.1.6/28-10-2026 ALLEGATIONS OF BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS AGAINST COUNCILLOR RUBEN RICHARDS

RESOLVED:

That Council:

a) Noted that Cllr. Richards recused himself from the discussion of this item, as he is an implicated party in the report.

a) Took cognisance of the preliminary investigation report by Cheadle Thomson & Haysom Inc. concerning the allegations against Councillor Ruben Richards;

b) Noted the investigator's conclusion that the allegations are unsubstantiated on the information provided and that further investigation would be fruitless and wasteful;

c) Accepted the investigator's conclusion and closes the matter, without making a finding that Councillor Richards breached the Code of Conduct; and

d) Directed the Administration to retain the complaint, responses and investigation report in the official record, and to advise the parties concerned of Council's decision.

Proposed: Cllr. A Scheepers
Seconded: Cllr. A Mouton
Counter Proposals: None

- It was noted that the Speaker informed Cllr. Richards accordingly

RB8.1.7/28-10-2026 CONSOLIDATED REPORT: DISCIPLINARY AND CODE OF CONDUCT MATTERS PERTAINING TO CURRENT AND PREVIOUS COUNCILLORSOF CEDERBERG MUNICIPALITY

RB8.1.7(1A)/28-10-2026 ALLEGATIONS AGAINST CLLRS. MAXWELL HEINS AND LEONè VENTER - COMPLAINT BY PREVIOUS EMPLOYEE: MANAGER ADMINISTRATION AND LEGAL SERVICES

RESOLVED:

1. **That Council:**

   a) Noted that the Speaker, Cllr. Heins recused himself from the discussion of this matter, as he is an implicated party in the report.

   b) Additionally, it was noted that the Municipal Manager assumed the chair and facilitated the **ELECTION OF AN ACTING SPEAKER.**

RB8.1.7(1B)/28-10-2026 ELECTION OF ACTING SPEAKER

RESOLVED:

a) It was noted that:
   2. When asked for nominations, Cllr. Van Heerden proposed Cllr. Blaauw to be the Acting Speaker and the proposal was seconded by Cllr. A Mouton.
   3. Cllr. Blaauw accepted the nomination and assumed the Chair as Acting Speaker.

b) That Cllr. Y Blaauw was the elected Acting Speaker.

Proposed: Cllr. J Van Heerden
Seconded: Cllr. A Mouton
Counter Proposal: None

RB8.1.7(1C)/28-10-2026 ALLEGATIONS AGAINST CLLRS. MAXWELL HEINS AND LEONè VENTER - COMPLAINT BY PREVIOUS EMPLOYEE: MANAGER ADMINISTRATION AND LEGAL SERVICES

RESOLVED:

1. That Council, in respect of the complaint against Cllrs Maxwell Heins and Leonè Venter, considered and resolved to accept the Special Committee's recommendation that the cases be treated as closed and settled pending further notice from the Bargaining Council or another relevant authority.

Proposed: Cllr. R Richards
Seconded: Cllr. A Scheepers
Counter Proposal: None

RB8.1.7(2)/28-10-2026 ALLEGATIONS AGAINST CLLRS. MAXWELL HEINS, FRANCOIS KAMFER, AZRIAL SCHEEPERS, PAUL STRAUSS - POSTING ON SOCIAL MEDIA

- It was noted that Cllrs. Scheepers and Strauss recused themselves for the purpose of this report.

RESOLVED:

a) Council accepted the investigator's findings that Cllrs Azrial Scheepers and Paul Strauss did not breach the Code of Conduct and records the matter as concluded in respect of these 2 Councillors; and

b) Counil further noted that Cllrs Maxwell Heins and Francois Kamfer were no longer members of Council when the investigation proceeded, and thus this matter was also identified as concluded.

Proposed: Cllr. R Richards
Seconded: Cllr. J Van Heerden
Counter Proposal: None

- The Acting Speaker, Cllr. Blaauw With relation to RB8.1.7(1C)/28-10-2026 and RB8.1.7(2)/28-10-2026, informed the Cllrs concerned accordingly.

- That the Acting Speaker stepped down and Cllr. Heins assumed his position as Speaker again.

RB8.1.7(3)/28-10-2026 ALLEGATIONS AGAINST CLLR. W FARMER - ASSAULT MATTER

RESOLVED:

a) Council noted that:
   (i) the investigator was unable to obtain Cllr Farmer's participation,
   (ii) the preliminary report nevertheless found him, Cllr. Farmer, guilty of the alleged misconduct,
   (iii) Cllr John Hayes withdrew his complaint after the parties resolved their differences, and
   (iv) Cllr Farmer resigned on 30 September 2026;

b) That Council considered point 3(a) (i, ii, iii) and identified the matter as concluded and that no further action is required.

Proposed: Cllr. J Engelbrecht
Seconded: Cllr. E Marshall
Counter Proposals: None

RB8.1.7(4)/28-10-2026 ALLEGED CONFLICT OF INTEREST: CLACKSON POWER — CLLRS. BERGH AND RICHARDS

- It was noted that Cllr. Richards excused himself for the purpose of this report.
- Cllr. Van Heerden enquired if the MEC had responded to the matter and wether we should investigate the matter.

RESOLVED:

1. Council noted:
   a. That the matter remained unresolved;

b. That the matter stand-over for the incoming Council to deal with, pending further response from the Western Cape Provincial Government.

- It was noted that Cllr. Blaauw reminded the Administration to submit information to Council on time, to prevent delays and ensure matters are dealt with promptly.

8.2 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

RB8.2.1/28-10-2026 IMPLEMENTATION OF WATER RESTRICTIONS WITHIN THE CEDERBERG MUNICIPAL AREA TO PROTECT WATER RESOURCES AND PREPARE FOR POTENTIAL EL NIÑO IMPACTS

RESOLVED:

That Council:

1. **NOTED** the current water-demand pressures and the potential effect of adverse summer climate conditions on municipal water resources.
2. **NOTED** the implementation of town-specific water restrictions for summer 2026/27 in accordance with the Strategy, applicable municipal by-laws and water-use authorisation conditions.
3. **NOTED** the restriction schedule, effective dates, consumption targets and public notices through the applicable approval processes.
4. **NOTED** verified consumption against authorised supply limits and sustainable resource availability, and to review or adjust restriction levels when required.

Town	Authorised supply (ML/day)	Average demand (ML/day)[1] (Aug 25' – Aug 26')	Projected peak summer demand (ML/day)	Restriction level to be implemented
Clanwilliam	3.902	4.197	5.221	3
Citrusdal	2.607	3.360	4.200	3
Lambert's Bay	1.576	2.069	3.141	3

Graafwater	0.606	1.388	0.980	2
Elands Bay	0.506	1.477	0.640	1
Leipoldtville	0.179	0.121	0.216	2
Algeria	0.082	0.094	0.124	1
Paleisheuwel	0.052	0.021	0.033	1

8.3 MATTERS FOR NOTIFICATION

RB8.1.8/28-10-2026 IN-COMMITTEE: APPOINTMENT OF DIRECTOR TECHNICAL AND PLANNING SERVICES

RESOLVED:

a. That Council took note of and endorsed the recruitment and selection process as reflected in the selection documentation, including the advertisement, long list, shortlist, verification & screening results and Recruitment & Selection Report.

b. That Council approved that Ms. Therese Luyt qualifies at an advanced level for appointment as Director: Technical and Planning Servivces and is a suitable candidate for appointment; and which appointment is on permanent basis.

c. That Council approved, if Ms Therese Luyt does not accept the offer of employment, the Municipal Manager is authorised to offer the position to the following qualifying candidate, or to re-advertise the position.

d. That Council approved the contract of employment and the all-inclusive remuneration package be negotiated and finalised by the Municipal Manager within the statutory limits.

e. That Council approved performance contract be concluded with the incumbent within 60 days after commencement of service, failing which, the appointment lapses.

f. That Council took note that within 14 days of a Council decision, a written report including all necessary documents be submitted to the MEC for Local Government regarding the appointment process and outcome.

Proposed: Cllr. J Engelbrecht
Seconded: Cllr. J Van Heerden
Counter Proposal: None

RB8.1.9/28-10-2026 IN-COMMITTEE: PERFORMANCE REVIEWS REPORT OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER

RESOLVED:

6.1 Council approved the proposed allocation of performance rewards in respect of the qualifying senior management for the financial year under review, as determined in accordance with Regulation 805:

- Mr. G Matthyse: Final score: 176.00% (Period 1 July 2025 to 30 June 2026)
- Mr. J Booysen: Final score: 191.60% (Period 1 July 2025 to 30 June 2026)
- Mr. R De Ridder Final score: 198.00% (Period 1 July 2025 to 30 June 2026)
- Mr. F Petersen Final score: 164.32% (Period 1 December 2025 to 30 June 2026)
- Mr. C Sheldon Final score: 129.38% (Period 1 August 2025 to 31 December 2025)
- Mr. A Titus Final score: 116.94% (Period 1 July 2025 to 30 November 2025)

POSITION HELD	NAME	PERIOD	BONUS % PAYABLE
Municipal Manager	Mr. G Matthyse	1 July 2025 to 30 June 2026	**11%**
Director: Financial Services	Mr. J Booysen	1 July 2025 to 30 June 2026	**13%**
Director: Technical Services	Mr. R De Ridder	1 July 2025 to 30 June 2026	**13%**
Director: Community Services and Public Safety	Mr. F Petersen	1 December 2025 to 30 June 2026	**10%**

6.2 Council approved that in terms of Regulation 805(8), the approval and payment of performance rewards may only take place after the Annual Report for the financial year under review has been tabled and adopted by Council, and subject to compliance with all applicable legislative and regulatory requirements.

6.3 Council approved that the performance rewards be paid as proposed in paragraph 6.1, in compliance with the applicable legislative and regulatory requirements; and

6.4 That these rewards only be paid out once the Annual Report 25/26 is considered by Council.

Proposed: Cllr. J Van Heerden
Seconded: Cllr. R Richards
Counter Proposals: None

8.4 CONSIDERATION OF NOTICES OF MOTIONS

* Geen / None

8.5 CONSIDERATION OF MOTIONS OF QUESTIONS

* Geen / None

8.6 CONSIDERATION OF MOTIONS OF EXIGENCY

* Geen / None

09. CLOSURE

9A/28-10-2026 RECESS OF COUNCIL

a) The Speaker announced that Council is now officially in recess from 28 October 2026 and informed Council that all Tools of Trade must be handed in by the end of business on or before Friday, 30 October 2026.

9B/28-10-2026 RULING BY SPEAKER: CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 28/10/2026

a) That Council will convene on Friday 30 October 2026 @ 08h00 virtually to confirm the minutes of 28 October 2026.

- The Speaker thanked all Councillors and said he looked forward to seeing them, the MM and Directors at the End-of-Term lunch, as previously communicated.

- Meeting adjourned at 12h25.

_____ _____

VOORSITTER/CHAIRPERSON **DATUM/DATE**