



**NOTULES VAN DIE / MINUTES OF THE**

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

**27 NOVEMBER 2025 @ 13h30**

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

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**MINUTES OF THE COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY HELD ON  
27 NOVEMBER 2025**

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**PRESENT AND IN ATTENDANCE:**

Cllr. M Heins (Speaker), Cllr. A Scheepers (Exec. Mayor), Cllr. Richards (Dep. Exec. Mayor), Cllr. A Mouton, Cllr. J Van Heerden, Cllr. M Bergh, Cllr. W Farmer, Cllr. J Hayes, Cllr. Y Blaauw, Alderman J Engelbrecht

Messrs. G Matthyse (MM), R De Ridder (Dir. T&PS), J Booysen (CFO), C Sheldon (Act. Dir CSS), Miss L September, Miss J Cloete)

**ABSENT WITHOUT APOLOGY:**

Geen / None

**1. OPENING**

- The Chairperson welcomed all present and Cllr. Blaauw opened the meeting with a prayer.

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

N/A

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

- Mr. A Titus (sick leave)

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## 5. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS

### Rules of Order for Internal Arrangement

#### Part 6

#### 6. Deputations

Should deputations seek an interview with council, the municipal manager must be provided with ten working days written notice of the intent of the deputation with details of the representations that are to be made as well as its source. The notice must be submitted to the Speaker by the Municipal Manager with recommendations and comments. The Speaker has the discretion to then grant the interview and instate conditions.

N/A

## 5. CONFIRMATION OF MINUTES

### RESOLVED:

- a) That Council approved the following Minutes:
  - 1. Council Meeting held on 26 August 2025;
  - 2. Special Council Meeting held on 13 October 2025; and
  - 3. Urgent Special Council Meeting held on 22 October 2025.

**Proposed:** Cllr. A Scheepers

**Seconded:** Cllr. A Mouton

**Counter Proposals:** None

## 5.2 ROUND ROBIN RESOLUTIONS TAKEN

- 1. Council ratified the following Round Robin decisions:
  - A. RB5.1.1/30-10-2025 EXTENSION OF ACTING PERIOD OF MR. ANDRIES TITUS AS ACTING DIRECTOR COMMUNITY SERVICES AND PUBLIC SAFETY
  
  - B. RB5.1.1/05-11-2025 APPOINTMENT OF NEW/THIRD MEMBER AND CHAIRPERSON TO THE DISCIPLINARY COMMITTEE WITH REFERENCE TO RB 7.1.5/11-07-2025 – 2nd SUBMISSION for 3rd MEMBER OF DC

**Proposed:** Cllr. R Richards

**Seconded:** Cllr. J Van Heerden

**Counter Proposals:** None

## 6. STATEMENTS AND COMMUNICATION BY THE SPEAKER

### **RB6(1)/27-11-2025      COMMUNICATION BY THE SPEAKER: AUDIT OUTCOME**

The Municipal Manager and CFO briefed the house on the challenges encountered during the audit process but proudly announced that Cederberg received confirmation this morning that the Municipality had achieved a clean audit. Council applauded and congratulated the Administration on this accomplishment.

#### **RESOLVED:**

- a. Council noted and congratulated Cederberg on receipt of a qualified audit/clean audit.

### **RB6A/27-11-2025      COMMUNICATION BY THE SPEAKER: VACANCY IN COUNCIL**

#### **RESOLVED:**

- a) Council noted that a vacancy was declared in terms of Ward 4; and
- b) That a bi-election is underway for Ward 4.

### **RB6B/27-11-2025      COMMUNICATION BY THE SPEAKER: LETTER BY MEC, A BREDELL**

#### **RESOLVED:**

#### **a) Council noted the following statement by the Speaker:**

" I bring to your attention that I received on 20 November 2025 correspondence from MEC Bredell regarding Serious Allegations of Conduct at the Cederberg Municipality. The correspondence identifies 2 allegations. 1 Irregular generation and supply of electricity municipality by a certain supplier. 2 Conflict of interest related to the business conducted by the same supplier. In his letter also, he referred and has cautioned me as Speaker that in light of the contents of his letter to me, I must ensure that the municipality complies with its legal obligations in terms of protection of personal information act 2013.

I have therefore asked the Municipal Manager and his Administration to urgently compile the information as requested by the MEC so that I may construct my report and specific detail requested by the MEC which is due 10 December 2025. “

## **RB6C/27-11-2025                      COMMUNICATION BY THE SPEAKER: RECESS OF COUNCILL**

### **RESOLVED:**

- a. Council noted the recess period as communicated by the Speaker:
  1. 12 December 2025 until 04 February 2026;
- b. That the approved calendar of 25/26 for Council business will remain; and
- c. That Councillors be available, should any urgent matters arise.

## **RB6D/27-11-2025                      COMMUNICATION BY THE SPEAKER: RECESS OF ADMINISTRATION**

### **RESOLVED:**

- a. That Council noted the announcement by the Speaker, made in consultation with the Municipal Manager:
  1. The official recess planned, is from 29 December 2025 until 02 January 2026;
  2. That the offices will close at 12h00 p.m. on 24 December 2025;
  3. That the office will re-open on Monday, 05 January 2026;
  4. That the communities be informed, accordingly;
  5. That essential services will continue to operate as arranged with the relevant Directors;
  6. That the recess for essential services take place in January 2026 and no later than the end of February 2026.

## **RB6E/27-11-2025                      COMMUNICATION BY THE MUNICIPAL MANAGER: UPPER LIMITS OF COUNCILLORS**

### **Resolved:**

- a) It be noted that Upper limits for Councillors may be available during the recess period, if so, Councillors can expect a Round Robin item in this regard.

## **RB6F/27-11-2025      Comments from the floor on the Statements and Communication by the Speaker**

**Councillor Hayes raised a Point of Order** regarding a request he made to the Speaker to do a presentation on fruitless and wasteful expenditure, which the Speaker responded to by citing the relevant schedule from the Rules of Order. Cllr. Hayes confirmed he had met the requirements with proof of receipt, but the Speaker maintained that the Rules of Order still applies. Cllr. Hayes then formally objected to the Speaker's position on which the Speaker noted his objection.

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

“Agbare onder burgemeester, lede van die Burgemeesterskomitee, Munisipale Bestuurder,

Soos ons die einde van nog 'n jaar nader, besin ons oor 'n reis gekenmerk deur noemenswaardige prestasies en uitdagings. Die afgelope jaar was gebeurtenisvol, met veranderinge in die politieke landskap wat ons genoodsaak het om ons koalisie te herorganiseer en te versterk vir stabiliteit en kontinuïteit.

Terwyl ons deur hierdie veranderinge navigeer, bly ons standvastig in ons verbintenis om ons interne beheermaatreëls en bestuur te versterk, en volhoubare leierskap en bestuur te verseker. Die administrasie neem doelbewuste stappe om sy institusionele kapasiteit te verbeter, insluitend die vul van vakante direkteursposte, met een direkteur wat op 1 Desember 2025 by sal aansluit.

Deur middel van goeie leierskap bly Cederberg Munisipaliteit vasberade in sy verbintenis tot die lewering van kwaliteitsdienste aan ons burgers. Ek prys die Burgemeesterskomitee en senior bestuurders vir hul voorbeeldige leierskap en bestuur oor die afgelope jaar.

Ek wil ook my hartlike waardering uitspreek teenoor ons werkers op alle vlakke vir hul onwrikbare toewyding en harde werk. Julle pogings, dikwels in uitdagende omstandighede, vorm die ruggraat van ons munisipaliteit se dienslewering. Munisipale Bestuurder, dra asseblief ons opregte dank oor aan al ons werkers – julle word gewaardeer en waardeer.

'n Belangrike mylpaal is bereik in die aanspreek van die langdurige probleem van bruinerige water in Clanwilliam. Sedert Julie 2025 geniet inwoners baie skoner en helderder water, 'n bewys van die munisipaliteit se toewyding om gehaltdienste te lewer.

Ek is bly om te berig dat teen die einde van Oktober 2225 huishoudings voordeel getrek het uit die deernis subsidie vir behoeftiges, wat broodnodige verligting aan arm huishoudings bied. Die munisipaliteit is daartoe verbind om meer in aanmerking komende huishoudings te bereik en moedig diegene in nood aan om aansoek te doen.

Ons slimmeter-installasieprojek vorder goed, met Citrusdal wat nader aan voltooiing is en Clanwilliam wat goeie vordering maak. Ons sien ook vordering in Graafwater en het onlangs met werk in Elandsbaai begin.

Ons kapitaalprojekte vorder baie goed, en ek wil graag die sukses van die Uitgebreide Openbare Werke-program (of die EPWP) beklemtoon, wat deelnemers in diens geneem het en bygedra het tot ons pogings om werkloosheid aan te spreek. Ons bied ook twee groot nasionale projekte aan, insluitend die opgradering van die Clanwilliam-damprojek en die SANRAL-projek, wat baie mense in ons munisipaliteit in diens neem.

Ten slotte doen ek 'n beroep op alle belanghebbendes om voort te gaan om saam te werk om te verseker dat hierdie projekte ons munisipaliteit en plaaslike gemeenskappe bevoordeel.

Laat ons voortbou op ons vordering en voortgaan om kwaliteitdienste aan ons burgers te lewer.

Dankie.“

## **RB7A/27-11-2025      Comments from the floor on the Statements and Communication by the Executive Mayor**

- Councillor Blaauw highlighting residents' frustrations over potholes and infrastructure issues in Citrusdal, especially water shortages and road maintenance. He praised the Director of Technical Services and the Electrical teams for their efforts despite community criticism and suggested repairing leaks in Riverview to improve water supply and road conditions, citing recent fires worsened by water shortages. He mentioned that currently, Riverview's water is almost cut off every night and that recently, there were fires in Riverview where residents lost everything, largely due to a lack of water.
- With reference to the Mayor's communication, the Municipal Manager acknowledged Councillor Blaauw's initiative regarding the matriculants and the issues with the electricity not being blocked during exams, He commended Councillor Blaauw for

initiating that effort and thanked him. The MM also informed Council that the Administration plans to thoroughly assess all infrastructural needs and gaps in Citrusdal and incorporating these into the budget for urgent action, citing the Adjustment Budget of February 2026.

- The Executive Mayor assured Council that infrastructure improvements across all towns would be addressed gradually and within the budget constraints.

## **RB7.1/27-11-2025     PRIORITISE CITRUSDAL**

### **RESOLVED:**

- a) That Citrusdal, in terms of its infrastructure, be made a priority.

**Proposed:**     Cllr. A Scheepers

**Seconded:**    Cllr. R Richards

## **8. REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE EXECUTIVE MAYOR TOGETHER WITH THE MAYORAL COMMITTEE**

- ❖ The Executive Mayor reported that the Land Audit was completed on 6 October 2025. Subsequently, a land workshop was held two weeks prior to discuss available land in the Cederberg area. CK Rumboll facilitated the process and workshop.
- ❖ The Executive Mayor also referenced topics discussed at the previous MayCo meeting and informed the Council that the Municipal Manager consistently provides a detailed update on the municipality's current status, covering all directorates.
- ❖ Councillor Hayes mentioned that hawkers are now operating from places that strictly prohibit informal trading and the Administration should make it priority to address this matter.

- ❖ Regarding the Sun-wave project, he inquired about the municipality's decision and emphasised that the Ward Committee of Ward 5 should be informed accordingly. He elaborated that during the December season, Lamberts Bay experiences significant pressure on infrastructure. The Sun-wave project representative requested many services from the municipality, which would not be feasible during December in Lamberts bay. He also noted that Mr. Fortuin from Law Enforcement was present at the previous evening's feedback meeting in Lamberts Bay, where safety plans were also a point of discussion.
  
- ❖ The Speaker requested that Councillor Richards, Chair of the relevant Portfolio, address the concerns raised by Councillor Hayes. Councillor Richards acknowledged the validity of Cllr. Hayes' concerns and suggested scheduling a constructive discussion with the Municipal Manager and Administration, as it is an administrative issue related to Cederberg's festive readiness feasibility program. He also mentioned that during the Portfolio presentation, many concerns were raised, and the matter was delegated to the Local Economic Development Officer for further investigation.

**RESOLVED:**

- a) That the following MayCo reports be approved:
  1. Executive Mayoral Committee Minutes held on 26 August 2025
  2. Corporate and Community Services Portfolio Minutes of 21 August 2025;
  3. Financial Services Portfolio Committee Minutes of 21 August 2025;
  4. Technical and Planning Services Portfolio Minutes of 21 August 2025

**Proposed:** Cllr. A Scheepers

**Seconded:** Cllr. R Richards

## 9. MATTERS FOR CONSIDERATION

### Rules of Order for Internal Arrangement

#### Part Four:

#### 2. DECISIONS AND VOTING

- 2.1 In the event that the Speaker enquires from the attendees at a meeting if they are in agreement with recommendation/s and there is no opposition by any member present, recommendations are adopted.
- 2.2 The Speaker must put every apposed motion to the vote by calling upon the members to indicate by a raising of hands unless otherwise prescribed by law, whether they are in favour of or against such motion. The result of the vote must thereafter be declared by the Speaker.
- 2.3 The number of members voting in favour of or against an item, is to be recorded in the minutes. Members may abstain from voting without leaving the meeting and may request that his/her abstention be recorded in the minutes of that meeting. Consequently, subsequent to the speaker's declaration of the result, a member may demand that his or her opposition or support of a decision be recorded in the minutes and the Municipal Manager must accordingly arrange for the same.
- 2.4 All decisions must be taken by a supporting vote of the majority of the members present at any meeting of the Council.
- 2.5 The Municipal Council must reconsider a decision taken if the majority of members lodge a request in writing with the Municipal Manager. This shall apply unless such reconsideration adversely affects existing rights. Motions for the reconsideration of decision must be submitted in terms of Rule 5 of the Rules of Order.
- 2.6 Notwithstanding the provision of this Rule, the Council may at any time following a recommendation by the Mayor, rescind or amend any resolution passed by it.

#### Part 5

#### 4. Councillor to address chair

A member who speaks at a meeting must address the chair.

#### Part 5

#### 16. Order of priority

- 16.1 The Speaker must ensure that there is maintenance of order. To this end, the Speaker may, if he / she deems it necessary, at any time in a meeting direct an officer to remove or cause the removal of any person, excluding a member, from the Council Chamber. The Speaker may also direct that the public gallery be vacated.
- 16.2 The removal of any person or persons who refuse to carry out any reasonable instruction given by the Speaker or obstructs the carrying out of such instruction may be ordered by the Speaker.

#### Part 5

#### 3. Precedence of the Speaker

Silence must be observed by all present in meeting when the Speaker addresses meetings in order for the Speaker to be heard without interruption. Whenever the speaker addresses the meeting, all members must be silent so that the speaker may be heard without any interruption. Council must be addressed by members through the Speaker.

#### 13. Relevance

Speeches by members must address the subject or matter under discussion or to an explanation or to a point of order. In this regard, no discussion shall be tolerated in relation to the anticipation of any matter on the agenda or in respect of any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of inquiry, whether instituted in terms of legislation or not, is pending, provided that such matter may be considered with the permission of Council.

#### Part 5

#### 5. Right to speak

A member is provided with an opportunity to speak with the permission of the Speaker only once for no longer than 5 (five) minutes on a matter before the meeting unless authorised by the Chairperson.

A member is entitled to speak once on any recommendation, motion or proposal, provided that the Mayor or Member may reply to conclude a debate and shall restrict himself/herself to answering previous speakers rather than the introduction of new matters.

Prior to the consideration of any item contained in the report of the mayor in reply to a specific question or during discussion of the same, the Speaker shall permit the Mayor, MMC or Chairperson of the Committee in terms of section 79 and 80 of the Local Government Municipal Structures Act 117 of 1998 who made the proposal in terms of rule 9 or rule 14 of part 5 of these Rules to make an explanatory statement.

#### 6. Length of speeches

- 6.1 A member may (unless authorised otherwise by the Speaker) only speak once to-
- 6.1.1 the matter and any amendments to that matter that is before the council;
- 6.1.2 any motion before the council;
- 6.1.3 to a matter or an amendment proposed or be proposed by himself or herself;
- 6.1.4 a point of order or a question of privilege, unless authorised by the speaker or as provided for in terms of these rules.
- 6.2 No new matters may be introduced by a mover that speaks to a motion and replies to previous speakers in a debate. The right of reply shall not extend to the mover of an amendment which, having been carried, has become substantive motion.

## **9.1 RESOLUTIONS TAKEN BY COUNCIL**

### **RB9.1.1/27-11-2025 AMENDMENTS TO INCOME, OPERATIONAL AND CAPITAL EXPENDITURE PROJECTIONS - ADJUSTMENTS BUDGET 2025/2026 NOVEMBER 2025**

**RESOLVED:**

1. That Council approved the Adjustments Budget for 2025/26 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

**No Counter Proposals**

**DA abstained**

### **RB9.1.2/27-11-2025 DEVIATION FROM AND RATIFICATION OF MINOR BREACHES OF, PROCUREMENT PROCESSES**

**RESOLVED:**

1. Council, in terms of Section 36 of the Supply Chain Management regulations, took cognisance of the transactions for the months of August 2025, September 2025 and October 2025.

### **RB9.1.3/27-11-2025 REPORT TO COUNCIL ON RECEIPT OF NON-CURRENT ASSETS**

**RESOLVED:**

1. Council took cognisance of the assets donated to Council.
2. Council ratifies the receipt of the assets.
3. The assets be added in Council's Asset Register on date of receipt of the assets.
4. The donated assets be disclosed in the AFS as contributed assets under transfer revenue in the statement of financial performance.

**Proposed:** Cllr. J Van Heerden

**Seconded:** Cllr. A Mouton

**No Counter Proposals**

### **RB9.1.4/27-11-2025 QUARTERLY BUDGET INCLUSIVE OF TOP LAYER SERVICE DELIVERY IMPLEMENTATION PLAN (SDBIP) AND SUPPLY CHAIN MANAGEMENT REPORTS: JULY 2025 – SEPTEMBER 2025**

**RESOLVED:**

1. Council took note of the:
  - a. Quarterly Budget Statement inclusive of the Top Layer Service Delivery Implementation Plan (SDBIP),
  - b. Virements Report for the fourth quarter, and
  - c. Supply Chain Management Report for the fourth quarter.

### **RB9.1.5/27-11-2025 WRITE OFF OF OUTSTANDING DEBT OF INDIGENT CUSTOMERS**

**RESOLVED:**

1. Council notes the report of the irrecoverable debt on indigent households.

2. Council approves the write-off of debt as of 30 June 2025 for all qualifying indigent consumers, **BUT** that all customers with a credit balance at actual processing date of write-off be excluded.
3. The total amount of debt to be written off is contained in the attached annexure and amounts to **R 14 783 722.20**.
4. **Additionally, it be resolved that:**
  - a. If it is determined that a client provided false information to justify the benefit of debt write-off, the write-off of that client's debt will be reversed.

**Proposed:** Cllr. J Van Heerden

**Seconded:** Cllr. A Mouton

**No Counter Proposals**

## **RB9.1.6/27-11-2025 REBATE ON BASIC CHARGES FOR ELECTRICITY TO GOEDE HOOP CITRUS**

### **RESOLVED:**

1. Council noted the request to grant Goede Hoop Citrus (Pty) Ltd the rebate based on previous commitment and communication.
2. Council noted the isolated incident in which the incorrect tariff within the customer classification were decreased with 20% having no impact on the customer.
3. Council approved the rebate to be administered monthly only if the account is in good standing.
4. Council approved the proposed rebate to the value the tariff decreased would have had, from **July 2025 to June 2026**.
5. Council approved the rebate for **R 30 935 per month** for the 12 months which totals **R371 220** only.

**Proposed:** Cllr. J Van Heerden

**Seconded:** Cllr. A Mouton

**No Counter Proposals**

## **RB9.1.7/27-11-2025 LONG TERM FINANCIAL STRATEGY FOR CEDERBERG MUNICIPALITY**

### **RESOLVED:**

1. Council took note of the contents and recommendations contained in the Long-Term Financial Plan.
2. The assumptions underpinning the proposed LTFP be further discussed and refined at the January/February 2026 Strategic Planning Review Session to be held between Councillors and Senior Management to take into account additional and emerging risks facing the municipality.

**Proposed:** Cllr. A Scheepers

**Seconded:** Cllr. R Richards

**No Counter Proposals**

## **RB9.1.8/27-11-2025 WRITE-OFF CONSIDERED FOR SELF SUSTAINED TOWNS – SOOPJESHOOGTE & DOORSRING**

### **RESOLVED:**

1. Council noted that the Administration is in the process of rectifying and aligning previous incorrect billing and wrongly calculated invoices to customers.
2. Council noted the report highlighting the 75% and interest calculation considered for write-off between July 2022 and June 2025.
3. Council approved the write-off of debt as of 30 June 2025 for all affected customers of Soopjeshoogte and Doornspring, BUT that no credit created as a result of the write-off will be refunded to any customer.
4. That the total amount of debt to be written off is contained in the attached annexure and amounts to **R 4 327 083.75**

**Proposed:** Cllr. J Van Heerden

**Seconded:** Cllr. A Mouton

**No Counter Proposals**

## **RB9.1.9/27-11-2025 CITRUSDAL BULK WATER SERVICES**

### **RESOLVED:**

1. That the Administration was mandated to advertise for RFP's for the operating of the Bulk Water Services Function for Citrusdal.
2. The Administration report back to Council on the outcome of the process.

**Proposed:** Cllr. A Mouton

**Seconded:** Cllr. R Richards

**No Counter Proposals**

## **RB9.1.10/27-11-2025 CLANWILLIAM REFUSE TRANSFER STATION**

### **RESOLVED:**

- a. That Council considered and approved the proposed location of the Refuse Transfer Station and mandated the administration to proceed with the required processes of providing Cederberg Municipality with a RTS at the location.

**Proposed:** Cllr. A Mouton

**Seconded:** Cllr. A Scheepers

**No Counter Proposals**

## **RB9.1.11/28-08-2025 ERVEN 204 & 219 GRAAFWATER**

### **RESOLVED:**

1. Council noted and support the item;
2. That Council approved the commencement of the necessary processes to obtain development rights and subsequent approvals for the portions of Erven 204 & 219 Graafwater;
3. That Council mandated the administration for subsequent processes of alienating of Erf 204 & portions Erf 219 Graafwater, aligned with section 14 of the MFMA and the

Asset Transfer Regulations as well as the Supply Chain Management Policy and any other related legislative requirements.

**Proposed:** Cllr. A Mouton

**Seconded:** Cllr. A Scheepers

**No Counter Proposals**

### **RB9.1.12/27-11-2025 AMENDMENT OF MIG DPIP (MUNICIPAL INFRASTRUCTURE GRANT DETAILED PROJECT IMPLEMENTATION PLAN)**

**RESOLVED:**

- a. It was noted that the item was deferred.

### **RB9.1.13/27-11-2025 APPROVAL OF THE AMENDMENT TO THE TRAVEL & SUBSISTENCE POLICY**

**RESOLVED:**

1. That Council approved the amended Travel & Subsistence Policy to reinstate the payment of travel costs for candidates invited to attend interviews at Cederberg Municipality;
2. Additionally, it was resolved that a candidate who attends the interview and is successful but declines the position will not have their travel expenses covered.

**All in favour / Unanimous**

### **RB9.1.14/27-11-2025 PROGRESS ON THE SMART METERS PROJECT IMPLEMENTATION OF CEDERBERG MUNICIPALITY**

**RESOLVED:**

1. That Council noted the progress of the smart meter project.

## **RB9.1.15/27-11-2025 CONSTITUTION OF COUNCIL COMMITTEES: APPOINTMENT OF THE CHAIRPERSON OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

- It should be noted that a 10 minute caucus break was requested by the DA component following Cllr. Y. Blaauw's nomination, which he initially declined. This request was granted. After the caucus break, Cllr. Blaauw accepted the nomination to become the third member of the MPAC and Cllr. Bergh accepted the nomination for Chairperson of MPAC.

### **RESOLVED:**

1. That Council appointed Cllr. Y Blaauw as a member of MPAC;
2. That Cllr. M Bergh was appointed as the MPAC Chairperson;
3. That MPAC commence its functions with immediate effect, as follows:
  - Cllr. M Bergh(Chairperson)
  - Cllr. W Farmer
  - Cllr. Y Blaauw

**Proposed:** Cllr. J Van Heerden

**Seconded:** Cllr. A Mouton

**No Counter Proposals**

## **RB9.1.16/27-11-2025 CONSIDERATION AND APPOINTMENT OF AN EXTERNAL INDEPENDENT 3RD MEMBER AND CHAIRPERSON OF THE DISCIPLINARY COMMITTEE, REFERENCING RB7.1.5.11-07-2025**

### **Sequence of Events:**

1. **Cllr. Hayes:** Regarding the appointment of an investigator, can the Speaker make such a decision independently, or does it require approval from Council?
2. **Cllr. Richards responded to Cllr. Hayes'** question, and the Speaker called him to order. The Speaker requested that Cllr. Hayes complete his question.

3. **Cllr. Hayes:** Is it procedure for Council to decide on the appointment of a legal team, or is it the Speaker's prerogative to make that decision? Specifically, whether it is necessary to appoint someone immediately.
4. **Municipal Manager with the permission of the Speaker:** It is within the Speaker's prerogative in terms of the USP. The Speaker receives instructions from the Municipal Manager to appoint someone from the panel.
5. **Cllr. Hayes:** Mr. Speaker, does the same apply to the defence of a court case? Or does Council need to decide or give approval for the defence?
6. **Cllr. Richards:** Mr. Speaker, I raise a Point of Order. Where are we currently on the agenda?
7. **Speaker:** I will support the Point of Order. Cllr. Hayes, could you clarify for us?
8. **Cllr. Hayes:** Your current legal team at the High Court is showing contempt for the court.
9. **Speaker:** Cllr. Hayes, the matter before us is very clear and does not relate to a High Court case. The item on the agenda is the appointment of a third member to the Disciplinary Committee – an external person. That is where we stand.
10. **Mr. Sheldon: Respond to Cllr. Farmer's question** when asked were all avenues exhausted pertaining to the appointment of a 3<sup>rd</sup> member within this Council. - That is correct. I believe this has been pointed out many times in Council, including by Cllr. Hayes. The entire issue relates to the USP and the rules of natural justice as outlined. Council is limited in numbers—only 11 Councillors—and we also had a Disciplinary Committee. I do not want to revisit the background of the Councillors who served on the DC, but in fairness, it was considered appropriate to look at Council's legal panel for an external, independent person who can objectively oversee the DC. Cllr. Hayes will agree that an external person should be appointed, given the context and previous statements.
11. **Cllr. Hayes:** My intention is not to halt the process, but I am quite disappointed that it has not yet been finalised. The USP needs to be amended, and I would like to request that Councillor Scheepers reconsider his decision to resign from the Disciplinary Committee.

12. **Speaker:** Cllr. Scheepers' resignation has already been recorded, which is why we brought up his resignation. As Mr. Sheldon also mentioned, there was communication from your side indicating support for a process to appoint an independent person.
13. **Cllr. Hayes:** Mr. Speaker, that is correct, but the USP must then be amended. The USP clearly states that the person must be impartial and unbiased. Therefore, either the USP needs to be changed, or it can be interpreted that we can proceed within the current USP. I would welcome an independent person, but does the USP allow for this?
14. **Municipal Manager:** The USP only references external support in relation to initiators and charging officers. It does not specify Committee Members. Only the Chairperson is mentioned in terms of due process, unless there are allegations against a Councillor serving as Chairperson. In that case, the Chairperson must assess the specific allegation and determine if there is sufficient merit to appoint an initiator. The Chairperson will then instruct the MM to appoint an initiator, who is responsible for conducting the investigation. The MM must follow SCM procedures, working from a panel to appoint an appropriate investigator. The initiator, as the charging officer, must then proceed accordingly.
15. **Mr. Sheldon:** Mr. Chairperson, that is correct, as the MM has outlined. Cllr. Hayes, I want to reassure you, as it seems you are concerned about the court case. I want to clarify for Council that there is no contempt of court involved. The involved parties, including the legal teams, are currently discussing the submission of their documents. Your attorneys have set a deadline for this. There is no disrespect or contempt for the court, and no decision has been made by the court in this matter. I am simply clarifying this for the record, Mr. Speaker.
16. **Cllr. Bergh:** Mr. Speaker, the responses from the MM and Mr. Sheldon are not clear, possibly because there is no clarity in the USP. May we appoint an external person? Or are we not allowed to appoint an external person?
17. **Cllr. Hayes:** Mr. Speaker, it's quite simple. You have done whatever you've done so far, so do as you wish; it doesn't matter.
18. **Cllr. Richards:** Mr. Speaker, Point of Order. Mr. Sheldon pointed out that the legal teams are handling the matter. I would like to request that Cllr. Hayes withdraw his earlier comments, accusing this Council of 'contempt of court,' as it is clearly untrue. Unless he is simply trying to score cheap political points today, the facts as explained by Mr.

Sheldon differ significantly from what Cllr. Hayes has recorded. It's unfair to Council to let that comment go unchallenged.

19. **Cllr. Hayes:** Mr. Speaker, Point of Order. Cllr. Richards, thank you for allowing me the opportunity to respond. The DA's legal team, the entire legal team, had a deadline last week, specifically Monday the 17th at 5:00 PM, by which the opposing party was to submit their documentation. There was no response. The DA's legal team then sent another letter to put them on terms, and that deadline is now 10 days, which apparently expired today at 5:00 PM. I have just received a message indicating that your legal team has again requested that the deadline be extended to next week, Friday.
20. **Speaker:** Cllr. Hayes, I will now ask you to stop.
21. **Cllr. Hayes interrupted the Speaker:** I just want to say, the court is going...
22. **Speaker:** No, I am going to ask you to stop, Cllr. Hayes. I have tolerated this long enough. There was also a Point of Order earlier. We have one item remaining on the agenda, and there is one item that is relevant. Everyone around the table understands what you're saying, but I would like us to stick to the item on the agenda.
23. **Cllr. Hayes interrupted again:** Mr. Speaker, thank you. I have said what I wanted to say.
24. **Speaker:** I also support Cllr. Richards' Point of Order and request that you withdraw your statement that the Council is in contempt of the court, as the facts are clear.
25. **Cllr. Hayes:** If you say that, then you must give me the opportunity to respond. How can I then change my words?
26. **Speaker:** Cllr. Hayes...
27. **Cllr. Hayes continues:** The court will interpret this as contempt of court.
28. **Speaker:** Cllr. Hayes, I want to stick to what I am saying. Will you withdraw your statement, or will you not? The words have already been spoken. So, Cllr. Hayes, can we please stick to the facts on the table?

29. **Cllr. Hayes:** I stand by my point. The actions of the legal team will be seen as contempt of court.
30. **Speaker:** Cllr. Hayes, I will now ask you to leave the council chamber. Thank you if you do not withdraw it.
31. **Cllr. Hayes:** I will do so gladly, but before I leave, I just want to say that Cllr. Farmer is undergoing a serious operation tomorrow. He can provide the details himself. He would have gone in today; I just want to thank him for adjusting his appointment today. He could lose fingers in the process.
32. **Cllr. Richards:** Point of Order, Mr. Speaker.
33. **Cllr. Hayes:** I want the Council to wish him well.
34. **Speaker:** We take note of that. Thank you, Cllr. Hayes. We will communicate with Cllr. Farmer accordingly. Please leave the council chamber.
35. **Cllr. Hayes:** Can you just record that in the...
36. **Speaker:** Cllr. Hayes, you are leaving the council chamber, thank you.
37. **Cllr. Hayes to other DA Councillors present:** You will leave with me.
38. **Speaker:** Cllr. Hayes... Please note that recordings are being made of the council meeting, and this is quite dangerous. He is making an illegal recording of the council meeting, so we also take note of that.

At this stage Cllr. Hayes took his belongings and left the Council Chambers.

- The Municipal Manager clarified that the USP is silent on external support, leaving it to Council to decide whether to appoint an external person. Cllr. Bergh emphasised that, based on practice, Council should make that decision without delay. Cllr. Van Heerden supported moving forward with appointing a third person, based on standard procedures from other municipalities.

**RESOLVED:**

1. Council considered and approved the appointment of an External Independent 3<sup>rd</sup> member to the Disciplinary Committee.
2. That Council approved that the External Independent 3<sup>rd</sup> member will serve as the Chairperson of the Disciplinary Committee;
3. Council mandated and authorised the Municipal Manager, to appoint an external independent 3<sup>rd</sup> member and chairperson via Council's legal panel; and
4. That the Disciplinary Committee, referencing RB7.1.5/11-07-2025 will then be comprised as follows:
  - A) External Member (Chairperson)
  - B) Cllr. M Bergh
  - C) Cllr. A Mouton

**Proposed:** Cllr. J Van Heerden

**Seconded:** Cllr. R Richards

**No Counter Proposals**

## **RB9.2 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER**

- A.** We would like to invite the Councillors to visit the **Regional Waste Site in Van Rhynsdorp**. Transportation arrangements will be coordinated by the Office of the MM.
- B.** On 4 December 2025, we will **launch the Festive Season Readiness** at the Clanwilliam Sports Grounds. Councillors who are available are welcome to join us at 14h00, where we will showcase all our uniformed staff and their vehicles.
- C.** An **invitation** was extended to **Councillors** interested in attending the launch of **Yamu Lifestyle Resort** on 28 November 2025.
- D.** The **Festive Season Staffing Plan** will be sent to all Councillors in due course.

## **RB9.3/27-11-2025      MATTERS FOR NOTIFICATION**

- Geen / None

## **RB9.4/27-11-2025      CONSIDERATION OF NOTICES OF MOTIONS**

- Geen / None

## **RB9.5/27-11-2025      CONSIDERATION OF NOTICES OF QUESTIONS**

### **A      The Speaker permitted Cllr. Farmer to raise a question.**

- B      Cllr. W Farmer:**      This morning, I received a call from the Co-Op in Lamberts Bay regarding their land application for **kelp processing**. They mentioned that they spoke with the LED Officer, Mr. Sampson, about this matter. However, they have not received any feedback from the administration and were simply inquiring if there has been any progress on their request or application.

Municipal Manager: There are **two groups** involved. The first is in **Elandsbay**, which also holds a license, and their Co-Op comprises 100 members. Our main focus is to provide them with the Fish Market for this purpose. This is part of our empowerment initiative and aimed at protecting the asset. We are working to expedite this process, similar to the agreement we have with the Nature Reserve.

**Regarding the Lamberts Bay group**, we are currently in discussions since we identified land in Vanputtensvlei. We intend to fast-track this matter and will provide updates accordingly.

## **RB9.6/27-11-2025      CONSIDERATION OF MOTIONS OF EXIGENCY**

- Geen / None

## 10. CLOSURE

- The Speaker extended warm festive season wishes to everyone and requested that all present stand. He then asked Cllr. Farmer to offer a prayer for him concerning his upcoming operation.
- Meeting adjourned.

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**VOORSITTER / CHAIRPERSON**

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**DATUM / DATE**