COUNCIL MEETING AGENDA

To:	**Councillors:**	J. du T. Loubser	(Speaker)
		H.F. Du Rand	(Executive Mayor)
		E. J. Lamprecht	
		F. Kees	
		D. Julius	
		A. Bokwana	
		G. Libazi	
		M.T.A. Swart	
		D.J. Julius	
		I.H. Ferguson	
		J.A. Matthysen	
	Ex Officio:	A. Vorster	(Municipal Manager)
		E. Wassermann	(Director: Financial Services)
		J. van Niekerk	(Acting Director: Community Services)
		W. Treurnicht	(Acting Director: Infrastructure and Planning Services)

AGENDA FOR AN ORDINARY COUNCIL MEETING

Notice is hereby given that an **Ordinary Council meeting** of the Municipal Council of Swellendam Municipality will be **held on Friday, 27 February 2026** at **10:00** in the **Council Chambers, Rhenius Street, Swellendam** to consider the items attached hereto.

J. du T. Loubser

SPEAKER

27/02/2026.

DATE

INDEX

1.	OPENING AND WELCOME

2.	ELECTION OF ACTING SPEAKER, IF NECESSARY

3.	APPLICATION FOR LEAVE OF ABSENCE

4.	MOTIONS OF JOY AND SORROW

4.1 Announcement of birthdays:

J. du T. Loubser – 03 March
A. Vorster – 05 March
E.J. Lamprecht – 18 March

4.2 Announcements of deaths by Municipal Manager

January 2026

Katriena Pieterse	SWELLENDAM
Lydia Edoms	SWELLENDAM
Elroy Henry Alcano Zaal	SWELLENDAM
Katrina van der Berg	SWELLENDAM
John Johannes Vaaltyn	SWELLENDAM
Wilhelmina Johanna Stout	SWELLENDAM
Roseline Jumat	SWELLENDAM
Carolina Johanna May	SWELLENDAM
Dennis Louis Palmer	SWELLENDAM
Colin Plaatjies	SWELLENDAM
Caroline Hendricks	SWELLENDAM
Monrique Meiring	SWELLENDAM

Councillor A. Bokwana's brother, Mr Abraham Arendse.

5.	SPEECHES AND SUBMISSIONS

6.	STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

7.	STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR

8.	DISCLOSURE OF INTERESTS BY COUNCILLORS

9.	MATTERS FOR CONSIDERATION

9.1 Items submitted by officials to Council

9.1.1

Item number A23. 27.02.2026

APPLICATION TO BUY A PORTION OF ERF 4183 RAILTON

Property Management	A Vorster
Department	Municipal Manager
Section	Property Management
File Number	7/2/R

PURPOSE OF REPORT

To consider an application to buy Erf 4183 Railton.

FACTS AND BACKGROUND

Mr M Swartbooi applied to Council to purchase Erf 4183 Railton. The erf is registered in Swellendam Municipality's name, covers 310m² and is zoned residential.

A site map attached as **Annexure A.1**

DISCUSSION

Erf 4183 Railton has no servitudes but there are overhead electricity lines on the eastern boundary within the building line. The property is not needed for essential services but is adjacent to business erven and there may be more public interest in purchasing this property.

LEGAL IMPLICATIONS

The following legislation regulates property management:

- The provisions of Section 14 of the Municipal Finance Management Act, 2003, (Act 56 of 2003);
- The By-Law relating to the Management and Administration of Immovable Property, 2018.
- The Asset Transfer Regulations, 2008.
- Land Disposal Policy, 2018

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

As per report.

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

None

Acting Director: Infrastructure and Planning Services

Town Planning & Building Control

Property is zoned Residential.

Director: Financial Services

The property should be disposed of through a public bidding process.

According to Section 40(b) of the Supply Chain Management regulation stipulates that immovable property may be sold only at market-related prices except when the public interest or the plight of the poor demands otherwise.

It is further recommended that once the property is alienated, it be removed from the municipal asset register.

Municipal Manager

As per report.

<u>This item served on the Finance and Governance Portfolio Committee meeting held on Thursday, 12 February 2026.</u>

<u>This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.</u>

RECOMMENDED TO COUNCIL

1. that it be confirmed that Erf 4183, Railton, *(310 square meters)* is not needed for the minimum level of basic municipal services, and can be alienated at the average of two municipal obtained valuations as per Council policy.
2. that the intention of Council be advertised for public comments;
3. that if comments/objections are received from the public, it be tabled to Council for further consideration;
4. that if no comments/objections are received, the Municipal Manager be mandated to continue with the alienation process per competitive bid.
5. that Council's attorney draft the purchase agreement for the sale of the property.
6. that the Municipal Manager be mandated to sign the Deed of Sale and accompanying documents.
7. that should no successful tender be found, the property be put on inventory to be sold out of hand at the reserve market price as per (1) of these recommendations.
8. that it be a condition of tender that the successful bidder provide a bank guarantee to cover the purchase price as well as the transfer cost in respect of all tenders regarding immovable property.

9.1.2

Item number A24. 27.02.2026

DRAFT PUBLIC PARTICIPATION POLICY

Report of the Municipal Manager

Department	Municipal Manager
Section	Public Participation
File number	3/3/3/15

PURPOSE OF REPORT

To table the draft Public Participation Policy to Council for consideration.

FACTS AND BACKGROUND

The National Policy Framework on Public Participation of 2007 defines public participation as "an open, accountable process through which individuals and groups within selected communities can exchange views and influence decision making. It is further defined as a democratic process of engaging people, deciding, planning and playing an active part in the development and operation of services that affect their lives".

Swellendam Municipality is committed to the development of a culture of municipal governance that complements formal representative government with a system of participatory governance. Through this policy, the Swellendam Municipality commits itself to establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the municipality in terms of the provisions of the Local Government: Municipal Systems Act, Act No 32 of 2000.

The Constitution of the Republic of South Africa, 1996, sets two standards for local government:

- Provide democratic and accountable government for local communities
- Encourage the involvement of communities and community organisations in matters of local government.

A policy has been developed to guide public participation in Swellendam Municipality.

It was tabled to Council per Item **A99/27/06/2024** and it was referred to a Council Workshop. The policy was tabled to the Council Workshop facilitated by the former Manager Compliance and Legal Services, Mr W. Rabbets which was held from 18-19 June 2025, where it was approved for resubmission to Council.

DISCUSSION

It has never been as important that the relationship between municipalities and their residents be maintained on a good footing as presently. There is a need to build relationships between local communities and their municipalities and also emphasized is the principle of accountability by Municipal Councils. The White Paper on Local Government 1998 introduced the concept of Batho Pele in the Public Service. Batho Pele means "People First" and it was launched to ensure that our people are being served properly and that all staff work to their full capacity and treat state resources with respect.

Other underlying principles, which are also underscored by the Batho Pele Principles, include the following:

7.1 Inclusivity: Embracing all views and opinions in the process of public participation.

7.2 Diversity: Embracing all race, gender, religion, ethnicity, language, age, economic status and sexual orientation.

7.3 Building Community Orientation: Keeping the public well on board, informed and knowledgeable through capacity building and to have a clear understanding of the purpose and the role that they are required to play.

7.4 Transparency: Promoting openness, sincerity and honesty among all the role players in a public participation process

7.5 Flexibility: Being flexible in terms of time, language and approaches to public meetings and processes.

7.6 Accessibility: Municipality should ensure that public participation is accessible and open to all role-players in the public participation processes.

7.7 Accountability: All stakeholders involved should be committed to implement and abide by communicating all measures and decisions in the course of the public participation process.

7.8 Trust, Commitment and Respect: Municipality should build trust, confidence, honesty, integrity, respect in the community so that they believe that their views will be heard, respected and considered when decisions are taken by the Municipality.

7.9 Integration: Municipality should ensure that public participation processes are integrated into the planning and decision-making processes such as the Integrated Development Plan (IDP), service delivery issues, Budget Implementation and Performance Management System.

SPARC submitted input on the proposed public participation policy as per attached **Annexure A.2.**

Bearing the input of SPARC in mind, the policy is presented as **Annexure A.3** for Council's consideration.

LEGAL IMPLICATIONS

Constitution, 1996
White Paper on Local Government of 1998
Municipal Structures Act 117 of 1998
Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)
Municipal Finance Management Act, 2003
Municipal Property Rates Act of 2004
POPI Act
Promotion of Administrative Justice Act
Promotion of Access to Information Act

FINANCIAL IMPLICATIONS

As per budget

PERSONNEL IMPLICATIONS

None

<u>This item served on the Finance and Governance Portfolio Committee meeting held on Thursday, 12 February 2026.</u>

<u>This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.</u>

RECOMMENDED TO COUNCIL

that the draft Public Participation Policy attached as **Annexure A.2** be approved by Council for implementation to facilitate public participation regarding the activities and planning of Council.

9.1.3

Item number A25. 27.02.2026

WARD COMMITTEE POLICY AND CODE OF CONDUCT FOR WARD COMMITTEE MEMBERS

Report of the Municipal Manager

Department	Municipal Manager
Section	Committee Services
File number	3/3/3/15

PURPOSE OF REPORT

The purpose of the report is to submit he reviewed and workshopped policy on ward committees to Council for final approval.

FACTS AND BACKGROUND

Ward committees have an important role to play in bridging the gap between the Municipality, its Council, and the community. A Ward Committee may make recommendations on any matter affecting its ward to the Ward Councillor, or through the Ward Councillor, to the Local Council, the Mayoral Committee, or the Executive Mayor. A Ward Committee may have such duties and powers as may be delegated to it by the local Council of Swellendam Municipality in terms of Section 59 of the Municipality System Act.
The following represents duties and powers that may be delegated to Ward Committees by Swellendam Municipality:

- To create formal unbiased communication channels as well as co-operative partnership between the community and the Council;
- Assist the Ward Councilor in identifying challenges and needs of residents;
- Disseminate information in the ward concerning municipal affairs such as the Budget, Integrated Development Planning, Performance Management System (PMS), service delivery options and municipal properties;
- Receive queries and complaints from residents concerning municipal service delivery, communicate it via the Ward Councillor to the Executive Management and provide feedback to the community on their response;
- Ensure constructive and harmonious interaction between the Municipality and community through the use and co-ordination of ward residents' meetings and other community development forums; and
- Interact with other forums and organizations on matters affecting the ward.

A ward committee is to serve as a mobilizing agent for community action within the ward. This may be achieved as follows:

I. Attending to all matters that affect and benefit the community.

II. Acting in the best interest of the community.

III. Ensure the active participation of the community in:

- Service payment campaigns;
- The Integrated Development Plan (IDP) process;
- The Municipality's budgetary process;
- Decisions about the provision of municipal services; and
- Decisions about by-laws.

No executive powers may be delegated to Ward Committees.

DISCUSSION

Council's existing ward committee policy has been approved in 2020 but is not comprehensive and was referred to the Council Workshop on Policies which was held 18-19 June 2025. The draft reviewed Policy for Ward Committees is attached as **Annexure A.4** and was sent for public participation and discussion by the respective ward committees. No public input was received and the proposed policy is herewith submitted for approval by Council.

LEGAL IMPLICATIONS

Constitution of RSA, 1996
Local Government: Municipal Structures Act, Act Nr 117 of 1998
Local Government: Municipal Systems Act, Act Nr 32 of 2000
White Paper on Local Government, 1998
National Policy Framework for Public Participation, 2007

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

None

Director: Financial Services

None

Director: Infrastructure and Planning Services

None.

Municipal Manager

As per the report

This item served on the Finance and Governance Portfolio Committee meeting held on Thursday, 12 February 2026.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

that the proposed reviewed Policy for Ward Committees and Code of Conduct for Ward Committee Members be recommended for approval by Council.

9.1.4

Item number A26. 27.02.2026

QUARRY ON COMMONAGE

Report of the Municipal Manager	A. Vorster
Department:	Municipal Manager
Section:	Property Management
File number:	7/2/3/1/2

PURPOSE OF REPORT

Informing Council about the legal non-compliance pertaining to a quarry on commonage, Erf 1 Swellendam.

FACTS AND BACKGROUND

Swellendam Municipality is the legal, registered owner of the remainder of Erf 1 Swellendam, known as the commonage. Over several decades members of the community operated a quarry on the commonage where they made clay bricks. The clay claims are situated between the N2, railway track, and the Industrial Area. This area was originally leased for a period of 9 years and 11 months, commencing 1 May 2022.

In 2000 a mining licence was granted to Swellendam Municipality by the department of Minerals and Energy (Reference ML2/2000) and was valid for a period of ten years. In March 2017 the Department of Mineral Resources issued a directive to Swellendam Municipality to apply for a closure permit in terms of Section 43 of the Minerals and Petroleum Resources Development Act, 2002, as the mining licence lapsed on 25 January 2010.

The area in question, as depicted in the pictures included in the report was being leased to a few small-scale emerging brickmakers, previously associated with the Swellendam- and Railton Brickmakers Association. Over the years between 8 to ten individuals were utilizing the kilns and an income was secured for their families. Over the years the activities have grown so that 80 workers are now active on the site.

Mining took place near a watercourse, which is a non-sustainable gully and only generates flow in excessive rains. It is therefore not a river in the normal sense. Only the slopes have to be rehabilitated where the activity took place. Illegal dumping occurs in the area and the previous mining areas must be rehabilitated.

The Municipality decided not to apply for a mining licence and encouraged the brickmakers to apply for a mining license. This has not happened due to financial constraints. Measures put in place to proceed were further hampered due to the Covid-Pandemic. Several notices to vacate the previously leased area were served on the Brickmakers, but they still continue with their activities.

DISCUSSION

It is a difficult situation as the small-scale brickmakers are in no position to adhere to the conditions of the mining licence or to comply with the general duty of care. The scale of the operations is very small. The area of operations is approximately 4.5-6 ha.

Currently, there are no valid lease agreements and no mining licence. There are no atmospheric emission licences in terms of the National Environmental Management: Air Quality.

All activities on the premises are there for *ultra vires.*

An engagement with the Brickmakers took place on 14 July and it was emphasized that the Municipality will not be applying for a mining licence and that there is no current lease agreement. The Member of Parliament for the region, Ms Windvogel together with Cllrs G Libazi and JA Matthyssen indicated that they will provide support to the brickmakers to secure an environmental impact assessment and apply for a mining licence.

As the property owner, Swellendam Municipality will be held responsible for all illegal activities on these premises. The Municipality is responsible for the rehabilitation of the area which will entail that the area is filled up with the redundant brick material and other spoil that are stockpiled on the various claims and in close vicinity thereof. Illegal dumping in the mining area must be removed by the Municipality and taken to the Swellendam waste disposal facility. A closure application has been submitted by the Municipality and all current activities on the site are illegal.

To apply for a new mining licence the brickmakers must organize themselves as a business, which they have done. The business must apply for a licence.

With the application process, the applicants will be required to submit certain documents, e.g. an environmental management programme, which will show the impact of their proposed activities on the environment and how it will be maintained, as well as how the areas will be rehabilitated after they had closed their operations. The cost of the rehabilitation will need to be paid upfront to the Department, which will deposit it into a trust account. In conclusion of the activities, the applicants will have to rehabilitate the area with their own funds and if the Department is satisfied with the rehabilitation, they will pay back the funding in the trust. An operational, maintenance, and safety plan will form part of the application.

Council took the following decision in 2022:

RECOMMENDED TO COUNCIL

(i) That Council takes cognizance of the report, containing the Municipality's legal obligations in terms of the National Environmental Management Act as well as the Mining Act;

(ii) That, should the occupiers of the premises, wish to continue with mining activities, they must first apply for a mining permit or license to continue their activities for a period of three years;

(iii) That any mining activities on the municipal commonage, Remainder of erf 1, will be the responsibility of the occupiers, who must apply in their name and adhere to the permit requirements applicable;

(iv) That Council lease the affected area of 6 hectares, indicated on the attached map, to the brick makers for an initial period of three years at a nominal fee of R300 per annum in support of local emerging contractors, subject to their written confirmation that all activities will cease until a new mining license have been secured.

(v) That all fines issued against the Municipality will be, in turn, claimed from the brick-makers.

To date no person came to the fore to enter into a lease agreement with the Municipality. This after several engagements and the availing of previous business plans to form the foundation of the lessees' applications.

During an inspection on 23 January 2026 by the municipal law enforcement unit attached to the Town Planning division, it was found that there are still two active sites on the commonage as per the photos below:

In the past the Municipality received numerous complaints of air pollution in terms of smell and smoke originating from the activities. This situation will worsen with Die Boord development being close by.

It should further be noted that the bricks from these quarries, do not comply with building regulations. This poses a risk to anyone using these bricks.

Swellendam Municipality remains accountable for the activities on the commonage.

The Municipality's Town Planning law enforcement unit delivered written notices to the two persons operating the unauthorised brickmaking activities. 30 days were provided to cease all activities and restore the premises to the original condition. Notices informing the public of the illegal activity and the need to cease said activities, have been placed at the site.

LEGAL IMPLICATIONS

National Water Act, 1998 (Act 36 of 1998)
National Environmental Management Act, 1998 (Act 107 of 1998)
Minerals and Petroleum Resources Development Act, 2002
National Environmental Management: Air Quality Act
Local Government: Municipal Finance Management Act, 56 of 2003

FINANCIAL IMPLICATIONS

As the Municipality is the registered owner of the premises, all environmental fines, will be for its account.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

The fire risk posed by the illegal brick-making activities is considerable, particularly given their location within surrounding veld and their close proximity—less than 300 m—to Die Boord housing development. This significantly elevates the threat to nearby residents, municipal assets, and ecological systems.

In addition to the fire hazard, the brick-making process generates a range of harmful emissions. These include toxic metals, acidic and halogen-based compounds, and pollutants released through the combustion of fuels used in firing kilns. Such emissions are associated with increased cancer risk, respiratory illness, broader environmental degradation, and the potential use of chemical additives. Certain metals produced during firing are persistent, bioaccumulative, and toxic even at low concentrations.
Although some pollutants are not deliberately added to the process, their release is an inherent by-product of firing clay and is therefore central to the environmental harm associated with unregulated brick manufacture.

In conclusion, the activity cannot continue in its current form. The illegal brick-making operations must either be shut down entirely or be fully formalised under the appropriate technical, environmental, and regulatory frameworks to ensure safe, compliant, and responsible operation.

Director: Financial Services

None

Director: Infrastructure and Planning Services

None

Municipal Manager

None

This item served on the Finance and Governance Portfolio Committee meeting held on Thursday, 12 February 2026.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

that Council Resolution AA3 of 29 July 2022 be reaffirmed as reflected below:

1. "that Council takes cognizance of the report and the risks as advised by the Municipal Manager, containing the Municipality's legal obligations in terms of the National Environmental Management Act as well as the Mining Act.

2. that, should the occupiers of the premises wish to continue with mining activities, they must first apply for a mining permit or license to continue their activities for a period of three years.
3. that any mining activities on the municipal commonage, Remainder of Erf 1, will be the responsibility of the occupiers, who must apply in their name and adhere to the permit requirements applicable.
4. that Council lease the affected area of 6 hectares, indicated on the attached map, to the brick makers for an initial period of three years at a nominal fee of R300 per annum in support of local emerging contractors, subject to their written confirmation that all activities will cease until a new mining license has been secured.
5. that all fines issued against the Municipality will be, in turn, claimed from the brick-makers."
6. that a Special In-Committee Finance and Governance Portfolio Committee meeting be convened with the brick-makers to discuss the above-mentioned conditions as per Council Resolution AA3 of 29 July 2022.
7. that cognizance be taken of the Municipal Manager's explicit advice to Council regarding the inherent risk for Council as the property owner, associated with the continued non-compliance in this regard.

9.1.5

Item number A27. 27.02.2026

SUPPLY CHAIN MANAGEMENT MONTHLY REPORT – JANUARY 2026

Report by the Director: Financial Services:	Ms. E Wassermann
Department	Financial Services
Section	Supply Chain Management
File number	9/2/1/5

PURPOSE OF REPORT

The SCM monthly report is prepared to inform Council on key SCM monthly activities and adhere to the reporting requirements in terms of the Legislative Framework.

FACTS AND BACKGROUND

In terms of section 6 of the Supply Chain Management Regulations, Council has a responsibility to maintain oversight over the implementation of the Supply Chain Management Policy.

Section 36(2) of the Supply Chain Management Regulation requires that the accounting officer must record the reasons for any deviation from the procurement process and report it to the next council meeting.

DISCUSSION

The SCM monthly report for January 2026 is attached as **Annexure A.5 to A.6** to enable the council to fulfil its oversight role. The report informs on the following matters:

- Procurement Statistics for the month
- Awards made above R 100 000 which was reported to National Treasury
- SCM deviations

There are no material problems with the implementation of SCM policy.

LEGAL IMPLICATIONS

- Municipal Finance Management Act, 2003
- Municipal Supply Chain Management Regulation, 2005
- Municipal Supply Chain Management Policy, 2024

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Community Services

None

Director: Financial Services

None

Director: Infrastructure and Planning Services

None

Municipal Manager

None

This item served on the Finance and Governance Portfolio Committee meeting held on Thursday, 12 February 2026.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

1. that Council takes cognisance of the Supply Chain Management Report for January 2026 attached as **Annexure A.5.**

9.1.6

Item number A28. 27.02.2026

DISPOSAL OF MOVABLE ASSETS, INVENTORY AND MATERIALS

Report by	Director: Financial Services: Ms E. Wasserman
Department	Financial Services
Section	Supply Chain Management
File Reference	6/1/1

PURPOSE OF REPORT

To obtain Council approval for the disposal of redundant, obsolete and defective movable assets, inventory and materials no longer required for basic service delivery.

FACTS AND BACKGROUND

The municipal disposal store has reached full capacity and cannot accommodate additional items submitted for disposal by various departments.

It is proposed that these assets, inventory, and materials be sold via a public auction, which will be advertised to ensure equal opportunity for all bidders. Items will be sold to the highest bidder. The detailed list of items is attached as **Annexure A.7.**

LEGAL IMPLICATIONS

In accordance with Section 14 of the MFMA:

1. A Municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.
2. A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public –
   - (a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and
   - (b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.
3. A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.

4. A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2)(a) and (b) in respect of movable capital assets below a value determined by the council.
5. Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111.

FINANCIAL IMPLICATIONS

All listed items have been fully paid for. Disposal will reduce ongoing costs such as insurance premiums, vehicle licensing and depreciation.

The estimated carrying value of the assets, inventory and materials to be sold is **R444 203,53 (excluding VAT**).

COMMUNICATIONS IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

None

Director: Financial Services

None

Director: Infrastructure and Planning Services

None

Municipal Manager

None

This item served on the Finance and Governance Portfolio Committee meeting held on Thursday, 12 February 2026.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

1. that Council approves the disposal of the redundant, obsolete and defective movable assets, inventory and materials via public auction to the highest bidder(s).
2. that the auction be duly advertised.
3. that any items remaining unsold after the auction and determined to be unsellable be destroyed and disposed of safely.

9.1.7

Item number A30. 27.02.2026

FEEDBACK ON ESTATE WRITE OFFS OF BAD DEBTS: JANUARY 2026

Report of the Director Financial Services: Ms E. Wassermann

Department Financial Services

Section Revenue

File number 5/3/1/3

PURPOSE OF REPORT

The purpose of this report is to update the Council on the current progress concerning the implementation of Council Resolution A46/03/2025 regarding estate write-offs. This report provides a comprehensive overview of the steps taken, the current status, and any relevant developments related to the resolution. It aims to ensure that all Council members are informed about the ongoing efforts and the outcomes achieved thus far, facilitating informed decision-making and continued oversight of the credit control process.

FACTS AND BACKGROUND

Council has approved the write-off of estate accounts as of 31 March 2025. Debts associated with estates that are older than three years have been fully written off for all residential properties, as well as for vacant properties.

Furthermore, the council authorized the partial write-off of debts incurred within the last three years under specific conditions:

a) That the debt less than three years be placed on a holding account to be written off once an application is received to transfer the ownership of the property through a clearance certificate.
b) That the beneficiaries be advised to open an estate account.
c) Any debt which occurred after the undertaking will be recovered through a clearance process.

DISCUSSION

The tables below provide a summary of the progress that we have made after the Council resolution:

PROPERTIES THAT HAVE BEEN SUCCESFULLY TRANSFERRED THROUGH THE ESTATE PROCESS

SUBURB	**ERF NUMBER**	**ESTATE NAME**
RAILTON	7460	ESTATE LATE S KORTJE
BARRYDALE	1227	ESTATE LATE D & M PLAATJIES
BARRYDALE	669	ESTATE LATE GHK STOFFBERG
RAILTON	179	ESTATEE LATE FV STRYDOM
RAILTON	217	ESTATEE LATE FV STRYDOM
SUURBRAAK	196	ESTATE LATE DH LOEKS

The organization has successfully transferred ownership of two properties, resulting in a debt write-off of R212 070.74 for these accounts. These debts were less than three years old and were written off as part of a council resolution aimed at reducing outstanding receivables.

Currently, fourteen properties have inquired about the deceased estate process. In response, the organization has either referred them to legal professionals or directed them to the Magistrates Court to initiate the estate administration process. The decision to refer to an attorney or the court depends on the property's valuation and whether a will exists.

It is important to note that the deceased estate process can be lengthy and complex. However, progress has been made, as some estate representatives have registered the estate and applied for executorship letters. During this interim period, debts less than three years old for these accounts are managed by transferring them into incentive accounts. The heirs are responsible for paying current accounts until the transfer process is completed, allowing for the final debt write-offs to be processed.

Properties that are in process with the estate process are:

SUBURB	ERF NUMBER	ESTATE NAME	ESTATE ATTORNEY
Barrydale	1030	Estate late pd claasen	Referred to attorney
Railton	137	Estate hj moses	Magistrates court
Barrydale	597	Estate late r witbooi	Magistrates court
Buffeljagsrivier	27	Estate late dg alman	Magistrates court
Buffeljagsrivier	57	Estate late p armoed	Powell kelly veldman
Buffeljagsrivier	88	Estate late am wildscut	Powell kelly veldman
Railton	115	Estate late k ross	Powell kelly veldman
Railton	3145	Estate late pm makhasi	Magistrates court
Railton	3155	Estate late e van reenen	Magistrates court
Railton	5980	Estate late a&m jonas	Powell kelly veldman
Railton	3164	Estate late a & m baartman	Powell kelly veldman
Railton	137	Estate late sm scobie	Magistrates court
Buffeljagsrivier	92	Estate late l xanti	Magistrates court
Suurbraak	216	Estate late le kellies	Attorney nortier

LEGAL IMPLICATIONS

1) Municipal Finance Management Act No, 56 of 2003
2) Write Off Policy, 2025.

FINANCIAL IMPLICATIONS

The write off of debts and future potencial revenue.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Community Services

None

Director: Financial Services

As per the report.

Director: Infrastructure and Planning Services

None

Municipal Manager

This item served on the Finance and Governance Portfolio Committee meeting held on Thursday, 12 February 2026.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

1. that Council notes the progress report on the estate accounts.

9.1.8

Item number A31. 27.02.2026

FEEDBACK ILLEGAL CONNECTIONS WATER AND ELECTRICITY: 2026

Report of the Director Financial Services: Ms E. Wasserman

Department	Financial Services
Section	Revenue
File number	5/13/1

PURPOSE OF REPORT

The purpose of this report is to update Council on the current progress concerning the implementation of Council resolution A225/04/12/2025 regarding illegal water and electricity connections. This report provides a comprehensive overview of the steps taken, the current status, and any relevant developments related to the resolution. It aims to ensure that all Council members are informed about the ongoing efforts and the outcomes achieved thus far, facilitating informed decision-making and continued oversight of the credit control process.

FACTS AND BACKGROUND

Council has noted the report on the way forward in respect of the full implementation of fines or the subsidization of fines imposed by the municipality as a result of illegal or unauthorized electricity and water connections. Council has resolved as follows:

1. "that in cases where meters were removed because of theft, penalties due to electricity theft be written off if it is an estate account and the nominated person and/or beneficiary be responsible to pay the meter replacement cost.
2. that, in all cases other than deceased estates, where an electricity meter has been removed due to tampering or theft, the full replacement cost of the meter plus an additional R1000 fine must be paid before the Council will re-install the meter and the balance of the fine must be written out of Council's accounts and reflected as income foregone.
3. that in case of 3, the transgressor will be allowed to pay the funds due in installments, but the meter will only be replaced and electricity reconnected, if the fine balance and meter cost has been paid in full.
4. that if any re-occurrence of theft occurs, the full penalty will be applicable, the meter will be removed permanently and a case opened at the South African Police Services, the meter will not be replaced until the matter has been dealt with by the courts and the resulting court decision will guide further action.
5. that in cases where electricity theft occurred, Council undertake ad hoc surprise inspections to mitigate any further theft.
6. that Council's Credit Control Policy and By-Law be amended accordingly."

DISCUSSION

Only 1 resident has come forward to make arrangements regarding this resolution.

LEGAL IMPLICATIONS

1) Municipal Finance Management Act No, 56 of 2003

2) Write Off Policy, 2025.

FINANCIAL IMPLICATIONS

The write off of debts and future potencial revenue.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Community Services

None

Director: Financial Services

We plan to launch a credit control campaign in March 2026, similar to last year's rollout. This resolution will be shared with the communities during this period.

Director: Infrastructure and Planning Services

None

Municipal Manager

This item served on the Finance and Governance Portfolio Committee meeting held on Thursday, 12 February 2026.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

1. that Council notes the progress report on Council Resolution A225/04/12/2025 regarding illegal water and electricity connections.

9.1.9

Item number A32. 27.02.2026

REQUEST FOR APPROVAL TO WRITE OFF BAD DEBTS

Report of the Director Financial Services: Ms. E Wassermann

Department Financial Services

Section Financial Services

File number 5/3/1/3

PURPOSE OF REPORT

To obtain approval from Council for the writing-off of the following categories of irrecoverable debt:

(i)	Indigent Accounts	R932 909.88
(ii)	Write-Off Group	R 70 261.54

FACST AND BACKGROUND

Municipal Debt will be considered irrecoverable for write-off in terms of Council Bad Debt Write Off Policy in the following circumstances:

a) When debts have prescribed in terms of the Prescription Act, 1969:

b) When debts have not been recovered from the deceased, where their estates have been finalised, and recovery of the debts from the heirs is not possible.

c) When debts are owed by debtors who cannot be traced.

d) When no source documentation is available to substantiate or prove the claims provided, the Accounting Officer must have satisfied him/herself that all reasonable steps have been taken to locate the source documents.

e) When the debtor has emigrated without paying the debts, leaving no assets available for attachment, and the debtor's whereabouts are unknown,

f) When it is not economical to pursue the debt further,

g) Debt raised for the services rendered to registered owners of the property/land may be written off when the property is disposed of in the liquidation process, and if the proceeds do not cover the outstanding debt, the balance can then be written off as irrevocable.

h) On the death of the owner, where no last will or testament exists, no estate has been registered and/or findings of an investigation indicate that the estate is insolvent, all outstanding rates and service charges on the property, up to the date of the death of the owner, should be written off.

i) Nulla Bona and non-registered estates,

j) Debt owed to Council from auxiliary services,

k) Debt owed to Council by an Indigent Household, when registering for the first time in terms of the official Indigent Policy, For the purpose of this report, the debt to be written off will be classified in the following groups:

Indigent represents an account when registering for the first time in terms of the Indigent Policy. This group meets the criteria listed in k above,

Write off- group represents accounts that are identified by credit control and the finance department to be irrecoverable after all credit control and legal processes were exhausted and there are no estates to claim from. This group meets the criteria listed in a,c,d,e,f and j above.

DISCUSSION

The table below provides a summary of the proposed write-offs:

Type	Amount	Penalty	VAT	Total
WOFF GROUP	45 086.16	19 010.62	6 164.76	70 261.54
INDIGENTS	703 132.81	131 347.90	98 429.17	932 909.88
	748 218.97	**150 358.52**	**104 593.93**	**1 003 171.42**

It is further recommended that any interest and/or charges levied until the council's approval to write off the irrecoverable debt be written off. This is to address the timing issue between the write-off schedule and council approval.

LEGAL IMPLICATIONS

Municipal Finance Management Act

Municipal Systems Act

Bad Debt Write-off Policy, 2025

Customer Care Credit Control and Debt Collection Policy, 2025

FINANCIAL IMPLICATIONS

The write-off of the outstanding debt amounts to R1 003 171.42 and will be allocated to the debt impairment provision. As these amounts have not been precisely budgeted, they may result in unauthorised expenditure at the financial year-end from an accounting perspective.

PERSONAL IMPLICATIONS

None.

COMMUNICATION IMPLICATIONS

None.

COMMENTS FROM DEPARTMENTS

Director: Community Services

None.

Director: Financial Services

The R1 003 171.42 is a cash loss to the council. Under accounting standards, the municipality makes an annual provision for debt impairment. The debt will be written off against the debt impairment provision, reducing the municipality's debtors' book by the irrecoverable amount.

Director: Infrastructure and Planning Services

None.

Municipal Manager

None

This item served on the Finance and Governance Portfolio Committee meeting held on Thursday, 12 February 2026.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

1. that Council approves the write-off of the irrecoverable debt to the amount of R1 003 171.42 as indicated in the report.
2. that any further interest or levies to be charged on the accounts listed in the annexures until Council approval, also be written off.

9.1.10

Item number A33. 27.02.2026

AMENDMENT OF INDIGENT POLICY: 2026

Report of the Director Financial Services: Ms E. Wasserman

Department	Financial Services
Section	Revenue
File number	5/13/3

PURPOSE OF REPORT

The purpose of this report is to update Council on the current progress concerning the implementation of Council resolution A173/26/09/2025 regarding the amendment of the Indigent Policy, where the meter was damaged and requires replacement. This report provides a comprehensive overview of the steps taken, the current status, and relevant developments in the resolution. It aims to ensure that all Council members are informed about ongoing efforts and outcomes to date, facilitating informed decision-making and continued oversight of the credit control process.

FACTS AND BACKGROUND

Council has noted the report on the amendment to the indigent policy regarding the installation of prepaid meters for indigent users, which was damaged. Council has resolved as follows:

1. "that Council amend the Indigent Policy by adding the following under item 11.7. l (xi) Once off 100% subsidy for the installation of a pre-paid meter for indigent users, where the meter was damaged and requires replacement, excluding incidents of electricity theft.
2. that a separate report on the possibility of allowing a three-month instalment payment for the installation of pre-paid meters damaged in fire/flooding incidents in respect of registered indigents, be tabled to Council."

DISCUSSION

Five (5) meters from indigent households that were damaged were replaced since the indigent policy was amended.

The three-month instalment for prepaid meters is currently under investigation as part of the smart meter technology rollout, and consideration is being given to amending the credit control policy accordingly.

LEGAL IMPLICATIONS

1) Municipal Finance Management Act No, 56 of 2003
2) Indigent Policy 2025
3) Credit Control Policy 2025

FINANCIAL IMPLICATIONS

No financial implications at this stage, as it has been recovered from the equitable share.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Community Services

None

Director: Financial Services

We plan to launch a credit control campaign in March 2026, similar to last year's rollout. This resolution will be shared with the communities during this period.

Director: Infrastructure and Planning Services

None

Municipal Manager

None

This item served on the Finance and Governance Portfolio Committee meeting held on Thursday, 12 February 2026.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

1. that Council notes the progress report on Council Resolution A173/26/09/2025 regarding the amendment of the Indigent Policy.

9.1.11

Item number A34. 27.02.2026

LAND USE PLANNING: FINES AND CONTRAVENTION PENALITY POLICY 2026

Report by the Senior Manager Land Use Planning, Mr R. Brunings

Directorate	Infrastructure and Planning Services
Sub-Directorate	Land Use Planning (Town Planning and Building Control)
File number	

PURPOSE OF REPORT

Consideration of the Fines and Contravention Penalty Policy, applicable to the Sub-Directorate Land Use Planning (Town Planning and Building Control) of the Directorate Infrastructure and Planning Services.

FACTS AND BACKGROUND

Current planning legislation makes provision for the issuing of fines and / or penalties for the contravention of zoning and land use regulations, each of which are employed in differing circumstances, more specifically:

<u>Fines / Admission of Guilt Fines</u>:
Typically, these fines comprise pre-determined monetary amounts for specific offences, approved by a competent court in terms of the Criminal Procedures Act, 1977. These fines are issued by a Peace Officer. Payment does not legalise the offence or absolve the transgressing party from rectifying it. Rectifying the offence oftentimes necessitates a separate legal process. Non-payment results in legal procedures, driven and directed by the Court. The Municipality currently has a list of Fines / Admission of Guilt Fines, which is applied as required.

<u>Contravention Penalties</u>:
Unlike Admission of Guilt Fines, Contravention Penalties are akin to a municipal tariff. Contravention Penalties can be imposed when a party is found to have commenced with a (land use) activity without prior authorisation, but which would be supported on receipt of a formally prepared and lodged application. The use of Contravention Penalties has not been operationalised to date. However, the increased number of land use transgressions in the past 18 months makes it imperative that this is now done, as an additional deterrent.

Financially, a Contravention Penalty is to comprise a base quantum and a calculated quantum (specific to the extent of the transgression) on a registered erf. A Contravention Penalty is to be included as a condition of approval of the requisite land use application, lodged consequent to having been made aware of a land use contravention / transgression. A Contravention Penalty applies only if the land use application is approved. If the land use application is refused, the land use activity must cease. The provisions of the Criminal Procedures Act are invoked in the event that the land use activity does not cease.

Whilst the legislation makes provision for the imposition of a Contravention Penalty, it does not set out criteria or guidelines on a quantum, or how and when payment is to be made.

DISCUSSION

The purpose of the Land Use Fines and Contravention Penalty Policy is to:

- Outline the processes to be followed when an owner / owning entity is found to have contravened the provisions of the Zoning Scheme and the land use regulations.
- Provide a set of criteria to assist in determining when an owner / owning entity is liable for the payment of a Contravention Penalty.
- Provide a set of criteria to assist in determining the quantum payable by an owner / owning entity when guilty of a contravention.

A copy of the draft Land Use Fines and Contravention Penalty Policy, 2026, is attached at ***Annexure A.8 to A.9.***

In terms of the quantum payable, the Policy proposes the following:

- <u>Method of Calculation of the Quantum</u>: (current Municipal **valuation per square metre** of the registered erf) x **25%** x (**area** of the land use contravention). Note: the **area** of the land use contravention will be based on the Site Development Plan submitted as part of the land use planning application, and as determined by the municipal official dealing with the application, in conjunction with the Senior Manager Town Planning and Building Control.
- A Contravention Penalty payable is a composite of a base quantum and the calculated quantum. The base quantum for a Contravention Penalty is to be determined by Council and included in the annual Municipal Tariff List.
- The base quantum is payable in all instances and cannot be appealed.
- It is proposed that the base quantum for a Contravention Penalty be R5000.00. This quantum aligns with the current Admission of Guilt Fines approved by the Magistrate.

The practical application of the Contravention Penalty is demonstrated in three, varied theoretical examples below:

- An unauthorised Additional Dwelling Unit ($80m^2$) in the Berg St area: **Valuation per m^2 (R3 000 000 / $1080m^2$ = R2777/m^2) x $80m^2$ x 25% = <u>R55 540.00</u>** (the Base Quantum component is R5000.00).
- An unauthorised House Shop $19m^2$ in Railton (in an "established" residential suburb, close to Majoks): **Valuation per m^2 (R110 000 / $303m^2$ = R363/m^2) x $19m^2$ x 25% = R1 726.00.** However, because the Base Quantum component is R5000.00, the Contravention Penalty payable is **<u>R5000.00</u>**.
- An unauthorised Early Childhood Development Centre accommodating 45 children ($90m^2$) in the residential suburb adjoining Oewerlust Estate: **Valuation per m^2 (R890 000 / $533m^2$ = R1670/m^2) x $90m^2$ x 25% = <u>R37 575.00</u>** (the Base Quantum component is R5000.00).

LEGAL IMPLICATIONS

The Inclusion of a Land Use Contravention Penalty (Base Quantum) in the Municipal Tariffs List.

FINANCIAL IMPLICATIONS

The Land Use Fines and Contravention Penalty Policy to be circulated and advertised for public comment.

PERSONNEL IMPLICATIONS

None.

COMMUNICATIONS IMPLICATIONS

The Land Use Fines and Contravention Policy to be made available on the Municipal Website, the Municipal Face Book Page, and advertised in the local media.

COMMENTS FROM DEPARTMENTS

Director: Community Services

I support the proposed policy, as it strengthens compliance, promotes fair land-use management, and contributes to a more accountable, well-regulated built environment.

Director: Financial Services

No comment received.

Director: Infrastructure and Planning Services

No comment received.

Municipal Manager

The MM concurs with the content of the report.

This item served on the Infrastructure and Planning Services Portfolio Committee meeting held on Thursday, 12 February 2026.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

1. that the content of the report be noted.
2. that the Base Quantum component payable for a Contravention Penalty be set at R5000.00 and be included in the Municipal Tariffs List, which is escalated annually.
3. that Council resolves to approve the Land Use Fines and Contravention Penalty Policy, 2026, for public participation.
4. that if no objections to the policy are received, the Municipal Manager be mandated to approve the policy for implementation on the first day of the month that follows the closing date for public comment.

9.1.12

Item number A37. 27.02.2026

ENERGY EFFICIENCY DEMAND SIDE MANAGEMENT PROGRAM: ENERGY EFFICIENCY AWARENESS PROGRAMME

Report of the Electrical and Fleet Department:	Mr. Salman Herbst
Department	Infrastructure
Section	Electrical & Fleet Department
File number	5/4/2/2/9

PURPOSE OF REPORT

The report aims to inform Council of the grant that Swellendam Municipality received from Energy Efficient Demand Side Management, and part of the grant conditions is energy efficiency awareness at schools.

FACTS AND BACKGROUND

The municipality received an Energy Efficient Demand Side Management Grant of R4 000 000 and 1 % needs to be spent on an energy efficient awareness campaign at schools (R40 000). The business plan which was submitted and approved is attached as Annexure

Electrical equipment is rated with stars:
More stars mean more efficient, when compared to other models of similar size and features. The more stars shown on the Energy Rating Label, the less energy the product will use and the more money the consumer will save on energy bills. Most products are given between 1 and 6 stars.

Energy saving tips for Schools

- Replace normal light bulbs with LED bulbs
- Replace normal light tubes with LED tubes
- Install motion sensors at toilets
- Replace aircons with inverter aircons
- Replace geysers with heat pumps
- Replace normal stoves with gas stoves

DISCUSSION

It is suggested that Barrydale Primary School in Barrydale and Suurbraak Primary School in Suurbraak be selected as part of the program. The budget amount for the two schools is R40 000,00. This means that Council donate a R 20 000,00 voucher for each school.
The proposal is to divide the cost in the following manner for each school:

- Material for the posters
- First, second and third prizes
- R 20 000,00 voucher for the school to procure energy efficient equipment (LED bulbs and LED tubes).

Grade seven learners will take part in this program.

The rules of the competition are as follows:

(a) The poster should be accompanied by a half page paragraph of text, explaining the message conveyed by the poster.

(b) The maximum number of learners allowed to take part in making the poster is 2 learners with the aid of 1 teacher.

The selection criteria for the winning poster are as follows:

(a) does the message conveyed reflect the learners' understanding of the topic, and is it factually correct

(b) is the poster neat, organised and well presented

Completed posters can be dropped off at the Swellendam Municipality Infrastructure Services Office at 1 Lourens Street Swellendam. Alternatively, the schools can call the adjudicators on 028 -5148500 and the poster entries will be collected.

Each poster must be marked clearly at the back with the name of the school, name of the teacher, name, age and grade of the learner as well as the contact details of the school. Unmarked posters will be disqualified.

LEGAL IMPLICATIONS

Local Government: Municipal Finance Management Act

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

We support the Electrical and Fleet Department for a well-structured, socially responsive programme that meaningfully links energy efficiency education with youth participation, community upliftment, and the municipality's broader sustainability objectives.

Director: Financial Services

None

Acting Director: Infrastructure and Planning Services

None

Municipal Manager

As per the report.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

1. that it be noted that the municipality has received an Energy Efficient Demand Side Management Grant (EEDSM) in the amount of R4 000 000 of which 1% (R40 000) should be spent on energy efficient awareness.
2. that it be approved that a voucher of R20 000 each be donated to respectively Barrydale Primary School and Suurbraak Primary School to participate in an energy efficient awareness programme consisting of a poster contest with prize money as well as a monetory donation for the purpose of procuring energy efficient equipment.

9.1.13

Item number A38. 27.02.2026

ASSET MANAGEMENT: DISPOSAL OF STREETLIGHTS AND HIGH MAST LIGHTS 2025 / 2026

Report of the Director: Financial Services: Ms E. Wassermann

Department Financial Services

Section Assets, Insurance and Fleet Management

File number 6/1/3

PURPOSE OF REPORT

To inform and obtain the Council's approval for the disposal of streetlights that were replaced, as well as high mast lights that will be replaced with LED spotlights during March 2026 which are no longer required for the rendering of basic services.

FACTS AND BACKGROUND

Streetlights within the Swellendam Municipal area were replaced with energy-efficient models. Furthermore, high-mast lights will be replaced with LED spotlights in March 2026. A condition of the Energy Efficiency Demand Site Management Grant is that the replaced streetlights should be scrapped.

DISCUSSION

Swellendam Municipality applied in September 2023 for grant funding from the Energy Efficient Demand Side Management, a division of the Department of Mineral Resources and Energy. The application was successful, and Swellendam Municipality received a grant allocation of R4 million (VAT included) for the 2025/2026 financial year.

The old streetlights were replaced with modern LED streetlights:

- 250 x 70 Watt HPS - with 32 Watt LED
- 360 x 150 Watt HPS - with 54 Watt LED
- 64 x 250 Watt HPS - with 142 Watt LED

Furthermore, 112 x 1000-Watt Metal Halide lights will be replaced with 400-Watt LED spotlights by the end of March 2026.

One of the grant conditions was to scrap the old streetlights by an accredited waste company.

The reason to scrap the old streetlights is that:

- Lights may not be used on another system;
- Old streetlights are inefficient;

LEGAL IMPLICATIONS

In terms of Section 14 of the MFMA (Act 56 of 2003):

1. A Municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.

2. A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public –

   (a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and

   (b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.

3. A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services may not be reversed by the municipality after that asset has been sold, transferred, or otherwise disposed of.

4. A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2)(a) and (b) in respect of movable capital assets below a value determined by the council

FINANCIAL IMPLICATIONS

There will be no financial implication because the streetlights replaced with energy-saving streetlights, as well as the high mast lights to be replaced with LED spot-lights, were funded by the Energy Efficiency Demand Site Management Grant.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

None

Director: Financial Services

There are specific prescriptions for the disposal of these lights, and they may only be disposed of at a recognised facility in compliance with the NEMA Act. An SCM process has already been followed to procure the services of a recognised disposal facility.

Acting Director: Infrastructure and Planning Services

None

Municipal Manager

None

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

1. that Council takes cognisance of the streetlights that were replaced with energy-saving streetlights.
2. that Council takes cognisance of the high mast lights that will be replaced with energy-saving spotlights by the end of March 2026.
3. that Council approves the write-off/disposal of the streetlights that were replaced with energy-saving streetlights.
4. that Council approves the write-off/disposal of the high mast lights that will be replaced with energy-saving spotlights by the end of March 2026.
5. that the carrying values of the streetlights and the high mast lights are to be calculated during the 2025/2026 financial year-end asset processes.

9.1.14

Item number A39. 27.02.2026

MONTHLY REPORT BY MUNICIPAL MANAGER FOR FEBRUARY 2026

VEHICLE SURVEY AT STATION/VOORTREK INTERSECTION

A vehicle survey was done at the Station/Voortrek Intersection on 2, 3, 4, 6 and 7 February between the hours of 06h30 to 16h00. The intersection reflected a high traffic count, with pedestrians reflecting about 10% of the vehicular traffic. The Traffic Department recommended a revisit to the design of the pedestrian crossing, which is now referred to the Technical Department for a roads assessment.

ILLEGAL BOAT ON THE BREEDE RIVER

The fine issued for the Illegal boat moored on the Breede River has not been paid and the transgressor was to appear in court in February. The prosecutor struck the matter from the roll as the case docket seems to have been incomplete. The matter has been taken up with the prosecutor, and the matter will now serve before the court on 8 April 2026. The Municipality is in the process of securing a court order for the vessel to be removed.

Whilst the prosecutor instructed that the application to issue a licence (or refuse the licence) must be addressed by the Municipality, there is no obligation on the Municipality to issue a verdict at this stage.

ENGAGEMENT ON RELOCATION OF MATJOKS SETTLEMENT

The relocation of the 100 families affected by the block development in Matjoks is hampered by dead carcasses of animals on the area that they have to move to. The State Veterinarian was requested to visit the site with the Municipality to determine if the dead animals may have been infected by Mouth and Foot Disease. The Municipality will remove the dead carcasses, but the unauthorised animal camps next to the terrain that the people must move to, remains problematic. An engagement with the Overberg Mediation Team and affected role players is scheduled for the week of 23 February 2026.

MOUTH AND FOOT DISEASE

The Municipality attends the Provincial and Overberg Joint Operational Centre meetings around Mouth and Foot Disease on a weekly basis. On 17 February the Municipality convened an operational meeting with farmers of the Suurbraak Area, Barrydale, Suurbraak and Swellendam Police, Provincial Traffic, the State Veterinarian and Local law enforcement where it was agreed to hold VCP's in the Suurbraak Area to disinfect vehicles entering the area. This is a precautionary measure to combat the spread of Mouth and Foot Disease. On the first night of the collaborative initiative, 60 vehicles were stopped and disinfected.

At present there is no Mouth and Foot Disease cases reported in the Overberg.

NERSA /AFRIFORUM LITIGATION

SALGA hosted a consultative workshop on 11 February 2026 on the NERSA/ Afriforum litigation to obtain a mandate from municipalities. The meeting discussed the NERSA urgent application to deviate from tariff approval timelines, initially set for March 20, 2026. NERSA requested a new deadline of April 17, 2026, which municipalities need to respond to. The City of Cape Town proposed a revised timeline: budget finalization by March 20, electricity tariff submission to NERSA by March 30, and final tariff communication to municipalities by April 15. This timeline does not align with the Municipal Finance Management Act (MFMA) deadlines as Municipality's full public participation process will not be complete by the required date of submission.

Municipalities put their draft budget with proposed electricity tariffs out for public comment after 31 March. That allows for only 17 days of public participation and no time to consider the input. That is usually only done at the end of May.

To accommodate the expediated dates, the CFO will endeavour to submit the draft electricity tariffs to Council for consideration at the end of February 2026.

INDIGENT OUTREACH DATES

The Municipality will have indigent outreach for new registrations, estate updates and general updates on the following dates from 09h00 to 15h00 on each day:

9/03/2026	Railton Community Hall
10/03/26	Buffeljagsrivier municipal Area
11/03/26	Suurbraak Community Hall
12/03/26	Forts Haven Community Hall, Barrydale

Councillors are requested to help disseminate these dates and encourage the people to come and update their information and apply for new registrations on the indigent support program.

HOUSING OUTREACHES

The Human Settlement unit will be conducting Housing Outreach programmes within the Swellendam Municipal Area on the following dates have been scheduled to visit the respective towns:

Barrydale

24–25 February 2026

Venue: Forthaven Hall

Suurbraak

09 & 11 March 2026

Venue: Community Hall

Buffeljagsrivier

18–19 March 2026

Venue: Municipal Offices

Swellendam

08–09 April 2026

Venue: Railton Community Hall

Please note that Swellendam Municipal staff outreaches will be conducted after the community outreach. All Housing Officials will be present during these outreach programmes.

FIRE RISK AT SUURBRAAK

Swellendam Municipality received a complaint about the fire risk in Suurbraak. Grootvadersbosch Conservancy made an assessment for an estimated costing. Their assessment indicated that a firebreak higher up the mountain will be the best control point in case of a fire. It would give the town a defensive barrier from a mountain fire. The cost is about R150 000. To undertake a fire break behind the houses Oorkant die Rivier will require in excess of R6 million. The Municipality is engaging with the CPA on how a fire break can be established in Suurbraak, whilst the Municipality will issue compliance notices on property owners Oorkant die Rivier in cases of overgrown erven.

CLOSING OF MALAGAS PONT

The Malagas Pont will not be operational from 02 March to approximately 20 March 2026. This is due to much needed maintenance repairs as well as preparation for the SAMSA Local General Safety Certificate, Load Line Exception and Dry Dock re-certification.

The pont will be removed from the river to allow for comprehensive inspection, cleaning, and repair of the submerged portions of the hull.

This is a mandatory process required by SAMSA every 2 years to ensure the vessel's safety and structural integrity.

Updates on progress will be provided.

TIME ENGAGEMENT

The Western Cape Provincial Treasury, in collaboration with key provincial departments, convened the Technical Integrated Municipal Engagements (TIME) with 28 municipalities across the length and breadth of the Western Cape from 16 to 24 February 2026. Swellendam Municipality attended the TIME engagement on 19 February.

The TIME process is a key component of the WCG Integrated Work Plan and is designed to engage municipalities at a technical level on how to strengthen their governance. This is a key annual engagement in the WCG's efforts to ensure continuous improvement in municipal good governance. TIME 2026 will build on insights and risks identified during the first Strategic Integrated Municipal Engagements (SIME 1), enabling deeper technical analysis ahead of the next round of planning and budgeting discussions (SIME 2) scheduled for May 2026.

The theme for TIME 2026 is "Future-Oriented Governance", underscoring the importance of agility, accountability, and responsiveness within municipalities. The engagements will focus on:

- Strengthening governance practices across municipalities;
- Improving municipal readiness to ensure stability and sound governance continues through the 2026 local government elections;
- Ensuring continuity, institutional stability, and effective administrative processes during this transition period.

Insights from the TIME process inform both the WCG Municipal Support Plan and the 2026 municipal action plans. This ensures that governance and performance risks are identified early and addressed systematically, enabling more responsive and resident-focused services throughout the province.

DISPOSAL OF RECORDS

Swellendam Municipality obtained permission from the Western Cape Archives and Records Services to dispose of old and obsolete records. This disposal took place on 20 February 2026.

HYACINTH INFESTATION IN THE BREEDE RIVER

Hyacinth Infestation in the Breede River caused concern. The major infestation was detected near the outflow from the Swellendam Municipal Waste Water Works outlet. The Municipality obtained an approved bio-product and introduced it into the river within the affected area. Over time this bio-product will mitigate the hyacinth infestation.

WATER RESTRICTIONS

With the water levels improving to above 80% Swellendam Municipality was able to lift the level 1 restrictions. As this restriction was lifted mid-cycle of reading municipal water meters, the Municipality will have no accurate data to undertake billing in terms of level 3 restrictions and thus it is recommended to Council that the level 3 water tariffs for February are exempted.

The Manager: Water and Sanitation, Mr Jenovaan Booysen was featured on the SABC's television program on the impact of the drought and how municipalities manage water restrictions and low rainfall. The Municipal Manager was featured on Radio Disa on 21 February on the same topic.

GEORGE OLD CAR SHOW

Four officials from Swellendam Municipality, together with Bontebok National Park, attended the Old Car Show in George on Saturday 14 February. The show is attended by more than 8000 people. Swellendam Municipality's stall was well-attended, and the Municipality was promoted as the 2nd best Municipality in the country. A vote of thanks is extended to Thornlands for providing fresh fruit to distribute to the attendees.

This item served on the Mayoral Committee meeting held on Monday, 23 February 2026.

RECOMMENDED TO COUNCIL

1. that the report of the Municipal Manager for February 2026 be noted.
2. that it is recommended to Council that the level 3 water tariff for the month of February 2026 be exempted to all consumers.

9.1.15

Item number A40. 27.02.2026

FEBRUARY 2026 - ADJUSTMENTS BUDGET 2025/2026

Report of the Director: Financial Services: Miss E Wassermann

Department Financial Services

Section Financial Services

File number 5/1/1

Annexures
Annexure A.10 – February 2026 - Adjustment budget schedules for 2025/2026.

PURPOSE OF REPORT

The purpose of the report is to present the February Adjustments Budget for the 2025/2026 financial year following the midyear assessment as of 30 January 2026.

FACTS AND BACKGROUND

Council resolved per item A16 on 29 January 2026:

"RESOLVED:

1. *that the Midyear Budget and Performance Assessment Report for 2025/26 be noted; and*

2. *that it be noted that an Amended Budget and a report on Revised Expenditure and Revenue will be tabled at the Council meeting scheduled for February 2026 together with the revised Service Delivery and Budget Implementation Plan (SDBIP).*

DISCUSSIONS

<u>Capital Budget</u>

The capital budget decreased from R109.5 million to R100.9 million. The main capital adjustments proposed are:

Function	Project Description Filter	Fund Abb	Amended Budget 2025/26	Adjustments	Feb 2026 Adj Budget
Water Management	Water Truck	BORL	1 600 000	- 299 275	1 300 725
Public Safety	Vehicle	BORL	400 000	- 48 199	351 801
Sport and Recreation	Trailer Cherry picker	CRR	650 000	- 64 091	585 909
Finance and Administration	Student Computer Equipment	LGSETA	200 000	- 140 000	60 000
Housing	Security Fence at Swellendam Informal Settlement	ISUP	3 283 018	-1 641 509	1 641 509
Road Transport	Rehabilitation of roads (RRAMS priority list)	CRR	2 275 000	190 000	2 465 000
Road Transport	Regravelling Program	CRR	500 000	1 687	501 687
Waste Management	Recycling Drop-off Containers	CRR REV	75 000	- 9 900	65 100
Finance and Administration	Rebuild Thusong Centre, Railton	CRR Build	6 595 512	- 3 066 301	3 529 211
Finance and Administration	Rebuild Main Municipal Building	CRR Build	8 769 488	- 6 525 168	2 244 320
Water Management	Railton Water Network Improvement	CRR	350 000	- 350 000	-
Water Management	Railton Bulk Distribution Pipeline	CRR	526 000	- 526 000	-
Finance and Administration	New 32-Core PowerEdge Server	CRR REV	400 000	-104 026	295 974
Housing	Provision of Precast Toilets	ISUP	868 767	1 641 509	2 510 276
Finance and Administration	Multi-Tier Storage Shelving	CRR		145 000	145 000
Finance and Administration	Materials Constructed Bins at Barrydale Yard	CRR REV	160 000	180 000	340 000
Water Management	Machinery and Equipment - Water- Barrydale	CRR REV	15 000	15 000	30 000
Waste Water Management	Machinery and Equipment - Waste Water Services	CRR REV	100 000	100 000	200 000
Road Transport	Machinery and Equipment - Roads - Barrydale	CRR REV	45 000	- 9 230	35 770
Finance and Administration	Machinery and Equipment – FINANCE	CRR REV	-	145 000	145 000
Finance and Administration	Light Delivery Vehicles	BORL	1 650 000	347 474	1 997 474
Finance and Administration	Installing shelves	CRR REV	100 000	-100 000	-
Public Safety	Installation of plastic curtain strips at vehicle	CRR REV	80 000	- 80 000	-
Energy Sources	Installation of new SMART Electricity meters	CRR	300 000	64 000	364 000
Finance and Administration	General Upgrading of Municipal Buildings	CRR REV	50 000	35 000	85 000
Community and Social Services	Fire skids	CRR	120 000	-14 521	105 479

Function	Project Description Filter	Fund Abb	Amended Budget 2025/26	Adjustments	Feb 2026 Adj Budget
Community and Social Services	Fire skids	CRR	40 000	-5 260	34 740
Public Safety	Fencing for Driver's Licence and Vehicle Testing C	CRR	250 000	- 70 000	180 000
Road Transport	Extend and move Storm water line above Russell Street	CRR LD	210 000	-1 687	208 313
Water Management	Emergency Drought Relief - Drilling, Testing and Equipping of Boreholes	CRR		800 000	800 000
Energy Sources	Electricity network erf 8241 - Industrial Erven	CRR LD	134 000	166 000	300 000
Finance and Administration	Computer Equipment - All departments	CRR REV	320 000	200 000	520 000
Sport and Recreation	Canopy (CCK 14457)	CRR REV	40 000	-19 200	20 800
Waste Water Management	Barrydale Sewer Manholes (82 Houses)	CRR	400 000	100 000	500 000
Waste Water	Upgrading N2 Sewer Pumpstation	MSDCBG	0	R500 000	R500 000
Road Transport	Access Road Gravel erf 8241 - Industrial Erven	CRR LD	150 000	- 34 035	115 965
		Total	**30 656 785**	**- 8 477 732**	**22 179 053**

The capital budget is fully funded considering all the adjustments. The proposed funding sources for the capital adjustment budget are indicated in the table below:

FUNDING SOURCE	Abbreviation	Amended Budget	Adjustments	Proposed Admended Budget
Borrowing	BOR	R9 058 753	R0	R9 058 753
Capital Replacement Reserve	CRR	R31 901 481	-R9 190 376	R22 711 105
Capital from Revenue	CRR REV	R2 585 500	R352 644	R2 938 144
Department of Environmental Affairs and Development Planning	DEADP	R188 123	R0	R188 123
Energy Efficiency Demand Side Management Grant	EEDSM	R2 991 304	R0	R2 991 304
Integrated National Electricity Programme	INEP	R12 297 391	R0	R12 297 391
Informal Settlement Grant	ISUP	R4 151 785	R0	R4 151 785
Student Computer Equipment	LGSETA	R200 000	-R140 000	R60 000

FUNDING SOURCE	Abbreviation	Amended Budget	Adjustments	Proposed Admended Budget
Municipal Infrastructure Grant	MIG	R11 244 696	R0	R11 244 696
Municipal Water Resilience Grant	MWRG	R869 565	R0	R869 565
Overberg District Municipality	ODM	R40 000	R0	R40 000
Provincial Acceleration Housing Delivery	PAHD	R3 969 621	R0	R3 969 621
Regional socio-economic project programme	RSEP	R1 070 708	R0	R1 070 708
Water Services Infrastructure Grant	WSIG	R28 695 652	R0	R28 695 652
Intangible Assets: Software	FMG	R100 000	R0	R100 000
Municipal Service Delivery And Capacity Building Grant	MSDCBG	R0	R500 000	R500 000
Total		**R109 364 579**	**-R8 477 732**	**R100 866 847**

The Capital Budget by function are as follows:

WC034 Swellendam - Table B5 Consolidated Adjustments Capital Expenditure Budget by vote and funding - 26/02/2026

Description	Ref	Budget Year 2025/26									Budget Year +1 2026/27	Budget Year +2 2027/28
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget	Adjusted Budget	Adjusted Budget
			5	6	7	8	9	10	11	12		
R thousands		A	A1	B	C	D	E	F	G	H		
<u>Capital expenditure - Vote</u>												
<u>Multi-year expenditure</u> *to be adjusted*	2											
Vote 1 - MUNICIPAL MANAGER		8 769	8 769	–	–	–	–	(6 525)	(6 525)	2 244	–	–
Vote 3 - INFRASTRUCTURE & PLANNING SERVICES		42 929	44 931	–	–	–	–	1 490	1 490	46 421	38 284	12 162
Vote 4 - COMMUNITY SERVICES		4 084	4 084	–	–	–	–	(20)	(20)	4 064	45	–
Capital multi-year expenditure sub-total	3	**55 783**	**57 784**	**–**	**–**	**–**	**–**	**(5 055)**	**(5 055)**	**52 729**	**38 329**	**12 162**
<u>Single-year expenditure</u> *to be adjusted*	2											
Vote 1 - MUNICIPAL MANAGER		7 016	7 216	–	–	–	–	(3 066)	(3 066)	4 149	400	–
Vote 2 - FINANCIAL SERVICES		1 345	1 445	–	–	–	–	146	146	1 591	550	600
Vote 3 - INFRASTRUCTURE & PLANNING SERVICES		28 110	36 323	–	–	–	–	(211)	(211)	36 112	3 074	12 690
Vote 4 - COMMUNITY SERVICES		10 362	6 596	–	–	–	–	(291)	(291)	6 305	3 062	2 310
Capital single-year expenditure sub-total		**46 833**	**51 580**	**–**	**–**	**–**	**–**	**(3 423)**	**(3 423)**	**48 157**	**7 086**	**15 600**
Total Capital Expenditure - Vote		**102 616**	**109 365**	**–**	**–**	**–**	**–**	**(8 478)**	**(8 478)**	**100 887**	**45 415**	**27 762**
<u>Capital Expenditure - Functional</u>												
Governance and administration		**19 145**	**19 601**	**–**	**–**	**–**	**–**	**(8 883)**	**(8 883)**	**10 717**	**1 130**	**750**
Executive and council		–	–	–	–	–	–	–	–	–	50	–
Finance and administration		19 145	19 601	–	–	–	–	(8 883)	(8 883)	10 717	1 080	750
Community and public safety		**5 808**	**10 650**	**–**	**–**	**–**	**–**	**(301)**	**(301)**	**10 348**	**1 857**	**715**
Community and social services		230	230	–	–	–	–	(20)	(20)	210	80	–
Sport and recreation		4 628	5 278	–	–	–	–	(83)	(83)	5 194	1 507	215
Public safety		950	990	–	–	–	–	(198)	(198)	792	270	500
Housing		–	4 152	–	–	–	–	–	–	4 152	–	–
Economic and environmental services		**18 869**	**16 310**	**–**	**–**	**–**	**–**	**147**	**147**	**16 456**	**6 839**	**5 850**
Planning and development		696	1 071	–	–	–	–	–	–	1 071	–	–
Road transport		18 173	15 239	–	–	–	–	147	147	15 386	6 839	5 850
Trading services		**58 794**	**62 805**	**–**	**–**	**–**	**–**	**560**	**560**	**63 365**	**35 589**	**20 448**
Energy sources		14 995	19 099	–	–	–	–	230	230	19 329	2 709	6 355
Water management		34 650	35 332	–	–	–	–	(360)	(360)	34 972	21 991	3 795
Waste water management		8 789	7 690	–	–	–	–	700	700	8 390	9 639	8 702
Waste management		360	685	–	–	–	–	(10)	(10)	675	1 250	1 595
Total Capital Expenditure - Functional	3	**102 616**	**109 365**	**–**	**–**	**–**	**–**	**(8 478)**	**(8 478)**	**100 887**	**45 415**	**27 762**
<u>Funded by:</u>												
National Government		55 229	55 329	–	–	–	–	–	–	55 329	33 426	16 386
Provincial Government		9 628	10 250	–	–	–	–	500	500	10 750	–	2 310
District Municipality		–	40	–	–	–	–	–	–	40	–	–
Transfers and subsidies - capital (monetary allocations) (National / Provincial Departmental Agencies, Households, Non-profit Institutions, Private Enterprises, Public Corporatons, Higher Educational Institutions)		200	200	–	–	–	–	(140)	(140)	60	–	–
Transfers recognised - capital	4	**65 057**	**65 819**	**–**	**–**	**–**	**–**	**360**	**360**	**66 179**	**33 426**	**18 696**
Borrowing		6 050	9 059	–	–	–	–	–	–	9 059	–	–
Internally generated funds		31 509	34 487	–	–	–	–	(8 838)	(8 838)	25 649	11 989	9 066
Total Capital Funding		**102 616**	**109 365**	**–**	**–**	**–**	**–**	**(8 478)**	**(8 478)**	**100 887**	**45 415**	**27 762**

Operating Budget

Overall, operating revenue increased from R 550,1 million to R 562,6 million and operating expenses increased from R 571,7 million to R 593,9 million. Capital transfers and subsidies increased from R65,8,0 million to R66,2 million.

The following are the key amendments to the Operational Budget:

a) Must adjust the revenue and expenditure estimates downwards if there is material under-collection of revenue during the current year – The material under collection on revenue are:
   - Electricity Charges – R4 767 778 (Electricity consumption from Soil, Saagmeule and other sales)
   - Fines and penalties – R4 379 000 (Less traffic fines projections)

b) May appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for:
   - Interest earned Current Assets – R3 000 000 more than budgeted;
   - Operational Revenue – R3 518 793 (Grant Funding)

c) May authorise the utilisation of projected savings (R0) in one vote towards spending under another vote:
   - Employee Related Cost – R2 680 485 – Vacant posts and employee benefits projections
   - Bulk Purchases – (R483 118) Projected purchases less than budget;
   -
   - Debt Impairment – (R7 200 825) – Decrease in revenue results in lower provision for debt impairment based on 97% payment percentage;
   - Depreciation and amortisation – R15 262 486 – Depreciation based on the previous year's actuals.;
   - Contracted Services – R1 176 410 Additional funds requested for contracts.
   - Operational Cost – R1 343 879 - Increase in audit fees and SALGA payment of R1 350 000;
   - Debt written off – R1 230 000 - Increase in debt written off based on previous year results;

d) Other minor amendments included in the above are:
   - An additional amount of R200 000 for the landfill site;
   - An additional amount of R100 000 to rent a chipper for the landfill site;
   - An additional amount of R225 000 for valuation services;
   - An additional amount of R545 700 for FMG Grant consultants;
   - An additional amount of R163 600 for legal fees for debt collection;
   - An additional amount of R743 500 for audit fess;
   - An additional amount of R195 000 for software licences;
   - An additional amount of R180 000 for pothole repair Barrydale;
   - An additional amount of R150 000 for mechanical repairs sewer network;
   - An additional amount of R300 000 for mechanical equipment at sewer treatment works, Swellendam;

- An additional amount of R400 000 for the cost of supply study;
- An addtional amount of R130 000 for servitude sand land surveys;
- An additional amount of R160 000 for building maintenance suurbraak;
- An additional amount of R200 000 for security services;
- An additional amount of R900 000 for legal services;
- An additional amount of R100 000 for fire breaks at Suurbraak;
- An addtional amount of R407 000 for training (LGSETA);
- An addtional amount of R500 000 for Infanta road seal;
- An additional amount of R1 405 000 for SALGA fees;

Considering the above the propsed revenue and expenditure framework can be sumarised below:

WC034 Swellendam - Table B4 Consolidated Adjustments Budget Financial Performance (revenue and expenditure) - 26/02/2026

Description	Ref	Budget Year 2025/26									Budget Year +1 2026/27	Budget Year +2 2027/28
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget	Adjusted Budget	Adjusted Budget
			3	4	5	6	7	8	9	10		
R thousands	1	A	A1	B	C	D	E	F	G	H		
Revenue												
Exchange Revenue												
Service charges - Electricity	2	156 495	156 495	–	–	–	–	(4 768)	(4 768)	151 727	164 740	172 267
Service charges - Water	2	27 430	27 430	–	–	–	–	616	616	28 047	29 241	31 142
Service charges - Waste Water Management	2	24 734	24 734	–	–	–	–	2 281	2 281	27 016	26 120	27 556
Service charges - Waste Management	2	18 080	18 080	–	–	–	–	61	61	18 140	19 634	21 303
Sale of Goods and Rendering of Services		94 510	95 342	–	–	–	–	13 734	13 734	109 076	82 651	33 943
Agency services		2 859	2 859	–	–	–	–	–	–	2 859	2 991	3 125
Interest earned from Receivables		2 029	2 029	–	–	–	–	(451)	(451)	1 577	2 160	2 296
Interest earned from Current and Non Current Assets		13 000	13 000	–	–	–	–	3 000	3 000	16 000	13 000	13 000
Dividends		2	2	–	–	–	–	–	–	2	2	2
Rental from Fixed Assets		824	824	–	–	–	–	(96)	(96)	728	862	901
Licence and permits		1 463	1 463	–	–	–	–	(62)	(62)	1 400	1 530	1 599
Operational Revenue		1 497	1 497	–	–	–	–	3 519	3 519	5 015	1 518	1 541
Non-Exchange Revenue												
Property rates		66 090	66 090	–	–	–	–	(159)	(159)	65 931	71 774	77 875
Surcharges and Taxes		1 443	1 443	–	–	–	–	105	105	1 548	1 443	1 443
Fines, penalties and forfeits		57 078	57 078	–	–	–	–	(4 379)	(4 379)	52 699	57 082	57 085
Transfer and subsidies - Operational		69 709	77 000	–	–	–	–	(337)	(337)	76 663	67 635	67 971
Interest		395	395	–	–	–	–	(103)	(103)	293	429	466
Operational Revenue		4 108	4 108	–	–	–	–	(441)	(441)	3 667	4 345	4 579
Gains on disposal of Assets		200	200	–	–	–	–	–	–	200	211	220
Total Revenue (excluding capital transfers and		**541 946**	**550 069**	**–**	**–**	**–**	**–**	**12 519**	**12 519**	**562 588**	**547 366**	**518 313**
Expenditure By Type												
Employee related costs		159 871	159 792	–	–	–	–	(2 680)	(2 680)	157 112	167 776	177 091
Remuneration of councillors		6 405	6 405	–	–	–	–	–	–	6 405	6 699	7 001
Bulk purchases - electricity		135 182	135 182	–	–	–	–	(483)	(483)	134 699	142 028	150 220
Inventory consumed		12 938	12 654	–	–	–	–	(85)	(85)	12 570	13 534	14 143
Debt impairment		24 226	24 226	–	–	–	–	(7 201)	(7 201)	17 025	24 465	24 693
Depreciation and amortisation		21 527	21 527	–	–	–	–	15 262	15 262	36 790	22 170	22 835
Interest		10 226	10 226	–	–	–	–	–	–	10 226	10 041	9 895
Contracted services		137 259	144 080	–	–	–	–	14 786	14 786	158 867	126 139	80 161
Transfers and subsidies		1 420	1 460	–	–	–	–	30	30	1 490	1 453	1 486
Irrecoverable debts written off		24 374	24 374	–	–	–	–	1 230	1 230	25 604	24 463	24 554
Operational costs		30 800	31 798	–	–	–	–	1 376	1 376	33 174	32 548	34 015
Total Expenditure		**564 230**	**571 726**	**–**	**–**	**–**	**–**	**22 236**	**22 236**	**593 962**	**571 315**	**546 094**
Surplus/(Deficit)		**(22 284)**	**(21 657)**	**–**	**–**	**–**	**–**	**(9 716)**	**(9 716)**	**(31 374)**	**(23 949)**	**(27 780)**
Transfers and subsidies - capital (monetary allocations)		65 057	65 819	–	–	–	–	360	360	66 179	33 426	19 042
Surplus/(Deficit) after capital transfers & contributions		**42 773**	**44 162**	**–**	**–**	**–**	**–**	**(9 356)**	**(9 356)**	**34 805**	**9 477**	**(8 738)**
Surplus/(Deficit) after income tax		42 773	44 162	–	–	–	–	(9 356)	(9 356)	34 805	9 477	(8 738)
Surplus/(Deficit) attributable to municipality		42 773	44 162	–	–	–	–	(9 356)	(9 356)	34 805	9 477	(8 738)
Surplus/ (Deficit) for the year		**42 773**	**44 162**	**–**	**–**	**–**	**–**	**(9 356)**	**(9 356)**	**34 805**	**9 477**	**(8 738)**

The February 2025 Adjustment Budget document is attached as **Annexure A.10.**

SDBIP

During January 2026 the implementation of the budget and financial performance of the municipality was assessed for the first half of the year taking into consideration the monthly budget statements.

Section 1 of the MFMA defines the SDBIP as a detailed plan approved by the Mayor of a municipality in terms of section 53 (1)(c)(ii) which must include projections for each month of:

- Revenue to be collected by source;
- Operational and capital expenditure by vote;
- Any other matters that may be prescribed.

The adjusted SDBIP and performance agreements in line with the adjustments budget are contained in the following tables:

- Supporting Table SB12 – Adjustments Budget on monthly revenue and expenditure by municipal vote;
- Supporting Table SB13 – Adjustments Budget on monthly revenue and expenditure by vote;
- Supporting TableSB14 – Adjustments Budget on monthly revenue and expenditure by revenue source and expenditure type;
- Supporting Table SB15 – Adjustments Budget on monthly cash flow;
- Supporting Table SB16- Adjustments Budget on monthly capital expenditure by municipal vote;
- Supporting Tbale SB17 – Adjustments Budget on monthly capital expenditure by vote;

The performance agreements of the section 57 employees and SDBIP will be circulated under **Annexure A.11.**

LEGAL IMPLICATIONS

MFMA Section 28 and National Treasury MFMA Circulars No. 28 and 54 provide directives and guidelines for submitting municipal adjustments budgets to the Council for adoption. The report of the Director Financial Services will represent the documentation in compliance thereof. In terms of Section 54 (1) (c), the Mayor must consider and, if necessary, make any revisions to the SDBIP, provided that revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the Council following the approval of the adjustments budget.

FINANCIAL IMPLICATIONS

As per the report of the Director of Financial Services.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

None

Director: Financial Services

The municipality's payment rate has remained stable at 97% with an impairment provision of 3% for non-payment.

Decisions had to be made to reduce expenditure, on the one hand, to allow for increases on other more urgent maintenance demands.

The cost of supply study for electricity should inform the electricity landscape and future tariifs.

From an adjustments budget framework perspective, it can be expected that the next medium-term budget will be difficult to balance and to keep tariff increases at acceptable levels.

Acting Director: Infrastructure Services

None

Municipal Manager

RECOMMENDED

1. that the Adjustments Budget of Swellendam Municipality be adjusted in terms of section 28(2) for the 2025/2026 financial year as set out in the schedules contained in Annexure A.10 circulated with the agenda, be considered and approved as contained in the following prescribed budget tables;

   1.1 Table B1: Adjustments Budget Summary;
   1.2 Table B2: Adjustments Budget Financial Performance (expenditure by standard classification);
   1.3 Table B3: Adjustments Budget Financial Performance (expenditure by municipal vote);
   1.4 Table B4: Adjustments Budget Financial Performance (revenue by source);
   1.5 Table B5: Adjustments Budget Capital Expenditure;
   1.6 Table B6 – B10: Adjustments Budget Financial Position, Cash Flow, Asset Management and service delivery targets;

2. that the SDBIP and performance agreements as per Annexure A.11 be approved by the Council, in terms of section 54(1)(c) of the Municipal Finance Management Act 2003.

3. that the Adjustments Budget be made public and be placed on the municipal website.

9.1.16

Item number A41. 24.02.2026

UPPER LIMITS OF THE SALARIES, ALLOWANCES AND BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCILS FOR THE 2025/2026 FINANCIAL YEAR

Report of the Municipal Manager: Mrs. A Vorster

Department	Municipal Manager
Section	Legal Services
File Number	5/12/R

PURPOSE OF REPORT

To inform Council on the draft upper limits of the salaries, allowances and benefits of different members of Municipal Councils for the 2025/2026 Financial Year. The Gazette and Circular 10 of 2026 are attached **as Annexure A.12 to A.13.**

FACTS AND BACKGROUND

In terms of Section 7(1), 8(5) and 9(5)(a) of the Remuneration of Public Office Bearers Act, 1998 empowers the Minister responsible for local government to determine the upper limits of the remuneration for Municipal Councillors after consultation with Members of the Executive Councils (MEC's) responsible for local government in each province and after, inter alia, taking into consideration the recommendations of the Commission.

The upper limits as set out in the Government Gazette will take effect on 1 July 2025.

DISCUSSION

The grading of Councils is determined as follows :

Allocation	2024/2025	Points
Total Actual Municipal Income per Cash Flow (Less Transfers and construction contracts)	R288 826 668	33.33
Total Population	47 114	8.33
		41.66 = Grade 3

SWELLENDAM MUNICIPALITY
CASH FLOW STATEMENT FOR THE YEAR ENDED 30 JUNE 2025

	Note	Actual 2025 R	2024 Restated R
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts			
Property Rates		61,359,412	55,514,366
Fines, Penalties and Forfeits		15,771,595	12,883,750
Transfers and Subsidies		95,914,134	102,717,192
Service Charges		225,163,728	158,280,880
External Interest and Dividends Received		16,653,327	12,495,053
Other Receipts		127,305,201	102,365,172
VAT Received		-	3,551,999
Payments			
Employee Related Costs		(123,337,564)	(113,936,750)
Remuneration of Councillors		(5,828,799)	(5,822,778)
External Interest and Dividends Paid		(2,959,336)	(3,110,830)
Suppliers Paid		(338,598,488)	(218,754,278)
VAT Paid		(697,820)	-
NET CASH FLOWS FROM OPERATING ACTIVITIES	50.	**70,745,389**	**106,183,775**
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchase of Property, Plant and Equipment	7.	(41,620,771)	(48,197,007)
Purchase of Intangible Assets	8.	-	(124,076)
Purchase of Investment Property		(4,446,000)	-
Proceeds on Disposal of Property, Plant and Equipment	7.	3,123,179	233,913
Proceeds on Disposal of Investment Property		-	132,800
Decrease / (Increase) in Long-term Receivables		(456,271)	(394,281)
NET CASH FLOWS FROM INVESTING ACTIVITIES		**(43,399,863)**	**(48,348,652)**
CASH FLOWS FROM FINANCING ACTIVITIES			
Decrease in Finance Leases (Leases Redeemed)	17.	(402,026)	(361,517)
Increase in Borrowings (Loans Taken-on)	18.	7,500,000	3,500,000
Decrease in Borrowings (Loans Redeemed)	18.	(4,159,147)	(4,230,703)
NET CASH FLOWS FROM FINANCING ACTIVITIES		**2,938,827**	**(1,092,220)**
NET INCREASE / (DECREASE) IN CASH AND CASH EQUIVALENTS		**30,284,352**	**56,742,904**
Cash and Cash Equivalents at Beginning of Financial Year	6.	178,516,124	121,773,220
Cash and Cash Equivalents at End of Financial Year	6.	208,800,476	178,516,124

AUDITOR-GENERAL SOUTH AFRICA
30 November 2025
Auditing to build public confidence

The impact of the new remuneration allocation is as follows :

	2025/2026	2025/2026 (MPAC Full Time)
Budget	R6 404 682	R6 404 682
Total Councillors Remuneration	R6 186 513	R 6 519 100
Available Budget	R218 169	(R114 428)

The impact of a full-time MPAC Chair is R332 597 per annum.

LEGAL IMPLICATIONS

- Section 219(1) and (5) of the Constitution, read with Section 8(4) of the Independent Commission for the Remuneration of Public Office Bearers (Commission Act);

- Section (7) of the Remuneration of Public Office Bearers Act, 1998.

FINANCIAL IMPLICATIONS

The actual councillors' remuneration on 30 June 2024 was R5 489 264, projected to increase to R6 186 513, which is R697 249 more and constitutes a 4% increase on the previous year allowances.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

Not applicable.

Director: Financial Services

As per the report.

Acting Director: Infrastructure Services

Not applicable.

Municipal Manager

RECOMMENDED

1. that Council notes that sufficient funds exist for the proposed increase in the upper limits of salaries, allowances and benefits of different members of municipal councillors.
2. that Council confirm the determination of the grade of the municipal council as grade 3.
3. that the upper limits be implemented from 1 July 2025.

9.1.17

Item number A42. 27.02.2026

PATRIOTIC ALLIANCE: REPRESENTATION ON COUNCIL COMMITTEES, COUNCIL COMMITTEES (SECTION 79 AND 80) AND OTHER BODIES

Report of the Municipal Manager Mrs A. Vorster

Department	Municipal Manager
Section	Administrative Support
File number	3/3/3/1

PURPOSE OF THE REPORT

The report is submitted on request of the Speaker and the purpose is to facilitate the consideration of the Patriotic Alliance's representation on the Section 79 and Section 80 (Portfolio Committees) of Council as well as other Bodies where Councillors represent Council.

FACTS AND BACKGROUND

During a Council meeting which was held on 28 October 2025, Council has resolved as follows:

Item number A204. 28.10.2025
ELECTION OF COUNCILLOR JA MATTHYSEN: WARD 6: OATH OF OFFICE AS WELL AS REPRESENTATION ON COUNCIL COMMITTEES, SALGA WORKING GROUPS AND OTHER BODIES

UNANIMOUSLY RESOLVED **Item A204/28/10/2025**

that the following Councillors be appointed as representatives on Other and External Bodies and SALGA Working Groups:

<u>Other and External Bodies</u>

Drostdy Musuem: Councillor A. Bokwana

<u>SALGA Working Groups:</u>
Municipal Digital Solutions: Councillor J.A. Matthysen

Environmental Management and Climate Resilience: Councillor J.A. Matthysen

The PA Councillor was appointed to represent Council on the above-mentioned SALGA Working Groups only and representation on Section 79 and 80 Committees of Council as well as other Bodies, was not considered.

DISCUSSION

The Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), provides for the establishment of Section 79 and Section 80 committees to strengthen the functioning of municipal councils. These committees are essential instruments for effective governance, oversight, and policy development. It is imperative that their composition reflects the democratic principles enshrined in the Constitution and applicable legislation.

Municipal Councils are constitutionally bound to conduct their business in a manner that promotes democratic governance. (Section 160(8) of the Constitution)

This includes:

- Ensuring fair representation of all political parties in committees, proportionate to their representation in council.
- Promoting inclusive participation in decision-making processes, thereby strengthening legitimacy and accountability.
- Upholding transparency and fairness in the appointment of committee members and chairpersons.
- Guaranteeing that committees serve as platforms for debate, oversight, and policy development.

The legitimacy of Council decisions depends on the inclusivity and fairness of its processes. By ensuring that all political parties are represented in Section 79 and 80 committees, Council will not only comply with legislation but also strengthen public trust in local governance.

The Register of Council Committees, SALGA Working Groups and other bodies is attached as **Annexure A.14** for ease of reference.

LEGAL IMPLICATIONS

Sections 79 and 80 of the Local Government Municipal Structures Act, No 117 of 1998.
Section 160 (8) of the Constitution of the Republic of South Africa, 1996

FINANCIAL IMPLICATIONS

None.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENT FROM DEPARTMENTS

Acting Director: Community Services

None

Director: Financial Services

None

Acting Director: Infrastructure and Planning Services

None

Municipal Manager

As per the report.

RECOMMENDED

that the representation of the Patriotic Alliance on Section 79 and Section 80 Committees as well as other Bodies where Councillors represent Council, be considered by Council as per the register attached as **Annexure A.14.**

9.1.18

Item number A43. 27.02.2026

QUARTERLY WARD COMMITTEE REPORT

Report by the Office of the Speaker.

Prepared by A. Hattingh

File number 3/3/3/15

PURPOSE OF REPORT

To provide a quarterly report to Council surrounding ward committee activities for the period 1 October 2025 to 31 December 2025.

FACTS AND BACKGROUND

DISCUSSION

Section 72 of the Local Government: Municipal Structures Act of 1998 provides that local municipalities of certain types may have ward committees. The objective of a ward committee is to enhance participatory democracy in local government and acts as a communication channel between the community and Council. Swellendam Municipality has 6 established ward committees. Meetings were held as follows:

WARD COMMITTEE MEETINGS:
Ward 1 – No meetings scheduled
Ward 2 – Meeting held 7 October 2025
Ward 3 – No meetings scheduled
Ward 4 – Meeting held 1 December 2025
Ward 5 – Meeting held 6 November 2025
Ward 6 – Meeting held 24 November 2025

COUNCILLOR REPORT-BACK MEETINGS:
Ward 1 – Meeting held 12 November 2025
Ward 2 – Meeting held 11 November 2025
Ward 3 – No report back meeting scheduled
Ward 4 – Meeting scheduled 7 October 2025
Ward 5 – No report back meeting scheduled
Ward 6 – Meeting held 5 November 2025

CURRENT VACANCIES IN EACH WARD:

Ward 1 – 4 Vacancies
Active Members:

1. Lestine Abrahams
2. Linique Strydom
3. Jannie Oosthuizen
4. Gerhardus Swanepoel
5. Ross Soller
6. Debra-Leigh Mohle

Ward 2 – 2 Vacancies

Active Members :

1. Renaldo Claassen
2. Conroy Williams
3. Joggom Tallies
4. George Pokwas
5. Felix Benn
6. Jody Ann Marais
7. Johan Majola
8. Kaile Jonas

Ward 3 – 4 Vacancies

Active Members:

1. Alan Thompson
2. Naomi van der Kolff
3. Ruwayne October
4. Karina Sauls
5. Marlene Classen
6. Ferdio Kestoor

Ward 4 – 2 Vacancies

Active members:

1. Luchresia Pietersen
2. Mio Langenhoven
3. Lanville Cupido
4. Riaan Jonas
5. Hilton R.I. Hartnick
6. Nandipha Lungiso
7. Andy Deon Harmse
8. Isaac Wentzel

Ward 5 – 1 vacancy

Active members (has not missed 3 or more consecutive meetings) :

1. Francina Maneval
2. Monwabisi Mtyanga
3. Enrico Adams
4. Felicia Joseph
5. Jeffrey Matthysen
6. Erna Mpiyakhe
7. Odwa Mnisi
8. Mandisa Mbijani
9. Nomayo Nthombe

Ward 6 – No vacancies

Active members:

1. Edgar Gertse
2. Leslie Swarts
3. Bertie Pekeur
4. Johannes Michaels
5. Linda de Vie
6. David Baatjies
7. Ricardo Gertse
8. Marco Mintoor
9. Albert Snyman
10. Terrance November

Ward committee meetings held during the past quarter were insufficient and did not comply with the requirements of the Swellendam Municipality Ward Establishment Policy, 2020. It is therefore of critical importance that ward councillors prioritise compliance with the policy to ensure that public participation remains active and effective in each ward.

The Speaker's Office welcomes the progress made in filling vacancies on ward committees and continues to encourage ward councillors to prioritise the filling of remaining vacancies to ensure adequate and effective representation of their communities and sectors.

In addition to ensuring that all mandated Ward Committee Meetings and Ward Councillor Feedback Meetings are convened in the next quarter, the Speaker's Office will focus on the following two objectives:

1. Ensuring Adequate Sectoral and Geographical Representation

The Speaker's Office remains committed to ensuring that Ward Councillors are properly supported by motivated and committed ward committee members across all relevant sectors and geographical areas.

To achieve this, the Speaker's Office will work closely with each Ward Councillor to:

- Fill existing vacancies; and
- Address underperformance by providing coaching, guidance, and where necessary, implementing appropriate corrective or disciplinary measures.

2. Ensuring the Correct Structure for Ward Councillor Feedback Sessions

Ward Councillor Feedback Sessions are mandatory quarterly meetings that each Ward Councillor is required to host. In the past, these meetings have often been treated as additional IDP meetings, rather than fulfilling their intended purpose.

The purpose of these sessions is for the Ward Councillor to report back to the community on:
a) Key decisions taken by Council during the previous quarter, particularly those affecting the ward;
b) Progress on service delivery and IDP/Budget implementation; and
c) Matters of concern raised with the councillor, whether during community meetings, Ward Committee Meetings, or through day-to-day engagements.

Concerns regarding public participation are frequently raised at public meetings. The Ward Committee Model plays a central and critical role in strengthening public participation. It is therefore the collective responsibility of the Ward Councillor, Ward Committee Members, the administration, and Council to uphold and advance meaningful public participation.

For this reason, the Speaker aims to ensure that ward committee members remain active within their communities and diligently fulfil their roles and responsibilities.

Ward Councillors are adequately supported in ensuring public participation. The resulting feedback loop ensures higher community participation and contentment.

LEGAL IMPLICATIONS

Local Government: Municipal Structures Act of 1998.

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

As per resolution.

RECOMMENDED

1. that Council takes note of the quarterly ward committee report for 1 October 2025 to 31 December 2025.

9.1.19

Item number A44. 27.02.2026

COMMENCEMENT: RECRUITMENT AND SELECTION PROCESS FOR THE POSITION OF DIRECTOR CORPORATE- & COMMUNITY SERVICES

Report of the Municipal Manager : A. Vorster

Department	Corporate Services
Section	Human Resources
File number	4/3/3/5 4/3/3/3

PURPOSE OF REPORT

To commence with the recruitment and selection process for a Director Corporate- & Community Services position in terms of the Regulations on Appointment and Conditions of Employment of Senior Managers, GN.R 21, published in GG 37245, dated 17 January 2014, together with the provisions of the Municipal Regulations on Minimum Competency Levels, GNR 493, GG 29967 dated 15 June 2017 and as amended by GN 1146, published in GG 41996 dated 26 October 2018.

FACTS AND BACKGROUND

The Director Community Services terminated his contract on 31 December 2025. After extensive consultation within the internal structures, Council resolved as follows per **Item A226/04/12/2025**:

RESOLVED **Item A226/04/12/2025**

1. that Council resolve to amalgamate the Directorates Community Services with the previous Director Corporate Services with the following practical divisional shifts:
   a. that the Waste Management and Parks functions be moved to the Directorate Infrastructure and Planning Services each with a direct reporting line to the Director: Infrastructure and Planning Services.
   b. that the divisional units of Administrative Support Services, Human Resources and Legal Services, Governance and Compliance be amalgamated with the newly formed Department of Corporate and Community Services under the Director.
   c. that LED, Internal Audit and Communications be retained under the Municipal Manager.

No feedback from the MEC was received in terms of our submission of the amended macro structure previously approved by Council.

We therefore may commence with the recruitment and selection process soonest as the position has been vacant since the start of January 2026.

DISCUSSION

A senior management position may only be filled after it has been advertised publicly in terms of Section 10 of the Regulations on Appointment and Conditions of Employment of Senior Managers, GN.R 21. The Council must approve the vacancy and give approval that the vacancy must be filled. It must also approve the advertisement for the position. The pro forma advertisement is attached **as Annexures A.15.**

Section 10 of the Regulations on Appointment and Conditions of Employment of Senior Managers, GN.R 21 stipulates as follows:

10. (1) The municipal manager must, within 14 days of receipt of the approval referred to in regulation 7, ensure that the vacant post is advertised.

(2) A vacant senior manager post must be advertised in a newspaper circulating nationally and in the province where the municipality is located.

(3) An advertisement for a vacant senior manager post must specify the—

(a) job title;
(b) term of appointment;
(c) place to be stationed;
(d) annual total remuneration package;
(e) competency requirements of the post, including minimum qualifications and experience required;
(f) core functions;
(g) need for signing of an employment contract, a performance agreement and disclosure of financial interest;
(h) the need to undergo security vetting;
(i) contact person;
(j) address where applications must be sent or delivered; and
(k) closing date which must be a minimum of 14 days from the date the advertisement appears in the newspaper and not more than 30 days after such date.

(4) A municipality may utilise a recruitment agency to identify candidates for posts: Provided that the advertising, recruitment and selection procedures comply with these regulations.

(5) The mayor, in the case of a municipal manager, or the municipal manager, in the case of a manager directly accountable to the municipal manager, must provide monthly reports to the executive committee regarding progress on the filling of the vacant senior manager post.

Section 12 of the above regulations stipulates the compilation of the Selection Panel for the Section 56 vacancies. Section 12 states as follows:

Selection panel

12. (1) A municipal council must appoint a selection panel to make recommendations for the appointment of candidates to vacant senior manager posts.

(2) In deciding who to appoint to a selection panel, the following considerations must inform the decision:

- (a) the nature of the post;
- (b) the gender balance of the panel; and
- (c) the skills, expertise, experience and availability of the persons to be involved.

(3) The selection panel for the appointment of a municipal manager must consist of at least three and not more than five members, constituted as follows:

- (a) the mayor, who will be the chairperson, or his or her delegate;
- (b) a councillor designated by the municipal council; and
- (c) at least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post.

(4) The selection panel for the appointment of a manager directly accountable to a municipal manager must consist of at least three and not more than five members, constituted as follows:

- (a) the municipal manager, who will be the chairperson;
- (b) a member of the mayoral committee or councillor who is the portfolio head of the relevant portfolio; and
- (c) at least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post.

(5) A panel member must disclose any interest or relationship with shortlisted candidates during the shortlisting process.

(6) A panel member contemplated in subregulations (3) and (4) must recuse himself or herself from the selection panel if—

- (a) his or her spouse, partner, close family member or close friend has been shortlisted for the post;
- (b) the panel member has some form of indebtedness to a short-listed candidate or *vice versa*; or
- (c) he or she has any other conflict of interest.

(7) A panel member and staff member must sign a declaration of confidentiality as set out in Annexure D to these regulations, to avert the disclosure of information to unauthorised persons.

(8) A staff member may provide secretarial or advisory services during the selection process, but may not form part of the selection panel.

For the Recruitment and Selection Process to commence the above processes must be followed.

LEGAL IMPLICATIONS

1. Constitution of South Africa, 1996 (Act no 108 of 1996).
2. Section 55 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);
3. Local Government: Municipal Staff Regulations, 2021,
4. Employment Equity Act, **1998** (Act no **55 of 1998**);
5. Basic Conditions of Employment Act, 1997 (Act no 75 of 1997);
6. Labour Relations Act, 1995 (Act no 66 of 1995);

1\. Minimum competency requirements for Senior Managers as laid down in Government Notice R493 dated 15 June 2007, as amended by Government Notice 1146 dated 26 October 2018

2. Regulations on the Appointment and Conditions of Employment of Senior Managers as promulgated in Government Gazette 37245 dated 17 January 2014
3. The Upper Limits of total remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers

FINANCIAL IMPLICATIONS

As per the Upper Limits of total remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers.

PERSONNEL IMPLICATIONS

As per discussion above.

COMMUNICATION IMPLICATION

Advertising in a national newspaper.

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

None

Director: Financial Services

None

Municipal Manager

Report supported

RECOMMENDED

1. that Council approves the commencement of the recruitment and selection process of the Director Corporate- & Community Services position.
2. that Council approves the advertisement for the position of Director: Corporate- & Community Services as attached.
3. that Council appoints a Selection Panel for the vacancy mentioned in (1) above as per the Regulations on the Appointment and Conditions of Employment of Senior Managers as promulgated in Government Gazette 37245 dated 17 January 2014.

9.1.20

Item number A45. 27.02.2026

APPROVAL OF AMENDED MACRO STRUCTURE OF SWELLENDAM MUNICIPALITY

Office of the Municipal Manager:	A Vorster
Department	Municipal Manager
Section	Human Resources
File number	4/3/3/2

PURPOSE OF REPORT

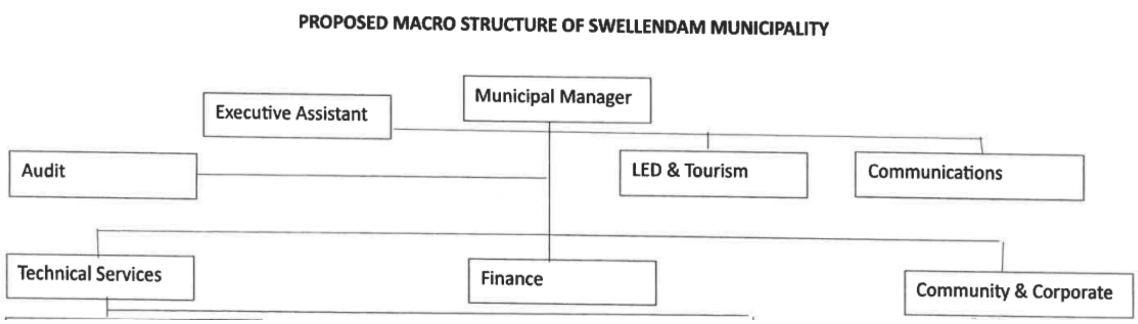
To propose that Council approve the amended macro structure.

FACTS AND BACKGROUND

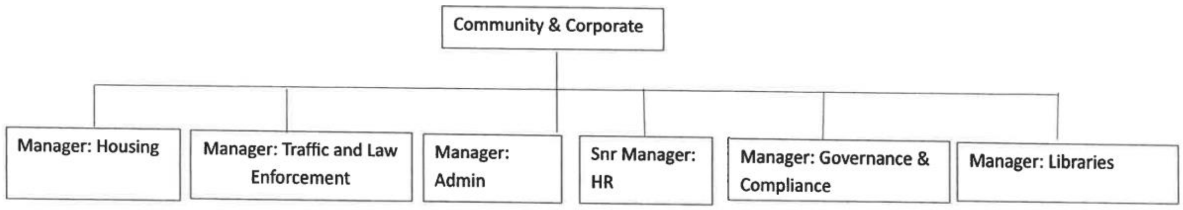
Council resolved as follows during a meeting which was held on 4 December 2025:

RESOLVED **Item A226/04/12/2025**

1. that Council resolve to amalgamate the Directorates Community Services with the previous Director Corporate Services with the following practical divisional shifts:
   a. that the Waste Management and Parks functions be moved to the Directorate Infrastructure and Planning Services each with a direct reporting line to the Director: Infrastructure and Planning Services.
   b. that the divisional units of Administrative Support Services, Human Resources and Legal Services, Governance and Compliance be amalgamated with the newly formed Department of Corporate and Community Services under the Director.
   c. that LED, Internal Audit and Communications be retained under the Municipal Manager.



Amalgamated Directorate:



DISCUSSION

Council should note that we have not received any feedback from the MEC in terms of our submission of the amended macro structure previously approved by Council.

LEGAL IMPLICATIONS

Labour Relations Act, Nr 66 of 1995

Basic Conditions of Services Act, 75 of 1997

Local Government: Municipal Staff Regulations, 2021

Cost Containment Regulations, Government Gazette 42514, 2014

Local Government: Municipal Finance Management Act, Act 56 of 2003

Local Government: Appointment and conditions of employment of senior managers, 17 January 2014

Local Government: Municipal Systems Act, Act 32 of 2000

FINANCIAL IMPLICATIONS

As per current budget if Council continues with a four-team Senior Management.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

None

Director: Financial Services

None

Acting Director: Infrastructure Services

None

Municipal Manager

The approval of the macro structure with the subsequent advertising and filling of the Director Corporate- & Community Services is critical for the effective functioning of the administration, as it will provide the Municipal Manager with the opportunity to operate more strategically.

RECOMMENDED

1. that it be noted that no submissions or input was received from the Local Government MEC in the Western Cape.
2. that the amended macro structure be approved for immediate implementation.
3. that the approved report be provided to the Minister of Cooperative Governance and Traditional Affairs.

9.2 Consideration of matters which require non-disclosure

<u>See In-Committee Minutes for Confirmation:</u>

Minutes of a Special In-Committee Council meeting held on Friday, 13 February 2026.

9.3 Consideration of urgent matters

10 MINUTES OF COMMITTEES AND AD HOC COMMITTEES

10.1 Minutes of an Ordinary Mayoral Committee meeting held on Thursday, 22 January 2026.

11 CONFIRMATION OF MINUTES

The following minutes are distributed as a separate document for confirmation:

11.1 Minutes of Special Council meeting held on Monday, 12 January 2026.
11.2 Minutes of a Special Council meeting held on Monday, 19 January 2026.
11.3 Minutes of an Ordinary Council meeting held on Thursday, 29 January 2026
11.4 Minutes of a Special Council meeting held on Friday, 13 February 2026.

12. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

13. CONSIDERATION OF MATTERS OF EXIGENCY

14. GENERAL

15. CLOSURE

16. NOTICE TO THE PUBLIC

KENNISGEWINGS | NOTICES

Swellendam Municipality

Notice is hereby given in terms of Section 19 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that an Ordinary Council meeting of the Municipal Council of Swellendam Municipality is scheduled as follows:

Date:	Friday, 27 February 2026
Time:	10:00.
Location:	COUNCIL CHAMBERS, RHENIUS STREET, SWELLENDAM

Swellendam Munisipaliteit

Kennisgewing geskied hiermee in terme van Artikel 19 van die Wet op Plaaslike Regering: Wet op Munisipale Stelsels, 2000 (Wet 32 van 2000) dat 'n Gewone Raadsvergadering van die Swellendam Munisipale Raad soos volg geskeduleer is:

Datum:	Vrydag, 27 Februarie 2026
Tyd:	10:00
Plek:	RAADSAAL, RHENIUSSTRAAT, SWELLENDAM

A. VORSTER
P.O. Box / Posbus 20
MUNICIPAL MANAGER /
MUNISIPALE BESTUURDER
SWELLENDAM
6740
Notice / Kennisgewing A5/2026

17. BLANK APPLICATION FOR LEAVE OF ABSENCE FORM

SWELLENDAM MUNICIPALITY

APPLICATION FOR LEAVE OF ABSENCE FROM MEETING

(Note: To be submitted to the Chairperson before the start of the meeting)

Name of Councillor ……………………………………………………………...

Herewith I apply for leave of absence from the following meeting(s):

MEETING	DATE
Council Meeting	
Special Council Meeting	
Executive Mayoral Committee Meeting	
Any other Committee/Forum/Workshop (Please specify)	
Reason for absence	

SIGNATURE

DATE