MAYORAL COMMITTEE MEETING MINUTES

MINUTES OF THE MAYORAL COMMITTEE MEETING HELD ON MONDAY, 23 FEBRUARY 2026 AT 10:30 IN THE COUNCIL CHAMBERS, RHENIUS STREET, SWELLENDAM.

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Yours sincerely.

H.F. DU RAND
EXECUTIVE MAYOR

DATE

MINUTES OF AN ORDINARY MEETING OF THE MAYORAL COMMITTEE OF SWELLENDAM MUNICIPALITY HELD ON MONDAY, 23 FEBRUARY 2026 AT 10:30 AT THE COUNCIL CHAMBERS, RHENIUS STREET, SWELLENDAM.

PRESENT:	**Councillor**	H.F. du Rand	Executive Mayor
		E.J. Lamprecht	Member
		F. Kees	Member

IN ATTENDANCE:	A. Vorster	(Municipal Manager)
	J. van Niekerk	(Acting Director: Community Services)
	W. Treurnicht	(Acting Director Infrastructure and Planning Services)
	J. Etzebeth	(Manager: Administrative Support Services)

SECRETARIAT:

K. Opperman
A. Eksteen

RECORDING OFFICER:

K. Opperman

ALSO PRESENT

Alderman J. du T. Loubser Speaker

1. OPENING AND WELCOME

At 10:30 the Executive Mayor, Councillor H.F. du Rand welcomed everyone at the Mayoral Committee meeting and declared the meeting duly constituted with a quorum present.

2. ELECTION OF CHAIRPERSON, IF NECESSARY

None

3. APPLICATION FOR LEAVE OF ABSENCE

None

4. SPEECHES AND SUBMISSIONS

None

5. CONFIRMATION OF MINUTES

RESOLVED:

5.1 that the minutes of an ordinary meeting of the Mayoral Committee held on Thursday, 22 January 2026 copies of which were circulated prior to the meeting, be taken as read and be hereby confirmed.

6. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

6.1 Matters arising from the minutes of the Mayoral Committee meeting held on Thursday, 22 January 2026.

6.1.1 Matters arising from the minutes: p.5: Disaster Management Plan:

The Executive Mayor shared that the flow chart he referred to, was a guideline on what needed to happen in case of a disaster and what the steps would be to be taken as in a case of a water crisis. He added that the flow chart would have to be followed and if not practical to implement it would have to be amended.

The Municipal Manager, Mrs A. Vorster indicated that the matter the Executive Mayor referred to would fall under incident management and not Disaster Management and said that such a guideline would be put in place.

The Executive Mayor said that the flow chart should be an incident protocol report to ensure that each person was aware of what needed to be done in case of an emergency.

6.1.2 Matters arising from the minutes: p.5: Alienation of Two Portions of Erf 1, Swellendam Bergstreet Area - Rotary Park:

The Municipal Manager shared that the erven were subdivided, the tenders were advertised to appoint a land surveyor who was in process of taking the measurements.

6.1.3 Matters arising from the minutes: p.6: Oefeningshuis:

The Municipal Manager indicated that Council's intension for the Oefeningshuis was advertised and no comments were received.

7 STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR

None

8	DISCLOSURE OF INTERESTS BY COUNCILLORS

None

9	FINANCIAL REPORTING

9.1 <u>Section 71 Report for January 2026.</u>

<u>DISCUSSION</u>

The Executive Mayor, Councillor H.F. Du Rand indicated that the municipality was at 40% of the SDBIP and 23% of the total budget.

The CFO, Ms E. Wassermann shared that one WSIG project was awarded to a joint venture service provider who could not open a bank account to date which led to the municipality not being able to make payments on the project that stood at an amount of R3.5 million that remained unpaid. She added that the situation was now escalating and may lead to the project being jeopardized due to the service provider that could not continuously proceed with the project without payment.

She added that a notice be given to the contractor to give them a timeframe within which they had to short out their bank account.

Ms Wassermann said that all WSIG projects were now managed on the same way as MIG projects meaning that if 40% of the project funding were not spent by December, National Treasury would take away the funding, with this in process, National Treasury wrote a letter indicated that R9 million of WSIG funding would be taken away in the next DoRA whereby the municipality had to provide reasons why the funding should not be taken away according to project commitments and submitted the letter on Friday, 20 February 2026.

She added that the tender for the silo pumpstation has been awarded and was in process and the team would have to start with the R500 000 on the N2 pumpstation.

Ms Wassermann indicated that the funding on the rebuilding of the buildings was also adjusted to reflect a realistic figure spent by 30 June 2026.

She said that she started to do an analysis on the outstanding debtors longer than 90 days and the concern was that with a payment percentage that dropped from 25% to 15% in Buffeljagsrivier, they had the highest outstanding debt within 90 days. She said that if Council did not come up with a solution for Buffeljagsrivier to collect debt, the municipality would not be able to retrieve the outstanding debt.

She suggested that the municipality engaged in talks with Eskom again to discuss the possibility of transferring the electricity network to the municipality.

RESOLVED

9.1.1 that cognisance be taken of the Section 71 Report for January 2026.

10	MATTERS FOR CONSIDERATION

10.1 Items submitted by officials of the Council

10.1.1

Item number A23. 23.02.2026

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>

RECOMMENDED TO MAYCO

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.

<u>DISCUSSION</u>

The Executive Mayor, Councillor H.F. Du Rand shared that with any tender of Council to alienate Erven the applicant must ensure security that he/she can afford to buy the property in terms of a bank guarantee.

The Executive Mayor proposed that the provision of a bank guarantee to ensure security of the sale be included in the process.

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 the 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.

10.1.2

Item number A24. 23.02.2026

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>

RECOMMENDED TO MAYCO

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.

The Executive Mayor indicated that the recommendation was supported by the Committee.

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.

10.1.3

Item number A25. 23.02.2026

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.

RECOMMENDED TO MAYCO

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

The Executive Mayor indicated that the Committee was in support of the recommendation.

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.

10.1.4

Item number A26.	23.02.2026
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.

RECOMMENDED TO MAYCO

1. that Council note the ongoing environmental non-compliance on Erf 1 Swellendam.
2. that Council inform the public of this non-compliance and remove all unauthorised material from the affected portion of Erf 1 Swellendam.

3. that Council monitor the situation and prevent all further unauthorised activities on this portion of land.
4. that the Municipal Manager be exempted from any environmental fine issued as a result of the ongoing illegal mining activity on Erf 1 Swellendam.
5. that a special Council meeting be convened with the parties involved to discuss the implications of the matter and the legal way forward.

DISCUSSION

The Executive Mayor, Councillor H.F. Du Rand indicated that he was in support of the recommendation as-is, however questions the legality of point 4 of the recommendation.

The Municipal Manager, Mrs A. Vorster shared that point 4 of the recommendation would only come into effect should Council decide that the activities may continue.

The Speaker, Alderman J. du T. Loubser indicated that Council should first decide whether it would allow the activities to continue should the individuals get the necessary licence and whether Council would alienate the land to the current users. He suggested that Council alienate the land for the use of mining.

The Municipal Manager shared that Council resolved in a previous Council resolution that the municipality was willing to lease the land to the users should they get the necessary licences but has not obtained the licences to date which was why the Item was tabled to Council again to inform Council on the non-compliance.

The Executive Mayor proposed that the recommendation be amended and that re recommendation of 2022 remained applicable and reaffirmed as follows:

1. 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.
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.

Councillor F. Kees proposed that the current users be invited to meet with Council to discuss the conditions as per the Council resolution of 2022.

The Municipal Manager suggested that it be included in the recommendation that the Municipal Manager warned Council on the risks involved in allowing the activities to continue.

The Executive Mayor indicated that the Committee was in support of the amended recommendation.

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.

The Executive Mayor, Councillor H.F. Du Rand announced a short break at 11:42 and the meeting resumed at 11:48.

10.1.5

Item number A27. 23.02.2026

SUPPLY CHAIN MANAGEMENT MONTHLY REPORT – JANUARY 2026

Report by the Director: Financial Services:	Ms. E Wasserman
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.

RECOMMENDED TO MAYCO

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

RECOMMENDED TO COUNCIL

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

10.1.6

Item number A28. 23.02.2026

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.

RECOMMENDED TO MAYCO

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.

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.

10.1.7

Item number A29. 23.02.2026

TERMS OF REFERENCE: AESTHETICS AND CONSERVATION COMMITTEE

Office of the Municipal Manager	A. Vorster
Department	Municipal Manager
Section	Governance
File Number	12/2/3/6

PURPOSE OF REPORT

Review the Aesthetics Committee's Term of Reference.

FACTS AND BACKGROUND

Council instituted an Aesthetics and Conservation Committee in 2014 and adopted Terms of Reference for said committee. The Terms of Reference (TOR) adopted in 2014 is attached as **Annexure A.8 to A.9**. As more than a decade has passed since the Terms of Reference it will be good to review said TOR.

DISCUSSION

Swellendam Municipality accommodates two registered local area committees in terms of the National Heritage Resources Act; the Swellendam Aesthetics & Conservation Committee, and the Swellendam Heritage Association. Both committees account to Heritage Western Cape on heritage matters, and particularly listed buildings etc.

The purpose of the Committees is to act as watchdog for and to advise on, the aesthetic and cultural conservation of buildings, public areas and places, as defined in the National Heritage Resources Act, 1999 (Act No. 25 of 1999). This intent necessitates that members of committees must have the appropriate skills, competencies and knowledge to offer proper advice. The Committees shall be independent and uncommitted, without predisposition or prejudice. A committee member shall be excused from the proceedings of a committee when a matter is discussed in which he or she has any direct or indirect interest.

Council advertised the Terms of Reference for the Aesthetics Committee for public input. No public input was received, and it is recommended that Council confirms the Terms of Reference for the Aesthetics Committee as is.

LEGAL IMPLICATIONS

The following legislation regulates property management:

The Constitution of South Africa
National Heritage Resources Act
National Building Regulations Act
Spatial Land Use Management Act
Spatial Development Framework

FINANCIAL IMPLICATIONS

The members of the committee are all volunteers and there are no expenses incurred in respect of the committee.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

As per report.

COMMENTS FROM DEPARTMENTS

Acting Director: Community Services

None

Acting Director: Infrastructure and Planning Services

None

Director: Financial Services

None

Municipal Manager

As per report

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

RECOMMENDED TO MAYCO

1. that Council confirms the attached Terms of Reference for the Aesthetics and Conservation Committee as this committee fulfills an important advisory function in maintaining the heritage character of Swellendam municipal area.

DISCUSSION

The Executive Mayor, Councillor H.F. Du Rand said that the Committee should take note that the Aesthetics and Conservation Committee was a advisory committee and not a decision making authority.

The Executive Mayor proposed that the recommendation be amended to read as follows:

- *that the Aesthethics Committee make recommendations to the Mayco who would consider the recommendations and where required submit matters to Council for a decision.*
- *that the Aesthetics Committee's recommendations be substantuated with reasons from the National Heritage Resources Act.*

The Municipal Manager shared that the only issue was that in terms of land use, the deligation was not with the Mayoral Committee nor Council but with the Municipal Manager whereas the Mayor was the Appeal Officer.

The Speaker, Alderman J. du T. Loubser read the delegations as stipulated in the approved Terms of Reference of the Aesthetics Committee of 2014.

After several discussions on the report, the Executive Mayor proposed that the Item be referred back to discuss the Terms of Reference in detail and make an informed decision on the matter.

RESOLVED **Item A29/23/02/2026**

1. that Item A29 on the Terms of Reference of the Aesthetics and Conservation Committee be ***REFFERED BACK*** *for further investigation.*

10.1.8
Item number A30. 23.02.2026

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.

RECOMMENDED TO MAYCO

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

RECOMMENDED TO COUNCIL

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

10.1.9

Item number A31. 23.02.2026

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

3) Municipal Finance Management Act No, 56 of 2003
4) 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

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

RECOMMENDED TO MAYCO

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

<u>DISCUSSION</u>

The CFO, Ms E. Wassermann shared that another meeting with Syntell would be arraned to discuss the matter, however, the only concern was that Council did not make a specific decision on the actions to be followed in this regard and the risks and estimated costs involved has not yet been determined.

The Executive Mayor indicated that it was not necessary to appoint a service provider as Syntell would provide the data, however, the municipality did not have the capacity to safeguard officials who needs to do the job and would suggest that the municipality liaised with other municipalities to make use of its officials in the same department to do the disconnections of illegal water and electricity connections.

He added that the Committee took note of the report and would like to be informed of the implemented actions at the next Mayoral Committee meeting.

RECOMMENDED TO COUNCIL

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

10.1.10
Item number A32. 12.02.2026

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.

RECOMMENDED TO MAYCO

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.

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.

10.1.11

Item number A33. 23.02.2026

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. I (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.

RECOMMENDED TO MAYCO

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

RECOMMENDED TO COUNCIL

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

10.1.12

Item number A34. 12.02.2026

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.10 to A.11.***

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 m² (R3 000 000 / 1080m² = R2777/m²) x 80m² 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 m² (R110 000 / 303m² = R363/m²) x 19m² 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 m² (R890 000 / 533m² = R1670/m²) x 90m² 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.

RECOMMENDED TO MAYCO

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.

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.

10.1.13

Item number A37. 23.02.2026

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.

RECOMMENDED

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.

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.

10.1.14

Item number A38. 23.02.2026

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

RECOMMENDED

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.

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.

10.1.15

Item number A39. 23.02.2026

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.

RECOMMENDED

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.

The Municipal Manager gave an overview of the report for February 2026. She shared that the water level was at 86% after recent rainfall.

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.

10.2 Consideration of matters which require non-disclosure

None

10.3 Consideration of urgent matters

None

11 MINUTES OF THE PORTFOLIO COMMITTEES

RESOLVED:

that cognisance be taken of the following minutes:

11.1 Minutes of a Community Services and Housing Portfolio Committee meeting held on Wednesday, 12 November 2025.

11.2 Minutes of a Finance and Governance Portfolio Committee meeting held on Wednesday, 12 November 2025.

11.3 Minutes of an Infrastructure and Planning Services Portfolio Committee meeting held on Wednesday, 12 November2025.

12 GENERAL

In response to a question by the Executive Mayor, Councillor H.F. Du Rand regarding the tabling of the new organisational structure, the Municipal Manager, Mrs A. Vorster shared that the organisational structure would be tabled to Council on Friday, 27 February 2026 together with the new created position for Community Services and Corporate Director. She added that the organisational structure was submitted to the Minister for Cooperative Governance but no comments were received.

In response to a question by the Speaker, Alderman J. du T. Loubser with regard to whether engagements have been done with officials to explain the changes to be made to the organisational structure, the Municipal Manager indicated that the process was followed and the new structure was presented to the LLF for consideration, however, there has been push back from the Parks division who did not want to reside under Infrastructure Services but it was shared that the practical workflow would not change except that they would report to another Director. She said that everyone received the opportunity to provide inputs on the new structure and it was presented to the Unions, LLF and submitted to the Minister for comments.

The Executive Mayor indicated that the position of the Community Services and Corporate Director was a necessary position for the municipality, to have someone with a legal background to aid Council in legal matters.

13 CLOSURE

The Executive Mayor thanked everybody for their time and commitment to attend the meeting.

The meeting adjourned at 12:49.