ORDINARY COUNCIL MEETING MINUTES

MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON FRIDAY, 29 JUNE 2026 AT 12:00 IN THE COUNCIL CHAMBERS, RHENIUS STREET, SWELLENDAM.

PLEASE RETAIN THIS DOCUMENT FOR RECORD PURPOSES AS IT WILL NOT BE CIRCULATED AGAIN.

Yours sincerely

______________________	____________________
J. du T. Loubser	**DATE**
SPEAKER	

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MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL OF SWELLENDAM MUNICIPALITY HELD ON FRIDAY, 29 JUNE 2026 AT 12:00 IN THE COUNCIL CHAMBERS, RHENIUS STREET, SWELLENDAM.

PRESENT:	**Councillor**	J. du T. Loubser	Speaker
		H.F. du Rand	
		F. Kees	
		E.J. Lamprecht	
		A. Bokwana	
		D. Julius	
		I.H. Ferguson	(from 12:04)
		G. Libazi	(from 12:04)
		J.A. Matthysen	

IN ATTENDANCE:	A. Vorster	(Municipal Manager)
	E. Wassermann	(Director Financial Services)
	W. Treurnicht	(Acting Director Infrastructure and Planning Services
	J. Etzebeth	(Manager: Administrative Support)

SECRETARIAT:

K. Opperman
R. Hartnick

RECORDING OFFICER:

K. Opperman

ALSO PRESENT

Mr A. Petersen (Senior Internal Auditor)
Mrs L. Cupido (Manager: Human Settlements)
Mr R. Brunings (Senior Manager: Town Planning and Building Control)
Mr G. de Villiers (Western Cape Government) (virtual from 12:00 to 12:39)
1 Member of the public

1. OPENING AND WELCOME

At 12:00 the Speaker, Alderman J. du T. Loubser welcomed everyone at the Council meeting and declared the meeting duly constituted with a quorum present.

Councillor F. Kees rendered an opening prayer.

2.	ELECTION OF ACTING SPEAKER, IF NECESSARY

None

3.	APPLICATION FOR LEAVE OF ABSENCE

that leave of absence from the Council meeting on Monday, 29 June 2026 be granted to Councillor M.T.A. Swart and Councillor D. J. Julius.

4.	MOTIONS OF JOY AND SORROW

4.1 Announcement of birthdays:

Councillor J.A. Matthysen – 04 July 2026

4.2 Announcements of deaths by Municipal Manager

May 2026

Nazeem KJ Van Wyk	SWELLENDAM
Jacobus Johannes Demingo	SWELLENDAM
Johnson Manewil	SWELLENDAM
Josias Flip Jansen	SWELLENDAM
Betjie Christoffel	SWELLENDAM
Damon Rooi	SWELLENDAM
Pieter Titus	SWELLENDAM
Sindy Langeveld	SWELLENDAM
Dorothy Deyers	SWELLENDAM
Shelvino Petersen	SWELLENDAM
Doreen White	SWELLENDAM
SUURBRAAK	
Marthinus Sieglaar	SUURBRAAK
Christo Hartnick	SUURBRAAK
Magrieta Theodore	SUURBRAAK
Cecilia Cameron	SUURBRAAK
Abraham Sieglaar	SUURBRAAK

The Municipal Manager, Ms A. Vorster shared her sincere condolences with the bereaved families. She added that their thoughts were also with Councillor A. Bokwana and her family with the passing of her cousin.

5.	SPEECHES AND SUBMISSIONS

Mr G. De Villiers: Western Cape Government gave an overview of the options in respect of Item A134: Railton Hub Group Housing Development 22 erven.

The Municipal Manager, Mrs A. Vorster requested Mr de Villiers to present the different options available when looking at a development of this sort for the 22 erven.

Mr de Villiers responded that the preferred appraoch be that the municipality develop the 22 erven itself, with some assistance from Province as it was only 22 units which would be easy to control and influence.

He added that if the land was handed over to a developer with the municipality's requirements, at least 50 or 60 square metre houses were needed with a certain specification for the developer to make a profit, which meant there would be a profit margin and the longer they took to sell it, the more expensive the units. The product would not be advertised for R400,000 anymore but the market would have to buy products at a R6 to 700,000 range as it was only 22 units and for any developer to really make a profit out of it, they would have to sell it at a good price.

He further explained that if it was developed by the municipality, all the municipality needed recover was their input costs back while not interested in generating a profit, as previously done by the Human Settlement Department in various areas in Cape Town

He said that the municipality did not have to, but the reason he followed that principle was because BNG units were built for about R200,000 for a 40 square metre footprint then adding some slight improvements to distinguish it from a BNG. It also looked completely different from a BNG which was aesthetically pleasing to the buyer.

He said that through this process, the Department tried to assist the gap in the market because the earners from R3500 up to about R10 - 15,000 realistically could not get bonds for R400 000 or half a million Rand.

That was a gap in the market that could not be satisfied with affordable products. And it was for that reason that they started off on a 40 square metre, and just added five improvements at R80 000 to R100,000 extra.

By doing this, he said the Deparment were getting people that earn R6 or 7,000 a month that were able to get bonds and brought a small deposit and benefitted from a subsidy in and around R100,000 and got them onto the housing ladder where in normal instances, they could not afford to get onto the housing ladder. He added that this would be people who had jobs working in government, had a secure income and could get into the housing net.

He said that the Department's architect could do the building plan for the first phase of the units to be the 40 square metre house and, as and when, the owner came into more money or could afford it, they could then build on a design that has already been approved by the municipality.

He said that the municipality would have to have some flexibility in the procurement effort because procuring in terms of the MFMA, was quite difficult so the municipality would have to sit down and see what was possible to be able to procure a contractor to build 22 units at R6.5 million.

He added that one unit could be build and used as a show house to try and get at least 80 or 90% pre-sold before the municipality pushed the button with the contractor. He said that this *would be self-built if the municipality did it where the contractor got paid by the municipality to build the houses and as the bonds were registered, the transferring attorneys paid the money to the municipality. In other words, the municipality got refunded.*

He shared that if the municipality went with the second option to procure a developer, the municipality would request developers to provide proposals. A developer would then look at the area and make a price based on what amount houses in the area were generally sold for which might be at an amount of about R700 000 which would be the selling price. He added that the developer might also work back and come to R400 000 or R450 000 at cost price but would sell the units at what the market was prepared to pay in that area.

He added that Local Government worked from the bottom up, minimal cost, to see what was the absolute least input cost and sell it at that while developers worked the other way around, they tended to sell at market value.

In response to a question by the Executive Mayor, Councillor H.F. du Rand with regard to whether the departement would allocate funding for such a project, Mr de Villiers confirmed that the municipality could apply for funding in this regard as the departmenthas done projects of this nature in areas of Cape Town.

The Municipal Manager indicated that there were definitely residents working in the public and private sector who would be able to benefit from such a project. As soon as Council decided on which option they wanted to follow, the project plans could be put together and the public participation process would be able to start.

The Speaker, Alderman J. du T. Loubster thanked Mr de Villiers for the information and his inputs which Council would take into consideration when making a decision on the way forward.

6. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

None

7. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR

None

8. DISCLOSURE OF INTERESTS BY COUNCILLORS

None

9. MATTERS FOR CONSIDERATION

9.1 Items tabled by officials were considered by Council as reflected:

9.1.1

Item number A116. 29.06.2026

MEMBERSHIP OF THE MUNICIPAL PLANNING TRIBUNAL – NEW 5 YEAR TERM

Report by:	Senior Manager Land Use Planning
Directorate:	Infrastructure and Planning Services
Section:	Land Use Planning (Town Planning and Building Control)
File number:	3/3/3/21

PURPOSE OF REPORT

The appointment of members to the Municipal Planning Tribunal (MPT).

FACTS AND BACKGROUND

The 5-year term of the current MPT lapses on 30 June 2026. Not all existing members have served for the full 5 years, as they were appointed to serve only for the balance of the current term, following the withdrawal / retirement of previous members. Notwithstanding, we need to reconstitute the full membership of the MPT by the end of June 2026, which will then commence with its next 5-year term from 1 July 2026.

In terms of Section 71 of the By-Law on Municipal Land Use Planning 2020, the MPT is to comprise a minimum of 5 members and is to be constituted as follows: 3 employees in full-time service of the Municipality, and 2 persons who are not employees of the Municipality or councillors. The current MPT comprises the following persons, as set out in the Provincial Gazette 8880 published on 9 February 2024:

Employees:
- A. Vorster (Municipal Manager) - Chairperson
- K. Stuurman (Director Community) - Vice Chairperson
- W. Treurnicht (Senior Manager Infrastructure Services)

Non-Employees:
- T. Rebel (Chief Town and Regional Planner – Western Cape Government)
- H. Visser (Director Development Planning – Hessequa Municipality)
- C. Venter (Director Planning and Economic Development – Mosselbay Municipality) - Secundi

DISCUSSION

Each of the "Non-Employees" of the current MPT have indicated their willingness to serve for another term, or certainly a part thereof dependent on circumstances. We are indeed fortunate to have secured the continued services of 3 senior persons, as many municipalities are struggling to secure the assistance of skilled and experienced people to serve on their MPTs.

As far as the "Employees" are concerned, two changes are proposed given recent appointments and changing operational pressures.

It is proposed that the MPT comprise the following members for the next 5-year term:

Employees:
- A. Vorster (Municipal Manager) - Chairperson
- R. De Ridder (Director Infrastructure and Planning Services) - Vice Chairperson
- J. Bester (Manager Project Management and Capital Programme)

Non-Employees:
- T. Rebel (Chief Town and Regional Planner – Western Cape Government)
- H. Visser (Director Development Planning – Hessequa Municipality)
- C. Venter (Director Planning and Economic Development – Mosselbay Municipality) – alternate member

We have included a third "Non-Employee" as an alternate member, in the event that one of the other members cannot attend.

LEGAL IMPLICATIONS

The Municipal Planning Tribunal is established in terms of Sections 70 to 78 of the Swellendam Municipal By-Law on Land Use Planning, 2020.

FINANCIAL IMPLICATIONS

The appointment of MPT members from the local and provincial government sector serves as a cost saving measure, as there is there is no need to reimburse such members directly for their time or travel. Swellendam has a similar reciprocal arrangement with the Theewaterskloof and Agulhas Municipalities as of our officials also serve on their tribunals.

PERSONNEL IMPLICATIONS

Attendance at meetings.

COMMUNICATION IMPLICATIONS

Placement of a Notice in the Provincial Gazette.
COMMENTS FROM DEPARTMENTS

Director: Corporate and Community Services

None

Director: Financial Services

None

Director: Infrastructure and Planning Services

None

Municipal Manager

I concur with the recommendation.

<u>This Item served on the Infrastructure and Planning Services Portfolio Committee meeting held on Wednesday, 17 June 2026.</u>

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

RECOMMENDED TO COUNCIL

1. that the contents of the report on Membership of the Municipal Planning Tribunal – new 5-year term be noted.

2. that the following employees of Swellendam Municipality be appointed as members of the Municipal Planning Tribunal with effect from 1 July 2026, for a 5-year term:

2.1 Vorster (Municipal Manager) - Chairperson
2.2 R. De Ridder (Director Infrastructure and Planning Services) - Vice Chairperson
2.3 J. Bester (Manager Project Management and Capital Programme)

3. that the following non-employees be appointed as members of the Municipal Planning Tribunal with effect from 1 July 2026, for a 5-year term:

3.1 T. Rebel (Chief Town and Regional Planner – Western Cape Government) – alternate member Mrs H. Janser.
3.2 H. Visser (Director Development Planning – Hessequa Municipality).
3.3 C. Venter (Director Planning and Economic Development – Mosselbay Municipality) – alternate member.

4. that the names of the MPT members be published in the Provincial Gazette.

<u>DISCUSSION</u>

Executive Mayor, Councillor H.F. du Rand indicated that the Director Infrastructure and Planning Services, Mr R. de Ridder did not assume duties as yet and that it meant that the position remained vacant until Mr de Ridder started on 1 July 2026.

Councillor G. Libazi proposed that the Director Corporate Services, Mr E. Philips of Cape Agulhas Municipality be nominated to serve as a member of the Tribunal.

The Municipal Manager, Mrs A. Vorster shared that Mr Philips would be approached to determine his availability and or willingness to serve on the Municipal Planning Tribunal as nominated.

The Speaker, Alderman J. du T. Loubser confirmed that the recommendation was supported by Council with amendment.

UNANIMOUSLY RESOLVED **Item A116/29/06/2026**

1. that the contents of the report on Membership of the Municipal Planning Tribunal – new 5-year term be noted.

2. that the following employees of Swellendam Municipality be appointed as members of the Municipal Planning Tribunal with effect from 1 July 2026, for a 5-year term:

2.4 A. Vorster (Municipal Manager) - Chairperson
2.5 R. De Ridder (Director Infrastructure and Planning Services) - Vice Chairperson from date of employment on 1 July 2026.
2.6 J. Bester (Manager Project Management and Capital Programme)

3. that the following non-employees be appointed as members of the Municipal Planning Tribunal with effect from 1 July 2026, for a 5-year term:

3.4 T. Rebel (Chief Town and Regional Planner – Western Cape Government) – alternate member Mrs H. Janser.
3.5 H. Visser (Director Development Planning – Hessequa Municipality).
3.6 C. Venter (Director Planning and Economic Development – Mosselbay Municipality) – alternate member.
3.7 that the Director Corporate Services of Cape Agulhas Municipality Mr E. Philips be approached to serve on the tribunal.

4. that the names of the MPT members be published in the Provincial Gazette.

9.1.2

Item number A117.	29.06.2026

DRAFT WASTE MANAGEMENT BY-LAW 2026

Report by:	Johan van Niekerk
Department:	Infrastructure Services
Section:	Environmental and Waste Management
File Number:	1/4/R

PURPOSE OF THE REPORT

In terms of section 156(2) of the Constitution of the Republic of South Africa, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and section 9(3)(a)–(d) of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA), the Swellendam Municipality has the legislative authority and responsibility to regulate waste management within its area of jurisdiction through appropriate by-laws.

The Municipality's existing waste management by-laws require comprehensive revision to align with the National Waste Management Strategy 2020 (NWMS 2020), the Integrated Waste Management Plan (IWMP) and Organic Waste Diversion Plan (OWDP) as endorsed by Council, the waste management hierarchy, circular economy principles, and current enforcement requirements.

A Draft Waste Management By-law 2026 has been prepared and has completed the final technical and legal check with the Western Cape Government's Legislation Development unit. The draft is now ready to commence the formal municipal process of translation, public participation, final Council approval and promulgation in the Provincial Gazette.

This report therefore requests Council to approve the draft By-Law and authorise the next steps in the adoption and promulgation process.

See attached as Annexure A.1

FACTS AND BACKGROUND

Municipalities are required to have waste management by-laws that give effect to national and provincial legislation, promote the waste hierarchy, prevent pollution and nuisance, and provide effective enforcement mechanisms against illegal dumping, littering and other contraventions.

The Draft Waste Management By-law 2026 comprehensively addresses all aspects of waste management. It contains updated definitions aligned with current legislation, principles and objectives promoting sustainable development and zero waste to landfill, integrated waste management planning, collection services, handling of specific waste streams (garden waste, bulky waste, building and demolition waste, hazardous waste, health care risk waste, recyclables, agricultural and farm waste, tyres, e-waste and event waste), transportation and disposal, accreditation of external service providers, and a full enforcement regime.

The draft by-law includes enabling provisions for incentive-based tariffs (including Pay-As-You-Throw and rebates for households and businesses that demonstrate consistent source separation, high recycling rates and effective composting) to be determined by Council as part of the annual tariff process. These provisions will be powerful tools to drive behavioural change and support the circular economy and diversion targets contained in the endorsed IWMP and OWDP.

The draft contains a standard interpretation clause stating that in the event of any conflict between the English, Afrikaans and isiXhosa versions, the English version shall be decisive.

The confirmed process, as agreed with Legislation Development, is as follows: a) Submission to Portfolio Committee and Council for initial approval to proceed; b) Translation into Afrikaans and isiXhosa; c) Public participation process for comment; d) Final Council approval after consideration of comments; e) Promulgation in the Provincial Gazette; and f) Development of Section 57 admission of guilt fines/charge sheets for efficient enforcement through the Magistrate's Court.

DISCUSSION

The Draft Waste Management By-law 2026 has been developed to provide a modern, practical and enforceable regulatory framework that directly supports the implementation of the recently endorsed IWMP and OWDP.

Key improvements and features include:

1. A full set of updated and expanded definitions covering all current waste streams and aligned with NEM:WA and related national and provincial legislation.
2. Clear statement of the waste management hierarchy and sustainable development principles as the foundation of all waste management decisions and services in the Municipality.
3. Detailed obligations on waste generators, holders and service providers, including requirements for approved containers, separation at source, prevention of nuisance, and proper storage and handling of different waste types.
4. Specific parts regulating garden waste (composting and disposal), bulky waste, building and demolition waste, special industrial/health care/hazardous waste, tyres/disused vehicles/scrap metal, recyclables, and agricultural/farm waste.
5. Strengthened provisions for municipal collection services (including levels of service, frequency, volume, communal collection and collection in rural areas) as well as accreditation, terms and conditions, and oversight of commercial waste service providers.
6. Comprehensive enforcement chapter (Chapter 9) empowering authorised officials to issue compliance notices, enter and inspect premises, investigate contraventions, and institute proceedings, supported by a clear list of offences and penalties (including continuing daily offences and the possibility of service termination).

7. Repeal of all previous waste management by-laws (or the relevant provisions thereof) and transitional arrangements.

The by-law will give the Municipality the necessary regulatory tools to achieve the waste minimisation, diversion and compliance targets set out in the IWMP, protect the environment and public health, reduce long-term landfill airspace and operational costs, and fulfil its constitutional service delivery mandate in a sustainable manner.

LEGAL IMPLICATIONS

1. An outdated by-law (pre-NEM:WA) no longer fully exercises this authority in the current legislative and policy environment. Section 156(2) of the Constitution, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and section 9(3)(a)–(d) of NEM:WA, empowers (and requires) municipalities to make by-laws for refuse removal, solid waste disposal, and related matters listed in Schedule 5B. Municipalities have an ongoing duty to ensure their by-laws remain effective, consistent with national legislation, and capable of achieving the objects of local government (sustainable service delivery and a safe, healthy environment, Constitution s152(1)(b) and (d) and the environmental right in s24).
2. The by-law making process must comply with the relevant provisions of the Local Government: Municipal Systems Act, 2000 (particularly sections dealing with the adoption and publication of by-laws) and the principles of just administrative action.
3. After final Council adoption, the by-law must be published in the Provincial Gazette to acquire the force of law. It will be cited as the Waste Management By-law, No. XXX of 2026 and will commence on the date of publication in the Provincial Gazette (or such later date as may be determined).
4. The draft has been vetted by Robert Young at the WCG Legislation Development Department for consistency with the Constitution, NEM:WA, NEMA and other applicable national and provincial legislation. In the event of any conflict with national or provincial legislation, the latter will prevail.
5. Effective enforcement will require the establishment of appropriate admission of guilt fines under section 57 of the Criminal Procedure Act, 1977, in consultation with the Department of Justice and the local Magistrate's Court. A general offence for failure to adhere to the by-law will be included.
6. Upon promulgation the new by-law will repeal all previous municipal waste management by-laws (or the relevant provisions thereof).

FINANCIAL IMPLICATION

The main costs associated with this process will be:

- Professional translation of the by-law into Afrikaans and isiXhosa;
- Public participation (advertising, printing of notices and copies of the draft, possible public meetings or virtual sessions);
- Provincial Gazette publication fees; and
- Minor costs for enforcement training and the development of charge sheets.

These costs are expected to be limited and can be accommodated within the Environmental and Waste section's operational budget or the legal services allocation. The long-term financial and environmental benefits, through improved compliance, reduced illegal dumping clean-up costs, and support for the waste diversion and airspace-preservation strategies in the IWMP, significantly outweigh the initial expenditure.

PERSONNEL IMPLICATIONS

Authorised officials in the Infrastructure Services Department (Environmental and Waste section), as well as any designated peace officers or environmental health practitioners, will be responsible for enforcement. The by-law clearly sets out their powers, functions and duties. No new permanent posts are created by the by-law itself. Capacity building and training on the new provisions will be arranged internally or with provincial support. The introduction of a comprehensive admission of guilt system will streamline enforcement and reduce the administrative burden on officials and the courts.

COMMUNICATION IMPLICATIONS

Following translation, a formal public participation process will be conducted in accordance with the Municipal Systems Act. This will include publication of notices in local newspapers and on municipal platforms, making the draft by-law (in English, Afrikaans and isiXhosa where available) available for inspection at municipal offices, libraries and on the website, and allowing a reasonable comment period (30 days). All comments received will be collated, analysed and presented to Council for consideration before final adoption. This transparent process will promote public awareness and ownership of waste management responsibilities.

COMMENTS FROM DEPARTMENTS

Director - Financial Services:

None

Acting Director - Infrastructure Services:

None

Municipal Manager

None

This Item served on the Infrastructure and Planning Services Portfolio Committee meeting held on Wednesday, 17 June 2026.

This item served on the Mayoral Committee meeting held on Tuesday, 23 June 2026.

RECOMMENDED TO COUNCIL

1. that the Draft Waste Management By-law 2026 be approved in principle to proceed with the public consultation process.

2. that, after the public consultation process and consideration of any comments received, the final draft (incorporating any appropriate amendments) be submitted to Council for adoption;

UNANIMOUSLY RESOLVED **Item A117/29/06/2026**

1. that the Draft Waste Management By-law 2026 be approved in principle to proceed with the public consultation process.
2. that, after the public consultation process and consideration of any comments received, the final draft (incorporating any appropriate amendments) be submitted to Council for adoption;

9.1.3

Item number A118. 29.06.2026

SUPPLY CHAIN MANAGEMENT MONTHLY REPORT – MAY 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 May 2026 is attached as **Annexure A.2** to enable 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: Corporate and Community Services

None

Director: Financial Services

None

Director: Infrastructure and Planning Services

None

Municipal Manager

None

This Item served on the Finance Portfolio Committee meeting held on Thursday, 18 June 2026.

This item served on the Mayoral Committee meeting held on Tuesday, 23 June 2026.

RECOMMENDED TO COUNCIL

1. that Council takes cognisance of the Supply Chain Management Report for May 2026 attached as **Annexure A.2.**

The Speaker, Alderman J. du T. Loubser confirmed that Council took note of the report.

UNANIMOUSLY RESOLVED **Item A118/29/06/2026**

1. that Council takes cognisance of the Supply Chain Management Report for May 2026 attached as **Annexure A.2.**

9.1.4

Item number A119. 29.06.2026

HOUSING REPORT FOR MAY 2026

Report of the Manager Human Settlement: L. Cupido

Department	Corporate and Community Services
Section	Housing
File number	17/4/1

PURPOSE OF THE REPORT

To submit a comprehensive monthly status update regarding key performance areas within the Human Settlements section. This report specifically focuses Key on Performance Indicators (KPI's) such as the Housing Demand Database (Waiting List), the Title Deeds Restoration Programme, current Housing Capital Projects, the status of Informal Settlements, recent Disaster Management interventions and operational challenges, effectively combining the two reports on housing projects and the status of informal settlement previously reported on separately.

DISCUSSION AND BACKGROUND

The Housing Section continues to prioritize the delivery of dignified human settlements, the acceleration of security of tenure, the provision of basic services in informal areas, and rapid response to localized disasters. Below is a detailed breakdown of activities and challenges for the current reporting cycle.

Section A: Housing Demand Database (Waiting list)

The administration maintains a proactive approach to managing the Western Cape Housing Demand Database (WCHDD) to ensure data integrity and compliance with national and provincial allocation policies.

- **Current Total Backlog:** There are currently **4157** applicants registered on the Swellendam Municipality Housing Demand Database for the month of May 2026. Below is a breakdown of the various towns within the Swellendam Municipal area:

Waiting status

PREFERENCE AREA'S	MAY 2026
Suurbraak	627
Swellendam	2570
Buffeljagsrivier	369
Barrydale	551
Malgas	40
Total	**4157**

Assisted status

PREFERENCE AREA'S	MAY 2026
Suurbraak	54
Swellendam	662
Buffeljagsrivier	85
Barrydale	98
Malgas	4
Total	**903**

Prioritization & Age Demographics Framework: In accordance with National Directives, the administration tracks specific priority categories. The table below outlines the current database registrations flagged for disabilities and age-grouped decrements in 5-year intervals:

PREFERENCE AREAS	Disability	60+	59-55	54-50	49-45	44-40	39-35	34-30	29-18
Suurbraak	37	62	56	73	73	94	80	77	83
Swellendam	183	216	181	228	287	496	547	422	276
Buffeljagsrivier	8	25	33	51	45	40	28	18	7
Barrydale	17	52	38	47	58	77	102	102	58
Malgas	0	4	2	2	0	3	0	0	0
Total	**245**	**359**	**310**	**358**	**463**	**710**	**757**	**619**	**424**

Administrative Note on Disability Data: It must be noted that not all applicants currently captured as living with a disability on the database meet the strict physical criteria defined by National and Provincial policies for immediate priority allocation. The figures above represent all applications currently flagged with any impairment (physical and non-physical). The housing section can only accurately verify and define the specific nature of the medical disability once applicants formally update their files in person with medical certificates.

Data Integrity Warning (Railton 950 Project Linkage): The administration is currently in the process of systematically updating and "flagging" beneficiaries who have already received housing assistance under the active Railton 950 housing project. Because this remains an ongoing data-cleansing exercise, the current database total over-represents the active backlog. The final, audited backlog figures will be presented once all successful beneficiaries are fully marked as "assisted" on the WCHDD system.

- **Monthly Updates & Registrations:** During this reporting period, **2** new applications were captured, and **45** existing applications were updated with new contact details or income levels.

New Applications

PREFEENCE AREAS	JAN 2026	FEBR 2026	MARCH 2026	APRIL 2026	MAY 2026
Suurbraak	0	0	9	0	0
Swellendam	24	4	42	17	1
Buffeljagsrivier	0	1	61	1	0
Barrydale	1	0	7	1	1
Total	**25**	**5**	**118**	**19**	**2**

Update Information

PREFEENCE AREAS	JAN 2026	FEBR 2026	MARCH 2026	APRIL 2026	MAY 2026
Suurbraak	0	1	127	2	13
Swellendam	48	42	76	32	68
Buffeljagsrivier	2	2	39	0	69
Barrydale	0	58	12	27	40
Total	**50**	**103**	**254**	**61**	**190**

- **Data Verification Cleansing:** Staff are continuously assisting walk-in applicants to verify their status. Community members are encouraged to update their details annually to ensure accurate targeting for upcoming projects.

Section B: Title Deeds Restoration Programme

Erasing the historical backlog of unregistered title deeds remains a critical priority for restoring dignity and unlocking economic asset value for beneficiaries.

- **Current Focus Area (Pre- and Post-1994 Stock):** Intensive administrative work is underway to finalize property transfers. Primary focus is being placed on regularizing all pre- and post-1994 rental housing stock, as well as integrating new housing developments. The data below reflects the performance tracking from January 2026 to May 2026. The flat profile across the four-month period underscores a persistent backlog—particularly within the investigation and legal instruction phases—that requires urgent intervention to unlock transfers before the closure of the current financial year.

Title Deed Restoration Programme (Pre and Post 1994)					
TRP Activities	**Jan 2026**	**Febr 2026**	**March 2026**	**April 2026**	**May 2026**
TRP's under verification and investigations	53	53	53	53	53
TRP's instruction to the attorney	9	9	9	9	11
TRP's Rectifications on title deeds	3	3	3	3	2
Transfers on TRP's	0	0	0	0	0
Total outstanding TRP's transfers	65	65	65	65	65

Railton 950 Project Title Deed transfers

- **General Plan Registration:** The underlying General Plan was successfully registered on 4 March 2025, establishing the legal foundation necessary for individual property transfers to proceed.
- **Legal Representation:** E. Jorge Attorneys remains the appointed conveyancing firm managing the formal transfer process.
- **Current Lodgment Activity:** A new batch of 80 transactions was successfully processed and submitted to the Deeds Office in May 2026 for registration.

Continuous administrative work is being carried out to manage Deeds of Sale, monitor processing queues with ASLA, and track final registrations. The table below provides a month-on-month performance breakdown from December 2025 to April 2026:

New Housing Development Transfers (Railton 950 Project)					
Administrative Indicator	**Jan 2026**	**Febr 2026**	**March 2026**	**April 2026**	**May 2026**
Deeds of Sale submitted to attorney	731	819	832	856	900
Deeds of Sale in process by ASLA	32	5	50	50	49
Transactions submitted to the Deeds Office	80	80	80	82	161
Total Registered Transfers (Cumulative)	159	239	239	324	485

Section C: Housing Project Status Report

Area & Project	Current Phase/Milestone	Key Progress & Status	Challenges / Next Steps
Swellendam: Railton South (950 Erven & Top structures)	Handover & Beneficiaries Registration	• 949 Beneficiaries application approved. • 949 top structures completed • 856 houses have been handed over	• 54 units currently vandalised • Handover of the remaining houses will be handed over after it was fixed. • No official handover will take place • 3 houses are used for offices of Asla – it will also be handed over when the project is completed.
Swellendam: Railton UISP (Upgrading of Informal Settlements)	Installation of Interim Services Phase1: 1) Relocation (installation 24 toilets at relocation area) 2) 75 toilets installation 3) Fencing	• Project funding approval for interim services received (July 2025). • Project Steering Committee was held on Wednesday, 27th May 2026	• Site access constraints due to the presence of informal small-scale farmers
Swellendam: Railton CBD Project	Installation of Interim services 29 sites	• Project funding approval received (Sep 2025).	• Services phase successfully signed off;

		• Construction commenced on 12 January 2026. • Practical completion inspection successfully conducted on 23 March 2026.	ready for the next phase. • Item was draft and submitted for council approval.
Barrydale Infill Project	Transfers & Approvals	• Cumulative total of 58 transfers registered to date. • Reinstatement application for Area B officially approved on 28 Jan 2026. • Outstanding Title Deeds that need to be registered.	• Continuation of remaining transfers and planning rollout for Area B.
Suurbraak 550 Project	Planning (Phase 2)	• Alsa is finalising the EIA for them to submit the PIRR application • R2million funding for 2026/2027 financial year has been approved.	• PIRR application need to be submitted.
Buffeljagsrivier Phase 2 (32 sites)	General Plan	• General Plan officially approved and endorsed by the Surveyor General's office (August 2021).	• Documentation in place for subsequent development phases.

<u>Section D: Informal Settlements Management & ISSP</u>

In line with the Informal Settlement Support Programme (ISSP), the municipality tracks and manages growth, basic service delivery, and living conditions within all recognized informal settlements.

GREATER SWELLENDAM MUNICIPAL AREA: INFORMAL SETTLEMENT STATUS MATRIX

LOCALITY / AREA	HOUSING & LAND STATUS	SERVICES & INFRASTRUCTURE STATUS	WAITING LIST & DEMAND STATUS	CRITICAL ACTION REQUIRED
MALGAS	• 31 Wendy Houses • Located on private land	• **Water:** Handled internally by Dept. of Infrastructure • **Sanitation:** 10 precast pit toilets	11 people on the waiting list	• Engage with landowner regarding long-term service agreements. • Secure a formal external water service provider.

		• **Electricity:** None • **Waste:** Weekly municipal removal		
SUURBRAAK **1.** *Nuwe Tarief Commonage)* 2. Vatmaar Informal settlement	• 13 Informal houses • 31 Informal houses	• **Water:** Individual metered drinking water • **Sanitation:** Full toilet facilities • **Electricity:** Metered connections • **Waste:** Weekly municipal removal		• Ongoing routine maintenance of existing municipal services.
BUFFELJAGSRIVIER	• 9 Informal structures	• **Water:** Serviced sites with connections • **Sanitation:** Precast toilets provided • **Waste:** Weekly municipal removal	9 people on the waiting list	Monitor site connections to ensure capacity matches demand.
BARRYDALE	• 28 Informal structures	• **Water:** Drinking water supplied to the area • **Sanitation:** Temporary zinc toilets • **Waste:** Weekly municipal removal	13 people is on the waiting list	• Upgrade temporary zinc toilets to more sustainable/permanent sanitation structures.
SWELLENDAM	• 2,467 structures	• **Water/Sanition: Limited info; investigation recommended** • **Waste:** Weekly	444 people on the waiting list	• **High Priority:** Conduct an immediate on-the-ground infrastructure audit.

municipal
removal

- **Monitoring and Control:** Ongoing monitoring is conducted to manage the footprint of existing settlements and prevent unauthorized land invasions.
- **Basic Service Delivery:** Regular maintenance is being carried out on shared infrastructure, including communal water standpipes, high-mast lighting, and chemical/VIP toilets to ensure compliance with minimum humanitarian standards.
- **Enumeration and Layout Planning:** Staff are working on verifying layout configurations to streamline future incremental upgrading and to improve access routes for emergency vehicles.

<u>Section E: Disaster Responses (Fires and Storms)</u>

Due to changing weather patterns and the high density of informal and vulnerable structures, the department maintains an active coordination role in emergency disaster relief following fires, severe storms, and flooding.

Recent Storm & Inclement Weather Response (Suurbraak & Swellendam Railton Area)

Following severe weather conditions experienced during May 2026, localized disaster relief operations were activated in Suurbraak and the Swellendam Railton (Matjoks) area.

- **Suurbraak Impact:**
  - A total of 60 households were severely affected and displaced.
  - Emergency response efforts successfully coordinated temporary shelter for affected families at the local community hall.
  - Ongoing support includes the distribution of emergency supplies, such as:
    - Building materials for structural repairs
    - Food parcels
    - Blankets
- **Swellendam Railton (Matjoks) Impact:**
  - According to the Ward 5 Councillor, an estimated 15 to 20 households were affected.
  - A list of 170 individuals was submitted on 18 May 2026.
- **Verification Process:**
  - The initial list was forwarded to the Overberg District Municipality (ODM).
  - ODM requested verification of affected households, including:
    - Photographic evidence of damaged structures
    - Documentation of the disaster event
  - The Councillor subsequently provided a verified list of 24 families, which was confirmed by housing officials.
  - A formal verification report has since been submitted to ODM.

Fire Incident Monitoring

- **Incident Reporting:**
  - During the reporting period, no localized fire incidents (0) were recorded within municipal informal structures or housing units.
- **Emergency Material Assistance:**
  - In the event of a verified fire incident, the Housing Section collaborates closely with Social Services to ensure rapid response and support.
  - Assistance provided includes immediate relief measures to affected households, aimed at mitigating hardship and supporting recovery.

LEGAL IMPLICATIONS

The Housing Section operates within the framework of applicable national legislation and municipal regulatory frameworks, including:

- The Constitution of the Republic of South Africa, 1996 (Section 26)
- Housing Act (Act 107 of 1997)
- National Housing Code, 2009

In addition, to strengthen compliance, protect municipal assets, and regulate land use, the Municipality may implement the following legal mechanisms:

Legal Applications / Enforcement Measures

1. **Eviction Proceedings (PIE Act)**
   The Municipality may institute eviction proceedings in terms of the *Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (Act 19 of 1998)* to address unlawful occupation of municipal land or housing units. Such actions will be undertaken in full compliance with constitutional safeguards to ensure fairness and dignity.
2. **Court Interdicts**
   The Municipality may seek urgent court interdicts to prevent:
   - Unlawful land invasions
   - Illegal occupation of completed housing units
   - Vandalism and damage to municipal housing infrastructure

   This is particularly relevant to safeguard assets within the Railton Housing Project and other municipal developments.

3. **Land Use Enforcement (SPLUMA and Municipal By-laws)**
   Enforcement may be undertaken in terms of the *Spatial Planning and Land Use Management Act (SPLUMA)* and municipal planning by-laws to address:

- Unauthorized land use
- Illegal structures
- Zoning non-compliance

4. **Title Deeds Legal Processes**
   The Municipality continues to implement legal processes in terms of the *Deeds Registries Act*, *Housing Act*, and *National Housing Code* to:
   - Rectify Title Deed records
   - Resolve ownership disputes
   - Facilitate lawful transfer of properties
5. **Disaster Management Compliance**
   All disaster interventions are undertaken in accordance with the *Disaster Management Act (Act 57 of 2002)*, including:
   - Emergency housing and temporary shelter
   - Relocation of affected households
   - Coordination with District and Provincial authorities
6. **Service Agreements on Private Land**
   In cases where informal settlements are located on privately owned land (e.g., Malgas), the Municipality may enter into formal agreements with landowners to regulate:
   - Service provision
   - Interim tenure arrangements
   - Long-term development planning

FINANCIAL IMPLICATIONS

Funding: Department of Human Settlement Development Grant (HSDG)

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Corporate and Community Services

None

Director: Financial Services

None

Director: Infrastructure and Planning Services

None

Municipal Manager

None

<u>This Item served on the Corporate and Community Services Portfolio Committee meeting held on Thursday, 18 June 2026.</u>

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

RECOMMENDED TO COUNCIL

1. Council takes note of the Housing Report for May 2026, and the progress made within the Human Settlements Section across all key performance areas.

<u>DISCUSSION</u>

The Executive Mayor, Councillor H.F. du Rand indicated that a letter has been received that the vandalism to the originally reported 54 units has increased whereafter a request has been made to Province to utilise the separate account for Human Settlements to repair the houses.

The Executive Mayor further shared that the Minister indicated that such a request would not be granted again going forward which led to the question of whether the municipality has R4.1 million in the separate account to fund the repairs, if not, what would be done with the properties should the municipality not be able to fix it.

The Manager, Human Settlements, Mrs L. Cupido indicated that she had no knowledge of the amount available in the separate account, however, the Auditor General visited the municipality in the previous week whereafter the municipality was urged to resubmit an application letter to increase the amount for the repair of the vandalised houses. She added that the letter was submitted with explanation that the damage has increased from January 2026 to date leading to higher costs.

She said that the municipality already allocated beneficiaries to those houses and would have to repair and hand it over to them in good state of repair in terms of due process.

The Municipal Manager, Mrs A. Vorster shared that ASLA was proceeding with the repair of the houses at own risk as it remained their responsibility.

Mrs Cupido shared that ASLA was busy with the damage report whereafter the material would be procured.

Councillor G. Libazi indicated that the municipality should act swiftly to ensure that no further damage was done to the houses that was exposed to more vandalism.

Councillor J.A. Matthysen asked whether any cases have been opened in terms of theft.

He further indicated that the numbers in respect of the verification process about the damaged houses during the storm of May 2026 did not correspond with the actual affected houses.

He also asked whether there have been any court interdicts in terms of unlawful land invasion, illegal occupation of completed housing units and vandalism to municipal housing infrastructure.

The Executive Mayor, Councilor H.F. du Rand shared that the difference in the numbers in respect of affected residents during the May 2026 storm, were due to the 170 individuals on the list who were not verified by the municipality and the municipality could not forward an unverified list for assistance.

Councillor G. Libazi shared that the number of affected residents was combined with the Informal Settlements area and Sewende Laan which would be why there were a difference in the numbers.

The Municipal Manager indicated that the interdict against the small-scale farmers was granted and the farmers agreed to move to an alternative camp which was being monitored by officials. She said that as soon as the livestock was moved, the interdict would be withdrawn.

She added that there was one case where a person illegally occupied one of the houses and a court interdict was issued to remove the person from the house.

Councillor Matthysen shared that the location of the camp for livestock close to a residential area was a nuisance to the residents living there and he wanted Council to take note of their dissatisfaction.

He requested that it be recorded that a clear distinction should be made between small-scale farming and commercial farming because livestock in excess of 100 animals were now being placed next to a residential area.

Councillor Libazi requested that proper public participation processes be followed going forward when decisions like this was made because it poses a hygiene and safety risk when livestock was placed close to a residential area.

The Speaker, Alderman J. du T. Loubser confirmed that Council took note of the report.

UNANIMOUSLY RESOLVED **Item A119/29/06/2026**

1. Council takes note of the Housing Report for May 2026, and the progress made within the Human Settlements Section across all Key Performance Areas.

9.1.5

Item number A120. 29.06.2026

REPORT ON OCCUPATIONAL HEALTH AND SAFETY ACTIVITIES 2025/2026

Report by the Manager Human Resources: Mr P. Le Roux

Department	Corporate and Community Services
Section	Human Resources
File number	

PURPOSE OF THE REPORT

This report provides a comprehensive overview of Occupational Health and Safety (OHS) and Wellness Activities undertaken by Swellendam Municipality during the 2025/2026 financial year.

INTRODUCTION

Occupational Health and Safety is a function of the Human Resources Section within the Directorate Corporate and Community Services. The function is managed by the Head Labour Relations and EAP and is assisted by a Human Resources Administrator. Swellendam Municipality does not have a dedicated Occupational Health and Safety Officer on the staff establishment.

LEGAL FRAMEWORK AND COMPLIANCE

The Municipality operates in compliance with the following legislation:

- Occupational Health and Safety Act (Act 85 of 1993)
- Compensation for Occupational Injuries and Diseases Act (COIDA)
- SANS standards for fire and safety systems
- Basic Conditions of Employment Act (Act 75 of 1997)

EMPLOYER RESPONSIBILITIES

The Municipality is committed to:

- Providing and maintaining a safe and healthy workplace
- Ensuring safe systems of work
- Providing adequate PPE
- Conducting risk assessments and making recommendations to eliminate / reduce / control such risk.
- Providing training and supervision

- Reporting incidents to relevant authorities.

FACTS AND BACKGROUND

Current Activities within Occupational Health and Safety and Wellness

Occupational Health and Safety Induction

All newly appointed staff and EPWP workers received induction on this subject and current staff attend refresher workshops on a continuous basis. The induction entails the Occupational Health & Safety Policy of Swellendam Municipality, Injuries on Duty Reporting and Responsibilities of the different role players and the issuing and use of PPE.

Injuries on Duty

All Injuries on Duty must immediately be reported at HR. HR issues the staff member with a WCL2 form that confirms the staff member is an employee of the Municipality and confirms that the injury took place in the workplace. HR receives the medical reports from the hospital and process it on the website of the Department of Labour (COMPEasy) to ensure payments of accounts and keeps record of all further treatment, medical records and monitor the leave due to IOD. Statistics of all injuries on duty from July 2025 until June 2026 are attached as **Annexure A.4**. With this report, statistics indicate a low percentage of injuries on duty and are an indication of good OH&S practices.

Unfortunately, two employees were seriously injured on 17 May 2026 while cutting tree branches that fell on electricity cables after the severe storms that hit Swellendam during the month of May 2026. Both employees were treated and hospitalised due to the seriousness of their injuries and receive ongoing treatment.

The incident was reported to the Department of Labour who in conjunction with HR are investigating the incident. Our internal investigation found that the arm of the Cherry Picker broke. The employees involved underwent previous Chainsaw, Working at Heights and Working on a Mobile Elevated Platform Training. Refresher training will also be arranged in the future. The full investigation from the Department of Labour is ongoing and will be submitted to Council once it is concluded.

Election, Training and Induction of Occupational Health and Safety Representatives

HR ensures that all sections of the municipality elect an OH&S representative who assists with the monitoring and reporting of OH&S activities in the workplace. Training is provided to the OH&S representatives so they can have a clear understanding as to what their duties and functions are. Training that was provided include Health and Safety Representative Training for the 25 employees by service provider Falcon Safety Academy.

Quarterly Occupational Health & Safety Meetings and Reports

Scheduled quarterly OH&S meetings with the workplace OHS representatives and managers are coordinated by HR, and the meetings are currently chaired by the Senior HR Practitioner.
The workplace representatives complete quarterly OH&S inspection reports and submit them to HR for discussion at the quarterly meetings for further reporting and control. Quarterly meetings took place on 26 September 2025, 05 December 2025, 27 March 2026 and 19 June 2026.

Reporting at Local Labour Forum / Reporting to Municipal Manager

Local Labour Forum Meetings take place monthly and HR reports on all OH&S activities and challenges and further reports to the Municipal Manager on items that need her attention and / or intervention.

Fire Prevention Equipment

HR is responsible for ensuring adequate fire control equipment at all municipal buildings and to ensure that the appointed service provider service all the equipment regularly for safe use when needed. Fire Extinguishers and Fire Hoses are serviced on an annual basis. All Fire equipment's service dates are up to date and safe to use in case of a fire. Service provider TNT Fire, was appointed on a 3-year tender to service all fire extinguishing equipment of Swellendam Municipality. The whole of Swellendam Municipality's fire extinguishing equipment was serviced during March – May 2026.
Evacuation Marshall Training is scheduled to take place in July 2026. Evacuation Plans of various Municipal Buildings were drawn up, and this will be workshopped with all employees.

First Aid

HR is responsible for ensuring first aid points are available to all staff in the various municipal buildings and that first aiders are trained. First Aid boxes in municipal buildings and vehicles are filled up and purchased on a regular basis and as the need arises.

Decontamination and Sanitizing of buildings in cases of diseases

A Service provider was appointed for the decontamination of buildings in the case of diseases. The service provider decontaminates buildings when the need arises.

Pest Control

HR is responsible for pest control at all buildings of the municipality. All reports of possible pest outbreaks are reported to HR who then arrange with the service provider, Bidvest Steiner, for the necessary pest control.

Alcohol and Drug Abuse

Staff members who are suspected to be alcohol and drug abusers are reported to HR for further action / treatment as they are a safety risk in the workplace. HR refers some cases to Social Auxiliary workers or support groups or Psychiatrist for assistance. HR also assists employees who indicate that they need help with substance abuse and make application for them to be admitted into a rehabilitation centre.

Mental Health

Swellendam Municipality noted that Mental Health issues became a challenge in the workplace due to financial constraints and other social challenges outside of the workplace. HR was allocated a budget for employee wellness for the 2025/2026 financial year for assistance to facilitate employee wellness interventions. During May 2026 emergency counselling support was provided to employees who witnessed the cherry picker incident where two employees were seriously injured. Emergency Counselling was also provided to employees in the refuse removal section during June 2026 after they discovered a deceased newborn baby in a refuse bag when they were doing residential refuse removal in Railton.

Hepatitus B Vaccination (Twinrix)

All staff who are at risk due to the nature of their work receive the Hepatitis B vaccination. HR is responsible to see that the relevant staff received the vaccination and keep record thereof. Twinrix Vaccines are administrated to employees who work with and are exposed to hazardous substances (Water and Sewerage), including employees in the Community Services Section (Parks, Waste Management).

Hazardous Chemical Training

As per the Regulations: Hazardous Chemical Agents 3(1), the employer must provide information, instruction and training on hazardous chemical agents to all employees who are exposed to hazardous chemical agents. HAZMAT and Convey Dangerous Goods by Road Training is scheduled to take place in July 2026.

Medical Surveillance

Medical surveillance means a planned programme of periodic examination of employees by an Occupational Health Practitioner or, in prescribed cases, by Occupational Medicine Practitioner. This process must be done annually. In terms of the Occupational Health and Safety Act, Act 85 of 1993, the Municipality must conduct Medical Surveillance to employees who are at risk to avoid contracting occupational diseases or occupational injuries. Medical Surveillance will include Audiometric Screening, Lung Function Screening, Visual Screening, General Health, Urine Analysis, Spirometry Testing and TB Testing. Dr. Badenhorst has been appointed as the service provider to conduct medical surveillance for Swellendam Municipality employees. Employees in the Water and Sewerages section underwent medical surveillance during November 2025. Unlimitz Health has been appointed as the new service provider for Medical Surveillance from July 2026.

Remedial Repairs to Buildings

Municipal Buildings that need attention and / or repairs are referred to the Project Management and Maintenance Unit for their attention and defects are repaired depending on budget availability.
Buildings and areas of concern include the following buildings:

1. **Swellendam Water and Wastewater Treatment Plants** – The Occupational Health and Safety Act require provision of PPE Washing facilities to ensure hygiene and prevent contamination. The needs identified are industrial washing machines for PPE cleaning.
2. **Wash Bays at Swellendam Municipal Yard** – All Municipal Vehicles, including Refuse Removal Trucks are currently being washed at the Municipal Yard, this poses a Health and Safety Risk for municipal employees whereby they and the environment can be contaminated by hazardous biological chemicals and agents. The recommendation is that a dedicated Wash Bay for Municipal Vehicles be identified where washing of vehicles can take place without risk.
3. **Barrydale Municipal Yard** – During winter, the Barrydale Municipal Yard gets flooded and water puddles form in the area where employees and vehicles must move. The roof of the structure in the yard also poses a risk in the case of lightning as the impaired roof attracts lightning.
4. **Caravan Park Supervisor House** – The infrastructure of the houses are deteriorating due to old age, whereby cracks are appearing in the walls and there is mould forming inside the house. This is an Occupational Health and Safety risk as the cracks allow moisture penetration which encourages mould growth and the ongoing dampness worsens the structural damage. It also poses a serious risk of respiratory illness for occupants. These conditions require urgent assessment and remediation to ensure safety and compliance.

These concerns have been brought under the attention of Senior Management for their further attention and handling.

Upgrading of Plants

Water and Sewerages Plants were upgraded, and HR must ensure that Health and Safety measures are in place to protect our staff from injuries. HR must ensure that fire extinguishing equipment is available and in good working order and warning and safety signs are put up to indicate whether it is safe to enter and work on the plant and to make sure that all regulations are met as per guidance from the Department of Labour.

Occupational Health and Safety Policy

The Occupational Health and Safety Policy was reviewed. The draft policy with inputs received was tabled at the quarterly OH&S meeting, the policy committee and the Local Labour Forum during March 2025 and was approved by Council on 28 October 2025.

DISCUSSION

Senior Management should address the matters of concern as reported

LEGAL IMPLICATIONS

OHS non-compliance my lead to fines and legal action against the municipality

FINANCIAL IMPLICATIONS

As per budget

PERSONNEL IMPLICATIONS

All employees

COMMUNICATION IMPLICATIONS

OHS should be a standard item on all meetings with employees

COMMENTS FROM DEPARTMENTS

Director: Corporate and Community Services

Director: Financial Services

All OHS-related matters and associated costs requiring funding must be submitted to the Budget Office by the relevant budget holders. This includes the acquisition of new municipal assets, as well as the upgrading of existing municipal assets and facilities.

Director : Infrastructure and Planning Services

None

Municipal Manager

None

This item served on the Mayoral Committee meeting held on Tuesday, 23 June 2026.

RECOMMENDED TO COUNCIL

1. that cognizance be taken of the report on Occupational Health and Safety activities for the period 1 July 2025 – 30 June 2026.

The Speaker, Alderman J. du T. Loubser confirmed that the OHS report was supported by Council.

UNANIMOUSLY RESOLVED **Item A120/29/06/2026**

1. that cognizance be taken of the report on Occupational Health and Safety activities for the period 1 July 2025 – 30 June 2026.

9.1.6
Item number A121. 29.06.2026

2024-2025 PERFORMANCE EVALUATION FOR ALL STAFF

Department	Municipal Manager
Section	PMS, Risk and Compliance
File number	9/1/1

PURPOSE OF REPORT

The purpose of the report is to table the Performance Evaluation results of all permanent staff, excluding the S56/S57 employees) for the 2024/2025 financial year.

FACTS AND BACKGROUND

The Municipal Staff Regulations, Section 38 and the Performance Managment Policy requires that all permanent staff should be evaluated in terms of their specific KPA's, KPI's and competencies.

The outcomes of the annual performance evaluation must be communicated and submitted to the Moderation Committees (departmental and municipal), hence the enaggements took place on the following dates:

Department	Dates
Office of the Municipal Manager	26 November 2025
Community Services	27 November 2025
Infrastructure Services	12 December 2025
Financial Services	10 December 2025
Municipal Moderation Committee	19 December 2025

The proposal was accepted by all the moderation commitees and recommended that the outcomes be submitted to Council to accept and adopt the following reports:
Annexure A.5 Moderation Committee Report

DISCUSSION

Public Comments

None

Director: Community Services

Included in Committee Report

Director: Financial Services

Included in Committee Report

Acting Director: Infrastructure Services

Included in Committee Report

Municipal Manager

Included in Committee Report

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

RECOMMENDED TO COUNCIL

1. that Council takes cognizance of the 2024-2025 performance evaluation results of **74.66%** – **Annexure A.5** and that Council takes cognizance of the reward and recognition that was provided.

The Speaker, Alderman J. du T. Loubser confirmed that Council took note of the report.

UNANIMOUSLY RESOLVED **Item A121/29/06/2026**

1. that Council takes cognizance of the 2024-2025 performance evaluation results of **74.66%** – **Annexure A.5** and that Council takes cognizance of the reward and recognition that was provided.

9.1.7

Item number A122. 29.06.2026

2025-26 MID-YEAR PERFORMANCE EVALUATION REPORT OF SENIOR MANAGERS

Report of the Municipal Manager: Ms A Vorster

Department	Municipal Manager
Section	Developmental Services
File number	2/13

PURPOSE OF REPORT

The purpose of this report is to report on the performance evaluation of senior managers for the 2025/26 (mid-year) financial year.

FACTS AND BACKGROUND

The senior managers sign annual performance agreements as follows:

- Comply with the provisions of Section 57(1)(b), (4A), (4B) and (5) of the Systems Act as well as the Contract of Employment entered between the parties;
- Specify objectives and targets established for the Employee and to communicate to the Employee the Employer's expectations of the Employee's performance expectations and accountabilities;
- Specify accountabilities as set out in the Performance Plan;
- Monitor and measure performance against set targeted outputs;
- Use the Performance Agreement and Performance Plan as the basis for assessing the suitability of the Employee for permanent employment and/or to assess whether the Employee has met the performance expectations applicable to his/her job;
- Appropriately reward the Employee in accordance with the Employer's Performance Management Policy in the event of outstanding performance; and
- Give effect to the employer's commitment to a performance-orientated relationship with the employee in attaining equitable and improved service delivery.

DISCUSSION

The Key Performance Areas of the senior managers are classified in categories as per prescribed key performance areas and make up 80 % of the employee's final assessment result.

These categories are weighted in relation to the focus of the different KPA's and constitute 80% of the total rating. The criteria upon which the performance rating of the senior managers is assessed consist of two components. The employee is assessed against both components, with a weight of 80:20 allocated to the Key Performance Areas (KPA's) and the Core Managerial Competencies (CMC's) respectively. Each area of assessment will be weighted and will contribute a specific part to the total score. KPA's covering the main areas of work will account for 80% and CMC's will account for 20% of the final assessment result.
Key Performance Indicators of directors are linked to the Key Performance Areas in line with the national strategic objectives. The Employee's assessment is based on his/ her performance in terms of the outputs/ outcomes (performance indicators) identified as per the annual performance plan which are linked to the KPA's and will constitute 80% of the overall assessment result as per the weightings agreed to between the Employer and Employee. The CMCs make up the other 20% of the Employee's assessment result. In the case of the Municipal Manager, the Executive Mayor is the employer and in the case of the Directors, the Municipal Manager is the employer.

The performance assessment has been done in terms of the stipulations of the Municipal Systems Act by the panel as prescribed in terms of the Act. For purposes of evaluating the performance of the Municipal Manager a panel consisting of the following members, is established–

1. Executive Mayor as Chairperson;
2. Member of Mayoral Executive Committee
3. Chairperson of the Audit Committee;
4. Municipal Manager from another Municipality;
5. Member from a ward committee

The panel to assess the performance of directors consists of:

1. The Municipal Manager as Chairperson
2. Member of Mayoral Executive Committee
3. Chairperson of the Audit Committee;
4. Municipal Manager from another Municipality;

The rating scale of performance is as follows:

Level	Terminology	Description
5	**Outstanding performance**	Performance far exceeds the standard expected of an employee at this level. The appraisal indicates that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the PA and Performance plan and maintained this in all areas of responsibility throughout the year.
4	**Performance significantly above expectations**	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the Employee has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.
3	**Fully effective**	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the Employee has fully achieved effective results against all significant performance criteria and indicators as specified in the PA and Performance Plan.
2	**Not fully effective**	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The review/assessment indicates that the employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the PA and Performance Plan.
1	**Unacceptable performance**	Performance does not meet the standard expected for the job. The review/assessment indicates that they employee has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the PA and Performance Plan. The employee has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.

Dispute resolution

- Any disputes about the nature of the Employee's performance agreement or assessments in terms thereof, whether it relates to key responsibilities, priorities, methods of assessment and/ or any other matter provided for, shall be mediated by –

- the MEC for local government in the province within thirty (30) days of receipt of a formal dispute from the Employee; or
- any other person appointed by the MEC.
- In the event that the mediation process contemplated above fails, the principles of contractual termination as set out in the Contract of Employment, shall apply.

Mid-year assessment

The assessments were concluded on 21 May 2026. Please see relevant reports/ results attached as **Annexure A.6.**

LEGAL IMPLICATIONS

Section 57(1) (b), (4A), (4B) and (5) of the Local Government: Municipal Systems Act as well as the Contract of Employment entered between the parties read with the performance regulations.

FINANCIAL IMPLICATIONS

No performance bonusses will be paid for mid-year performance evaluation processes. However, please see below the performance description compared to the rating.

Percentage rating	Performance Description
0% - 64%	Poor
65% - 69%	Average
70% - 74%	Fair
75% - 79%	Good
80% - 100%	Excellent

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

COMMENTS FROM DEPARTMENTS

Director: Community Services

The Director: Community Services did not attend the evaluation session.

Director: Financial Services

None

Director: Infrastructure Services

None

Municipal Manager

None

This item served on the Mayoral Committee meeting held on Tuesday, 23 June 2026.

RECOMMENDED TO COUNCIL

1. that Council takes cognizance of the mid-year performance assessment results of the Municipal Manager and Directors for the 2025-26 financial year as per the results circulated as **Annexure A.6.**

The Speaker, Alderman J. du T. Loubser confirmed that Council took note of the report.

UNANIMOUSLY RESOLVED **Item A122/26/06/2026**

1. that Council takes cognizance of the mid-year performance assessment results of the Municipal Manager and Directors for the 2025-26 financial year as per the results circulated as **Annexure A.6.**

9.1.8

Item number A123. 29.06.2026

MUNICIPAL MANAGER'S MONTHLY REPORT FOR JUNE 2026

Another positive outcome for Swellendam

Swellendam Municipality undertook an external quality assurance review (EQA) of the Internal Audit Function. The evaluation was conducted by the appointed independent service provider, Nexia SAB&T.

The Municipality is pleased to report that the Internal Audit Function has achieved an overall rating of **"Fully Conforms"**, indicating alignment with the Global Internal Audit Standards (GIAS) for the Professional Practice of Internal Auditing and the Code of Ethics.

Swellendam Municipality welcomes the outcome of the independent evaluation and commends the Internal Audit staff for their commitment in delivering such high-quality results. Swellendam is one of only two municipalities in the Western Cape that have undertaken the external party evaluations, once again cementing the Municipality's commitment to good governance and accountability.

Lidar and aerial imagery of the Breede River to be done

Following the severe flooding event of the Breede River in May, Swellendam Municipality have been in contact with various Provincial and National stakeholders with the view of securing a formal floodline determination for the Breede River. Swellendam has a floodline determination for the estuary, but no formal determination exists upwards from Napkysmond. The Municipality have since managed to secure a company that is prepared to generate lidar and aerial imagery. The company will work directly with the National Drone Programme to generate the base data, which Department of Water and Sanitation will then look to utilise to generate a 1:50 year and a 1:100 year floodline determination. Securing the lidar and aerial imagery as soon as possible after the recent flood is important to ensure the safety of residents and assets along the Breede River.

Swellendam looking to revitalise environmental committee

Swellendam Municipality took the initiative to re-establish the Breede/Langeberg Ecological Infrastructure Forum. The Forum was previously known as the Aquatic Weed Forum and is a platform where various role-players in the environmental field have the opportunity to deliberate on shared areas of concern, explain their programmes and identify possible collaboration between the stakeholders. The forum is open to all environmental organisations and includes the municipalities of Swellendam, Hessequa and Langeberg. The Department of Water and Sanitation as well as Environmental Affairs, Cape Nature, SANPARKs and several other Departments also form part of the Forum.

For more information on the Forum or to join the Forum, Mr Ron Brunings at rbrunings@swellendam.gov.za may be contacted.

LOCAL GOVERNMENT ELECTION: REGISTRATION WEEKEND

The weekend of 20 and 21 June will be registration weekend for the upcoming local government election in November. Eligible voters are encouraged to verify their details on the voters roll, residents who have not been registered as a voter in the municipal area that they live in, should use this opportunity to do the registration. If a resident was previously registered in Robertson, but now resides in Barrydale, they need to re-register. Officials from the Independent Electoral Commission will man the voting stations this weekend from 08h00 to 17h00. Residents must bring their ID's and make sure that they are registered on the voter's roll.

Residents who will not be able to visit the voting station to verify their voter's details, can also do it online by visiting the following website httpas://registertovote.elections.org.za/

SOME GOOD NEWS

During the severe storms during May, two of Swellendam Municipality's workers were severely injured when the cherry picker that they were using, broke. Messrs Koos Kiewiets and Thulani Mxhaphakhana spent several days in the Intensive Care Unit in Dr Chris Barnard Hospital in Cape Town. Both Mr Kiewiets and Mxhaphakhana have returned to Swellendam and are recuperating at home.

The Department of Labour have concluded their investigation into the accident and the Municipality is currently awaiting the report before tabling it to Council.

INVITATION TO JOIN ADVISORY BOARD OF COM-PRES

The Municipal Manager was invited to participate in the Advisory Board of COM-PRES (Communities and the Private Renewable Energy Sector: Distributing Social Development Benefits in South Africa), a 4.5-year research programme funded by the Danish Ministry of Foreign Affairs and led by the University of Southern Denmark in partnership with the University of Johannesburg and the University of Cape Town.

COM-PRES seeks to better understand how renewable energy investments shape community development, participation, social benefit distribution and broader just transition outcomes in South Africa. The project aims to generate practical lessons and recommendations that support more inclusive and people-centred renewable energy investments.

The COM-PRES Advisory Board is particularly keen to ensure that local government perspectives are represented. Municipalities are often at the forefront of managing the opportunities and challenges associated with development investments, balancing community expectations, service delivery demands and broader development priorities.

The Advisory Board will bring together representatives from government, industry, labour, civil society, municipalities, community structures and development partners to provide strategic guidance and ensure that the project remains grounded in policy and practice.

INDUSTRIAL AREA ENGAGEMENT

Swellendam Municipality had an engagement with representatives of the Swellendam Industrial Area on 18 June 2026 to deliberate on the maintenance and upgrade of the roads in the Industrial Area. The funding application to upgrade the roads have been denied by the Department of Rural Development and the Municipality is endeavouring to procure alternative funding. The industrial area property owners asked the Municipality to investigate the possibility of a private loan with low or no interest. The Municipality will investigate this possibility and revert back to the Industrial group.

In the meantime the Municipality will continue with the planning for the upgrade of Russel Link road in the new financial year. The property owners in the Industrial Area will take the initiative to do interim maintenance on the gravel roads, while the Municipality will prioritise the stormwater channels in the area.

The parties agreed to work collaboratively to find solutions for the challenges experienced.

LOCAL ECONOMIC DEVELOPMENT WORKSHOP

Swellendam Municipality held a strategic workshop on local economic development on June 2. The workshop was facilitated by the national department of Cooperative Governance and is in support of developing a strategic local economic development strategy for Swellendam. The workshop was well attended by the smaller enterprises, whilst the bigger, more formalised businesses were absent. Specific engagements with the latter will have to be held to ensure a comprehensive strategy.

TOURISM STAKEHOLDER OUTREACH

The Municipality is planning a Tourism Stakeholder outreach with the National Department of Tourism. The workshop will be held on 28 July at the Drostdy Museum and will showcase offers from the Tourism Transformation Fund, Green Tourism Incentive, IDC, Small Enterprise Development and Finance agency and the National Empowerment Fund.

This initiative is in support of the Municipality's review of its local economic development strategy.

FUNDING FOR RAILTON UNDERPASS

Swellendam Municipality applied for funding for the construction of an underpass linking the Die Boord development and lower Station Street, Swellendam. An amount of R2 416 533 was availed for phase 3, which entails the construction of a railway underpass walkway. The Municipality will have to accept responsibility for the maintenance of the underpass in future.

INTERDICT FOR MOVING OF LIVESTOCK KRAAL

The Municipality issued an interdict notification to move the livestock kraal next to Matjoks to allow for the installation of services. A 30-day cooling off period is now applicable. The project for the upgrading of Matjoks could not continue as the livestock owners refused to move their kraals. According to the MFMA and PFMA, the monies on a grant not spent, have to be paid back, at the end of a financial year.

SANPARKS MEETING

A meeting was held with SANPARKS representatives on 1 June to discuss the challenges regarding trespassing and illegal activities in Bontebok National Park. The challenge of litter and sanitation migrating into Bontebok Park was discussed and it was agreed that the Municipality and SANPARKS will work together on clean-up and safety initiatives.

PROGRESS WITH REPAIR AT CARAVAN PARK, SWELLENDAM

The progress at the Caravan Park in Swellendam is ongoing. The trees have been cut and the branches will be removed by the end of June 2026. All electrical points have been restored. A contractor is busy with repairs of the damaged roofs, while the windows are being cut to be installed. All repairs are to be completed by the end of June.

Storm damage related to the Swellendam Caravan Park amounts to:

- Repair and rebuild of window frames and panes – R37 860.00.
- Repair of roofing covers – R67 850.00.
- Cutting and removing of trees - R35 000.00 (estimate).

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

RECOMMENDED TO COUNCIL

that cognisance be taken of the report of the Municipal Manager for June 2026.

<u>DISCUSSION</u>

Councillor J.A. Matthysen indicated that the PA welcomed all the endeavours in respect of promoting tourism opportunities in the Swellendam Area, however, it was his concern that these tourism projects did not include the previously disadvantaged areas of the municipality and requested that everyone should benefit from these projects going forward.

The Speaker, Alderman J. du T. Loubser confirmed that Council took note of the report.

UNANIMOUSLY RESOLVED **Item A123/29/06/2026**

that cognisance be taken of the report of the Municipal Manager for June 2026.

9.1.9
Item number A124. 29.06.2024

AUCTION: DISPOSAL OF MOVABLE ASSETS, INVENTORY AND MATERIALS

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

PURPOSE OF REPORT

To provide Council with feedback on the public auction held on 29 April 2026 for the disposal of movable assets, inventory and materials, as approved by Council under item A28/02/2026.

FACTS AND BACKGROUND

Council resolved under Item A28/27/02/2026 as follows:

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.

DISCUSSION

A municipal auction for redundant, obsolete and defective movable assets, inventory and materials was held on 29 April 2026. The auction was conducted by the appointed service provider, Customized Auctions (Pty) Ltd.

A total of 44 lots were offered for sale, all of which were successfully sold on the day of the auction, generating revenue of R377 350,00 excluding VAT.

Payment has been received for 43 of the 44 lots, amounting to R376 550,00 excluding VAT. The outstanding amount relates to one lot where the successful bidder subsequently withdrew the bid.

The auctioneer’s fee amounted to R11 250,00.

LEGAL IMPLICATIONS

Section 14 of the MFMA
Supply Chain Management Policy and Regulation.

FINANCIAL IMPLICATIONS

Auctioneer cost amounting to R11 500.

COMMENTS FROM DEPARTMENTS

Director: Financial Services

As per the report

Director: Infrastructure Services

None

Municipal Manager

None

This item served on the Mayoral Committee meeting held on Tuesday, 23 June 2026.

RECOMMENDED TO COUNCIL

1. that Council notes the outcome of the municipal auction for the disposal of moveable assets, inventory and materials held on 29 April 2026.

The Speaker, Alderman J. du T. Loubser confirmed that Council took note of the report.

UNANIMOUSLY RESOLVED **Item A124/29/06/2026**

1. that Council notes the outcome of the municipal auction for the disposal of moveable assets, inventory and materials held on 29 April 2026.

9.1.10
Item number A125. 29.06.2026

FINANCE: ADJUSTMENT BUDGET - UNFORESEEN AND UNAVOIDABLE BUDGET – DISASTER

Report from the Director Financial Services:	Ms E Wassermann
Department	Financial Services
Section	Budget
File number	5/1/1/20

PURPOSE OF THE REPORT

At a special Mayoral Committee meeting, Item A115/02/06/2026, the Executive Mayor approved unforeseen and unavoidable expenditure under section 29 of the MFMA for the recent disaster as follows:

Operating Expenditure

Department	Project	Item	Amount
Engineering Services	Disaster Management	Contractors: Maintenance of Unspecified Assets	R1 300 000
Engineering Services	Disaster Management	Inventory Consumed: Materials and Supplies	R400 000
TOTAL		**R1 700 000**	

FACTS AND BACKGROUND

Severe storms, heavy rainfall, flooding, and strong winds affected the Swellendam municipal area and the wider Western Cape on 11 and 12 May 2026.

The following key damage to municipal infrastructure was reported:

a) Parks, Sport and Recreation:

- Caravan Park – damage to roofs, ceilings, and windows.
- Damage to walls and fencing at Powell Stadium.
- Damage to the Railton Community Hall fence, together with minor structural damage.
- Numerous trees were uprooted or fell in both Swellendam and Suurbraak.

b) Water and Sanitation:

- Damage to the roof of the N2 Pump Station.
- Damage to power supply infrastructure at Buffelsjagrivier Water Treatment Plant
- Suurbraak Water Treatment Plant repair work for the replacement of the faulty surge control unit, telemetry restoration, electrical repairs and damage to property.
- Buffelsjagrivier Pump Station and Waste Water Treatment works

c) SCM Stores/Fleet Department:
- Damage to roof sheeting.
-

d) Electrical Department:
- Damage to electrical infrastructure in Swellendam and Railton.

e) Suurbraak:
- Damage to the raw water pump station.
- Roof damage to the Wawiel building.
- Damage to the large store door.
- Damage to gutters at the main building.
- Roof and structural damage at the sports facility.

f) Barrydale:

- Damage to gabions.

DISCUSSION

In terms of section 29(1)–(3) of the Municipal Finance Management Act (MFMA):

The Mayor may authorise the expenditure in emergency or other exceptional circumstances for which no provision was made in an approved budget, subject to:

- It must comply with the prescribed framework;
- It may not exceed a prescribed percentage of the approved annual budget;
- It must be reported to Council at the next meeting.
- It must be appropriated in an adjustments budget;
- If the adjustments budget is not approved within 60 days, the expenditure becomes unauthorised under section 32;

Based on MFMA regulations, the Mayor of a municipality may authorise expenditure in terms of Section 29 of the act only if:
- The expenditure could not have been foreseen at the time the annual budget of the municipality was approved;
- The delay in approving the expenditure:
    - May result in significant financial loss;
    - Disrupt or suspend essential municipal services;
    - Endanger life, cause serious injury, or significant property damage;
    - Prevent the municipality from instituting or defending urgent legal proceedings;

Council is requested to approve the Adjustments Budget as approved by the Executive Mayor under item A115/02/06/2026.

LEGAL IMPLICATIONS

Municipal Finance Management Act and Budget and Reporting Regulations.

FINANCIAL IMPLICATIONS

The additional funds will have to be allocated from surplus funds in the meantime, whilst the insurance process is underway to recover the cost.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS:

Director: Corporate and Community Services

None

Director: Financial Services

Based on preliminary cost estimates, an additional amount of R1 700 000 is required, as set out below:

Caravan Park:	R 105 720
Trees:	R 323 300
Cherry Picker Rental:	R 62 100
Repair electricity lines:	R 146 165
Engineering cost for water and sewerage:	R 500 000
Material to date issued:	R 236 000
Other Unforeseen:	R 800 000
Total	**R2 173 285**
Less Interim Budget	(R510 000)
Additional Disaster Budget Required	**R1 663 285**

Director: Infrastructure Services and Planning Services

None

Municipal Manager

None

This Item served on the Special Mayoral Committee meeting held on Tuesday, 02 June 2026 as Item A115.

This item served on the Mayoral Committee meeting held on Tuesday, 23 June 2026.

RECOMMENDED TO COUNCIL

1. that the unforeseeable and unavoidable expenditure as approved by the Executive Mayor in terms of section 29 of the MFMA as stated below be approved:

Operating Expenditure

Department	Project	Item	Amount
Engineering Services	Disaster Management	Contractors: Maintenance of Unspecified Assets	R1 300 000
Engineering Services	Disaster Management	Inventory Consumed: Materials and Supplies	R400 000
		TOTAL	**R1 700 000**

2. that the Adjustments Budget for the Financial year 2025/2026, as set out in the below-prescribed budget tables attached as **Annexure A.7**, be approved;

   2.1 Table B1 Adjustments Budget Summary;
   2.2 Table B2 Adjustments Budget Financial Performance (functional classification);
   2.3 Table B3 Adjustments Budget Financial Performance (revenue and expenditure by municipal vote);
   2.4 Table B4 Adjustments Budget Financial Performance (revenue and expenditure);
   2.5 Table B5 Adjustments Capital Expenditure Budget by vote and funding;
   2.6 Table B6 Adjustments Budget Financial Position;
   2.7 Table B7 Adjustments Budget Cash Flows;
   2.8 Table B8 Cash-backed reserves/accumulated surplus reconciliation;
   2.9 Table B9 Asset Management;
   2.10 Table B10 Basic service delivery measurement;

3. that the Adjustments Budget be placed on the municipal website and be submitted to Provincial and National Treasury.

The Speaker, Alderman J. du T. confirmed that the recommendation was supported by all Councillors.

UNANIMOUSLY RESOLVED **Item A125/26/09/2026**

1. that the unforeseeable and unavoidable expenditure as approved by the Executive Mayor in terms of section 29 of the MFMA as stated below be approved:

Operating Expenditure

Department	Project	Item	Amount
Engineering Services	Disaster Management	Contractors: Maintenance of Unspecified Assets	R1 300 000
Engineering Services	Disaster Management	Inventory Consumed: Materials and Supplies	R400 000
		TOTAL	**R1 700 000**

2. that the Adjustments Budget for the Financial year 2025/2026, as set out in the below-prescribed budget tables attached as **Annexure A.7**, be approved;

   2.1 Table B1 Adjustments Budget Summary;
   2.2 Table B2 Adjustments Budget Financial Performance (functional classification);
   2.3 Table B3 Adjustments Budget Financial Performance (revenue and expenditure by municipal vote);
   2.4 Table B4 Adjustments Budget Financial Performance (revenue and expenditure);
   2.5 Table B5 Adjustments Capital Expenditure Budget by vote and funding;
   2.6 Table B6 Adjustments Budget Financial Position;
   2.7 Table B7 Adjustments Budget Cash Flows;
   2.8 Table B8 Cash-backed reserves/accumulated surplus reconciliation;
   2.9 Table B9 Asset Management;
   2.10 Table B10 Basic service delivery measurement;

3. that the Adjustments Budget be placed on the municipal website and be submitted to Provincial and National Treasury.

9.1.11

Item number A126. 29.06.2025

REQUEST FOR LAND: ASSEMBLIES OF GOD CHURCH: ERF 7507, SWELLENDAM

Report of the Municipal Manager: Mrs. A. Vorster

Department	Municipal Manager's Office
Section	Property Administration
File Number	7/2/R

PURPOSE OF REPORT

The purpose of this report is to submit the application received from the Assemblies of God Church, Swellendam, for the purchase of Erf 7507, Railton, Swellendam for the purpose of establishing a Place of Worship in Swellendam.

FACTS AND BACKGROUND

Pastor S. Rayi, representing the Assemblies of God, South Africa applied to purchase Erf 7507, Railton, Swellendam, in order to establish a church in Swellendam.

DISCUSSION

The application submitted by the Assemblies of God church is attached as **Annexure A.8.** Erf 7507, Swellendam, is zoned as Community and Institutional Zone and measures approximately 575 m². The property is situated in close proximity to Matjoks. The site is currently used as a passenger pick-up and drop-off area. Should the Municipality sell this property, an alternative site for this purpose must be identified.

LEGAL IMPLICATIONS

The following legislation regulates property management:

- The stipulations of Section 14 of the Municipal Finance Management Act, 2003, (Act 56 of 2003) (MFMA); This clause is not applicable to leases.
- The By-Law relating to the Management and Administration of Immovable Property, 2018.
- The Asset Transfer Regulations, 2008.
- Land Disposal Policy, 2018.

FINANCIAL IMPLICATIONS

Advertising cost of about R2000 at present.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

Advertising if Council intends to alienate.

COMMENTS FROM DEPARTMENTS

Manager: Town Planning & Building Control: R Brunings

Erf 7507 is zoned Community and Institutional Zone. The adjoining erf, Erf 7506 is zoned Education Zone. Whilst correctly zoned for the purpose of a Place of Worship, Erf 7507 is currently being used actively for transport purposes, where a variety of vehicles stop, park and pick-up / drop-off people to access employment opportunities. Consideration has been given previously to develop Erf 7506 and Erf 7507 as Taxi Stop / Taxi Rank. In light of the current de facto use and the possible change in zoning, moving forward, the application to alienate Erf 7507 for a Place of Worship at this time is not supported.

Director: Financial Services

No comment, as the sale is not recommended.

Acting Director: Infrastructure and Planning Services

No comments received.

Municipal Manager

As per recommendation.

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

RECOMMENDED TO COUNCIL

1. that the application received from Assemblies of God, SA to purchase Erf 7507, Railton, Swellendam for the purpose of establishing a church in Swellendam, be noted.
2. that the application to alienate Erf 7507, Swellendam be not approved due to the current use of the site for the purpose of a passenger pick-up and drop-off site for a variety of vehicles serving the local community to access employment opportunities.

<u>DISCUSSION</u>

Councillor J.A. Matthysen proposed that point 3 be added to the recommendation as follows:

3. *that the applicants be given the opportunity to purchase any other available and suitable land.*

The Speaker, Alderman J. du T. Loubser confirmed that the recommendation was supported by Council with the amendment.

UNANIMOUSLY RESOLVED **Item A126/29/06/2026**

1. that the application received from Assemblies of God, SA to purchase Erf 7507, Railton, Swellendam for the purpose of establishing a church in Swellendam, be noted.
2. that the application to alienate Erf 7507, Swellendam be not approved due to the current use of the site for the purpose of a passenger pick-up and drop-off site for a variety of vehicles serving the local community to access employment opportunities.
3. that Assemblies of God, SA be given the opportunity to purchase any other available and suitable land.

9.1.12

Item number A127. 29.06.2026

BARRYDALE IRRIGATION WATER SERVICE LEVEL AGREEMENT

Report by Municipal Manager

Department	Infrastructure and Planning Services
Division	Water Services
File number	16/1/1/8/R

PURPOSE OF REPORT

The purpose of this submission is to table the proposed Service Level Agreement between Swellendam Municipality and the Barrydale Leiwater Users Association to enable the latter to manage the leiwater system in Barrydale on behalf of the Municipality.

FACTS AND BACKGROUND

In terms of Section 76 of the Local Government: Municipal Systems Act, Act 117 of 1998, a municipality may provide a municipal service in its area or a part of its area through an internal mechanism or an external mechanism by entering into a service delivery agreement, while Section 78 provides the criteria and process to review any existing mechanism for the provision of a municipal service.

Some erven in Barrydale have an additional irrigation water right for which they pay a separate fee captured in Council's budget. For some erven the right to access to irrigation water is entrenched in their Title Deeds, whilst others apply annually to be included if their property is situated next to the reticulation network. The irrigation service in Barrydale is regulated by a By-Law attached as included in **Annexure A.9.**

Section 5 (1) of said By-Law allows for the municipality or a service provider to provide irrigation through a network. Section 5(6) of the By-Law allows the Municipality to enter into an agreement with a Water Association to manage and maintain this service.

In terms of Section 156(1)(a) of the Constitution, a Municipality has executive authority and the right to administer local government matters listed in Schedule 4B and 5B of the Constitution. The provision of water services is listed in schedule 4B. Schedule 4B, however, limits the provision of water services to potable water. Irrigation (Leiwater) is not a basic municipal service as defined in the Local Government: Municipal Systems Act, No 32 of 2000. Providing irrigation water to consumers, remains a municipal service, albeit an optional one.

The Barrydale Leiwater users Association is a water users association in Barrydale, consisting of irrigation water users. The Barrydale Association approached the Municipality to take over the irrigation system and to manage this service on behalf of the Municipality. A Section 78 investigation was undertaken and Council resolved to approve that Barrydale Leiwater Users Association will manage the leiwater system in Barrydale. The service will be framed within a Service Level Agreement between the parties, which is attached as **Annexure A.9.**

DISCUSSION

It should be mentioned that large portions of the irrigation channels in Barrydale double as stormwater channels. As the provision of irrigation water is not a core municipal function, the Municipality do not undertake major maintenance on the reticulation network and this resulted in a significant back-log, requiring a significant repair and maintenance investment. A schedule of repair to be undertaken to enable a successful transfer is attached to the proposed Service Level Agreement.

LEGAL IMPLICATIONS

Section 78, Local Government: Municipal Systems Act, Act 32 of 2000.
Constitution of the Republic of South Africa, 1996.
Swellendam By Law on irrigation water

FINANCIAL IMPLICATIONS

As per budget

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

Notice to the public

COMMENTS FROM DEPARTMENTS

Director: Infrastructure and Planning Services

None

Director Financial Services

Municipal Manager

As per report.

<u>This Item served on the Mayoral Committee meeting held on Tuesday, 23 June 2026.</u>

RECOMMENDED TO COUNCIL

1. that the Service Level Agreement attached as Annexure A.9 guiding the operations of the Barrydale Leiwater Users Association, be approved by Council.

The Executive Mayor, Councillor H.F. du Rand indicated that the recommendation was supported.

The Speaker, Alderman J. du T. Loubser confirmed that the recommendation was supported by Council.

UNANIMOUSLY RESOLVED **Item A127/29/06/2026**

1. that the Service Level Agreement attached as Annexure A.9 guiding the operations of the Barrydale Leiwater Users Association, be approved by Council.

9.1.13

Item number A129. 29.06.2026

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	

PURPOSE OF REPORT

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

(i)	Indigent Accounts	R 597 848.79
(ii)	Write-Off Group	R 148 249.53
(iii)	Nulla Bona	R 540 882.48
(iv)	Mun Registered prop-No Id No Trace	R 734 337.69

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 finalized, 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 that 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 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 these accounts 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.

Nulla Bona represents accounts where the legal action was instituted on these accounts and the Sheriff's return was noted as Nulla Bona (no goods to be attached, except for the house). There is no other cost-effective way of collecting these outstanding debts. This group meets the criteria listed in (i) above.

Mun Registered Prop-No Id No Trace represents accounts where the property is still registered in the Municipalities name. An account was opened in an individual's name without an identity number. This list also includes Commonage land (Erf1) and Nuwe Tarief Properties in Suurbraak. As there are no identity number, credit control is unable to trace these debtors and legal action are also fruitless as the court won't grant any legal procedure without the identity number of the debtor. The electricity meters have also been blocked for many years. 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
Indigents	476 452.76	56 777.61	64 618.42	597 848.79
WOFF Group	96 555.68	38 901.78	12 792.07	148 249.53
Nulla Bona	374 068.57	113 920.22	52 893.69	540 882.48
Mun Prop-No Id No Trace	516 453.92	143 528.06	74 355.71	734 337.69
	1 463 530.93	**353 127.67**	**204 659.89**	**2 021 318.49**

It is further recommended that any further interest and or charges which are levied until the approval to write off the irrecoverable debt as by Council, also be written off. This is to address the timing issue between the write-off schedule and Council approval.

See Annexure A.10.

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 R2 021 318.49 and will be allocated to the debt impairment provision. As these amounts have not been precisely budgeted for it might result in unauthorised expenditure from an accounting perspective on financial year-end.

PERSONNEL IMPLICATIONS

None.

COMMUNICATION IMPLICATIONS

None.

COMMENTS FROM DEPARTMENTS

Director: Corporate and Community Services

None.

Director: Community Services

None.

Director: Financial Services

The R2 021 318.49 is a cash loss to Council. In terms of accounting standards, the municipality make provision for debt impairment provision annually. The debt will be written off against the debt impairment provision and reduce the municipality debtors' book with the irrecoverable debt.

Director: Infrastructure and Planning Services

None.

Municipal Manager

None.

RECOMMENDED

1. that Council approves the write-off of the irrecoverable debt to the amount of R2 021 318.49 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.

DISCUSSION

Councillor F. Kees expressed concern about residents staying on municipal land and using municipal services and yet they could not be traced. He enquired what the administration's plans were in respect of preventing cases like this from being tabled to Council again and suggested that on-site inspections of the erven in question be conducted to establish facts.

The Municipal Manager, Mrs A. Vorster shared that the request would be taken up with the Housing Department to conduct an on-site inspection for this purpose.

The Speaker Alderman J. du T. Loubser confirmed that the recommendation was supported by all Councillors.

UNANIMOUSLY RESOLVED **Item A129/29/06/2026**

1. that Council approves the write-off of the irrecoverable debt to the amount of R2 021 318.49 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.

9.1.14

Item number A130. 29.06.2026

CONSULTANCY REDUCTION STRATEGY AND PLAN

Report of the Director Financial Services: Ms E. Wassermann

Department	Financial Services
Section	Expenditure
File number	5/1/R

PURPOSE OF REPORT

To present the Consultancy Reduction Plan to Council for consideration and approval in order to provide a structured framework for reducing the Municipality's reliance on external consultants, strengthening internal capacity, improving institutional sustainability, and ensuring cost-effective utilisation of municipal resources.

FACTS AND BACKGROUND

National Treasury, the Auditor-General of South Africa, and other oversight bodies have continuously emphasised the need for municipalities to reduce expenditure on consultants and to strengthen internal capacity to perform critical functions. While the use of consultants remains necessary in certain specialised, technical, and short-term circumstances, excessive reliance on external service providers may result in increased operational costs, limited skills transfer, and a dependence on external expertise.

The Municipality has identified several factors that contribute to the utilisation of consultants, including shortages of specialised skills, challenges in attracting and retaining qualified professionals, capacity constraints within certain functional areas, high vacancy rates, and increasing legislative and regulatory compliance requirements.

Recognising these challenges, management has developed a Consultancy Reduction Plan that seeks to establish appropriate controls, decision-making criteria, monitoring mechanisms, and capacity-building initiatives to progressively reduce the Municipality's dependence on external consultants while maintaining service delivery standards and legislative compliance.

DISCUSSION

he Consultancy Reduction Plan provides a comprehensive framework to guide the appointment, management, monitoring, and reduction of consultancy services within the Municipality.

The Plan is founded on the principle that consultancy services should only be utilised where the required expertise is not available internally, where the services are of a specialised or temporary nature, or where external capacity is required to address a specific operational or statutory need. Before the appointment of consultants, a skills gap analysis must be undertaken to determine whether the required functions can be performed through existing municipal resources, staff development initiatives, or the filling of vacant positions.

The Plan further promotes the strengthening of internal capacity through targeted training, skills transfer, succession planning, workforce planning, and organisational development initiatives. All consultancy appointments will be required to include formal skills transfer obligations and an exit strategy to ensure that knowledge and expertise are transferred to municipal officials. To enhance accountability and value for money, the Plan provides for the implementation of performance monitoring measures, Service Level Agreements, monthly performance evaluations, and centralised record management practices. It further requires compliance with the Municipality's Cost Containment Policy and all applicable legislative and regulatory requirements.

The implementation of the Plan is expected to support improved financial sustainability, reduced consultancy expenditure over time, enhanced institutional knowledge, stronger organisational capacity, and improved governance and oversight.

No immediate financial implications arise from the approval of the Plan. However, the implementation thereof is expected to contribute positively to cost containment and more efficient utilisation of municipal resources in the medium to long term.

The Consultancy Reduction Strategy and Plan is attached as **Annexure A.11.**

LEGAL IMPLICATIONS

1) The Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003);
2) The Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);
3) National Treasury Cost Containment Regulations;
4) The Municipality's Supply Chain Management Policy; and
5) The Municipality's Cost Containment Policy.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the approval of the Plan. The implementation thereof is expected to contribute towards improved cost containment and a reduction in future consultancy expenditure.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Financial Services

The policy was inadvertently omitted during the budget process. As this is an internal policy, no public participation process is required. The policy has been developed in response to the prior-year audit findings.

Director: Infrastructure Services

None

Municipal Manager

As per report.

RECOMMENDED:

1. that Council approve the Consultancy Reduction Strategy and Plan attached as Annexure A.11.

The Executive Mayor, Councillor H.F. du Rand indicated that the recommendation was supported.

The Speaker, Alderman J. du T. Loubser confirmed that the recommendation was supported by all Councillors.

UNANIMOUSLY RESOLVED **Item A130/29/06/2026**

1. that Council approve the Consultancy Reduction Strategy and Plan attached as Annexure A.11.

9.1.15

Item number A131. 29.06.2026

EXTENSIONS AND NON-COMPLIANCE WITH TIME PROVISIONS

Report of the Municipal Manager:	Ms A. Vorster
Department	Office of the Municipal Manager
File number	5/1/R

PURPOSE OF REPORT

To inform Council of the extensions and non-compliance with time provisions when the January 2026 Adjustments Budget, as well as the 2025/2026 Mid-Year Budget and Performance Assessment, were made public.

See **Annexure A.12.**

FACTS AND BACKGROUND

The January 2026 Adjustments Budget was made public in the printed media on 13 February 2026 instead of 26 January 2026, and the 2025/2026 mid-year budget and performance assessment was made public on the municipal website on 2 February 2026 instead of 30 January 2026.

DISCUSSION

January 2026 Adjustments Budget:

The legislated date for the January 2026 Adjustments Budget to be made public in the printed media was 26 January 2026. The service provider for advertising services unexpectedly cancelled the agreement on 7 January 2026. The municipality could not advertise in printed media as of January 2026. All notices were, however, advertised on the municipality's Website, Facebook page, and notice boards. A new procurement process was followed, and on 12 February 2026, an appointment, Suidernuus, was made.

2025/2026 Mid-Year Budget and Performance Assessment:

The legislated date for the 2025/2026 Mid-Year Budget and Performance Assessment to be made public by placing it on the municipal website was 30 January 2026. Due to oversight by officials of the municipality, the assessment was, however, placed on the municipal website on 2 February 2026

LEGAL IMPLICATIONS

In terms of Section 28 (1) of the MFMA (Act 56 of 2003):

A municipality may revise an approved annual budget through an adjustment budget.

In terms of Section 26 (1) of the MFMA (Act 56 of 2003): Municipal Budget and Reporting Regulations:

Within ten working days after the municipal council has approved an adjustment budget, the Municipal Manager must, in accordance with Section 21A of the Municipal Systems Act, make public the approved adjustment budget and supporting documentation, as well as the resolutions referred to in regulation 25 (3).

In terms of Section 63 (1) of the MFMA (Act 56 of 2003): Municipal Budget and Reporting Regulations:

(1) A notification made in terms of section 27 (3) of the Act by the mayor of a municipality to the MEC for finance in a province and the National Treasury, in respect of a time provision concerning an annual budget or an adjustments budget must -
(a) be in the format contained in Schedule G;
(b) be signed and dated by the mayor;
(c) contain information on -

(i) the specific time provision in respect of which the municipality is failing to comply;
(ii) the specific date by which the municipality will remedy its non-compliance;
(iii) the reason why an application in terms of section 27(2) of the Act was not submitted before the non-compliance occurred;
(iv) the reason why the municipality did not comply with the relevant time provision;
(v) the impact, if any, of the non-compliance on the municipal council's ability to meet the deadline for approving an annual budget of a municipality set in section 16(1) of the Act, and any steps to ensure this deadline is met;
(vi) any implications on the finances, performance. governance and accountability arrangements in the municipality that will be affected by the delay in meeting the time limit or deadline, and the measures taken to address such implications;
(vii) the steps the municipality will take to ensure compliance with the relevant time provision in future; and
(vii) a list of non-compliances with time provisions by the municipality in the previous three financial years

(2) The mayor must table a copy of any notification referred to in sub-regulation (1) at the first meeting of the municipal council following the submission of the notification.

In terms of Section 72 of the MFMA (Act 56 of 2003):

(1) The accounting officer of a municipality must by 25 January of each year-
(a) assess the performance of the municipality during the first half of the financial year, taking into account-
(i) the monthly statements referred to in section 71 for the first half of the financial year;

(ii) the municipality's service delivery performance during the first half of the financial year; and the service delivery targets and performance indicators set in the service delivery and budget implementation plan;
(iii) the past year's annual report, and progress on resolving problems identified in the annual report; and
(iv) the performance of every municipal entity under the sole or shared control of the municipality, taking into account reports in terms of section 88 from any such entities; and

(b) submit a report on such assessment to-
(i) the mayor of the municipality;
(ii) the National Treasury; and
(iii) the relevant provincial treasury.

(2) The statement referred to in section 71(1) for the sixth month of a financial year may be incorporated into the report referred to in subsection (1)(b) of this section.

(3) The accounting officer must, as part of the review-

(a) make recommendations as to whether an adjustments budget is necessary: and
(b) recommend revised projections for revenue and expenditure to the extent that -10
this may be necessary.

In terms of Section 34 of the MFMA (Act 56 of 2003): Municipal Budget and Reporting Regulations:

(1) Within five working days of 25 January each year, the municipal manager must make the mid-year budget and performance assessment public by placing it on the municipal website.
(2) The municipal manager must make public any other information that the municipal council considers appropriate to facilitate public awareness of the midyear budget and performance assessment, including —
summaries in alternate languages predominant in the community; and
information relevant to each ward in the municipality.

In terms of Section 65 (1) of the MFMA (Act 56 of 2003): Municipal Budget and Reporting Regulations:

The municipal manager of a municipality must notify the mayor of the municipality, the MEC for finance of the relevant province, and the National Treasury if the municipal manager has failed to comply with a time provision pertaining to any in-year report.

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Corporate and Community Services

None

Director: Financial Services

None

Director: Infrastructure and Planning Services

None

Municipal Manager

None

RECOMMENDED

1. that Council takes cognizance of the extensions and non-compliance with time provisions of the January 2026 Adjustments Budget, as well as the 2025/2026 Mid-Year Budget and Performance Assessment, in respect of when it was made public.

The Speaker, Alderman J. du T. Loubser confirmed that all Councillors took note of the recommendation.

UNANIMOUSLY RESOLVED **Item A131/29/06/2026**

1. that Council takes cognizance of the extensions and non-compliance with time provisions of the January 2026 Adjustments Budget, as well as the 2025/2026 Mid-Year Budget and Performance Assessment, in respect of when it was made public.

9.1.16

Item number A132. 29.06.2026

EXTERNAL QUALITY ASSURANCE REVIEW RESULTS OF INTERNAL AUDIT FUNCTION: NEXIA SAB&T

Report of the Senior Internal Auditor: Mr. A Petersen

Department	Municipal Manager
Section	Internal Audit
File number	3/3/3/16

PURPOSE OF THE REPORT

The purpose of this report is to present the External Quality Assurance Review (EQA) results conducted by appointed independent assessor, Nexia SAB&T on the Internal Audit Function to the Municipal Council. The report aims to inform the Municipal Council on the level of conformance with the Global Internal Audit Standards (GIAS), highlight key strengths and areas for improvement, and provide recommendations to enhance the effectiveness, independence, and overall performance of the Internal Audit Function of Swellendam Municipality.

FACTS AND BACKGROUND

In line with the requirements of the Global Internal Audit Standards, an external quality assessment must be conducted at least once every five years by a qualified independent assessor, as per *Standard 8.4: External Quality Assessment*. Nexia SAB&T was duly appointed to perform the EQA of the municipality's Internal Audit Function through a formal Supply Chain Management process.

The review encompassed an assessment of the Internal Audit Charter, methodologies, policies and procedures, audit planning processes, execution of audit engagements, reporting practices, and alignment with governance, risk management, and control processes. Furthermore, stakeholder engagements, including interviews with management and selected members of the Audit and Performance Audit Committee, were conducted to assess the perceived value and effectiveness of the Internal Audit Function.

The outcome of the review provided an overall opinion on the degree of conformance with the Global Internal Audit Standards, identifying both areas of strong compliance and opportunities for enhancement to achieve greater alignment with leading practices.

Extract from the EQA Report conducted by Nexia SAB&T:

5. SUMMARY OF FINDINGS

The results of our review have found that the Swellendam Municipality's Internal Audit Function "**Fully Conforms"** to the revised Standards for the Professional Practice of Internal Auditing (IIA Standards).

The extent of conformance with the relevant Standards is indicated in the table below.

#	Requirements	Ratings
1	**Domain I: Purpose of Internal Auditing**	FC
2	**Domain II: Ethics and Professionalism**	FC
3	Principle 1 Demonstrate integrity	FC
4	Principle 2 Maintain Objectivity	FC
5	Principle 3 Demonstrate Competency	FC
6	Principle 4 Exercise Due Professional Care	FC
7	Principle 5 Maintain Confidentiality	FC
8	**Domain III: Governing the Internal Audit Function**	FC
9	Principle 6 Authorised by the Board	FC
10	Principle 7 Positioned Independently	GC
11	Principle 8 Overseen by the Board	FC
12	**Domain IV: Managing the Internal Audit Function**	FC
13	Principle 9 Plan Strategically	FC
14	Principle 10 Manage Resources	FC
15	Principle 11 Communicate Effectively	FC
16	Principle 12 Enhance Quality	FC
17	**Domain V: Performing Internal Audit Services**	FC
18	Principle 13 Plan Engagements Effectively	FC
19	Principle 14 Conduct Engagement Work	FC
20	Principle 15 Communicate Engagement Results and Monitor Action Plans	FC

<u>**See Annexure A.13:**</u>

1. External Quality Assurance Review Report issued by Nexia SAB&T.

LEGAL IMPLICATIONS

The External Quality Assurance Review is conducted in accordance with the Global Internal Audit Standards, which require an independent external assessment at least once every five years. In addition, the review aligns with the principles of good governance as outlined in applicable legislation and frameworks governing municipal operations, including oversight responsibilities of the Audit and Performance Audit Committee.

Compliance with these standards reinforces the credibility, independence, and effectiveness of the Internal Audit Function and supports the municipality in fulfilling its accountability obligations.

In line with the requirements of the Global Internal Audit Standards, an external quality assessment must be conducted at least once every five years by a qualified independent assessor.

Municipal Finance Management Act 56 of 2003, subsection 165

FINANCIAL IMPLICATIONS

The cost of the External Quality Assurance Review amounted to R178,500,13 which was funded through the Financial Management Grant. The expenditure is considered justified, as it supports compliance with the Global Internal Audit Standards and contributes to strengthening governance, accountability, and oversight within the municipality.

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Corporate and Community Services

None

Director: Financial Services

None

Director: Infrastructure and Planning Services

None

Municipal Manager

None

RECOMMENDED

1. that the Council take cognisance of the External Quality Assurance Review results on the Internal Audit Function.
2. that the Council take cognisance of the improvement area which received a "General Conformance" by the appointed independent assessor, Nexia SAB&T who conducted the assessment, namely the vacancy of the Chief Audit Executive (CAE) position.
3. that the Council take cognisance of the corrective actions implemented by the municipality to address the "General Conformance" issue which were highlighted by the appointed independent service provider, Nexia SAB&T.

<u>DISCUSSION</u>

The Executive Mayor, Councillor, H.F. du Rand congratulated and thanked the Internal Audit Division, on their outstanding performance in respect of the External Quality Assurance Review and took note of the remarkable improvements made in the division.

The Speaker, Alderman J. du T. Loubser confirmed that all Councillors took note of the report.

UNANIMOUSLY RESOLVED **Item A132/29/06/2026**

1. that Council take cognisance of the External Quality Assurance Review results on the Internal Audit Function.
2. that Council take cognisance of the improvement area which received a "General Conformance" by the appointed independent assessor, Nexia SAB&T who conducted the assessment, namely the vacancy of the Chief Audit Executive (CAE) position.
3. That Council take cognisance of the corrective actions implemented by the municipality to address the "General Conformance" issue which were highlighted by the appointed independent service provider, Nexia SAB&T.

9.1.17

Item number A133. 29.06.2026

DRAFT/ REVISED PERFORMANCE, RISK, BUSINESS CONTINUITY MANAGEMENT (BCM) AND INTEGRITY MANAGEMENT STRATEGIC DOCUMENTS

Report by the Office of the Municipal Manager:	A Vorster
Department	Office of the Municipal Manager
Section	Governance, Risk and Compliance
File number	3/3/3/16

PURPOSE OF REPORT

The purpose of the report is to submit the Revised Strategic Documents to Council for revision and approval.

FACTS AND BACKGROUND

In order for the Municipal Manager to ensure effective processes in relation to managing performance, risk, BCM and Integrity Management processes within the Municipality, the abovementioned need to be reviewed by Council on a regular basis.

DISCUSSION

The Municipality has identified the need to review the abovementioned documents on a regular basis to set the tone for current operations within the Municipality. The above-mentioned documents were tabled to the Fraud and Risk Management Committee on 10 March 2026 and to the Audit and Performance Audit Committee (APAC) on 25 June 2026 for review and comments.

The following Strategic Documents are hereby tabled for adoption (please see documentation as **Annexures A14.1 to Annexure A.18 attached**):

1. Revised Risk Management Committee Policy, Strategy, Plan & FARMCO Charter.
2. Revised Anti-Corruption and Fraud Prevention Policy, Strategy & Plan.
3. Revised Performance Management Policy.
4. Revised Business Continuity Management (BCM) Policy, Strategy & Plan.
5. Integrity Management Framework.

LEGAL IMPLICATIONS

In terms of section 62 of the Local Government: Municipal Finance Management Act 2003 [Act 56 of 2006] [MFMA] the Municipal Manager is responsible for managing the Municipality's financial administration. For this purpose, the Municipal Manager must take all reasonable steps to ensure, amongst others, that the Municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control.

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Corporate Services & Community Services

None

Director: Financial Services

None

Director: Infrastructure Services

None

Municipal Manager

None

RECOMMENDED

that Council take cognizance and approve the following strategic documentation:

1. Revised Risk Management Committee Policy, Strategy, Plan & FARMCO Charter.
2. Revised Anti-Corruption and Fraud Prevention Policy, Strategy & Plan.
3. Revised Performance Management Policy.
4. Revised Business Continuity Management (BCM) Policy, Strategy & Plan.
5. Integrity Management Framework.

The Speaker, Alderman J. du T. Loubser confirmed that the recommendation was supported by Council.

UNANIMOUSLY RESOLVED **Item A133/29/06/2026**

that Council take cognizance and approve the following strategic documentation:

1. Revised Risk Management Committee Policy, Strategy, Plan & FARMCO Charter.
2. Revised Anti-Corruption and Fraud Prevention Policy, Strategy & Plan.
3. Revised Performance Management Policy.
4. Revised Business Continuity Management (BCM) Policy, Strategy & Plan.
5. Integrity Management Framework.

9.1.18

Item number A134. 29.06.2026

COMMUNITY SERVICES: RAILTON HUB GROUP HOUSING DEVELOPMENT - 22 ERVEN

Report of the Human Settlement Manager: L. Cupido

Department	Community Services
Section	Housing
File number	17/4/2/3/25/1

PURPOSE OF THE REPORT

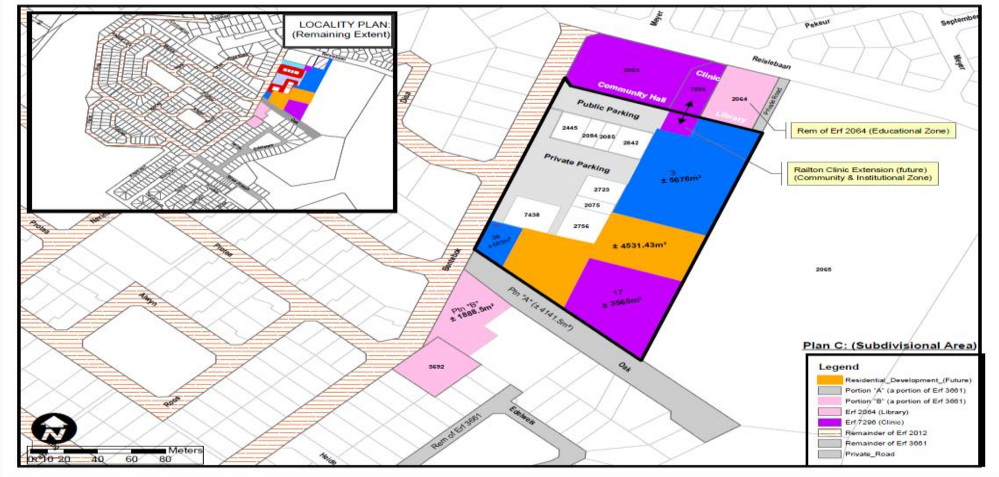
To seek Council approval to alienate Erf 10063 to Erf 10086 for development as a single group housing complex.

FACTS AND BACKGROUND

The Railton Hub (as it is broadly known) is centrally located within Railton and is favorably positioned for development purposes. The Hub takes access directly off Bontebok Road and Oak Street. The Hub comprises a variety of purposefully created cadastral entities, together making up a mixed-use development area that includes erven for business, parking, community and residential purposes. Most of the erven are registered in the name of the Municipality, although several are privately owned.

The residential component of the Railton Hub comprises 22 erven, specifically designed to be implemented as a single group housing complex. The erven are small and narrow to enable a higher order, medium density development, which is to present as semi-detached duplex units.

Discussions have been held with the Department of Infrastructure (DOI) in relation to the residential component of the Hub and the funding thereof. The DOI has since determined that the Hub would be considered as a housing project separate from Rondomskrik and would be supported as it forms part of an integrated land use initiative that includes a variety of community and commercial uses. It was agreed that the Swellendam Housing Unit would continue to spearhead communication with the Department of Human Settlement with regard to the implementation of the housing component as set out.



<u>Cadastrally, the overall design of the Railton Hub has aimed to yield the following</u>:

- A dedicated and easily accessible public parking area for the Railton Clinic and the Railton Community Hall.
- Vastly improved pedestrian and vehicle access to the Railton Clinic.
- A newly created erf (369m² in extent) located adjacent to the Railton Clinic, to provide for a dedicated parking area for clinic staff – the original parking area having been taken up by the temporary prefab structure, which has been in place for some 20 years.
- A wide and visible public walkway, that can also be used for less-formal trade – as now funded by RSEP.
- 22 new middle-income housing opportunities, located immediately along Oak St, adjacent to the Bontebok Primary School, the Railton Foundation Youth Centre and across the road from the Micky Mouse Early Childhood Development Centre.
- A dedicated erf (1843m² in extent) located adjacent to Oak Street, zoned Private Open Space, to be shared by the 2 adjoining Early Childhood Development Centres.
- Rezoning of an existing erf (1368m²) for the establishment of an additional Early Childhood Development Centre.
- Creation of 2 zoned General Business Erven. One erf (5352m²) centrally located on the Hub property for the establishment of a higher order shopping facility and a second erf (595m²) located on the corner of Bontebok and Oak Street for the establishment of a formal convenience store or a fast-food restaurant / take-away. Both of those 2 commercial erven have since been sold for this purpose. Preliminary building plans have been discussed with the developer of the large erf, which includes the establishment of a Savmor operation, an in-store chemist which will work well with the adjoining clinic, and several new line-shops,
- Formalization of Oak Street as a street.

At its meeting on 29 October 2020, Council resolved as follows:

RESOLVED **Item: A105/29/10/2020**

1. That the content of the report on the status quo of the Railton Hub redesign / development and a suggested process for the alienation of 2 zoned General Business erven within the property be noted.

2. That valuation reports be procured for the 2 zoned business erven on the Hub property, for consideration.

3. That the 2 zoned business erven be alienated, at a price to be determined by Council based on the valuation reports received.

4. That engagement be initiated with the Provincial Department of Health regarding the transfer of the newly created erf for the extension of the existing Railton Clinic.

DISCUSSION

As noted above, the Railton Hub housing component comprises 22 new housing opportunities, an integrated private road and a pedestrian access way that provides direct access to the commercial entities on the Hub property. The housing component is clustered at the southern end of the Hub. The cadastral entities were specifically designed to be implemented as a medium density group housing complex comprising semi-detached duplex units – it is for that reason that the erven are so narrow.

The project is approved on the Municipal Housing Pipeline and is in line with the approved IDP. A Project Feasibility Report (PFR) was submitted to the Department of Infrastructure (DOI), and funding for planning purposes was approved and gazetted for the 2025/2026 financial year. Resolution 25/60 dated 09 September 2025 indicates that an amount of R2,896 963,00 was made available over two book years (2025/2026 and 2026/2027) by DOI for the installation of engineering services. In addition to the resolution amount **(Annexure A.19)**, an application letter was lodged with DOI to utilize a components of the allocated monies to service the newly created business erven. The allocation in the resolution 25/60 was duly gazetted for both financial book years. Upon completion of the installation of the civil services, a process for the implementation of the top structures will commence.

In terms of the agreement reached with the municipality's implementing Agent (ASLA), ASLA was responsible for the implementation of all the necessary engineering services. This process has now been concluded.

The attached **Annexure A.20** reflects the approved layout comprising 22 residential erven and business sites within the Railton Business Hub (CBD).

<u>Proposal 1</u>

Considering the strategic location of the development, it is hereby strongly recommended that Erf 10063 to 10086 be alienated to a suitable developer, through a competitive bidding process. The developer is to take ownership of the existing civil services to the housing component, and to take responsibility for the construction of 22 top structures on the collective property. The top structures are to present as a single medium density group housing complex comprising semi-detached duplex units. The developer will also be singularly responsible to advertise and sell said units to the open market, for his account.

This proposed approach is expected to yield the following benefits:
- Recovery of the Municipality's investment of R2,896,963.00 (refer Annexure A);
- Promotion of local economic development and investment within the Hub;
- Facilitation of structured and sustainable residential development within the Hub;
- Unlock a residential market which is yet to be adequately provided for in the broader Railton area;

- Reduce the risk associated with illegal occupation and vandalism of well-located vacant land;
- Enhancement of the overall value of municipal land assets; and
- Generation of long-term revenue streams through property sales and increased municipal rates income from the developed erven.

The semi-detached duplex units have been a core component of the Railton Hub redevelopment initiative since it was conceived of back in 2018. As noted above, the Railton Hub comprises a number of elements, each of which contribute to its overall vision and value. The actual implementation of the 22 top structures (as proposed) and the building of a higher order commercial shopping complex will contribute tangibly to the sustainability of the Railton Hub, to the benefit of all residents in the area.

Proposal 2

The First Home Finance (FHF) housing product segment presents both challenges and opportunities in delivering affordable housing to households earning between R3,501 and R22,000 per month. Despite the constraints, it has been demonstrated that a viable and bankable product can be delivered within this market.

Experience indicates that the most effective starting point is to align the base unit with BNG minimum standards, specifically a 40m² unit, which provides cost certainty. Such a unit can generally be delivered within the current top structure subsidy of approximately R200,000, inclusive of allowances for geotechnical variations and external plaster.

However, in its basic form, a standard BNG unit does not sufficiently meet the expectations of the FHF market or lending institutions. To address this, a targeted set of enhancements is required to improve both the market appeal and bankability of the product.

The following enhancements have proven to be effective:

- Tiled roofing with hot water systems
- Plaster surrounds to windows and doors
- Meranti entrance doors for improved durability and aesthetics
- Vibacrete boundary walls, post boxes, and security features (e.g. alarm systems)
- Full internal tiling
- Kitchen cupboards
- Optional cavity wall construction

These enhancements, together with an estimated 5% sales commission, are expected to increase the top structure cost by approximately R95,000 to R120,000, resulting in an average construction cost of about R300,000 per unit, subject to market conditions and contractor pricing.

When adding the estimated land and internal servicing cost of R80,000 per unit (excluding already funded bulk infrastructure), the total development cost per unit is projected at approximately R400,000. This informs the expected selling price required to ensure full cost recovery.

In terms of implementation, it is proposed that:

- The DOI Architect prepares detailed drawings for all 22 erven.

- The Municipality, in collaboration with Supply Chain Management, procures a contractor to construct the units.
- Construction is undertaken either incrementally as beneficiaries secure both FHF subsidies and home loans, or once a sufficient uptake threshold (approximately 80%) is achieved.

Furthermore, due to the specialised nature of the FHF market, it is strongly recommended that the Municipality appoints a qualified and experienced property sales agent with a proven track record in this sector to ensure efficient sales and reduce associated risks.

A representative of the Western Cape Department of Infrastructure, Mr G de Villiers will attend the meeting via Ms Teams to provide additional information.

LEGAL IMPLICATIONS

The disposal of erven must comply with all applicable legislation, including the Municipal Finance Management Act (MFMA) and the Municipal Asset Transfer Regulations. A fair, transparent, and competitive process must be followed.

FINANCIAL IMPLICATIONS

The Municipality will generate income from the sale of the erven. Additional long-term revenue will be realised through property rates and service charges once the properties are developed and occupied.

PERSONNEL IMPLICATIONS

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Community & Corporate Services

Director: Financial Services

Director: Infrastructure and Planning Services

Municipal Manager

RECOMMENDED

1. Council take note of this report.

<u>*Recommendation on proposal 1:*</u>

2. Erf 10063 to Erf 10086, as serviced, be alienated to a single, suitable developer through a competitive bidding process, as per Supply Chain Management's procurement processes.

3. Erf 10063 to Erf 10086 be developed with top structures, that present as a single medium density group housing complex, comprising semi-detached duplex units, as per the provisions of the Municipal By-law on Land Use Planning, the Integrated Zoning Scheme By-law, and the National Building Regulations and Building Standards Act.

Recommendation on proposal 2:

4. To consider the First Home Finance (FHF) housing product approach, to brigde the gap between fully subsidised housing and the affordable housing market for households earning between R3,501 and R22,000 per month.
5. Adopt the 40m² BNG-aligned base unit as the standard product ensuring cost certainty and alignment with existing subsidy parameters, while maintaining compliance with minimum housing standards.
6. Acknowledge the estimated total development cost of approximately R400,000 per unit, inclusive of top structure improvements and land/internal servicing and support a pricing strategy that ensures full cost recovery and financial sustainability.
7. Mandate the Directorate of Infrastructure (DOI) Architect to prepare detailed drawings for all 22 erven, enabling implementation to proceed without delay.
8. Authorise the Municipality, in collaboration with Supply Chain Management, to procure a suitably qualified contractor for the construction of the units in line with procurement regulations.
9. Support a phased or demand-driven construction approach, whereby units are constructed incrementally as beneficiaries secure FHF subsidies and home loans, or once a viable uptake threshold (approximately 80%) is achieved, thereby mitigating financial and market risks.
10. Approve the appointment of a qualified and experienced property sales agent, with a proven track record in the FHF market, to facilitate efficient marketing, sales, and buyer support, including assistance with subsidy and home loan applications.
11. Require regular progress and financial reporting to Council, ensuring oversight, risk management, and alignment with strategic housing objectives.

DISCUSSION

The Municipal Manager, Mrs A. Vorster suggested that the different options in respect of the Railton Hub Group Housing Development – 22 erven be submitted at the next Corporate and Community Services Portfolio Committee prior to submission to Council.

The Executive Mayor, Councillor H.F. du Rand proposed that the following amendment be made to the recommendation:

1. that the following options in respect of the Railton Hub Group Housing Development of 22 erven be submitted to the Corporate and Community Services Portfolio Committee prior to resubmission to Mayco and Council.

The Speaker, Alderman J. du T. Loubser confirmed that the amended recommendation was approved by all Councillors.

UNANIMOUSLY RESOLVED **Item A134/29/06/2026**

1. that the following options in respect of the Railton Hub Group Housing Development of 22 erven be submitted to the Corporate and Community Services Portfolio Committee prior to resubmission to Mayco and Council:

2. Recommendation on proposal 1:
2.1 Erf 10063 to Erf 10086, as serviced, be alienated to a single, suitable developer through a competitive bidding process, as per Supply Chain Management's procurement processes.
2.2 Erf 10063 to Erf 10086 be developed with top structures, that present as a single medium density group housing complex, comprising semi-detached duplex units, as per the provisions of the Municipal By-law on Land Use Planning, the Integrated Zoning Scheme By-law, and the National Building Regulations and Building Standards Act.

3. Recommendation on proposal 2:
3.1 To consider the First Home Finance (FHF) housing product approach, to brigde the gap between fully subsidised housing and the affordable housing market for households earning between R3,501 and R22,000 per month.
3.2 Adopt the $40m^2$ BNG-aligned base unit as the standard product ensuring cost certainty and alignment with existing subsidy parameters, while maintaining compliance with minimum housing standards.
3.3 Acknowledge the estimated total development cost of approximately R400,000 per unit, inclusive of top structure improvements and land/internal servicing and support a pricing strategy that ensures full cost recovery and financial sustainability.
3.4 Mandate the Directorate of Infrastructure (DOI) Architect to prepare detailed drawings for all 22 erven, enabling implementation to proceed without delay.
3.5 Authorise the Municipality, in collaboration with Supply Chain Management, to procure a suitably qualified contractor for the construction of the units in line with procurement regulations.
3.6 Support a phased or demand-driven construction approach, whereby units are constructed incrementally as beneficiaries secure FHF subsidies and home loans, or once a viable uptake threshold (approximately 80%) is achieved, thereby mitigating financial and market risks.
3.7 Approve the appointment of a qualified and experienced property sales agent, with a proven track record in the FHF market, to facilitate efficient marketing, sales, and buyer support, including assistance with subsidy and home loan applications.
3.8 Require regular progress and financial reporting to Council, ensuring oversight, risk management, and alignment with strategic housing objectives.

9.1.19

Item number A135. 29.06.2026

2026/2027 REVISED AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER

Report of the Senior Internal Auditor: Mr A Petersen

Department	Municipal Manager
Section	Internal Audit
Proposed File number	3/3/3/16

PURPOSE OF THE REPORT

The purpose of the report is to submit the Revised Audit and Performance Audit Committee Charter for the 2026/2027 financial year to Council for consideration and approval.

FACTS AND BACKGROUND

The Audit and Performance Audit Committee (APAC) operates as a committee of the council. The Audit and Performance Audit Committee performs the responsibilities assigned to it by the MFMA (sections 165 and 166), and the corporate governance responsibilities delegated to it under its charter by the council. A charter is the written terms of reference approved by the council which outlines the mandate of the audit committee. The charter becomes the policy of the audit committee which then informs the contracts of the Audit and Performance Audit Committee members.

A charter should be used to guide the activities of an Audit and Performance Audit Committee on an ongoing basis. A clear, well written charter should set out the objectives, roles and responsibilities, composition, structure and membership requirements, relationships with other stakeholders, authority for the Audit and Performance Audit Committee to conduct enquiries and access municipality and municipal entity's records and personnel, outlines procedures for meetings, addresses the confidentiality and independence of Audit and Performance Audit Committee members, and provides for ethical conduct and reporting.

Following approval, the Audit and Performance Audit Committee charter should be published on the municipal website to promote awareness to all stakeholders. The charter should be reviewed annually and updated to ensure relevance and consistency with the MFMA, Municipal Systems Act (No 32 of 2000) and other related regulations, guides and best practice.

The charter should be used as a basis for:

- Preparing the Audit and Performance Audit Committee annual work plan;
- Setting the agenda for meetings;
- Requesting skills and expertise;

- Making recommendations to the accounting officer and municipal council;
- Assessing the Audit and Performance Audit Committee performance by its members, municipal council, management, Auditor-General and internal auditors; and
- Contributions and participation at meetings.

DISCUSSION

Section 166 of the Municipal Finance Management Act No. 56 of 2003, requires every Municipality to establish and maintain an audit committee, as an independent appraisal function. Experience has shown that a properly constituted Audit and Performance Audit Committee can make an effective and valuable contribution to the process by which an organization is directed and controlled.

The Swellendam Audit and Performance Audit Committee is well established and functioning as required. All the members of the Audit and Performance Audit Committee are also members of the Performance Audit Committee.

The Revised Audit and Performance Audit Committee Charter for the 2026/2027 financial year was tabled to the Audit and Performance Audit Committee on 25 June 2026 for review and inputs. The Audit and Performance Audit Committee accepted the Charter, with the amendments as highlighted in track changes.

The Revised Audit and Performance Audit Committee Charter is hereby tabled for adoption.

Annexure A.21:

2. The Revised Audit and Performance Audit Committee Charter is attached for the 2026/27 financial year.

LEGAL IMPLICATIONS

Section 166 of the Municipal Finance Management Act No. 56 of 2003, requires every Municipality to establish and maintain an Audit Committee, as an independent appraisal function.

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

Charter should be published on the municipal website to promote awareness to all stakeholders.

COMMENTS FROM DEPARTMENTS

Director: Corporate and Community Services

None

Director: Financial Services

None

Director: Infrastructure and Planning Services

None

Municipal Manager

None

RECOMMENDED

1. that the Revised Audit and Performance Audit Committee Charter for the 2026/2027 financial year be adopted by Council.

The Executive Mayor, Councillor H.F. du Rand indicated that the recommendation was supported.

The Speaker, Alderman J. du T. Loubser confirmed that the recommendation was supported by Council

UNANIMOUSLY RESOLVED **Item A135/29/06/2026**

1. that the Revised Audit and Performance Audit Committee Charter for the 2026/2027 financial year be adopted by Council.

9.1.20

Item number A136. 29.06.2026

APPROVAL OF NEW POSITIONS ON THE ORGANISATIONAL STRUCTURE

Report of the Acting Director Corporate and Community Services, A. Vorster.

Section	Human Resources
File number	4/8/R

PURPOSE OF REPORT

To propose that Council approve the NEW positions on the organisational structure.

PURPOSE AND BACKGROUND

HR facilitated departmental budget input meetings early in February this year. At these meetings, Directors and/or Managers requested- & motivated new posts to be added on the organogram, and in some instances, funding for these posts in the 2026/2027 fin-year. Official adding of posts to the organogram and can only be done through the Restructuring Committee and thereafter referred to Council for approval.

DISCUSSION

A meeting of the Restructuring Committee took place on 22 June 2026 (minutes attached as Annexure) to allow departments to motivate new positions on the organizational structure as well as motivate the funding of critical positions.

LEGAL IMPLICATIONS

Municipal Systems Act, 32 of 2000 (MSA)

- Section 66 requires the Municipal Manager to develop a staff establishment for approval by Council.
- No appointment may be made unless the post exists on the staff establishment.
- While s66 does not state that only “funded” posts may exist, in practice it is read together with the MSR and MFMA, which require affordability and budget alignment.

FINANCIAL IMPLICATIONS

Provision was made for some of these positions as per approved 2026/2027 budget.

PERSONNEL IMPLICATIONS

All new positions should be evaluated by TASK and where funding is secured, posts be advertised.

RECOMMENDED

1. that the following additional positions on the organisational structure be approved in terms of section 66 of the Municipal Systems Act, 2000 read together with the Municipal Staff Regulations, 2021.

Finance

1.1	*Section : Budget, AFS & Compliance*	*Assistant Accountant*
1.2	*Section : Supply Chain Management*	*Administrator*
1.3	*Section : Information & Comm Technology*	*IT Technician*

Infrastructure and Planning Services

2.1	*Section : Admin Support & Aux Services*	*Administrative Assistant*
2.2	*Section : Building Control*	*Plans Examiner*
2.3	*Section : Barrydale Parks (Waste Mngt)*	*2x Small Plant Operator*
	Section : Suurbraak Parks (Waste Mngt)	*2x Small Plant Operator*
	Section : Solid Waste & Enviro Mngt	*Clerk (Admin Support)*
2.4	*Section : Parks (Thusong Centre)*	*General Assistant*

Corporate and Community Services

3.1	*Section : Traffic Administration*	*Examiner (B/dale)*
3.2	*Section : HR (Adm, Staff Prov, EE)*	*Clerk (Recruit&Compl)*
3.3	*Section : Human Settlements*	*Clerk: Support services*
	Section : Human Settlements	*Housing Inspector*

2. that the amended organisational structure be submitted to the Office of the MEC with supporting documentation as prescribed by the MSR.

The Speaker, Alderman J. du T. Loubser confirmed that the recommendation was supported by Council.

UNANIMOUSLY RESOLVED **Item A136/29/06/2026**

1. that the following additional positions on the organisational structure be approved in terms of section 66 of the Municipal Systems Act, 2000 read together with the Municipal Staff Regulations, 2021.

Finance

1.1	*Section : Budget, AFS & Compliance*	*Assistant Accountant*
1.2	*Section : Supply Chain Management*	*Administrator*

1.3	*Section : Information & Comm Technology*	*IT Technician*

Infrastructure and Planning Services

2.1	*Section : Admin Support & Aux Services*	*Administrative Assistant*
2.2	*Section : Building Control*	*Plans Examiner*
2.3	*Section : Barrydale Parks (Waste Mngt)*	*2x Small Plant Operator*
	Section : Suurbraak Parks (Waste Mngt)	*2x Small Plant Operator*
	Section : Solid Waste & Enviro Mngt	*Clerk (Admin Support)*
2.4	*Section : Parks (Thusong Centre)*	*General Assistant*

Corporate and Community Services

3.1	*Section : Traffic Administration*	*Examiner (B/dale)*
3.2	*Section : HR (Adm, Staff Prov, EE)*	*Clerk (Recruit&Compl)*
3.3	*Section : Human Settlements*	*Clerk: Support services*
	Section : Human Settlements	*Housing Inspector*

2. that the amended organisational structure be submitted to the Office of the MEC with supporting documentation as prescribed by the MSR.

9.1.21

Item number A137. 29.06.2026

ICT POLICIES – 1 JULY 2026

Report of the Director Financial Services: Ms E. Wassermann

Department	Financial Services
Section	Expenditure
File number	

PURPOSE OF REPORT

The purpose of the report is to consider the review and new internal ICT policies for the 2026/2027 financial year. The policies are attached as Annexures A. There are no major changes to the policies.

FACTS AND BACKGROUND

The ICT policies were last reviewed and approved in Jun 2025. The ICT policies must be annually reviewed.

DISCUSSION

The following policies were reviewed:

1) ICT Change Management Policy
2) ICT Data Backup and Recovery Policy
3) ICT Disaster Recovery Policy
4) ICT Firewall Rules Policy
5) ICT Governance Policy
6) ICT Network Access and Monitoring Policy
7) ICT Patch Management Policy
8) ICT Security Controls Policy
9) ICT Steering Committee Terms of Reference
10) ICT Strategic Plan
11) ICT SOP-ICT

The ICT Steering Committee Terms of Reference was reviewed and updated to include the mSCOA requirements, and the ICT Strategic plan was updated to include the following additional projects:

1) Develop intranet for municipality;
2) Improve security controls such as deactivate USB Ports, block unauthorised downloads and Web sites and enable MFA and SSPR;
3) Control all 3rd Party Systems/Applications in the Municipality;
4) ICT Smart City Concept - Integration of systems and apps and Job card system/tablets;
5) Implement ICT cyber awareness Sessions;
6) In-house ICT training on MO365 Apps;

An ICT roadmap was developed for the implementation of the new ICT Governance framework. The roadmap is attached as Annexure B.

The draft policies and roadmap were submitted to the ICT steering meeting during May 2026 and proposed that it be submitted to council for final approval.
Because this is internal policies it does not need to be submitted for public participation.

LEGAL IMPLICATIONS

1) Municipal Finance Management Act No, 56 of 2003
2) Western Cape Municipal Information and Communication Technology Governance Policy Framework, 2014;
3) Control Objectives for Information Technology (COBIT) 5, 2012
4) ISO 27002:2013 Information technology — Security techniques — Code of practice for information security controls
5) King Code of Governance Principles IV, 2009

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Financial Services

As per the report.

Director: Infrastructure and Planning Services

None

Municipal Manager

RECOMMENDED

1. that Council approves the draft internal ICT policies attached under Annexure A.
2. that Council approves the roadmap under Annexure B for the new ICT Governance Framework.
3. that the ICT policies and roadmap be implemented from 1 July 2026
4. that the ICT policies and roadmap be reviewed annually to align with the latest developments in the municipal ICT environment.

The Speaker, Alderman J. du T. Loubser confirmed that the recommendation was supported by Council.

UNANIMOUSLY RESOLVED **Item A137/29/06/2026**

1. that Council approve the draft internal ICT policies attached under Annexure A.
2. that Council approve the roadmap under Annexure B for the new ICT Governance Framework.
3. that the ICT policies and roadmap be implemented from 1 July 2026
4. that the ICT policies and roadmap be reviewed annually to align with the latest developments in the municipal ICT environment.

9.2 Consideration of matters which require non-disclosure

See In-Committee Minutes.

9.3 Consideration of urgent matters

None

10 MINUTES OF COMMITTEES AND AD HOC COMMITTEES

RESOLVED:

that cognisance be taken of the following minutes:

10.1 Minutes of an Ordinary Mayoral Committee meeting held on Wednesday, 20 May 2026.

10.2 Minutes of a Special meeting of the Mayoral Committee held on Tuesday, 02 June 2026.

11 CONFIRMATION OF MINUTES

RESOLVED:

11.1 that the minutes of a Special Council meeting held on Wednesday, 20 May 2026 which were sent to all Councillors within a reasonable time prior to the meeting, be taken as read and be hereby confirmed.

11.2 that the minutes of an Ordinary Council meeting held on Friday, 29 May 2026 which were sent to all Councillors within a reasonable time prior to the meeting, be taken as read and be hereby confirmed.

11.3 that the minutes of Special Council meeting held on Friday, 29 May 2026 which were sent to all Councillors within a reasonable time prior to the meeting, be taken as read and be hereby confirmed.

11.4 that the minutes of a Special Council meeting held on Monday, 22 June 2026 which were sent to all Councillors within a reasonable time prior to the meeting, be taken as read and be hereby confirmed.

12. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

None

13. CONSIDERATION OF MATTERS OF EXIGENCY

None

14. GENERAL

None

15. CLOSURE

The Speaker thanked everyone for their time and commitment to attend the meeting. The meeting adjourned at 13:37. 00.