



MUNISIPALITEIT THEEWATERSKLOOF MUNICIPALITY

[27 FEBRUARIE / FEBRUARY 2026]

RAADSVERGADERING /
COUNCIL MEETING

NOTULE / MINUTES

27 FEBRUARIE / FEBRUARY 2026

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THEEWATERSKLOOF MUNISIPALITEIT/ MUNICIPALITY

NOTULE VAN 'N RAADSVERGADERING GEHOU OP 27 FEBRUARIE 2026 OM 09:00, IN DIE RAADSAAL MUNISIPALE KANTORE, CALEDON.

MINUTES OF A COUNCIL MEETING HELD ON 27 FEBRUARY 2026 AT 09:00 IN THE COUNCIL CHAMBERS MUNICIPAL OFFICES, CALEDON.

A. OPENING EN VERWELKOMING

Die Voorsitter, Speaker W.H. Wells, verwelkom almal teenwoordig, en open die vergadering met gebed.

Die Bestuurder: Bates en Versekering, Me J Colyn, voorsien en verduidelik die SASRIA aansoeke aan al die Raadslede.

OPENING AND WELCOME

The Chairperson, Speaker WH Wells, welcomes everyone present, and opened the meeting with a prayer.

The Manager: Asset and Assurance, Ms J. Colyn, provided an explanation of the SASRIA applications to all Councillors.

B. VERKIESING VAN WNDE SPEAKER (INDIEN NODIG)/ ELECTION OF ACTING SPEAKER (IF NECESSARY)

Nie van toepassing nie / Not applicable.

C. BYWONINGSREGISTER/ATTENDANCE REGISTER

C.1 Teenwoordig/Present Raadslede/Councillors

Raadsheer/Alderman LM de Bruyn
Raadsheer/Alderman CC Clayton
Raadsheer/Alderman WH Wells
Raadsheer/Alderman DA Appel
Raadslid/Councillor CA Benjamin
Raadslid/Councillor M Botes
Raadslid/Councillor CT Cloete
Raadsheer/Alderman S Fredericks
Raadslid/Councillor M Gana
Raadslid/Councillor DA Jacobs
Raadslid/Councillor D Jooste
Raadslid/Councillor H Linnerts
Raadslid/Councillor JD Lekhori
Raadslid/Councillor TP Lemina

Joined the meeting at 09:32.

**D. NOTULE EN/OF VERSLAE VAN DIE UBK VIR KENNISNAME AAN DIE RAAD
MINUTES AND/OR REPORTS OF THE EMC FOR COUNCIL'S COGNIZANCE**

D.1 Notule van UBK Vergadering: 13 Januarie 2026

Die Raad neem kennis van die Notule van die vergadering van die Uitvoerende Burgemeester en sy Komitee gehou op 13 Januarie 2026.

Minutes of EMC Meeting: 13 January 2026

Council takes cognizance of the Minutes of a meeting of the Executive Mayor and his Committee held on 13 January 2026.

D.2 Notule van UBK Vergadering: 19 Januarie 2026

Die Raad neem kennis van die Notule van die vergadering van die Uitvoerende Burgemeester en sy Komitee gehou op 19 Januarie 2026.

Minutes of EMC Meeting: 19 January 2026

Council takes cognizance of the Minutes of a meeting of the Executive Mayor and his Committee held on 19 January 2026.

**E. BEKRAGTIGING VAN NOTULES EN/OF VERSLAE VAN DIE RAAD
CONFIRMATION OF MINUTES AND/OR REPORTS OF COUNCIL**

E.1 Notule van Raadsvergadering: 22 Januarie 2026

BESLUIT :

Om op voorstel van Raadsheer S Fredericks gesekondeer deur Raadsheer C Clayton die Notule van die Raadsvergadering van 22 Januarie 2026 hiermee goed te keur, te bekragtig en te laat onderteken as *prima facie* bewys van die juistheid daarvan.

Minutes of Council Meeting: 22 January 2026

RESOLVED:

To, on proposal by Alderman S Fredericka seconded by Alderman C Clayton hereby approve, confirm and have signed the Minutes of the Council Meeting of 22 January 2026 as *prima facie* evidence of its correctness.

F. VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER /

Die Speaker, Raadsheer WH Wells, lees die brief van Raadslid V Papier rakende die bekommernis oor dienslewering by Caledon Hospitaal aan die Raad voor. Die brief word as aanhangsel tot die notule geheg.

Raadslede, bevestig asseblief of julle Wykskomiteevergaderings volgens skedule sal voortgaan. Indien u besluit om enige Wykskomiteevergadering te kanselleer, moet u my as Speaker asseblief per e-pos in kennis stel en die rede(s) vir die kansellasië verskaf.

Die funksionaliteit van Wykskomitees bly belangrik, veral aangesien ons nou die laaste deel van ons huidige termyn betree. Ons bly uiteraard verantwoordbaar aan ons gemeenskappe.

Ons moet dus gefokus bly en verseker dat Wykskomitees aanhou om doeltreffend te funksioneer. Proporsioneel-verteenwoordigde Raadslede word ook versoek om te kyk waar hulle behulpzaam kan wees en om ondersteuning te bied, waar nodig.

STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

The Speaker, Councillor WH Wells, read the letter from Councillor V Papier to Council regarding the concern about service delivery at Caledon Hospital. The letter is attached as an annexure to the minutes.

Councillors, kindly confirm whether your Ward Committee Meetings will continue as scheduled. If you decide to cancel any Ward Committee Meeting, please inform me, as the Speaker, via email and provide the reason(s) for the cancellation.

The functionality of Ward Committees remains important, especially as we are now approaching the final stretch of our current term. At the end of the day, we remain accountable to our communities.

Let us therefore remain focused and ensure that Ward Committees continue to function effectively. PR Councillors are also requested to check where they can assist and provide support where necessary.

G. VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER / STATEMENTS EN COMMUNICATIONS BY THE EXECUTIVE DEPUTY MAYOR

Geen / None

27 Februarie 2026

Aan:
Mnr. Weldon Wells Speaker
Theewaterskloof Munisipaliteit

Onderwerp: Dringende bekommernisse rakende dienslewering by Caledon Hospitaal

Geagte Speaker Wells,

Vandag staan ek op as 'n verteenwoordiger van die Patriotic Alliance, maar ook in my persoonlike hoedanigheid as 'n inwoner van Caledon.

Speaker, Caledon Hospitaal hou aan om ons gemeenskap teleur te stel wanneer dit by basiese dienslewering kom. Keer op keer word ons inwoners met nalatigheid, onverskilligheid en 'n gebrek aan dringendheid behandel. Hoe kan dit wees dat ons as hierdie Raad toelaat dat ons eie mense van Theewaterskloof só swak behandel word by 'n openbare gesondheidsfasiliteit?

Gesondheidsorg is nie 'n voorreg nie, dit is 'n basiese mensereg. Tog, volgens die optrede wat inwoners by Caledon Hospitaal ervaar, lyk dit asof gesondheidsorg as 'n luukse behandel word, iets wat na willekeur toegestaan word eerder as volgens mediese noodsaaklikheid.

Net gister is inwoners met die uiterste minagting behandel. Pasiënte wat pyn ervaar het, is bloot pynstillers gegee en meegedeel, sonder behoorlike konsultasie, dat "dit nie 'n noodgeval is nie." Besluite word klaarblyklik met 'n oogopslag geneem, sonder deeglike mediese ondersoek.

'n Moeder het haar dogter hospitaal toe gehaas nadat sy ernstige aanvalle gekry het en 'n baie hoë koors gehad het. Sy is meegedeel dat dit nie 'n noodgeval is nie en dat sy moet wag. Hierdie wagtyd het die hele nag geduur. Uiteindelik was die moeder genoodsaak om haar kind na 'n privaat dokter te neem nadat sy geen behoorlike hulp ontvang het nie.

Verder is 'n 84-jarige inwoner van ons gemeenskap van pilaar tot post gestuur by die hospitaal. Die persoon is een dag ontslaan, net om die volgende dag weer geskakel te word om terug te keer. By aankoms moes die bejaarde meer as 10 uur wag vir verdere aandag. Dit is onaanvaarbaar dat 'n senior burger op hierdie wyse behandel word.

Speaker, dit is onaanvaarbaar. Dit is onmenslik. Dit is onregverdig. En dit kan nie voortgaan nie.

Ek praat nie net uit wat ek onlangs waargeneem het nie, maar ook uit persoonlike ervaring. Hierdie selfde hospitaal het my oorlede man swak behandel in sy laaste dae toe hy ernstig siek was. Die situasie het só versleg dat my seun hom dringend na Tygerberg Hospitaal moes neem sodat hy behoorlike mediese sorg kon ontvang. Geen familie behoort sulke trauma te ervaar weens tekortkominge in ons openbare gesondheidstelsel nie.

Speaker, ons het aanspreeklikheid nodig. Ons het ingryping nodig. Ons het dringende betrokkenheid met die betrokke provinsiale gesondheidsowerhede nodig om die aanhoudende mislukkings by Caledon Hospitaal aan te spreek.

Ons kan nie met gevoude arms sit terwyl ons gesondheidstelsel die mense wat dit veronderstel is om te dien, in die steek laat nie.

Ek doen 'n beroep op onmiddellike optrede.

Met respek ingedien,

Raadslid Vanessa Papier
Patriotic Alliance
Theewaterskloof Munisipaliteit

**H. VOORLEGGINGS /
PRESENTATIONS**

- H.1 The Local IEC Office Manager presented the Ward delimitation to Council - the presentation will be forwarded to all Councillors.
- H.2 Implementation of AARTO in Theewaterskloof Municipality - Mr WSE Solomons-Johannes presented the presentation attached as annexure to the minutes.
- H.3 Community Work Programme (CWP) - Ms F van der Schyff's – Presentation was noted by Council.

**I. VERSLAE VOORGELê DEUR DIE KANTOOR VAN DIE MUNISIPALE
BESTUURDER /
REPORTS PRESENTED BY THE OFFICE OF THE MUNICIPAL MANAGER**



Western Cape
Government
FOR YOU

WESTERN CAPE MOBILITY DEPARTMENT

Directorate: Traffic Law Enforcement

Administrative Adjudication Of Road Traffic Offence Readiness, Cape Town

Mr Nkosana Matiso

18 September 2025

AARTO ROLL-OUT: PROCLAMATION UPDATE

- The National Department of Transport confirmed that the AARTO proclamation was signed by the President on 30 June 2025.
- The President has determined the implementation date for all phases of AARTO.
- The Proclamation was published in the Government Gazette on 1 August 2025.
- The Appeals Tribunal appointments have been approved and the President will sign off the recommendations of the Minister of Transport. The RTIA will report to these appointments.
- The implementation date of AARTO is set for 1 December 2025 excluding the Demerit Point System which will be phased in at a later stage.

AARTO ROLL-OUT: IMPLEMENTATION DATE IN PHASES


PHASE 2



01 DECEMBER 2025

- To implement the roll-out in 69 metros and municipal areas including Adjudication Process, Electronic Service and Appeals Tribunal


PHASE 3



01 APRIL 2026

- To implement the roll-out in 144 municipal areas including Adjudication Process, Electronic Service and Appeals Tribunal

PHASE 4



01 SEPTEMBER 2026

- Go-live with PDS and Rehabilitation Programme .

PHASE 2 IMPLEMENTATION - ISSUING AUTHORITIES TO IMPLEMENT 01 DECEMBER 2025

Metro and Local Municipalities

- City of Cape Town
- Mossel bay
- George
- Beaufort West
- Cape Agulhas
- Swartland
- Stellenbosch

Provincial Traffic Service

- Metro (Brackenfell and Somerset-West)
- Mossel bay
- George
- Beaufort West
- Caledon
- Vredenburg

READINESS OF WESTERN CAPE PROVINCE

- **Training of Traffic Officers**
 - Most traffic officers across Provincial and Municipal Traffic have completed AARTO training.
 - The Metro is in progress with 241 traffic officers trained to date.
- **Back-Office Training**
 - Training is underway with targeted support and coordination provided to ensure completion.
- **Issuing Authorities (Phases 2 and 3)**
 - Authorities are at varied levels of compliance.
 - Priority focus is placed on Phase 2 Issuing Authorities to secure readiness before implementation.
- The Province and City of Cape Town have concluded the integration of their internal technological systems into the AARTO Contravention system.
- Testing has commenced and initial feedback confirms indicates that the first phase of testing are successful.

KEY RISKS

Key Risks

- Financial year misalignment raised by Issuing Authorities.
- Resource constraints affecting some Issuing Authorities' pace of implementation.
- System readiness challenges including integration of municipal back office systems with national systems.
- Inconsistent by-law alignment where municipal by-laws may not yet fully align with AARTO provisions.
- Limited public awareness leading to confusion and potential resistance from motorists.
- Capacity gaps at smaller municipalities particularly where traffic law enforcement units are under resourced.
- Revenue implication as changes in fine collection processes and revenue flow may impact municipal budgets.
- Data accuracy and security risks especially around capturing and transferring infringement information.
- Operational disruptions during the transition period from current systems to AARTO which may impact service delivery.

MITIGATION

Mitigation

- Ongoing monitoring and evaluation by the coordinator to close the gaps in conjunction with RTMC and RTIA.
- Utilization of train the trainers and regional support to strengthen capacity and ensure uniformity and compliance.
- Utilisation of a blended training approach incorporating MOODLE.
- Technical readiness assessments at municipal level to identify integration and infrastructure gaps.
- Legislative alignment workshops with municipal legal units to address concerns in by-law integration into AARTO.
- Targeted public awareness campaigns in partnership with municipalities and RTIA.
- Resource sharing and pooling for capacitation.
- Revenue impact studies and financial planning engagements to mitigate budget risks.
- Change management to address staff concerns
- Data verification protocols and system audits to safeguard accuracy and security.
- Phased transition plans to minimise disruptions to enforcement and administration.

KEY AARTO READINESS ASSESSMENT AREAS

(Provincial, Metro and Local Municipalities)

- Training of traffic officers and back-office, monitoring the number and the identification of outstanding training needs.
- Deployment/Installation of IT equipment to support AARTO operational readiness requirements.
- Natis and Network connectivity to ensure seamless integration with RTIA and related systems.
- Contracting of Province, Metro and Municipalities with SAPO for posting notices (both electronic and postage).
- Contracting of Province, Metro and Municipalities with GPW for procurement of AARTO stationery.

Western Cape Province remains committed to supporting a smooth, uniform and compliant AARTO implementation process across all spheres of government. Ongoing engagements with municipalities will continue, and the above assessment areas will be closely monitored, evaluated, and supported to ensure readiness by the implementation date.

Contact Us



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Government

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ITEM TITLE

**C51/2026 DIRECTORATE OFFICE OF THE MUNICIPAL MANAGER:
DEPARTMENT IDP: REPORTING ON PERFORMANCE OF
CONTRACTORS: OCTOBER 2025 TILL DECEMBER 2025**

[English version of the report is the original]

FILE NUMBER

8/2/3/5/1

PURPOSE OF REPORT

To present a report to Council in terms of the contract and performance management of the Office of the Municipal Manager contractors for the period from October 2025 to December 2025 to ensure the municipality receives value for money and that contracts are completed on time and within the approved budget.

BACKGROUND

S116 (2) of the Municipal Finance management Act (No.56 of 2003) states that:

The accounting officer of a municipality or municipal entity must –

1. take all reasonable steps to ensure that a contract or agreement procured through the supply chain management policy of the municipality of municipal entity is properly enforced;
2. monitor on a monthly basis the performance of the contract under the contract or agreement;
3. establish capacity in the administration of the municipality or municipal entity –
 - (i) to assist the accounting officer in carrying out the duties set out in paragraphs (a) and (b); and
 - (ii) to oversee the day-to-day management of the contract or agreement; and
4. regularly report to Council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contract.

DISCUSSION

Report pattern of the Directorate: Office of the Municipal Manager IDP:

Department:	OCTOBER 2025	NOVEMBER 2025	DECEMBER 2025
IDP	Submitted	Submitted	Submitted

Find attached checklists consisting of the summaries done for the Directorate:
Municipal Manager

No blockages occurred.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

Can be found in checklists attached as Annexures. It can be costly to the municipality if reporting is not done correctly.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Chapter 8 Municipal Finance Management Act. 56 of 2003.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

Not applicable.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council takes cognisance of the report.

DISCUSSION DURING MEETING:

- Completion date of PMD01/2022/2023 (Ignite Advisory Services (Pty) Ltd) was 30 December 2025.
- 15% Expansion of the contract value was used to extend the contract from January 2026 – March 2026.
- From April 2026 – June 2026 a deviation will be completed to allow time to finalize the tender process.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously recommended as follows:

That Council takes cognisance of the report.

RECOMMENDATION TO COUNCIL:

It is recommended that Council takes cognisance of the report.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously resolved as follows:

Council noted the report.

For finalization by the Office of the Municipal Manager – IDP/Performance Management Section.

ITEM HEADING

**C52/2026 OFFICE OF THE MUNICIPAL MANAGER: DEPARTMENT
INTERNAL AUDIT: PERFORMANCE- AND AUDIT COMMITTEE
REPORT: 1 OCTOBER 2025 – 31 DECEMBER 2025**

[English version of the report is the original]

FILE NUMBER

5/14/1/2

PURPOSE / AIM OF REPORT

The purpose of the report is to report to Council on the functions of the Performance- and Audit Committee (PAC) performed for the period 1 October 2025 – 31 December 2025.

BACKGROUND

According to the MFMA (Municipal Financial Management Act) No.56 of 2003, Section 166 (2):

- (2) An audit committee is an independent advisory body which must-
- (a) advise the municipal council, the political office-bearers, the accounting officer and the management staff of the municipality, or the board of directors, the accounting officer and the management staff of the municipal entity, on matters relating to-
1. internal financial control and internal audits;
 2. risk management;
 3. accounting policies;
 4. the adequacy, reliability and accuracy of financial reporting and information;
 5. performance management;
 6. effective governance;
 7. compliance with this Act, the annual Division of Revenue Act and any other applicable legislation;
 8. performance evaluation; and
 9. any other issues referred to it by the municipality or municipal entity;

DISCUSSION

The revised Performance- and Audit Committee Charter was approved by Council on 7 August 2025.

Paragraph 4.1 of the Charter states: It is required from the PAC to quarterly, update the Council about committee activities and make appropriate recommendations where needed.

The quarterly PAC report for the period 1 October 2025 – 31 December 2025 is attached to this item.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

None

LEGAL IMPLICATIONS (ITEM AUTHOR)

Municipal Financial Management Act, No.56 of 2003, Section 166(2)

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

None

RECOMMENDATION BY ITEM AUTHOR TO COUNCIL:

It is recommended that Council takes note of the Performance- and Audit Committee Report for the period 1 October 2025 – 31 December 2025.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts and seconded by Alderman S Fredericks it was resolved as follows:

Council noted the Performance- and Audit Committee Report for the period 1 October 2025 – 31 December 2025.

For finalization by the Chief Audit Executive, Mr. A Opperman.

ITEM HEADING

**C53/2026 DIRECTORATE CORPORATE SERVICES: OFFICE OF DIRECTOR
CORPORATE SERVICES: REPORTING ON PERFORMANCE OF
CONTRACTORS: OCTOBER TILL DECEMBER 2025**

[English version of the report is the original]

FILE NUMBER

8/2/3/5/2

PURPOSE / AIM OF REPORT

To present a report to Council in terms of the contract and performance management of the Directorate Corporate Services contractors for the period from October 2025 to December 2025 to ensure the municipality receives value for money and that contracts are completed on time and within the approved budget.

BACKGROUND

S116 (2) of the Municipal Finance management Act (No.56 of 2003) states that:

The accounting officer of a municipality or municipal entity must –

1. take all reasonable steps to ensure that a contract or agreement procured through the supply chain management policy of the municipality of municipal entity is properly enforced;
2. monitor on a monthly basis the performance of the contract under the contract or agreement;
3. establish capacity in the administration of the municipality or municipal entity –
 - (i) to assist the accounting officer in carrying out the duties set out in paragraphs (a) and (b); and
 - (ii) to oversee the day-to-day management of the contract or agreement; and
4. regularly report to Council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contract.

DISCUSSION

Report pattern of the Directorate Corporate Services:

Department:	October 2025	November 2025	December 2025
Corporate Services	Submitted	Submitted	Submitted

Find attached checklists consisting of the summaries done for the Directorate Corporate Services.

No blockages occurred.

FINANCIAL RESPONSIBILITIES

Can be found in checklists attached as Annexures. It can be costly to the municipality if reporting is not done correctly.

LEGAL RESPONSIBILITIES

Chapter 8 Municipal Finance Management Act. 56 of 2003.

RISK MANAGEMENT IMPLICATION

Not applicable.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council takes cognisance of the report.

RECOMMENDATION BY THE CORPORATE SERVICES COMMITTEE TO THE EMC: 04 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor M Botes, and seconded by Councillor TB Zimmermann it was recommended as follows:

That Council takes cognisance of the report.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously recommended as follows:

That Council takes cognisance of the report.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council takes cognisance of the report.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously resolved as follows:

Council noted the report.

For finalization by the Manager: Corporate Services, Ms. M Faul.

The Speaker Alderman WH Wells requested the Executive Mayor, Alderman LM de Bruyn, to leave the Council Chambers.

Alderman LM de Bruyn stated that the Rules of Order requires that, in the event of a conflict of interest, a Councillor must leave the Council Chamber. He further indicated that he would respect the ruling of the Speaker and requested that it be minuted that he abides by the ruling under protest.

ITEM HEADING

C54/2026 OFFICE OF THE SPEAKER: ALLEGED BREACH OF CODE OF CONDUCT FOR COUNCILLORS BY THE EXECUTIVE MAYOR, ALDERMAN LM DE BRUYN

[English version of the report is the original]

FILE NUMBER

3/3/3

PURPOSE OF REPORT

The aim of the report is to inform Council regarding the allegations of a breach of the Code of Conduct for Councillors by the Executive Mayor, Alderman LM De Bruyn, for consideration by Council.

BACKGROUND

Addition of Schedule 7 to Act 117 of 1998 (Local Government: Municipal Structures Act, 1998) as per Local Government: Municipal Structures Amendment Act, 2021 (the Code of Conduct for Councilors) stipulates as follows:

“ 2. General conduct of councilors

A Councillor must –

(a) perform the functions of office in good faith, honestly and in a transparent manner; and

(b) at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised.”

The duty of the Speaker of the Council in so far as the Code of Conduct of Councillors is concerned, is embedded in Item 15 of Schedule 7 to Act 117 of 1998 (Local Government: Municipal Structures Act, 1998) as per Local Government: Municipal Structures Amendment Act, 2021 and reads as follows:

15. Breaches of Code –

(1) If the speaker of a municipal council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the speaker must -

- (a) authorise an investigation of the facts and circumstances of the alleged breach;
 - (b) give the councillor a reasonable opportunity to reply in writing regarding the alleged breach; and
 - (c) report the matter to a meeting of the municipal council after paragraphs (a) and (b) have been complied with.
- (2) A report in terms of subitem (1)(c) is open to the public.
- (3) The speaker must report the outcome of the investigation to the MEC of local government in the province concerned.

The allegations by the Director: Corporate Services, Mr GW Hermanus, indicate that the Executive Mayor, Alderman LM De Bruyn disregarded the Code of Conduct for Councillors.

DISCUSSION

On 09 January 2026, it was brought to the Speaker's attention that the Executive Mayor, Alderman LM De Bruyn, did not act in the best interest of the municipality, specifically with regard to his failure/ negligence to perform his statutory duties as Executive Mayor as described by the Complainant. The complaint was lodged by Mr GW Hermanus. The letter of complaint is hereto attached as Annexure A.

In the execution of his duties as referred to above, the Speaker requested the Executive Mayor, Alderman LM De Bruyn to provide comments on the matter on 12 January 2026. The email from the Office of the Speaker is hereto attached as Annexure B. The Executive Mayor, Alderman LM De Bruyn, responded within the given timeframe. The response of the Executive Mayor is hereto attached as Annexure C.

On 23 January 2026, the Speaker requested legal advice on the matter.

After careful consideration of the facts and circumstances of the allegations the Speaker is of the opinion that there are sufficient grounds for referring the matter to a Special Committee or an External Investigator for further investigation.

FINANCIAL IMPLICATIONS

None

LEGAL IMPLICATIONS

Municipal Systems Amendment Act, Act 3 of 2021 (Schedule 7 – Code of Conduct for Councillors)

RISK MANAGEMENT IMPLICATION

None

RECOMMENDATION BY ITEM AUTHOR TO COUNCIL:

It is recommended:

- 1. That Council takes cognizance of the content of the report.**
- 2. That Council takes cognizance of the processes which were followed by the Speaker in terms of Section 15(1)(a) and (b) of Schedule 7 (Code of Conduct for Councillors).**
- 3. That Council notes that as Section 15(1)(a) and (b) of Schedule 7 has been complied with, the Speaker now presents the facts and relevant information of the alleged breaches to Council in terms of Section 15(1)(c) of Schedule 7.**
- 4. That Council refers the matter to the current Special Committee to further investigate the matter.**
- 5. That the Special Committee report the outcome of the investigation to Council.**

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts and seconded by Alderman MR Nongxaza it was resolved as follows:

- 1. Council takes cognizance of the content of the report.**
- 2. Council takes cognizance of the processes which were followed by the Speaker in terms of Section 15(1)(a) and (b) of Schedule 7 (Code of Conduct for Councillors).**
- 3. Council noted that as Section 15(1)(a) and (b) of Schedule 7 has been complied with, the Speaker now presents the facts and relevant information of the alleged breaches to Council in terms of Section 15(1)(c) of Schedule 7.**
- 4. Council refers the matter to the current Special Committee to further investigate the matter.**
- 5. That the Special Committee report the outcome of the investigation to Council.**
- 6. Council sets a timeframe of 90 days for the completion of this process.**

For finalization by the Office of the Speaker – Councillor Support Section.

The Executive Mayor, Alderman LM de Bruyn, did not return to the Council Chambers.

The Executive Mayor, Alderman LM de Bruyn, is still outside the Council Chambers for the discussion of this agenda-item.

ITEM HEADING

C55/2026 OFFICE OF THE SPEAKER: ALLEGED BREACH OF CODE OF CONDUCT FOR COUNCILLORS BY THE EXECUTIVE MAYOR, ALDERMAN LM DE BRUYN

[English version of the report is the original]

FILE NUMBER

3/3/3

PURPOSE OF REPORT

The aim of the report is to inform Council regarding the allegations of a breach of the Code of Conduct for Councillors by the Executive Mayor, Alderman LM De Bruyn, for consideration by Council.

BACKGROUND

Addition of Schedule 7 to Act 117 of 1998 (Local Government: Municipal Structures Act, 1998) as per Local Government: Municipal Structures Amendment Act, 2021 (the Code of Conduct for Councilors) stipulates as follows:

“ 2. General conduct of councilors

A Councillor must –

(a) perform the functions of office in good faith, honestly and in a transparent manner; and

(b) at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised.”

The duty of the Speaker of the Council in so far as the Code of Conduct of Councillors is concerned, is embedded in Item 15 of Schedule 7 to Act 117 of 1998 (Local Government: Municipal Structures Act, 1998) as per Local Government: Municipal Structures Amendment Act, 2021 and reads as follows:

15. Breaches of Code –

(1) If the speaker of a municipal council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the speaker must -

(a) authorise an investigation of the facts and circumstances of the alleged breach;

(b) give the councillor a reasonable opportunity to reply in writing regarding the alleged breach; and

(c) report the matter to a meeting of the municipal council after paragraphs (a) and (b) have been complied with.

(2) A report in terms of subitem (1)(c) is open to the public.

(3) The speaker must report the outcome of the investigation to the MEC of local government in the province concerned.

The allegations by the Director: Corporate Services, Mr GW Hermanus, indicate that the Executive Mayor, Alderman LM De Bruyn, disregarded the Code of Conduct for Councillors.

DISCUSSION

On 28 November 2025, it was brought to the Speaker's attention that the Executive Mayor, Alderman LM De Bruyn, did not act in the best interest of the municipality, specifically with regard to his interference in administration as described by the complainant. The complaint was lodged by Mr GW Hermanus. The letter of complaint and the Speaker's acknowledgement of receipt to the Complainant, is hereto attached as Annexure A.

In the execution of his duties as referred to above, the Speaker requested the Executive Mayor, Alderman LM De Bruyn to provide comments on the matter on 2 December 2025. The letter of the Speaker is hereto attached as Annexure B. The Executive Mayor, Alderman LM De Bruyn, responded within the given timeframe. The response of the Executive Mayor is hereto attached as Annexure C.

On 8 December 2025, the Speaker requested legal advice in the matter.

After careful consideration of the facts and circumstances of the allegations the Speaker is of the opinion that there are sufficient grounds for referring the matter to a Special Committee or an External Investigator for further investigation.

FINANCIAL IMPLICATION

None

LEGAL IMPLICATION

Municipal Systems Amendment Act, Act 3 of 2021 (Schedule 7 – Code of Conduct for Councillors)

RISK MANAGEMENT IMPLICATION

None

RECOMMENDATION BY ITEM AUTHOR TO COUNCIL:

It is recommended:

- 1. That Council takes cognizance of the content of the report.**

2. That Council takes cognizance of the processes which were followed by the Speaker in terms of Section 15(1)(a) and (b) of Schedule 7 (Code of Conduct for Councillors).
3. That Council notes that as Section 15(1)(a) and (b) of Schedule 7 has been complied with, the Speaker now presents the facts and relevant information of the alleged breaches to Council in terms of Section 15(1)(c) of Schedule 7.
4. That Council refers the matter to the current Special Committee to further investigate the matter.
5. That the Special Committee report the outcome of the investigation to Council.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman MR Nongxaza and seconded by Councillor JD Lekhori it was resolved as follows:

1. Council takes cognizance of the content of the report.
2. Council takes cognizance of the processes which were followed by the Speaker in terms of Section 15(1)(a) and (b) of Schedule 7 (Code of Conduct for Councillors).
3. Council noted that as Section 15(1)(a) and (b) of Schedule 7 has been complied with, the Speaker now presents the facts and relevant information of the alleged breaches to Council in terms of Section 15(1)(c) of Schedule 7.
4. Council refers the matter to the current Special Committee to further investigate the matter.
6. Council set a timeframe of 90 days for the completion of this process.

For finalization by the Office of the Speaker – Councillor Support Section.

The Executive Mayor, Alderman LM de Bruyn, returns to the Council Chambers.

ITEM TITLE

C56/2026 DIRECTORATE CORPORATE SERVICES: DEPARTMENT ADMINISTRATION: APPOINTMENT OF A NEW MEMBER TO THE HUMAN SETTLEMENTS AND PLANNING PORTFOLIO COMMITTEE AS PART OF THE SECTION 80 COMMITTEES WHICH ASSIST THE EXECUTIVE MAYOR IN PERFORMING FUNCTIONS AND DUTIES TO REPLACE ALDERMAN DA APPEL

[English is the original version of the report]

FILE NUMBER

3/3/6

PURPOSE OF REPORT

That Council considers the appointment of a new member of the Finance Portfolio Committee of Council to replace Alderman DA Appel.

BACKGROUND

Council appoints the following Councillors as Committee Members of the Human Settlements and Planning Portfolio Committee per Council Resolution C116/2025 during a Council Meeting held on 29 May 2025:

Human Settlements and Planning Committee (5 members)

Alderman S Fredericks - Chairperson – full-time Councillor
Councillor PJ Stander
Alderman CC Clayton
Councillor H Syster
Alderman D Appel

Secundi: Councillor D Jooste (for the Coalition)

Secundi: Councillor TP Lemina (for the Opposition)

DISCUSSION

An email request was received from the ANC Chief Whip, Alderman BB Mkhwibiso that as Alderman DA Appel who was nominated on the Finance Portfolio Committee during the Council Meeting of 22 January 2026, be replaced with Councillor M Shale as a Member on the Human Settlements and Planning Committee.

LEGISLATIVE IMPLICATIONS

None

FINANCIAL IMPLICATIONS

None

RISK MANAGEMENT IMPLICATIONS

Not applicable

RECOMMENDATION BY ITEM AUTHOR TO COUNCIL:

It is recommended:

- 1. That Council appoints Councillor M Shale as a Member of the Human Settlements and Planning Portfolio Committee of Council to replace Alderman DA Appel.**
- 2. That Council notes that the following Councillors will now serve as Members of the Human Settlements and Planning Committee:**
Alderman S Fredericks - Chairperson – full-time Councillor
Councillor PJ Stander
Alderman CC Clayton
Alderman BB Mkhwibiso
Councillor M Shale

Secundi: Councillor D Jooste (for the Coalition)

Secundi: Councillor TP Lemina (for the Opposition)

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman S Fredericks and seconded by Alderman BB Mkhwibiso it was resolved as follows:

- 1. Council appoints Councillor M Shale as a Member of the Human Settlements and Planning Portfolio Committee of Council to replace Alderman DA Appel.**
- 2. Council noted that the following Councillors will now serve as Members of the Human Settlements and Planning Committee:**
Alderman S Fredericks - Chairperson – full-time Councillor
Councillor PJ Stander
Alderman CC Clayton
Alderman BB Mkhwibiso
Councillor M Shale

Secundi: Councillor D Jooste (for the Coalition)

Secundi: Councillor TP Lemina (for the Opposition)

For finalization by the Manager: Corporate Services, Ms M Faul.

ITEM HEADING**C57/2026 DIRECTORATE TECHNICAL- AND INFRASTRUCTURE IMPLEMENTATION SERVICES: REPORTING ON PERFORMANCE OF CONTRACTORS: OCTOBER – DECEMBER 2025**

[English version of the report is the original]

FILE NUMBER

8/2/3/5/5

PURPOSE / AIM OF REPORT

To present a report to Council in terms of the contract and performance management of the Technical- and Infrastructure Implementation Services Departments contractors for the period from October – December 2025 to ensure the municipality receives value for money and that contracts are completed on time and within the approved budget.

BACKGROUND

S116 (2) of the Municipal Finance management Act (No.56 of 2003) states that:

The accounting officer of a municipality or municipal entity must –

- a) take all reasonable steps to ensure that a contract or agreement procured through the supply chain management policy of the municipality of municipal entity is properly enforced;
- b) monitor on a monthly basis the performance of the contract under the contract or agreement;
- c) establish capacity in the administration of the municipality or municipal entity –
 - (i) to assist the accounting officer in carrying out the duties set out in paragraphs (a) and (b); and
 - (ii) to oversee the day-to-day management of the contract or agreement; and
- d) regularly report to Council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contract.

DISCUSSION

Reporting pattern of Technical- and Infrastructure Implementation Services:

Department:	October 2025	November 2025	December 2025
Technical- and Infrastructure Implementation Services	Submitted	Submitted	Submitted

Find attached checklists consisting of the summaries done for the Directorate Technical- and Infrastructure Implementation Services.

No blockages occurred.

COMMENTS FROM THE OFFICE OF THE MUNICIPAL MANAGER

Approved.

COMMENTS FROM THE DIRECTORATE TECHNICAL AND INFRASTRUCTURE IMPLEMENTATION SERVICES

Report is supported.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

Can be found in checklists attached as Annexures. It can be costly to the municipality if reporting is not done correctly.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Chapter 8 Municipal Finance Management Act. 56 of 2003.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

Not applicable.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that the Committee take cognisance of the report.

DISCUSSION DURING MEETING:

Mr H Matthee:

The rugby field at Pineview Park will be ready for the 7th of March 2026.

The grass of the rugby field is 100% fine.

Compost and top dressing with water is all what the field is needed.

Currently use purified sewerage water.

RECOMMENDATION BY THE TECHNICAL- AND INFRASTRUCTURE IMPLEMENTATION SERVICES COMMITTEE TO THE EMC: 03 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman C Clayton, and seconded by Councillor D Jooste it was recommended as follows:

That Council takes cognisance of the report.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by H Linnerts, and seconded by Alderman M Plato-Mentoor it was recommended as follows:

1. **That Council takes cognisance of the report.**
2. **The EMC noted that a site meeting has been scheduled for the 20th of February 2026 at the Pineview Park Sportsgrounds which will be attended by the Technical- and Infrastructure Implementation Services Committee Members; all the Councillors of Grabouw as well as the Director: Community Services; the Chairperson of the Community Services Committee; the Town Manager of Grabouw and the Health and Safety Officer of Theewaterskloof Municipality.**

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council takes cognisance of the report.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously resolved as follows:

Council noted the report.

*For finalization by the Director: Technical- & Infrastructure Implementation Services,
Mr H Matthee.*

ITEM HEADING**C58/2026 DIRECTORATE TECHNICAL- AND INFRASTRUCTURE
IMPLEMENTATION SERVICES: REPORTING ON PERFORMANCE
OF CONTRACTORS FOR JANUARY 2026**

[English version of the report is the original]

FILE NUMBER

8/2/3/5/5

PURPOSE / AIM OF REPORT

KPI 213 of the SDBIP for the Directorate Technical and Infrastructure Services determines the following:

Compile a report on the performance of service providers applicable to the Directorate and submit to Council monthly.

To present a report to Council in terms of the contract and performance management of the Technical Departments contractors for January 2026 to ensure the municipality receives value for money and the contracts are completed on time and within the approved budget.

BACKGROUND

S116 (2) of the Municipal Finance management Act (No. 56 of 2003) states that:

The accounting officer of a municipality or municipal entity must -

1. take all reasonable steps to ensure that a contract or agreement procured through the supply chain management policy of the municipality or municipal entity is properly enforced;
2. monitor on a monthly basis the performance of the contract under the contract or agreement;
3. establish capacity in the administration of the municipality or municipal entity - (i) to assist the accounting officer in carrying out the duties set out in paragraphs (a) and (b); and
(ii) to oversee the day-to-day management of the contract or agreement; and
4. regularly report to Council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contract.

DISCUSSION

Reporting pattern of Technical Services

Department	January 2026
Technical Services	Submitted

Find attached checklists consisting of the summaries done for Technical Services:

Tender no	Service Provider	Blockages	Reason
		No Blockages	

COMMENTS FROM THE DIRECTORATE TECHNICAL AND INFRASTRUCTURE IMPLEMENTATION SERVICES

Recommendation supported

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

Can be found in checklists attached as Annexures. It can be costly to the municipality if reporting is not done correctly.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Chapter 8 Municipal Finance Management Act. 56 of 2003.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

None

RECOMMENDATION BY ITEM AUTHOR TO COUNCIL:

It is recommended that Council take cognisance of the report regarding the performance of service providers for the month of January 2026 for the Directorate Technical- and infrastructure Implementation Services

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously resolved as follows:

Council noted the report regarding the performance of service providers for the month of January 2026 for the Directorate Technical- and infrastructure Implementation Services.

*For finalization by the Director: Technical- & Infrastructure Implementation Services,
Mr H Matthee.*

ITEM TITLE

**C59/2026 DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING:
DEPARTMENT LED: OUTCOME OF APPLICATION FOR THE
AMENDMENT OF CONDITIONS OF A CASINO LICENCE (CALEDON
CASINO, TSOGO SUN) TO ALLOW FOR THE RELOCATION OF AN
EXISTING CASINO IN THE WESTERN CAPE**

[English version of the report is the original]

FILE NUMBER

17/16/1/1

PURPOSE OF REPORT

The purpose of this report is to inform Council of the outcome of the application submitted by Tsogo Sun Caledon (Pty) Ltd ("TSC") to the Western Cape Gambling and Racing Board ("the Board") for the amendment of its casino licence conditions to permit the relocation of the existing casino from Caledon to Somerset West in the Helderberg area of the Cape Metropole. The report further outlines the potential risks, financial and socio-economic implications of this decision for the Theewaterskloof Municipality and provides recommendations for proactive engagement to safeguard local economic interests.

BACKGROUND

Tsogo Sun Caledon (Pty) Ltd, a wholly owned subsidiary of Tsogo Sun Limited, is the current licensed casino operator in Caledon. On 12th December 2022, TSC applied to the Western Cape Gambling and Racing Board in terms of Section 41(2) read with Section 32(2) of the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996) to relocate its licensed casino from Caledon to Somerset West.

The proposed relocation site is located on Portion 29 of Farm 794, previously forming part of the Somerset West Golf Course. The application process included a public participation process through notices in the Western Cape Provincial Gazette and local newspapers between 14 and 17 July 2023, inviting objections and comments.

Public hearings were held in Caledon (11 June 2024) and Strand (12 July 2024). Following consideration of all representations, objections, and internal investigations, the Board resolved on 26th August 2025 to approve the relocation application. The relocated facility will operate under the trading name "The Tsogo Signature Casino & Hotel" in Somerset West. The Caledon Spa, Hotel, and related facilities will remain operational under Tsogo Sun management.

Notices of the approval were published between 23 and 26 September 2025 in the Provincial Gazette and local media, as required under Section 4(2) of the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000) ("PAJA").

DISCUSSION

The decision to relocate the casino from Caledon to Somerset West represents a significant shift in economic activity from a rural area to a metropolitan area.

While the Board's approval satisfies legislative requirements and allows the operator to pursue commercial expansion in a high-demand urban market, it may have economic and employment implications for the Theewaterskloof region.

Key points for consideration include:

1. The Caledon Spa, Hotel, and related leisure facilities are expected to remain operational. However, a possible reduction in visitor numbers may affect long-term sustainability.
2. Employment linked directly to casino operations may be relocated or absorbed into the new Somerset West development, potentially resulting in local job losses in Caledon.
3. Conversely, the decision could stimulate reinvestment opportunities in Caledon if Tsogo Sun expands or repositions the spa as a standalone destination resort, offering health, wellness, and conference tourism products.
4. The relocation also creates an opportunity for the Municipality to reposition the Caledon precinct through a focused Local Economic Development (LED) strategy, promoting niche tourism, agro-tourism, and small business support around the spa and hotel complex.

SOCIO-ECONOMIC IMPLICATIONS

1. **Job Losses:** A potential decline in casino-related employment may affect households dependent on service, hospitality, and support roles.
2. **Job Gains:** The new casino in Somerset West will create employment opportunities within the province, though not within Theewaterskloof.
3. **Local Economic Diversification:** The Caledon Spa can be positioned as a wellness, eco-tourism, and conference hub. Expansion in these areas could offset losses and attract a different visitor market segment.
4. **Municipal Opportunities:** Council could benefit through targeted partnerships with Tsogo Sun and Overberg tourism bodies to co-market Caledon as a health and relaxation destination, thereby retaining some economic activity in the region.

COMMENTS FROM THE DIRECTORATE FINANCE

In support of the recommendation to the council by the author –

The presence of the casino in Caledon contributes directly to the local economy through employment opportunities, municipal revenue (including rates and taxes), tourism, and support for surrounding businesses such as hospitality, retail, and service providers. The relocation of this facility would likely result in job losses, reduced local spending, and a decrease in municipal income, which could have a cascading negative effect on the economic stability of the region.

Furthermore, the loss of this anchor economic institution may deter future investment in Caledon and surrounding areas, weakening development prospects and increasing reliance on limited municipal resources. These factors present a substantial risk that must be seriously considered in the decision-making process.

COMMENTS FROM THE DIRECTORATE CORPORATE SERVICES

Supported the item. Impact on the economic development in Theewaterskloof.

COMMENTS FROM THE DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING

Supported for submission.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

- The relocation may result in reduced indirect municipal revenue from tourism-related activities (e.g., accommodation levies, local business permits, and utility usage) associated with casino operations.
- The Caledon Spa and Hotel could, however, offer expansion opportunities through wellness tourism, conferencing, and events — potentially generating new local income streams if supported by the Municipality.
- There is no direct financial cost to the Municipality arising from the Board's decision, but proactive LED interventions may require budgetary support for feasibility studies, marketing, or partnership initiatives.

LEGAL IMPLICATIONS (ITEM AUTHOR)

- Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996): Regulates casino licensing, amendments, and relocations under Sections 32(2) and 41(2).
- Promotion of Administrative Justice Act, 2000 (Act 3 of 2000): Ensures fair administrative action and public notice of decisions affecting stakeholders.
- Municipal Systems Act, 2000 (Act 32 of 2000): Requires municipalities to promote local economic development, community participation, and equitable service delivery.
- Municipal Finance Management Act, 2003 (Act 56 of 2003): Guides financial oversight and reporting on matters that may influence municipal revenue or expenditure.

COMMENTS FROM INTERNAL AUDIT

No comments.

RISIKO BESTUUR IMPLIKASIE (ITEM OUTEUR)/ RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

RISK AREA	DESCRIPTION OF RISK	POTENTIAL IMPACT	MITIGATION / RESPONSE
Economic Risk	Loss of tourism traffic and reduced local business turnover following casino relocation	Decrease in local revenue generation and visitor spending	Engage with Tsogo Sun on potential reinvestment or redevelopment of Caledon Spa and Hotel; develop tourism diversification strategy
Employment Risk	Job displacement for Caledon-based casino employees	Increased local unemployment levels	Facilitate skills redeployment and training initiatives with Tsogo Sun and the Department of Labour
Revenue Risk	Reduction in local business license and service income indirectly linked to casino operations	Minor but notable decline in municipal income	Explore partnerships for event hosting, wellness tourism, and property investment near the existing spa
Reputational Risk	Community dissatisfaction regarding perceived economic loss	Potential public criticism of Council and government processes	Proactive communication with stakeholders and LED strategy implementation

COMMENTS FROM LEGAL SERVICES

The recommendation is supported.

COMMENTS FROM RISK MANAGEMENT

Risk Management Unit notes the timely identification of economic; employment, revenue, and reputational risks associated with the potential casino relocation. The proposed mitigation measures demonstrate a proactive and collaborative approach aimed at minimizing negative economic and social impacts. Engagement with key stakeholders, diversification of tourism initiatives, and transparent communication will be critical to sustaining local economic stability and maintaining public confidence.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended:

1. That Council notes the approval of the relocation of the Tsogo Sun Caledon Casino to Somerset West by the Western Cape Gambling and Racing Board on 26 August 2025.
2. That Council acknowledges the potential economic and employment impacts arising from the relocation and mandates management to engage with Tsogo Sun on the future use and redevelopment of the Caledon Spa and Hotel.
3. That Council emphasises the importance of proactive engagement with Tsogo Sun to explore planned reinvestment and redevelopment opportunities for the Caledon site, and to determine how the Municipality can assist or partner with the company to drive tourism, investment attraction, and local economic growth.
4. That Council authorises the Municipal Manager to engage with the Western Cape Department of Economic Development and Tourism, Overberg District Municipality, and Tsogo Sun to identify potential support mechanisms, funding opportunities, and joint marketing initiatives.
5. That Management be authorised to engage with the Western Cape Gambling and Racing Board and relevant provincial stakeholders to determine the potential socio-economic implications of the relocation for the Theewaterskloof municipal area.
6. That a follow-up report be submitted to Council once further details on mitigation or alternative local economic development measures are available.

RECOMMENDATION BY MANAGEMENT TO THE ECONOMIC DEVELOPMENT COMMITTEE: 06 NOVEMBER 2025

It is recommended:

1. That Council notes the approval of the relocation of the Tsogo Sun Caledon Casino to Somerset West by the Western Cape Gambling and Racing Board on 26 August 2025.
2. That Council acknowledges the potential economic and employment impacts arising from the relocation and mandates management to engage with Tsogo Sun on the future use and redevelopment of the Caledon Spa and Hotel.

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3. That Council emphasises the importance of proactive engagement with Tsogo Sun to explore planned reinvestment and redevelopment opportunities for the Caledon site, and to determine how the Municipality can assist or partner with the company to drive tourism, investment attraction, and local economic growth.
4. That Council authorises the Municipal Manager to engage with the Western Cape Department of Economic Development and Tourism, Overberg District Municipality, and Tsogo Sun to identify potential support mechanisms, funding opportunities, and joint marketing initiatives.
5. That Management be authorised to engage with the Western Cape Gambling and Racing Board and relevant provincial stakeholders to determine the potential socio-economic implications of the relocation for the Theewaterskloof municipal area.
6. That a follow-up report with the conditions of Theewaterskloof Municipality and the letter that was sent on the 02 August 2025 be submitted to Council once further details on mitigation or alternative local economic development measures are available.

RECOMMENDATION BY THE ECONOMIC DEVELOPMENT COMMITTEE TO EMC: 04 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor PJ Stander, and seconded by Councillor V Papier it was recommended as follows:

1. That Council notes the approval of the relocation of the Tsogo Sun Caledon Casino to Somerset West by the Western Cape Gambling and Racing Board on 26 August 2025.
2. That Council acknowledges the potential economic and employment impacts arising from the relocation and mandates management to engage with Tsogo Sun on the future use and redevelopment of the Caledon Spa and Hotel.
3. That Council emphasises the importance of proactive engagement with Tsogo Sun to explore planned reinvestment and redevelopment opportunities for the Caledon site, and to determine how the Municipality can assist or partner with the company to drive tourism, investment attraction, and local economic growth.
4. That Council authorises the Municipal Manager to engage with the Western Cape Department of Economic Development and Tourism, Overberg District Municipality, and Tsogo Sun to identify potential support mechanisms, funding opportunities, and joint marketing initiatives.

5. That Management be authorised to engage with the Western Cape Gambling and Racing Board and relevant provincial stakeholders to determine the potential socio-economic implications of the relocation for the Theewaterskloof municipal area.
6. That a follow-up report with the conditions of Theewaterskloof Municipality and the letter that was sent on the 02 August 2025 be submitted to Council once further details on mitigation or alternative local economic development measures are available.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by H Linnerts, and seconded by Alderman C Clayton it was recommended as follows:

1. That Council notes the approval of the relocation of the Tsogo Sun Caledon Casino to Somerset West by the Western Cape Gambling and Racing Board on 26 August 2025.
2. That Council acknowledges the potential economic and employment impacts arising from the relocation and mandates management to engage with Tsogo Sun on the future use and redevelopment of the Caledon Spa and Hotel.
3. That Council emphasises the importance of proactive engagement with Tsogo Sun to explore planned reinvestment and redevelopment opportunities for the Caledon site, and to determine how the Municipality can assist or partner with the company to drive tourism, investment attraction, and local economic growth.
4. That Council authorises the Municipal Manager to engage with the Western Cape Department of Economic Development and Tourism, Overberg District Municipality, and Tsogo Sun to identify potential support mechanisms, funding opportunities, and joint marketing initiatives.
5. That Management be authorised to engage with the Western Cape Gambling and Racing Board and relevant provincial stakeholders to determine the potential socio-economic implications of the relocation for the Theewaterskloof municipal area.
6. That a follow-up report with the conditions of Theewaterskloof Municipality and the letter that was sent on the 02 August 2025 be submitted to Council once further details on mitigation or alternative local economic development measures are available.

RECOMMENDATION TO COUNCIL:

It is recommended:

1. That Council notes the approval of the relocation of the Tsogo Sun Caledon Casino to Somerset West by the Western Cape Gambling and Racing Board on 26 August 2025.
2. That Council acknowledges the potential economic and employment impacts arising from the relocation and mandates management to engage with Tsogo Sun on the future use and redevelopment of the Caledon Spa and Hotel.
3. That Council emphasises the importance of proactive engagement with Tsogo Sun to explore planned reinvestment and redevelopment opportunities for the Caledon site, and to determine how the Municipality can assist or partner with the company to drive tourism, investment attraction, and local economic growth.
4. That Council authorises the Municipal Manager to engage with the Western Cape Department of Economic Development and Tourism, Overberg District Municipality, and Tsogo Sun to identify potential support mechanisms, funding opportunities, and joint marketing initiatives.
5. That Management be authorised to engage with the Western Cape Gambling and Racing Board and relevant provincial stakeholders to determine the potential socio-economic implications of the relocation for the Theewaterskloof municipal area.
6. That a follow-up report with the conditions of Theewaterskloof Municipality and the letter that was sent on the 02 August 2025 be submitted to Council once further details on mitigation or alternative local economic development measures are available.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman C Clayton and seconded by Councillor PJ Stander it was resolved as follows:

1. Council noted the approval of the relocation of the Tsogo Sun Caledon Casino to Somerset West by the Western Cape Gambling and Racing Board on 26 August 2025.
2. Council acknowledges the potential economic and employment impacts arising from the relocation and mandates management to engage with Tsogo Sun on the future use and redevelopment of the Caledon Spa and Hotel.

3. Council emphasises the importance of proactive engagement with Tsogo Sun to explore planned reinvestment and redevelopment opportunities for the Caledon site, and to determine how the Municipality can assist or partner with the company to drive tourism, investment attraction, and local economic growth.
4. Council authorises the Municipal Manager to engage with the Western Cape Department of Economic Development and Tourism, Overberg District Municipality, and Tsogo Sun to identify potential support mechanisms, funding opportunities, and joint marketing initiatives.
5. Council authorised Management to engage with the Western Cape Gambling and Racing Board and relevant provincial stakeholders to determine the potential socio-economic implications of the relocation for the Theewaterskloof municipal area.
6. That a follow-up report with the conditions of Theewaterskloof Municipality and the letter that was sent on the 02 August 2025 be submitted to Council once further details on mitigation or alternative local economic development measures are available.

For finalization by the Director: Economic Development and Planning, Ms N Baliso.

ITEM TITLE

C60/2026 DIRECTORATE: ECONOMIC DEVELOPMENT AND PLANNING SERVICES: DEPARTMENT LOCAL ECONOMIC DEVELOPMENT: REPORTING OF PERFORMANCE OF CONTRACTORS: QUARTERLY REPORT (JULY - DECEMBER 2025)

[English version of the report is the original]

FILE NUMBER

8/2/3/5/6

PURPOSE OF REPORT

To present a report to Council in terms of the contract and performance management of the Directorate: Economic Development and Planning Contractors (Local Economic Development) for the months July to September and October to December 2025.

BACKGROUND

S116 (2) of the Municipal Finance management Act (No.56 of 2003) states that:

The accounting officer of a municipality or municipal entity must –

1. take all reasonable steps to ensure that a contract or agreement procured through the supply chain management policy of the municipality of municipal entity is properly enforced;
2. monitor on a monthly basis the performance of the contract under the contract or agreement;
3. establish capacity in the administration of the municipality or municipal entity –
 - (i) to assist the accounting officer in carrying out the duties set out in paragraphs (a) and (b); and
 - (ii) to oversee the day-to-day management of the contract or agreement; and
4. regularly report to Council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contract.

DISCUSSION

The following reporting templates of contracts are attached to this document:

1. Upgrading of the Villiersdorp Transport Hub (Phase 3 A)
2. Tourism: Riaan Jordaan Marketing (Pty) Ltd

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

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The ineffective management of contracts can jeopardize the expenditure pattern of the organization and also create a scenario where the municipality does not get value for money.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Not applicable.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

Blockages as per attached.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council takes cognisance of the report.

RECOMMENDATION BY THE ECONOMIC DEVELOPMENT COMMITTEE TO THE EMC: 04 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor PJ Stander, and seconded by Councillor CA Benjamin it was recommended as follows:

- 1. The Economic Development Portfolio Committee noted the content of the report.**
- 2. That the EMC and Council take cognisance of the report.**

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman C Clayton, and seconded by Councillor H Linnerts it was recommended as follows:

That Council takes cognisance of the report.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council takes cognisance of the report.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously resolved as follows:

Council noted the report.

For finalization by the Director: Economic Development and Planning, Ms N Baliso.

ITEM TITLE

**C61/2026 DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING:
DEPARTMENT HUMAN SETTLEMENTS: QUARTERLY REPORT:
INFORMAL SETTLEMENTS: PERIOD 01 OCTOBER 2025 – 30
DECEMBER 2025**

[English version of the report is the original]

FILE NUMBER

17/7/4

PURPOSE OF REPORT

To present to Human Settlements and Planning Committee on the quarterly Informal Settlements Management report for the period from period 01 October 2025 – 30 December 2025.

BACKGROUND

The Human Settlements Department is responsible for; facilitating the development of low-cost housing subsidy programmes; implementing incremental approaches to informal settlement upgrading; managing the grants allocated for the purposes; supporting and containing the informal settlements growth through education projects and land management; educating consumers of our services through targeted housing consumer education programmes; providing security of tenure through the title deeds restoration programme.

Informal Settlements: Overview

Table 1

TOWN	NUMBER OF SETTLEMENTS	STRUCTURE COUNT
Grabouw	17	16 231
Villiersdorp	13	4203
Caledon	1	1 297
Botrivier	1	348
Myddleton	1	22
Riviersonderend	1	240
Greyton/Genadendal	4	265
Total	38	22 606

DISCUSSION

The appointment of a service provider for demolition service assisted significantly with the containment and control efforts by the Unit.

An area of great concern however is the small community of Freedom Farm Greyton who continue to prohibit staff from performing their duty. The safety of staff is becoming a serious concern.

We need the assistance of councillors to sensitise communities on the importance of containment. The expansion of informal settlements is a risk to development and provision of formal services to our communities.

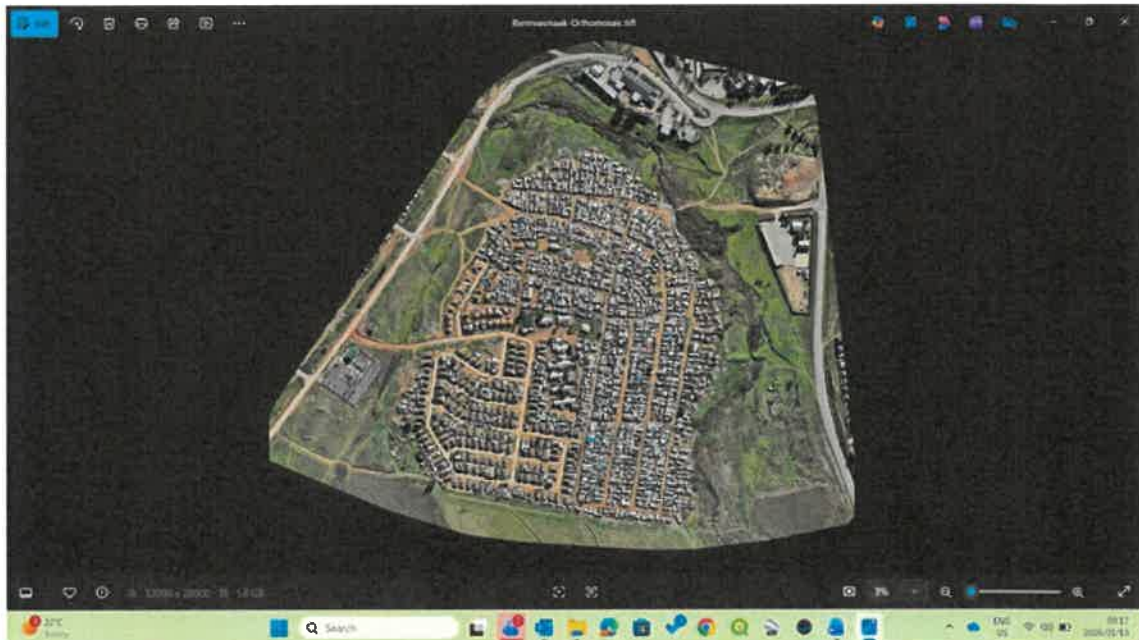
There is a noticeable increase of 226 structures in this quarter. Whilst this sounds alarming the increase is primarily due to the survey of portion of settlements that was not surveyed previously.

That Portfolio takes note of capacity challenges of the unit and our efforts to secure human resources through other means. Portfolio also notes that other Government and Municipal Departments are dependent on placement of Chrysalis Academy Graduates and placement is done by an external service provider. The unit requested the service provider to send us information on placement requests. The current collaboration did not yield the expected placement outcome, and engagement is ongoing to ensure we implement the initiative as intended.

DATABASE REFINING

The unit continues to explore innovative ways of improving data integrity and accuracy with limited resources. This remains a tedious task due to serious lack of human and other resources to effectively implement a project of this magnitude.

Our informal areas are vast, and the absence of technology increases the risk of error and data anomalies. The objective is to have credible data.



FIRE AND INCIDENT RESPONSE

The unit responded to 34 fires in various towns and distributed starter kits to the affected families. We have reached out to various stakeholders for assistance in terms of humanitarian aid.

The unit is exploring fire safety initiatives with communities to educate residents about the risk and hazards that can cause fires. This initiative will be dependent on the availability of the Disaster Management and the Overberg District Municipality Fire and Rescue Services.



Fire incidents	Area	Units
	Caledon	3
	Botrivier	3
	Genadendal / Greyton	2
	Villiersdorp	6
	Riviersonderend	1
	Grabouw	18
	Tesselaarsdal	1
Myddleton	0	

SURVEY PROJECT

This project is also stalling due to limited human resources. However, the increase in structures can contribute to various verification and random surveying by the unit.

DRONE PROGRAMME

The unit continues to explore opportunities for staff to be trained as licensed drone pilots. We are continuing engagements with our private and public sector stakeholders.

Demolition report

The unit in collaboration with Law Enforcement and the appointed services provider conducted various demolition operations in our areas. Most of the operations was planned operations and we managed to demolish a significant number of structures.

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A total of 44 structures were demolished for the previous reporting period and 36 for this period.

DEMOLITION REPORT	Area	Units
	Caledon	5
	Botrivier	0
	Genadendal / Greyton	6
	Villiersdorp	9
	Riviersonderend	0
	Grabouw	16
	Myddleton	0

Training of staff

Staff attended the Migration and Illegal Occupation of Land workshop/training that was hosted by the Property Management and Informal Settlements Units facilitated by SALGA.

Seven (6 permanent, 1 temporary) staff currently attend the disaster management training that commenced in August 2024 and completion in February 2027 that is hosted by the Provincial Disaster Management Centre.

Two (2) received in-house training on the internal financial system and project recons.

Staff are continuously encouraged to use the National School of Government platform to develop and refine their skills.

External Partnership

The partnership with Chrysalis Academy continues as we continue seeking alternatives to capacitate the unit with minimal contribution from the municipality financially.

The Unit also re-established the relationship with the Violence Protection Through Urban Planning NPC (VPUU) to assist the Municipality with a funding proposal for enumeration and the possible erection of container office within our Informal Settlements to serve the public more effectively and efficiently.

The unit remains under pressure, and the work distribution vs human capacity ratio is completely disproportionate.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

Not applicable.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Not applicable.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

Not applicable.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that the Human Settlements and Planning Committee note the quarterly Informal Settlements Report and activities.

RECOMMENDATION BY THE HUMAN SETTLEMENTS AND PLANNING COMMITTEE TO THE EMC: 04 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor P Stander, and seconded by Alderman BB Mkhwibiso, it was recommended as follows:

1. **The Human Settlements and Planning Committee noted the quarterly Informal Settlements Report and activities.**
2. **That the EMC and Council note the quarterly Informal Settlements Report and activities.**
3. **That Council review and reconsider with urgency the safety of Officials and the capacity challenge the Department faces in the execution of their duties.**
4. **That Councillors must assist in sensitizing Communities on the importance of containment and the risk it poses on the provision of emergency services to the communities.**

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts, and seconded by Alderman C Clayton it was recommended as follows:

1. **That the EMC noted the quarterly Informal Settlements Report and activities.**
2. **That the Council notes the quarterly Informal Settlements Report and activities.**

3. That Council review and reconsider with urgency the safety of Officials and the capacity challenge the Department faces in the execution of their duties.
4. That Councillors must assist in sensitizing Communities on the importance of containment and the risk it poses on the provision of emergency services to the communities.

RECOMMENDATION TO COUNCIL:

It is recommended:

1. That the EMC noted the quarterly Informal Settlements Report and activities.
2. That the Council notes the quarterly Informal Settlements Report and activities.
3. That Council review and reconsider with urgency the safety of Officials and the capacity challenge the Department faces in the execution of their duties.
4. That Councillors must assist in sensitizing Communities on the importance of containment and the risk it poses on the provision of emergency services to the communities.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman S Fredericks and seconded by Alderman MR Nongxaza it was resolved as follows:

1. Council noted the quarterly Informal Settlements Report and activities.
2. That Council reviewed and reconsidered with urgency the safety of Officials and the challenge the Department faces in the execution of their duties.
3. That Councillors must assist in sensitizing Communities on the importance of containment and the risk it poses on the provision of emergency services to the communities.

For finalization by the Director: Economic Development and Planning, Ms N Baliso.

ITEM TITLE

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**C62/2026 DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING:
DEPARTMENT HUMAN- AND INFORMAL SETTLEMENTS:
REPORTING OF PERFORMANCE OF CONTRACTORS:
QUARTERLY REPORT (OCTOBER - DECEMBER 2025)**

[English version of the report is the original]

FILE NUMBER

8/2/3/5/6

PURPOSE OF REPORT

To present a report to Council in terms of the contract and performance management of the Directorate: Economic Development and Planning Contractors (Human Settlements and informal Settlements) for the months October to December 2025.

BACKGROUND

Section 116(2) of the Municipal Finance Management Act, 2003 (Act 56 of 2003) states that the accounting officer of a municipality or municipal entity must:

Take all reasonable steps to ensure that a contract or agreement procured through the Supply Chain Management Policy of the municipality or municipal entity is properly enforced;

Monitor on a monthly basis the performance of the contract under the contract agreement;

Establish capacity in the administration of the municipality or municipal entity-

1. To assist the accounting officer in carrying out the duties set out in paragraphs(a) and (b); and
2. To oversee the day-to-day management of the contract agreement; and

Regularly report to Council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contract.

DISCUSSION

3.1 The following reporting templates of contracts are attached to this document:

- 3.1.1 Asla Construction – Villiersdorp Berg en Dal
- 3.1.2 Asla Construction – Villiersdorp Destiny Farm (708)
- 3.1.3 Asla Construction – Villiersdorp Destiny Fram Phase 2 (Electrification)
- 3.1.4 Asla Construction - Villiersdorp Destiny Fram Phase 3 (478)

- 3.1.5 Fanisa VC Construction&Projects – Riviersonderend Construction of 48 units
Joe Slovo
- 3.1.6 Vstate Holdings/Makhare Construction - Riviersonderend Construction of 48
units Joe Slovo
- 3.1.7 Siyakhatala Safety CC – Provision of Health and Safety Services
- 3.1.8 Asla Construction – Villiersdorp Greater Villierdorp
- 3.1.9 EGINEERING Advice and Services Western Cape – Caledon Riemvasmaak
Planning
- 3.1.10 EGINEERING Advice and Services Western Cape – Grabouw Greater Grabouw
- 3.1.11 Neil Lyners – Grabouw Hillside Civils
- 3.1.12 Inyameko Trading – Grabouw Hillside
- 3.1.13 Iliso Construction (pty) Ltd – Grabouw Rooidakke
- 3.1.14 IX Engineers – Greyton 595
- 3.1.15 IX Engineers – Beaumont Botrivier
- 3.1.16 EGINEERING Advice and Services Western Cape – Beaumont Botrivier TRA
- 3.1.17 Batsini - Beaumont Botrivier TRA
- 3.1.19 Security Consortium SA CC - Demolition of illegal structures
- 3.1.20 PHP Building Supplies – Supply and Delivery of Materials
- 3.1.21 Kruger & Blignaut - Evictions

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

The ineffective management of contracts can jeopardize the expenditure pattern of the organization and also create a scenario where the municipality does not get value for money.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Not applicable.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

Blockages as per attached.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council takes cognizance of the report.

RECOMMENDATION BY THE HUMAN SETTLEMENTS AND PLANNING COMMITTEE TO THE EMC: 04 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor P Stander, and seconded by Alderman CC Clayton it was recommended as follows:

That Council takes cognisance of the report.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously recommended as follows:

That Council takes cognisance of the report.

RECOMMENDATION TO COUNCIL:

It is recommended that Council takes cognizance of the report.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously resolved as follows:

Council noted the report.

For finalization by the Director: Economic Development and Planning, Ms N Baliso.

ITEM TITLE

**C63/2026 DIRECTORATE: ECONOMIC DEVELOPMENT AND PLANNING:
DEPARTMENT TOWN PLANNING AND BUILDING CONTROL:
REPORTING OF PERFORMANCE OF CONTRACTORS:
QUARTERLY REPORT (OCTOBER - DECEMBER 2025)**

[English version of the report is the original]

FILE NUMBER

8/2/3/5/6

PURPOSE OF REPORT

To present a report to Council in terms of the contract and performance management of the Directorate: Economic Development and Planning Contractors (Town Planning) for the months October to December 2025

BACKGROUND

Section 116(2) of the Municipal Finance Management Act, 2003 (Act 56 of 2003) states that the accounting officer of a municipality or municipal entity must:

Take all reasonable steps to ensure that a contract or agreement procured through the Supply Chain Management Policy of the municipality or municipal entity is properly enforced;

Monitor on a monthly basis the performance of the contract under the contract agreement;

Establish capacity in the administration of the municipality or municipal entity-

- a) To assist the accounting officer in carrying out the duties set out in paragraphs(a) and (b); and
- b) To oversee the day to day management of the contract agreement; and

Regularly report to Council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contract.

DISCUSSION

3.1 The following reporting templates of contracts are attached to this document:

3.1.1 Esri South Africa

October	November	December
Submitted	Submitted	Submitted

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

The ineffective management of contracts can jeopardize the expenditure pattern of the organization and also create a scenario where the municipality does not get value for money.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Not applicable.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

Not applicable.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council takes cognizance of the report.

RECOMMENDATION BY THE HUMAN SETTLEMENTS AND PLANNING COMMITTEE TO THE EMC: 04 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor P Stander, and seconded by Alderman BB Mkhwibiso it was recommended as follows:

That Council takes cognizance of the report.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously recommended as follows:

That Council takes cognizance of the report.

RECOMMENDATION TO COUNCIL:

It is recommended that Council takes cognizance of the report.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously resolved as follows:

Council noted the report.

For finalization by the Director: Economic Development and Planning, Ms N Baliso.

ITEM TITLE

C64/2026 ECONOMIC DEVELOPMENT AND PLANNING: DEPARTMENT TOWN PLANNING AND BUILDING CONTROL: EXEMPTION FROM PERMANENT DEPARTURE APPLICATION FEES FOR COUNCIL-BUILT HOMES ALLOCATED BETWEEN 1990 AND 2015

[English version of the report is the original]

FILE NUMBER

15/3/5;5/11/1

PURPOSE OF REPORT

To obtain Council approval for the following:

The exemption for allocated Council-built homes between 1990 and 2015 from the approved permanent departure application fee in terms of the tariff structure, who are regularising Council built houses due to side building line encroachments.

BACKGROUND

The Town Planning and Building Control Department has identified several cases where Council-built housing allocated between 1990 and 2015 are not aligned with the development parameters of the Theewaterskloof Zoning Scheme By-Law. This has led to dissatisfaction among owners, who are required to regularise their dwellings before the municipality can consider approving any proposed additions/improvements. These cases involve minor deviations from the side building line, often resulting from the deviation of the original construction layouts. The imposition of permanent departure tariffs in these instances places an undue financial burden on low-income households for building line encroachments they did not cause.

DISCUSSION

The regularisation of Council-built houses is a critical step in formalising tenure and ensuring compliance with municipal planning regulations. However, the financial implications of permanent departure tariffs—particularly for side building line deviations—have proven to be a barrier for many beneficiaries. These deviations are often historical in nature and not the result of deliberate non-compliance. Exempting affected beneficiaries from these tariffs would promote equitable access to land use rights, support tenure security, and align with the municipality's commitment to inclusive development.

This exemption demonstrates Council's dedication to correcting errors that originated from the Municipal Housing Project.

COMMENTS FROM THE DIRECTORATE FINANCE

The municipality is under FRP and s139 (a) intervention - the department needs to quantify the potential revenue foregone to assist the council in implementing the decision or endorsing the recommendation of the author - (The rand value should be determined).

COMMENTS FROM THE DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING (HUMAN SETTLEMENT)

The submission is supported, as the exemption will unlock timely building plan approvals and ultimately contribute to increased property rates and long-term municipal revenue.

ADDITIONAL COMMENTS FROM ITEM AUTHOR

The author acknowledges the comments made by the CFO. However, it is not possible to quantify the potential loss of income at this stage, as the municipality does not possess all the historic building plans necessary to verify the errors. In certain cases, the historic plans correctly indicate the location of dwellings, but these are situated closer to the boundary.

It should be noted that the loss per application amounts to R234. Applicants are still required to pay building scrutiny fees, which are generally higher than the departure application fee. In addition, property rates continue to increase, ensuring sustained long-term municipal revenue following the approval of the building plans.

In conclusion, this item seeks to rectify a council error. The placement of dwellings on-site is not attributable to the beneficiaries, but rather to the contractors appointed by the Council.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

The permanent departure tariff applicable to erven smaller than 350m² is R234. However, the department is unable to quantify the full financial implications of granting the exemption, as the exact number of affected cases is unknown and currently managed on an ad-hoc basis.

It should be noted that granting the exemption will expedite the permanent departure process, unlock timely building plan approvals and ultimately contribute to increased property rates and long-term municipal revenue.

LEGAL IMPLICATIONS (ITEM AUTHOR)

At this point in time, there are no risks identified with the implementation of the above exemption.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

At this point in time, there are no risks identified with the implementation of the above exemption.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council exempts allocated Council-built homes between 1990 and 2015 from the approved permanent departure application fee in terms of the tariff structure, who are regularising Council built houses due to side building line encroachments.

RECOMMENDATION BY MANAGEMENT TO HUMAN SETTLEMENTS AND PLANNING COMMITTEE: 08 DECEMBER 2025

It is recommended that Council exempts allocated Council-built homes between 1990 and 2015 from the approved permanent departure application fee in terms of the tariff structure, who are regularising Council built houses due to side building line encroachments.

RECOMMENDATION BY THE HUMAN SETTLEMENTS AND PLANNING COMMITTEE TO THE EMC: 04 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman BB Mkhwibiso, and seconded by Councillor P Stander it was recommended as follows:

That Council exempts allocated Council-built homes between 1990 and 2015 from the approved permanent departure application fee in terms of the tariff structure, who are regularising Council built houses due to side building line encroachments.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts, and seconded by Alderman C Clayton it was recommended as follows:

That Council exempt allocated Council-built homes between 1990 and 2015 from the approved permanent departure application fee in terms of the tariff structure, who are regularising Council built houses due to side building line e

RECOMMENDATION TO COUNCIL:

It is recommended that Council exempts allocated Council-built homes between 1990 and 2015 from the approved permanent departure application fee in terms of the tariff structure, who are regularising Council built houses due to side building line encroachments.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman DA Appel and seconded by Alderman S Fredericks it was resolved as follows:

Council exempts allocated Council-built homes between 1990 and 2015 from the approved permanent departure application fee in terms of the tariff structure, who are regularising Council built houses due to side building line encroachments.

For finalization by the Director: Economic Development and Planning, Ms N Baliso.

ITEM TITLE

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**C65/2026 DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING:
DEPARTMENT HUMAN SETTLEMENTS: DRAFT STANDARD
OPERATING PROCEDURES**

[English version of the report is the original]

FILE NUMBER

17/7/2/B

PURPOSE OF REPORT

The aim of the report is to inform Management, Portfolio Committee, EMC and Council of amendments to the Informal Settlement Management Standard Operating Procedure and request that the amended SOP be adopted as strategy for informal settlements operations.

BACKGROUND

The Municipality continues to experience a huge spike in the erection of illegal structures within the current informal settlements. Migration into the area and the agriculture community not offering accommodation and eviction has resulted in our informal areas becoming overcrowded and crime havens. This phenomenon comes with a series of challenges and with the financial position of the Municipality combined with the insufficient staff component of the unit, it becomes and almost impossible to manage and contain these areas in an effective and efficient manner with the current scope of documents/framework.

DISCUSSION

There are currently 37 informal settlements in the Municipality, with an estimated 22 000 informal structures and an estimated population of 83 600 based on the Statistics South Africa norm. The dynamics in our areas are of such a nature that people construct after hours and on weekends outside of Municipal operating hours, and the visibility is not as high as per normal during working hours.

The demand for housing is our biggest challenge and shack farmers use this as an opportunity to enter the informal rental market and exploit the already vulnerable resident of the Municipality.

The informal settlements current documents adopted by Council are complex, not easily adaptable and difficult to implement. To ensure that all staff are utilised in an efficient and effective manner, especially in light of the current state of scarce Municipal resources, a need has been identified to amend the existing Standard Operating Procedures (SOP) previously approved by Council.

The Directorate has developed new draft SOPs, using the existing documents as referral and baseline. The new draft Standard Operating Procedure (SOP) for

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Scouting, Patrolling, Monitoring for Land Invasion, and Demolition of Illegal Structures on Government, Municipal, and Private Land and Standard Operating Procedure (SOP) for the Management of Informal Settlements in Theewaterskloof Municipality are submitted for approval as attached and are written in a format that is easy to interpret for staff and user friendly. They will also be workshopped to staff when approved. These documents will be used to manage and monitor performance as roles and responsibilities are defined.

The SOPs will be reviewed after a year, and any unintended consequences will be identified. Learnings from this process will be used to draft a new strategy for informal settlements management.

COMMENTS FROM THE OFFICE OF THE MUNICIPAL MANAGER

The recommendations are supported.

COMMENTS FROM THE DIRECTORATE FINANCE

None.

COMMENTS FROM THE DIRECTORATE CORPORATE SERVICES

Item supported.

COMMENTS FROM THE DIRECTORATE TECHNICAL AND INFRASTRUCTURE IMPLEMENTATION SERVICES

The draft standard operating procedures are noted.

COMMENTS FROM THE DEPARTMENT ELECTRICAL SERVICES

None.

COMMENTS FROM THE DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING (HUMAN SETTLEMENT)

Item supported.

COMMENTS FROM THE DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING

Item is supported to serve for adoption by management and other council committees.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

Not applicable.

LEGAL IMPLICATIONS (ITEM AUTHOR)

As per the MFMA.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

As per Containment Plan.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Management, Portfolio Committee, EMC, and Council notes and adopts the new draft Standard Operating Procedure (SOP) for Scouting, Patrolling, Monitoring for Land Invasion, and Demolition of Illegal Structures on Government, Municipal, and Private Land and Standard Operating Procedure (SOP) for the Management of Informal Settlements in Theewaterskloof Municipality as Standard Operating Procedures for the unit.

RECOMMENDATION BY MANAGEMENT TO THE HUMAN SETTLEMENTS AND PLANNING COMMITTEE: 29 AUGUST 2025

1. Management noted the report.
2. It is recommended that the Portfolio Committee, EMC, and Council notes and adopt the new draft Standard Operating Procedure (SOP) for Scouting, Patrolling, Monitoring for Land Invasion, and Demolition of Illegal Structures on Government, Municipal, and Private Land and Standard Operating Procedure (SOP) for the Management of Informal Settlements in Theewaterskloof Municipality as Standard Operating Procedures for the unit.

RECOMMENDATION BY HUMAN SETTLEMENTS AND PLANNING COMMITTEE TO EMC: 05 NOVEMBER 2025

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor TP Lemina, and seconded by Alderman BB Mkhwibiso, it was recommended as follows:

1. The Human Settlements and Planning Portfolio Committee noted and adopted the new draft Standard Operating Procedure (SOP) for scouting Patrolling, Monitoring for Land Invasion, and Demolition of Illegal Structures on Government, Municipal, and Private Land and Standard Operating Procedure (SOP) for the Management of Informal Settlements in Theewaterskloof Municipality as Standard Operating Procedures for the unit.
2. That awareness campaigns be conducted with the Informal settlement committees on the demolishing of structures and the roles of responsibilities.

RECOMMENDATION BY THE EMC TO A COUNCIL WORKSHOP: 18 NOVEMBER 2025

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously recommended as follows:

1. That Council notes and adopts the new draft Standard Operating Procedure (SOP) for scouting Patrolling, Monitoring for Land Invasion, and Demolition of Illegal Structures on Government, Municipal, and Private Land and Standard Operating Procedure (SOP) for the Management of Informal Settlements in Theewaterskloof Municipality as Standard Operating Procedures for the unit.
2. That awareness campaigns be conducted with the Informal settlement committees on the demolishing of structures and the roles and responsibilities.

RECOMMENDATION BY COUNCIL WORKSHOP TO COUNCIL: 20 JANUARY 2026

It is recommended:

1. That Council notes and adopts the new draft Standard Operating Procedure (SOP) for scouting Patrolling, Monitoring for Land Invasion, and Demolition of Illegal Structures on Government, Municipal, and Private Land and Standard Operating Procedure (SOP) for the Management of Informal Settlements in Theewaterskloof Municipality as Standard Operating Procedures for the unit.
2. That awareness campaigns be conducted with the Informal settlement committees on the demolishing of structures and the roles and responsibilities.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman S Fredericks and seconded by Alderman C Clayton it was resolved as follows:

1. Council noted and adopts the new draft Standard Operating Procedure (SOP) for scouting Patrolling, Monitoring for Land Invasion, and Demolition of Illegal Structures on Government, Municipal, and Private Land and Standard Operating Procedure (SOP) for the Management of Informal Settlements in Theewaterskloof Municipality as Standard Operating Procedures for the unit.
2. That awareness campaigns be conducted with the Informal settlement committees on the demolishing of structures and the roles and responsibilities.

For finalization by the Director: Economic Development and Planning, Ms N Baliso.

ITEM TITLE

**C66/2026 DIRECTORATE COMMUNITY SERVICES: DEPARTMENT
OPERATIONS: LAUNCH OF WESTERN CAPE WATER
RESILIENCE STRATEGY**

[English version of the report is the original]

FILE NUMBER

16/1/1/B

PURPOSE OF REPORT

The purpose of this item is to inform Management and Council about the Western Cape Water Resilience Strategy that was launched on Friday 31 October 2025 by the Western Cape Provincial Government. The launch was attended by the Municipal Manager and the Deputy Director of Operations.

BACKGROUND

The Western Cape Government has launched a comprehensive Water Resilience Strategy for the next 10 years (2025 to 2035) and aimed at securing the province's water future through equitable access, sustainable management of water sources, innovation and partnerships that meet the needs of all users. The strategy is to ensure that every community, farm, business and ecosystem has reliable, sustainable and equitable access to water. The strategy must also be seen as an economic, social and moral compact to ensure that every person, business and every ecosystem has access to water in a way that is sustainable, fair and future focused.

Water is the foundation of economic growth and can enable economic growth of about R1-trillion by 2035 in the Western Cape. By securing the water future of the Western Cape, further investment can be unlocked and ensure that every community and business has sustainable water resources to thrive on. This can build resilience, create jobs and restore dignity to our communities.

Resilience cannot be built after a crisis; it must be built before a crisis can occur. The strategy will shift the province from crisis response to proactive long-term planning.

DISCUSSION

The strategy is built on the following principles:

1. Governance and Accountability:

To ensure integrated, transparent governance with clearly defined mandates and active stakeholder participation, fostering transparency and mutual accountability.

2. Equity and Access:

To ensure equitable safe, reliable and affordable access to water and sanitation across all user groups and sectors.

3. Responsible Water Use:

To promote efficient, just, and transparent use of water through demand management, reduced losses, appropriate allocation and adaptive management.

4. Resource Stewardship:

To protect the ecological infrastructure including wetlands, riparian zones and strategic water source areas. To guarantee fit-for-purpose affordable water that supports economic growth, sustainable development and environmental integrity.

The 10-year plan sets out the following focus areas:

1. Focus Area 1: Water Conservation and Demand Management-

- c) To conserve 40 million m³/a through efficiency and demand management by 2035.
- d) Reduction of municipal water losses to 15%.
- e) Reduction of average residential water consumption to 160l/c//d

2. Focus Area 2: Water Augmentation:

- 1. Securing an additional 310 million m³/a of water by 2035.
- 2. Ensure 100% of municipalities have diversified water supply sources by 2035.

3. Focus Area 3: Infrastructure Development and Maintenance:

- f) 100% of municipalities to have updated water master plans by 2035.
- g) 100% municipalities to have updated asset management plans by 2035.
- h) 100% of urban residents have access to safely managed water.

4. Focus Area 4: Governance:

- i) 80% of municipalities to obtain a =95% Green Drop score by 2035.
- j) 80% of municipal water supply systems to obtain a =95% Blue Drop score by 2035.
- k) 80% of municipalities to obtain No Drop certification by 2035.
- l) Reduce average municipal Non-Revenue Water losses to <25% across the province.
- m) 100% of municipalities to have updated water use and sanitation by-laws aligned to WCWRS (Western Cape Water Supply Systems Reconciliation Strategy) and enforceable water tariff structures and restrictions by 2035.
- n) 100% of Water Services Authorities (municipalities that is legally responsible for providing water and sanitation services in their area of jurisdiction) to have updated Statutory Documents (WSDP's, WUL etc.) in place by 2035.

The key interventions of the focus areas will be (but not limited):

FOCUS AREA	OBJECTIVE	KEY PROJECTS AND INTERVENTIONS	LINKED TRANSFERSAL RISKS
1. Water Augmentation	To increase and diversify water supply	<ul style="list-style-type: none"> • Desalination – coastal areas • Groundwater extraction • Raising Clanwilliam- and Voël vlei dams • Waste water reuse • Ecological infrastructure (wetlands restoration, alien clearing) 	Reduce rainfall, supply deficits, ecological degradation
2. Conservation and Demand Management	Improve efficiency and reduce water losses	<ul style="list-style-type: none"> • Smart water metering • Leak detection systems • Drip irrigation and precision agriculture • Behavioural change campaigns • Grey water systems and water wise design 	Inefficient water use, high non-revenue water, urbanisation.
3. Infrastructure Development and Maintenance	Modernise, expand and decentralise infrastructure	<ol style="list-style-type: none"> 1. Breede-Voëlvlei bulk upgrades 2. Sediment removal in major dams 3. Stormwater harvesting and recharge 4. Community-scale systems (rural and informal settlements) 5. Smart tech real-time monitoring, flood sensors 	Ageing infrastructure, informal growth, flood and drought exposure
4. Governance	Strengthening coordination, financing and partnerships	<ol style="list-style-type: none"> 1. Provincial Water Governance Structure (DLG led) 2. Water Funds and PPP's 3. Capacity support to municipalities 4. Climate change aligned planning and reporting 5. International partnerships 	Institutional fragmentation, unfunded mandates and weak local capacity

There needs to be an alignment across the different spheres of government between the National Department of Water and Sanitation, Climate Change Act and the National Water Resource Strategy (NWRS-3), the Provincial Strategic Plan of the Western Cape, Growth for Jobs Strategy and the Western Cape Water Supply

System Reconciliation Strategy and local municipalities Water Services Development Plans, By-laws and implementation of strategies.

There needs to be a proper response to disaster events by shifting from crisis firefighting to foresight through the effective use of Asset Management Plans and Contingency Plans. Disaster response needs to be a more pro-active response by:

- System Redundancy
- Water banking
- Diversification of water resources
- Early warning radar/dashboard systems
- Rainfall gauge and monitoring
- Water Catchment restorations

Reactive responses to disasters can be:

- Provision of portable water tankers
- Emergency repairs
- Water restrictions during low levels of water sources
- System failure response

The implementing phases and interventions will be:

Phase	Time frame	Key Activities	Outputs	Outcomes
Phase 1: Planning	2025	Development of the town-based water resilience (WR) implementation plans to inform provincial and national APP's and budgeting as well as municipal WSDP's, IDP's and budgets.	Approved pipeline of priority projects	Streamlined adopted Water Resilience Implementation Plan
Phase 2: Capacity and Data Systems	2025 - 2026	Build municipal/provincial technical capacity	Skilled teams and functioning monitoring systems	Enhanced Institutional technical capacity
Phase 3: Implement Water Resilience Plans	2026 - 2030	Implementation of adopted Water Resilience Implementation Plan	Resilient infrastructure	Enhanced access to safe water for all users and Enhanced and efficient water and sanitation service delivery
		Monitoring and Evaluation	Updated progress reports and Water	Updated progress tracking and reporting

			Resilience Dashboard	
Phase 4: Review	2030	Review of Water Resilience Strategy	Revised WRS	Up to date strategy alignment to policy and targets
Phase 5: Realigned Implementation	2023 - 2035	Implement updated projects aligned to the reviewed strategy	Completed projects achieved reviewed targets	Achieved WRS

Climate change will have a severe effect on water resilience and must not be underestimated. It will influence water security, and we did experience water scarcity during the drought of 2017-2018 year, when Cape Town nearly reach Day-Zero and start running out of water supply. Theewaterskloof were also severely affected and have to imposed severe water restrictions during that period. Globally the world is getting warmer, and we experience those certain parts of the world getting wetter with the rising temperatures and other parts of the world getting dryer with more heat waves and decreased rainfall patterns.

Future long term weather predictions for the Western Cape region are that heat waves will increase and expected rainfall events will decrease. There will also be a decrease in cold weather extremes, and the western parts of the province will experience drier weather patterns. More hot days means that water resources will be under more pressure from consumers. Lower rainfall patterns means that there will be lower run-off water to river basins and water catchment areas will have smaller yields. More evaporation of water storage dams will increase due to warmer weather patterns.

Ecosystems conservation infrastructure needs to be protected like wetlands as it contributes to water security and the eradication of alien vegetation to increase water run-off to river systems and water catchment areas.

In summary, for the TWK municipality needs to be aligned with the WCWRS, and the following interventions need to be prioritized to be implemented:

4. Reduction in water losses to 15% by 2035
5. Reduction of water consumption to 160 liters per consumer per day by 2035
6. Diversify water supply resources
7. Updated Water Master Plans by 2035
8. Updated Asset Management Plans by 2035
9. =95% Green Drop score by 2035
10. =95% Blue Drop score by 2035
11. Achieve a No Drop certification by 2035
12. Reduce non-revenue water losses to <25%
13. Updated water use and sanitation by-laws
14. Enforceable water tariff structure and water restrictions
15. Updated all statutory documents like the Water Services Development Plans etc.

16. Protecting ecological infrastructure
17. Introduce smart water metering, leak detection systems and grey water usage
18. Campaigns to change human behavioral towards water usage
19. Smart tech for real time monitoring of water usage and early leak detection
20. Build institutional capacity within the municipality for the implementation of the strategy
21. Introduction of climate-aligned planning
22. Develop town based WR implementation plans and identify projects for implementation
23. Make provision each financial year for the implementation of WR plans and ring-fence operational- and capital funding for the implementation of the plans
24. Pro-active response to disaster events
25. Alien vegetation control in river catchment areas

Water is life, and no human or animal or plant can live without water.

COMMENTS: OFFICE OF THE MUNICIPAL MANAGER

Recommendations are supported.

COMMENTS FROM THE DIRECTORATE FINANCE

Any funds budgeted must be in line with the FRP.

COMMENTS FROM THE DIRECTORATE CORPORATE SERVICES

Supported.

COMMENTS FROM THE DIRECTORATE TECHNICAL AND INFRASTRUCTURE IMPLEMENTATION SERVICES

We had a meeting with DWS, DLG and the Consultants regarding this strategy. We support the recommendation.

COMMENTS FROM THE DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING

The establishment of the Water Resilience Strategy is noted, and it is recommended that TWK priorities the no / little cost phased towards its implementation, until the financial situation of the Municipality improves.

**COMMENTS FROM THE DIRECTORATE COMMUNITY SERVICES
(OPERATIONAL)**

That Management and Council note the contents of the report and support the implementation roll-out of the Water Resilience Strategy including its commitment by 2035.

That due consideration be given and the funding be prioritised for implementation of key interventions as deemed necessary in line with WSIG, IDP and related policy frameworks and strategy and legislation through the appropriate funding mechanisms and in line with Section 139: Financial Recovery Plan.

COMMENTS FROM THE TOWN MANAGER: GRABOUW

Noted.

COMMENTS FROM THE TOWN MANAGER: VILLIERSDORP

The content of the report is noted.

COMMENTS FROM THE TOWN MANAGER: RIVIERSONDEREND

Support recommendation.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

Provision needs to be made in the operational- and capital budgets for the outer financial years for the implementation of the WRS and to build internal institutional capacity to be able to meet the targets that are set for 2035.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Alignment across spheres of government regarding legislation, strategic plans, submission of required statutory documents and implementation plans.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

Lack of institutional capacity and lack of funding to implement the WRS by 2035.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended:

- 1. That Management and Council take note of the content of the report.**
- 2. That Council supports the roll out and implementation of the WRS.**
- 3. That Council be committed to achieve the outcomes of the strategy by 2035.**

4. That a sufficient budget be approved in the outer financial years to ensure the implementation of the strategy and to be compliant by 2035.

RECOMMENDATION BY MANAGEMENT TO COMMUNITY SERVICES COMMITTEE: 08 DECEMBER 2025

1. Management noted the content of the report.

It is recommended:

2. That Council supports the roll out and implementation of the WRS.
3. That Council be committed to achieve the outcomes of the strategy by 2035.

RECOMMENDATION BY THE COMMUNITY SERVICES COMMITTEE TO EMC: 10 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts and seconded by Councillor D Jacobs, it was recommended as follows:

1. The Community Services Portfolio Committee noted the content of the report.

It is recommended:

2. That Council supports the roll out and implementation of the WRS.
3. That Council be committed to achieve the outcomes of the strategy by 2035.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts, and seconded by Alderman M Plato-Mentoor it was recommended as follows:

1. The EMC noted the content of the report.

It is recommended:

2. That Council supports the roll out and implementation of the WRS.
3. That Council be committed to achieve the outcomes of the strategy by 2035.

RECOMMENDATION TO COUNCIL:

It is recommended:

1. That Council notes the content of the report.

2. That Council supports the roll out and implementation of the WRS.
3. That Council be committed to achieve the outcomes of the strategy by 2035.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman DA Appel and seconded by Councillor H Linnerts it was resolved as follows:

1. Council noted the content of the report.
2. Council supports the roll out and implementation of the WRS.
3. Council is committed to achieving the outcomes of the strategy by 2035.

For finalization by the Director: Community Services, Mr WSE Solomons-Johannes.

ITEM TITLE

C67/2026 DIRECTORATE COMMUNITY SERVICES: REPORTING ON PERFORMANCE OF CONTRACTORS - 2nd QUARTER REPORT (OCTOBER - DECEMBER 2025)

[English version of the report is the original]

FILE NUMBER

8/2/3/5/4

PURPOSE OF REPORT

To present a report to Council in terms of the contract and performance management of the contractors of Community Services department for the 2nd Quarter (October - December 2025). This serves to ensure the municipality receives value for money and the contracts are completed on time and within the approved budget.

BACKGROUND

S116 (2) of the Municipal Finance management Act (No.56 of 2003) states that: The accounting officer of a municipality or municipal entity must:

1. Take all reasonable steps to ensure that a contract or agreement procured through the supply chain management policy of the municipality of municipal entity is properly enforced;
2. Monitor on a monthly basis the performance of the contract under the contract or agreement;
3. Establish capacity in the administration of the municipality or municipal entity:
 - (i) to assist the accounting officer in carrying out the duties set out in paragraphs (a) and (b); and
 - ii) to oversee the day-to-day management of the contract or agreement; and
4. regularly report to Council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contracts

DISCUSSION

DEPARTMENTS/ TOWN OFFICES	October 2025	November 2025	December 2025
GRABOUW TOWN OFFICE	Submitted	No Contracts to report on for this period	No Contracts to report on for this period
BOTRIVIER TOWN OFFICE	No Contracts to report on for this period	No Contracts to report on for this period	No Contracts to report on for this period
RSE TOWN OFFICE	No Contracts to report on for this period	Submitted	Submitted
VILLIERSDORP TOWN OFFICE	Submitted	Submitted	Submitted
CALEDON TOWN OFFICE	No Contracts to report on for this period	No Contracts to report on for this period	No Contracts to report on for this period
GREYTON GENADENDAL	No Contracts to report on for this period	No Contracts to report on for this period	No Contracts to report on for this period
SUSTAINABLE DEVELOPMENT	No Contracts to Report on for this period	No Contracts to Report on for this period	No Contracts to Report on for this period
FLEET MANAGEMENT	Submitted	Submitted	Submitted
PUBLIC SAFETY	Submitted	Submitted	Submitted
ENVIRONMENT AND DISASTER MANAGEMENT	No Contracts to Report on for this period	No Contracts to Report on for this period	No Contracts to Report on for this period

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

Can be found in checklists attached as Annexures. It can be costly to the municipality if reporting is not done correctly.

WETLIKE IMPLIKASIES (ITEM OUTEUR)/LEGAL IMPLICATIONS (ITEM AUTHOR)

Chapter 8 Municipal Finance Management Act. 56 of 2003.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

None.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that the Council takes cognisance of the report.

**RECOMMENDATION BY THE COMMUNITY SERVICES COMMITTEE TO EMC:
10 FEBRUARY 2026**

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts and seconded by Councillor D Jacobs, it was recommended as follows:

That Council takes cognizance of the report.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously recommended as follows:

That Council takes cognizance of the report.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that the Council takes cognisance of the report.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously resolved as follows:

Council noted the report.

For finalization by the Director: Community Services, Mr WSE Solomons-Johannes.

ITEM TITLE

C68/2026 DIRECTORATE COMMUNITY SERVICES: DEPARTMENT PUBLIC SAFETY: THE IMPLEMENTATION OF THE ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES ACT (AARTO)

[English version of the report is the original]

FILE NUMBER

17/2/11

PURPOSE OF REPORT

The purpose of this item is to provide the Portfolio Committee with the latest developments regarding the National Roll-out of the Administrative Adjudication of Road Traffic Offences (AARTO) Act and the subsequent withdrawal of key proclamations and regulations in late 2025.

BACKGROUND

The purpose of the AARTO Act, amongst others, is to promote quality, safety and discipline in road traffic by providing for a scheme to discourage road traffic contraventions, facilitate the adjudication of road traffic infringements, and implement a points demerit system that is supported by a rehabilitation programme. During the 2021/22 financial year, the RTIA, through the AARTO Master Implementation Plan (AMIP), conducted IA readiness assessments within the 67 issuing authorities in preparation for the AARTO national rollout.

Executive Summary of the Latest Developments

Despite earlier communications indicating a phased national roll-out starting 1 December 2025, there has been a significant reversal in the legislative timeline:

- **Withdrawal of Commencement Proclamation:** On 28 November 2025, President Cyril Ramaphosa issued Proclamation Notice 301 of 2025, which officially withdrew Proclamation 274 of 2025 (originally published on 1 August 2025).
- **Withdrawal of Regulations:** Simultaneously, the Minister of Transport, Barbara Creecy, issued Government Notice No. R. 6890 on 28 November 2025, withdrawing the AARTO Regulations of 2025 (Notice No. 6782 of 31 October 2025).
- **Current Standing:** As it stands, the planned implementation for "Phase 2" on 1 December 2025 has been halted.

Advice from the Overberg District Municipal Manager (MM) Forum

Mr. Richard Bosman, Municipal Manager of the Overberg District Municipality, has taken a leading role in advising municipalities within the district. His formal advice regarding the current situation is as follows:

- **Suspension of Training/Seminars:** Due to the withdrawal of the regulations by the Minister of Transport, municipalities are advised **not to attend costly seminars** (such as those offered by Alta Swanepoel and Associates) until new regulations are officially published for public comment and finalized. Working through withdrawn or draft regulations is currently viewed as serving no purpose.
- **Financial Prudence:** Given the high per-person cost of these seminars, this advice is intended to prevent fruitless and wasteful expenditure during this period of legislative uncertainty.

DISCUSSION

The Road Traffic Infringement Agency/Authority (RTIA) is in the process of finalising preparations for the full implementation of the AARTO Act nationwide. During the virtual special AARTO National Steering Committee (ANSC) meeting held on 11 July 2025, the Department of Transport confirmed that the President had signed the AARTO Proclamation, which was subsequently published under Gazette Number 53099 on 01 August 2025. IMPLEMENTATION OF THE ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES (AARTO) ACT, 46 OF 1998 AS AMENDED

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The national implementation of AARTO will therefore follow a phased approach as outlined below:

- a) Phase 2: 01 December 2025 is the date by which the said Act will come into operation within the 69 metropolitan and municipal areas as per Annexure A of Proclamation Notice 272 of 2025
- b) Phase 3: 01 April 2026 is the date by which the said Act will come into operation within the remaining 144 municipal areas as per Annexure B of Proclamation Notice 272 of 2025 and
- c) Phase 4: 01 September 2026 is the date on which the Points Demerit System for identified fatal contraventions will come into operation throughout all the municipalities in the country.

COMMENTS FROM THE DIRECTORATE CORPORATE SERVICES

Supported.

COMMENTS FROM THE DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING (HUMAN SETTLEMENT)

Item is noted.

COMMENTS FROM THE DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING

Noted.

**COMMENTS FROM THE DIRECTORATE COMMUNITY SERVICES
(OPERATIONAL)**

Take note of the updated report regarding the implementation of AARTO, and support the recommendation.

**COMMENTS FROM THE DIRECTORATE COMMUNITY SERVICES (PUBLIC
SAFETY)**

As requested from the Executive Mayor at the Mayoral Committee Member (Executive Mayoral Committee) on Tuesday 13 January 2026, the report is submitted to Community Services, Mayoral Committee and Council that the contents be noted.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

- 1. Budgetary Gaps:** Implementation was initially set for 1 December 2025, which fell mid-budget cycle. There was no existing budget for AARTO-related costs involving the South African Post Office (SAPO) or Government Printing Works (GPW).
- 2. Revenue Risks:** Under AARTO, municipalities lose significant control over fine collection. For instance, if an infringer pays at a different Issuing Authority (IA), that IA retains a 3% fee, and the remainder is disbursed via the RTIA, leading to potential delays and reduced local revenue.
- 3. SAPO Reliability:** Serious concerns exist regarding the capacity of SAPO (currently in business rescue) to handle the volume of AARTO notices.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Sec 17(1) of the AARTO Act;
Criminal Procedure Act, 1977 (Act No. 51 of 1977).

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

None.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that the Theewaterskloof Municipality:

- 1. Note the formal withdrawal of the AARTO Proclamation and Regulations as of 28 November 2025.**
- 2. Adhere to the guidance of the Overberg District MM and suspend all paid training related to the withdrawn October 2025 regulations.**
- 3. Await the publication of new draft regulations for public comment before committing further resources.**
- 4. Monitor the responses from the Department of Mobility regarding the readiness and financial safeguards required for Western Cape municipalities.**

**RECOMMENDATION BY THE COMMUNITY SERVICES COMMITTEE TO EMC:
10 FEBRUARY 2026**

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts and seconded by Councillor D Jacobs, it was recommended as follows:

1. That Theewaterskloof Municipality note the formal withdrawal of the AARTO Proclamation and Regulations as of 28 November 2025.
2. That Theewaterskloof Municipality adhere to the guidance of the Overberg District MM and suspend all paid training related to the withdrawn October 2025 regulations.
3. That Theewaterskloof Municipality await the publication of new draft regulations for public comment before committing further resources.
4. That Theewaterskloof Municipality monitor the responses from the Department of Mobility regarding the readiness and financial safeguards required for Western Cape municipalities.
5. The Community Services Committee noted the tender irregularities for tender COM01/2025/2026.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously recommended as follows:

1. That Theewaterskloof Municipality note the formal withdrawal of the AARTO Proclamation and Regulations as of 28 November 2025.
2. That Theewaterskloof Municipality adhere to the guidance of the Overberg District MM and suspend all paid training related to the withdrawn October 2025 regulations.
3. That Theewaterskloof Municipality await the publication of new draft regulations for public comment before committing further resources.
4. That Theewaterskloof Municipality monitor the responses from the Department of Mobility regarding the readiness and financial safeguards required for Western Cape municipalities.
5. The EMC noted the tender irregularities for tender COM01/2025/2026, which tender was written to accommodate AARTO implementation and Council will be guided by the Supply Chain Management process followed.
6. That a presentation be presented at the Council Meeting of 27 February 2026 regarding the AARTO implementation in Theewaterskloof Municipality.

RECOMMENDATION TO COUNCIL:

It is recommended:

- 1. That Theewaterskloof Municipality note the formal withdrawal of the AARTO Proclamation and Regulations as of 28 November 2025.**
- 2. That Theewaterskloof Municipality adhere to the guidance of the Overberg District MM and suspend all paid training related to the withdrawn October 2025 regulations.**
- 3. That Theewaterskloof Municipality await the publication of new draft regulations for public comment before committing further resources.**
- 4. That Theewaterskloof Municipality monitor the responses from the Department of Mobility regarding the readiness and financial safeguards required for Western Cape municipalities.**
- 5. The EMC noted the tender irregularities for tender COM01/2025/2026, which tender was written to accommodate AARTO implementation and Council will be guided by the Supply Chain Management process followed.**

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor Y van Tonder and seconded by Councillor H Linnerts it was resolved as follows:

- 1. The Council of Theewaterskloof Municipality noted the formal withdrawal of the AARTO Proclamation and Regulations as of 28 November 2025.**
- 2. That Theewaterskloof Municipality adhere to the guidance of the Overberg District MM and suspend all paid training related to the withdrawn October 2025 regulations.**
- 3. That Theewaterskloof Municipality await the publication of new draft regulations for public comment before committing further resources.**
- 4. That Theewaterskloof Municipality monitor the responses from the Department of Mobility regarding the readiness and financial safeguards required for Western Cape municipalities.**
- 5. Council noted the tender irregularities for tender COM01/2025/2026, which tender was written to accommodate AARTO implementation and Council will be guided by the Supply Chain Management process followed.**

For finalization by the Director: Community Services, Mr WSE Solomons-Johannes.

ITEM TITLE

C69/2026 DIRECTORATE COMMUNITY DEVELOPMENT: DEPARTMENT DISASTER AND ENVIRONMENTAL MANAGEMENT: THE ROLE AND ESTABLISHMENT OF ENVIRONMENTAL MANAGEMENT IN THE LOCAL GOVERNMENT, WITH SPECIFIC PURPOSE TO THEEWATERSKLOOF LOCAL MUNICIPALITY

[English version of the report is the original]

FILE NUMBER

17/11/3/1

PURPOSE OF REPORT

On 24 August 2015 an Environmental Legal Protocol Document was established to showcase (including Category C) Municipalities the establishment of an Environmental Department within their own capacity and the layout of the different Environmental functionalities in such a department. The function of this Document is to bring the Environmental Legal Protocol document under the intention of Theewaterskloof Municipality and stipulate the Department's environmental functionality as suggested by SALGA and Environmental affairs. The National Department of Forestry, Fisheries and the Environment (DFFE) (formerly known as the Department of Environmental Affairs) together with the South African Local Government Association (SALGA) drafted the aforesaid Environmental Legal Protocol document.

The role of the environmental mandate of local government is echoed in various statutes. However, although the municipal environmental mandate is firmly entrenched in several acts, uncertainty and somewhat confusion still remains with regards to the associated local government environmental functions. To this end the environmental legal protocol has also been structured to address the aforesaid, by clearly defining and therefore clarifying the local government's mandate with regards to environmental management as well as the range, and scope of environmental functions performed by municipalities.

The information provided in the Environmental Legal Protocol is primarily intended to frame the legislated environmental roles and responsibilities of local government (i.e. municipalities). Furthermore, in addition to identifying the cost drivers and associated costs for local government to execute / fulfil its environmental functions, the overarching objectives of the Revised Environmental Legal Protocol (dated August 2015) is threefold in that it seeks to:

1. Clarify local government's environmental management mandate along with the range, and scope of municipal environmental functions;
2. Determine Key Performance Indicators in relation to municipal environmental roles and responsibilities and how these functions are clearly budgeted for and funded; and

3. Define a basket of environmental functions common across each of the categories of municipalities.

Taking the aforesaid into account, this document serves to facilitate Theewaterskloof Municipality's ongoing endeavours to ensure that the municipality remains conversant with its legislative environmental mandate and that it familiarises itself with the proposed Prototype Organizational Environmental Management Structure for Municipalities (as proposed by the DFFE and SALGA). It is important to note that the current revised Environmental Legal Protocol also serves to inform an Implementation Protocol to be developed in terms of the Intergovernmental Relations Framework Act No. 13 of 2005.

BACKGROUND

The DFFE together with SALGA has taken note of the various factors which could hinder municipalities from optimally fulfilling its legislative environmental mandate. The objective of the Local Government Indaba on Environment, which was convened in 2009, was to gather key challenges faced by municipalities in complying with environmental sustainability requirements of existing legislation, policies, strategies and programmes and jointly identify priority areas of action. The significant evolution of South African Environmental Legislation has also brought about the refinement and increased significance of the role of local government in Environmental Management.

Although Theewaterskloof Municipality has begun the journey to instill an organisational reform which is conducive to achieving its environmental mandate and responsibilities, it is important to note that the numerous environmental legislated municipal roles necessitate and calls for the establishment of a municipal environmental division. This is furthermore emphasised by the proposed Prototype Organisational Environmental Management Structure for Municipalities which is included in the Environmental Legal Protocol Document.

The afore said Indaba paved the way for a series of workshops which were held by the DFFE and SALGA (of which Theewaterskloof Municipality attended) and the drafting of the subsequent working document (Environmental Legal Protocol). As previously mentioned, the protocol provides guidance to local government which regards the functions of its environmental division in accordance with several existing environmental statutes (acts, regulations, etc.), including but not limited to:

- Local Government: Municipal Systems Act 32 of 2000;
- The Constitution of the Republic of South Africa, 1996;
- The Environment Conservation Act No.73 of 1998;
- The Local Government: Municipal Structures Act No.117 of 1998;
- The National Environmental Management: Air Quality Act No. 39 of 2004, and the Regulations thereunder;
- The National Environmental Management Act No. 107 of 1998 (as amended), and the Regulations thereunder;
- The National Environmental Management: Biodiversity Act No. 10 of 2004;
- The National Environmental Management: Protected Areas Act No. 57 of 2003;

- The National Environmental Management: Waste Act No. 59 of 2008 (as amended) and the Regulations thereunder; and
- The Spatial Planning and Land Use Management Act No. 16 of 2013.

Following the Revised Environmental Legal Protocol, an Implementation Protocol will be developed by the relevant stakeholders in terms of the Intergovernmental Relations Framework Act No. 13 of 2005. The Department of Cooperative Governance and Traditional Affairs has indicated that in due time, organisational structures to which spheres of government (including local government) must adhere to and institute will be gazetted. It is therefore anticipated that increased pressure will be exerted on municipalities to adopt the proposed (current prototype) environmental organisational structure. It should be noted that the cost of the Municipal Environmental Function will also be incorporated in the final Environmental Legal Protocol and will consider (in consultation with the National Department of Treasury) possible existing municipal funding mechanisms which could be utilised to fund the Environmental Management Roles and Responsibilities.

DISCUSSION

1. The purpose of the Environmental Legal Protocol is:
2. to clarify the local government mandate for Environmental Management;
2. to clarify the range, and scope of environmental functions performed by municipalities;
3. to define a basket of environmental functions that are common across each of the categories of municipalities;
4. to determine key performance indicators in relation to municipal environmental roles and responsibilities;
5. to determine how these functions are clearly budgeted for and funded; and
6. to identify the cost drivers and associated costs for performing the environmental functions.
7. Proposed thematic areas of roles and responsibilities for Environmental Departments:

Although the legislated mandate (and therefore municipal mandatory environmental functions) is stipulated in legislation, for ease of reference these functions can be grouped according to the following thematic areas:

1. Overall Environmental Governance;
2. Air Quality Management;
3. Waste and Chemicals Management;
2. Environmental Impact Management;
3. Conservation and Biodiversity;
4. Marine and Coastal Management; and
5. Water and Sanitation.
3. Theewaterskloof Municipality

As the custodian of the environment in the jurisdiction of Theewaterskloof Municipality, it has a legal duty of environmental management and environmental protection.

Whilst the Theewaterskloof Municipality does have an existing Environmental Department, there seems to be an apparent lack of recognition and acknowledgement of the Environmental Department and the functionality of it. This in turn may result in non-compliance with the legislated mandatory environmental functions as well as the associated legal implications.

Given that the mandatory legislated environmental management function of local government is clearly stipulated in a number of statutes as well as in the Environmental Legal Protocol document, such roles are therefore not discretionary (i.e. optional / flexible). The operation of the municipal environmental department is therefore aligned with legislative prescripts and cannot therefore not be altered / manipulated according to the wishes of the municipality. The environmental protocol clearly stipulates the way in which each of these sections must function according to designated functions.

COMMENTS FROM DIRECTORATE

Noted.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

As the Theewaterskloof Municipality does have an existing established Environmental Department no initial financial implications are anticipated for the time being.

LEGAL IMPLICATIONS (ITEM AUTHOR)

For Theewaterskloof Municipality to adhere to the Environmental Legal Protocol as per attached document and meets its legislative responsibilities.

The acknowledgement of the fundamental role that the municipal environmental department plays and that its functionalities are incorporated in the Integrated Development Plan of the Municipality.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

None.

RECOMMENDATION BY ITEM AUTHOR:

Taking the aforesaid into account it is recommended that the:

- 1. Theewaterskloof Municipality take note and familiarizes itself with the Revised Environmental Legal Protocol across each municipal department; and**
- 2. Theewaterskloof Municipality takes cognisance of and acknowledge the environmental function, roles and responsibilities of the existing Environmental Department as aligned with the Environmental Legal Protocol.**

WAY FORWARD

3. For Theewaterskloof Municipality to manage and maintain the existing Environmental Department according to the Environmental Legal Protocol, ensuring that all environmental legislative transcripts are adhered to.

RESOLVED BY MANAGEMENT: 07 MARCH 2022

It is resolved that the Agenda-item be referred back and that Mr. W Solomons-Johannes discusses the item with Mr. J Viljoen.

1. *That the Agenda-item be referred back.*
2. *For finalization by the Acting Director: Community Services, Mr. W Solomons-Johannes.*

RECOMMENDATION BY MANAGEMENT TO COMMUNITY SERVICES PORTFOLIO COMMITTEE: 29 JANUARY 2026

Taking the aforesaid into account it is recommended that the:

1. Theewaterskloof Municipality take note and familiarizes itself with the Revised Environmental Legal Protocol across each municipal department; and
2. Theewaterskloof Municipality takes cognisance of and acknowledge the environmental function, roles and responsibilities of the existing Environmental Department as aligned with the Environmental Legal Protocol.

WAY FORWARD

3. For Theewaterskloof Municipality to manage and maintain the existing Environmental Department according to the Environmental Legal Protocol, ensuring that all environmental legislative transcripts are adhered to.

RECOMMENDATION BY THE COMMUNITY SERVICES COMMITTEE TO EMC: 10 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts and seconded by Councillor D Jacobs, it was recommended as follows:

Taking the aforesaid into account it is recommended that the:

1. Theewaterskloof Municipality take note and familiarizes itself with the Revised Environmental Legal Protocol across each municipal department; and

2. Theewaterskloof Municipality takes cognisance of and acknowledge the environmental function, roles and responsibilities of the existing Environmental Department as aligned with the Environmental Legal Protocol.

WAY FORWARD

3. For Theewaterskloof Municipality to manage and maintain the existing Environmental Department according to the Environmental Legal Protocol, ensuring that all environmental legislative transcripts are adhered to.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts and seconded by Alderman C Clayton, it was recommended as follows:

Taking the aforesaid into account it is recommended that the:

1. Theewaterskloof Municipality take note and familiarizes itself with the Revised Environmental Legal Protocol across each municipal department; and
2. Theewaterskloof Municipality takes cognisance of and acknowledge the environmental function, roles and responsibilities of the existing Environmental Department as aligned with the Environmental Legal Protocol.

WAY FORWARD

3. For Theewaterskloof Municipality to manage and maintain the existing Environmental Department according to the Environmental Legal Protocol, ensuring that all environmental legislative transcripts are adhered to.

RECOMMENDATION TO COUNCIL:

Taking the aforesaid into account it is recommended that the:

1. Theewaterskloof Municipality take note and familiarizes itself with the Revised Environmental Legal Protocol across each municipal department; and
2. Theewaterskloof Municipality takes cognisance of and acknowledge the environmental function, roles and responsibilities of the existing Environmental Department as aligned with the Environmental Legal Protocol.

WAY FORWARD

3. For Theewaterskloof Municipality to manage and maintain the existing Environmental Department according to the Environmental Legal Protocol, ensuring that all environmental legislative transcripts are adhered to.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor Y van Tonder and seconded by Councillor H Linnerts it was resolved as follows:

1. Theewaterskloof Municipality noted and familiarizes itself with the Revised Environmental Legal Protocol across each municipal department; and
2. Theewaterskloof Municipality noted and acknowledged the environmental function, roles and responsibilities of the existing Environmental Department as aligned with the Environmental Legal Protocol.

WAY FORWARD

3. For Theewaterskloof Municipality to manage and maintain the existing Environmental Department according to the Environmental Legal Protocol, ensuring that all environmental legislative transcripts are adhered to.

For finalization by the Director: Community Services, Mr WSE Solomons-Johannes.

ITEM TITLE

**C70/2026 DIRECTORATE COMMUNITY SERVICES: REPORTING ON
PERFORMANCE OF THREE-YEAR TENDER CONTRACTORS -
2nd QUARTER REPORT (OCTOBER TO DECEMBER 2025)**

[English version of the report is the original]

FILE NUMBER

8/2/3/5/4

PURPOSE OF REPORT

To present a report to Council in terms of the contract and performance management of the contractors of Community Services department for the 2nd Quarter (October - December 2025). This serves to ensure the municipality receives value for money and the contracts are completed on time and within the approved budget.

BACKGROUND

S116 (2) of the Municipal Finance management Act (No.56 of 2003) states that: The accounting officer of a municipality or municipal entity must:

1. Take all reasonable steps to ensure that a contract or agreement procured through the supply chain management policy of the municipality of municipal entity is properly enforced;
2. Monitor on a monthly basis the performance of the contract under the contract or agreement;
3. Establish capacity in the administration of the municipality or municipal entity:
 - (i) to assist the accounting officer in carrying out the duties set out in paragraphs (a) and (b); and
 - ii) to oversee the day-to-day management of the contract or agreement; and
4. regularly report to Council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contracts

DISCUSSION

COMM 01/2023/24– Supply and Delivery of PPE

	October 2025	November 2025	December 2025
PIENAAR BROTHERS	Submitted	Submitted	Submitted
TJH PROPERTY INVESTMENTS	Submitted	Submitted	Submitted

TCS 06/2023/24 - Supply, Implementation and Management of a Computerized Traffic Contravention Management System (TCMSC) With Call Centre Module for the Processing of Traffic – And Law Enforcement Offences and The Provision of Operational Support and Maintenance from the Date of Appointment 01 February 2024 to 30 June 2026

	October 2025	November 2025	December 2025
TOTAL COMPUTER SERVICES (PTY) LTD	Submitted	Submitted	Submitted

COMM 04/2025/26 - Supply and Delivery of Chemicals

	November 2025	December 2025
CHLORCAPE PTY LTD	Submitted	Submitted
2 ACS SERVICE PTY LTD	Submitted	Submitted
CHEMCAPE PTY LTD	Submitted	Submitted
CHEMTOLL PTY LTD	Submitted	Submitted
DEEFOUR	Submitted	Submitted
LEAFFIX	Submitted	Submitted

COMM 05/2025/26 - The Provision of Security Services for Theewaterskloof Municipality: Guarding, Alarm Installation, Monitoring and Response from date of Appointment to 30 June 2028.

	November 2025	December 2025
SIBAKULU TRADING (PTY) LTD	Submitted	Submitted

COMM 03/2025/26 - Supply and Delivery of Black Bags for the period from appointment date until 20 June 2028

	November 2025	December 2025
EEKO KLEEN HUB	Submitted	Submitted
ORTELL CIVILS	Submitted	Submitted
SIBAKULU TRADING (PTY) LTD	Submitted	Submitted

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

Can be found in checklists attached as Annexures. It can be costly to the municipality if reporting is not done correctly.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Chapter 8 Municipal Finance Management Act. 56 of 2003.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

None.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that the Council takes cognisance of the report.

RESOLVED BY THE COMMUNITY SERVICES COMMITTEE: 10 FEBRUARY 2026

It was unanimously resolved that the agenda-item be referred back and that the amended contract reporting schedule regarding (a) Pienaar Brothers (Pty) Ltd for the supply and delivery of PPE; (b) Sibakulu Trading (Pty) Ltd for the provision of security services; (c) Total Computer Services (Pty) Ltd for the supply, implementation and management of computerized traffic contravention management system and (d) any other amended contract reporting schedules be presented at a Virtual Special Community Services Committee Meeting scheduled for Friday, 13 February 2026 at 09:00.

**RECOMMENDATION BY THE COMMUNITY SERVICES COMMITTEE TO EMC:
13 FEBRUARY 2026**

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts and seconded by Councillor C Smith, it was recommended as follows:

- 1. The Community Services Committee is satisfied with the corrections made to the contract reporting of (a) Pienaar Brothers (Pty) Ltd for the supply and delivery of PPE; (b) Sibakulu Trading (Pty) Ltd for the provision of security services; (c) Total Computer Services (Pty) Ltd for the supply, implementation and management of computerized traffic contravention management system.**
- 2. It is recommended that Council takes cognizance of the report.**

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously recommended as follows:

That Council takes cognizance of the report.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that the Council takes cognisance of the report.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously resolved as follows:

Council noted the report.

For finalization by the Director: Community Services, Mr WSE Solomons-Johannes.

ITEM TITLE

**C71/2026 DIRECTORATE COMMUNITY SERVICES: DEPARTMENT
SUSTAINABLE DEVELOPMENT: GRANT-IN-AID POLICY**

[English version of the report is the original]

FILE NUMBER

5/6/2/2/B

PURPOSE OF REPORT

This item serves before Council to approve the edited Grant-In-Aid Policy.

BACKGROUND

The objective of the Grant-in-Aid Policy is to, (when funds are available and no Cost Containment intervention is in place), complement the goals, objectives, programmes and actions of the Theewaterskloof Municipality in order to create sustainable, credible and caring towns by empowering and building communities and enhancing growth and sharing through partnerships.

DISCUSSION

Grants in Aid should improve the opportunity for the Municipality to elicit the support of external organizations to deliver those services to communities that fall within the Municipality's area of responsibility in a way that allows the Municipality to create an enabling environment for community development and partnerships.

The Executive Mayor, Executive Deputy Mayor and also the Speaker all get a Grant-In-Aid budget in their respective votes and therefore have the authority to support applications that they will receive.

COMMENTS FROM THE OFFICE OF THE MUNICIPAL MANAGER

Recommendation supported.

COMMENTS FROM THE DIRECTORATE CORPORATE SERVICES

Amended Policy supported.

COMMENTS FROM THE DEPARTMENT ELECTRICAL SERVICES

None.

COMMENTS FROM THE DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING (HUMAN SETTLEMENT)

Noted.

COMMENTS FROM THE DIRECTORATE ECONOMIC DEVELOPMENT AND PLANNING

Item noted.

COMMENTS FROM THE DIRECTORATE COMMUNITY SERVICES (OPERATIONAL)

Support the recommendations and amendments to the Policy.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

Section 32 of the MFMA.

Section 17(3)(j) of the MFMA.

Section 67 of the MFMA.

LEGAL IMPLICATIONS (ITEM AUTHOR)

- (a) Constitution of the Republic of South Africa, 1996 as amended (Constitution);
- (b) Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) as amended (MSA);
- (c) Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)(MFMA)

COMMENTS FROM INTERNAL AUDIT

No comments.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

Not applicable.

COMMENTS FROM LEGAL SERVICES

The policy must be workshopped with council.

COMMENTS FROM RISK MANAGEMENT

Noted the content of the item.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that the edited version of the Grant-In-Aid Policy BE APPROVED.

DISCUSSION DURING COUNCIL MEETING: 02 SEPTEMBER 2024

Alderman MR Nongxaza proposed the recommendation as is per agenda-item.

Alderman BB Mkhwibiso request that a second point be added to the recommendation that a Workshop must be scheduled for the Grant-In Aid Policy.

Proposal was seconded by Alderman BB Mkhwibiso.

Alderman LM de Bruyn submit the following Counter-proposal.

We can't support the Grant-In Aid Policy as it was not discussed at a Management Meeting.

Counter-proposal was seconded by Alderman S Fredericks.

The voting process started, and each councillor indicated whether they vote for 1. Proposal by Alderman MR Nongxaza and seconded by Alderman BB Mkhwibiso or 2. Counter-proposal by Alderman LM de Bruyn seconded by Alderman S Fredericks.

The result of the voting process is as follows:

Proposal by Alderman MR Nongxaza and seconded by Alderman BB Mkhwibiso = 15 votes.

Counter Proposal by Alderman LM de Bruyn and seconded by Alderman S Fredericks = 12 votes.

RESOLVED BY COUNCIL: 02 SEPTEMBER 2024

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman MR Nongxaza and seconded by Alderman BB Mkhwibiso, it was resolved as follows:

- 1. Council approved the edited version of the Grant-In-Aid Policy.**
- 2 That a Workshop be scheduled to discuss the Grant-In Aid Policy.**

Refer to Council Policy Workshop for discussion.

RESOLVED BY WORKSHOP: 22 JANUARY 2025

1. As Council already approved the edited version of the Grant-In-Aid Policy during the Council Meeting of 02 September 2024, the policy be amended and represented to Council for approval.

2. The amendments are the following:

2.1 Paragraph 14.1:

The Adjudication Committee must, if required when warranted or when necessary, will consist of the Executive Mayor; Executive Deputy Mayor; Speaker or other Councillors as designated; one Councillor of the Opposition Party, the Municipal Manager, Chief Financial Officer as well as any other official the Committee may wish to include.

2.2 Paragraph 14.4:

The Adjudication Committee must submit quarterly reports to the Council of the Municipality containing details of each final award made, including:

-
-

2.3 Paragraph 9 – when the Adjudication Committee will consider “Quick Wins” which is ward-based, the Ward Councillors must be invited.

1. Policy be amended and resubmission to Council.
2. For finalization by the Director: Community Services, Mr. WSE Solomons-Johannes.

COMMENTS BY ITEM AUTHOR:

Corrections have been made on the Grant in Aid policy, as resolved by Council on the 22 January 2025.

Changes have been incorporated into paragraph 14.1, 14.4.

Paragraph 14.1.1 was created to address the inclusion of ward Councillors in the adjudication committee, when considering proposals related to quick-wins projects in their respective wards.

RECOMMENDATION BY MANAGEMENT TO A COUNCIL WORKSHOP: 07 OCTOBER 2025

1. As Council already approved the edited version of the Grant-In-Aid Policy during the Council Meeting of 02 September 2024, the policy be amended and represented to Council for approval.

2. The amendments are the following:

2.1 Paragraph 14.1:

The Adjudication Committee must, if required when warranted or when necessary, consist of the Executive Mayor; Executive Deputy Mayor; Speaker or other Councillors as designated; one Councillor of the Opposition Party, the Municipal Manager, Chief Financial Officer as well as any other official the Committee may wish to include.

2.2 Paragraph 14.4:

The Adjudication Committee must submit quarterly reports to the Council of the Municipality containing details of each final award made, including:

-
-

2.3 Paragraph 9 – when the Adjudication Committee will consider “Quick Wins” which is ward-based, the Ward Councillors must be invited.

RECOMMENDATION BY WORKSHOP TO COUNCIL: 20 JANUARY 2026

It was recommended as follows:

1. That Paragraph 14.1 be amended to read as follows: “The Adjudication Committee must consist of the Executive Mayor, Executive Deputy Mayor, the Speaker or other Councillors as designated; one Councillor from the official Opposition Party, the Municipal Manager, Chief Financial Officer, Director Community Services, Fund Administrator and Manager: Sustainable Development, as well as any other official the Committee wish to include.
2. That an Executive Fund vote per financial year be included in the budget which is limited to the Executive Mayor – 50% of the fund in the vote; Deputy Executive Mayor and Speaker – 25% of the fund in the vote each.
3. That “Quick wins” be removed from this policy – Paragraph 9.2; and Paragraph 14.1.1. Quick wins remain with the towns; must be separated from Grant-in-Aid Policy and must be ring-fenced. Ward Councillor, PR Councillor and Town Manager to decide how the funds will be used. Policy must be developed regarding the spending of Quick wins. Input of Ward Committees must also be obtained.

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman DA Appel and seconded by Alderman BB Mkhwibiso it was resolved as follows:

1. That Paragraph 14.1 be amended to read as follows: “The Adjudication Committee must consist of the Executive Mayor, Executive Deputy Mayor, the Speaker or other Councillors as designated; one Councillor from the official Opposition Party, the Municipal Manager, Chief Financial Officer, Director Community Services, Fund Administrator and Manager: Sustainable Development, as well as any other official the Committee wish to include.
2. That an Executive Fund vote per financial year be included in the budget which is limited to the Executive Mayor – 50% of the fund in the vote; Deputy Executive Mayor and Speaker – 25% of the fund in the vote each.
3. That “Quick wins” be removed from this policy – Paragraph 9.2; and Paragraph 14.1.1. Quick wins remain with the towns; must be separated from Grant-in-Aid Policy and must be ring-fenced. Ward Councillor, PR Councillor and Town Manager to decide how the funds will be used. Policy must be developed regarding the spending of Quick wins. Input of Ward Committees must also be obtained.

For finalization by the Director: Community Services, Mr WSE Solomons-Johannes.

ITEM TITLE**C72/2026 DIRECTORATE FINANCE: DISPOSAL OF ASSETS***[English version of the report is the original]***FILE NUMBER**

6/1/1/4

PURPOSE OF REPORT

To obtain the Council's approval for the disposal of assets.

BACKGROUND

The Community Services and Technical Department conducted an assessment on their respective assets of which municipal fleet was identified as vehicles that are no longer economical to operate or repair. The survey confirmed that certain vehicles have reached the end of their useful life cycle and are beyond economical repair. As a result, these vehicles have been classified as redundant and are recommended for disposal together with copper cable off cuts identified by the electrical department.

The list has been consolidated and must be presented to the Council for consideration and approval, in compliance with Section 14 (Disposal of Capital Assets) of the Municipal Finance Management Act (MFMA)

The intention is to dispose of said assets in the form of a public auction.

A list of such assets is attached (Annexure "A"). Although the current carrying value is depicted in the attachment it should not be assumed as a reserve price offering.

DISCUSSION

None.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

All the assets have been paid for. The Council will save on further insurance premium and depreciation (as well as other related expenses).

LEGAL IMPLICATIONS (ITEM AUTHOR)

In terms of Section 14 (2) of the MFMA:

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

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

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

None.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council approves the disposal of assets per Annexure "A".

RECOMMENDATION BY THE FINANCE COMMITTEE TO EMC: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts and seconded by Councillor C Benjamin it was recommended as follows:

That Council approves the disposal of assets per Annexure "A".

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor CT Cloete and seconded by Councillor H Linnerts it was recommended as follows:

That Council approves the disposal of assets per Annexure "A".

RECOMMENDATION TO COUNCIL:

It is recommended that Council approves the disposal of assets per Annexure "A".

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor CT Cloete and seconded by Councillor H Linnerts it was resolved as follows:

Council approves the disposal of assets per Annexure "A".

For finalization by the Acting Director: Finance, Mr A Riddles.

ITEM TITLE

**C73/2026 DIRECTORATE FINANCE: DEPARTMENT SUPPLY CHAIN
MANAGEMENT: DEVIATION REPORT FOR JANUARY 2026**

[English version of the report is the original]

FILE NUMBER

6/3/3/6

PURPOSE OF REPORT

To present a report to Council consisting of the reasons for deviating in terms of subparagraphs 36(1)(a) and (b) of the SCM Policy for the month of January 2026.

Please note that there were no deviations for the month of January 2026.

BACKGROUND

The Accounting Officer may –

- a) dispense with the official procurement processes established by this Policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only –
 - (i) in an emergency; (An emergency is an unforeseeable sudden event with harmful or potential harmful consequences for the municipality which requires urgent action to address.)

Circumstances that warrant emergency dispensation, includes but are not limited to –

- a) the possibility of human injury or death,
- b) the prevalence of human suffering or deprivation of rights,
- c) the possibility of damage to property, or suffering and death of livestock and animals, the interruption of essential services, including transportation and communication facilities or support services critical to the effective functioning of the municipality as a whole, the possibility of serious damage occurring to the natural environment,
- d) the possibility that failure to take necessary action may result in the municipality not being able to render an essential community service,
- e) the possibility that the security of the state could be compromised.

The prevailing situation, or imminent danger, should be of such a scale and nature that it could not readily be alleviated by interim measures, in order to allow time for the formal tender process.

- (i) if such goods or services are produced or available from a single source or sole provider only (as per definition);
 - (ii) for the acquisition of special works of art or historical objects where specifications are difficult to compile;
 - (iii) acquisition of animals for zoos and/or nature and game reserves; or
 - (iv) in any other exceptional case where it is impractical or impossible to follow the official procurement processes;
 - (v) ad-hoc repairs to plant and equipment where it is not possible to ascertain the nature or extent of the work required in order to call for bids; and
- b) ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.

DISCUSSION

The report in terms of subparagraph 36(1)(a) can be found attached. Also note that the Accounting Officer did not ratify minor breaches of the procurement process in terms of subparagraph 36(1)(b).

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

As per attachment.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Regulation 36 of the Supply Chain Management Policy.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

Not applicable.

RECOMMENDATION BY ITEM AUTHOR:

It is recommended that Council takes cognisance of the report.

RECOMMENDATION BY THE FINANCE COMMITTEE TO EMC: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously recommended as follows:

That Council takes cognisance of the report.

RECOMMENDATION BY THE EMC TO COUNCIL: 17 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor CT Cloete and seconded by Councillor H Linnerts it was recommended as follows:

That Council takes cognizance of the report.

RECOMMENDATION TO COUNCIL:

It is recommended that Council takes cognisance of the report.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, it was unanimously resolved as follows:

Council noted the report.

For finalization by the Acting Director: Finance, Mr A Riddles.

ITEM HEADING**C74/2026 MUNICIPAL PUBLIC ACCOUNTS COMMITTEE: DIRECTORATE FINANCE: REPORTED ON UNAUTHORISED EXPENDITURE FOR 2022/2023 AND 2023/2024 FINANCIAL YEAR**

[English version of the report is the original]

FILE NUMBER

6/3/1/5/1

PURPOSE / AIM OF REPORT

The purpose of this report is to inform the MPAC committee of Unauthorised Expenditure for 2022/23 and 2023/24 financial years.

BACKGROUND

Unauthorised Expenditure in the amount of R 104 357 068.00 (2022/2023) and R 49 370 445.00 (2023/2024) as disclosed per note 57.1 of the audited Annual Financial Statements.

DISCUSSION

Unauthorised expenditure is defined in section 1 of the MFMA as follows:

“unauthorised expenditure”, in relation to a municipality, means any expenditure incurred by a municipality otherwise than in accordance with section 15 or 11(3), and includes—

- (a) overspending of the total amount appropriated in the municipality’s approved budget;
- (b) overspending of the total amount appropriated for a vote in the approved budget;
- (c) expenditure from a vote unrelated to the department or functional area covered by the vote;
- (d) expenditure of money appropriated for a specific purpose, otherwise than for that specific purpose;
- (e) spending of an allocation referred to in paragraph (b), (c) or (d) of the definition of “allocation” otherwise than in accordance with any conditions of the allocation;
or
- (f) a grant by the municipality otherwise than in accordance with this Act.

Section 32 of the Municipal Finance Management Act (MFMA), No. 56 of 2003 states the following:

“(1) Without limiting liability in terms of the common law or other legislation

- 1. a political office-bearer of a municipality is liable for unauthorised expenditure if that office-bearer knowingly or after having been advised by the accounting officer of the municipality that the expenditure is likely to result in unauthorised expenditure, instructed an official of the municipality to incur the expenditure;*
- 2. the accounting officer is liable for unauthorised expenditure deliberately or negligently incurred by the accounting officer, subject to subsection (3);*
- 3. any political office-bearer or official of a municipality who deliberately or negligently committed, made or authorised an irregular expenditure, is liable for that expenditure; or*
- 4. any political office-bearer or official of a municipality who deliberately or negligently made or authorised a fruitless and wasteful expenditure is liable for that expenditure.*

(2) A municipality must recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure unless the expenditure—

1. in the case of unauthorised expenditure, is—

(i) authorised in an adjustments budget; or

(ii) certified by the municipal council, after investigation by a council committee, as irrecoverable and written off by the council;

COMMENTS FROM DIRECTORATE

Breakdown of expenditure was attached.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

The unauthorised expenditure of R 104 357 068.00 (2022/2023) and R 49 370 445.00 (2023/2024) has been recorded in the financial statements. Management should ensure that reoccurrence is prevented

LEGAL IMPLICATIONS (ITEM AUTHOR)

Section 32 of the MFMA

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

Failing to manage unauthorised expenses in accordance with the MFMA could result in Council Losing money and not receiving value for money. However, in this case Council did not suffer any losses or damages and received value for money.

-

RECOMMENDATION BY ITEM AUTHOR:

It is therefore recommended that, in the view of the fact that there is no reason to suspect fraud, Council has received value for money, Council did not suffer any loss and as there are no grounds for a claim against any official, the unauthorised expenditure in the amount of R104 357 068 be written off for the financial year 2022/2023 and the amount of R49 370 445.00 be written off for the financial year 2023/2024.

RECOMMENDATION BY MANAGEMENT TO THE FINANCE COMMITTEE: 08 MAY 2025

It is therefore recommended that, in the view of the fact that there is no reason to suspect fraud, Council has received value for money, Council did not suffer any loss and as there are no grounds for a claim against any official, the unauthorised expenditure in the amount of R104 357 068 be written off for the financial year 2022/2023 and the amount of R49 370 445.00 be written off for the financial year 2023/2024.

RECOMMENDATION FROM MPAC TO COUNCIL: 11 JUNE 2025

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor P Stander, and seconded by Councillor M Botes it was recommended as follows:

That the agenda-item be referred to Council for an investigation in terms of Section 106 of the Local Government Municipal Systems Act, 2000.

RESOLVED BY COUNCIL: 27 JUNE 2025

Council noted that the agenda-item has been withdrawn and will not be discussed during the meeting.

Agenda-item be referred to MPAC for consideration.

RESOLVED BY MPAC: 26 AUGUST 2025

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor M Botes, and seconded by Councillor T Zimmermann it was resolved as follows:

- 1. That the agenda item be referred back.**
- 2. That the Department Finance must submit a complete list of all the unauthorized expenditure for the financial year 2022/2023 and 2023/2024 at the next MPAC Meeting.**

- 1. Agenda-item referred back.*
- 2. For finalization by the Director: Finance, Mr P Mabhena.*

COMMENTS BY ITEM AUTHOR:

Complete list of all the unauthorized expenditure for the financial year 2022/2023 and 2023/2024 is attached.

RECOMMENDATION BY ITEM AUTHOR:

It is therefore recommended that, in the view of the fact that there is no reason to suspect fraud, Council has received value for money, Council did not suffer any loss and as there are no grounds for a claim against any official, the unauthorised expenditure in the amount of R104 357 068 be written off for the financial year 2022/2023 and the amount of R49 370 445.00 be written off for the financial year 2023/2024.

RECOMMENDATION BY MPAC TO COUNCIL: 05 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor PJ Stander, and seconded by Councillor D Jacobs it was recommended as follows:

That, in the view of the fact that there is no reason to suspect fraud, Council has received value for money, Council did not suffer any loss and as there are no grounds for a claim against any official, the unauthorised expenditure in the amount of R104 357 068 be written off for the financial year 2022/2023 and the amount of R49 370 445.00 be written off for the financial year 2023/2024.

RECOMMENDATION TO COUNCIL:

It is therefore recommended that, in the view of the fact that there is no reason to suspect fraud, Council has received value for money, Council did not suffer any loss and as there are no grounds for a claim against any official, the unauthorised expenditure in the amount of R104 357 068 be written off for the financial year 2022/2023 and the amount of R49 370 445.00 be written off for the financial year 2023/2024.

DISCUSSION DURING THE MEETING: 27 FEBRUARY 2026

The Municipal Manager, Mr W Hendricks, requested that the agenda-item be withdrawn and indicated that it will be resubmitted in the correct format, as the wording of the current item was incorrect.

Councillor PJ Stander - The agenda-item will just go back for the wording. They use a standard recommendation. Only the wording must change, then the agenda-item will come back to Council. It is a budget related item. Will not go back to MPAC. Just administration to correct the wording.

Mr W Hendricks - I have requested the Legal Department and Provincial Treasury to guide me on this. This is not a legal opinion. Mr R Jongh from Provincial Treasury advised that it is clear the recommendation is not sound in law or judgement. This matter is referred back to MPAC and Council and also Provincial Treasury to make any decisions in this regard. Council must be careful not to condone financial misconduct. This recommendation puts you in a harmful way.

Alderman DA Appel - This agenda-item was at MPAC on the 05th of February 2026 and MPAC made a recommendation to Council. Don't agree that the agenda-item be referred back. We as council can approve this agenda-item and only change the wording. We are entitled to fix the wording. MPAC is an oversight committee of Council. There were senior managers at the MPAC meeting, and the recommendation is like all the previous ones. We must be honest here with each other about why we want to refer this agenda-item back.

Mr W Hendricks – If you receive value for money for everything what must you write off? This is contradicted and that's why I want to refer it back. This is a general standard recommendation. I was not at the meeting so I couldn't give guidance. I must advise that this is a contradictory recommendation.

Alderman MR Nongxaza requested a 10 minutes caucus break which were granted by the Speaker.

After the caucus break, Alderman DA Appel is still of the view that the Council can correct the agenda-item.

Councillor H Linnerts proposed the recommendation as is in the agenda-item.

The proposal was seconded by Alderman MR Nongxaza.

Alderman LM de Bruyn proposed the following counter-proposal:

- 1. That the agenda item be referred back to MPAC.*
- 2. That our names be recorded.*
- 3. That, in case the vote is against my proposal, we retain the right to approach the court to reverse the decision.*
- 4. That the Councillors who voted in favour of the item be held accountable jointly or separately in their personal capacity for any costs.*

The counter-proposal was seconded by Councillor CA Benjamin.

The voting process started, and each councillor indicated whether they vote for 1. Proposal by Councillor H Linnerts and seconded by Alderman MR Nongxaza or 2. Counter-proposal by Alderman LM de Bruyn seconded by Councillor CA Benjamin.

The result of the voting process is as follows:

Proposal by Councillor H Linnerts and seconded by Alderman MR Nongxaza = 14 votes.

Counter-proposal by Alderman LM de Bruyn and seconded by Councillor CA Benjamin = 13 votes.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Councillor H Linnerts and seconded by Alderman MR Nongxaza it was resolved as follows:

In the view of the fact that there is no reason to suspect fraud, Council has received value for money, Council did not suffer any loss and as there are no grounds for a claim against any official, the unauthorised expenditure in the amount of R104 357 068 be written off for the financial year 2022/2023 and the amount of R49 370 445.00 be written off for the financial year 2023/2024.

The following Councillors requested that their names be minuted in terms of Rule 19(c) of the By-law on Rules of order for meetings of Council and Committees of Theewaterskloof Municipality – applicable to agenda-item C74/2026

**Alderman LM de Bruyn
Councillor CA Benjamin
Councillor M Botes
Councillor CT Cloete
Alderman S Fredericks
Councillor M Gana
Councillor D Jacobs
Councillor D Jooste
Alderman M Plato-Mentoor
Councillor J Smit
Councillor PJ Stander
Councillor YM van Tonder
Councillor TB Zimmermann**

For finalization by the Acting Director: Finance, Mr A Riddles.

ITEM HEADING**C75/2026 DIRECTORATE FINANCE: CONSIDERATION AND APPROVAL OF THE ADJUSTMENT BUDGET 2025/2026 AND INDICATIVE FOR THE PROJECTED TWO OUTER YEARS 2026/2027 AND 2027/2028**

[English version of the report is the original]

FILE NUMBER

5/1/1-2025/2026; 5/1/1-2026/2027; 5/1/1-2027/2028

PURPOSE / AIM OF REPORT

This report serves to submit the 2025/2026 and indicative two outer years annual adjustment budget for approval.

BACKGROUND

Section 28 of the Municipal Finance Management Act. No 56 of 2003 states:

1. *A municipality may revise an approved annual budget through and adjustments budget.*
2. *An adjustments budget –*
 - (b) *may appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;*
 - (d) *may authorise the utilisation of projected savings in one vote towards spending under another vote;*
 - (e) *may authorise the spending of funds that were unspent at the end of the past financial year where the under-spending could not reasonably have been foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council;*
 - (f) *may correct any errors in the annual budget;*
 - (g) *may provide for any other expenditure within the prescribed framework.*

In accordance with section 23 (1) of the Municipal Budget and Reporting Regulation:

- (1) *An adjustments budget referred to in section 28(2)(b), (d) and (f) of the Act may be tabled in the municipal council at any time after the mid-year budget and performance assessment has been tabled in the council, but not later than 28 February of the current year.*

DISCUSSION

As contained in the detailed report.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

As contained in the detailed report.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Section 28 of the Municipal Finance Management Act, 56 of 2003 and section 23 of the Municipal Budget and Reporting Regulations.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

None.

RECOMMENDATION BY ITEM AUTHOR TO COUNCIL:

It is recommended:

1. That the Adjustment Budget, inclusive of changes in terms of section 28(2) of the MFMA, of Theewaterskloof Municipality for the financial year 2025/2026; and indicative for the two projected years 2026/27 and 2027/28, as set-out in the schedules contained in Section 4, be approved:
 - 1.1 Table B1: Budget Summary
 - 1.2 Table B2: Budgeted Financial Performance (expenditure by standard classification)
 - 1.3 Table B3: Budgeted Financial Performance (expenditure by municipal vote)
 - 1.4 Table B4: Budgeted Financial Performance (revenue by source)
 - 1.5 Table B5: Budgeted Capital Expenditure for both multi-year and single year by vote, standard classification and funding.
 - 1.6 Table B6: Budgeted Financial Position
 - 1.7 Table B7: Budgeted Cash Flow
 - 1.8 Table B8: Cash backed reserves/Accumulated surplus reconciliation
 - 1.9 Table B9: Asset Management
 - 1.10 Table B10: Basic service delivery measurement
2. That Council approves the amendments to the Procurement Plan (Annexure A).

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by Alderman LM de Bruyn and seconded by Alderman S Fredericks it was resolved as follows:

1. Council approves the Adjustment Budget, inclusive of changes in terms of section 28(2) of the MFMA, of Theewaterskloof Municipality for the financial year 2025/2026; and indicative for the two projected years 2026/27 and 2027/28, as set-out in the schedules contained in Section 4:

1.1 Table B1: Budget Summary

1.2 Table B2: Budgeted Financial Performance (expenditure by standard classification)

1.3 Table B3: Budgeted Financial Performance (expenditure by municipal vote)

1.4 Table B4: Budgeted Financial Performance (revenue by source)

1.5 Table B5: Budgeted Capital Expenditure for both multi-year and single year by vote, standard classification and funding.

1.6 Table B6: Budgeted Financial Position

1.7 Table B7: Budgeted Cash Flow

1.8 Table B8: Cash backed reserves/Accumulated surplus reconciliation

1.9 Table B9: Asset Management

1.10 Table B10: Basic service delivery measurement

2. Council approves the amendments to the Procurement Plan (Annexure A).

For finalization by the Acting Director: Finance, Mr A Riddles.

ITEM HEADING

115

C76/2026 OFFICE OF THE MUNICIPAL MANAGER: DETERMINATION AND APPROVAL OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF COUNCILLORS WITH EFFECT FROM 01 JULY 2025

[English version of the report is the original]

FILE NUMBER

3/3/7/R

PURPOSE / AIM OF REPORT

The purpose of this item is:

1. for Council to review the grade of the municipal council.
2. to report to Council on the financial implications, affordability as well as budgetary provisions.
3. to obtain approval to implement the Upper Limits for Councilors' Remuneration with effect from 01 July 2025, which was promulgated by the Minister for Cooperative Governance and Traditional Affairs on 20 February 2026 per Government Gazette No. 54179.

BACKGROUND AND LEGAL REQUIREMENT

Amendment of determination of Upper Limits of the Salaries, Allowances and Benefits of different members of municipal councils are annually done in terms of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998).

DISCUSSION

Attached hereto please find as Annexure "A" a copy of Government Gazette No.54179, dated 20 February 2026.

Some key features of the above-mentioned Gazette and Circular are as follows:

1. The determination of the upper limits is affected retrospectively from 1 July 2025.
2. The definition of "total municipal income" means gross income in respect of a metropolitan, local or district municipality based on actual income received as stated in the audited financial statements of that municipality for the 2024/2025 financial year.
3. Motor vehicle and travel allowance
4. A councillor listed in item 5 and 8 of this Notice may, in line with applicable legislation, structure his or her basic salary to provide for motor vehicle allowance.

5. If a councillor structures a vehicle allowance, the councillor must provide proof of ownership of a private vehicle to the municipality and have the vehicle available for official duties.
6. A councillor who uses a privately-owned vehicle for execution of official duties on behalf of the municipality, may be reimbursed for official kilometres travelled, in addition to the total remuneration package of a councillor as determined in terms of items 5 and 8 of the Notice, not exceeding the applicable tariffs as prescribed by the national department responsible for transport and in terms of the municipal council's policy.
7. A councillor who utilises a privately-owned vehicle for official purposes must, for purpose of claiming kilometres travelled, keep a travel logbook containing the following information relating to actual official and private kilometres travelled per month as may be determined from time to time by the South African Revenue Service: (i) Date of travel; (ii) Kilometres travelled; and (iii) Travel details (i.e. reason for the trip, duration of trip and place from and place to).

➤ Out of pocket expenses

A councillor may, in addition to the total remuneration package, be reimbursed for reasonable and actual out of pocket expenses incurred during the execution of official or ceremonial duties, in accordance with the applicable municipal council policy.

- Cell phone allowances:

A councillor may, in addition to the annual remuneration packages provided for in terms of the regulation, be paid a cell phone allowance not exceeding R3600.00 per month in accordance with the applicable municipal policy.

- Data bundles

A councillor may, in addition to the annual remuneration packages provided for in terms of the regulation, be paid an allowance on the use of data bundles not exceeding R317.00 per month.

- Pension Fund: In terms of S13(1)(a) A councillor may participate in a pension fund duly established in terms of law.

13(1)(b) If a councillor elects to participate in a pension fund, the municipal council must deduct from that councillor's salary, the monthly contribution and pay the contributions to a pension fund to which a councillor is a member in accordance with the rules of such pension fund. The contributions by the municipal council and the councillor are included in the remuneration package as a total cost to the municipality.

- Medical Aid Scheme: S13(2)(a) reads as follows – A councillor may participate in a medical aid scheme duly established in terms of a law and such councillor shall be entitled to receive such medical aid benefits from the medical aid scheme to which the councillor contributes as may be determined by the rules of such medical aid scheme. The contributions by the municipal council and the councillor are included in the remuneration package as a total cost to the municipality.

(b) If a councillor elects to participate in a medical aid scheme, the municipality shall pay from his/her monthly salary, councillors own contributions and council contributions charged against and paid from the budget of the municipality to the medical aid scheme to which the councillor is a member.

- Tools of the trade

Grading:

The grading of Theewaterskloof Municipality for the purpose of determining the Upper Limits of Councillors' Remuneration is Grade 4 and was determined as follows:

Requirement	Amount / Points
Total Municipal Income 2024/2025	R 582,504,903
Number of Points according to Government Notice	33,33
Total population	139 563
Number of Points according to Government Notice	25
Total points allocated	58,33
50.01 to 66.67 points according to Government Notice No. 51407 = Grade 4	

FINANCIAL RESPONSIBILITIES

The Projected Actual Expenditure of the Salaries, Allowances and Benefits of the different members of the Theewaterskloof Municipal Council based on the approved new upper limits for the 2025/2026 financial year will be R 14,687,675 against a budgeted amount of R 15,017,379.

PROJECTED ACTUAL COUNCILLOR REMUNERATION 2025/26

PARTICULARS	EXECUTIVE MAYOR	DEPUTY EXECUTIVE MAYOR	SPEAKER	MEMBER OF MAYORAL COMMITTEE	MPAC CHAIR	PARTTIME COUNCILLOR	GRAND TOTAL
Total Remuneration Package	1050284	840233	840233	3940365	764612	5982840	13418567
Cellular Phone	43200	43200	43200	216000	43200	777600	1166400
Mobile data Card	3804	3804	3804	19020	3804	68472	102708
Total Annual Package	1097288	887237	887237	4175385	811616	6828912	14687675
Number	1	1	1	5	1	18	27

Budget 2025/26: R 15, 017, 379

Remuneration Package: R 14, 687, 675

Surplus: R 329, 704

LEGAL RESPONSIBILITIES

Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998).

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

None.

RECOMMENDATION BY ITEM AUTHOR TO COUNCIL:

It is recommended:

1. That Council takes cognisance that the grading of the Theewaterskloof Municipality remains on a grade 4, for determining the upper limits of Councillors Remuneration.
2. That Council resolves that the maximum upper limits as promulgated in Government Gazette No. 54179 dated 20 February 2026 be approved and paid to Councilors with retrospective effect from 01 July 2025.
3. That Council takes cognisance that sufficient provision was made in the 2025/20226 Budget to cover the actual increase.
4. That Council declares the increase in Councilors' Remuneration affordable and authorizes the Municipal Manager to issue the affordability verification certificate.
5. That Council authorizes the Executive Mayor to submit the prescribed application to and obtain the concurrence of the MEC for Local Government in the Western Cape, before implementing the new Upper Limits of Salaries, Allowances and Benefits of Councilors.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by H Linnerts and seconded by Councillor C Smith it was resolved as follows:

1. Council takes cognisance that the grading of the Theewaterskloof Municipality remains on a grade 4, for determining the upper limits of Councillors Remuneration.
2. Council resolves that the maximum upper limits as promulgated in Government Gazette No. 54179 dated 20 February 2026 be approved and paid to Councilors with retrospective effect from 01 July 2025.
3. Council takes cognisance that sufficient provision was made in the 2025/20226 Budget to cover the actual increase.
4. Council declares the increase in Councilors' Remuneration affordable and authorize the Municipal Manager to issue the affordability verification certificate.

5. Council authorizes the Executive Mayor to submit the prescribed application to and obtain the concurrence of the MEC for Local Government in the Western Cape, before implementing the new Upper Limits of Salaries, Allowances and Benefits of Councilors.
6. That the Executive Mayor, Alderman LM de Bruyn, submits a letter to the MEC responsible for local government with the information of the serving councillors for the 2025/26 financial year as promulgated in point 18 of Government Gazette No 54179 dated 20 February 2026.

Councillor TB Zimmermann requested that his name be recorded that he is against the decision taken by Council.

For finalization by the Municipal Manager, Mr GW Hermanus and the Senior Manager: Human Resources, Mr J Amansure.

ITEM HEADING**C77/2026 DIRECTORATE FINANCE: CONSIDERATION AND APPROVAL OF AMENDMENTS OF THE SUPPLY CHAIN MANAGEMENT POLICY**

[English version of the report is the original]

FILE NUMBER

6/3/B

PURPOSE / AIM OF REPORT

To approve the proposed amendments to the Supply Chain Management Policy.

BACKGROUND

Paragraph 3 of the Supply Chain Management Policy of Threewaterskloof Municipality as approved by Council states:

3. Amendment of Supply Chain Management Policy

1. *The Accounting Officer must –*
 - a) *at least annually review the implementation of this Policy; and*
 - b) *when the Accounting Officer considers it necessary, submit proposals for the amendment of this Policy to the Theewaterskloof Council.*
2. *If the Accounting Officer submits proposed amendments to the Theewaterskloof Council that differs from the model policy issued by the National Treasury, the Accounting Officer must –*
 - a) *ensure that such proposed amendments comply with the Regulations; and*
 - b) *report any deviation from the model policy to the National Treasury and the relevant provincial treasury.*
3. *When amending this supply chain management policy the need for uniformity in supply chain practices, procedures and forms between organs of state in all spheres, particularly to promote accessibility of supply chain management systems for small businesses must be taken into account.*

Regulation 3 (1) (c) of the Municipal Supply Chain Regulations states:

3. Adoption and amendment of Supply Chain Management Policies

1. *The Accounting Officer must of a municipality or municipal entity must –*
 - c) *when the Accounting Officer considers it necessary, submit proposals for the amendment of this Policy to the Council or the board of directors.*

AMENDMENT TO SUPPLY CHAIN MANAGEMENT POLICY

Paragraph 22(d) of the Supply Chain Management Policy of Thweewaterskloof Municipality states:

22(d). Bid Validity Periods, -

- *A minimum bid validity period will apply to all bids and will be calculated from the bid closure date. Bids shall remain in force and binding for the minimum bid validity period as indicated in the invitation to bid and the bid documents, subject to any other applicable legislation and instructions from the National Treasury for specific types of procurement.*
- *The period of validity may be extended, provided that the original bid validity period has not expired and that all bidders are given an opportunity to extend such period.*

The following addition is applicable to this policy.

- *Any such extension shall be agreed to by the bidder in writing. Bidders who failed to respond to such a request before the validity of their bid expires, or who decline such a request shall not be considered further in the evaluation process.*
- *Second extensions will be limited to those bidders that responded the first time.*

When validity lapses the contractual obligation that the bidder accepted on signing the relevant bid documentation falls away, therefore, when a bid expires there is nothing to extend. It cannot be evaluated further, and it must be cancelled and re-advertised.

DISCUSSION

As per attach report.

FINANCIAL IMPLICATIONS (ITEM AUTHOR)

None.

LEGAL IMPLICATIONS (ITEM AUTHOR)

Paragraph 3 of the Supply Chain Management Policy of Theewaterskloof Municipality as approved by Council on 29 May 2025 and Regulation 3 of the Municipal Supply Chain Management Regulations.

RISK MANAGEMENT IMPLICATION (ITEM AUTHOR)

None.

RECOMMENDATION BY ITEM AUTHOR TO COUNCIL:

It is recommended:

1. The amendment in the Supply Chain Management Policy be approved and be effective immediately as outlined below:

1.1. Any such extension shall be agreed to by the bidder in writing. Bidders who failed to respond to such a request before the validity of their bid expires, or who decline such a request shall not be considered further in the evaluation process.

1.2. Second extensions will be limited to those bidders that responded the first time. When validity lapses the contractual obligation that the bidder accepted on signing the relevant bid documentation falls away, therefore, when a bid expires there is nothing to extend. It cannot be evaluated further and it must be cancelled and re-advertised.

RESOLVED BY COUNCIL: 27 FEBRUARY 2026

After the Chairperson had given the Councillors an opportunity, and the item had been thoroughly discussed, on a proposal by H Linnerts and seconded by Alderman DA Appel it was resolved as follows:

That the amended Supply Chain Management Policy be workshopped with Council.

Amended Supply Chain Management Policy be referred to the Council Workshop scheduled for the 11th of March 2026 regarding budget-related policies.

O. DRINGENDE AANGELEENTHEDE
URGENT MATTERS

Geen / None

P. OORWEGING VAN KENNISGEWINGS VAN MOSIES
CONSIDERATION OF NOTICES OF MOTIONS

Q. OORWEGING VAN KENNISGEWINGS EN VRAE
CONSIDERATION OF NOTICES AND QUESTIONS

R. OORWEGING VAN DRINGENDE MOSIES /
CONSIDERATION OF NOTICES AND QUESTIONS

S. IN-KOMITEEVERGADERING AGENDA-ITEMS VIR BESPREKING
IN-COMMITTEE MEETING AGENDA-ITEMS FOR DISCUSSION

Minuted and distributed as a separate Minutes of the Meeting.

T. VERDAGING / ADJOURNMENT

Die vergadering verdaag om 18:30.
The meeting adjourned at 18:30

NOTULE BEKRAGTIG OP DIE DAG VAN
..... AS PRIMA FACIE BEWYS VAN DIE
JUISTHEID DAARVAN.

MINUTES CONFIRMED ON THE DAY OF
..... AS PRIMA FACIE EVIDENCE OF
IT'S CORRECTNESS.

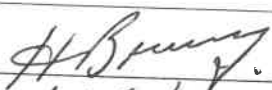
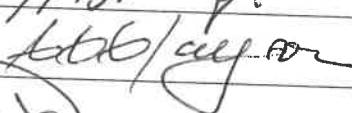



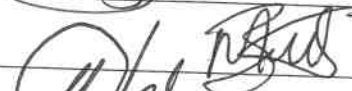
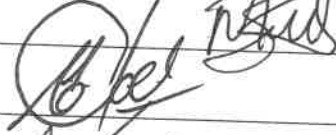
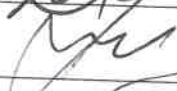


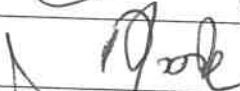
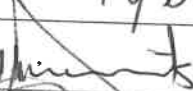
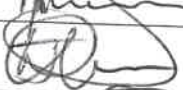


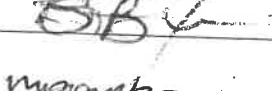
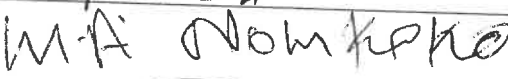
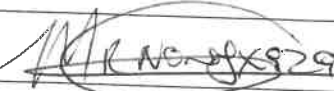
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SPEAKER












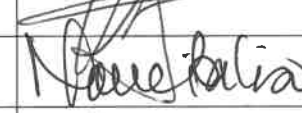
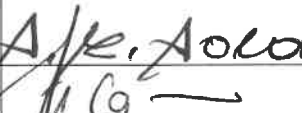

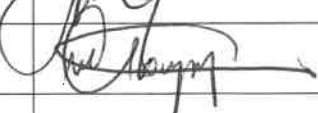
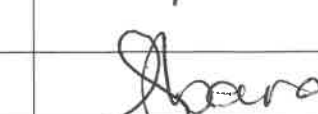

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DATUM/DATE

OPGESTEL EN BYGEHOU DEUR:
COMPILED AND RECORDED BY:


.....
S BARON
SEKRETARIAAT DIENSTE
SECRETARIAT SERVICES

**RAADSVERGADERING
COUNCIL MEETING
27 FEBRUARIE / FEBRUARY 2026**

NAAM EN VAN / NAME AND SURNAME	HANDTEKENING / SIGNATURE
<u>Raadslede / Councillors :</u>	
Raadsheer/Alderman LM de Bruyn	
Raadsheer/Alderman CC Clayton	
Raadsheer/Alderman WH Wells	
Raadsheer/Alderman DA Appel	
Raadslid/Councillor CA Benjamin	
Raadslid/Councillor M Botes	
Raadslid/Councillor CT Cloete	
Raadsheer/Alderman S Fredericks	
Raadslid/Councillor M Gana	
Raadslid/Councillor DA Jacobs	
Raadslid/Councillor D Jooste	
Raadslid/Councillor H Linnerts	
Raadslid/Councillor JD Lekhori	
Raadslid/Councillor TP Lemina	
Raadsheer/Alderman BB Mkhwibiso	
Raadslid/Councillor M Mpambani	
Raadslid/Councillor MA Nomkoko	M. Mpambani 
Raadsheer/Alderman MR Nongxaza	

Raadslid/Councillor FO Ntantiso	
Raadslid/Councillor V Papier	
Raadsheer/Alderman M Plato-Mentoor	
Raadslid/Councillor MS Shale	
Raadslid/Councillor J Smit	
Raadslid/Councillor C Smith	
Raadslid/Councillor PJ Stander	
Raadslid/Councillor YM van Tonder	
Raadslid/Councillor TB Zimmermann	
<u>Amptenare/Officials:</u>	
Mnr/Mr W Hendricks	
Mnr/Mr GW Hermanus	
Mnr/Mr P Mabhena	
Mnr./Mr A Riddles	
Mnr / Mr H Matthee	
Me./Ms N Baliso	
Mnr./Mr WSE Solomons-Johannes	
Mnr./Mr A Opperman	
Mnr/Mr H Gxoyiya	
Me./Ms M Faul	
Me./Ms S Baron	
Me./Ms F Ngxowa	