



Notice is hereby given in terms of Section 29 of the Local Government: Municipal Structures Act, Act 117 of 1998, that a **COUNCIL MEETING** of the 2021/2026 term of the Garden Route District Municipality will be held at the CA Robertson Council Chambers and via Zoom on **WEDNESDAY, 24 JUNE 2026** at **11:00** to consider the items as set out in the agenda.

*Kennis geskied hiermee ingevolge Artikel 29 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998, Wet 117 van 1998, dat 'n **RAADSVERGADERING** van die 2021/2026 termyn van die Garden Route Distriksmunisipaliteit gehou sal word in die CA Robertson Raadsaal en via Zoom op **WOENSDAG, 24 JUNIE 2026** om **11:00** ten einde oorweging aan die items soos in die agenda uiteengesit, te skenk.*

Kukhutshwe isaziso ngokwemiqathango yoMhlathi 29 woRhulumente Basekhaya: Umthetho Wezolawulo loMasipala, 1998, uMthetho 117 wango 1998, sokuba **INTLANGANISO YEBHUNGA** yexesha lika 2021/2026 loMasipala Wesithili se Garden Route izakubanjelwa kwiGumbi leBhunga CA Robertson nango ngo Zoom **NGOLWESITHATHU, 24 KWEYESILIMELA 2026** ngentsimbi ye **11:00** ukuqwalasela imiba ebekwe kwi agenda.

ALD GR WOLMARANS
SPEAKER
SPEAKER
SOMLOMO

MG STRATU
 Municipal Manager
 Munisipale Bestuurder
 Mphathi Masipala

Date: 18 JUNIE 2026

AGENDA

1. OPENING AND WELCOMING / OPENING EN VERWELKOMING / UVULO NOLWAMKELO

C.1	INAUGURATION OF PBI COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: CLLR VD CAROLUS/ INHULDIGING VAN "PBI" RAADSLID: GARDEN ROUTE DISTRIKSMUNISIPALITEIT: RDL VD CAROLUS / UKUFUNGISWA KOCEBA WE PBI: IBHUNGA LESITHILI SE GARDEN ROUTE: UCEBA VD CAROLUS <i>Refer Report from the Municipal Manager (MG Stratu)</i>	99 – 103
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2. EVACUATION PROCEDURES / ONTRUIMINGSPROSEDURES / INKQUBO YOKUFUDUSWA

3. SILENT PRAYER (MEDITATION) / STILLE GEBED (MEDITASIE) / UMTHANDAZO OTHULEYO

4. ATTENDANCE OF MEMBERS / BYWONING VAN LEDE / AMALUNGU AKHOYO

4.1 COUNCILLORS PRESENT / RAADSLEDE TEENWOORDIG / OOCEBA ABAKHOYO

4.2 COUNCILLORS WITH LEAVE / RAADSLEDE MET VERLOF / OOCEBA ABAKWIKHEFU

4.3 COUNCILLORS WITHOUT LEAVE / RAADSLEDE SONDER VERLOF / OOCEBA ABANGEKHO KWIKHEFU

5. NOTING OF THE PROVISIONS OF SCHEDULE 7 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL STRUCTURES AMENDMENT ACT, 2021 / KENNISNAME VAN DIE VOORSKRIFTE VAN SKEDULE 7 (GEDRAGSKODE VIR RAADSLEDE) VAN DIE PLAASLIKE REGERING MUNISIPALE AANGEPASTE STRUKTURE WET, 2021 / UQWALASELO LWEMITHETHO-NEMIMISELO YOLUHLU 7 (INDLELA YOKUZIPHATHA KOCEBA) LOMTHETHO WORHULUMENTE BASEKHAYA WESIMO SOMASIPALA OLUNGISIWEYO WANGO 2021

6. DISCLOSURE OF INTERESTS BY COUNCILLORS AND OFFICIALS / VERKLARING VAN BELANGE DEUR RAADSLEDE EN AMPTENARE / UKUCHAZWA KOMDLA NGOOCEBA KUNYE NAMAGOSA

7.	COMMUNICATIONS BY THE SPEAKER / MEDEDELINGS DEUR DIE SPEAKER / UNXIBELELWANO LUKASOMLOMO	
8.	COMMUNICATIONS BY THE EXECUTIVE MAYOR / MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER / UNXIBELELWANO LUKA SODOLOPHU	
9.	COMMUNICATIONS BY THE MUNICIPAL MANAGER / MEDEDELINGS DEUR DIE MUNISIPALE BESTUURDER / UNXIBELELWANO LOMPHATI MASIPALA	
10.	APPROVAL OF MINUTES OF COUNCIL MEETINGS / GOEDKEURING VAN NOTULES VAN RAADSVERGADERINGS / UKUPHUNYEZWA KWEMIZUZU YENTLANGANISO YEBHUNGA	
10.1	Minutes of a Special Council meeting dated 12 March 2026 / Notule van 'n Spesiale Raadsvergadering gedateer 12 Maart 2026 / Imizuzu Yentlanganiso yeBhunga eKhethekileyo yangomhla 12 KweyoKwinlda 2026	8 - 17

10.2	Minutes of a Council meeting dated 27 May 2026/ Notule van 'n Raadsvergadering gedateer 27 Mei 2026 / Imizuzu Yentlanganiso yeBhunga eKhethekileyo yangomhla 27 KuCanzibe 2026	18 – 44
11.	MINUTES OF MAYORAL COMMITTEE MEETING AND SECTION 79 COMMITTEES (FOR NOTIFICATION) / NOTULES VAN BURGEMEESTERSKOMITEEVERGADERINGS EN ARTIKEL 79 A (VIR KENNISNAME) / IMIZUZU YEKOMITI KASODOLOPHU NEZINYE IKOMITI ZOMHLATHI 79 (ITHATHELWE INGQALELO)	
11.1	Minutes of Mayoral Committee Meeting: 28 April 2026/ Notule van Uitveroende Burgemeesterskomiteevergadering: 28 April 2026 / Yentlanganiso Yekomiti Kasodolophu: 28 KuTshazimphuzi 2026	45 – 60
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A.2	MPAC REPORT ON UNAUTHORISED, FRUITLESS AND WASTEFUL EXPENDITURE / MPRK-VERSLAG RAKENDE ONGEMAGTIGDE, VRUGTELOSE EN VERKWISTE UITGAWES / INGXELO YE MPAC MALUNGA NENCITHO ENGAVUMELEKANGA NEYINKCITHO <i>Refer report from the Chairperson of MPAC (Cllr J Cornelius)</i>	78- 98
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	LWESINE LOLWABIWO-MALI LUKA 2025/2026 LWENGENISO YEXESHA ELIFUTSHANE KUNYE NENDLELA YENCITHO(MTREF) <i>Refer report from the Executive Mayor (Ald M Kruger) /Executive Manager Corporate & Financial Services (R Boshoff)</i> REPORT TO BE INCLUDED AS AN ADDENDUM	
SECTION C		
REPORTS FROM THE OFFICE OF THE MUNICIPAL MANAGER / VERSLAE VANAF DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER / IMIBA EVELA KWI OFISI I YOMPHATI MASIPALA		
C.1	INAUGURATION OF PBI COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: CLLR VD CAROLUS/ INHULDIGING VAN "PBI" RAADSLID: GARDEN ROUTE DISTRIKSMUNISIPALITEIT: RDL VD CAROLUS / UKUFUNGISWA KOCEBA WE PBI: IBHUNGA LESITHILI SE GARDEN ROUTE: UCEBA VD CAROLUS <i>Refer Report from the Municipal Manager (MG Stratu)</i>	99 – 103
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REPORTS FROM THE FINANCE AND CORPORATE SERVICES DEPARTMENT / VERSLAE VANAF DIE FINANSIËLE EN KORPORATIEWE DIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZEMALI KUNYE ZOLAWULO		
D.1	DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 MAY 2026 TO 31 MAY 2026 / AFWYKINGSVERSLAG: VOORSIENINGSKANAALBELEID VIR DIE PERIODE 1 MEI 2026 TOT 31 MEI 2026 / INGXELO YOTYESHELO:UKUMISELWA KOMGAQONKQUBO WOLAWULO LWENKCITHO KWIXESHA LOMHLA 1 KUCANZIBE 2026 UKUYA 31 KUCANZIBE 2026 <i>Refer Report from the Executive Manager Financial & Corporate Service (R Boshoff)</i>	104 - 109
D.2	REPORT ON THE IMPLEMENTATION OF NATIONAL TREASURY MFMA CIRCULAR NO.68 (AS REVISED APRIL 2026): UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE / VERSLAG RAKENDE DIE IMPLEMENTERING VAN NASIONALE TESOURE MFBW SE OMSENDSKRYWE NO 68 (HERSIEN GEDURENDE APRIL 2026): ONGEMAGTIGDE, ONREËLMATIGE UITGAWES, VRUGTELOSE EN VERKWISTENDE UITGAWES/ INGXELO NGOKUMISELWA KWESAZINGE SE MFMA KANONDYEBE WESIZWE NO.68 (NJENGOKO IHLAZIYIWE KUTSHAZIMPUZI 2026): IINKCITHO EZINGAGUNYAZISWANGA, ENGETHO SEMTHETHWENI, NENCITHO ENGENAZIQHAMO NEYINCITHAXESHA <i>Refer Report from the Executive Manager Financial & Corporate Service (R Boshoff)</i>	110 -149
D.3	ORGANISATIONAL STRUCTURE 2026/2027 AND ROADS AGENCY FUNCTION / ORGANISATORIESE STRUKTUUR 2026/2027 EN PAAIE AGENTSKAP-FUNKSIE/ ISIMO SEZOLAWULO SIKA-2026/2027 KUNYE NOMSEBENZI WOBU-ARHENSU WEZENDLELA / <i>Refer Report from the Executive Manager Financial & Corporate Service (R Boshoff) / Manager Human Resources (M Smit)</i>	150 - 176
D.4	DEBT WRITE-OFF REPORT 2025/26: QUARTER 1-4 / SKULD AFSKRYWINGSVERSLAG 2025/26: KWARTAAL 1-4 / INGXELO YOKUCINYWA KWETYALA KU 2025/26: KWIKOTA 1-4 <i>Refer Report from the Executive Manager Financial & Corporate Service (R Boshoff)</i>	177 - 181
D.5	CLOSURE FOR FESTIVE SEASON AND SALARY PAYMENT DATE FOR DECEMBER 2026 / SLUITING VIR FEESSEISOEN EN DESEMBER 2026 SALARIS BETAALDATUM / INGXELO NGOKUVALELA IHOLIDE ZEHLOBO KUNYE NOMHLA WOKUHLAWULWA KWEMIVUZO KWEYOMNGA 2026 <i>Refer Report from the Executive Manager Financial & Corporate Service (R Boshoff) / Manager Human Resources (M Smit)</i>	182 - 187

SECTION E		
REPORTS FROM THE COMMUNITY SERVICES DEPARTMENT / VERSLAE VANAF DIE GEMEENSKAPSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZOLUNTU		
E.1	<p>REPORT ON THE PROMULGATION OF THE DISTRICT FIRE SAFETY BY-LAW RELATING TO VELD, MOUNTAIN AND CHEMICAL FIRE SERVICES AND THE ADOPTION OF THE COMMUNITY FIRE SAFETY BY-LAW (2002) FOR REGULATION OF BUILDING AND RELATED FIRE PROTECTION IN THE KANNALAND MUNICIPAL AREA / VERSLAG RAKENDE DIE VERORDERING VAN DIE DISTRIK BY-WET VIR BRAND VEILIGHEID IN TERME VAN VELD, BERG EN CHEMIESE BRANDE ASSOOK DIE AANNEMING VAN DIE GEMEENSKAP BRANDVEILIGHEID VERORDERING (2002) VIR REGULERING VAN GEBOU EN VERWANTE BRAND BESKERMING VIR DIE KANNALAND MUNISIPALE AREA/ INGXELO NGOKUQULUNQWA KOMTHETHO WESITHILI WOKHUSELEKO LOMLILO OPHATHELELE NAMATHAFA, IINTABA KUNYE NENKONZO YEMILIMO YAMACHIZA KWAKUNYE NOKWAMKELWA KOMTHETHO KAMASIPALA WOKUKHUSELWA KOLUNTU (2002) ULAWULO LWESAKHIWO KUNYE NOKHUSELKO LOMLILO OLAYAMANISISWEYO KWINGINGQI YOMASIPALA WASE KANNALAND</p> <p><i>Refer Report from the Executive Manager Community Services (N Raisa-Mlandu) / Chief Fire Officer (D Stoffels)</i></p>	188 - 252
E.2	<p>REPORT ON THE SEVERE WEATHER EVENT THAT OCCURRED IN THE GARDEN ROUTE DISTRICT FROM THE SECOND TILL THE SEVENTH OF JUNE 2026 / VERSLAG OOR DIE GURE WEER WAT OOR DIE TUINROETE DISTRIK VOORGEKOM HET VIR DIE PERIODE 2 TOT 7 JUNIE 2026 / INGXELO NGEMOZILI EMBI NEGQUQISE KWISITHILI SE GARDEN ROUTE UKUSUSELA NGOMHLA WESIBINI UKUYA KOWESIXHENXE KWEYESILIMELA 2026</p> <p><i>Refer Report from the Executive Manager Community Services (N Raisa-Mlandu) / Manager Disaster Management (G Otto)</i></p>	253 - 265
E.3	<p>REPORT ON THE GARDEN ROUTE REGIONAL WASTE MANAGEMENT FACILITY PROJECT /VERSLAG RAKENDE DIE TUINROETE STREEK AFVALBESTUUR FASILITEIT PROJEK/ INGXELO NGEPROJEKTHI YOLAWULO LWEBALA LENKUNKUMA LENGINGQI YE GARDEN ROUTE</p> <p><i>Refer Report from the Executive Manager Community Services (N Raisa-Mlandu) / Manager District Waste (J Gie)</i></p>	266 - 271
SECTION F		
REPORTS FROM THE ROADS AND TRANSPORT PLANNING SERVICES DEPARTMENT / VERSLAE VANAF DIE PAAIE EN VERVOER BEPLANNINGSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZENDLELA KUNYE NEZICWANGCISO KWEZOTHUTHO		
F.1	None / Geen / Asikho	
SECTION G		
REPORTS FROM THE INTEGRATED PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT / VERSLAE VANAF DIE BEPLANNING EN EKONOMIESE DIENSTE DEPARTEMENT / IMIBA YESEBE LEZICWANGCISO KUNYE NOPHUHLISO LOQOQOSHO		

G.1	2025/2026 ANNUAL REPORT PROCESS PLAN /2025/2026 JAARVERSLAG PROSESPLAN / INGXELO YESINCWANGCISO SENKQUBO YONYAKA KA 2025/2026 <i>Report from the Executive Manager: Planning and Economic Development (L. Menze) / District IDP Manager (M James)</i>	272 - 278
G.2	REPORT ON THE PROGRESS OF THE GARDEN ROUTE GROWTH AND DEVELOPMENT STRATEGY IMPLEMENTATION / VORDERINGSVERSLAG RAKENDE DIE VORDERING VAN DIE IMPLEMENTERING VAN DIE TUINROETE GROEI- EN ONTWIKKELINGSTRATEGIE / INGXELO NGOMSEBENZI WOKUMISELWA KWESICWANGCISO SOBUCHULE BEZOHULULO NOPHULISO LWE GARDEN ROUTE <i>Report from the Executive Manager: Planning and Economic Development (L. Menze) / Manager: DED, Tourism, EPWP and Job Creation (R. Dyantyi)</i>	279 - 286
SECTION H		
NOTICE OF URGENT MOTIONS / KENNISGEWING VAN DRIGENDE MOSIES / ISAZISO SEZIPHAKAMISO		
H.1	None / Geen / Asikho	
SECTION I		
NOTICES OF MOTIONS / KENNISGEWING VAN MOSIES / ISAZISO SEZIPHAKAMISO		
I.1	None / Geen / Asikho	
SECTION J		
IN CLOSED SESSION / IN GESLOTE SESSIE / KWI-SASHONI YASEKHUSINI		
J.1	None / Geen / Asikho	
CLOSURE / SLUITING / UQUKUNJELO		

Ald GR Wolmarans
Ald P Terblanche
Ald S De Vries
Ald CN Lichaba
Cllr / Rdl / Ceba NV Gungubele
Cllr / Rdl / Ceba JG Meiring
Cllr / Rdl / Ceba K Malooi
Cllr / Rdl / Ceba CP Taute
Cllr / Rdl / Ceba D Acker
Ald JC Lambaatjeen
Cllr / Rdl / Ceba SM Toto
Cllr / Rdl / Ceba HRT Stroebel
Ald NS Ndayi
Cllr / Rdl / Ceba J Hoogbaard
Ald RH Ruiters
Cllr / Rdl / Ceba M Kannemeyer
Cllr / Rdl / Ceba MA Mkonto
Cllr / Rdl / Ceba JJ Cornelius
Cllr / Rdl / Ceba JJ Bavuma
Cllr / Rdl / Ceba R Louw
Cllr / Rdl / Ceba F September
Cllr / Rdl / Ceba S Mangxaba
Ald DJ Swart
Ald WP Meshoa
Cllr / Rdl / Ceba R Windwaai
Ald M Kruger
Cllr / Rdl / Ceba DB Coeries
Cllr / Rdl / Ceba MD Jansen (as of
12 November 2025)
Cllr / Rdl / Ceba L Nohana (as of 01
December 2025)
Cllr / Rdl / Ceba J Fry (as of 24
December 2025)
Cllr / Rdl / Ceba SN Bentley (as of
01 April 2026)
Cllr / Rdl / Ceba VD Carolus (as of
09 June 2026)
1 X vacant



Minutes of a **Special Council meeting of**
the 2021/2026 term of
Garden Route District Council held at the **CA Robertson Council Chambers**, and via **Zoom**
on **Thursday, 12 March 2026** at **11:00**

*Notule van 'n **Spesiale Raadsvergadering** van*
die 2021/2026 termyn
*van Garden Route Distriksraad gehou in die **CA Robertson Raadsaal** en via **Zoom** op*
Donderdag, 12 Maart 2026** om **11:00

Imizuzu **Yentlanganiso eKhathekileyo yeBhunga yexesha lika 2021/2026**
yoMasipala Wesithili se Garden Route
nebibanjwe **kwiGumbi leBhunga CA Robertson**, kunye **nango Zoom**,
Ngolwesine, 12 KweyoKwindla 2026, ngo **11:00**

1. **OPENING AND WELCOMING / OPENING EN VERWELKOMING / UVULO NOLWAMKELO**

The Speaker, Ald GR Wolmarans welcomed everybody present and thanked them for their attendance.

2. **EVACUATION PROCEDURES / ONTRUIMINGSPROSEDURES / IKNQUBO YOKUFUDUSWA**

The evacuation procedures were presented via audio clip that explained the evacuation procedures in case of emergency.

3. **SILENT PRAYER (MEDITATION) / STILLE GEBED (MEDITASIE) / UMTHANDAZO**

A moment of silence was observed.

4. **ATTENDANCE OF MEMBERS / BYWONING VAN LEDE / AMALUNGU AKHOYO**

4.1 **COUNCILLORS PRESENT / RAADSLEDE TEENWOORDIG / OOCCEBA ABAKHOYO**

Ald GR Wolmarans	DA
Cllr / Rdl / Ceba M Jansen	DA
Cllr / Rdl / Ceba K Malooi	DA
Cllr / Rdl / Ceba JG Meiring	DA
Cllr / Rdl / Ceba F September	DA
Ald P Terblanche	DA
Ald NS Ndayi	DA
Cllr / Rdl / Ceba NV Gungubele	ANC
Cllr / Rdl / Ceba A Oktober	GOOD
Cllr / Rdl / Ceba JJ Cornelius	ICOSA
Cllr / Rdl / Ceba AR Marbi	PBI
Cllr / Rdl / Ceba D Acker	FREEDOM FRONT PLUS
Cllr / Rdl / Ceba J Fry	George Municipality
Ald M Kruger	George Municipality
Cllr / Rdl / Ceba R Windwaai	George Municipality
Cllr / Rdl / Ceba SM Toto	George Municipality
Cllr / Rdl / Ceba DB Coeries	George Municipality
Cllr / Rdl / Ceba M Kannemeyer	Mossel Bay Municipality
Ald RH Ruiters	Mossel Bay Municipality
Cllr / Rdl / Ceba MA Mkonto	Mossel Bay Municipality

Cllr / Rdl / Ceba JJ Bavuma
 Cllr / Rdl / Ceba J Hoogbaard
 Cllr / Rdl / Ceba CP Taute
 Cllr / Rdl / Ceba HRT Stroebel
 Ald D Swart
 Cllr / Rdl / Ceba S Mangxaba
 Ald JC Lambaatjeen
 Ald V Donson
 Cllr / Rdl / Ceba J van der Ross
 Ald WP Meshoa

Mossel Bay Municipality
 Hessequa Municipality
 Hessequa Municipality
 Knysna Municipality
 Bitou Municipality
 Bitou Municipality
 Oudtshoorn Municipality
 Oudtshoorn Municipality
 Oudtshoorn Municipality
 Kannaland Municipality

OFFICIALS / AMPTENARE / AMAGOSA

Mr / Mnr / Mnu MG Stratu

Municipal Manager

Mr / Mnr / Mnu JG Daniels

Executive Manager Roads and Transport
 Services

Mr / Mnr / Mnu L Menze

Executive Manager Integrated
 Planning and Development

Mr / Mnr / Mnu J Compion

Acting Executive Manager
 Community Services

Mr / Mnr / Mnu R Boshoff

Executive Manager Financial &
 Corporate Services

Adv N Davids

Manager Legal Service

Mr / Mnr / Mnu T Loliwe

Strategic Manager in the Office of
 the Municipal Manager

Ms/ Me / Nksnz P Lufele

Chief Audit Executive

Ms / Me / Nkzn L James

Chief Risk Officer

Ms / Me / Nksnz R Matthews

Head: Committee Services

Mr / Mnr / Mnu T Mpuru

Manager SCM, Data and Stores

Mr / Mnr/Mnu C Martin

Manager Income, Bank
 Reconciliation, Expenditure and
 Remuneration

Ms / Me / Nkzn L Hoek

Manager BTO, AFS and Assets

Ms / Me / Nkzn M Smit

Manager Human Resources

Mr / Mnr / Mnu D Mashila

Manager Projects, Properties,
 Facilities and Resort Management

4.2 **COUNCILLORS AND OFFICIALS WITH LEAVE / RAADSLEDE EN AMPTENARE MET VERLOF / OOCEBA NAMAGOSA ABAKWIKHEFU**

Ald CN Lichaba	ANC
Ald S de Vries	ANC
Cllr / Rdl / Ceba R Louw	George Municipality
Ms / Me / Nkzn N Raisa-Mlandu	Executive Manager Community Services
Adv S Maqekeni	Manager Integrated Support Services & Legal Compliance
Mr / Mnr/ Mnu H Pieters	Manager Communication
Ms / Me / Nksnz C van Wyngaardt	Committee Officer

4.3 **COUNCILLORS WITHOUT LEAVE / RAADSLEDE SONDER VERLOF / OCEBA ABANGEKHOYO**

NONE /GEEN / ALUKHO

5. **NOTING OF THE PROVISIONS OF SCHEDULE 7 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL STRUCTURES AMENDMENT ACT, 2021 / KENNISNAME VAN DIE VOORSKRIFTE VAN SKEDULE 7 (GEDRAGSKODE VIR RAADSLEDE) VAN DIE PLAASLIKE REGERING MUNISIPALE AANGEPASTE STRUKTUREWET, 2021 / UQWALASELO LWEMITHETHO-NEMIMISELO YOLUHLU 7 (INDLELA YOKUZIPHATHA KOOCEBA) UMTHEHO WEZOLAWULO LOMASIPALA WORHULUMENTE WASEKHAYA, 2021**

The Code of conduct was noted.

6. **DISCLOSURE OF INTERESTS BY COUNCILLORS AND OFFICIALS / VERKLARING VAN BELANGE DEUR RAADSLEDE EN AMPTENARE / UKUCHAZWA KOMDLA NGOOCEBA KUNYE NAMAGOSA**

NONE /GEEN / ALUKHO

7. **COMMUNICATIONS BY THE SPEAKER / MEDEDELINGS DEUR DIE SPEAKER**
/ UNXIBELElwano LUKASOMLOMO

The Speaker informed the Councillors that she is aware of the fact that some of the Councillors are attending SALGA Working Group meetings in Cape Town, but requested that in the event a Special Council meeting is scheduled the Councillors avail themselves for a couple of hours if possible.

8. **COMMUNICATIONS BY THE EXECUTIVE MAYOR / MEDEDELINGS DEUR DIE**
UITVOERENDE BURGEMEESTER / UNXIBELElwano LUKA SODOLOPHU

NONE /GEEN / ALUKHO

9. **COMMUNICATIONS BY THE MUNICIPAL MANAGER / MEDEDELINGS DEUR DIE**
MUNISIPALE BESTUURDER / UNXIBELElwano LOMPHATHI MASIPALA

The Municipal Manager informed the Councillors that the Section 12 Establishment Notice for GRDM has been gazetted, changing the number of Councillors from 35 to 37 from the next election. Mr MG Stratu informed the Councillors that the said Gazette will be shared with all Councillors after the commencement of this meeting for their noting purposes.

Mr Stratu said in terms of logistics, the increase of the number of the Councillors from 35 to 37, has to be budgeted for in the new Financial Year. Mr Stratu reminded the Councillors that GRDM no longer has a Corporate Services Committee due to the closure of Corporate Services department and now the Roads and Transport

Department is about to be transferred to DOI, so reconfiguration of the different Section 80 Committee needs to be looked at.

Under the Communications of the Municipal Manager, Speaker, Ald G Wolmarans asked for feedback with regards to the office space for EHP's in Knysna as per previous reports that served at Council.

The Municipal Manager, requested Mr J Compion, to provide feedback.

Mr J Compion informed the Councillors that the office space for EHP's is sorted for a period of one (1) year and said that a rental agreement between Knysna Municipality and the landlord is signed for a period of one (1) year until 28 February 2027. In addition to the above, a SLA needs to be negotiated between GRDM and Knysna Municipality for a permanent office space in Knysna.

Under the Communications of the Municipal Manager, Cllr AR Marbi asked a question in terms of the composition of the Mayoral Committee, and asked what is the status going to be of the Mayoral Committee member responsible for the Roads and Transport post transfer of the function.

The Municipal Manager, Mr MG Stratu responded that the prerogative lies with the Executive Mayor guided by Legislation and said that the Political Leadership will determine the composition of its Mayoral Committee.

The Executive Mayor, Ald M Kruger communicated the following:

Ald M Kruger said that the name of the Roads and Transport Committee will undergo a name change and has received advice from his Leadership and that the new name will be Infrastructure, Transport and Mobility.

**10. APPROVAL OF MINUTES OF COUNCIL MEETING / GOEDKEURING VAN NOTULES
VAN RAADSVERGADERING / UKWAMKELWA KWEMIZUZU YENTLANGANISO
ZEBHUNGA**

10.1 NONE /GEEN / AKUKHO

11. MINUTES OF MAYORAL COMMITTEE MEETING/ SECTION 79 COMMITTEES AND OTHER COMMITTEES (FOR NOTIFICATION) / NOTULE VAN DIE BURGEMEESTERSKOMITEEVERGADERING/ ARTIKEL 79 KOMITEES EN ANDER KOMITEES (VIR KENNISNAME) / IMIZUZUZ YEKOMITI KASODOLOPHU KUNYE NEZINYE IKOMITI ZOMHLATHI 79 (ITHATHELWE INGQALELO)

11.1 NONE /GEEN / AYIKHO

12. STANDING ITEMS / STAANDE ITEMS / IMIBA EMISIWEYO

12.1 NONE /GEEN / AYIKHO

A. REPORTS FROM THE SPEAKER / VERSLAE VANAF DIE SPEAKER / IMIBA EVELA KU SOMLOMO

A.1 NONE /GEEN / AYIKHO

B. REPORTS FROM THE EXECUTIVE MAYOR / VERSLAE VANAF DIE UITVOERENDE BURGEMEESTER / IMIBA EVELA KUSODOLOPHU

B.1 NONE /GEEN / AYIKHO

C. REPORTS FROM THE OFFICE OF THE MUNICIPAL MANAGER / ITEMS VANAF DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER / IMIBA EVELA KWI OFISI YOMPHATHI MASIPALA

C.1 LETTER RECEIVED FROM MACGREGOR ERASMUS ATTORNEYS (REPRESENTING IMATU ON BEHALF OF ITS MEMBERS) RELATING TO THE ROADS FUNCTION: DISTRICT MUNICIPALITIES / SKRYWE ONTVANG VANAF MACGREGOR ERASMUS PROKUREURS (VERTEENWOORDIG IMATU NAMENS HUL LEDE) RAKENDE DIE PAAIE FUNKSIE: DISTRIKSMUNISIPALITEITE / ILETA EFUNYENWE KUMAGQWETHA AKWA MACGREGOR ERASMUS (EMELA I-IMATU EGAMENI LAMALUNGU AYO) ENXULUMENE NOMSEBENZI WEZENDLELA: OOMASIPALA BEZITHILI

Refer Report from the Office of the Municipal Manager (MG Stratu) / Manager Legal Services (Adv N Davids) (PG 7-16)

Before the recommendations were formulated, Ald M Kruger proposed that the report be withdrawn because the letter was not formally directed to GRDM and said

that GRDM should not get involved with the letter issued by the Union to DOI. Ald S Ndayi, supported the proposal.

Cllr AR Marbi requested that a legal opinion be provided with regard to the content of the letter before the report be withdrawn.

Cllr D Acker said that Council take note of the correspondence received due to the fact that GRDM is involved in the matter.

Mr MG Stratu responded to the question of Cllr AR Marbi and referred the Councillors to the purpose of the report and said that the report was submitted to Council for noting, and that GRDM has been copied in the communication and, based on the contents thereof, it appears that GRDM may potentially be cited as a respondent should formal proceedings be instituted. Mr MG Stratu then referred the Councillors to the recommendations of the report and quoted recommendation number one which reads: "That Council notes the correspondence, discuss and resolve on the matter".

Mr MG Stratu said that should there be further legal action, noting that there is none at present, GRDM is mandated to follow the process of the Systems of Delegations and also to confirm the previous Council Resolutions where it was resolved that the Executive Mayor deals with this issue at a higher level.

Cllr S Toto said that he welcomes the feedback from the Municipal Manager and the question from Cllr D Acker, he however asked if the Mayor is going to proceed with his proposal to withdraw the report.

The Executive Mayor said that he welcomes the clarity from the Municipal Manager and questions received from the above mentioned Cllrs, and then amended his proposal and proposed that Council notes the correspondence received. This proposal was seconded by Cllr D Acker. The Speaker informed the Councillors that the rest of the recommendations as indicated on the report will be removed.

RESOLVED

That Council notes the correspondence received.

BESLUIT

Dat die Raad kennis neem van die korrespondensie ontvang.

ISIGQIBO

Sesokuba iBhunga lithathele ingqalelo imbalelwano efunyenweyo.

NB: Cllr AR Marbi requested that it be minuted that he is not in favor and has concerns with the withdrawal of the additional recommendations.

D. REPORTS FROM THE FINANCE AND CORPORATE SERVICES DEPARTMENT / VERSLAE VANAF DIE FINANSIËLE EN KORPORATIEWE DIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZEMALI KUNYE ZOLAWULO

D.1 NONE /GEEN / AYIKHO

E. REPORTS FROM THE COMMUNITY SERVICES DEPARTMENT / ITEMS VANAF DIE GEMEENSKAPSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZOLUNTU

E.1 NONE /GEEN / AYIKHO

F. REPORTS FROM THE ROADS AND TRANSPORT PLANNING SERVICES DEPARTMENT / ITEMS VANAF DIE PAAIE EN VERVOER BEPLANNINGSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZENDLELA KUNYE NEZICWANGCISO KWEZOTHUTHO

F.1 None / Geen / Ayikho

G. REPORTS FROM THE INTEGRATED PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT / ITEMS VANAF DIE GEINTREERDE BEPLANNING EN EKONOMIESE DIENSTE DEPARTEMENT / IMIBA YESEBE LEZICWANGCISO KUNYE NOPHURLISO LOQOQOSHO

G.1 REPORT OF THE UTILIZATION OF GRDM ROADS DEPOTS BY THE DEPARTMENT OF INFRASTRUCTURE (DOI) / VERSLAG VAN DIE BENUTTING VAN GRDM-PAAIE DEPOTTE DEUR DIE DEPARTEMENT VAN INFRASTRUKTUUR (DOI) / INGXELO NGOKUSETYENZISWA KWEE DEPOT ZEZENDLELA ZE-GRDM LISEBE LEZEISEKO (DOI)

Report from the Executive Manager Planning and Economic Development Services (L Menze) / Manager: Projects, properties, Facilities and Resorts Management (D Mashila) (PG 17-41)

RESOLVED

That Council takes note of the report and the Draft MOA received from the DOI on the 25th of February 2026.

BESLUIT

Dat die Raad kennis neem van die verslag en die Konsep-MVO wat op 25 Februarie 2026, van die DVI ontvang is.

ISIGQIBO

Sesokuba iBhunga lithathela ingqalaleo ingxelo kunye noYilo lwe MOA efunyenwe kwi DOI ngomhla 25 kweyoMdumba 2026.

NB: Cllr AR Marbi requested that it be minuted that he is not in favor and has concerns with the withdrawal of the additional recommendations.

H. NOTICE OF URGENT MOTIONS / KENNISGEWING VAN DRIGENDE MOSIES / ISAZISO SEZIPHAKAMISO

H.1 None / Geen / Azikho

I NOTICES OF MOTIONS / KENNISGEWING VAN MOSIES / ISAZISO SEZIPHAKAMISO

I.1 None / Geen / Azikho

J. IN CLOSED SESSION / IN GESLOTE SESSIE / KWI-SASHONI YASEKHUSINI

J.1 NONE /GEEN / AYIKHO

CLOSURE / SLUITING / UQUKUNJELO

The meeting closed at 11:26 with 31 Councillors present / Die vergadering sluit om 11:26 met 31 Raadslede teenwoordig / Intlanganiso ivalwe ngo 11:26 iNooceba abayi 31.

.....

SPEAKER: ALD GR WOLMARANS

.....

DATE / DATUM / UMHLA

BACK TO AGENDA



Minutes of a **Council meeting of**
the 2021/2026 term of
Garden Route District Council held at the **CA Robertson Council Chambers**, and via **Zoom**
on **Wednesday, 27 May 2026** at **11:00**

Notule van 'n Raadsvergadering van
die 2021/2026 termyn
van Garden Route Distriksraad gehou in die CA Robertson Raadsaal en via Zoom op
Woensdag, 27 Mei 2026 om 11:00

Imizuzu **Yentlanganiso yeBhunga yexesha lika**
2021/2026 yoMasipala Wesithili se Garden Route
nebibanjwe **kwiGumbi leBhunga CA Robertson**, kunye **nango Zoom**,
NgoLwesithathu, 27 KuCanzibe 2026, ngo 11:00

1. OPENING AND WELCOMING / OPENING EN VERWELKOMING / UVULO NOLWAMKELO

The Speaker, Ald GR Wolmarans welcomed everybody present and thanked them for their attendance.

2. EVACUATION PROCEDURES / ONTRUIMINGSPROSEDURES / IKNQUBO YOKUFUDUSWA

The evacuation procedures were presented via audio clip that explained the evacuation procedures in case of emergency.

3. SILENT PRAYER (MEDITATION) / STILLE GEBED (MEDITASIE) / UMTHANAZO

Moment of silence was observed.

4. ATTENDANCE OF MEMBERS / BYWONING VAN LEDE / AMALUNGU AKHOYO

4.1 COUNCILLORS PRESENT / RAADSLEDE TEENWOORDIG / OOCCEBA ABAKHOYO

Ald GR Wolmarans	DA
Cllr MD Jansen	DA
Cllr / Rdl / Ceba K Malooi	DA
Cllr / Rdl / Ceba JG Meiring	DA
Cllr / Rdl / Ceba F September	DA
Ald P Terblanche	DA
Ald NS Ndayi	DA
Ald S de Vries	ANC
Ald CN Lichaba	ANC
Cllr / Rdl / Ceba NV Gungubele	ANC
Cllr / Rdl / Ceba S Bentley	GOOD
Cllr / Rdl / Ceba JJ Cornelius	ICOSA
Ald M Kruger	George Municipality
Cllr / Rdl / Ceba R Windwaai	George Municipality
Cllr / Rdl / Ceba R Louw	George Municipality
Cllr / Rdl / Ceba DB Coeries	George Municipality
Cllr / Rdl / Ceba SM Toto	George Municipality
Cllr / Rdl / Ceba MA Mkonto	Mossel Bay Municipality

Cllr / Rdl/ Ceba M Kannemeyer
 Ald RH Ruiters
 Cllr / Rdl / Ceba JJ Bavuma
 Cllr / Rdl / Ceba J Hoogbaard
 Cllr / Rdl / Ceba HRT Stroebel
 Cllr Rdl / Ceba L Nohana
 Ald D Swart
 Cllr / Rdl / Ceba S Mangxaba
 Ald JC Lambaatjeen
 Ald V Donson
 Cllr / Rdl / Ceba J van der Ross
 Ald WP Meshoa

Mossel Bay Municipality
 Mossel Bay Municipality
 Mossel Bay Municipality
 Hessequa Municipality
 Knysna Municipality
 Knysna Municipality
 Bitou Municipality
 Bitou Municipality
 Oudtshoorn Municipality
 Oudtshoorn Municipality
 Oudtshoorn Municipality
 Kannaland Municipality

OFFICIALS / AMPTENARE / AMAGOSA

Mr / Mnr / Mnu MG Stratu

Municipal Manager

Mr / Mnr / Mnu L Menze

Executive Manager Integrated
 Development Services
 Acting Executive Manager
 Community Services

Mr / Mnr / Mnu R Boshoff

Executive Manager Financial &
 Corporate Services

Ms / Me / Nkzn N Raisa-Mlandu

Executive Manager Community
 Services

Adv S Mapekeni

Manager Integrated Support
 Services & Legal Compliance

Adv N Davids

Manager Legal Service

Mr / Mnr / Mnu T Loliwe

Strategic Manager in the Office of
 the Municipal Manager

Mr / Mnr/ Mnu H Pieters

Manager Communication

Ms / Me / Nksnz R Matthews

Head: Committee Services

Ms / Me / Nksnz C van Wyngaardt

Committee Officer

Mr/ Mnr / Mnu BT Desha

Senior Language Practitioner

Ms / Me / Nkzn L James

Chief Risk Officer

Mr / Mnr / Mnu R Salmons

Skills Mecca Coordinator

Mr / Mnr / Mnu T Mpuru	Manager SCM, Data and Stores
Ms / Me / Nkzn L Hoek	Manager BTO, AFS & Assets
Ms / Me / Nkzn M Smit	Manager Human Resources
Mr / Mnr / Mnu C Scheepers	Assistant Manager Human Resources
Mr / Mnr / Mnu K Nieuwoudt	Manager ICT
Mr / Mnr / Mnu R Alberts	Senior ITC Professional
Ms / Me / Nkzn N Klaas	Manager Individual Performance and Policy Development
Mr / Mnr / Mnu D Mashila	Manager Projects, Properties, Facilities & Resort Management
Ms / Me / Nkzn M James	District IDP Manager
Mr / Mnr / Mnu J Compion	Senior Manager: Municipal Health, Waste Management, Air Quality
Mr / Mnr / Mnu G Otto	Manager Disaster Management
Dr J Schoeman	Manager District Air Quality Control

4.2 **COUNCILLORS AND OFFICIALS WITH LEAVE / RAADSLEDE EN AMPTENARE MET VERLOF / OOCEBA NAMAGOSA ABAKWIKHEFU**

Cllr / Rdl / Ceba D Acker	FREEDOM FRONT PLUS
Cllr / Rdl / Ceba CP Taute	Hessequa Municipality
Mr / Mnr / Mnu JG Daniels	Executive Manager Roads and Transport Services

4.3 **COUNCILLORS WITHOUT LEAVE / RAADSLEDE SONDER VERLOF / OCEBA ABANGEKHOYO**

Cllr / Rdl / Ceba J Fry	George Municipality
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5. **NOTING OF THE PROVISIONS OF SCHEDULE 7 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL STRUCTURES AMENDMENT ACT, 2021 / KENNISNAME VAN DIE VOORSKRIFTE VAN SKEDULE 7 (GEDRAGSKODE VIR RAADSLEDE) VAN DIE PLAASLIKE REGERING MUNISIPALE AANGEPASTE STRUKTUREWET, 2021 / UQWALASELO LWEMITHETHO-NEMIMISELO YOLUHLU 7 (INDLELA YOKUZIPHATHA KOOCEBA) UMTHEHO WEZOLAWULO LOMASIPALA WORHULUMENTE WASEKHAYA, 2021**

The Code of conduct was noted.

6. **DISCLOSURE OF INTERESTS BY COUNCILLORS AND OFFICIALS / VERKLARING VAN BELANGE DEUR RAADSLEDE EN AMPTENARE / UKUCHAZWA KOMDLA NGOOCEBA KUNYE NAMAGOSA**

NONE / GEEN / AZIKHO

7. **COMMUNICATIONS BY THE SPEAKER / MEDEDELINGS DEUR DIE SPEAKER / UNXIBELELWANO LUKASOMLOMO**

The Speaker informed the Councillors that GRDM has not received any correspondence from the IEC with regards to the vacant position of the PBI party, and as soon as the correspondence is received, the inauguration will take place.

The Speaker informed the Councillors that even though there is no Council meeting scheduled on the approved Calender for the month of June, a special Council meeting is going to take place and the date will be communicated in due course.

8. **COMMUNICATIONS BY THE EXECUTIVE MAYOR / MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER / UNXIBELELWANO LUKA SODOLOPHU**

Below is an verbatim extract from the Executive Mayor:

“Good day, Honourable Speaker, Deputy Executive Mayor, Councillors, Municipal Manager, Officials, and Members present,

As we gather today, we are reminded of the responsibility we carry as leaders serving the communities of the Garden Route District.

The matters before Council, particularly the final amended Integrated Development Plan and the 2026/2027 MTREF Budget, will play an important role in shaping the future of our municipality and ensuring sustainable service delivery to our residents.

The recent severe weather events and flood damage experienced across the district also remind us of the importance of resilient infrastructure, coordinated disaster response, and supporting communities during difficult times. We extend our appreciation to all officials, emergency services, and stakeholders who assisted throughout this period.

As Council, let us continue to lead with integrity, unity, and a shared commitment to good governance and the wellbeing of our communities. I thank you".

The Executive Mayor congratulated the Disaster Management and Fire Services Section in the manner they have dealt with the severe weather patterns that the region has experienced. Ald M Kruger, on behalf of Council expressed his condolences to the family members who have lost their family members due to the severity of the wind and rains. The Executive Mayor expressed his gratitude to the Municipal Manager and administration for all the work that they put in ensuring a smooth transfer of the Roads function..

The Executive Mayor congratulated the Economic Development Section for hosting a successful Tourism Industry Workshop on 26 May 2026.

The Executive Mayor informed the Cllrs of the Mountain Ultra Trail (MUT), an international event taking place in the Garden Route, and reported that 50 countries will be represented at the event.

The Executive Mayor thanked the Financial Services department for the preparation of the funded Budget that will be discussed at the meeting today.

9. **COMMUNICATIONS BY THE MUNICIPAL MANAGER / MEDEDELINGS DEUR MUNISIPALE BESTUURDER / UNXIBELELWANO LUKA MPHATHI MASIPALA**

The Municipal Manager, Mr M Stratu communicated the following:

Mr MG Stratu congratulated the Community Services Department, especially the EHP section, and announced that the section has been awarded a Gold Certification of Recognition by the Western Cape Provincial Government Department of Health and Wellness and said that the award is for technological advancement in Environmental Health Norms and Standards during the 2025/26 financial year for which the department is achieving 97.8% assessment result.

The Municipal Manager informed the Cllrs that the Disaster Management Section was also assessed and scored 90 out of 100%

Mr MG Stratu informed the Cllrs that the Management Team of GRDM had a meeting with DOI on 19 May 2026 to discuss the process of the Roads Transfer going forward. Mr MG Stratu said that the meeting was fruitful and one of the biggest victories was in principle agreement by parties to consider support staff in the transfer process, a position to which DOI was previously not open to and that the next meeting with DOI is going to take place on 02 June 2026 and at an opportune time a detailed report will be submitted to Council. Mr MG Stratu informed the Cllrs that a staff meeting took place on Monday to provide the status of the Roads transfer to all staff members.

10. **APPROVAL OF MINUTES OF COUNCIL MEETING / GOEDKEURING VAN NOTULES VAN RAADSVERGADERING / UKWAMKELWA KWEMIZUZU YENTLANGANISO ZEBHUNGA**

10.1 **MINUTES OF A COUNCIL MEETING DATED 28 APRIL 2026/ NOTULE VAN 'N RAADSVERGADERING GEDATEER 28 APRIL 2026 / IMIZUZU YENTLANGANISO YEBHUNGA EKHETHEKILEYO YANGOMHLA 28 KUTSHAZIMPHUZI 2026 (PG 7-27)**

RESOLVED

That the minutes of the Council meeting dated 28 April 2026, be approved.

BESLUIT

Dat die notule van die Raadsvergadering gedateer 28 April 2026, goedgekeur word.

ISIGQIBO

Imizuzu Yentlanganiso eKhethekileyo yeBhunga yangomhla 28 KuTshazimphuzi 2026, iphunyezwe.

11. MINUTES OF MAYORAL COMMITTEE MEETING/ SECTION 79 COMMITTEES AND OTHER COMMITTEES (FOR NOTIFICATION) / NOTULE VAN DIE BURGEMEESTERSKOMITEEVERGADERING/ ARTIKEL 79 KOMITEES EN ANDER KOMITEES (VIR KENNISNAME) / IMIZUZUZ YEKOMITI KASODOLOPHU KUNYE NEZINYE IKOMITI ZOMHLATHI 79 (ITHATHELWE INGQALELO)

11.1 MINUTES OF MAYORAL COMMITTEE MEETING: 30 MARCH 2026/ NOTULE VAN UITVEROENDE BURGEMEESTERSKOMITEEVERGADERING: 30 MAART 2026 / YENTLANGANISO YEKOMITI KASODOLOPHU: 30 KWEYOKWINDLA 2026 (PG 28-54) RESOLVED

That the minutes of the Executive Mayoral Committee meeting dated 30 March 2026, be noted.

BESLUIT

Dat kennis geneem word van die notule van die Uitvoerende Burgemeesterskomitee wat plaasgevind het op 30 Maart 2026.

ISIGQIBO

Sesokuba imizuzu yentlanganiso yeKomiti kaSodolophu nenibanjwe ngomhla 30 KweyoKwindla 2025 ithathelwe ingqalelo.

12. STANDING ITEMS / STAANDE ITEMS / IMIBA EMISIWEYO

12.1 None / Geen / Ayikho

A. REPORTS FROM THE SPEAKER / VERSLAE VANAF DIE SPEAKER / IMIBA EVELA KU SOMLOMO

A.1 None / Geen / Ayikho

B. REPORTS FROM THE EXECUTIVE MAYOR / VERSLAE VANAF DIE UITVOERENDE BURGEMEESTER / IMIBA EVELA KUSODOLOPHU

B.1 GARDEN ROUTE DISTRICT MUNICIPALITY FINAL AMENDED INTEGRATED DEVELOPMENT PLAN (2022-2027) 2026/2027 (REVIEW) / GARDEN ROUTE DISTRIKSMUNISIPALITEIT FINALE GEÏNTEGREERDE ONTWIKKELINGSPLAN (2022-2027) 2026/2027 (HERSIENING) ISICWANGCISO SENDIBANISELWANO YEZOPHULISO SOKUGQIBELA SOMASIPALA WESITHILI SE GARDEN ROUTE(2022-2027)2026/2027

Report from the Executive Mayor (ALD M Kruger) Executive Manager: Integrated Planning & Economic Development L Menze)(PG 55-253)

RESOLVED

- 5.1 That Council approves the Final Amended 2022-2027 Integrated Development Plan for the 2026/2027 review.
- 5.2 That Council notes that the amendment process included enhanced public participation during April and May 2026.
- 5.3 That Council notes the key institutional amendments reflected in the Final Amended IDP includes:
 - a) the anticipated transfer of the Roads Services function to the Provincial Government from 1 July 2026.
 - b) the inclusion of the amended Spatial Development Framework,
 - c) the discontinuation of the Integrated Human Settlements function at the district level.
- 5.4 That the Spatial Development Framework be adopted as a core component of the Garden Route District Municipality's IDP.

BESLUIE

- 5.1 *Dat die Raad die Finale Gewysigde 2022-2027 Geïntegreerde Ontwikkelingsplan (GOP) vir die 2026/2027 hersiening goedkeur.*
- 5.2 *Dat die Raad kennis neem dat wysigingsproses verbeterde openbare deelname gedurende April en Mei ingesluit het.*

5.3 Dat die Raad kennis neem dat die belangrikste institusionele wysigings wat in die Finale Gewysigde GOP vervat word die volgende insluit:

- a) die verwagte oordrag van die Paddienste funksie na die Provinsiale Regering vanaf 1 Julie 2026.
- b) die insluiting van die gewysigde Tuinroete Ruimtelike Ontwikkelingsraamwerk,
- c) die beëindiging van die Geïntegreerde Menslike Nedersettings-funksie op dikstriksvlak.

5.4 Dat die Ruimtelike Ontwikkelingsraamwerk as 'n kernkomponent van die Garden Route Distriksmunisipaliteit se GOP goedgekeur word.

ISIGQIBO

5.1 Sesokuba iBhunga lisamkela iSicwangciso soPhuhliso Lwendibaniselwano sokugqibela sika-2022-2027 esiLungisiweyo sophononongo luka-2026/2027.

5.2 Sesokuba iBhunga liqaphela ukuba inkqubo yohlengahlengiso ibandakanya ukubandakanyeka koluntu okwandisiweyo ngexesha lika-Tshazompuzi noCanzibe ka-2026.

5.3 Sesokuba iBhunga liqaphela izilungiso ezibalulekileyo zesikhungo eziboniswe kwi-IDP yokugqibela eLungisiweyo ziquka:

- a) ukudluliselwa okulindelweyo komsebenzi weNkonzo zeNdlela kuRhulumente wePhondo ukususela ngomhla 1 kweyeKhala 2026.
- b) ukubandakanywa kweSicwangciso soPhuhliso lweNdawo esilungisiweyo,
- c) ukuyekiswa komsebenzi weZindlu zoLuntu eziDibeneyo kwinqanaba lesithili.

5.4 Sesokuba iSicwangciso soPhuhliso lweNdawo samkelwe njengenxalenye ephambili ye-IDP kaMasipala weSithili saseGarden Route.

NB: REPORT ON THE ADDENDUM WAS DEALT WITH NEXT.

B. REPORTS FROM THE EXECUTIVE MAYOR / VERSLAE VANAF DIE UITVOERENDE BURGEMEESTER / IMIBA EVELA KUSODOLOPHU

B.2 FINAL BUDGET 2026/2027 MTREF (MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK) / VERSLAG: FINALE BEGROTING 2026/2027 MEDIUM TERMYN INKOMSTE EN UITGAWE RAAMWERK (MTIUR) / ULWABIWO-MALI LOKUGQIBELA LUKA 2026/2027 MTREF(INGENISO YEXESHANA KUNYE NENDLELA YENCITHO)

Refer Report from the Executive Mayor (Ald M Kruger) (PG 4-587)

Before the resolutions were formulated, Ald D Swart proposed that the Final Budget be approved with amendments to recommendation no 7. This proposal was seconded by Ald V Donson.

Ald S de Vries proposed that the Final Budget not be approved. This proposal was seconded by Cllr NV Gungubele.

Voting took place by show of hands and the results were as follows:

Councillors in favor of the proposal by Ald D Swart - 19

Councillors in favor of the proposal by Ald S de Vries – 9

Abstention - 5

RESOLVED

- 1) That the final annual budget of Garden Route District Municipality for the financial year 2026/27 as set out in the schedules contained in Section 4 and Annexure A be approved:
 - (i) Table A1 Consolidated Budget Summary;
 - (ii) Table A2 Consolidated Budget Financial Performance (by standard classification);
 - (iii) Table A3 Consolidated Budget Financial Performance (by municipal vote);
 - (iv) Table A4 Consolidated Budget Financial Performance (revenue and expenditure);
 - (v) Table A5 Consolidated Budget Capital Expenditure (by municipal vote and funding source);
 - (vi) Table A6 Consolidated Budget Financial Position;
 - (vii) Table A7 Consolidated Budget Cash Flows;
 - (viii) Table A8 Consolidated Cash backed reserves/ accumulated surplus;
 - (ix) Table A9 Consolidated Asset Management; and
 - (x) Table A10 Consolidated basic service delivery measurement

- 2) That Council approves the Operating Revenue Budget of **R325,406,721**.
- 3) That Council approves the Operating Expenditure budget of **R322,352,714**.
- 4) That Council approves the Capital budget of **R66,987,388**.
- 5) That Council mandates the Administration to commence with the processes set out in Section 197 (6) and Section 189 of the Labour Relations Act.
- 6) That Administration investigate future revenue enhancement projects to maximise revenue.
- 7) That Council requests the Administration to submit a detailed report outlining the breakdown of the R25.2 million gains derived from properties identified for alienation. Furthermore, a comprehensive implementation plan, together with regular progress reports on the alienation of the identified properties, must be submitted to Council as a standing agenda item.
- 8) That Council approves the Service Delivery Standards (Section 13).
- 9) That Council approves the tariffs for all services (Annexure B).
- 10) That Council approves the new/ amended budget related policies as follows:
 - i. Supply Chain Management Policy (Annexure H)
 - ii. Preferential Procurement Policy (Annexure L)
 - iii. Costing Policy (Annexure O)
- 11) That council approves the budget related policies that have been reviewed and remained unchanged, namely:
 - i. Tariff Policy (Annexure C)
 - ii. Long term Financial Plan Policy (Annexure D)
 - iii. Budget policy (Annexure E)
 - iv. Asset Management Policy (Annexure F)
 - v. Funding and Reserve Policy (Annexure G)
 - vi. Credit Control and Debt Collection Policy and Bylaw (Annexure I)
 - vii. Banking, Cash Management and Investment Policy (Annexure J)
 - viii. Borrowing Policy (Annexure K)
 - ix. Petty Cash Policy (Annexure M)
 - x. Cost Containment Policy (Annexure N)
- 12) That Council takes note of the following Budget Circulars, namely:
 - i. MFMA Circular No. 132 (Annexure P)

ii. MFMA Circular No. 134 (Annexure Q)

13) That Council approves the Procurement Plan (Annexure R).

14) That Council approves the mSCOA Roadmap (Annexure S).

BESLUIE

- 1) *Dat die Raad goedkeuring gee vir die meerjarige konsepbegroting vir Garden Route Distrik Munisipaliteit vir die finansiële jaar 2026/2027 soos uiteengesit in seksie 4 van die begrotingsverslag en Aanhangsel A:*
 - (i) *Tabel A1 Gekonsolideerde begrotings opsomming;*
 - (ii) *Tabel A2 Gekonsolideerde Begrotings Finansiële prestasie (volgens standaard klassifikasie);*
 - (iii) *Tabel A3 Gekonsolideerde Begrotings Finansiële Prestasie (volgens munisipale segment);*
 - (iv) *Tabel A4 Gekonsolideerde Begrotings Finansiële Prestasie (Inkomste en Uitgawes);*
 - (v) *Tabel A5 Gekonsolideerde Kapitale Begrotings uitgawes (volgens munisipale segment en befondsing bron);*
 - (vi) *Tabel A6 Gekonsolideerde Begroting Finansiële Posisie;*
 - (vii) *Tabel A7 Gekonsolideerde Begroting Kontantvloei;*
 - (viii) *Tabel A8 Gekonsolideerde kontant gerugsteunde reserwes/opgehoopte surplus;*
 - (ix) *Tabel A9 Gekonsolideerde Bate Bestuur; en*
 - (x) *Tabel A10 Gekonsolideerde Basiese dienslewering bepaling.*
- 2) *Dat die Raad die Bedryfsinkomste van **R325,406,721** goedkeur.*
- 3) *Dat die Raad die Bedryfsuitgawes van **R322,352,714** goedkeur.*
- 4) *Dat die Raad die Kapitale Begroting van **R66,987,388** goedkeur.*
- 5) *Dat die Raad die Administrasie 'n mandaat gee om met die prosesse te begin soos uiteengesit in Artikel 197 (6) en Artikel 189 van die Arbeidsverhoudingwet.*
- 6) *Dat die Administrasie toekomstige inkomste-genererende projekte ondersoek om inkomste te maksimaliseer.*
- 7) *Dat die Raad 'n gedetailleerde afbreking van die R25,2m wins vanaf die verkoop van eiendomme wat geïdentifiseer was vir vervreemding versoek en dat 'n gedetailleerde plan ingedien word.*
- 8) *Dat die verslag rakende Diensleweringstandaarde goedkeur (Seksie 13).*

9) *Dat die Raad die tariewe vir alle dienste goedkeur (Aanhangsel B).*

10) *Dat die Raad die volgende begrotingsbeleide wat nuut/ hersien is goedkeur:*

- i. Voorsienings Kanaal Beleid (Aanhangsel H)*
- ii. Voorkeur Verkrygings Beleid (Aanhangsel L)*
- iii. Koste Beleid (Aanhangsel O)*

11) *Dat die Raad die volgende beleide wat hersien is en geen veranderinge aangebring is nie, goedkeur:*

- i. Tariewe Beleid (Aanhangsel C)*
- ii. Langtermyn Finansiële Bestuurs Beleid (Aanhangsel D)*
- iii. Begrotings Beleid (Aanhangsel E)*
- iv. Bate Bestuurs Beleid (Aanhangsel F)*
- v. Opgehoopte fondse en reserwe beleid (Aanhangsel G)*
- vi. Krediet Beheer en Skuld Invorderings Beleid (Aanhangsel I)*
- vii. Bank, Kontantbestuur en beleggings Beleid (Aanhangsel J)*
- viii. Lenings Beleid (Aanhangsel K)*
- ix. Kleinkas Beleid Regulasies (Aanhangsel M)*
- x. Koste Inperkingsbeleid (Aanhangsel N)*

12) *Dat die Raad kennis neem van die volgende begrotings omsendskrywes, naamlik:*

- i. MFMA Omsendskrywe Nr. 132 (Aanhangsel P)*
- ii. MFMA Omsendskrywe Nr. 134 (Aanhangsel Q)*

13) *Dat die Raad die Verkrygingsplan goedkeur (Aanhangsel R).*

14) *Dat die Raad die mSCOA padkaart goedkeur (Aanhangsel S).*

ISIGQIBO

1) Sesokuba uhlahlo-lwabiwo mali lokugqibela lonyaka loMasipala Wesithili seGarden Route lonyaka-mali ka-2026/27 njengoko kuchaziwe kwiishedyuli ezikwiCandelo 4 kunye neSihlomelo A luvunywe:

- (i) Isishwankathelo seBhajethi eDibeneyo yeTheyibhile A1;
- (ii) ITheyibhile A2 Ukusebenza kwezeMali kweBhajethi eDibeneyo (ngokwendlela eqhelekileyo yokuhlelwa);

- (iii) ITheyibhile A3 Ukusebenza kwezeMali kweBhajethi eDibeneyo (ngevoti kamasipala);
- (iv) ITheyibhile A4 Ukusebenza kwezeMali kweBhajethi eDibeneyo (ingeniso kunye nenkcitho);
- (v) ITheyibhile A5 Inkcitho yeNkunzi yeBhajethi eDibeneyo (ngevoti kamasipala kunye nomthombo wemali);
- (vi) ITheyibhile A6 Isikhundla sezeMali seBhajethi eDibeneyo;
- (vii) ITheyibhile A7 Ukuhamba kwemali kweBhajethi eDibeneyo;
- (viii) ITheyibhile A8 Imali egciniweyo exhaswayo/ intsalela eqokelelweyo;

- (ix) ITheyibhile A9 Ulawulo lweeAsethi eziDibeneyo; kunye
- (x) Itheyibhile A10 Umlinganiselo odibeneyo wokuhanjiswa kweenkonzo ezisisiseko
- 2) Ukuba iBhunga livuma uHlahlo-lwabiwo-mali lweNgeniso yokuSebenza lwe-**R325,406,721.**
- 3) Ukuba iBhunga livuma uhlahlo-lwabiwo-mali lweNdleko yokuSebenza lwe-**R322,352,714.**
- 4) Ukuba iBhunga livuma uhlahlo-lwabiwo-mali lweNkunzi lwe-**R66,987,388.**
- 5) Ukuba iBhunga liyalela uLawulo ukuba luqalise ngeenkqubo ezichazwe kwiCandelo 197 (6) kunye neCandelo 189 loMthetho woBudlelwane bezeMisebenzi.
- 6) Ukuba uLawulo luphande iiprojekthi zokuphucula ingeniso kwixesha elizayo ukuze kwandiswe ingeniso.
- 7) Ukuba iBhunga licela uLawulo ukuba lungenise ingxelo eneenkcukacha echaza ukwahlulwahlulwa kweenzuzo ze-**R25.2** yezigidi ezivela kwiiipropati ezichongiweyo zokuhluthwa. Ngaphezu koko, isicwangciso sokuphumeza esibanzi, kunye neengxelo zenkqubela phambili rhoqo malunga nokuhluthwa kweepropati ezichongiweyo, kufuneka zingeniswe kwiBhunga njengento eqhubekayo.

- 8) Ukuba iBhunga livuma iMigangatho yokuNikezelwa kweNkonzo (iCandelo 13).

- 9) Ukuba iBhunga liyamkela iirhafu zazo zonke iinkonzo (Isihlomelo B).
- 10) Ukuba iBhunga liyamkela imigaqo-nkqubo emitsha/elungisiweyo enxulumene nohlahlo-lwabiwo mali ngolu hlobo lulandelayo:
 - i. Umgaqo-nkqubo woLawulo lweCandelo loNikezelo (Isihlomelo H)
 - ii. Umgaqo-nkqubo woThengo oluKhethekileyo (Isihlomelo L)

iii. Umgaqo-nkqubo weendleko (Isihlomelo O)

11) Ukuba iBhunga liyamkela imigaqo-nkqubo enxulumene nohlahlo-lwabiwo mali ehlaziyiweyo kwaye ingazange itshintshe, oko kukuthi:

i. Umgaqo-nkqubo weRhafu (Isihlomelo C)

ii. Umgaqo-nkqubo weSicwangciso sezeMali sexesha elide (Isihlomelo D)

iii. Umgaqo-nkqubo weBhajethi (Isihlomelo E)

iv. Umgaqo-nkqubo woLawulo lweeAsethi (Isihlomelo F)

v. Umgaqo-nkqubo weNkxaso-mali kunye noGcino (Isihlomelo G)

vi. Umgaqo-nkqubo woLawulo lweTyala kunye nokuQokelelwa kwaMatyala (Isihlomelo I)

vii. Umgaqo-nkqubo weBhanki, uLawulo lweMali kunye noTyalo-mali (Isihlomelo J)

viii. Umgaqo-nkqubo wokuBoleka (Isihlomelo K)

ix. Umgaqo-nkqubo weMali encinci (Isihlomelo M)

x. Umgaqo-nkqubo woLawulo lweNdleko (Isihlomelo N)

12) Ukuba iBhunga liyayiqaphela le Migqaliselo yoHlahlo-lwabiwo mali ilandelayo, eyile:

i. ISetyhula ye-MFMA No. 132 (Isihlomelo P)

ii. ISetyhula ye-MFMA No. 134 (Isihlomelo Q)

13) Ukuba iBhunga liyasivuma iSicwangciso sokuThenga (Isihlomelo R).

14) Ukuba iBhunga liyayivuma i-mSCOA Roadmap (Isihlomelo S).

NB: Cllrs S Toto and L Nohana left the meeting at 12:20.

C. REPORTS FROM THE OFFICE OF THE MUNICIPAL MANAGER / ITEMS VANAF DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER / IMIBA EVELA KWI OFISI YOMPHATHI MASIPALA

C.1 REPORT ON THE APPROVAL OF THE WORKPLACE SKILLS PLAN FOR THE FINANCIAL YEAR 2026/2027 / VERSLAG RAKENDE DIE GOEDKEURING VAN DIE WERKSPEL VAARDIGHEIDSPAN VIR DIE FINANSIËLE JAAR 2026/27 / INGXELO NGOKUPHUNYEZWA KWEZICWANGCISO ZEZAKHONO KWINDAWO YEMPANGELO KUNYAKAMALI KA 2026/27

Refer report from the office the Municipal Manager (MG Stratu) / Strategic Manager In the Office of the Municipal Manager (T Loliwe)(PG 254-332)

RESOLVED

That Council notes the importance of the Workplace Skills Plan and supports its timely submission to the LGSETA to secure funding and strengthen workforce development.

BESLUIT

Dat die Raad kennis neem van die belangrikheid van die Werkspek VaardigheidsPlan en die betydse inhandiging ondersteun, ten einde befondsing te bekom asook die versterking van die werksmag se ontwikkeling.

ISIGQIBO

Sesokuba iBhunga lithathele ingqalelo ukubaluleka kweSicwangciso seZakhono zaseMsebenzini kwaye lixhasa ukungeniswa kwaso ngexesha elifanelekileyo kwi-LGSETA ukuze kufunyanwe inkxaso-mali kwaye komelezwe uphuhliso lwabasebenzi.

D. REPORTS FROM THE FINANCE AND CORPORATE SERVICES DEPARTMENT / VERSLAE VANAF DIE FINANSIËLE EN KORPORATIEWE DIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZEMALI KUNYE ZOLAWULO

D.1 DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 APRIL 2026 TO 30 APRIL 2026 / AFWYKINGSVERSLAG: VOORSIENINGSKANAALBELEID VIR DIE PERIODE 1 APRIL 2026 TOT 30 APRIL 2026 /INGXELO YOTYESHELO:UKUMISELWA KOMGAQONKQUBO WOLAWULO LWENKCITHO KWIXESHA LOMHLA 1 KUTSHAZIMPHUZI 2026 UKUYA 30 KUTSHAZIMPHUZI 2026

Refer Report from the Executive Manager Financial and Corporate Services (R Boshoff) (PG 333-337)

RESOLVED

1. That the implementation of Regulation 36 of the Municipal Supply Chain Regulation in terms of the deviations for the period 1 April 2026 to 30 April 2026, be noted.

2. That it be noted that in terms of Section 114 of the Municipal Finance Management Act, Act 56 of 2003, there was no approval of tenders not recommended in the normal course of implementing Supply Chain Management policy of a municipality.

BESLUITE

1. *Dat kennis geneem word van die implementering van Artikel 36 van die Voorsieningskanaal beleid in terme van die afwykings vir die periode van 1 April 2026 tot 30 April 2026.*
2. *Dat kennis geneem word dat in terme van Artikel 114 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003, dat daar geen goedkeuring was van tenders wat nie aanbeveel is in die normale implementering van die Voorsieningskanaalbeleid van die munisipaliteit nie.*

ISIGQIBO

1. Sesokuba ukumiselwa komhlathi 36 woMgaqo Wolawulo Lwencitho yoMasiapala ngokwemimiselo yezotyeshelo kwixesha lomhla 01 KuTshazimphuzi 2026 ukuya 30 KuTshazimphuzi 2026, kuthathelwe ingqalelo.
2. Sesokuba kuthathelwe ingqalelo ngokwemimiselo yoMhlathi 114 woMthetho Wolawulo Lwemali zoMasipala, uMthetho 56 wango 2003, akukhange kubekho ziniki maxabiso ezingandululwanga kwinkqubo eqhelekileyo yokumiselwa uMgawo Wolawulo Lwezenkcitho zomasipala.

NB: Cllr S Toto returned to the meeting at 12:23.

E. REPORTS FROM THE COMMUNITY SERVICES DEPARTMENT / ITEMS VANAF DIE GEMEENSKAPSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZOLUNTU

E.1 **REPORT ON THE SEVERE WEATHER EVENT THAT OCCURRED IN THE GARDEN ROUTE DISTRICT FROM THE 06TH TILL THE 15TH OF MAY 2026 / VERSLAG RAKENDE DIE GURE WEER WAT OOR DIE TUINROETE DISTRIK VOORGEKOM HET VIR DIE PERIODE 6 TOT 15 MEI 2024 / INGXELO NGEMOZULU EMBI EYENZEKE KWISITHILI SE-GARDEN ROUTE UKUSUKELA NGOMHLA WESI-6 UKUYA KUMHLA WESI-15 KUCANZIBE 2026**

Refer Report from the Executive Manager Community Services (N Raisa-Mlandu) / Manager Disaster Management (G Otto)(PG 338-361)

RESOLVED

1. That Council takes note of the report.
2. That the GRDM Disaster Management Centre be mandated to coordinate the short as well as long term interventions needed to address the impact of this severe weather event.
3. That the Provincial Disaster Management Centre be requested to do a formal post disaster assessment as well as verification of damages after the recent severe weather event.

BESLUIE

1. *Dat die Raad kennis neem van hierdie verslag.*
2. *Dat die GRDM DMC gemandateer word om 'n kort sowel as lang termyn intervensies ten opsigte van die aanspreek van hierdie insident te koördineer.*
3. *Dat die Provinsiale Rambestuur sentrum versoek word om na-ramp assesering asook skade verifieering uit te voer in terme van die insident.*

ISIGQIBO

1. Sesokuba iBhunga liyayiqaphela le ngxelo.
2. Sesokuba iZiko loLawulo lweNtlekele le-GRDM liyalelwe ukuba liququzelele amanyathelo okungenelela afutshane kunye nawexesha elide afunekayo ukujongana nempembelelo yesi siganeko semozulu embi.
3. Sesokuba iZiko loLawulo lweNtlekele lePhondo liyacelwa ukuba lenze uvavanyo olusemthethweni emva kwentlekele kunye nokuqinisekisa umonakalo emva kwesiganeko semozulu embi kakhulu sakutshanje.

**F. REPORTS FROM THE ROADS AND TRANSPORT PLANNING SERVICES DEPARTMENT /
ITEMS VANAF DIE PAAIE EN VERVOER BEPLANNINGSDIENSTE DEPARTEMENT / IMIBA
YESEBE LENKONZO ZENDLELA KUNYE NEZICWANGCISO KWEZOTHUTHO**

F.1 None / Geen / Asikho

**G. REPORTS FROM THE INTEGRATED PLANNING AND ECONOMIC DEVELOPMENT
DEPARTMENT / ITEMS VANAF DIE GEINTREERDE BEPLANNING EN EKONOMIESE DIENSTE
DEPARTEMENT / IMIBA YESEBE LEZICWANGCISO KUNYE NOPHUHLISO LOQOQOSHO**

**G.1 REQUEST FOR THE ALIENATION OF A PORTION OF FARM 195 KRAAI BOSCH KNOWN AS
LANDS END (ENCROACHMENT) / VERSOEK OM DIE VERVREEMDING VAN 'N DEEL VAN
PLAAS 195 KRAAI BOSCH BEKEND AS LANDS END (OORSKRYDING) / ISICELO
SOKUSUSWA KWENGXENYE YEFAMA 195 KRAAI BOSCH EYAZIWA NJENGE LANDS END
(UKUNGENELELA)**

*Report from the Executive Manager Planning and Economic Development Services (L Menze) /
Manager: Projects, Properties, Facilities and Resorts Management (D Mashila)(PG 362-368)*

RESOLVED

1. That Council takes note of the historical occupation, use, and improvement of the portion of municipal land known as Lands End, forming part of Farm 195 Kraaibosch, by the owner of Portion 98/195, Mr CT. Schalkwyk.
2. That Council notes that the relevant portion of land is not required to provide minimum basic services in terms of section 14 of the MFMA.
3. That Council approves in principle the alienation of approximately 334 square metres of municipal land forming part of Lands End, subject to compliance with all applicable legislative and regulatory requirements.
4. That the encroached (approximately 334 square metres) land is deemed non-viable for development and can only be functional if combined with adjacent land.
5. That Council authorise the Municipal Manager to embark on a process to alienate the encroached land.

6. That Council notes that all costs associated with the proposed alienation, including but not limited to valuation, survey costs, subdivision costs, rezoning (if applicable), conveyancing fees, transfer duties, and registration costs, shall be for the account of the successful purchaser.

BESLUIE

1. *Dat die Raad kennis neem van die historiese besetting, gebruik en verbetering van die gedeelte van die munisipale grond bekend as Lands End, wat deel vorm van Plaas 195 Kraaibosch, deur die eienaar van Gedeelte 98/195, Mnr. CT. Schalkwyk.*
2. *Dat die Raad kennis neem dat die betrokke gedeelte van die grond nie vereis word om minimum basiese dienste te verskaf ingevolge artikel 14 van die MFMA nie.*
3. *Dat die Raad in beginsel die vervreemding van ongeveer 334 vierkante meter munisipale grond wat deel vorm van Lands End goedkeur, onderhewig aan voldoening aan alle toepaslike wetgewende en regulatoriese vereistes.*
4. *Dat die oorgesteekte (ongeveer 334 vierkante meter) grond as nie-lewensvatbaar vir ontwikkeling beskou word en slegs funksioneel kan wees indien dit met aangrensende grond gekombineer word.*
5. *Dat die Raad die Munisipale Bestuurder magtig om 'n proses te begin om die oorskrydende grond te vervreem.*
6. *Dat die Raad kennis neem dat alle koste verbonde aan die voorgestelde vervreemding, insluitend maar nie beperk tot waardasie, opmetingskoste, onderverdelingskoste, hersonering (indien van toepassing), oordragkoste, oordragregte en registrasiekoste, vir die rekening van die suksesvolle koper sal wees.*

ISIGQIBO

1. Sesokuba iBhunga liyayiqaphela imbali yokuhlala, ukusetyenziswa, kunye nokuphuculwa kwenxalenye yomhlaba kamasipala eyaziwa ngokuba yiLands End, eyakha inxalenye yeFama 195 Kraaibosch, ngumnini weSahlulo 98/195, uMnu. CT. Schalkwyk.
2. Sesokuba iBhunga liyaqaphela ukuba inxalenye efanelekileyo yomhlaba ayifuneki ukubonelela ngeenkondo ezisisiseko ngokwecandelo 14 le-MFMA.
3. Sesokuba iBhunga liyayivuma ngokomgaqo ukwahlulwa komhlaba kamasipala omalunga ne-334 square metres okakha inxalenye yeLands End, kuxhomekeke ekuthobeleni zonke iimfuno zomthetho nezolawulo ezifanelekileyo.
4. Sesokuba umhlaba ogxothiweyo (malunga ne-334 square metres) uthathwa njengongenakusebenza kuphuhliso kwaye unokusebenza kuphela xa udlityaniswe nomhlaba okufutshane.
5. Sesokuba iBhunga ligunyazisa uMphathi kaMasipala ukuba aqalise inkqubo yokwahlulwa komhlaba ogxothiweyo.
6. Sesokuba iBhunga liqaphela ukuba zonke iindleko ezinxulumene nokwahlulwa okucetywayo, kuquka kodwa kungaphelelanga apho kuqikelelwa khona ixabiso, iindleko zophando, iindleko zokwahlulahlula, ukutshintshwa kweendawo (ukuba kuyasebenza), iifizi zokudluliselwa kweendawo, iifizi zokudluliselwa kweendawo, kunye neendleko zokubhalisa, ziya kuba zezemali zomthengi oye wangophumeleleyo.

G.2 **RECOMMENDATION FOR THE CONCLUSION OF A MEMORANDUM OF UNDERSTANDING WITH THE ROBBERG COASTAL CORRIDOR PROTECTED ENVIRONMENT FOR THE PERIOD OF 5 YEARS / AANBEVELING VIR DIE SLUITING VAN 'N MEMORANDUM VAN VERSTANDHOUDING MET DIE ROBBERG-KUSKORRIDOR-BESKERMDE OMGEWING VIR DIE TYDPERK VAN 5 JAAR / ISINDULULO NGOKUQUKUMBELA UMTHETHO WOKUQONDANA NESIMO ESIKHUSELEKILEYO SE-ROBBERG COASTAL CORRIDOR KWIXESHA LEMINYAKA EMI-5**

Report from Executive Manager: Integrated Planning and Economic Development (Mr L. Menze)/ Human Settlements (Mr D Mashila) (PG 369-532)

RESOLVED

1. That Council takes note of the strategic conservation importance of Portion 45 of the Farm Roodefontein No. 440 within the Robberg Coastal Corridor Protected Environment.
2. That Council support the principle of cooperative management between GRDM and RCCPE NPO.
3. That Council grants approval for the drafting and negotiation of a Memorandum of Understanding between GRDM and RCCPE NPO for the period of 5 years to formalise operational cooperation and management support in respect of Portion 45 of the Farm Roodefontein No. 440.
4. That Council notes that RCCPE NPO will conserve, maintain and manage Portion 45 of the Farm Roodefontein at no cost to GRDM.
5. That Council mandate the Municipal Manager to facilitate the necessary administrative and legal processes required for the conclusion of the MOU and associated governance arrangements between the Parties.

BESLUITE

1. *Dat die Raad kennis neem van die strategiese bewaringsbelangrikheid van Gedeelte 45 van die Plaas Roodefontein Nr. 440 binne die Robberg Kuskorridor Beskernde Omgewing.*
2. *Dat die Raad die beginsel van samewerkende bestuur tussen GRDM en RCCPE NPO ondersteun.*

3. *Dat die Raad goedkeuring verleen vir die opstel en onderhandeling van 'n Memorandum van Verstandhouding tussen GRDM en RCCPE NPO vir die tydperk van 5 jaar om operasionele samewerking en bestuursondersteuning te formaliseer ten opsigte van Gedeelte 45 van die Plaas Roodefontein Nr. 440.*
4. *Dat die Raad kennis neem dat RCCPE NPO Gedeelte 45 van die Plaas Roodefontein sal bewaar, onderhou en bestuur sonder enige koste vir GRDM.*
5. *Dat die Raad die Munisipale Bestuurder mandaat gee om die nodige administratiewe en regsprosesse te fasiliteer wat vereis word vir die sluiting van die MOU en gepaardgaande bestuursreëlings tussen die Partye.*

ISIGQIBO

1. Sesokuba iBhunga liyaqaphela ukubaluleka kokulondolozwa koMhlatyana 45 weFama iRoodefontein No. 440 ngaphakathi kweNdawo eKhuselweyo yoLwandle iRobberg.
2. Sesokuba iBhunga liyawuxhasa umgaqo wolawulo lwentsebenziswano phakathi kweGRDM kunye neRCCPE NPO.
3. Sesokuba iBhunga liyakuvumela ukubhalwa kunye nokuxoxisana ngeMemorandum yokuQondana phakathi kweGRDM kunye neRCCPE NPO ixesha leminyaka emi-5 ukuze kwenziwe ngokusemthethweni intsebenziswano yokusebenza kunye nenkxaso yolawulo malunga noMhlatyana 45 weFama iRoodefontein No. 440.
4. Sesokuba iBhunga liyaqaphela ukuba iRCCPE NPO iya kulondoloza, igcine kwaye ilawule uMhlatyana 45 weFama iRoodefontein ngaphandle kwentlawulo kwiGRDM.
5. Sesokuba iBhunga liyalele uMphathi kaMasipala ukuba enze lula iinkqubo zolawulo nezomthetho ezifunekayo ukuze kugqitywe iMOU kunye namalungiselelo olawulo ahambelanayo phakathi kwaMaqela.

G.3 **CONTRACT C1273: TEMPORARY USAGE OF PORTIONS OF LAND FOR ROAD MAINTENANCE PURPOSES: ERF 975, DYSELSDORP / KONTRAK C 1273: TYDELIKE GEBRUIK VAN GEDEELTES GROND VIR PAAIE ONDERHOUDSDOELEINDES: ERF 975, DYSELSDORP / ISIVUMELWANO C1273: UKUSETYENZISWA KWEXESHANA KWEENGXENYE ZOMHLABA NGENJONGO ZOKULUNGISWA KWEENDLELA: ERF 975, DYSELSDORP**

Report from Executive Manager: Integrated Planning and Economic Development (Mr L. Menze)/ Human Settlements (Mr D Mashila) (PG 533-540)

RESOLVED

- 1) That Council takes note of the contents of the report.
- 2) That Council grants an 'in principle' approval to the Western Cape Department of Infrastructure (DOI) for the temporary 5-year borrow-pit use of a portion of Erf 975, Dyselsdorp.
- 3) That Council notes that DOI is in the process of valuating the property to determine a fair usage value.
- 4) That Council authorise Administration to negotiate and conclude an agreement with DOI regarding the envisaged use of the property.

BESLUIITE

- 1) *Dat die Raad kennis neem van die inhoud van die verslag.*
- 2) *Dat die Raad 'n "in beginsel" goedkeuring aan die Wes-Kaapse Departement van Infrastruktuur (DVI) verleen vir die tydelike 5-jaar gruisgroefgebruik van 'n gedeelte van Erf 975, Dyselsdorp.*
- 3) *Dat die Raad kennis neem dat DVI besig is om die eiendom te waardeer om 'n billike gebruikswaarde te bepaal.*
- 4) *Dat die Raad Administrasie magtig verleen om met DOI te onderhandel en 'n ooreenkoms te sluit rakende die beoogde gebruik van die eiendom.*

ISIGQIBO

- 1) Sesokuba iBhunga liyayiqaphela imixholo yengxelo.

- 2) Sesokuba iBhunga linika imvume 'ngokusisiseko' kwiSebe leZiseko zoPhuhliso laseNtshona Koloni (DOI) yokusetyenziswa kwexeshana kweminyaka emi-5 kwenxalenye yeSiza 975, eDysselsdorp.
- 3) Sesokuba iBhunga liyaqaphela ukuba i-DOI ikwinqubo yokuvavanya ixabiso lomhlaba ukuze kumiselwe ixabiso elifanelekileyo lokusetyenziswa kwawo.
- 4) Sesokuba iBhunga ligunyazisa uLawulo ukuba luxoxisane kwaye lugqibe isivumelwano ne-DOI malunga nokusetyenziswa komhlaba okucetywayo.

G.4 **REPORT ON THE FLOOD DAMAGE AT CALITZDORP HOT SPRINGS DURING MAY 2026 /**
VERSLAG RAKENDE DIE VLOED SKADE BY CALITZDORP "HOT SPRINGS" GEDURENDE MEI
2026 / INGXELO NGOMONAKALO WEZIKHULULA E CALITZDORP HOT SPRINGS
NGENYANGA KA CANZIBE 2026

*Report from Executive Manager: Integrated Planning and Economic Development (Mr L. Menze)/
Human Settlements (Mr D Mashila) (PG 541-544)*

RESOLVED

That Council take note of this report.

BESLUIT

Dat die Raad kennis neem van die verslag.

ISIGQIBO

Seokuba iBhunga lithathelke ingqalelo ingxelo

H. NOTICE OF URGENT MOTIONS / KENNISGEWING VAN DRIGENDE MOSIES / ISAZISO SEZIPHAKAMISO

H.1 NONE / GEEN / AZIKHO

I NOTICES OF MOTIONS / KENNISGEWING VAN MOSIES / ISAZISO SEZIPHAKAMISO

I.1 NONE / GEEN / AZIKHO

J. IN CLOSED SESSION / IN GESLOTE SESSIE / KWI-SASHONI YASEKHUSINI

J.1 NONE / GEEN / AZIKHO

CLOSURE / SLUITING / UQUKUNJELO

The meeting closed at 12:48 with 29 Councillors present / *Die vergadering sluit om 12:48 met 29 Raadslede teenwoordig* / Intlanganiso ivalwe ngo 12:48 iNooceba abayi 29.

.....

SPEAKER: ALD GR WOLMARANS

.....

DATE / DATUM / UMHLA

BACK TO AGENDA



Minutes of a Mayoral **Committee meeting**
Held at **CA Robertson Council Chambers**, and via **Zoom**,
on **Tuesday, 28 April 2026** at **10:00**

*Notule van 'n **Burgemeesterskomiteevergadering***
*Gehou in die **CA Robertson Raadsaal** en via **Zoom**,*
*Op **Dinsdag, 28 April 2026** om **10:00***

Imizuzu **yeKomiti Kasodolophu**
nebibanjelwe **kwiGumbi leBhunga CA Robertson**, kunye **nango Zoom**,
ngoLwesibini, 28 KuTshazimphuzi 2026 ngo **10:00**

1. **OPENING AND WELCOMING / OPENING EN VERWELKOMING / UVULO NOLWAMKELO**

The Executive Mayor, Ald M Kruger, opened the meeting and welcomed everyone present.

2. **EVACUATION PROCEDURES / ONTRUIMINGSPROSEDURES / IKNQUBO YOKUFUDUSWA**

The evacuation procedures were communicated via audio clip that explained the evacuation procedures in case of emergency.

3. **SILENT PRAYER (MEDITATION) / STILLE GEBED (MEDITASIE) / UMTHANDAZO OTHULEYO**

A moment of silence was observed.

4. **ATTENDANCE OF MEMBERS / BYWONING VAN LEDE / AMALUNGU AKHOYO**

4.1 **COUNCILLORS PRESENT / RAADSLEDE TEENWOORDIG / OCEBA ABAKHOYO**

Ald M Kruger	Executive Mayor
Ald V Donson	Deputy Executive Mayor
Ald NS Ndayi	
Ald D Swart	
Ald RH Ruiters	
Cllr / Rdl / Ceba J Hoogbaard	
Cllr / Rdl / Cebe HRT Stroebel	
Ald WP Meshoa	

OFFICIALS / AMPTENARE / AMAGOSA

Mr / Mnr / Mnu MG Stratu	Municipal Manager
Ms / Me / Nkszn L Hoek	Acting Executive Manager Financial & Corporate Services
Ms / Me/ Nkzn N Raisa-Mlandu	Executive Manager Community Services

Mr / Mnr / Mnu R Dyantyi	Acting Executive Manager Integrated Planning & Development
Adv S Maqekeni	Manager Integrated Support and Legal Services
Ms / Me / Nksnz P Lufele	Chief Audit Executive
Mr / Mnr / Mnu R Salmons	Coordinator: Skills Development
Ms / Me / Nksnz R Matthews	Head Committee Services
Ms / Me / Nksnz C van Wyngaardt	Committee Officer
Mr / Mnr / Mnu BT Desha	Senior Language Practitioner
Mr / Mnr / Mnu T Mpuru	Manager SCM, Stores & Data
Mr / Mnr / Mnu C Martin	Manager Income, Bank Reconciliation, Expenditure & Remuneration
Ms / Me / Nksnz M James	District IDP Manager
Ms / Me / Nkszn IG Saaiman	Manager Performance Management
Mr / Mnr / Mnu D Mashila	Manager Projects, Properties, Facilities & Resort Management
Mr / Mnr / Mnu G Otto	Manager Disaster Management
Dr J Schoeman	Manager District Air Quality Control
Mr/Mnr / Mnu D Stoffels	Chief Fire Officer
Mr / Mnr / Mnu W Jacobs	Disaster Management Practitioner

4.2

COUNCILLORS AND OFFICIALS WITH LEAVE / RAADSLEDE EN AMPTENARE MET VERLOF / OOCEBA ABAKWIKHEFU

Mr / Mnr / Mnu R Boshoff	Executive Manager Financial & Corporate Services
Mr / Mnr / Mnu L Menze	Executive Manager Integrated Planning & Development
Mnr / Mnr / Mnu JG Daniels	Executive Manager Roads & Transport Services

Adv N Davids	Manager Legal Services
Mnr / Mnr / Mnu T Loliwe	Strategic Manager in the Office of the Municipal Manager
Mr / Mnr / Mnr H Pieters	Manager Communication
Mr /Mnr / Mnu J Compion	Senior Manager: Municipal Health, Waste Management, Air Quality

4.3 **COUNCILLORS WITHOUT LEAVE / RAADSLEDE SONDER VERLOF / OCEBA ABANGEKHO**

Cllr / Rdl/ Ceba J Fry

5. **NOTING OF THE PROVISIONS OF SCHEDULE 7 (CODE OF CONDUCT FOR COUNCILLORS) OF THE LOCAL GOVERNMENT MUNICIPAL STRUCTURES AMENDMENT ACT, 2021 / KENNISNAME VAN DIE VOORSKRIFTE VAN SKEDULE 7 (GEDRAGSKODE VIR RAADSLEDE) VAN DIE PLAASLIKE REGERING MUNISIPALE AANGEPASTE STRUKTUREWET, 2021 / UQWALASELO LWEMITHETHO-NEMIMISELO YOLUHLU 7 (INDLELA YOKUZIPHATHA KOOCEBA) UMTHEHO WEZOLAWULO LOMASIPALA WORHULUMENTE WASEKHAYA, 2021**

The Code of conduct was noted.

6. **DISCLOSURE OF INTERESTS BY COUNCILLORS AND OFFICIALS / VERKLARING VAN BELANGE DEUR RAADSLEDE EN AMPTENARE / UKUCHAZWA KOMDLA NGOOCEBA KUNYE NAMAGOSA**

None / Geen / Azikho

7. **COMMUNICATIONS BY THE EXECUTIVE MAYOR / MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER / UNXIBELELWANO LUKA SODOLOPHU**

Below is an verbatim extract from the Executive Mayor:

“This meeting takes place at an important time as we continue to focus on responsible governance, sound financial planning, and effective oversight.

The matters before us today are of significant importance, as they will influence the strategic direction, financial sustainability, and service delivery priorities of the Garden Route District Municipality. It is therefore essential that our deliberations remain focused on the needs of our communities and the long-term interests of the municipality.

The ongoing Roads Function transition remains a critical matter requiring continued attention. As this process progresses, we must remain committed to ensuring clarity, accountability, fair labour practices, organizational stability, and the protection of staff interests, while maintaining uninterrupted service delivery to our communities.

As leadership, we are entrusted with the responsibility to govern with integrity, diligence, and sound judgement. This requires a collective commitment to good governance, sustainable development, and institutional stability. I trust that today's proceedings will be approached with professionalism, unity, and a shared dedication to serving the people of the Garden Route District".

8. COMMUNICATIONS BY THE MUNICIPAL MANAGER / MEDEDELINGS DEUR DIE MUNISIPALE BESTUURDER / UNXIBELELWANO LOMPHATHI MASIPALA

The Municipal Manager communicated the following:

Mr MG Stratu informed the Cllrs that the MEC of Department of Infrastructure has dispatched a letter to the three (3) District Municipalities affected by the Roads Transfer spelling out the process that is currently underway and the next steps still to be taken. He advised that the letter will be made available to all Councillors.

Mr MG Stratu informed the Cllrs that GRDM has been invited to attend an extended Presidential Council taking place on Thursday, 29 April 2026. Mr MG Stratu said he is aware of the By-Election process taking place on 29 April 2026 as well which may present challenges in terms of political leadership attendance, but during the said meeting the critical issue of water accreditation is going to form part of the discussions.

Mr MG Stratu expressed his gratitude towards Mr B Desha, who organized a wonderful event in which a wheelchair was handed over to one of the skills mecca participants. Mr MG Stratu reported that the event was very heartwarming and the event was also attended by external sponsors.

Mr MG Stratu expressed his gratitude towards Mr R Dyantyi and his team , who organized a wonderful event where about 15 small businesses in the Garden Route are now on a sustainable growth trajectory after receiving equipment and machinery donations to boost their operations through the annual Micro, Small and Medium Enterprise Support Programme of the Garden Route District Municipality (GRDM), in collaboration with the Cape Agency for Sustainable Integrated Development in Rural Areas (Casidra) and the Small Enterprise Development Finance Agency (SEDFA).

Mr MG Stratu then requested Mrs Raisa-Mlandu to provide feedback with regards to the incident that took place in which a Fire Truck caught fire, whilst extinguishing an active fire.

Mrs Raisa-Mlandu informed the Committee that a fire broke out over the weekend and whilst the fire men where tending to the active fire, the fire truck caught fire also. Mrs Raisa-Mlandu informed the Committee that after the investigations a full report will be submitted and that in the meantime, a claim will be submitted to the insurance company.

Under the Municipal Managers communication, The Executive Mayor thanked Messrs Desha and Dyantyi for their contribution and with the arrangements of the two events mentioned above.

The Executive Mayor thanked Mrs Raisa-Mlandu for her feedback and said that he is relieved that nobody was injured when the fire truck caught fire.

9. **CONFIRMATION OF THE MINUTES / BEKRAGTIGING VAN NOTULE / UKUQINISEKISWA KWEMIZUZ**

9.1 **MINUTES OF PREVIOUS MEETING: 30 MARCH 2026 / NOTULE VAN VORIGE VERGADERING: 30 MAART 2026 / IMIZUZU YENTLANGANISO -YANGAPHAMBILINI 30 KWEYOKWINDLA 202 (PG 6 -33)**

RESOLVED

That the Executive Mayoral Committee approves the minutes of the Executive Mayoral Committee meeting dated 30 March 2026.

BESLUIT

Dat die Uitvoerende Burgemeesterskomitee die notule van die Uitvoerende Burgemeesterskomiteevergadering gedateer, 30 Maart 2026, goedkeur.

ISIGQIBO

Sesokuba iKomiti Kasodolophu Olawulayo iphumeze imizuzu yentlanganiso Yekomiti Kasodolophu Olawulayo yangomhla 30 KweyoKwindla 2026.

10. **MINUTES OF SECTION 80 COMMITTEES (FOR NOTIFICATION) / NOTULES VAN ARTIKEL 80 KOMITEES (VIR KENNISNAME) / IMIZUZU YEKOMITI KASODOLOPHU KUNYE NEZINYE IKOMITI ZOMHLATHI 80 (ITHATHELWE INGQALELO)**

10.1 None / Geen / Asikho

11. **STANDING ITEMS / STAANDE ITEMS / IMIBA EMISIWEYO**

11.1 None / Geen / Asikho

A. **REPORTS FROM THE SPEAKER / VERSLAE VANAF DIE SPEAKER / IMIBA EVELA KU SOMLOMO**

A.1 **RESTRUCTURING OF SECTION 79 AND 80 COMMITTEES / HERSAMESTELLING VAN ARTIKEL 79 EN 80 KOMITEES / ULUNGELELWANISO LWEKOMITI ZOMHLATHI 79 KUNYE 80**

Report from the Speaker (ALD G Wolmarans) (PG 34-40)

RESOLVED TO RECOMMEND TO COUNCIL

That the report be discussed at the Council meeting.

BESLUIT OM AAN DIE RAAD TE BEVEEL

Dat die verslag bespreek word by die Raadsvergadering.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba lengxelo ixoxwe kwintanganiso yeBhunga.

**B. REPORTS FROM THE EXECUTIVE MAYOR / VERSLAE VANAF DIE UITVOERENDE
BURGEMEESTER / IMIBA EVELA KUSODOLOPHU**

NB: The report on the Addendum was dealt with next.

**B.1 THIRD ADJUSTMENTS BUDGET 2025/2026 MEDIUM TERM REVENUE AND EXPENDITURE
FRAMEWORK (MTREF) / DERDE AANSUIWERINGSBEGROTING 2025/2026 MEDIUM TERMYN
EN INKOMSTE EN UITGAWE RAAMWERK (MTIUR) / ULUNGELEWANISO LWESITHATHU
LOLWABIWO-MALI LUKA 2025/2026 LWENGENISO YEXESHA ELIFUTSHANE KUNYE
NENDLELA YENCITHO(MTREF)**

Report from the Executive Mayor (ALD M Kruger) (PG 4-52)

RESOLVED TO RECOMMEND TO COUNCIL

That Council take the following resolutions:

(1) That the Third Adjustments Budget of Garden Route District Municipality for the financial year 2025/2026 as set out in the schedules contained in Section 4 be **approved:**

- i. Table B1 Adjustments Budget Summary;
- ii. Table B2 Adjustments Budget Financial Performance (by functional classification);
- iii. Table B3 Adjustments Budget Financial Performance (revenue and expenditure by municipal vote);
- iv. Table B4 Adjustments Budget Financial Performance (revenue and expenditure); and
- v. Table B5 Adjustments Budget Capital Expenditure (by municipal vote and funding source)

(2) Council approves the Adjustment Operating Expenditure Budget of **R518,093,818.**

- (3) Council approves the Adjustment Operating Revenue Budget of **R523,217,567**.
- (4) Council approves the Adjustment Capital Budget of **R72,245,872**.
- (5) That a revised Service Delivery and Budget Implementation Plan (SDBIP) for the 2025/26 financial year be compiled and tabled to the Executive Mayor for approval.
- (6) Council resolves that the implementation date of the Adjustments Budget shall be 1 April 2026, to ensure alignment with the interim Memorandum of Agreement (MOA) entered into with the Department of Infrastructure (DOI).

BESLUIT OM AAN DIE RAAD TE BEVEEL

Dat die Raad die volgende resolusies aanvaar:

- (1) *Dat die Derde Aangepaste Begroting van Garden Route Distriksmunisipaliteit vir die finansiële jaar 2025/2026 soos vervat in die skedules van Seksie 4 goedgekeur word:*
 - i. Tabel B1 Aangepaste Begrotings Opsomming;*
 - ii. Tabel B2 Aangepaste Begroting Finansiële Prestasie (volgens funksionele klassifikasie);*
 - iii. Tabel B3 Aangepaste Begroting Finansiële Prestasie (inkomste en uitgawes volgens pos);*
 - iv. Tabel B4 Aangepaste Begroting Finansiële Prestasie (volgens inkomste en uitgawes); en*
 - v. Tabel B5 Aangepaste Kapitale Begroting (volgens pos en finansieringsbron)*
- (2) *Die Raad die Aangepaste Uitgawe Begroting van **R518,093,818** goedkeur.*
- (3) *Die Raad die Aangepaste Inkomste Begroting van **R523,217,567** goedkeur.*

- (4) Die Raad die Aangepaste Kapitaal Begroting van **R72,245,872** goedkeur.
- (5) Dat die hersiende Dienslewings- en Begrotings Implementerings Plan vir 2025/2026 opgestel en aan die Uitvoerende Burgermeester voorgelê word vir goedkeuring.
- (6) Dat die Raad die implementeringsdatum van die Aangepaste Begroting as 1 April 2026 aanvaar om te verseker dat dit in lyn is met die interim Ooreenkoms wat aangegaan is met die Departement van Infrastruktuur.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Okokuba iBhunga lithatha ezi zigqibo zilandelayo:

(1) Ukuba uHlahlo lweSithathu loHlahlo lweSithathu loMasipala weSithili saseGarden Route lonyaka-mali ka-2025/2026 njengoko kuchaziwe kwiishedyuli ezikwiCandelo 4:

- i. Isishwankathelo soHlahlo lweSigaba se-B1;
- ii. UHlahlo lweSigaba se-B2 loHlahlo lweSigaba seMali (ngokuhlelwa kwemisebenzi);
- iii. UHlahlo lweSigaba se-B3 loHlahlo lweSigaba seMali (ingeniso kunye nenkcitho yivoti kamasipala);
- iv. UHlahlo lweSigaba se-B4 loHlahlo lweSigaba seMali (ingeniso kunye nenkcitho); kunye
- v. UHlahlo lweSigaba se-B5 loHlahlo lweSigaba seMali (ngokuvota kamasipala kunye nomthombo wemali)

(2) I Bhunga livuma uHlahlo lweSigaba seMali yoHlehlo lweSigaba se-R518,093,818.

(3) IBhunga livuma uHlahlo lweSigaba seNgeniso yoMsebenzi oluHlehlo lwe-R523,217,567.

(4) IBhunga livuma uHlahlo lweSigaba seMali oluHlehlo lwe-R72,245,872.

(5) Ukuba kuqulunqwe iSicwangciso soHlengahlengiso lweNkonzo kunye noHlahlo-lwabiwo-mali (SDBIP) esihlaziyiweyo sonyaka-mali ka-2025/26 size sithiwe thaca nguSodolophu oLawuayo.

(6) IBhunga ligqiba kwelokuba umhla wokuphunyezwa koHlahlo-lwabiwo-mali loLungiso uza kuba ngumhla woku-1 kuTshazimpuzi 2026, ukuqinisekisa ukuhambelana neMemorandum yeSivumelwano (MOA) esingene kuyo neSebe leZiseko zoPhuhliso (DOI).

B.2 REPORT: SECTION 52 – RESPONSIBILITIES OF MAYOR / VERSLAG: ARTIKEL 52 VERANTWOORDELIKHEDE VAN DIE BURGEMEESTER / INGXELO: U MHLATHI 52 - UXANDUVA LUKA SODOLOPHU

Report from the Executive Mayor (ALD M Kruger) (PG 41-88)

RESOLVED TO RECOMMEND TO COUNCIL

That the Mayoral Committee notes the quarterly report on the implementation of the budget and the financial affairs of the municipality for the year to date and the quarter ending 31 March 2026.

BESLUIT OM AAN DIE RAAD TE BEVEEL

Dat die Uitvoerende Burgemeesterskomitee kennis neem van die kwartaalverslag rakende die implementering van die begroting en die finansiële posisie van die munisipaliteit vir die jaar tot datum en die kwartaal geëindig 31 Maart 2026.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iKomiti kaSodolophu ithathele ingqalelo ingxelo yarhoqo ngekota ngokumiselwa kolwabiwo-mali kunye nemicimbi yezemali zomasipala zonyaka uzakuthi ga ngoku kunye nexesha eliphela ngomhla 31 kweyoKwindlaa 2026.

C. REPORTS FROM THE OFFICE OF THE MUNICIPAL MANAGER / ITEMS VANAF DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER / IMIBA EVELA KWI OFISI YOMPHATHI MASIPALA

C.1 INAUGURATION OF GOOD COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: CLLR SN BENTLEY/ INHULDIGING VAN “GOOD” RAADSLID: GARDEN ROUTE DISTRIKSMUNISIPALITEIT: RDL SN BENTLEY / UKUFUNGISWA KOCEBA WE GOOD: IBHUNGA LESITHILI SE GARDEN ROUTE: UCEBA SN BENTLEY

Refer Report from the Municipal Manager (MG Stratu) (PG 89-93)

RESOLVED TO RECOMMEND TO COUNCIL

That the report be discussed at the Council meeting.

BESLUIT OM AAN DIE RAAD TE BEVEEL

Dat die verslag bespreek word by die Raadsvergadering.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba ingxelo ixoxwe kwintlanganiso yeBhunga.

C.2 **PROPOSED INTERIM ARRANGEMENT IN THE TRANSFER OF THE ROADS FUNCTION PENDING THE FINALIZATION OF SECTION 197 PROCESS / VOORGESTELDE TUSSENTYDSE REËLINGS IN DIE OORDRAG VAN DIE PAAIE FUNKSIE AFHANGENDE DIE FINALISERING VAN DIE ARTIKEL 197-PROSES / ULUNGISELELO LWETHUTYANA OLUPHAKANYISIWEYO LOKUDLULISELWA KWEMISEBENZI YEENDLELA OLULINDE UKUGQIBELELWA KWENKQUBO YECANDELO 197**

Refer Report from the Municipal Manager (MG Stratu) (PG 94-103)

RESOLVED TO RECOMMEND TO COUNCIL

That Council mandates the Municipal Manager to sign the latest addendum as received from the Department of Infrastructure on 13 April 2026.

BESLUIT OM AAN DIE RAAD TE BEVEEL

Dat die Raad die Munisipale Bestuurder die mandaat gee om die jongste addendum te onderteken soos ontvang van die Departement van Infrastruktuur op 13 April 2026.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iBhunga liyalela uMphathi kaMasipala ukuba atyikitye isihlomelo samva nje esifunyenwe kwiSebe leZiseko zoPhuhliso ngomhla we-13 kuTshazimpuzi 2026.

D. **REPORTS FROM THE FINANCIAL AND CORPORATE SERVICES DEPARTMENT / VERSLAE VANAF DIE FINANSIËLE EN KORPORATIEWE DIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZEMALI KUNYE NENKONZO YEZOLAWULO**

D.1. **DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 MARCH 2026 TO 31 MARCH 2026 / AFWYKINGSVERSLAG: VOORSIENINGSKANAALBELEID VIR DIE PERIODE 1 MAART 2026 TOT 31 MAART 2026 / INGXELO YOTYESHELO:UKUMISELWA KOMGAQOONKQUBO WOALWULO LWENCITHO KWIXESHA LOMHLA 1 KWEYOKWINDLA 2026 UKUYA 31 KWEYOKWINDLA 2026**

Refer Report from the Executive Manager Financial and Corporate Services (R Boshoff) (PG 104-108)

RESOLVED TO RECOMMEND TO COUNCIL

1. That the implementation of Regulation 36 of the Municipal Supply Chain Regulation in terms of the deviations for the period 1 March 2026 to 31 March 2026, be noted.

2. That it be noted that in terms of Section 114 of the Municipal Finance Management Act, Act 56 of 2003, there was no approval of tenders not recommended in the normal course of implementing Supply Chain Management policy of a municipality.

BESLUIT OM AAN DIE RAAD TE BEVEEL

1. *Dat kennis geneem word van die implementering van Artikel 36 van die Voorsieningskanaal beleid in terme van die afwykings vir die periode van 1 Maart 2026 tot 31 Maart 2026.*
2. *Dat kennis geneem word dat in terme van Artikel 114 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003, dat daar geen goedkeuring was van tenders wat nie aanbeveel is in die normale implementering van die Voorsieningskanaalbeleid van die munisipaliteit nie.*

ISIGQIBO SOKUNDULULA KWIBHUNGA

1. Sesokuba ukumiselwa komhlathi 36 woMgaqo Wolawulo Lwencitho yoMasiapala ngokwemimiselo yezotyeshelo kwixesha lomhla 01 ngeyoKwindla 2026 ukuya 31 ngeyoKwindla 2026, kuthathelwe ingqalelo.
2. Sesokuba kuthathelwe ingqalelo ngokwemimiselo yoMhlathi 114 woMthetho Wolawulo Lwemali zoMasipala, uMthetho 56 wango 2003, akukhange kubekho ziniki maxabiso ezingandululwanga kwinkqubo eqhelekileyo yokumiselwa uMgawo Wolawulo Lwezenkcitho zomasipala.

D.2 **QUARTERLY REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE QUARTER 01 JANUARY – 31 MARCH 2026. VERSLAG RAKENDE DIE IMPLEMENTERING VAN DIE VOORSIENINGSKANAALBELEID VIR DIE KWARTAAL 01 JANUARIE – 31 MAART 2026 / INGXELO YEKOTA YOKUMISELWA KOMTHETHO WEZOLAWULO LWENCITHO UKUSUSELA KUMHLA WOKUQALA KWEYO-MQUNGU UKUYA KUTSHO KUMASHUMI AMATHATHU ANANYE KWEYO-KWINDLA KUMNYAKA WAMAWAKA ANESIBINI ANAMASHUMI AMABINI ANESIHLANU**

Refer Report from the Executive Manager Financial & Corporate Service (R Boshoff)(PG 109-180)

RESOLVED TO RECOMMEND TO COUNCIL

That the quarterly report regarding the implementation of Council's Supply Chain Management Policy for the period 01 January to 31 March 2026 be noted.

BESLUIT OM AAN DIE RAAD TE BEVEEL

Dat kennis geneem word van die kwartaalverslag rakende die implementering van die Raad se Voorsieningskanaalbeleid vir die periode 01 Januarie tot 31 Maart 2026.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba ingxelo yekota ukususela kumhla wokuqala Kweyo-Mqungu ukuya Kumashumi Amathathu Ananye kweyo-Kwindla kumnyaka wamawaka amabini Anamashumi Amabini anesihlanu ngokumiselwa komgaqo webhunga ngolawulo lwencitho ithathelwe ingqalelo.

D.3 **INCREASE IN BARGAINING COUNCIL LEVY 2026 / VERHOGING IN BEDINGINGSRAADHEFFING 2026 / UCHATHA KWIRHAFU YEBHUNGA LEGQUGULA KU 2026**

)Refer Report from the Executive Manager Financial & Corporate Service (R Boshoff) / Manager Human Resources (M Smit) (PG 181-184)

RESOLVED TO RECOMMEND TO COUNCIL

That the Mayoral Committee notes the 4.75% increase in the Bargaining Council Levy from 1 July 2026, be noted:

- The current contribution of R25.10 (R12.55 per employee and R12.55 by Council per employee), increase to R26.30 (R13.15 per employee and R13.15 by Council per employee).

BESLUIT OM AAN DIE RAAD TE BEVEEL

Dat die Uitvoerende Burgemeesterskomitee kennis geneem word van die 4.75% verhoging op die Bedingingsraadheffing vanaf 1 Julie 2026:

- Die huidige bydrae van R25.10 (R12.55 per werknemer en R12.55 deur die Raad per werknemer), verhoog na R26.30 (R13.15 per werknemer en R13.15 deur die Raad per werknemer).

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iKomiti kaSodolophu ithathela ingqalelo ukunyuka kwe-4.75% kwiRhafu yeBhunga leGqugula ukususela ngomhla-1 kweyeKhala 2026

- Igalelo langoku le-R25.10 (R12.55 ngomqeshwa ngamnye kunye ne-R12.55 liBhunga ngomqeshwa ngamnye), linyuke liye kwi-R26.30 (R13.15 ngomqeshwa ngamnye kunye ne-R13.15 liBhunga ngomqeshwa ngamnye).

D.4 **COST CONTAINMENT REPORTING – QUARTER 3 OF 2025/2026 / KOSTE INPERKINGSVERSLAG – KWARTAAL 3 VAN 2025/2026 / INGXELO NGOKUNCIPHISA INDELEKO-IKOTA 3 KA 2025/26**

Refer Report from the Executive Manager Financial & Corporate Service (R Boshoff)(PG 185-189)

RESOLVED TO RECOMMEND TO COUNCIL

That the Mayoral Committee notes the measures implemented and the decrease in expenditure in quarter three of the 2025/26 financial year (where applicable) through the implementation of cost containment measures when compared to quarter three of 2024/2025.

BESLUIT OM AAN DIE RAAD TE BEVEEL

Dat die Uitvoerende Burgemeesterskomitee kennis neem van die koste inperkings wat ingestel is en die afname in uitgawes in kwartaal drie van die 2025/26 finansiële jaar (waar van toepassing) as gevolg van die implementering van koste inperkings in vergelyking met kwartaal drie van 2024/2025.

ISIGQIBO SOKUNDULULA KWIBHUNGA

Sesokuba iKomiti kaSodolophuithathela ingqalelo imiqathango yokumiselwa kunye nemali eziye zongiwa kwikota yesithathu yonyakala mali ka 2025/26 ngokumisela indlela zokonga zokunciphisa indleko xakuthelekiswa Nekota yesithathu ka 2024/2025.

E. **REPORTS FROM THE COMMUNITY SERVICES DEPARTMENT / ITEMS VANAF DIE GEMEENSKAPSDIENSTE DEPARTEMENT / IMIBA YESEBE LENKONZO ZOLUNTU**

E.1 None/ Geen/ Azikho

**F. REPORTS FROM THE ROADS AND TRANSPORT PLANNING SERVICES DEPARTMENT /
ITEMS VANAF DIE PAAIE EN VERVOER BEPLANNINGSDIENSTE DEPARTEMENT / IMIBA YESEBE
LENKONZO ZENDLELA KUNYE NEZICWANGCISO KWEZOTHUTHO**

F.1 None/ Geen/ Azikho

**G. REPORTS FROM THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT /
ITEMS VANAF DIE BEPLANNING EN EKONOMIESE DIENSTE DEPARTEMENT / IMIBA
YESEBE LEZOCWANGCISO KUNYE NOPHUHLISO LOQOQOSHO**

G.1 None/ Geen/ Azikho

**H. NOTICE OF URGENT MOTIONS / KENNISGEWING VAN DRIGENDE MOSIES / ISAZISO
SEZIPHAKAMISO**

H.1 None / Geen / Azikho

I. NOTICES OF MOTIONS / KENNISGEWING VAN MOSIES / ISAZISO SEZIPHAKAMISO

I.1 None / Geen / Asikho

J. IN CLOSED SESSION / IN GESLOTE SESSIE / KWI-SASHONI YASEKHUSINI

J.1 None / Geen / Azikho

CLOSURE / SLUITING / UQUKUNJELO

The meeting closed at 10:40 / Die vergadering sluit om 10:40 / Intlanganiso ivalwe nge 10:40.

.....

EXECUTIVE MAYOR

ALD M KRUGER

.....

DATE/ DATUM/ UMHLA

BACK TO AGENDA

1. **REPORT ON THE PROPOSED SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS FOR THE PERIOD JULY UNTIL DECEMBER 2026 / VERSLAG RAKENDE DIE KONSEP VOORGESTELDE SKEDULE VAN VERGADERINGS VIR DIE TYDPERK JULIE TOT DESEMBER 2026 TEN OPSIGTE VAN RAAD EN KOMITEES / INGXELO NGESIPHAKAMISO SOLUHLU LWENTLANGANISO ZEBHUNGA KUNYE NEEKOMTI KWIXESHA LENYANGA KWEYEKHALA UKUYA KWEYEMNGA 2026**

18 May 2026

REFER REPORT FROM THE SPEAKER (ALD G WOLMARANS)

2 **PURPOSE**

The purpose of this report is to obtain Council approval of the proposed schedule of meetings for the period July till December 2026.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

In order for Garden Route District Municipality to determine the meeting dates for 2026, this Council has to obtain the meeting dates of the B-municipalities, other Intergovernmental structures as well as SALGA. Not all municipalities have provided the information.

Council must approve the dates to allow for proper planning and synchronization of timetables in the district.

5. **RECOMMENDATIONS**

1. That the proposed schedule of dates for Council and Committee meetings for the period July until December 2026, be approved.
2. That the closing dates for submission of reports be strictly adhered to.

3. That it be noted that the schedule is subject to changes due to the some municipalities not being able to confirm their meeting dates.
4. That it be noted that the Speaker may call Special meetings from time to time which are not included in this calendar.
5. That Council approve the recess dates as from 15 December 2026 – 04 January 2027.

AANBEVELINGS

1. *Dat die konsep voorgestelde skedule van vergaderingdatums vir Raad en komiteevergaderings vir Julie tot Desember 2026, goedgekeur word.*
2. *Dat die sluitingsdatums vir die indiening van verslae streng nagekom word.*
3. *Dat daar kennis geneem word dat die skedule onderhewig is aan veranderinge omdat sommige munisipaliteite nie hul vergaderingsdatums kan bevestig nie.*
4. *Dat kennis geneem word dat die Speaker van tyd tot tyd Spesiale vergaderings kan belê wat nie in hierdie kalender ingesluit is nie.*
5. *Dat die Raad die reses datums soos vanaf 15 Desember 2025 – 04 Januarie Januarie 2027, goedkeur.*

IZINDULULO

1. Sesokuba isiphakanyisweyo seentlanganiso zeBhunga kunye neKomiti kwixesha elisusela kwinyanga KweyeKhala ukuya kweyoMnga 2026, siphunyezwe.
2. Sesokuba intsuku zokuvalwa kokungeniswa kwengxelo ukuthoyelwa kwawo ubengqongqo.
3. Ukuba kuqatshelwe ukuba ishedyuli ixhomekeke kutshintsho ngenxa yokuba abanye oomasipala abakwazanga ukuqinisekisa imihla yabo yeentlanganiso.
4. Sesokuba kuthathelwe ingqalelo ukuba uSomlomo angabiza intlanganiso Ekhethekileyo yeBhunga ngamaxesha athile, nengabandakanywanga koluluhlu.

5. Sesokuba iBhunga liphumeze imihla yekhefu ukususela ngomhla 15 KweyoMnga 2025 kunye 04 kweyoMqungu 2026.

6. DISCUSSION / CONTENTS

6.1 Background

The proposed calendar for this year's meetings is informed by the meeting dates of the Local Municipalities in our district. Only certain of the local municipalities in the district have compiled the schedules for their meetings for the year, and that enables the Garden Route District Municipality to be in a position to compile its schedule of meetings.

6.2 Discussion

During December of 2025, January and May 2026, all the Local Municipalities in the district were approached for their approved meeting schedules. These schedules were gathered and collated in order to determine the appropriate meeting dates (as per attached annexure) for the Garden Route District Municipality. It has to be noted that the proposed dates are subject to change due to outstanding meeting schedule from some of the local municipalities and SALGA.

It must also be noted that the Rules of order authorise the Speaker to call meetings outside the approved schedule times.

6.3 Financial Implications

The approved schedule assists Councillors to plan their schedules in order to avoid non attendance which may lead to meetings not quorating. If decisions cannot be taken because of lack of quorums, that has a financial implication for the municipality as costs must still be incurred for such things as travelling costs of Councillors.

6.4 Legal Implications

The following pieces of legislation regulate the functioning of Council and its committees:

Local Government: Municipal Structures Act 117 of 1998

Local Government: Municipal Finance Management Act 56 of 2003

Rules of order for procedure and maintenance of order at meeting policy

Council is required to meet at least four times a year in terms of legislation.

6.5 Staff Implications

A decision to not implement will have no Staff implications.

6.6 Previous / Relevant Council Resolutions:

Refer Council resolution E.4 of the meeting dated 27 January 2026, where the dates for January until June 2026, was approved.

6.7 Risk Implications

The risks involved are primary related to delayed decision making, i.e If meetings do not take place there are very real implications for Council which includes IDP related deadlines being missed as well as financial implications relating to the approval of the budget and the continuity of Council with regards to projects that are not approved.

ANNEXURE

- GRDM proposed schedule of meetings for the period July 2026 until December 2026.



JULY 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		COUNCIL IN RECESS	1 COUNCIL IN RECESS	2 COUNCIL IN RECESS	3 COUNCIL IN RECESS	4
5	6 COUNCIL IN RECESS	7 COUNCIL IN RECESS	8 COUNCIL IN RECESS 9 0	9 COUNCIL IN RECESS	10 COUNCIL IN RECESS Closing date for reports of Council Meeting at 12:00	11
12	13 COUNCIL IN RECESS C	14 COUNCIL IN RECESS	15 COUNCIL IN RECESS PRELIM MEETING: 14:00	16 COUNCIL IN RECESS	17 COUNCIL IN RECESS	18
19	20	21 COUNCIL POLICY WORKSHOP AT 09:00	22 MPAC AT 11:00	23 Closing date for items for Portfolio Committee meetings at 12:00	24	25
26	27 MAYORAL COMMITTEE AT 13:00	28 COUNCIL AT 11:00	29	30	31 Closing date for items for LLF meeting at 12:00	

AUGUST 2026						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4	5 Infrastructure, Roads & Mobility at 08:00; Community Serv at 09:00, Property Man at 11:00, Economic Dev at 1300,	6 Strategic Serv at 09:00; Finance at 10:00, Corporate Serv at 14:00	7 Closing dates for APAC at 12:00	8
9 PUBLIC HOLIDAY: WOMENS DAY	10 WOMENS DAY OBSERVED	11	12 Closing date for reports for Council 12:00	13 LLF AT 09:00	14	15
16	17 PRELIM AT 14:00	18	19 BUDGET STEERING COMMITTEE AT 11:00	20	21 APAC AT 10:00	22
23/ 30	24 / 31 COUNCIL AT 11:00	25 CLOSING DATE FOR OHS REPORTS AT 10:00	26 COMBINED APAC/MPAC AT 10:00	27	28 MAYORAL COMMITTEE AT 09:00	29

SEPTEMBER 2026						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2 Closing date for reports for Policy Workshop at 12:00	3	4	5
6	7	8	9	10 Occupational Health & Safety at 10:00	11 Closing date for items for MPAC meeting at 12:00	12
13	14	15	16	17 POLICY WORKSHOP AT 09:00	18	19
20	21	22 MPAC AT 10:00	23 CLOSING DATES FOR SECTION 80 COMMITTEES AT 12:00	24 PUBLIC HOLIDAY: HERITAGE DAY	25	26
27	28	29	30			

OCTOBER 2026						
<i>SUNDAY</i>	<i>MONDAY</i>	<i>TUESDAY</i>	<i>WEDNESDAY</i>	<i>THURSDAY</i>	<i>FRIDAY</i>	<i>SATURDAY</i>
				1 Closing date for LLF reports	2	3
4	5	6 Infrastructure, Roads & Mobility at 08:00; Community Serv at 09:00, Property Man at 11:00, Economic Dev at 13:00,	7 Strategic Serv at 09:00; Finance at 10:00, Corporate Serv at 14:00	8	9	10
11	12 Closing dates for reports for Council at 12:00	13 LLF AT 09:00	14	15	16	17
18	19 PRELIM AT 14:00	20	21	22	23	24
25	26 MAYORAL COMMITTEE AT 13:00	27 COUNCIL AT 11:00	28	29	30	31

NOVEMBER 2026						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	4 LOCAL GOVERNMENT ELECTIONS	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER 2026						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3	4	5
6	7 APAC at 10:00 MPAC at 13:00	8 Combined MPAC/ APAC at 10:00	9	10	11	12
13	14	15	16 PUBLIC HOLIDAY: DAY OF RECONCILIATION	17	18	19
20	21	22	23	24	25 PUBLIC HOLIDAY: DAY	26
27	28	29	30	31		

BACK TO AGENDA

DISTRICT COUNCIL

24 JUNE 2026

1. RESTRUCTURING OF SECTION 79 AND 80 COMMITTEES / HERSAMESTELLING VAN ARTIKEL 79 EN 80 KOMITEES / ULUNGELELWANISO LWEKOMITI ZOMHLATHI 79 KUNYE 80

17 June 2026

REPORT FROM THE SPEAKER (ALD G WOLMARANS)

2. PURPOSE OF THE REPORT

To restructure Committees established in terms of Sections 79 and 80 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

This report seeks the approval of Council for the restructuring and of the Sections 79 and 80 Committees. This was necessitated by changes in Council as a result of some Councillors who ceased to be Councillors at GRDM and new Councillors who joined the municipality. Annexure A is attached that indicates the vacant positions.

5. RECOMMENDATION

That Council approves amendments in composition of different committees of Council.

AANBEVELING

Dat die Raad die veranderinge rakende die samestelling van verskillende komitees van die Raad, goedkeur.

ISINDULULO

Sesokuba iBhunga liphumeze iinguqu kumiselo kwekomiti ezahluikileyo zeBhunga.

6. DISCUSSION / CONTENTS

6.1 Background

Council, at its meeting dated 27 January 2026, elected the Chairpersons of the various section 79 & 80 Committees. Since then some of the Councillors have left GRDM and positions on the various committees have become vacant.

6.2 Discussion

Council, at its recent meeting on 28 April 2026 approved the appointment of Councillors to occupy the vacant positions that existed on the various Section 79 and 80 Committees.

Attached as **Annexure A** are the respective lists of the Section 79 and 80 Committees that indicates the vacant positions:

Section 79 of the Structures Act reads as follows:

(1) "A municipal council may –

establish one or more committees necessary for the effective and efficient performance of any of its functions or the exercise of any of its powers;

appoint the members of such a committee from among its members; and dissolve a committee at any time.

The municipal council –

(a) must determine the functions of a committee;

(b) may delegate duties and powers to it in terms of Section 32;

(c) must appoint the chairperson;

(d) may authorize a committee to co-opt advisory members who are not Lids of the council within the limits determined by the council;

(e) may remove a member of a committee at any time; and

(f) may determine a committee's procedure."

6.3 Financial Implications

The positions are budgeted in line with Upper limits for Councillors.

6.4 Legal Implications

Local Government: Municipal Structures Act
Local Government: Municipal Finance Management Act
Council Rules of Order

6.5 Staff Implications

There are no Staff implications.

6.6 Previous / Relevant Council Resolutions:

A report of this nature last served at a Council meeting dated 28 April 2026.

6.7 Risk Implications

If Councillors are not appointed in committees this may have impact on quorums which may ultimately negatively affect the functioning of committees.

ANNEXURE

Section 79 and 80 Committees schedule.

GARDEN ROUTE DISTRICT MUNICIPALITY – SECTION 79 & 80 COMMITTEES: AS AT 28 APRIL 2026

RESPONSIBLE COMMITTEE OFFICER	BONISILE	CARRON-ANN	CARRON - ANN	BONISILE	CARRON - ANN	BONISILE	BONISILE
	Infrastructure, Transport and Mobility Committee	FINANCIAL SERVICES:	PLANNING & ECONOMIC DEV	COMMUNITY SERVICES:	PROPERTY /ASSET MANAGEMENT	CORPORATE SERVICES:	STRATEGIC SERVICES:
FUNCTIONS	Roads Maintenance Integrated Transport Planning RRAMS	Income and Expenditure Supply Chain BTO Revenue Management Asset Management Stores Financial Statements / GRAP Statements	Regional Economic Development Tourism / Arts and Culture Youth (EPWP) Rural Development Job Creation	Fire and Rescue / Disaster Management / Municipal Health / Environmental Management (Waste Management/Air Quality) Call Centre Spatial Development & Planning	Property Planning & Maintenance Resorts Strategic / Investment Properties Strategic Properties (for noting only)	Human Resources Committee Services Legal Services Auxiliary Services: Records and Archives	IGR Communications IDP Public Participation Information Shared Services Funding Mobilization
CHAIRPERSON	J FRY	D Swart	RH RUITERS	J HOOGBAARD	HRT STROEBEL	NS NDAYI	WP MESHOA
DEPUTY CHAIR	J Hoogbaard	J Fry	NS Ndayi	HRT Stroebel	D Swart	R Ruiters	J Hoogbaard
EXE MANAGER	JG Daniels	R Boshoff	L Menze	N Raisa-Mlandu	L Menze	R Boshoff	L Menze
DA	P Terblanche M Kannemeyer	MD Jansen JC Lambaatjeen R Windwaai	JG Meiring J Hoogbaard JJ Bavuma	J Meiring MD Jansen	MD Jansen P Terblanche	MD Jansen JJ Bavuma JC Lambaatjeen FSeptember	JJ Bavuma F September R Windwaai
ANC	NV Gungubele MA Mkonto	CP Taute CN Lichaba	S de Vries J van der Ross	CN Lichaba L Nohana	S Mangxaba S de Vries	S de Vries SM Toto	NV Gungubele J van der Ross

ICOSA	W Meshoa	V Donson	V Donson	J Cornelius	J Cornelius	W Meshoa	J Cornelius
GOOD	S Bentley	S Bentley	R Louw	S Bentley	S Bentley	R Louw	S Bentley
PBI	VACANT	VACANT	D Coeries	VACANT	VACANT	D Coeries	VACANT
FREEDOM FRONT PLUS	D Acker			D Acker			
TOTAL	10	10	9	10	9	11	9

GARDEN ROUTE DISTRICT MUNICIPALITY – SECTION 79 & 80 COMMITTEES:

	REHANA BUDGET STEERING	REHANA GOVERNANCE	REHANA MPAC	CARRON-ANN OCCUPATIONAL HEALTH & SAFETY COMMITTEE	REHANA LOCAL LABOUR FORUM
CHAIR	D Swart	G Wolmarans	J Cornelius	J Bavuma	N October
DA	JC Lambaatjeen NS Ndayi	JG Meiring K Malooi MD Jansen	F September MD Jansen JG Meiring M Kannemeyer R Windwaai	R Ruiters MD Jansen	JC Lambaatjeen (Dep Chairperson) NS Ndayi F September MD Jansen
ANC	CP Taute	CN Lichaba	CN Lichaba CP Taute	VACANT	
GOOD	R Louw	R Louw	S Bentley	R Louw	S Bentley
PBI	VACANT	VACANT	VACANT	DB Coeries	
FREEDOM FRONT PLUS		D Acker	D Acker		
ICOSA	WP Meshoa	WP Meshoa			

MANAGEMENT					Municipal Manager JG Daniels L Menze N Raisa-Mlandu R Boshoff N Davids
SAMWU				M Maree N Sthunda	E Qkholo B Desha M Maree N October V Maxim S Ndengane
IMATU				Y Isaacs P Koopman R Cloete (additional member)	R Dyantyi P Koopman S Damons R Cloete A Killian Y Issaac (additional member)

GARDEN ROUTE DISTRICT MUNICIPALITY – SECTION 79 & 80 COMMITTEES:

	WORKPLACE & RESTRUCTURING	AUDIT COMMITTEE
	REHANA	REHANA
CHAIR	F SEPTEMBER	Mr ABJ Dippenaar Adv L Mtunzi Mr C Lamprecht Adv E Page 1 x vacant
DA	JC Lambaatjeen JJ Bavuma	
ANC	MA Mkonto	
ICOSA	J Cornelius	
GOOD	R Louw	
PBI	VACANT	
SAMWU	B Desha N October	
IMATU	R Dyantyi A Killian S Damons (additional member)	

BACK TO AGENDA

**1. MPAC REPORT ON UNAUTHORISED, FRUITLESS AND WASTEFUL EXPENDITURE /
MPRK-VERSLAG RAKENDE ONGEMAGTIGDE, VRUGTELOSE EN VERKWISTE
UITGAWES / INGXELO YE MPAC MALUNGA NENCITHO ENGAVUMELEKANGA
NEYINKCITHO**

(4/1/2/4/1)

07 June 2026

REPORT FROM THE CHAIRPERSON OF MPAC (CLLR J CORNELIUS)

2. PURPOSE

To provide the Council with a report on Irregular, Unauthorized as well as Fruitless and Wasteful Expenditure that were identified during 2024/2025 financial year. .

3. DELEGATED AUTHORITY

District Council

4. EXECUTIVE SUMMARY

MPAC is an oversight committee of Council that is cautious not to interfere in the administrative processes of a municipality. The committee generally relies on reports submitted to it by the administration to execute its duties and functions. It is from these reports that it will provide its recommendations to the council.

As part of the MPAC oversight, we probe matters relating to identified unauthorised, irregular, fruitless, and wasteful expenditure ("UIFW"). The aspect of these reports is dealt with from both a financial and a non-financial point of view.

Irregular Expenditure

The annual Financial Statements (AFS) for the 2024/25 financial year reflected irregular expenditure to the value of R43 972 712.

Unauthorised Expenditure

The Annual Financial Statements of GRDM for the 2024/25 financial year disclosed an amount of R21 426 918 as unauthorised expenditure.

Fruitless and Wasteful Expenditure

Furthermore, in the 2022/23 Annual Financial Statements ("AFS"), an amount of R95 867 was disclosed as fruitless and wasteful expenditure.

Legislation requires that all UIFW expenditure be recovered unless, after investigation by a council committee and deemed irrecoverable, the expenditure be written off by Council. The committee has investigated this expenditure, with the assistance of Internal Audit Unit.

5. RECOMMENDATIONS

1. That the Council take note of the content of the report.
2. That Council write-off the Irregular Expenditure amounting to R 27 578 382.15
3. That the Committee recommends to Council to continue recovering the debt of R90 707.52 from the former Councillor.
4. That Council write-off the Unauthorised Expenditure amounting to R21 426 918.
5. That Council write off Fruitless and wasteful expenditure of R95 867
6. That Management ensures that processes are put in place to avoid the re-occurrence of unauthorized expenditure, by performing the following:
 - a. Regular monitoring of budget spending against the approved budget.
 - b. Process the necessary virements to address instances of utilizing savings from line items within the same votes.

- c. The budget should be submitted to Council for adjustment to address instances of utilizing savings from other votes prior to year-end, where deemed operationally necessary.
7. That Management draft realistic procurement plans to ensure proper budgeting and monitoring of the implementation of the procurement plans.

AANBEVELINGS

1. *Dat die Raad kennis neem van die inhoud van die verslag.*
2. *Dat die Raad die Onreëlmatigde Uitgawes ten bedrae van R 27 578 382.15 afskryf.*
3. *Dat die Komitee by die Raad aanbeveel om voort te gaan met die invordering van die skuld van R90 707.52 van die voormalige Raadslid.*
4. *Dat die Raad die Ongemagtigde Uitgawes ten bedrae van R21 426 918 afskryf.*
5. *Dat die Raad die Vrugtelose en Verkwistende uitgawes van R95 867 afskryf.*
6. *Dat Bestuur verseker dat prosesse in plek gestel word om die herhaling van ongemagtigde uitgawes te voorkom deur die volgende uit te voer:*
 - a. *Gereelde monitering van begrotingsbesteding teenoor die goedgekeurde begroting.*
 - b. *Die nodige oordragte verwerk om gevalle van die benutting van besparings uit lyniteme binne dieselfde begrotingsposte aan te spreek.*
 - c. *Die begroting moet aan die Raad voorgelê word vir aanpassing om gevalle van die benutting van besparings uit ander begrotingsposte voor die jaareinde aan te spreek, waar dit operasioneel nodig geag word.*
7. *Dat Bestuur realistiese verkrygingsplanne opstel om behoorlike begroting en monitering van die implementering van die verkrygingsplanne, te verseker.*

6. DISCUSSION / CONTENTS

6.1 Background

The abovementioned types of expenditures are defined in the Local Government: Municipal Finance Management Act (MFMA) as follows:

“irregular expenditure”. in relation to a municipality or municipal entity),.

means-

- (a) expenditure incurred by a municipality or municipal entity in contravention of, or that is not in accordance with, a requirement of this Act, and which has not been condoned in term of section 170:
- (b) expenditure incurred by a municipality or municipal entity in Contravention of, or that is not in accordance with, a requirement of the Municipal Systems Act, and which has not been condoned in terms of that Act;
- (c) expenditure incurred by a municipality in contravention of, or that is not **in** accordance with, a requirement of the Public Office-Bearers Act, 1998 (Act 30 No. 20 of 1998); or
- (d) expenditure incurred by a municipality or municipal entity in contravention of, or that is not in accordance with, a requirement of the supply chain management policy of the municipality or entity or any of the municipality's by-laws giving effect to such policy, and which has not been condoned in terms of such policy or by-law, but excludes expenditure by a municipality which falls within the definition of “unauthorised expenditure”;

“Fruitless and wasteful expenditure”, means expenditure that was made in vain and would have been avoided had reasonable care been exercised,

“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.

In terms of **section 32 (1) (a) (b) (c)**, without limiting liability in terms of the common law or other legislation-

- (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,*
- (b) *the accounting officer is liable for unauthorised expenditure deliberately or negligently incurred by the accounting officer, subject to subsection (3),*
- (c) *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*
- (d) *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.*

In terms of **section 32(2)**, a municipality must recover unauthorised, irregular, or fruitless and wasteful expenditure from the person liable for that expenditure unless the expenditure is, after investigation by a Council committee, certified by the Council as irrecoverable and written off by the Council.

6.2 Discussion

Irregular Expenditure

The Municipality reported irregular expenditure amounting to R 43 972 712. An amount of R 21 181 677,99 of R 43 972 712 has been investigated and is part of this report. The remainder of the irregular expenditure is still under investigation and will be reported to the council once MPAC has finalized it. The table below seeks to provide the breakdown of the expenditure that is part of this report:

No.	Description	Amount (R)
1	Non-compliance with CIDB regulations	541 177.00
2	Non-Compliance SCM Regulation 29(4)	63 042.38
3	Non-Compliance SCM Regulation 2(1)(b)	29 973.60
4	Non-Compliance SCM Regulation 43(1)	53 231.70
5	Overpayment of a Councillor	90 707.52
6	Non-compliance with PPR	4 117 318.63
7	Non-compliance with SCM Regulation 36 (1)(a)(ii)	7 585 820.76
8	Telkom current year	3 188 314.40
9	Non-compliance with SCM Regulation 19(a) – prior year	158 486.00
10	Non-compliance with SCM regulation 36(1)(a) - prior year	5 353 606.00
11	Non-compliance with pre-determined requirements – PPPFA	4 320 607.78
12	Non-compliance with SCM regulation – prior year	199 359.90
13	Non-compliance with SCM Regulation 19(a) and Reg 32 of the SCM Regs	1 967 444.00
TOTAL		27 669 089,67

In the above table, the council will note that the irregular expenditure reported relates to both current and prior years. These expenditures have been reviewed by the committee.

Below is the narrative of each of the line items that were declared irregular by the Office of the Auditor General.

Summary of Irregular Expenditure Recommended for Write-Off (with Narrative)

The Internal Audit review identified that a significant portion of the irregular expenditure resulted from **procedural and regulatory non-compliance in procurement processes**, rather than fraud, theft, corruption, or losses suffered by the

municipality. In most instances, the municipality received the goods and services contracted for, and corrective measures have subsequently been implemented to address the weaknesses identified. Consequently, Internal Audit recommended that **R21 090 970.47** be written off as irrecoverable in terms of Section 32 of the MFMA.

1. Non-Compliance with CIDB Regulations – R541 177

This irregular expenditure arose from Tender GRDM/05/22-23, awarded in 2023 financial year. This tender was not advertised as a Construction Industry Development Board (CIDB) tender. The Office of the Auditor General is of the view that this should have been advertised as a CIDB tender. Management's view was that the scope of work, consisting mainly of pool pump repairs, electrical maintenance, and building repairs, did not constitute construction work requiring CIDB registration. The expenditure, therefore, resulted from an interpretation error rather than deliberate non-compliance. Following the CIDB's finding of non-compliance, the municipality implemented corrective actions, including staff training and the introduction of compliance checklists

2. Non-Compliance with SCM Regulation 29(4) – R63 042

The Auditor-General identified that an official who had assisted the Bid Evaluation Committee subsequently attended the Bid Adjudication Committee in the absence of his Head of Department, who is a member of the BAC. Although this constituted a technical breach of SCM Regulation 29(4), which prohibits members of BEC from serving as members of BAC, there was no evidence that the procurement outcome was compromised or any deliberate intention to cause irregular expenditure.. Additional controls have since been implemented to prevent recurrence.

3. Non-Compliance with SCM Regulation 2(1)(b) – R29 974

The irregular expenditure resulted from a supplier having different business addresses recorded on various systems. While the supplier's quotation reflected a local address within the district, the Central Supplier Database reflected a Cape Town head office address. This discrepancy resulted in incorrect preferential point allocation during

evaluation. The matter arose from inaccurate supplier information rather than intentional manipulation of the procurement process.

4. Non-Compliance with SCM Regulation 43(1) – R53 232

A deviation process was followed to procure services, but the supplier was subsequently found to be non-compliant with tax requirements. The irregularity, therefore, relates to supplier compliance verification rather than the procurement itself. Management has strengthened controls to ensure that tax compliance is verified before future deviations are approved.

5. Non-Compliance with Preferential Procurement Regulations (PPR) – R4 117 319

The municipality failed to state explicitly in its requests for quotations that the preferential points system would be applied during evaluation. The amount classified as irregular expenditure by the Office of the Auditor General relates to all procurement processes below R30 000 (quotation process). However, the preferential points system was in fact applied when evaluating bids. The non-compliance was therefore administrative in nature and did not affect the actual evaluation methodology or procurement outcome. Measures have since been introduced to ensure future RFQs contain the required wording.

6. Non-Compliance with SCM Regulation 36(1)(a)(ii) – ERP System Deviation – R7 585 821

This expenditure is related to a deviation procurement process for the ERP system. The Auditor-General and management differed on which subsection of Regulation 36 (Regulation 36(1)(ii), i.e., impractical or Regulation 36(v), i.e., Sole Supplier) should have been applied. While the Auditor-General believed one subsection was incorrectly used, both parties agreed that a deviation from the procurement process was justified. The irregularity, therefore, arose from differing interpretations of the applicable regulation rather than an unlawful procurement process.

7. Telkom Contract – Current Year – R3 188 314

The municipality procured services from Telkom based on the understanding that Telkom qualified as a government entity under Section 110(2)(a) of the MFMA. However, a recent High Court ruling altered Telkom's status as a state entity. Using this ruling, AG rendered the procurement approach of Telkom as non-compliant. The municipality has since terminated the arrangement and procured the services through a National Treasury transversal contract. The irregularity, therefore, arose from a legislative interpretation that changed during the contract period.

8. Non-Compliance with SCM Regulation 19(a) – Fuel Procurement – R158 486

The municipality utilises fleet fuel cards for operational vehicles. The Auditor-General's concern related to fuel purchases exceeding quotation thresholds at various service stations. Management argued that, due to operational requirements and emergency responses, particularly for firefighting vehicles, it is impractical to restrict fuel purchases to specific service providers or thresholds. The expenditure therefore resulted from operational realities rather than procurement abuse.

9. Non-Compliance with SCM Regulation 36(1)(a) – Prior Year – R5 353 606

Similar to the ERP system matter, this irregular expenditure arose from differing interpretations between management and the Auditor-General regarding the specific subsection of the deviation regulation that should have been applied. Both parties agreed that a deviation was justified; the dispute related solely to the classification of the deviation.

10. Non-compliance with pre-determined requirements – PPPFA – R 4 320 607.78

This relates to a tender GRDM/03/21-22 awarded to Nissan Shorts and the regulation not complied with was PPR(2022) – 4 (2). As part of the tender documentation, bidders were provided with a checklist of the required services and were required to indicate, by ticking each applicable item, as confirmation that such services would be provided if appointed. Nissan Shorts did not tick or otherwise indicate its ability to

provide the required after-hours tyre repair service, which was one of the items on the checklist.

Despite this omission, the municipality appointed Nissan Shorts on the panel of service providers for the maintenance, service and repairs of GRDM fleet vehicles and small plant equipment for a period of three years. The municipal service level agreement, however, stipulated all the prequalifying criteria and the service provider committed to provision of services after hours and signed the agreement as such. No exceptions were found in the performance of the service provider during the contracted period.

Although the transaction took place during 2021/22 financial year, this irregular expenditure was only identified during the 2024/25 financial year, and the amount is broken down as follows:

- | | |
|---------------------------|---------------|
| • 2024/25 – GRDM/03/21-22 | R2 095 820.42 |
| • 2024/25 – Separate RFQ | R-23 290.00 |
| • 2023/24 – GRDM/03/21-22 | R2 248 077.36 |

No deliberate act to commit irregular expenditure was identified and the correction of the omission by the service provider was rectified through the contract management process.

11. Non-compliance with SCM regulation - R 199 359.90

With effect from 16 January 2023, section 2(1)(a) of the Preferential Procurement Policy Framework Act (PPPFA) required organs of state to apply a preference point system when evaluating bids. Furthermore, Regulation 4(1) of the Preferential Procurement Regulations, 2022 (PPR 2022), stipulates that the 80/20 preference point system must be applied to tenders with a value equal to or below R50 million, inclusive of all applicable taxes. Consequently, the 80/20 preference point system was also applicable to written quotations procured by the Municipality above the petty cash threshold of R2 000 and up to R30 000 (VAT inclusive).

It was subsequently established that the Garden Route District Municipality (GRDM) did not apply the preferential points system to written quotations within the R2 000 to R30 000 procurement range. This matter was not unique to GRDM and affected numerous municipalities nationally. As a result, extensive engagements and consultations were held between municipalities, Provincial Treasury, National Treasury, and the Office of the Auditor-General of South Africa to obtain clarity regarding the interpretation and practical application of the amended legislative requirements.

The non-compliance was therefore not deliberate, but arose from differing interpretations of the newly implemented legislative framework among key stakeholders. The matter was under review at provincial and national level, and

GRDM, together with other municipalities, awaited formal guidance before implementing changes to its quotation processes.

This matter was initially reported as a Compliance Matter of Finding (COMAF) during the 2022/23 audit cycle and related to expenditure amounting to R4 895 227. During the subsequent audit process, the Auditor-General revisited the population and identified that expenditure totalling R199 359.90 had been inadvertently omitted from the original disclosure. Accordingly, the total expenditure affected by this finding was adjusted to include the additional amount identified.

12. Non-compliance with SCM Regulation 19(a) and Reg 32 of the SCM Regs

GRDM entered into a contract with Vesta Technical Services (PTY) Ltd through a transversal tender that was procured by National Treasury on behalf of all municipalities to ensure transition to the MSCOA reforms – RT25-2016.

Paragraph 15 of RT25-2016 states the following regarding the **duration of the contract**:

- 15.1 *The duration of contract RT25-2016 shall be for a period of 36 months commencing from 1 June 2016 to 31 May 2019.*
- 15.2 *The duration of the service level agreement (SLA) entered into by and between the successful bidder and a municipality will be for a period not exceeding 60 (sixty) months from date of signing the service level agreement subject to the provisions of Section 33 of the MFMA.*

The municipality entered into a 3-year contract with Vesta, effective 01 July 2017 – 30 June 2020 with the option to extend but not exceeding the initial 60 (sixty) months. Before the contract expired, an item served at Council, requesting approval to extend the contract (as provided for in the original contract). Approval was granted on 30 June 2020 for the extension of the contract. Thereafter, the municipality underwent a public participation process as per section 116 of the MFMA.

The approval of the addendum to the contract, as evidenced by the respective parties' signatures, was on 27 and 28 July 2020. Therefore, the approval of the addendum was after the date of contract expiry, although Council approval was obtained on 30 June 2020, which was within the active contract period.

An expenditure amounting to R3 350 032 on this matter was written off by Council in 2023. This report aims to settle the remainder of the expenditure under that contract which was excluded from the previous disclosure.

Matters Not Yet Recommended for Write-Off

The remainder of the reported irregular expenditure is still under investigation, and a separate report will be presented to the council in due course, once the investigations are completed.

Matter Recommended for Continued Recovery

The overpayment of a former councillor amounting to **R90 707.52** is not recommended for write-off. Internal Audit confirmed that recovery processes are underway in terms of the municipality's Credit Control and Debt Collection Policy.

Overall Motivation for Write-Off

The irregular expenditure recommended for write-off is primarily attributable to:

- Technical and administrative non-compliance with procurement legislation;
- Differences in interpretation of SCM regulations between management and the Auditor-General;
- Historical procurement practices subsequently corrected through improved controls;
- Legislative changes affecting existing contracts; and
- Operational circumstances where the municipality nevertheless received the intended goods and services and suffered no quantifiable financial loss.

The committee found no evidence within these matters of fraud, corruption, personal gain, or deliberate financial misconduct warranting recovery from officials, and

therefore recommended that the expenditure be certified as irrecoverable and written off by Council in accordance with Section 32 of the MFMA.

Unauthorized

Summary of Unauthorised Expenditure Recommended for Write-Off (with Narrative)

The Internal Audit review considered the unauthorised expenditure disclosed in the 2024/2025 Annual Financial Statements amounting to **R21 426 918**. The review concluded that the expenditure did not result from deliberate misconduct, fraud, or unauthorized procurement activities. Rather, it arose primarily from **budget vote overspending caused by accounting adjustments, budget allocation variances, and operational expenditure that was fully approved and incurred for legitimate municipal purposes**. Internal Audit further noted that the municipality's overall operating and capital expenditure remained within the total budgets approved by Council and that adequate controls have subsequently been implemented to prevent future occurrences. Consequently, it was recommended that the unauthorised expenditure be written off in terms of Section 32 of the MFMA.

1. Operating Budget Overspending

The unauthorised expenditure relating to operating votes arose mainly from **non-cash accounting adjustments** required by Generally Recognised Accounting Practice (GRAP) during the preparation of the Annual Financial Statements. These adjustments could not be accurately quantified during the budget preparation process and therefore resulted in overspending on specific votes.

a) Actuarial Valuations – R152 105

This expenditure relates to post-retirement employee benefit obligations that are determined through actuarial assessments at year-end. As these valuations are dependent on assumptions and calculations that can only be finalized after the financial year-end, the resulting adjustment exceeded the approved vote allocation.

The expenditure was non-cash in nature and arose from compliance with accounting standards rather than operational overspending.

b) Impairment Loss on Receivables – R17 451 944

The largest component of the unauthorised expenditure relates to the impairment of municipal debtors. In accordance with GRAP requirements, the municipality is required to assess the recoverability of outstanding debt and provide for doubtful debts where collection is uncertain. This accounting adjustment was processed during Period 13 (year-end financial statement preparation) and resulted in expenditure exceeding the approved vote. The adjustment is non-cash and does not represent actual spending or financial loss during the year.

c) Depreciation and Amortisation – R434 776

Depreciation and amortisation charges are accounting entries required to recognize the consumption of municipal assets over their useful lives. The year-end adjustment exceeded the approved vote allocation and therefore constituted unauthorised expenditure. However, this expenditure does not involve any cash outflow and merely reflects compliance with accounting standards.

d) Prior-Year Actuarial Valuations – R402 291

This amount relates to an adjustment arising from actuarial calculations associated with the 2023/2024 financial year. Similar to the current-year actuarial valuation, it represents a non-cash accounting adjustment that could not be accurately determined in advance.

e) Budget Understatement and Overstatement Adjustments – R30 000

A net amount of R30 000 resulted from under- and overstatements within operational costs and transfers, and subsidies budgets. Internal Audit noted that this arose from budget allocation discrepancies rather than unauthorized spending.

2. Capital Budget Overspending

The unauthorised expenditure relating to capital votes resulted from approved asset acquisitions where spending exceeded specific budget votes, despite remaining within the municipality's overall capital budget.

a) Computer Software and Applications – R42 122

This expenditure related to the acquisition of three additional BarnOwl software licences required for operational purposes. The expenditure exceeded the specific budget vote allocation but was approved and necessary for municipal operations.

b) Various Asset Acquisitions – R2 713 050

The municipality acquired various operational assets, including:

- Computer equipment;
- Furniture and office equipment;
- Land and buildings;
- Machinery and equipment; and
- Municipal buildings.

Although expenditure exceeded the individual vote allocations, the assets were acquired through approved processes and were necessary for service delivery. Council received the full benefit of these assets.

c) Leased Computer Equipment – R136 630

This expenditure related to the acquisition of 24 cellular phones through a lease arrangement. The overspending occurred at vote level but was incurred for legitimate operational requirements and approved through delegated authority processes.

d) Machinery and Equipment – R64 000

The overspending in this vote was attributed to a budget overstatement from the 2022/2023 financial year rather than unauthorized procurement activity.

Key Findings Supporting Write-Off

Internal Audit highlighted several important considerations supporting the recommendation to write off the unauthorised expenditure:

The Municipality Did Not Overspend Its Total Budget

Although certain votes were overspent, the municipality's total budget was not overspent:

- Approved Operating Budget was **R502.1 million**, while actual expenditure amounted to **R485.7 million**; and
- Approved Capital Budget was **R188.5 million**, while actual expenditure amounted to **R48.1 million**.

The overspending therefore occurred at vote level and was funded from under-spending in other votes, meaning that the municipality did not exceed the total budget approved by Council.

Evidence of Financial Misconduct

Internal Audit specifically stated that it did not identify actions by officials that would constitute an offence under the MFMA or warrant criminal proceedings. The unauthorised expenditure was therefore not linked to fraud, corruption, personal gain, or deliberate misconduct.

Expenditure Approved and Beneficial

Internal Audit concluded that:

- All acquisitions were approved by officials with the necessary delegated authority;
- The assets acquired were operationally necessary for municipal service delivery; and
- The municipality received full value and benefit from the expenditure incurred.

Overall Motivation for Write-Off

The unauthorised expenditure is recommended for write-off because it arose largely from **technical accounting adjustments, vote-level budget overspending, and legitimate operational expenditure that remained within the municipality's overall approved budget framework**. The expenditure was properly authorized, provided value to the municipality, and did not result from negligence, fraud, or financial misconduct.

Furthermore, Internal Audit confirmed that strengthened budget monitoring controls have been implemented to prevent future occurrences, including monthly monitoring and automatic system controls that prevent further spending on overspent votes.

Fruitless and Wasteful Expenditure

Summary of Fruitless and Wasteful Expenditure

The Internal Audit review considered the **fruitless and wasteful expenditure of R95 867** disclosed in the 2024/2025 Annual Financial Statements. The review concluded that the expenditure primarily consisted of interest charges arising from historical disputes, administrative payment delays, system and process challenges, and accounting adjustments. Internal Audit found no evidence of fraud, deliberate misconduct, or personal benefit obtained by officials. Consequently, the Municipal Public Accounts Committee was requested to recommend that Council certify the expenditure as irrecoverable and write it off in terms of Section 32 of the MFMA.

Breakdown of Fruitless and Wasteful Expenditure

The total fruitless and wasteful expenditure of **R95 867** comprised:

Category	Amount (R)
Interest charged by Local Municipalities	49 089.68
Interest charged by Eskom	1 090.00
Interest charged by Telkom	8 050.00
Penalties and fines	400.00
Period 13 accounting adjustments	37 237.32
Total	95 867.00

1. Interest Charged by Local Municipalities – R49 089.68

The largest portion of the fruitless and wasteful expenditure relates to interest charged by neighbouring municipalities, specifically:

- Hessequa Municipality – R1 624.48
- Oudtshoorn Municipality – R47 465.20

The municipality has been engaged in ongoing disputes regarding the accuracy of certain accounts. In the case of Oudtshoorn Municipality, the dispute concerns an account that GRDM believes should be apportioned between three parties, namely GRDM, the Youth Café, and Oudtshoorn Municipality, rather than being charged solely to GRDM. Although efforts have significantly reduced outstanding disputes, interest continued to accumulate while these matters remained unresolved. Internal Audit noted that management continues to pursue intergovernmental resolution processes to settle the disputes.

2. Interest Charged by Eskom and Telkom – R9 140

Interest charged by Eskom and Telkom arose primarily from delays in processing and paying invoices following the implementation of the Municipal Standard Chart of Accounts (mSCOA).

The review identified two main contributing factors:

a) Budget Constraints

The municipality has experienced financial pressures and constrained budgets. Under the revised mSCOA environment, responsibility for processing utility payments was delegated to individual departments. In several instances, departments lacked sufficient funds within their budgets, and virements had to be processed before payments could be made. These delays resulted in interest charges being levied by service providers.

b) New Administrative Processes

The revised payment process required invoices to move between creditors, delegated departments, and user departments for verification, approval, and dispute resolution. Because the process was still in its early stages of implementation, delays occurred while responsibilities and procedures were being refined. Internal Audit noted that the municipality has subsequently improved the process and achieved a significant reduction in interest incurred.

3. Penalty and Fine – R400

This expenditure arose from a traffic fine issued to a Roads Department employee operating a municipal construction vehicle.

The fine resulted from an administrative error by the Traffic Department, which incorrectly issued a permit stating that only one employee could occupy the vehicle, whereas the vehicle was legitimately being used by two employees. While the municipality was in the process of correcting the permit, a traffic officer issued a fine. The Traffic Department subsequently acknowledged its error and cancelled the fine. However, because the amount had already been disclosed in the financial records, it remains classified as fruitless and wasteful expenditure and must be formally written off.

4. Period 13 Accounting Adjustments – R37 237.32

During the preparation of the Annual Financial Statements, management performed a detailed review of transactions to ensure compliance with Generally Recognised Accounting Practice (GRAP). This process identified various interest charges that had been incurred on overdue accounts across several municipal functions, including:

- Resorts (Victoria Bay and Calitzdorp Spa);
- Roads Operations;
- Information Technology;
- Registry Services;
- Firefighting Services; and
- Municipal Health Services.

These interest charges collectively amounted to R37 237.32. Internal Audit noted that the amount was not material when compared to the municipality's annual expenditure exceeding R420 million and largely reflected routine accounting corrections identified during the year-end review process.

Key Findings Supporting Write-Off

Evidence of Fraud or Deliberate Financial Misconduct

Internal Audit found no evidence that the expenditure resulted from fraud, corruption, personal gain, or intentional misconduct by municipal officials. The expenditure arose mainly from administrative delays, disputed accounts, process inefficiencies and accounting adjustments.

Significant Improvement in Processes

The review acknowledged that management had already implemented corrective measures, including:

- Resolving historical disputes with municipalities;
- Improving invoice verification and payment processes;
- Strengthening communication between departments;
- Reducing interest incurred by approximately 70%; and
- Continuing engagement with service providers to seek the write-off of interest where possible.

Amount Considered Immaterial

Internal Audit noted that the Period 13 adjustments and related interest charges were relatively insignificant when compared with the municipality's total annual expenditure of more than R420 million.

Overall Motivation for Write-Off

The fruitless and wasteful expenditure is recommended for write-off because it resulted largely from historical billing disputes, budgetary constraints, administrative payment delays, system implementation challenges associated with mSCOA, and accounting adjustments identified during year-end financial reporting processes. The expenditure did not arise from deliberate wrongdoing or financial misconduct, and management has already implemented measures to strengthen controls and reduce the likelihood of recurrence. Consequently, Internal Audit recommended that the expenditure be certified as irrecoverable and written off by Council in accordance with Section 32 of the MFMA.

6.3 Financial Implications

Irregular, Unauthorized and Fruitless and wasteful expenditure of R 42 704 522,99

6.4 Legal Implications

- Municipal Finance Management Act No. 56 of 2003

- Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings
- Municipal Structures Act

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

Non-compliance with the MFMA

BACK TO AGENDA

1. **INAUGURATION OF PBI COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: CLLR VD CAROLUS/ INHULDIGING VAN "PBI" RAADSLID: GARDEN ROUTE DISTRIKSMUNISIPALITEIT: RDL VD CAROLUS / UKUFUNGISWA KOCEBA WE PBI: IBHUNGA LESITHILI SE GARDEN ROUTE: UCEBA VD CAROLUS**

10 JUNE 2026

REFER REPORT FROM THE MUNICIPAL MANAGER (MG STRATU)

2 PURPOSE

To inform Council of replacement of Cllr AR Marbi who ceased to be Councillor at GRDM.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

A vacancy occurred on the Garden Route District Council as a result of the resignation of Cllr AR Marbi. GRDM has since received correspondence from IEC advising of the name of the Councillor that will be replacing Cllr AR Marbi. In terms of the Rules of order, Councillor VD Carolus must take the oath of office.

5. RECOMMENDATIONS

- 5.1 That cognizance be taken of the notice from the IEC, dated 09 June 2026.
- 5.2. That Cllr VD Carolus be inaugurated as a Councillor of Garden Route District Council with effect from 09 June 2026.
- 5.3. That Cllr VD Carolus be requested to take the Oath of Office as required in terms of the Rules of order.

AANBEVELINGS

- 5.1 *Dat kennis geneem word van die kennisgewing van die OVK, gedateer 09 Junie 2026.*

- 5.2 *Dat Rdl. VD Carolus met ingang van 09 Junie 2026 as Raadslid van die Gardenroute Distriksmunisipaliteit ingehuldig word.*
- 5.3 *Dat Rdl VD Carolus versoek word om 'n eed van die kantoor te neem.*

IZINDULULO

- 5.1 Sesokuba kuthathelwe ingqalelo isaziso se IEC, sangomhla wama 09 KweyeSilimela 2026.
- 5.2 Sesokuba uCeba. VD Carolus, afungiswe njengo Ceba weBhunga loMasipala Wesithili se Garden Route ukususela ngomhla wama 09 KweyeSilimela 2026.
- 5.3 Sesokuba uCeba. VD Carolus acengwe ukuba athathe Isifungo se Ofisi.

6. DISCUSSION / CONTENTS

6.1 Background

A vacancy occurred on the Garden Route District Council as a result of the resignation of Cllr AR Marbi on 14 May 2026 (**See Annexure A**).

In terms of Item 11(1)(a) of Schedule 2 of the Municipal Structures Act, 1998 Act 117 of 1998, the Electoral Commission determines as follows;

"11 Filling of vacancies

(1)(a) If a councillor elected from a party list ceases to hold office, the chief electoral officer, must subject to item 13, declare in writing the person whose name is on top of the applicable party list to be elected in the vacancy."

Item 13 of the said Act reads as follows;

"13 *Filling of vacancies and changing the order*

(1) *A party may supplement, change or increase its list at any time, provided that if a councillor elected according to a party list, ceases to hold office, the party concerned may supplement, change or increase its list by not later than 21 days after the councillor has ceased to hold office.*

The vacancy must be filled as soon as the party in question has supplemented, changed or increased its list, but not later than 14 days expiry of the 21-day period."

The Provincial Independent Electronic Commission was informed of the vacancy as prescribed by item 11 of Schedule 2 of the Municipal Structures Act, Act 117 of 1998.

The IEC has advised that Councillor VD Carolus (ID No 690509 52// 084,) being the Councillor for PBI has been declared elected to the Garden Route District Council with effect from 09 June 2026 (**see annexure B**).

6.3 Financial Implications

The positions of Councillors are budgeted in line with the notice on the determination of upper limits for Councillors.

6.4 Relevant legislation

Schedule 2 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998).

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

None



30 Valk Sreet, Andersonville, Pacaltsdorp, 6534, Cell:0728908787 sumaiyalatif@yahoo.com

To: The Municipal Manager
Mr M Stratu
Garden Route District Municipality
Via email: Andisiwe@gardenroute.gov.za

REMOVAL OF COUNCILLORS:

**1. COUNCILLOR R A MARBI, GARDEN ROUTE DISTRICT MUNICIPALITY -
PLAASLIKE BESORGDE INWONERS**

Please be informed that Mr Alberto Ricardo Marbi, ID Nr 800325 5238 087 has being removed from his position as Councilor at the Garden Route Municipality and will be replaced with Cllr D Carolus 6905095288084 from George Municipality.

Mr D Carolus 6905095288084 is currently a councilor at the George Municipality. He resigned and will be replacing Mr Marbi at the Garden Route Municipality.

Both councilors ID copies are attached for your ease of reference.

.Warm Regards

A handwritten signature in black ink, appearing to be 'J. Gericke'.

Mrs Justine Gericke
PBI EXCO Member

ANNEXURE B



SOUTH AFRICA

09 June 2026

The Municipal Manager
Garden Route District Municipality
P O Box 12
George
6530

Re: Replacement of Plaaslike Besorgde Inwoners (PBI) PR Councillor
Marbi: DC4 – Garden Route District Council

Please be advised that **Vivian Desmond Carolus**, ID No. **690509 5288 084**, being the candidate at the top of the party list for the **Plaaslike Besorgde Inwoners (PBI)**, has been declared elected to **Garden Route District Municipality** as prescribed in item 11 of Schedule 2 of the Municipal Structures Act, 1998 (Act. No. 117 of 1998).

Councillor **Carolus** replaces **Alberto Riccardo Marbi**, ID No. **800325 5238 087**, who ceased to hold office of Councillor in the municipality.

Sincerely,

K Tshoke

Acting Manager: Electoral Registrations & Liaison

Electoral Commission

Ensuring Free and Fair Elections

Commissioners: Mr MS Moagaya (Chairperson) | Ms JY Love (Vice-Chairperson) | Mr VG Mashini | Judge D Pillay | Ms J Pitso
National Office: Election House, Riverside Office Park, 1303 Heuwel Avenue, Centurion, 0157 | PiBag X112, Centurion, 0046
Tel (+27) 12 822 5700 | info@elections.org.za | www.elections.org.za

BACK TO AGENDA

1. **DEVIATION REPORT: IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 MAY 2026 TO 31 MAY 2026 / AFWYKINGSVERSLAG: VOORSIENINGSKANAALBELEID VIR DIE PERIODE 1 MEI TOT 31 MEI 2026 / INGXELO YOTYESHELO: UKUMISELWA KOMGAQO-NKQUBO WOLAWULO LWEZENCITHO KWIXESHA LOMHLA 1 KUCANZIBE 2026 UKUYA 30 KUCANZIBE 2026**

REFER REPORT FROM THE EXECUTIVE MANAGER FINANCIAL & CORPORATE SERVICES: R BOSHOFF

2. **PURPOSE**

To inform the Financial Services Committee of the deviations approved for the period 1 May 2026 to 31 May 2026.

3. **DELEGATED AUTHORITY**

Financial Services Committee.

4. **EXECUTIVE SUMMARY**

The accounting officer must record the reasons for any deviations in terms of sub-regulation (1) (a) & (b) and report them to the next meeting of council. The report is for the month of May 2026.

5. **RECOMMENDATIONS**

1. That the implementation of Regulation 36 of the Municipal Supply Chain Regulation in terms of the deviations for the period 1 May 2026 to 31 May 2026, be noted.
2. That it be noted that in terms of Section 114 of the Municipal Finance Management Act, Act 56 of 2003, there was no approval of tenders not recommended in the normal course of implementing Supply Chain Management policy of a municipality.

AANBEVELINGS

1. *Dat kennis geneem word van die implementering van Artikel 36 van die Voorsieningskanaal beleid in terme van die afwykings vir die periode van 1 Mei 2026 tot 31 Mei 2026.*
2. *Dat kennis geneem word dat in terme van Artikel 114 van die Munisipale Finansiële Bestuurswet, Wet 56 van 2003, dat daar geen goedkeuring was van tenders wat nie aanbeveel is in die normale implementering van die Voorsieningskanaalbeleid van die munisipaliteit nie.*

IZINDULULO

1. Sesokuba ukumiselwa komhlathi 36 woMgaqo Wolawulo Lwencitho yoMasiapala ngokwemimiselo yezotyeshelo kwixesha lomhla 01 ngekaCanzibe 2026 ukuya 31 ngekaCanzibe 2026, kuthathelwe ingqalelo.
2. Sesokuba kuthathelwe ingqalelo ngokwemimiselo yoMhlathi 114 woMthetho Wolawulo Lwemali zoMasipala, uMthetho 56 wango 2003, akukhange kubekho ziniki maxabiso ezingandululwanga kwinkqubo eqhelekileyo yokumiselwa uMgawo Wolawulo Lwezencitho zomasipala

6. DISCUSSION / CONTENTS

6.1. Background

Regulation 36 of the Municipal Supply Chain Regulation states:

- 1) *A supply chain management policy may allow the accounting officer –*
 - a) *To dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only –*
 - i) *In an emergency*
 - ii) *If such goods or services are produced or available from a single provider only;*
 - iii) *For the acquisition of special or special works of art or historical objects where specifications are difficult to compile;*
 - iv) *Acquisition of animals for zoos; or*
 - v) *In any other exceptional case where it is impractical or impossible to follow the official procurement processes;*
 - b) *To 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.*
- 2) *The accounting officer must record the reasons for any deviations in terms of sub regulation (1) (a) and (b) and report them to the next meeting of the council, or board of directors in the case of a municipal entity, and include as a note to the annual financial statements."*

6.2 Discussion

Section 114 of the Municipal Finance Management Act, Act 56 of 2003 states:

- (1) *If a tender other than the one recommended in the normal course of implementing the supply chain management policy of a municipality or municipal entity is approved, the accounting officer of the municipality or municipal entity must, in writing, notify the Auditor General, the relevant provincial treasury and the National Treasury and, in the case of a municipal entity, also the parent municipality, of the reasons for deviating from such recommendation.*

(2) Subsection (1) does not apply if a different tender was approved in order to rectify an irregularity.

6.3 Financial Implications

The total deviations for the period 01 May 2026 to 31 May 2026 amount to **R 0.00** Refer to **Annexure A**.

6.4 Legal Implications

None

Main Expenditure for Deviation in May 2026

- None

6.5 Trend Analysis Based on Successive Period from 1 July 2025 up to May 2026 Comparison

APPROVED DEVIATIONS											
DEVIATIONS AS PER REGULATION 36 OF THE SCM REGULATIONS											
Months	Jul-25	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Apr-26	May-26
Department	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount
Community Services	17,978.65	0.00	116,495.00	18,160.31	18,160.31	36,320.62	0.00	0.00	0.00	0.00	0.00
Corporate Services	0.00	0.00	600,811.43	0.00	146,658.35	0.00	0.00	0.00	0.00	0.00	0.00
Financial Services	0.00	0.00	11,773.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Office of the MM	156,838.88	3,795.00	27,683.90	110,273.97	29,810.55	0.00	0.00	0.00	0.00	0.00	0.00
Planning and Economic Development	0.00	9,890.00	0.00	36,477.61	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Roads and Transport Planning Services	91,328.40	35,038.20	340,945.40	569,116.23	114,792.50	0.00	0.00	0.00	0.00	185,265.00	0.00
Total Deviations	266,145.93	48,723.20	1,097,709.43	734,028.12	309,421.71	36,320.62	0.00	0.00	0.00	185,265.00	0.00

6.6 Staff Implications

None, failure to report to council will result in non-compliance.

6.7 Previous / Relevant Council Resolutions:

None

6.8 Risk Implications

None

May-26								
APPROVED DEVIATIONS								
DEVIATIONS AS PER REGULATION 36 OF THE SCM REGULATIONS								
CORPORATE SERVICES								
No	Reference No	Name	Req Date	Deviation Category	Deviation Motivation	Deviation Approval Date	Payment Amount	Order Number
NONE								

[BACK TO AGENDA](#)

DISTRICT COUNCIL

24 JUNE 2026

1. **REPORT ON THE IMPLEMENTATION OF NATIONAL TREASURY MFMA CIRCULAR NO.68 (AS REVISED APRIL 2026): UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE / VERSLAG RAKENDE DIE IMPLEMENTERING VAN NASIONALE TESOURE MFBW SE OMSENDSKRYWE NO 68 (HERSIEN GEDURENDE APRIL 2026): ONGEMAGTIGDE, ONREËLMATIGE UITGAWES, VRUGTELOSE EN VERKWISTENDE UITGAWES / INGXELO NGOKUMISELWA KWESAZINGE SE MFMA KANONDYEBO WESIZWE NO.68 (NJENGOKO IHLAZIYIWE KUTSHAZIMPUZI 2026): IINKCITHO EZINGAGUNYAZISWANGA, ENGETHO SEMTHETHWENI, NENCITHO ENGENAZIQHAMO NEYINCITHAXESHA**

REFER REPORT FROM THE CHIEF FINANCIAL OFFICER (R BOSHOFF)

2. **PURPOSE**

The purpose of the report is to present to Council the revised National Treasury Circular 68 to inform councillors and officials of their legal, financial risks, consequences and procedural obligations regarding the administering of unauthorised, irregular, fruitless and wasteful expenditure.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

National Treasury issued MFMA Circular 68 (As revised April 2026) on 1 April 2026 whereby it wants to bring to attention the implications, obligations, consequences and management of unauthorised, irregular, fruitless and wasteful expenditure in municipalities.

5. **RECOMMENDATION**

That Council takes note of National Treasury MFMA Circular 68, as revised.

AANBEVELING

Dat die Raad kennis neem van die hersiening van Nasionale Tesourie MFBW se Omsendskrywe Nommer 68.

ISINDULULO

Sesokuba iBhunga liyayiqaphela iSetyhula ye MFAM 68 kaNondyebho wesizwe, njengoko ihlaziyiwe.

6. DISCUSSION

6.1 Background

National Treasury issued MFMA Circular 68 in October 2021 to provide clarity on the procedures when dealing with unauthorised, irregular, fruitless and wasteful expenditure (UIFW) as per the Municipal Finance Management Act, 2003 (MFMA).

On 1 April 2026 a revised MFMA Circular 68 was issued to clarify the procedures for dealing with unauthorised, irregular, fruitless, and wasteful expenditure (UIFW) as per the Municipal Finance Management Act 56 of 2003 (MFMA) to create a common understanding of the processing of UIFW.

6.2 Discussion

The revised MFMA Circular No. 68 significantly strengthens the accountability, recovery, governance, and consequence-management framework relating to UIFWE within municipalities and municipal entities. The Circular shifts municipalities away from a historical "disclosure and reporting" mindset toward an enforceable accountability model centred on personal liability, mandatory recovery, and active oversight.

The Circular responds directly to ongoing concerns raised by the Auditor-General regarding the increasing trend of UIFW across municipalities and the inconsistent treatment thereof. It establishes a standardised lifecycle for identifying, investigating, recovering, authorising, writing off, and reporting UIFW.

The revised Circular represents a major governance tightening by National Treasury and:

- formalises a full UIFW governance lifecycle,
- strengthens accountability,
- operationalises section 32,
- reinforces recovery obligations,
- improves legal clarity,
- introduces practical implementation processes,
- aligns strongly with AGSA consequence-management expectations.

6.3 FINANCIAL IMPLICATIONS

None

6.4 LEGAL IMPLICATIONS

Once the circular is adopted, Council will need to align its policies and By-laws with the circular in order for it to be binding.

6.5 STAFF IMPLICATIONS

None

6.6 PREVIOUS / RELEVANT COUNCIL RESOLUTIONS

None

6.7 RISK IMPLICATIONS

On adoption of the circular risk mitigation will be identified and addressed.



NATIONAL TREASURY

MFMA Circular No.68 (As revised April 2026) Municipal
Finance Management Act No. 56 of 2003

Unauthorised, Irregular, Fruitless and Wasteful Expenditure (UIFWE)

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1. Purpose of the Circular

This Circular aims to clarify the procedures for dealing with unauthorised, irregular, fruitless, and wasteful expenditure (UIFWE) as per the Municipal Finance Management Act 56 of 2003 (MFMA) to create a common understanding of the processing of UIFWE. Municipalities are organs of state within the local sphere of government that collect monies from the public in the form of rates, levies, surcharges, fees, and service charges; receive grants; invest surplus cash; and borrow for capital expenditure for long-term purposes or for bridging finance for short-term needs. These resources are appropriated by the Municipal Council to fulfil its powers and functions, primarily to deliver services in accordance with its mandate as set out in sections 151, 153 and 156 of the Constitution.

In terms of section 4(2)(a) of the Municipal Systems Act 32 of 2000 (Municipal Systems Act), the Municipal Council must use the resources of the municipality in the best interest of the local community. This duty is extended to individual councillors through the Code of Conduct for Councillors, which states that a councillor must:

- (i) “perform the functions of office in good faith, honestly and in a transparent manner, and
- (ii) at all times act in the best interests of the community and in such a way that the credibility and integrity of the municipality are not compromised.”

Equally, the accounting officer and other officials have specific responsibilities in terms of the MFMA. Over recent years, the Auditor-General of South Africa (AGSA) has highlighted an escalating trend in UIFWE in municipalities and municipal entities. At the same time, some municipalities were uncertain about how UIFWE should be treated, who has the legislative authority to address such matters, the process to be followed, and how UIFWE should be recorded and disclosed in the annual financial statements.

To assist municipal officials, board of directors, and councillors, Annexures A to J provide information to support effective implementation in addressing UIFWE. It requires proactive, closer in-year monitoring, the processing of recommendations, and the taking of actions by the municipal administration, the Municipal Council, and the Board of Directors with reference to municipal entities. The Circular is supported by a template UIFWE register (Annexure A) and an example of a UIFWE policy (Annexure I), which will assist municipalities and municipal entities in recording, tracking, and managing UIFWE more transparently and accountably. The UIFWE register will be a central source of information on the UIFWE for municipalities, municipal entities, and external stakeholders, recording UIFWE transaction details, the type of expenditure, the person liable for the expenditure, and the measures taken by the municipality to address the matter.

Each Municipal Council and Board of Directors must adopt UIFWE policies and processes to:

- a) Prevent the incurrance of UIFWE;
- b) Identify and investigate UIFWE without delay;
- c) To address and process identified instances of UIFWE conclusively; and
- d) Implement consequence management where required.

2. Unauthorised, Irregular, Fruitless and Wasteful Expenditure (UIFWE) definitions

2.1. Expenditure incurred

UIFWE must be recognised when expenditure is incurred and when the expenditure qualifies to be recognised as a UIFWE item per the UIFWE definitions in the MFMA. With regard to the word “incurred” within the context of UIFWE, it means recognising the effects of UIFWE transactions and other events when they occur, not when cash or its equivalent is received or paid. For example, in the case of irregular expenditure, where a supplier was appointed without following a supply chain management process, irregular expenditure must be recognised when the supplier issues the invoice to the municipality or municipal entity, not when the municipality or municipal entity actually pays the supplier.

2.2. Definition of unauthorised expenditure

Unauthorised expenditure is defined in section 1(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 15 of the MFMA deals with the appropriation of funds for expenditure and provides that a municipality may, except where otherwise provided in the MFMA, incur expenditure only in terms of an approved budget and within the limits of the amounts appropriated for the different votes in an approved budget. With reference to MFMA section 1(1)(a) in the definition above, a municipality’s budget is divided into an operational budget and a capital budget. Overspending must be determined in relation to both the operational budget and the capital budget.

With reference to MFMA section 1(1)(b) – a municipality’s operational and capital budgets are divided into ‘votes’, representing budget components that have amounts appropriated for the financial year for different departments or functional areas. The Municipal Budget and Reporting Regulations (MBRR) prescribe the structure and formats of municipal budgets, including votes, in Tables A1 to A10. Votes are informed by Table A3 (Budgeted

Financial Performance: revenues and expenditure by municipal vote) and Table A5 (Budgeted Capital Expenditure by vote, standard classification and funding). By implication, budget Table A4 (Budgeted Financial Performance: revenue and expenditure) is approved by the Municipal Council and must also be considered when determining unauthorised expenditure. In other words, when considering unauthorised expenditure from an operating budget point of view, both Table A3 and A4 (read in conjunction with the supporting table SA1) of the MBRR would have to be considered. Overspending must also be determined in relation to each of the votes on both the operational budget and the capital budget. Where the Municipal Council has approved a virement policy that allows the accounting officer to make limited shifts of funds between votes, this must also be considered.

With reference to MFMA, section 1(1)(c) – funds appropriated in a vote for a department may not be used for purposes unrelated to the functions of that department. In other words, an accounting officer or other official may not use funds allocated to one department for purposes of another department or for purposes that are not provided for in the budget. Where a Municipal Council has approved a virement policy, shifts made in accordance with that policy may be allowed and must be considered when reviewing such expenditure.

With reference to MFMA, section 1(1)(d) – in addition to appropriating funds for a department's vote, the Municipal Council may also appropriate funds for a specific purpose within a department's vote, for example, for specific training initiatives or a capital project. Funds designated for a specific purpose or project may not be used for any other purpose.

With reference to MFMA, section 1(1)(e) – the items referred to in the definition of 'allocation' are national and provincial conditional grants to a municipality and other 'conditional' allocations to the municipality from another municipality or another organ of state. Any use of conditional grant funds for purposes other than those specified in the relevant conditional grant framework is classified as unauthorised expenditure.

With reference to MFMA, section 1(1)(f) – section 67 of the MFMA regulates the transfer of municipal funds to organisations and bodies outside government. In terms of this section, a municipality may only provide grants to organisations and NOT individuals. Therefore, any grant to an individual is an unauthorised expenditure unless it is in accordance with the municipality's indigent policy or bursary scheme.

Therefore, valid expenditure decisions can only be made by the Municipal Council in the context of a budget or an adjustment budget. It follows that only the Municipal Council may authorise unauthorised expenditure, and that it must do so through an adjustment budget. This principle is further reiterated in section 32(2)(a)(i) of the MFMA, read with regulation 25 of the MBRR, which states that the municipality may authorise unauthorised expenditure in an adjustments budget that the Municipal Council approves. This is the rationale for the provisions in regulation 23(6) of the MBRR, which provides the legal framework for authorising unauthorised expenditure.

2.2.1. Expenditure not classified as unauthorised expenditure

Given the definition of unauthorised expenditure, the following are examples of expenditures that are NOT unauthorised expenditure:

- (i) Any over-collection on the revenue side of the budget, as this is not an expenditure; and
- (ii) Any expenditure incurred in respect of:
 - any of the transactions mentioned in section 11(1)(a) to (j) of the MFMA;
 - re-allocation of funds and the use of such funds in accordance with a council-approved virement policy;
 - overspending of an amount allocated by standard classification on the main budget Table A2 (Budgeted Financial Performance: revenue and expenditure by standard classification), as long as it does not result in overspending of a 'vote' on the main budget Table A3 (Budgeted Financial Performance: revenue and expenditure by municipal vote) and Table A4 (Budgeted Financial Performance: revenue and expenditure (read in conjunction with supporting Table SA1) of the MBRR; and
 - overspending of an amount allocated by standard classification on the main budget Table A5 (Budgeted Capital Expenditure by vote, standard classification and funding) of the MBRR, so long as it does not result in an overspending of a 'vote' on the main budget Table A5.

2.2.2. *Unauthorised expenditure on “non-cash” expenditure items*

Municipalities have raised concerns that non-cash items are being classified as unauthorised expenditure because the total budget has been exceeded. Such expenditure relates, amongst others, to debt impairment, depreciation, asset impairment, transfers, and grants, as set out in Table A4 (Budgeted Statement of Financial Performance: revenue and expenditure) of the MBRR. Although these expenditures are considered non-cash items, as there is no transaction with any service provider or supplier, an under-provision during the budget compilation process is a material misstatement of the surplus or deficit position of the municipality. This could result from poor planning, budgeting, or financial management, or from unforeseen events that led to asset and debt impairments after adopting the budget. In this regard, Table A4 (Budgeted Statement of Financial Performance: revenue and expenditure) must be read in conjunction with supporting Table SA1 of the MBRR.

While non-cash unauthorised expenditure might not have an initial cash outflow, it has future cash flow implications. For example, under-budgeting for service infrastructure depreciation harms tariff determination, leading to tariffs that do not include the full cost of replacing service infrastructure. The miscalculation of service tariffs will have a negative impact because the tariffs are not fully cost-reflective, leading to lower future cash collections than would be the case if depreciation were budgeted correctly.

2.2.3. *Unforeseen and unavoidable expenditure*

Unforeseen and unavoidable expenditure is discussed in section 29 of the MFMA and reads as follows:

“29. Unforeseen and unavoidable expenditure

- (1) The mayor of a municipality may, in emergency or other exceptional circumstances authorise unforeseeable and unavoidable expenditure for which no provision was made in an approved budget.
- (2) Any such expenditure—
 - (a) must be in accordance with any framework that may be prescribed;
 - (b) may not exceed a prescribed percentage of the approved annual budget;
 - (c) must be reported by the mayor to the municipal council at its next meeting; and
 - (d) must be appropriated in an adjustments budget.
- (3) If such an adjustments budget is not passed within 60 days after the expenditure was incurred, the expenditure is unauthorised, and section 32 applies.”

The framework referred to in section 29(2)(a) of the MFMA is prescribed in chapter 5 of the MBRR and contained in regulations 71 and 72. The following shall apply:

- (i) If the amount the Mayor authorised as unforeseen and unavoidable expenditure exceeds the monetary limits set in regulation 72 of the MBRR, the amount in excess of the limit is unauthorised;
- (ii) If the reason for the Mayor authorising the unforeseen and unavoidable expenditure does not fall within the ambit of regulation 71(1) of the MBRR, the expenditure is unauthorised;
- (iii) If the reason for the Mayor not authorising the unforeseen and unavoidable expenditure falls outside the ambit of regulation 71(2) of the MBRR, the expenditure is unauthorised; and
- (iv) If the council does not appropriate the expenditure in an adjustments budget that is passed within 60 days after the expenditure was incurred, the expenditure is unauthorised.

2.3. Definition of irregular expenditure

Irregular expenditure is defined in section 1(1) of the MFMA as follows:

“**irregular expenditure**’, in relation to a municipality or municipal entity, means—

- (a) expenditure incurred by a municipality or municipal entity in contravention of, or that is not in accordance with, a requirement of this Act, and which has not been condoned in terms of section 170;
- (b) expenditure incurred by a municipality or municipal entity in contravention of, or that is not in accordance with, a requirement of the Municipal Systems Act, and which has not been condoned in terms of that Act;
- (c) expenditure incurred by a municipality in contravention of, or that is not in accordance with, a requirement of the Public Office-Bearers Act, 1998 (Act No. 20 of 1998); or
- (d) expenditure incurred by a municipality or municipal entity in contravention of, or

that is not in accordance with, a requirement of the supply chain management policy of the municipality or entity or any of the municipality's by-laws giving effect to such policy, and which has not been condoned in terms of such policy or by-law,

but excludes expenditure by a municipality which falls within the definition of 'unauthorised expenditure'."

In this context, 'expenditure' refers to any use of municipal or municipality entity funds, inclusive of grant funds accruing to the municipality or municipal entity, donations received and expenditure incurred financed from borrowings, that is in contravention of the following legislation:

- Municipal Finance Management Act 56 of 2003 and its regulations;
- Municipal Systems Act 32 of 2000 and its regulations;
- Remuneration of Public Office Bearers Act 20 of 1998 and its regulations; and
- The municipality's supply chain management policy and any by-laws giving effect to the municipality's supply chain management policy.

2.4. Definition of fruitless and wasteful expenditure

Fruitless and wasteful expenditure is defined in section 1(1) of the MFMA as follows:

"fruitless and wasteful expenditure" means expenditure that was made in vain and would have been avoided had reasonable care been exercised. The fruitless and wasteful expenditure concept is founded on public administration and accountability principles to promote "efficient, economical and effective use of resources and the attainment of value for money". The idea is also founded on the fact that the Municipal Council, the Board of Directors in the case of a municipal entity, the Mayor, and municipal accounting officers have a fiduciary responsibility to ensure that municipal resources are used in the best interests of the municipality, the municipal entity, and the local community.

In this context, 'expenditure' refers broadly to processes that must be followed, transactions with service providers or suppliers, and the use of other resources belonging to the municipality. The phrase 'made in vain' indicates that the municipality or municipal entity derived no value for money from the expenditure or the use of other resources. Fruitless and wasteful expenditure must fulfil both the conditions in the definition, namely, that it was made in vain and it would have been avoided had reasonable care been exercised. The treatment of such expenditure is dealt with later in this Circular.

3. Unauthorised, Irregular, Fruitless and Wasteful Expenditure (UIFWE) framework for municipalities – section 32 of the MFMA

3.1. Background to section 32 of the MFMA

Section 32 of the MFMA establishes the legal framework governing municipalities' handling of UIFWE once it has been identified. The section does not primarily regulate how such expenditure is prevented. Instead, it regulates what must happen after it occurs, including liability, recovery, council decision-making, reporting, and law-enforcement

referral. Section 32, therefore, forms the centrepiece of the MFMA's consequence-management regime.

Section 32 of the MFMA is based on the principle that municipal resources must be protected and that losses should not be automatically absorbed by the municipality when individuals are responsible for causing them. It introduces a statutory liability structure that complements, rather than replaces, common-law remedies and other legislation. This means that section 32 must be read together with labour law, criminal law, the Municipal Systems Act, the Municipal Supply Chain Management Regulations, the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings (Financial Misconduct Regulations) and all other applicable legislation. The section, therefore, operates as part of a broader accountability system rather than as a stand-alone provision.

Section 32(1) of the MFMA establishes who may be held financially liable in the event of UIFWE. It identifies political office-bearers, accounting officers, and officials as potential responsible persons and links liability to deliberate or negligent conduct. The subsection also confirms that statutory liability under the MFMA exists in addition to any liability arising from common law or other statutes. In practice, subsection (1) requires municipalities to move beyond disclosure and to identify whether a specific person's conduct contributed to the expenditure.

Section 32(2) of the MFMA creates the statutory recovery rule. It provides that municipalities must recover UIFWE from the person liable unless the expenditure has been lawfully authorised or certified as irrecoverable and written off by the Municipal Council. This subsection makes recovery the default position rather than a discretionary option. This means that once UIFWE is identified, a liability assessment must be undertaken, and where the assessment confirms negligence or deliberate conduct, the municipality is obliged to institute recovery proceedings against the responsible official without delay.

Section 32(3) of the MFMA specifically addresses the position of the accounting officer when political or collective decisions of the Municipal Council, mayor, or executive committee may result in UIFWE. It provides that the accounting officer will not be liable for resulting UIFWE if the accounting officer has informed the relevant structure in writing that the decision is likely to cause UIFWE. The subsection, therefore, protects accounting officers who properly record their professional advice and reinforces the importance of written warnings and documented financial controls.

Section 32(4) of the MFMA establishes a mandatory reporting obligation on the accounting officer. It requires prompt written notification to the mayor, the MEC for local government, and the Auditor-General of South Africa of any instance of such expenditure, together with information on responsibility, investigations, recovery steps, and measures taken to prevent recurrence. This subsection ensures that UIFWE is treated as a governance matter and not merely an internal accounting issue. It promotes transparency and allows provincial and audit oversight bodies to monitor whether the municipality is taking appropriate action.

Section 32(5) of the MFMA clarifies that writing off UIFWE as irrecoverable does not remove accountability. Even where the Municipal Council has certified an amount as irrecoverable and written it off, disciplinary or criminal proceedings may still be pursued. The subsection, therefore, distinguishes between the accounting treatment of UIFWE and

the enforcement of misconduct. In practice, this means that municipalities may not treat write-off decisions as a substitute for consequence management.

Subsection 32(6) of the MFMA introduces a specific reporting duty on the accounting officer. It requires the accounting officer to report all cases of irregular expenditure that constitute a criminal offence, as well as cases of theft or fraud, to the South African Police Service. This provision emphasises that certain forms of irregular expenditure are not merely administrative failures but may involve criminal conduct requiring investigation by law-enforcement authorities.

Subsection 32(7) of the MFMA places a safeguard around this reporting duty. It requires the Municipal Council to ensure that matters are reported to the police if the charge involves the accounting officer or if the accounting officer fails to make the required report. This ensures that reporting obligations cannot be avoided where the accounting officer is personally implicated or fails to act. The subsection therefore reinforces the Municipal Council's oversight responsibility in enforcing accountability at the senior management level.

Therefore, section 32 of the MFMA establishes a complete lifecycle for dealing with UIFWE. It begins with identifying liability, continues with investigation and council decision-making, requires recovery where appropriate, mandates reporting to oversight bodies, and provides for disciplinary and criminal enforcement. The section, therefore, converts UIFWE from a reporting exercise into a structured accountability process. Its effective implementation depends on municipalities ensuring that investigation systems, council oversight processes, recovery mechanisms, and disciplinary procedures operate in an integrated manner throughout the financial year.

3.2. Statutory liability framework under section 32(1) of the MFMA

Against the background of section 32 of the MFMA, the practical interpretation of section 32(1) is set out below. This subsection serves as the liability foundation of the entire section 32, identifying the persons who may be held financially responsible and linking liability to deliberate or negligent conduct. A proper understanding of subsection (1) is therefore essential to the lawful application of recovery, disciplinary action, and council decision-making under the remainder of section 32 of the MFMA.

Section 32(1) of the MFMA establishes the statutory liability framework that applies when UIFWE occurs in a municipality. The provision must be read as a consequence-management and recovery mechanism. It determines who may be held financially liable, under what circumstances liability arises, and how that liability interacts with other legal remedies available to the municipality.

The opening words of section 32(1) of the MFMA, namely that the provision applies "*without limiting liability in terms of the common law or other legislation*", are critical. This wording confirms that section 32(1) does not replace or restrict other legal avenues for recovery. Instead, it creates an additional statutory basis for liability. A municipality may therefore rely on section 32(1) together with common-law claims such as breach of fiduciary duty, delicts, unjust enrichment, or contractual damages, as well as remedies available under labour law, the Municipal Systems Act 32 of 2000, the Criminal Procedure Act 51 of 1977, or anti-corruption legislation. The effect is that section 32(1) expands, rather than narrows, the municipality's ability to recover UIFWE including any losses and enforce accountability.

Section 32(1)(a) provides that a political office-bearer is liable for unauthorised expenditure where that office-bearer knowingly instructed an official to incur the expenditure or gave such an instruction after being advised by the accounting officer that the expenditure would likely result in unauthorised expenditure. The paragraph, therefore, targets situations in which political direction overrides the statutory budget framework. The key elements are knowledge and instruction. Liability arises where the political office-bearer understood, or reasonably ought to have understood, that the instruction would cause spending outside the approved budget. Municipalities must therefore ensure that advice from the accounting officer on budget compliance is properly recorded, as such records become critical evidence in determining liability under this paragraph.

Section 32(1)(b) of the MFMA provides that the accounting officer is liable for unauthorised expenditure that was deliberately or negligently incurred by that accounting officer, subject to subsection (3) of section 32 of the MFMA. This paragraph recognises the central role of the accounting officer in maintaining budget control and financial discipline. Liability does not arise merely because unauthorised expenditure occurred, but because the accounting officer caused or allowed it through deliberate action or negligent oversight. The paragraph, therefore, requires municipalities to assess whether the accounting officer failed to exercise reasonable budgetary control, failed to prevent overspending when it was foreseeable, or authorised expenditure despite knowing that funds were not available.

Section 32(1)(c) of the MFMA provides that any political office-bearer or official who deliberately or negligently commits, makes, or authorises irregular expenditure is liable for that expenditure. This paragraph applies broadly across the compliance and supply chain management environment. For instance, liability may arise where procurement rules were knowingly ignored, required approvals were bypassed, or officials failed to exercise the level of care expected in verifying compliance with legislation and policy. The paragraph, therefore, requires municipalities to determine not only whether procurement was irregular, but also whether a specific individual's conduct contributed to the irregularity.

Section 32(1)(d) of the MFMA mirrors paragraph (c) but applies to fruitless and wasteful expenditure. It provides that any political office-bearer or official who deliberately or negligently made or authorised such expenditure is liable for the resulting loss. The focus here is on preventability. Fruitless and wasteful expenditure typically arises where reasonable care could have avoided the cost, for example, through proper contract management, confirmation of delivery of services, verification of invoices, timely cancellation of unnecessary services, or compliance with payment conditions. Liability arises when the individual's conduct shows that the loss was reasonably foreseeable and preventable.

Section 32(1) of the MFMA must also be applied alongside the broader consequences-management framework of the MFMA. Once liability is established, the municipality must pursue recovery of the amount, institute disciplinary processes where applicable, and consider referral for criminal investigation in terms of section 173 of the MFMA or where the facts indicate possible fraud or corruption. Recovery may occur through civil processes, labour-law deductions, or other lawful mechanisms. Municipalities must therefore treat section 32(1) not merely as a reporting provision, but as a core enforcement tool supporting financial accountability.

In summary, section 32(1) creates a legally enforceable liability regime that operates

alongside common-law and statutory remedies. It requires municipalities to identify responsible individuals, assess whether their conduct was deliberate or negligent, and pursue recovery and consequence management accordingly. Effective application of this section depends on proper investigations, documented decision-making, and consistent implementation by Municipal Councils and accounting officers.

3.3. UIFWE liability assessment – deliberate or negligent action or inaction

In applying section 32(1) of the MFMA, municipalities must carefully assess the meaning of “deliberate” and “negligent” conduct, as liability depends on the presence of fault. Deliberate conduct refers to situations in which a person intentionally performs an act or omission that caused the UIFWE, knowing that the conduct was contrary to legal or financial requirements, or consciously disregarding the risk that it would lead to UIFWE. Deliberateness may be inferred where instructions were given despite warnings, where controls were intentionally bypassed, or where a person acted in reckless disregard of the rules.

For purposes of section 32, “deliberate” conduct also means intentional conduct that results in UIFWE, including instances where the person knew the applicable legal requirement or control and proceeded regardless. Deliberate conduct also includes conscious disregard of warnings, legal advice, audit findings, or prescribed controls, and this may be established by documentary evidence such as approvals, minutes, deviation records, delegations, and audit trails. Deliberate conduct does not require proof of fraud or corruption; the question is simply whether the conduct was intentional or carried out with conscious recklessness regarding compliance.

Negligent conduct, by contrast, does not require intention. It arises when a person fails to exercise the degree of care, skill, and diligence that could reasonably be expected from someone in that position. Negligence may be established where an official fails to exercise the degree of care, diligence, and skill that a reasonably prudent official would have exercised in the circumstances, for example, by omitting to ascertain the availability of budgetary provision prior to incurring expenditure, failing to verify compliance with prescribed supply chain management requirements, disregarding foreseeable risks, or neglecting to take reasonable and necessary steps to avert a loss that was reasonably foreseeable. The test is objective and considers what a reasonable official would have done in similar circumstances.

For purposes of section 32, “negligent” conduct also means a failure to exercise reasonable care expected from a person in the relevant role and delegation level. Negligence also includes approving expenditure or payments without performing basic compliance checks that were reasonably required and reasonably available, including checks on authority, procurement requirements, performance confirmation, pricing, and contract conditions. Negligence may exist even where the person subjectively believed the decision was beneficial, because the test is objective and focuses on whether a reasonable official, exercising due care and diligence, would have acted differently in the same circumstance. .

In applying section 32(1) of the MFMA, municipalities may encounter situations where an official contends that the expenditure was not intentional and was incurred in good faith. While good faith may be relevant to assessing whether conduct was deliberate, it does not, in itself, exclude liability where negligence is established. Section 32(1) links liability

to deliberate or negligent conduct. Acting without malice, personal gain, or dishonest motive does not automatically remove accountability if the official failed to comply with clear budget controls, supply chain management requirements, or financial management duties expected of a person in that position. The UIFWE assessment must remain objective and must focus on whether a reasonable official, faced with the same facts and responsibilities, would have acted differently.

In practice, municipalities must therefore treat fault determination as a structured assessment. Investigations must establish the facts, identify the decision-makers involved, evaluate whether the conduct was intentional or negligent, and determine whether that conduct caused the expenditure. Liability should not be imposed automatically, but once deliberate or negligent conduct is established, recovery becomes a statutory obligation rather than a discretionary choice.

3.4. Joint and several liability in the context of UIFWE recovery

In practice, UIFWE often results from the conduct of multiple people. Decision-making within municipalities is often collective or sequential. Instructions may originate at the political level, be implemented by senior management, and be processed by operational officials. In such cases, municipalities must consider the principle of joint and several liability when determining UIFWE recovery.

Joint and several liability arises where two or more persons, through their respective deliberate or negligent conduct, contribute to the same instance of UIFWE. In such circumstances, each person may be held liable for the UIFWE, even though their respective roles differed. The municipality is therefore not required to apportion the UIFWE to pursue recovery.

In applying joint and several liability, municipalities must first establish three elements through a proper investigation. First, the specific instance of UIFWE must be identified and quantified. Second, the individuals whose conduct contributed to the UIFWE must be identified. Third, it must be established that each such person acted deliberately or negligently and that their conduct had a causal link to the UIFWE.

Joint and several liability is particularly relevant in cases involving procurement deviations, contract extensions, budget overspending, or failure to terminate contracts timeously. For example, where the accounting officer failed to implement an adequate system of internal control and a supply chain official processed a non-compliant award without verification, each may have contributed to the resulting irregular expenditure. In such cases, the municipality is not required to determine which individual was “most responsible” before initiating recovery.

Municipalities must, however, exercise this principle lawfully and proportionately. Investigations must clearly record the factual basis for attributing fault to each individual. Municipal Council resolutions must identify the persons to be held liable and the legal basis for such liability. The principle of joint and several liability must also be applied together with labour law and due process requirements. Disciplinary proceedings must still assess individual misconduct, and recovery through salary deductions must comply with applicable labour legislation.

In summary, where two or more political office-bearers or officials deliberately or negligently contributed to the same instance of UIFWE, municipalities may hold them

jointly and severally liable for the resulting expenditure.

3.5. Meaning of “official” in the context of UIFWE recovery

For purposes of section 32 of the MFMA, the term “official” is defined broadly and is not limited to permanent employees. It includes employees, persons seconded to the municipality to work as staff, and persons contracted to perform staff functions. The definition is functional and depends on whether the person performs duties within the municipal administration.

This broad definition is important for UIFWE recovery. Liability under section 32 may attach to any official who deliberately or negligently committed, made, or authorised UIFWE. Recovery is therefore not confined to permanently appointed staff. For example, a fixed-term Accounting Officer who negligently authorises expenditure beyond the approved budget may be held liable.

The definition also covers seconded officials from other municipalities, provincial or national government and contracted staff who perform municipal functions. A seconded official who bypasses supply chain management procedures, or a contracted SCM advisor who negligently approves non-compliant specifications, may fall within the definition of an official for purposes of liability.

Municipalities must assess the substance of the working relationship when determining liability. Any person who performed staff functions or exercised delegated authority and whose deliberate or negligent conduct contributed to UIFWE may be held liable under section 32.

3.6. UIFWE recovery from suppliers, former employees and councillors

Section 32(1) of the MFMA provides that liability for UIFWE applies “without limiting liability in terms of the common law or other legislation.” This confirms that the statutory liability under section 32 does not exclude other legal remedies available to the municipality, including recovery from suppliers, former employees, and councillors.

Where irregular expenditure results from supplier misconduct, such as misrepresentation, bid manipulation, or participation in an unlawful award, the municipality may pursue recovery based on contract law, unjust enrichment, delict, fraud, or anti-corruption legislation. For example, a municipality may set aside an irregular contract and recover payments where the supplier knowingly participated in the irregularity. It may also claim damages where fruitless and wasteful expenditure arose from defective performance, penalties, or avoidable interest caused by the supplier.

Section 32(1) also applies to political office-bearers and officials who deliberately or negligently committed, made, or authorised UIFWE. Resignation, retirement, or expiry of a contract does not extinguish liability. A former employee or councillor may still be pursued where their conduct caused the expenditure.

Recovery from former employees and councillors may proceed through civil action, acknowledgement-of-debt agreements, or other lawful means. While employment termination may limit internal disciplinary or deduction mechanisms, it does not remove the municipality’s right to institute civil recovery proceedings.

3.7. Recovery of overpayments to councillors in terms of section 167 of the MFMA

Section 167(2) of the MFMA regulates the recovery of unauthorised remuneration or benefits paid to councillors. Councillors may receive only remuneration, allowances, and benefits within the upper limits determined under the Remuneration of Public Office Bearers Act 20 of 1998. Any amount paid in excess of those limits constitutes an overpayment and must be recovered by the municipality.

Where an overpayment is identified while the councillor remains in office, the municipality is required to initiate recovery without delay. The accounting officer must quantify the amount, notify the councillor in writing, and provide a clear calculation supporting the claim. Recovery may be implemented through structured deductions from the councillor's remuneration, subject to applicable legal limits and procedural fairness. The fact that the overpayment arose from an administrative error does not remove the obligation to recover the fund from the councillor.

Where the councillor has left office, the debt does not lapse. Termination of office does not extinguish or limit the municipality's right to recover any overpayment. The municipality must issue a formal demand for repayment and, if voluntary settlement is not secured, may institute civil proceedings. The overpayment remains a debt due to the municipality and must be pursued through lawful recovery mechanisms.

3.8. Judicial interpretation of section 32 of the MFMA (Mbambisa judgment)

The Supreme Court of Appeal in *Mbambisa and Others v Nelson Mandela Bay Metropolitan Municipality* (Case no 272/2023) [2024] ZASCA 151 clarified the proper interpretation of section 32 of the MFMA. The Court confirmed that section 32(1) establishes a statutory liability framework. Where a political office-bearer or official deliberately or negligently committed, made, or authorised UIFWE, personal liability follows once fault and causation are established.

The Court further held that section 32(2) imposes a mandatory recovery obligation. The municipality must recover the expenditure from the person liable unless a limited statutory exception applies. Recovery is the default consequence once the requirements of section 32(1) are met. A municipality may not decline recovery where deliberate or negligent conduct is proven.

The Court rejected the argument that value for money negates UIFWE recovery. The receipt of goods or services does not override the statutory duty to recover UIFWE incurred. UIFWE may only be certified as irrecoverable where recovery is legally or factually impossible. It may not be used to shield deliberate or negligent conduct.

The SCA judgment was taken on appeal to the Constitutional Court, but the application for leave to appeal was dismissed. The effect is that the SCA decision stands as a binding authority and must guide the interpretation and application of section 32 of the MFMA.

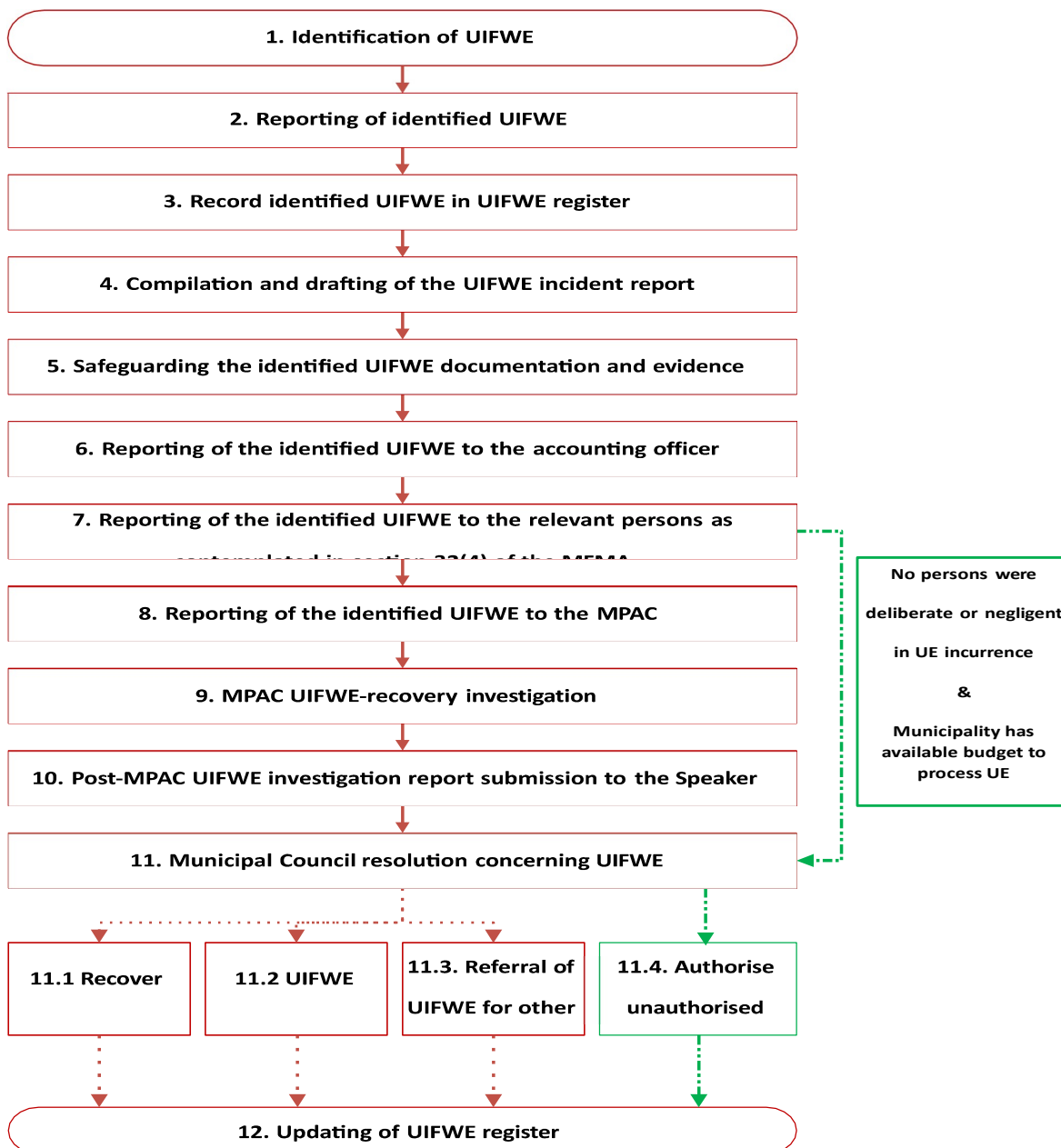
4. Processing UIFWE by a Municipality

4.1. Overview of the UIFWE process

Section 32 of the MFMA mandates that municipalities must act swiftly and decisively when faced with any UIFWE incurred. By embedding UIFWE process controls into everyday financial operations, municipalities uphold their fiduciary duties and mitigate the risk of repeated non-compliance. This Circular outlines a standardised UIFWE process flow designed to guide municipal officials and oversight bodies through every stage of UIFWE management. From the moment expenditure is flagged, through detailed incident reporting, evidence preservation, Municipal Public Accounts Committee (MPAC) scrutiny, and Municipal Council decision-making, each step is defined to promote consistency, legal compliance and timely remedial action as contemplated in section 32 of the MFMA.

To ensure consistent application across all municipal units, a proposed practical UIFWE process comprises the following key steps:

Diagram 1: Steps in a typical UIFWE process cycle:



Paragraph 4.6 of MFMA Circular No. 129 – Municipal Budget Circular for the 2025/26 MTREF, issued on 10 December 2024, sets out the special adjustments budget process for authorising unauthorised expenditure incurred in 2023/24. That process remains applicable. However, before the Municipal Council may authorise any unauthorised expenditure, the municipality must first assess liability in accordance with section 32(1) of the MFMA, as explained above. Only where the conduct in question was neither deliberate nor negligent may the Municipal Council consider authorising the unauthorised expenditure.

4.2. Identification of UIFWE

Municipal officials, internal audit units, external auditors and councillors must remain alert to any transaction or event that may constitute UIFWE as defined in the MFMA. This includes payments without prior budget authorisation, contraventions of the Municipal Supply Chain Management Regulations, or expenses incurred without receiving goods or services. Early detection is critical to enable prompt remedial action.

Triggers for identification include audit findings, whistle-blower reports, review of supplier invoices, and routine budget versus actual expenditure analyses. Where the municipality's internal controls detect anomalies, such as duplicate payments, accruals processed incorrectly, or non-compliant procurement processes, these should be evaluated against the UIFWE definitions. All municipal staff must be trained to recognise UIFWE indicators. Line managers should ensure that any suspected UIFWE is immediately flagged in writing to the municipal directorate's relevant senior manager/director, with sufficient detail to process the UIFWE incurred. Embedding UIFWE awareness into daily financial operations strengthens internal control and assists in fulfilling the municipality's fiduciary obligations in terms of the MFMA.

4.3. Reporting of identified UIFWE

Once UIFWE is suspected or confirmed, the senior manager/director of the relevant unit/directorate must submit a written notification to the municipality's Chief Financial Officer (CFO) within five working days. This notification must outline the nature of the expenditure, the estimated financial value, the relevant transaction date, and the basis for classification as UIFWE. Timely reporting ensures alignment with the MFMA's requirement for prompt corrective action. Upon receipt, the CFO must acknowledge the notification in writing and record the date of receipt in the UIFWE register.

4.4. Recording of identified UIFWE in the UIFWE register

All municipalities must maintain full and proper records of their affairs, as required by section 62(1)(b) of the MFMA. Accordingly, the accounting officers must ensure that the municipality has proper processes in place to record and manage UIFWE should it occur. Therefore, to comply with these provisions of the MFMA, accounting officers (who may delegate the task to the chief financial officer or any other senior manager in the budget and treasury office) must establish and maintain a UIFWE register. Ideally, a separate sub-register should be maintained for each type of expenditure to facilitate easier management, tracking and reporting.

Introducing a 'register' to capture UIFWE incurred, as set out in Annexure A, will assist municipalities in maintaining a complete and accurate record of UIFWE incurred and its

processing. The UIFWE register will further assist in preventing audit findings on the completeness of UIFWE incurred by the AGSA. The UIFWE register is also useful for tracking the progress in addressing the consequences flowing from such expenditures until all the issues that gave rise to the expenditures have been resolved in accordance with section 32 of the MFMA.

Annexure A sets out the minimum information that should appear in a UIFWE register. Municipalities are free to add further detail to the UIFWE register if they deem it necessary. This includes disaggregating into different categories to improve understanding by municipal management, councillors, and the general public. Using such information to explain matters in communications to the Municipal Council, the public, and other stakeholders can assist to address perceptions.

The accounting officers should implement appropriate controls to ensure that the UIFWE registers are updated at least monthly, including measures to ensure their accuracy and completeness. The registers should be supported by complete, accurate, and relevant supporting documentation that is easily accessible and available for verification. To this end, the accounting officer should clearly assign responsibilities for updating, maintaining, reviewing, and monitoring the UIFWE to individuals with the appropriate authority, experience, and skill level. It is best practice to assign the responsibility for updating and maintaining the UIFWE register to the municipality's CFO and/or Chief Audit Executive.

4.4.1. Quantifying the full extent of UIFWE

Municipalities must comprehensively quantify and record all UIFWE in the UIFWE register for disclosure in the annual financial statements, as required by section 125(2) of the MFMA. This includes any UIFWE identified during the reporting period, as well as amounts discovered after the reporting date but before the financial statements are authorised for issue. For example, multi-year contracts found to be non-compliant at any point must be measured from inception, ensuring that each year's spend is captured in the register and AFS disclosure notes as irregular expenditure. Where prior-period UIFWE only emerges in a subsequent financial period, the full rand value should be reconstructed and included in the current financial year's UIFWE register, with clear annotations that the amounts relate to earlier periods.

4.5. Compilation and drafting of the UIFWE incident report

After the initial notification of a UIFWE event, the relevant unit/directorate's senior manager/director must ensure that a detailed UIFWE incident report is compiled and accompanies the UIFWE register extract when submitted to the accounting officer. ***The UIFWE incident report, where possible, should include the reports of the persons who may be liable for the occurrence of the UIFWE.*** The report should include a timeline of events, identification of the relevant regulations or budget provisions breached, and an initial assessment of recoverability or write-off potential. It should be supported with all relevant supporting documents.

Where it is alleged that the UIFWE incurred is due to the actions or inactions, solely or collectively, of a senior manager, including the municipality's accounting officer, in the case of a senior manager, the municipality's accounting officer must take ownership of the UIFWE report that implicates a senior manager. Where the municipality's accounting officer is implicated in the UIFWE incurred, the municipality's Mayor must take ownership

of the UIFWE report that implicates the accounting officer. ***Note that this paragraph should not be read and interpreted to mean that allegations of UIFWE incurrence against senior managers should not be processed as contemplated in the Local Government: Disciplinary Regulations for Senior Managers, 2011.***

The UIFWE incident report must analyse root causes arising from system deficiencies, human error, negligence, or deliberate non-compliance, and propose recommended corrective actions. Where supplier misconduct or fraud is suspected, the report should recommend referral to the SAPS in addition to internal disciplinary processes under the Municipal Systems Act for municipal officials.

This report forms the basis for recovery processes including MPAC's investigation and the Municipal Council's eventual resolution on recoverability. It must be clear, objective and supported by all relevant documentation. It is recommended that the report be drafted within 10 working days of entry into the UIFWE register to facilitate swift oversight and remedial action.

Kindly refer to Annexures E to G for examples of UIFWE reports for submission to the MPAC.

4.6. Safeguarding the identified UIFWE documentation and evidence

All source documents, including contracts, invoices, e-mails, minutes of meetings, audit findings, and UIFWE reports, must be collated and stored in a secure repository (electronic and/or physical). Access controls should ensure that only authorised officials can view or modify UIFWE evidentiary materials, preserving the chain of custody for potential disciplinary or criminal proceedings. The municipality's records management policy must define retention periods that exceed the statutory minimums where UIFWE matters are ongoing. Metadata indexing (date, UIFWE case number, responsible official) should be applied to facilitate rapid retrieval for internal audit, MPAC investigation or external audits.

Regular internal audits of the evidence repository will confirm that all required documents have been captured and properly labelled. Any gaps discovered must trigger immediate follow-up with the relevant department, officials and the accounting officer to obtain missing information before the case proceeds to MPAC or the Municipal Council.

4.7. Reporting identified UIFWE to the accounting officer

The respective municipal directorate's senior manager/director must formally submit the UIFWE incident report to the municipality's accounting officer, with the UIFWE register extract in a consolidated memorandum. It is recommended that this submission occur within five working days of completing the UIFWE incident report, ensuring the accounting officer is fully informed and can take any urgent interim steps, such as reporting the UIFWE incurred to the municipality's disciplinary board for investigation of financial misconduct or the institution of disciplinary processes, if the UIFWE incurred stems from other forms of misconduct by an official.

Where the identified UIFWE relates to the municipality's accounting officer, the Mayor of the municipality must perform the same UIFWE report receipting functions as those of the accounting officer, subject to the Local Government: Disciplinary Regulations for

Senior Managers and Financial Misconduct Regulations.

Once liability has been established in terms of section 32(1) of the MFMA, the municipality must initiate the recovery process without delay.

4.8. Reporting identified UIFWE to relevant persons - section 32 of the MFMA

Section 32(4) of the MFMA obliges the accounting officer, upon becoming aware of any UIFWE incurred, to inform the Mayor, the Member of the Executive Council responsible for local government in the province, and the AGSA by writing a report for their attention. This provision requires the accounting officer to promptly inform the Mayor, the Member of the Executive Council responsible for local government in the province, and the AGSA, amongst others, in writing, of:

- (a) any unauthorised, irregular or fruitless and wasteful expenditure incurred by the municipality;
- (b) whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure; and
- (c) the steps that have been taken:
 - (i) to recover or rectify such expenditure; and
 - (ii) to prevent a recurrence of such expenditure.

This report must describe the nature and amount of the expenditure, indicate whether any person is responsible for or under investigation in respect of that expenditure, and set out the steps taken to recover (based on the liability assessment outlined above in 3.3) or rectify the expenditure and to prevent a recurrence. In circumstances where the UIFWE arises from the accounting officer's actions or inactions, the Mayor must assume these reporting obligations by submitting a report to the MEC and AGSA, with reference to the requirements of section 32(4) of the MFMA. "Where the report relates to unauthorised expenditure and the liability assessment confirms that no deliberate or negligent conduct occurred, the report must be processed through the applicable council procedures for authorisation by the Municipal Council. However, municipalities must be cognisant of the applicable adjustments budget provisions and related timelines.

Section 32(6) of the MFMA further mandates that the accounting officer must promptly refer to the South African Police Service (SAPS) any irregular expenditure that may constitute a criminal offence, as well as any theft or fraud. Should the accounting officer be implicated in the UIFWE or neglect to make the requisite SAPS referral, the Municipal Council must take all reasonable steps to ensure that the Mayor lodges the report with SAPS without delay, by virtue of the power of delegation. This dual-layered mechanism safeguards the integrity of municipal finances and ensures that criminal conduct is reported to law enforcement.

Finally, the Municipal Council retains ongoing oversight of these reporting processes. Through its MPAC, the Municipal Council must regularly review evidence that the accounting officer or the Mayor have met their statutory reporting obligations under section 32. Any failure by either office-bearer to comply may trigger disciplinary action as required by law.

4.9. Reporting of the identified UIFWE to the MPAC

Section 32 of the MFMA requires that municipalities take swift and decisive action when UIFWE is identified. Therefore, the accounting officer or the Mayor should, as good practice, refer UIFWE incident reports directly to MPAC for recovery investigation by no later than the fifth working day of the month following the month in which the UIFWE was identified.

4.10. MPAC UIFWE recovery investigation

Sections 32(2)(a)(ii) and 32(2)(b) of the MFMA require an investigation by the MPAC before the Municipal Council can certify any UIFWE as irrecoverable. It is important to note that such an investigation aims to establish whether the UIFWE must be recovered utilising the factors outlined in regulation 74 of the MBRR and consideration of the requirement of section 32(1) of the MFMA. **This, therefore, means that the context of the investigations to be undertaken by the MPAC referred to in sections 32(2)(a)(ii) and 32(2)(b) of the MFMA is not that of a forensic investigation.**

When UIFWE is incurred, the principal consideration must be recovery. Based on this assessment and supporting evidence provided, MPAC can only recommend a write-off if it cannot rationally recommend that the UIFWE should be recovered. The MPAC's UIFWE recommendation to the Municipal Council should accordingly provide rational reasons why UIFWE should be recovered from a person and should also provide rational reasons why the UIFWE incurred should be written off when the UIFWE is irrecoverable.

In discharging its UIFWE recovery investigation function under regulation 74(1) of the MBRR, the MPAC must, as a minimum, consider all of the following before making any recommendation to the Municipal Council:

- a) the measures already taken to recover the UIFWE;
- b) the cost incurred in implementing those measures;
- c) the estimated cost and likely benefit of any further recovery measures.

The MPAC's UIFWE recovery assessment must contain a written motivation that explains the MPAC's recommendation to the Municipal Council for final decision. For guidance on the minimum content of an MPAC UIFWE report to the Municipal Council, kindly refer to Annexure J: Example of a UIFWE report by MPAC to the Municipal Council for UIFWE recovery consideration.

4.10.1. Recovery of UIFWE considerations

All instances of unauthorised expenditure must be recovered from the liable official or political office-bearer unless the unauthorised expenditure has been certified as irrecoverable by the Municipal Council after an investigation by a MPAC in terms of section 32(2)(a)(ii) of the MFMA or is authorised in an adjustment budget in terms of section 32(2)(a)(i) of the MFMA.

Irregular or fruitless and wasteful expenditure must be recovered from the liable official or political office-bearer unless the expenditure is certified by the Municipal Council, after investigation by the MPAC, as irrecoverable and written off by the Municipal Council in terms of section 32(2)(b) of the MFMA. The National Treasury has issued an MPAC

Guideline and Toolkit, supported by MFMA Circular 92. This can also be used to clarify MPAC's roles and responsibilities, as well as for training purposes. MPAC members considering the recoverability of UIFWE are encouraged to use this Guide as they perform their responsibilities in terms of section 32 of the MFMA.

Irregular expenditure resulting from breaches of the Public Office-Bearers Act is an exception in that the irregular expenditure **must** be recovered from the councillor to whom it was paid, regardless of who was responsible for making, permitting, or authorising the irregular expenditure. Refer to section 167(2) of the MFMA in this regard.

4.10.2. Assessment of deliberate or negligent action or inaction

In considering any instance of UIFWE, MPAC must assess whether the conduct of the person concerned was deliberate or negligent for purposes of section 32(1) of the MFMA. Liability for recovery does not arise automatically because UIFWE occurred. It arises where a political office-bearer or official deliberately or negligently committed, made, or authorised the expenditure. MPAC must therefore determine whether the elements of fault and causation have been established as elaborated in 3.3 above.

MPAC must clearly identify the person or persons from whom recovery should be pursued. Where more than one individual contributed through deliberate or negligent conduct, joint and several liability may apply. Conversely, where the evidence shows that the person acted reasonably and within delegated authority, and that the expenditure resulted from systemic or unavoidable factors, recovery may not be appropriate.

MPAC's recommendation to the Municipal Council must therefore clearly state whether fault has been established, identify the responsible person or persons, and indicate whether recovery should be pursued in terms of section 32(2) or whether the expenditure should be certified as irrecoverable. This structured approach ensures that recovery decisions are lawful, evidence-based, and defensible.

4.10.3. Investigation of unauthorised expenditure

For the MPAC UIFWE recovery investigation recommendation on unauthorised expenditure, the MPAC must consider the following objective factors, in addition to its other considerations, including the considerations of regulation 74(1) of the MBRR:

- (i) Has the nature, extent, grounds and value of the unauthorised expenditure been properly articulated in the UIFWE report to the MPAC?
- (ii) Has it been established whether the accounting officer, official or public office bearer who made, permitted or authorised the unauthorised expenditure acted deliberately or in a negligent or grossly negligent manner?
- (iii) Has the accounting officer informed the Municipal Council, the Mayor or the executive committee that a particular decision would result in an unauthorised expenditure, as per section 32(3) of the MFMA?
- (iv) Are there good grounds for why the unauthorised expenditure should be recommended for authorisation in an adjustment budget? For example:
 - the Mayor, accounting officer or official was acting in the best interests of the municipality and the local community by making and permitting

unauthorised expenditure;

- the Mayor, accounting officer or official was not negligent or deliberate when making or permitting unauthorised expenditure;
- the unauthorised expenditure incurred does not amount to non-compliance with other sections of the MFMA or other laws governing the municipality; and
- the municipality has not suffered a loss due to the action or inaction of the Mayor, accounting officer or official.

Where the MPAC finds that there are rational and acceptable grounds shown for the unauthorised expenditure incurred, the MPAC can recommend to the Municipal Council that the unauthorised expenditure should be written off due to irrecoverability or recommend that the unauthorised expenditure should be authorised in an adjustment budget if appropriate under the circumstances and subject to the municipality's budget.

4.10.4. Investigation of fruitless and wasteful expenditure

Fruitless and wasteful expenditure can arise in various circumstances, and not just due to non-compliance with any legislation. The MPAC should consider the factual matrix that led to the fruitless and wasteful expenditure. Only in exceptional circumstances can MPAC recommend a write-off of fruitless and wasteful expenditure.

In addition to its other considerations, including the considerations of regulation 74(1) of the MBRR, MPAC must consider the following objective factors in assessing whether the fruitless and wasteful expenditure should be recommended for UIFWE write-off or not:

- Did the responsible person demonstrate that his/her decisions were made without disregard for policy, negligence, dishonesty or deliberate breach of his/her duty to the municipality;
- Did the responsible person act reasonably and with due care;
- Did the responsible person obtain and rely on written guidance from the municipal legal adviser, SCM unit or senior manager on ambiguous or complex legislative or procedural requirements; and
- Where policy was unclear or the transaction was unusually complex, did the responsible person refer the matter up the chain of command rather than proceed without clarity?

It should accordingly be clear that for the MPAC to recommend that fruitless and wasteful expenditure should be written off, the trigger that led to the fruitless and wasteful expenditure being incurred should not be due to any negligent or deliberate action or inaction of a person of interest in a UIFWE recovery investigation.

4.10.5. Consideration of prescription of historical UIFWE balances

Municipalities often carry historical UIFWE balances for extended periods due to failure to detect UIFWE timeously, delays in MPAC investigation, MPAC processes, or council resolutions. Where UIFWE recovery is contemplated in terms of section 32 of the MFMA, municipalities must also consider the impact of the Prescription Act 68 of 1969

(Prescription Act) on the recoverability of historical UIFWE balances. Prescription does not determine whether the expenditure was unlawful. It determines whether the municipality may still lawfully recover the debt from the person liable. If a UIFWE debt has prescribed, recovery from the original debtor is no longer legally enforceable, even though the expenditure remains correctly classified as UIFWE.

In general terms, a debt prescribes after three years in terms of section 11(d) of the Prescription Act, unless interrupted, suspended, or delayed in terms of that Act. Prescription begins to run when the debt becomes due, which occurs when the municipality has knowledge, or is deemed to have knowledge, of the identity of the debtor and the material facts giving rise to the claim. In UIFWE matters, prescription does not begin merely when expenditure is incurred, suspected, recorded in the UIFWE register, or reported for compliance purposes. Prescription begins once the municipality has sufficient factual knowledge to institute recovery proceedings, including the identification of the person responsible and the causal link between that person's conduct and the UIFWE amount.

MPAC processes, council deliberations, or internal governance delays do not suspend or interrupt prescription. Municipalities must therefore actively monitor prescription from the point at which the minimum recoverable facts are known. Further guidance on the application of prescription in UIFWE matters is contained in Annexure H: Guidance on the consideration of possible prescription of old UIFWE balances.

4.10.6. MPAC disciplinary and criminal charges recommendations

Municipalities are reminded to incorporate consequence management processes as part of the considerations when dealing with all incidences of UIFWE. In other words, whenever UIFWE is incurred, and it is referred to the MPAC for investigation in terms of section 32(2) of the MFMA, the MPAC must also assess whether or not the actions or failure to act by any official have been referred to the disciplinary board for investigation. Where this is not done, the MPAC should make a recommendation to the Municipal Council for further action in terms of Chapter 15 of the MFMA, read with the Financial Misconduct Regulations. It is also recommended that consequence management be a standing item at all MPAC meetings, so that there is regular feedback on consequences relating to transactions where recommendations have already been made to the Municipal Council.

If the action of the person(s) liable falls within the ambit of the above description, then the Municipal Council, Mayor or accounting officer (as may be relevant) must institute disciplinary charges as follows:

- (i) Financial misconduct in terms of section 171 of the MFMA, read with the Financial Misconduct Regulations: in the case of an official who deliberately or negligently:
 - contravened a provision of the MFMA, which resulted in UIFWE; or
 - made, permitted or authorised an irregular expenditure (due to non-compliance with any of the legislation mentioned in the definition of irregular expenditure);
- (ii) *Breach of the Code of Conduct for Municipal Staff Members*: in the case of an official whose actions in making, permitting or authorising UIFWE

constitute a breach of the Code, but do not amount to financial misconduct or financial offence; and

- (iii) *Breach of the Code of Conduct for Councillors*: in the case of a political office-bearer, whose actions in making, permitting or authorising UIFWE constitute a breach of the Code. This would also include instances where a councillor knowingly voted in favour of, or agreed with, a resolution before the Municipal Council that contravened legislation, resulting in UIFWE when implemented, or where a political office-bearer improperly interfered in the management or administration of the municipality.

4.10.7. MPAC's power to request UIFWE information

Regulation 74(2) of the MBRR places a clear duty on the municipality's accounting officer to serve as the information conduit for any UIFWE recovery investigation conducted by MPAC. The MPACs should use regulation 74(2) of the MBRR to ensure that their UIFWE recovery investigations are comprehensive and evidence based. The MPAC should be empowered to request any information it deems necessary to finalise its UIFWE recovery investigation. The accounting officer must furnish all data expressly requested by the MPAC, including any additional material deemed necessary by the MPAC.

In practice, accounting officers must proactively collate and deliver financial records, correspondence, contracts, and any other relevant documentation without delay, which should be included in the UIFWE investigation report submitted to the MPAC for their UIFWE recovery investigation. This obligation ensures that MPAC can conduct a proper, unfettered review of all UIFWE incidents, thereby strengthening the municipality's overall governance and accountability framework. In the event of a lack of cooperation from municipal administrations in supporting the work of MPACs, municipal councils are encouraged to implement consequences management against the relevant official(s).

4.11. Post-MPAC UIFWE recovery investigation report submission to the Speaker

Section 79A(4) of the Municipal Structures Act 117 of 1998 (Municipal Structures Act) mandates that all reports produced by the MPAC be formally submitted to the Speaker, who must then table these reports at the very next sitting of the Municipal Council. The MPAC chairperson is responsible for formally tabling UIFWE recovery investigation reports to the Speaker. In the context of UIFWE oversight, this provision ensures that MPAC's UIFWE recovery investigation findings are brought directly before the Municipal Council without delay. By embedding this requirement within the UIFWE reporting framework, municipalities reinforce the imperative of swift accountability and empower councillors to deliberate and resolve on UIFWE recovery, write-offs, authorisation of unauthorised expenditure, and disciplinary measures, with the full weight of MPAC's evidence-based recommendations.

The Municipal Council UIFWE agenda item should include the MPAC UIFWE recommendation report, the UIFWE reports submitted to the MPAC, with evidence and the UIFWE register extract reflecting the UIFWE under consideration. This consolidated package will enable councillors to make informed decisions in accordance with section 32(2) of the MFMA at the Municipal Council meeting when considering MPAC's UIFWE-related recommendations.

4.12. Municipal Council resolution concerning UIFWE

4.12.1. *UIFWE recovery, - write off*

Based on the MPAC's UIFWE recommendations report and the accompanying evidentiary documentation, the Municipal Council must adopt a formal resolution on the UIFWE recommendation report, which should be rational. This council resolution should give effect to MPAC's findings and ensure full compliance with section 32 of the MFMA and regulation 74 of the MBRR by explicitly providing for the following council resolutions:

- a) Certify that the UIFWE incurred is recoverable and should be recovered from the responsible persons; or
- b) Certify that the UIFWE incurred is irrecoverable and should be written off by the Municipal Council; or

Where the MPAC has made other UIFWE-related recommendations, other than what is contemplated in section 32(2) of the MFMA, the Municipal Council should also adopt formal resolutions to effect any of the MPAC's UIFWE-related recommendations. Where the MPAC did not make UIFWE-related recommendations, other than what is contemplated in section 32(2) of the MFMA, nothing prohibits the Municipal Council from adopting a formal resolution on criminal or disciplinary proceedings that should be instituted based on the MPAC UIFWE recommendations report.

Municipal Councils are advised to ensure that the wording of their UIFWE council resolutions is consistent with the wording in section 32(2) of the MFMA. For example, where the Municipal Council resolves to write off the UIFWE, a proposed resolution should read as follows: "The Municipal Council hereby certify the expenditure as recoverable and resolves that it be recovered" or "The Municipal Council hereby certify the expenditure as irrecoverable and resolves that it be written off".

Municipal Councils should note that their ability to resolve irregular expenditure is not dependent on the National Treasury's decision concerning the municipality's application for condonation in terms of section 170. Whatever the Municipal Council formally adopts a resolution on the UIFWE referred to by the MPAC is sufficient for the municipality to adjust its annual financial statements and UIFWE register from an accounting disclosure perspective.

4.12.2. *Adjustment budgets to authorise unauthorised expenditure*

Section 15 of the MFMA provides that a municipality may incur expenditure only in terms of an approved budget. This is confirmed by section 32(2)(a)(i) of the MFMA, which provides that the Municipal Council may authorise unauthorised expenditure in an adjustments budget.

Sections 28(2)(c) and 28(2)(g) of the MFMA, read together with regulations 23(1), 23(2), 23(4) and 23(6) of the MBRR, discuss when a Municipal Council may authorise unauthorised expenditure in an adjustments budget. This can be addressed in three different adjustments budgets as follows:

- a) ***Adjustments budget for unforeseen and unavoidable expenditure:*** An adjustments budget to allow the Municipal Council to provide ex-post authorisation for

unforeseen and unavoidable expenditure that the Mayor authorised in terms of section 29 of the MFMA must be tabled in the Municipal Council at the “first available opportunity” or within the 60 days after the expenditure was incurred (see section 29(3) of the MFMA). Should either of these timeframes be missed, the unforeseen and unavoidable expenditure must be treated in the same manner as any other type of unauthorised expenditure as set out in section 32(2)(a)(ii) of the MFMA.

- b) **Main adjustments budget:** In terms of regulation 23(6)(a) of the MBRR, the Municipal Council may authorise unauthorised expenditure in the adjustments budget, which may be tabled in the Municipal Council “at any time after the mid-year budget and performance assessment has been tabled in the Municipal Council, but not later than 28 February of the current year”. Therefore, the Municipal Council may authorise unauthorised expenditure that occurred in the first half of the current financial year in this adjustments budget. Where unauthorised expenditure from this period is not identified or investigated in time to include in this adjustments budget, it must be held over to the following adjustments budget process noted below.
- c) **Special adjustments budget to authorise unauthorised expenditure:** In terms of regulation 23(6)(b) of the MBRR, the Municipal Council may authorise unauthorised expenditure in a special adjustments budget tabled in the Municipal Council when the Mayor tables the annual report in terms of section 127(2) of the MFMA. Kindly refer to MFMA Circular No. 63 for clarification in terms of the time period referred to in section 127(2) of the MFMA. This special adjustment budget “may only deal with unauthorised expenditure from the previous financial year which the Municipal Council is being requested to authorise in terms of section 32(2)(a)(i) of the Act.” This special adjustment budget, therefore, deals with:
- unauthorised expenditure that occurred in the first half of the previous financial year that was not included in the main adjustments budget or that was included but referred back for further investigation or further information;
 - unauthorised expenditure that occurred in the second half of the previous financial year, and
 - any unauthorised expenditure identified by the Auditor-General during the annual audit process.

The timing of this special adjustments budget requires:

- the municipality to report all the unauthorised expenditure in its annual financial statements (thus ensuring transparency regarding its performance in implementing the budget);
- the Auditor-General to audit the municipality’s disclosure of its unauthorised expenditure and to add any further unauthorised expenditure identified in the audit process; and
- sufficient time (but also places a time limit given the date of tabling the Annual Report) for instances of unauthorised expenditure to be properly investigated before being presented to the Municipal Council for a decision on whether or not to authorise it; the investigation is normally done by the MPAC. If the above timelines are not met, then such matters must be addressed during the following mid-year adjustment budget process.

In all instances where there is a clear overspending on the budget, i.e. the actual

expenditure exceeds the budget, the municipality must pass an adjustment budget to authorise the over-expenditure within the timelines as legislated in regulation 23 of the MBBR. However, in accordance with the definition of unauthorised expenditure in paragraphs (b), (c) and (d), these instances may not necessarily result in over-expenditure (i.e. actual may not exceed budget). In such an instance, an investigation in terms of section 32(2)(a)(ii) of the MFMA will suffice to address the unauthorised expenditure. Therefore, whilst municipalities will investigate and decide to write off the unauthorised budget (where it actually exceeds the budget), an adjustment budget must be passed to authorise the unauthorised expenditure in cases where there was clear over-expenditure in the budget. However, this must be done within the timelines as noted above.

Where a municipality fails to pass an adjustment budget to authorise the unauthorised expenditure, then such expenditure must be dealt with in accordance with section 32(2)(a)(ii) of the MFMA.

4.12.3. Referral of UIFWE for disciplinary measures and criminal referrals

In terms of section 32(5) of the MFMA, the writing-off of any UIFWE as irrecoverable is no excuse in criminal or disciplinary proceedings against a person charged with the commission of an offence or a breach of the MFMA relating to such UIFWE. Therefore, even if the Municipal Council resolve to write off UIFWE as irrecoverable or authorises the unauthorised expenditure in an adjustment budget, the act of non-compliance must still be referred to the Disciplinary Board for further investigation in terms of Chapter 15 of the MFMA, read with the Financial Misconduct Regulations.

Where the actions or inactions of officials led to the UIFWE being incurred, does not amount to financial misconduct, financial offence, fraud, theft or corruption, the conduct of the officials should be considered for disciplinary actions as normal misconduct subject to following the SALGBC disciplinary collective agreement for non-senior managers and the Local Government: Disciplinary Regulations for Senior Managers in the case of a senior manager. Where considered appropriate by the Municipal Council, the UIFWE incurred can also be referred to the SAPS for a criminal investigation, based on the evidence, if the matter has not yet been referred to the SAPS.

4.12.4. Recovery of UIFWE post-Municipal Council meeting

If the Municipal Council has adopted a formal council resolution that the UIFWE incurred should be recovered from the responsible person(s), and the UIFWE has not yet been recovered at the date of the Municipal Council meeting, the accounting officer must, in writing, request that the liable official or political office-bearer pay the amount within 30 days or in reasonable instalments. If the person fails to comply with the request, the matter must be handed to the municipality's legal division to recover the debt through the normal debt collection process. The municipality can also institute measures to recover UIFWE monies paid to suppliers of goods and services that were not received.

Municipalities must consider the amendments to the Public Audit Act 25 of 2004 and the regulations issued, which, amongst others, provide for the AGSA to issue a certificate of debt where an accounting officer or accounting authority has failed to recover losses from a responsible person and to instruct the relevant executive authority to collect the debt.

4.13. Updating of the UIFWE register

Based on the Municipal Council's adoption of UIFWE council resolution, the UIFWE register of the municipality should be updated with the financial effects of the UIFWE council resolution, which are the following:

- a) Where the Municipal Council adopted a UIFWE resolution to write off the UIFWE, the UIFWE amount should be deducted from the UIFWE register's balance;
- b) Where the Municipal Council adopted a UIFWE resolution to recover the UIFWE, the UIFWE amount should be deducted from the UIFWE register's balance, and a sundry debtor's account should be opened for the UIFWE debtor, including recognising the UIFWE debtor using the mSCOA classification framework; and
- c) Where the Municipal Council authorised the unauthorised expenditure, the unauthorised expenditure amount should be deducted from the UIFWE register's balance after the date that the Municipal Council has approved the actual adjustment budget.

Annexure D to this Circular describes the UIFWE's accounting treatment and disclosure requirements.

5. Condonement of irregular expenditure

In terms of section 32(2)(b), irregular expenditure may only be written off by the Municipal Council if, after an investigation by the municipality's MPAC, the irregular expenditure is certified as irrecoverable. In other words, writing off is not a primary response; it is subordinate to recovery processes and may occur only if the Municipal Council certifies the irregular expenditure as irrecoverable. With reference to sub-section (a) of the irregular expenditure definition, in terms of section 170 of the MFMA, only the National Treasury may condone non-compliance with a regulation issued in terms of the MFMA or a condition imposed by the MFMA itself.

Municipal Councils, therefore, have no power in terms of the MFMA to condone any act of non-compliance in terms of the MFMA or any of the MFMA's regulations. Section 32(2)(b) of the MFMA provides the Municipal Council only with the power to consider and resolve on the irregular expenditure.

With reference to sub-section (b) of the irregular expenditure definition, there is no provision in the Municipal Systems Act (MSA) that allows for a contravention of the MSA to be condoned. Nevertheless, should a municipality request that non-compliance with any provision of the MSA be condoned, the accounting officer should address the request to the Minister of Cooperative Governance and Traditional Affairs, who is responsible for administering the MSA. However, the resultant irregular expenditure should still be dealt with in terms of section 32(2) of the MFMA.

With reference to sub-section (c) of the irregular expenditure definition, there is no provision to allow irregular expenditure resulting from a contravention of the Public Office-Bearers Act to be condoned. This is consistent with section 167(2) of the MFMA, which provides that such irregular expenditure cannot be written off and must be recovered from the political office-bearer concerned.

With reference to sub-section (d) of the irregular expenditure definition, a Municipal Council may condone a contravention of the council-approved SCM policy or a by-law giving effect to such policy, provided that the contravention is not also a contravention of the MFMA or the SCM regulations, in which case, then only the National Treasury can condone a contravention of the SCM regulations. Any such requests must be accompanied by a full motivation and submitted to mfma@treasury.gov.za for consideration. Municipalities and municipal entities are cautioned that this is an onerous process that should not be taken lightly and is discouraged as a practice.

6. Ratification of minor breaches of the procurement process

In terms of regulation 36(1)(b) of the Municipal Supply Chain Management Regulations, the supply chain management policy of a municipality may allow the accounting officer to ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely technical in nature. In the absence of such a policy provision, the accounting officer lacks the power to ratify minor breaches of the procurement process. Crucially, the breach must have been committed by an official or committee acting within an adopted System of Delegations consistent with the MFMA and its regulations. It is important to note that the accounting officer can rely on this provision only if the official or committee that committed the breach had the delegated authority to perform the function under the municipality's adopted System of Delegations, which must be consistent with the MFMA and its regulations. The process of dealing with minor breaches of the SCM policy is contained in a flowchart; refer to Annexure B.

Regulation 36(2) states that the accounting officer must record the reasons for any deviations, report them in the next Municipal Council meeting, and disclose this in a note in the annual financial statements. The emphasis is on recording the "reasons for any deviations and the associated expenditure".

Under regulation 36 of the SCM Regulations, the accounting officer is responsible for determining whether a particular breach of procurement processes is minor or material. In exercising this discretion, the accounting officer must be guided by:

- a) the specific nature of the breach: is it simply technical in nature, not impacting in any significant way on the essential fairness, equity, transparency, competitiveness or cost effectiveness of the procurement process?
- b) the circumstance surrounding the breach: are the circumstances justifiable?
- c) the financial implication as a result of the breach: what was the extent of the loss or benefit?

All the factors above must be considered before the accounting officer exercises their discretion. The accounting officer would have to consider the merits of each procurement process breach and decide whether it constitutes a minor or a material breach. Whether the resultant expenditure will be irregular is dependent on when the minor breach was identified. If the minor breach was identified before the tender was awarded, such an instance should be dealt with solely as a non-compliance matter through the ratification of a minor breach process. There will be no irregular expenditure since no expenditure has been incurred up to that point in time, and the accounting officer will be authorised to address the matter conclusively. The relevant documentation supporting this decision

should be maintained for audit purposes.

Should a minor breach be detected after the award was made and expenditure for services rendered had been incurred, there will be non-compliance. The resultant expenditure will be regarded as irregular expenditure. In this instance, the accounting officer may ratify the minor breach, provided that the breach is not, at the same time, a breach of the Municipal Supply Chain Management Regulation or the MFMA itself. The associated expenditure must be processed in terms of section 32(2)(b) of the MFMA. Note that the accounting officer's ratification of the minor breach does not automatically regularise the expenditure, as the legislative authority in this regard vests with the Municipal Council after an investigation by the MPAC.

Note that this category only covers breaches of procurement processes in the municipality's SCM policy and not breaches of other legislation or regulations. It is important to note that, under regulation 36 of the SCM Regulations, only the accounting officer may consider ratifying minor breaches of procurement processes that are purely technical. The accounting officer should implement appropriate processes under the municipality's SCM policy to investigate the nature of the breach, enabling him/her to make an informed decision on corrective action. If a breach falls outside the classification of a minor breach, the accounting officer cannot follow the remedy contained in regulation 36(1)(b). It is recommended that the accounting officer investigate the nature of the breach through the Internal Audit Unit or any other investigative body and implement the recommended corrective action.

The SCM regulation 36(2) specifies a separate process for reporting the ratification of minor breaches to the Municipal Council after the accounting officer has ratified them. The findings of any investigation must be reported to the accounting officer for consideration when deciding in this regard. It is important to maintain documentary evidence for audit purposes.

7. Reconsideration of UIFWE council resolutions

Municipal Councils may, in appropriate circumstances, reconsider, rescind, or amend a prior resolution relating to UIFWE. Any reconsideration must, however, be undertaken strictly in accordance with the municipality's Rules of Order regulating council meetings and decision-making procedures. Where the Rules of Order provide that the Municipal Council may rescind or amend a resolution, such power must be exercised lawfully, rationally, and procedurally fairly. The reconsideration must be properly placed on the agenda, supported by a written motivation, and decided through a formal council resolution.

In reconsidering a UIFWE resolution, a Municipal Council must ensure that the amended resolution or rescinded decision does not unlawfully detract from rights that may have accrued as a result of the original resolution. For example, where recovery proceedings have been instituted or an acknowledgement of debt has been concluded, a Municipal Council must obtain legal advice before altering its position. Similarly, where a person has relied on a prior certification or authorisation, the legal implications of any amendment must be carefully assessed.

If a prior UIFWE resolution is alleged to be irrational, procedurally defective, or unlawful, the appropriate remedy may be judicial review by a competent court. A Municipal Council

should not attempt to cure fundamentally unlawful decisions through repeated internal reconsideration where the defect goes to legality. In such cases, obtaining legal advice and, where necessary, allowing the matter to be reviewed by a court may be the proper course.

The reconsideration of UIFWE resolutions must therefore balance two principles. On the one hand, a Municipal Council retains the authority to correct its own decisions in accordance with its Rules of Order. On the other hand, such authority must be exercised within the bounds of legality, rationality, and procedural fairness, and may not undermine accrued rights or substitute for lawful judicial review where required.

8. Municipal entities' processing of Irregular, Fruitless and Wasteful Expenditure

8.1. Irregular or fruitless and wasteful expenditure incurred by municipal entities

Section 102 of the MFMA, read together with regulation 75 of the MBRR, provides the framework for a municipal entity to deal with irregular or fruitless and wasteful expenditure. Regulation 75(1) of the MBRR grants the board of directors the power to investigate instances of irregular or fruitless and wasteful expenditure in the municipal entity, and upon the conclusion of such an investigation, it must decide whether or not the expenditure is irrecoverable. Therefore, the board of directors will make the final decision on the recoverability of irregular expenditure and report it to the Municipal Council of the parent municipality for noting purposes.

Further to the above, in terms of regulation 75(2)(a) of the MBRR, the board of directors may certify irregular expenditure as irrecoverable if it finds that it is indeed irrecoverable. After the board of directors has certified the irregular expenditure as irrecoverable, it must submit the certification of recoverability to the Mayor of the parent municipality in terms of regulation 75(2)(a) of the MBRR. The submission to the Mayor is for information purposes and not for the parent municipality to deal with the matter, as the power to decide on the recoverability of a municipal entity's irregular expenditure vests with the board of directors of the relevant municipal entity. The board of directors, therefore, has the same powers as the Municipal Council (as outlined in section 32(2)(b) of the MFMA) when it comes to deciding whether to write off or recover irregular expenditure.

Although this Circular is primarily directed at municipalities and the processing of UIFWE within municipal administrations, municipal entities should apply the guidance, where appropriate, to their own irregular and fruitless and wasteful expenditure processes. Municipal entities are subject to the MFMA accountability framework and must ensure that investigation, recovery, and consequence management practices align with the principles set out in the Circular. The guidance should therefore be applied, with the necessary contextual adjustments, to strengthen compliance within municipal entities.

Refer to Annexure D to this Circular for further guidance on disclosing the irregular expenditure for municipal entities.

8.2. Unauthorised expenditure and municipal entities

The definition of unauthorised expenditure in section 1 of the MFMA specifically

references a municipality and does not incorporate a municipal entity in the definition. It, therefore, follows that a municipal entity cannot incur unauthorised expenditure for purposes of the MFMA. In terms of section 87(8) of the MFMA, a municipal entity may incur expenditure only in accordance with its approved budget or adjustment budget. Therefore, where a municipal entity overspends its budget, such expenditure must be classified as irregular expenditure by the municipal entity, as it incurred expenditure in contravention of a provision of the MFMA.

Refer to Annexure D to this Circular for guidance on the disclosure of the irregular or fruitless and wasteful expenditure for municipal entities.

9. Disclosure of UIFWE in the annual financial statements

For accounting-related disclosure guidance, refer to Annexure D, attached to this Circular. It is important to note that municipalities and municipal entities prepare their annual financial statements on the accrual basis of accounting. In relation to UIFWE, transactions, other events, and conditions are recognised when they occur (and not only when cash or its equivalent is received or paid). When the accrual basis of accounting is used, items are recognised as assets, liabilities, net assets, revenue and expenses (the elements of financial statements) when they satisfy the definitions and recognition criteria for those elements in the Framework for the Preparation and Presentation of Financial Statements.

In terms of section 125(2)(d) of the MFMA, the notes to the annual financial statements of a municipality and municipal entity must include, amongst others, particulars of any material losses and any material irregular, fruitless and wasteful expenditure, including in the case of a municipality, any material unauthorised expenditure that occurred during the financial year, and whether these are recoverable. The sub-section also requires disclosure of any criminal or disciplinary steps taken as a result of such losses or such UIFWE, as well as any material losses recovered or written off.

The disclosure of UIFWE in the annual financial statements must be supported by a cumulative UIFWE register, with its closing balance at the end of the financial year agreeing with the UIFWE balances disclosed in the annual financial statements. The cumulative UIFWE register should also be designed to assist with the disclosure of in-year UIFWE amounts as required in terms of section 125(2)(d) of the MFMA.

Regarding the accounting disclosure of unauthorised expenditure in the municipality's annual financial statements under section 125 of the MFMA, we are aware that not all unauthorised expenditure for a specific period relates to cash transactions. This, therefore, results in a distorted picture when reporting on this particular item, as readers of the annual financial statements often see unauthorised expenditure on non-cash items as money lost by the municipality. For this reason, we advise municipalities to distinguish between unauthorised expenditure relating to cash and non-cash items in their annual financial statements. This will provide readers with a clear picture of expenditure that was not in line with the council-approved annual budget (cash items) and of instances where incorrect estimates were made, resulting in unauthorised expenditure (non-cash items).

9.1. Processing of UIFWE where there are missing documents

In instances where the MPAC encounters the processing of historical UIFWE balances

of more than five years back lacking documentary evidence, the current staff members tasked with UIFWE record-keeping, including the relevant Information and Communication Technology official, must submit sworn affidavits confirming the diligent steps they have undertaken, both manually and electronically, to locate the alleged missing UIFWE document. These affidavits should detail the search parameters, systems accessed, date ranges reviewed, and any outcomes, thereby creating an auditable trail of efforts to recover the original source documentation.

The municipal administration must furnish MPAC with all available evidence that can rationally underpin its UIFWE recommendations to the Municipal Council. This includes scanned copies of retrieved physical documents and extracts from electronic repositories, such as network drives, document management systems, and e-mail archives. Where alternative information has been identified (for example, digital correspondence confirming authorisation or payment vouchers stored in legacy financial systems), such evidence must be formally presented to MPAC with clear references to its origin and context as part of the UIFWE reports to the MPAC as part of processing historical UIFWE balances.

Moreover, the municipality should actively engage both current and former officials who may have held custody of UIFWE documentation relevant to historical UIFWE balances. Contact attempts via e-mail or formal letter requests must be documented and attached as supporting exhibits for submission to the MPAC. By demonstrating a comprehensive, evidence-based search strategy and providing MPAC with a full account of these efforts, the municipal administration ensures that UIFWE recovery investigations rest on the firmest possible factual foundation, even without the original physical UIFWE documentation.

Kindly refer to Annexure C for considerations relevant to the processing of UIFWE where there are allegations of missing documents.

9.2. The disclosure of irregular expenditure VAT inclusive

Municipalities and municipal entities must record all irregular expenditure at their full transaction value, including Value-Added Tax (VAT), in the UIFWE register and the annual financial statements (AFS). This approach aligns with the MFMA, which defines irregular expenditure with reference to “the full value of the transaction involved” rather than only the non-VAT component. Consequently, any future recovery or write-off of such irregular expenditure, once the municipality has complied with section 32 of the MFMA and other applicable processes, must likewise encompass the total amount, VAT included; ordinary VAT rules will continue to apply at that stage.

Accounting for irregular expenditure gross of VAT does not contravene the Standards of Generally Recognised Accounting Practice (Standards of GRAP), the broader reporting framework, or the Value-Added Tax Act 89 of 1991. The underlying transaction (for example, the acquisition of an asset) remains recognised and measured in accordance with the relevant Standard of GRAP, while the irregular expenditure disclosure quantifies the legislative transgression for accountability purposes. Because this disclosure is a statutory requirement rather than an “underlying accounting transaction,” its inclusion in the AFS does not compromise fair presentation. Instead, it enhances transparency and strengthens the accountability framework envisaged by the MFMA.

9.3. Failure to process UIFWE incurred

Failure by the MPAC or Municipal Council to process identified UIFWE within the reasonable timeframes not only undermines the municipality's fiduciary duties under section 32 of the MFMA but also constitutes a breach of the Code of Conduct for Councillors as contemplated in Schedule 7 to the Municipal Structures Act. In terms of the Code of Conduct for Councillors and the regulations of the Code of Conduct, councillors are required to act in the best interests of the municipality, perform their functions without favour or prejudice, and observe the highest ethical standards. Where the MPAC or Municipal Council knowingly delay or neglects the processing of UIFWE investigations and resolutions, councillors involved may be guilty of gross misconduct or dereliction of duty in terms of the Code's provisions. In cases where UIFWE processing is wilfully obstructed, for example, by refusing to table MPAC reports or by failing to adopt UIFWE council resolutions, this obstruction can be framed as a violation of the councillor's duty to enhance transparency and effective governance, warranting an investigation of the breach of the code of conduct by the implicated councillors.

Section 37 of the Municipal Structures Act vests the municipal Speaker with key oversight and enforcement responsibilities over councillor conduct. The Speaker must act on any complaints of Code of Conduct for Councillors contraventions by initiating an investigation into an alleged breach of the Code of Conduct for Councillors. Moreover, the Speaker is the custodian of the Municipal Council's integrity. By fulfilling these duties, the Speaker helps close the accountability loop and safeguards the municipality against protracted UIFWE exposure.

Where UIFWE is not processed due to the municipality's accounting officer's failure to ensure the compilation of UIFWE reports for submission to the MPAC, and the Municipality's Mayor has requested the accounting officer to ensure that UIFWE reports are compiled, the failure of the accounting officer to do so constitutes misconduct which should lead to disciplinary actions against the accounting officer.

If the municipality's accounting officer, without a valid reason, fails to compile and submit UIFWE reports to the MPAC after a direct instruction from the Mayor, this omission may constitute misconduct and warrant disciplinary actions to be taken against the accounting officer. If the accounting officer duly instructed an official to compile UIFWE reports for MPAC and the official failed to provide them without a valid reason, such omission may constitute misconduct and warrant disciplinary action by the accounting officer against the official. The municipality's accounting officer may also request the municipality's internal audit unit to draft UIFWE reports when municipal staff fail to compile them.

9.4. MPAC terms of reference concerning the processing of UIFWE

To ensure that the municipality's MPAC operate efficiently, it is advised that the MPAC's terms of reference include their specific roles in UIFWE processing, which include giving the MPAC the necessary delegations of power to, amongst others:

- Be empowered to receive UIFWE reports to accept UIFWE reports from the accounting officer or the Mayor, or where the accounting officer or Mayor is not able to submit the UIFWE report to the MPAC, that any other senior manager/director of the municipality is empowered to submit UIFWE reports to the MPAC.; and

- Be empowered to refer matters to the disciplinary board for financial misconduct investigations, to refer officials' misconduct for disciplinary action recommendations, and to recommend qualifying misconduct for criminal investigations in appropriate circumstances.

10. Conclusion

Please ensure that the contents of this Circular are brought to the attention of the relevant officials, the MPAC and Municipal Council within municipalities and municipal entities.

Contact



*Email –
General*

mfma@treasury.gov.za

Mr Wayne McComans
Chief Director: MFMA
Implementation 01 April 2026

Annexure A:	Register of Unauthorised, Irregular, Fruitless and Wasteful Expenditure
Annexure B:	Process Flow to address Minor Breaches of the SCM Policy
Annexure C:	Missing Documents
Annexure D:	Disclosure and Accounting Treatment for Unauthorised, Irregular, Fruitless and Wasteful Expenditure
Annexure E:	Example of an Irregular Expenditure Report
Annexure F:	Example of an Unauthorised Expenditure Report
Annexure G:	Example of a Fruitless and Wasteful Expenditure Report
Annexure H:	Guidance on the Consideration of Possible Prescription of Old UIFWE Balances
Annexure I:	Example of a UIFWE Policy for a Municipality
Annexure J:	Example of a UIFWE Report by MPAC to the Municipal Council for UIFWE Recovery Consideration

BACK TO AGENDA

**1. ORGANISATIONAL STRUCTURE 2026/2027 AND ROADS AGENCY FUNCTION /
ORGANISATORIESE STRUKTUUR 2026/2027 EN PAAIE AGENTSKAP-FUNKSIE /
ISIMO SEZOLAWULO SIKA-2026/2027 KUNYE NOMSEBENZI WOBU-ARHENSI
WEZENDLELA**

(9/8/2)

**REPORT FROM THE EXECUTIVE MANAGER: FINANCIAL AND CORPORATE SERVICES
(CHR BOSHOFF) (HR MANAGER: MH SMIT)**

2. PURPOSE

The purpose of this report is to note the ending period of the Roads Function Agency Agreement for the delivery of the Roads Function with DOI (Department of Infrastructure) and to consider the proposed reporting line changes and removal of vacancies on the organisational structure.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Roads Agency Agreement that ended on 31 March 2026 with the Department of Infrastructure, was extended to 30 June 2026. This will influence the municipality's organizational structure, budget and remaining staff (Core and Support Staff).

Cost containment initiatives are prioritized, explored, and implemented to ensure compliance with MFMA Circular 126 issued by National Treasury on 7 December 2023, which states the following in section 5.1:

5. FUNDING MUNICIPAL BUDGETS

5.1 Approval of deficit budgets

National/ Provincial Treasuries encourage municipalities to prepare a surplus budget to avoid placing the municipality's resources in financial difficulties. The adoption of a credible budget starts with the preparation of a surplus budget. With effect from 1 July 2024 all municipal Councils are advised not to approve a deficit budget, as such Mayors who table budgets to Council must be aware of the implications of a deficit budget.

Accounting Officers and their Chief Financial Officers are responsible for preparing budgets and accordingly are tasked with ensuring that the Mayor is guarded against submitting a deficit budget to Council for adoption. Failure thereof may result in Councils implementing section 171 of the MFMA to both the Accounting Officer and Chief Financial Officer.

Chapter 2 of the Municipal Staff Regulations sets out the proportions of the Staff establishment based on the structural layers (Functionality), Structural shape (Occupational levels); Span of control and Core to support employee ratio.

5. RECOMMENDATIONS

1. That Council takes note and approve of the vacancies in **Annexure A** that will be removed from the Staff Establishment as from 1 July 2026.
2. That Council takes note of the Roads Function Agency Agreement with DOI (Department of Infrastructure), that is ending on 30 June 2026 (extended from 31 March 2026).
3. That the Human Settlements Function be removed from the structure as the contract term has lapsed.
4. That Council takes note of the reporting line changes as from 1 July 2026.
5. That Council takes note that further amendments on the staff establishment might be considered after the departure of the Roads and Transport Planning Services Department to address the utilization of staff and streamlining of operational processes.
6. That Council takes note that negotiations are in process regarding support staff to possibly be transferred together with the Roads and Transport Planning Services Department.
7. That the final Staff Establishment be submitted after the approval of Council to the Department of Local Government within 14 days.
8. That Executive Managers have sessions with their staff to inform them on the amendments on the 2026/2027 Staff Establishment.

AANBEVELINGS

1. *Dat die Raad kennis neem van en goedkeur die vakatures in **Aanhangsel A** wat vanaf 1 Julie 2026 van die Personeeldiens verwyder sal word.*
2. *Dat die Raad kennis neem van die Padfunksie-agentskapooreenkoms met Dvl (Departement van Infrastruktuur), wat op 30 Junie 2026 eindig (verleng vanaf 31 Maart 2026).*
3. *Dat die Menslike Nedersettingsfunksie vanaf die struktuur verwyder word aangesien die kontraktermyn verstryk het.*
4. *Dat die Raad kennis neem van die veranderinge aan die rapporteringslynne vanaf 1 Julie 2026.*
5. *Dat die Raad kennis neem dat verdere wysigings aan die personeeldiens oorweeg kan word na die vertrek van die Departement Paaie en Vervoerbeplanningsdienste om die benutting van personeel en die stroomlyn van prosesse aan te spreek.*
6. *Dat die Raad kennis neem dat onderhandelinge aan die gang is met ondersteuningspersoneel wat moontlik na die Departement Paaie en Vervoerbeplanningsdienste oorgeplaas sal word.*
7. *Dat die finale Personeeldiensdiens na goedkeuring van die Raad binne 14 dae aan die Departement van Plaaslike Regering voorgelê word.*
8. *Dat Uitvoerende Bestuurders sessies met hul personeel hou om hulle in te lig rakende die wysigings aan die 2026/2027 Personeeldiensstaat.*

IZINDULULO

1. Sesokuba iBhunga lithatheleingqalelo kwaye liamkele izithuba zomsebenzi kwiSihlomelo A eziza kususwa kwiSiseko laBasebenzi ukususela nge-1 kweyeKhala 2026.
2. Sesokuba iBhunga lithathele ingqalelo iSivumelwano sobu-Arhente yoMsebenzi weNdlela ne-DOI (iSebe leZiseko zoPhuhliso), esiphela nge-30 kweyeSilimela 2026 (esandiswe ukusuka nge-31 kweyoKwindla 2026).
3. . Ukuba uMsebenzi wezokuHlaliswa koLuntu ususwe kwiSiiseko saBasebenzi njengoko ixesha lesivumelwano liphelile.

4. Sesokuba iBhunga lithathele ingqalelo utshintsho lomgca wengxelo ukususela nge-1 kweyeKhala 2026.
5. Sesokuba iBhunga lithathele ingqalelo ukuba ezinye izilungiso kwiseko sabasebenzi zinokuqwalaselwa emva kokuhamba kweSebe leeNkonzo zoCwangciso lweNdlela noThutho ukuze kujongwane nokusetyenziswa kwabasebenzi kunye nokulungiswa kweenkqubo.
6. Sesokuba iBhunga lithathele ingqalelo ukuba iingxoxo ziyaqhubeka nabasebenzi abancedisayo abanokuthi badluliselwe kwiSebe leeNkonzo zoCwangciso lweNdlela noThutho.
7. Sesokuba iSiseko Sabasebenzi Sokugqibela emveni siphunyezwe iBhunga sinikezelwe kwiSebe loRhulumente waseKhaya kwiintsuku ezili-14.
8. Ukuba aBaphathi abaPhezulu babe neeseshoni nabasebenzi babo ukuze babazise ngezilungiso kwiSeko saBasebenzi sika-2026/2027.

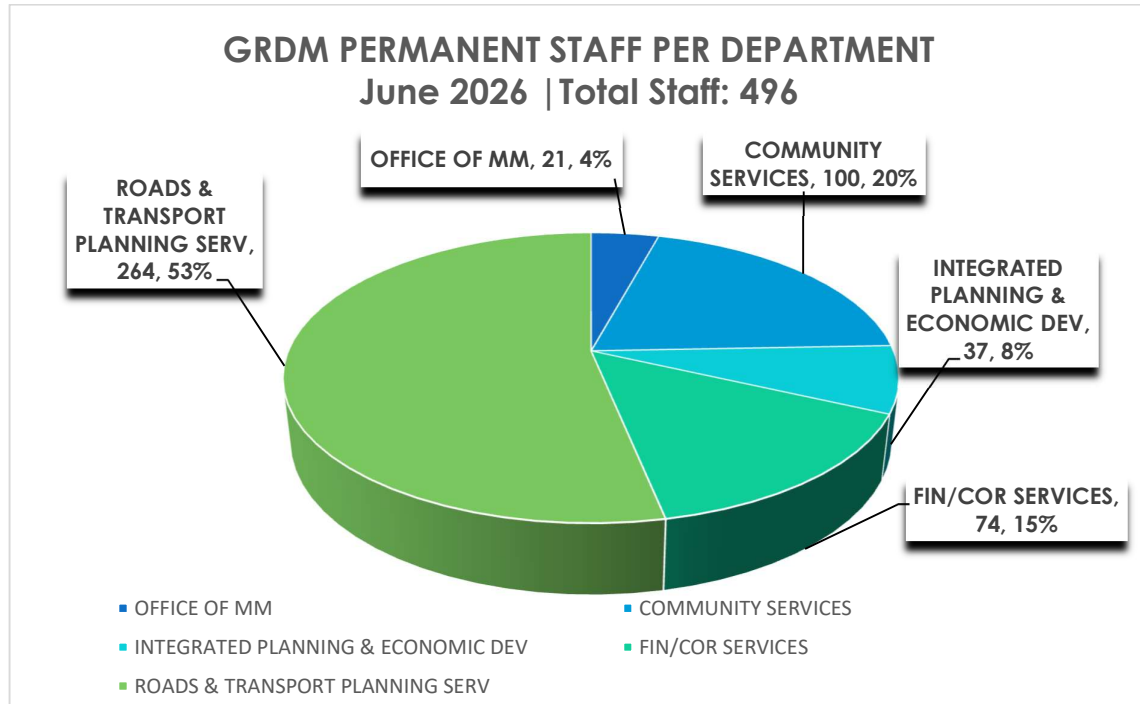
6. DISCUSSION / CONTENTS

6.1 Background

The Minister of Infrastructure announced that the Roads Agency Agreement that ended with the District Municipalities that includes the Garden Route District Municipality on 31 March 2026, this agreement was extended up to 30 June 2026 and that the Roads, Transport and Planning personnel stood to be transferred to the Department of infrastructure. Support staff from the remaining Departments could also be affected in this process. This is seen as a major change regarding the organizational structure as an entire function or Department is being removed. Therefore, it is inevitable that further amendments on the current staff establishment can take place after the transfer process has occurred and been concluded.

The Roads, Transport and Planning Services Department consists of more than 50% of the total current staff component of The Garden Route District

Municipality, that will be transferred to the Department of Infrastructure on 1 July 2026. (Please refer to the chart below).

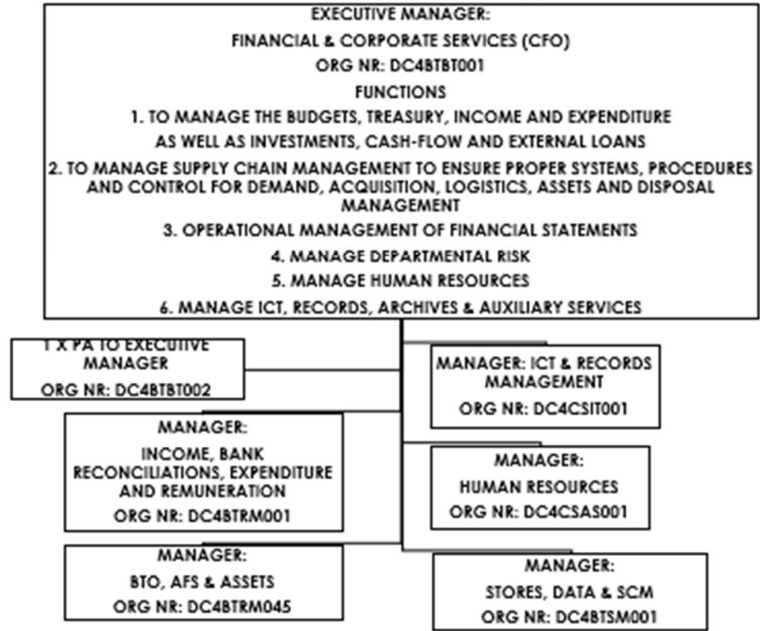


There are several unfunded vacancies on the current staff establishment within the Departments that will require deliberation. An annual fee is paid to SALGA and for the Task license fee based on the number of posts on the staff establishment, whether it is funded or unfunded, as well as to the Workman's compensation fund as their rate is determined by the earning base.

6.2 REPORTING LINE CHANGES

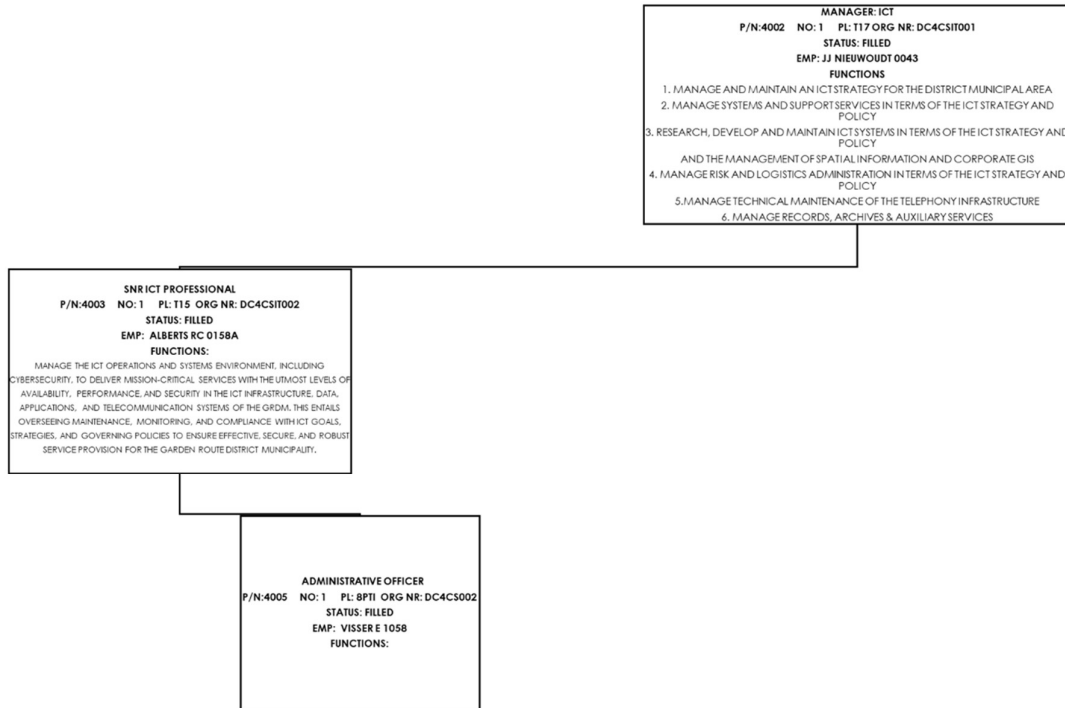
It is proposed that the reporting lines in the departments mentioned below, be changed, due to the unfunded vacancies that are removed and therefor the remaining positions needs to have a reporting line established so that there are sub-ordinates and workflow can occur.

6.2.1 FINANCIAL & CORPORATE SERVICES DEPARTMENT



6.2.1.1 It is proposed that the Administrative Officer post reporting to the Executive Manager: Financial & Corporate Services, be transferred to report directly to the Senior ICT Professional in the ICT & Records Section.

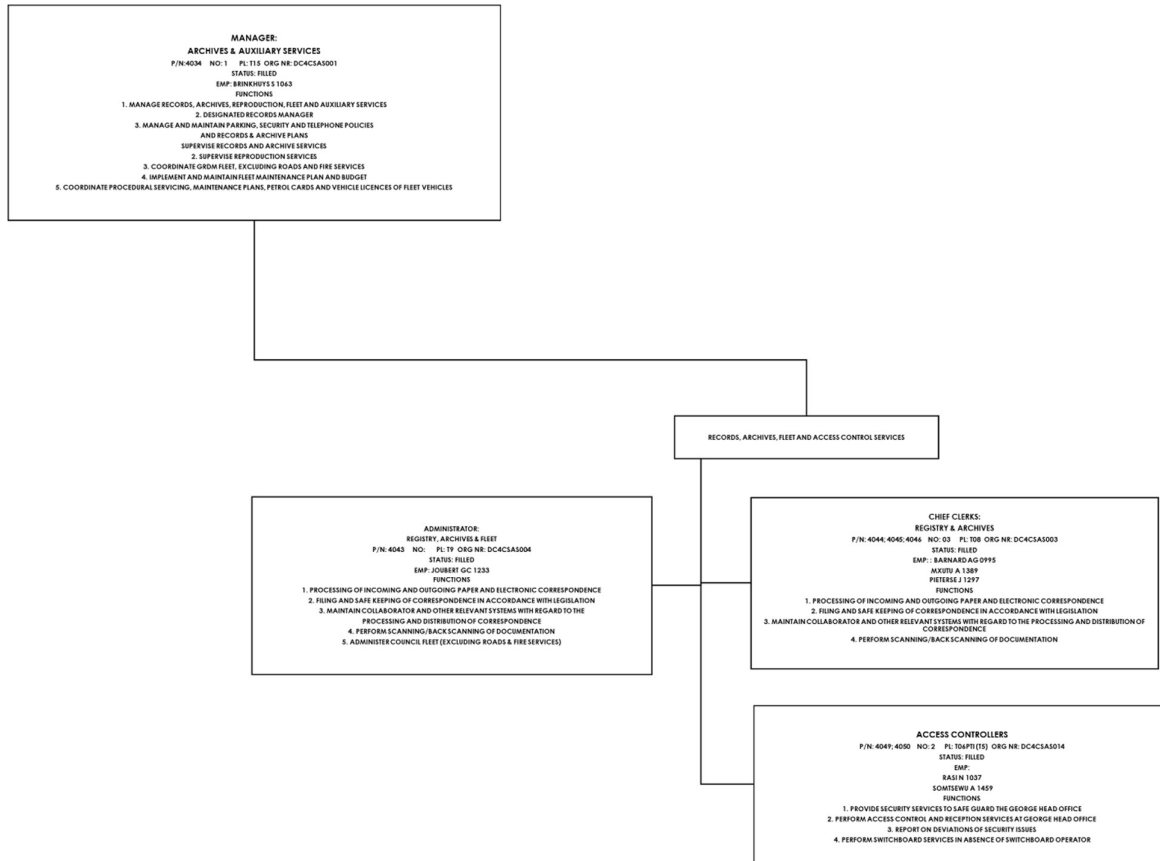
Positions	From	To	Reason	Change
Administrative Officer	Executive Manager: Financial & Corporate Services	Senior ICT Professional	Post is currently seconded and for operational consistency	Reporting line change



6.2.1.2 With the removal of the vacant Senior Administrative Officer: Records, it is proposed that the Administrator: Registry, Archives, Fleet; 3 x Chief Clerks: Registry & Archives; 2 x Access Controllers, report directly to the Manager: Archives & Auxiliary Services.

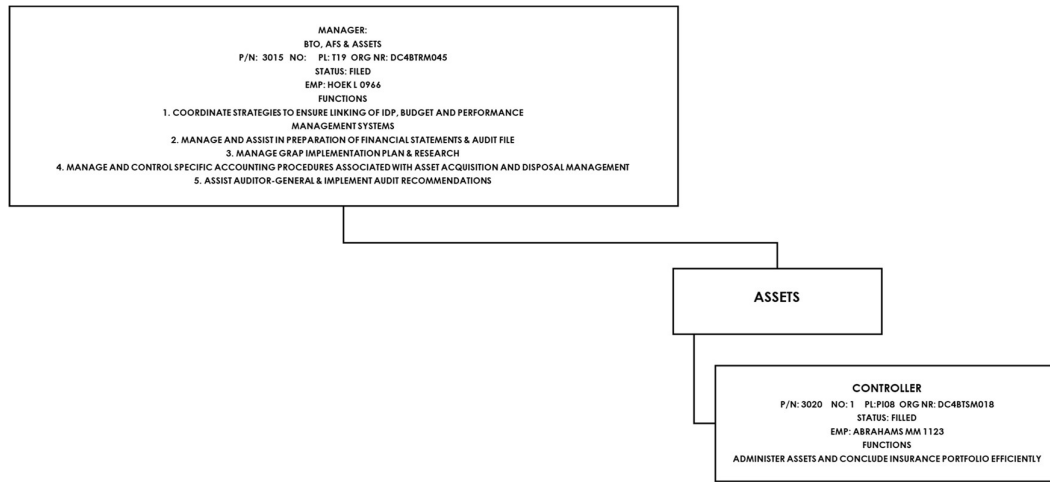
Positions	From	To	Reason	Change
Senior Administrative Officer: Records,	Remove from Structure	N/A	Vacant Unfunded Post	Remove from Structure
Administrator: Registry, Archives, Fleet	Senior Administrative Officer: Records,	Manager: Archives & Auxiliary Services	Due to the Removal of Vacant and unfunded post	Reporting line change
3 x Chief Clerks: Registry & Archives	Senior Administrative Officer: Records,	Manager: Archives & Auxiliary Services	Due to the Removal of Vacant and unfunded post	Reporting line change
2 x Access Controllers	Senior Administrative	Manager: Archives &	Due to the Removal of	Reporting line change

	Officer: Records,	Auxiliary Services	Vacant and unfunded post	
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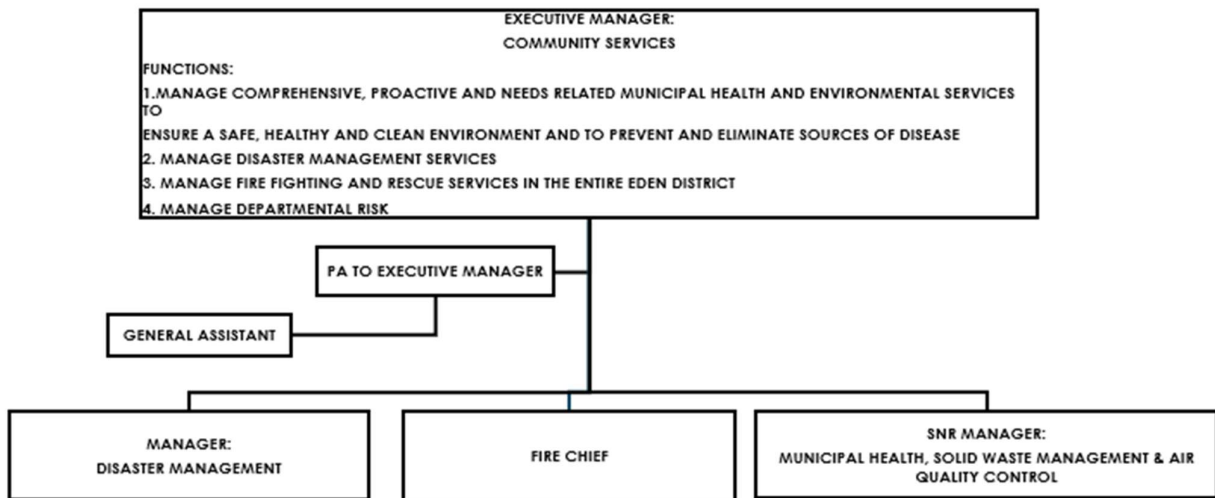


6.2.1.3 With the removal of the vacant Senior Accountant: Assets, it is proposed that the Controller: Assets, report directly to the Manager: BTO, AFS & Assets.

Positions	From	To	Reason	Change
Senior Accountant: Assets	Remove from Structure	N/A	Vacant Unfunded Post	Remove from Structure
Controller: Assets	Senior Accountant: Assets	Manager: BTO, AFS & Assets.	Due to the Removal of Vacant and unfunded post	Reporting line change

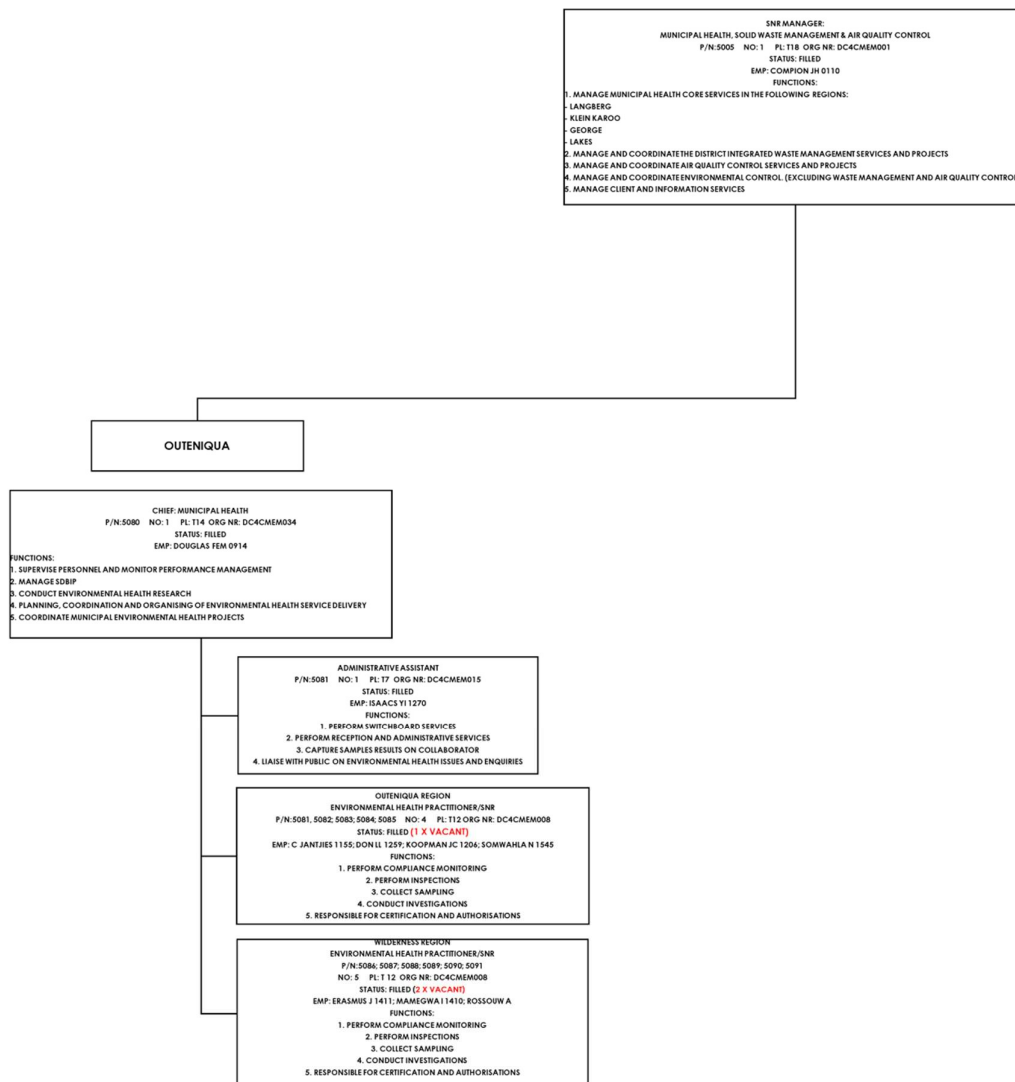


6.2.2 COMMUNITY SERVICES DEPARTMENT



6.2.2.1 With the removal of the vacant Chief: Municipal Health Wilderness, it is proposed that those 5 x Environmental Health Practitioners report directly to the Chief: Municipal Health: Outeniqua.

Positions	From	To	Reason	Change
Chief: Municipal Health Wilderness	Remove from Structure	N/A	Vacant Unfunded Post	Remove from Structure
Environmental Health Practitioners x 5	Chief: Municipal Health Wilderness	Chief: Municipal Health: Outeniqua	Due to the Removal of Vacant and unfunded post	Reporting line change



6.2.2.2 With the removal of the vacant Chief: Municipal Health Mossel Bay, it is proposed that those 4 x Environmental Health Practitioners report directly to the Manager: District Air Quality Control.

Positions	From	To	Reason	Change
Chief: Municipal Health Mossel Bay	Remove from Structure	N/A	Vacant Unfunded Post	Remove from Structure
Environmental Health Practitioners x 4	Chief: Municipal Health Mossel Bay	Manager: District Air Quality Control	Due to the Removal of Vacant and unfunded post	Reporting line change

SNR MANAGER:
 MUNICIPAL HEALTH, SOLID WASTE MANAGEMENT & AIR QUALITY CONTROL
 P/N:5005 NO:1 PL:T18 ORG NR: DC4CMEM001
 STATUS: FILLED
 EMP: COMPION JH 0110
 FUNCTIONS:
 1. MANAGE MUNICIPAL HEALTH CORE SERVICES IN THE FOLLOWING REGIONS:
 - LANGEBERG
 - KLEIN KAROO
 - GEORGE
 - LAKES
 2. MANAGE AND COORDINATE THE DISTRICT INTEGRATED WASTE MANAGEMENT SERVICES AND PROJECTS
 3. MANAGE AND COORDINATE AIR QUALITY CONTROL SERVICES AND PROJECTS
 4. MANAGE AND COORDINATE ENVIRONMENTAL CONTROL (EXCLUDING WASTE MANAGEMENT AND AIR QUALITY CONTROL)
 5. MANAGE CLIENT AND INFORMATION SERVICES

DISTRICT AIR QUALITY AND MUNICIPAL HEALTH MANAGEMENT

MANAGER: DISTRICT AIR QUALITY CONTROL
 P/N:5104 NO:1 PL:T15 ORG NR: DC4CMEM053
 STATUS: FILLED
 EMP: SCHOEMAN JP 0866
 FUNCTIONS:
 1. DISTRICT- WIDE (GEORGE, MOSSEL BAY, OUDTSHOORN, HESSEQUA, KNYSNA, BITOU, KANNALAND) SPECIALIZED, REQUIRED, MANAGEMENT POST THAT MUST MANAGE AND PROVIDE DIRECTION AND LEAD AND COORDINATE AIR QUALITY MANAGEMENT FOR THE DISTRICT AND LOCAL MUNICIPALITIES ENSURING THE CONSTITUTION RIGHT OF ITS INHABITANTS ARE ADHERED TO THROUGH AND BY MEANS OF:
 - THE DEVELOPMENT OF PLANS, POLICIES;
 - EXECUTING APPLICABLE LEGISLATION AND PROVIDE INPUT TO LEGISLATION;
 - COORDINATION OF AIR QUALITY ACTIVITIES AND LIAISON WITH ALL STAKEHOLDERS ON ALL LEVELS;
 - PROTECTION OF THE ENVIRONMENTAL RIGHTS AND THE QUALITY OF LIFE OF CITIZENS;
 - DEVELOP AND INITIATE AIR QUALITY PROGRAMMES
 2. THE POST IS ALSO THE OFFICE HEAD FOR THE MOSSEL BAY MUNICIPAL HEALTH AND ENVIRONMENTAL SERVICES.

ADMINISTRATIVE ASSISTANT
 P/N:5107 NO:1 PL: P109 ORG NR: DC4CMEM046
 STATUS: FILLED
 EMP: LEWIS DY 0116
 FUNCTIONS:
 TO DELIVER A RECEPTION / TELEPHONE SERVICE AND TO HANDLE GENERAL ADMINISTRATIVE OFFICE DUTIES

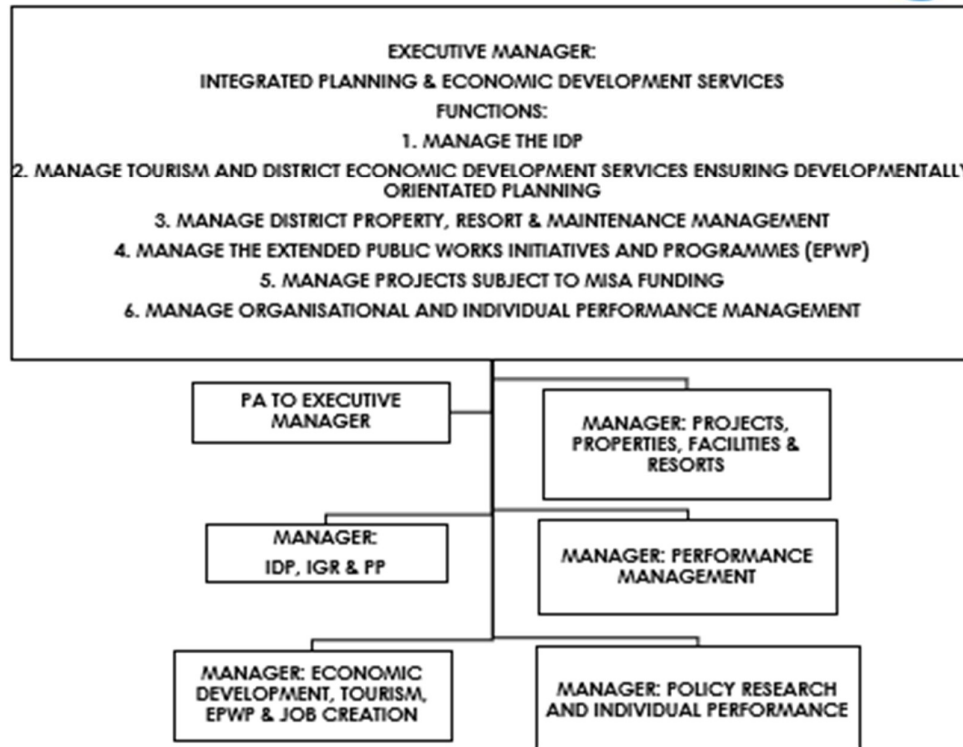
OFFICE ASSISTANT
 P/N:5108 NO:1 PL:T5 ORG NR: DC4CMEM052
 STATUS: FILLED
 EMP: LOSPER MD 0447
 FUNCTIONS:
 DELIVERING OF CLEANING SERVICES

DISTRICT ENVIRONMENTAL OFFICER: AIR QUALITY
 P/N:5105 NO:1 PL:T13 ORG NR: DC4CMEM054
 STATUS: FILLED
 EMP: ANDRIES AJ 1164
 FUNCTIONS:
 PLAN, ORGANISE AND OVERSEE SPECIFIC OPERATIONAL MATTERS AND ACTIVITIES PERTAINING TO THE AIR QUALITY MANAGEMENT FUNCTIONS OF THE DISTRICT COUNCIL

CHIEF CLERK: AIR QUALITY
 P/N:5106 NO:1 PL:T8 ORG NR: DC4CMEM080
 STATUS: FILLED
 EMP: VAN NIEKERK J 1391
 FUNCTIONS:
 TO PROVIDE ADMINISTRATIVE SUPPORT SERVICES ASSOCIATED WITH DISTRICT AIR QUALITY MANAGEMENT SERVICES

MUNICIPAL HEALTH: MOSSEL BAY
 ENVIRONMENTAL HEALTH PRACTITIONER/SNR
 P/N:5092; 5093; 5094; 5095; 5096 NO:4 PL:T12 ORG NR: DC4CMEM008
 STATUS: FILLED
 EMP: CLOETE RC 1078; BRITZ NR 1260 & MALOKA DL 1519; FUZANI A 1480
 FUNCTIONS:
 1. PERFORM COMPLIANCE MONITORING
 2. PERFORM INSPECTIONS
 3. COLLECT SAMPLING
 4. CONDUCT INVESTIGATIONS
 5. RESPONSIBLE FOR CERTIFICATION AND AUTHORISATIONS

6.2.3 INTEGRATED PLANNING & ECONOMIC DEVELOPMENT SERVICES DEPARTMENT

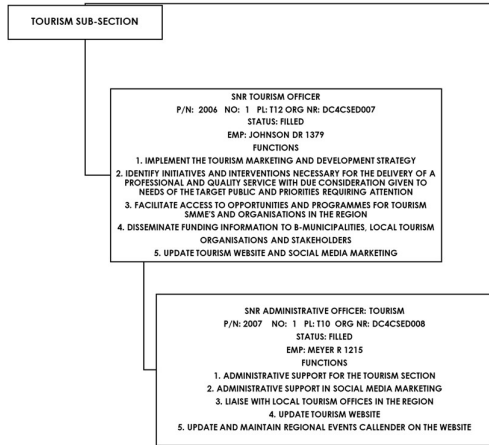


6.2.3.1 With the removal of the vacant Senior Tourism Coordinator, it is proposed that the Senior Tourism Officer report directly to the Manager: DED, Tourism & EPWP and the Senior Administrative Officer: Tourism, report directly to the Senior Tourism Officer.

Positions	From	To	Reason	Change
Senior Tourism Coordinator	Remove from Structure	N/A	Vacant Unfunded Post	Remove from Structure
Senior Tourism Officer	Senior Tourism Coordinator	Manager: DED, Tourism & EPWP	Due to the Removal of Vacant and unfunded post	Reporting line change

Senior Administrative Officer: Tourism	Senior Tourism Coordinator	Senior Tourism Officer	Due to the Removal of Vacant and unfunded post	Reporting line change
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MANAGER: ECONOMIC DEVELOPMENT, TOURISM, EPWP & JOB CREATION
 O/N: 2005 NO: 1 PL: T15 ORG NR: DC4CMPP001
 STATUS: FILLED
 EMP: DYANTYI R 1105
 FUNCTIONS:
 1. MANAGE AND REPORT ON ALL EPWP PROJECTS AND SITES
 2. MANAGE NATIONAL MICOS/RIS SYSTEM
 3. COORDINATE THE EPWP PROJECTS FOR THE REGION
 4. MANAGE TOURISM STRATEGY FOR THE REGION
 5. MANAGE ECONOMIC GROWTH AND DEVELOPMENT IN THE REGION
 6. MANAGE SMME DEVELOPMENT



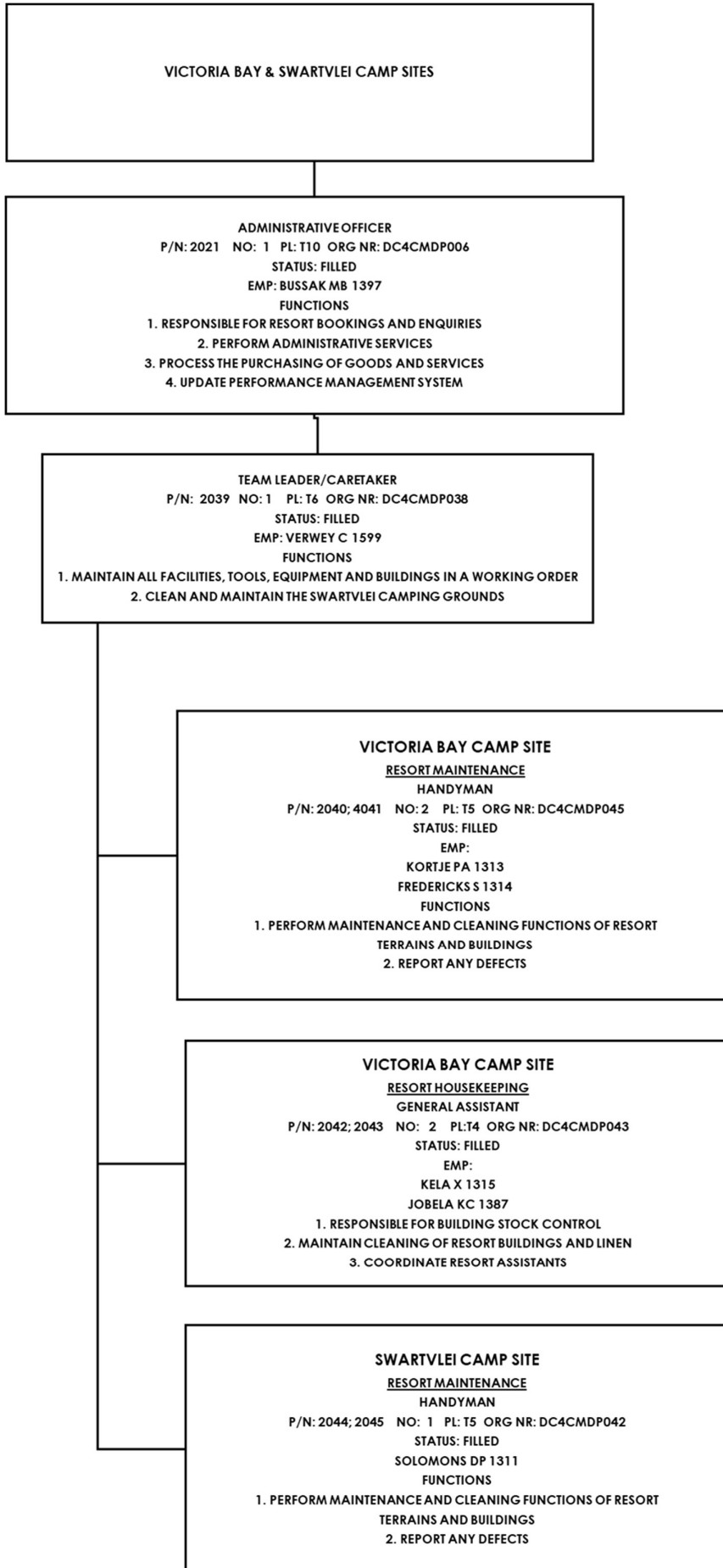
6.2.3.2 With the removal of the vacant Resort Manager: Vicbay/Swartvlei, it is proposed that the Team Leader/Caretaker report directly to the Administrative Officer: Resorts.

Positions	From	To	Reason	Change
Resort Manager: Vicbay/Swartvlei	Remove from Structure	N/A	Vacant Unfunded Post	Remove from Structure
Team Leader/Caretaker	Resort Manager: Vicbay/Swartvlei	Administrative Officer: Resorts	Due to the Removal of Vacant and unfunded post	Reporting line change

MANAGER: PROJECTS, PROPERTIES FACILITIES AND RESORTS
P/N: 2012 NO: 1 PL: T17 ORG NR: DC4CMDP001
STATUS: FILLED
EMP: MASHILA D 1592
FUNCTIONS
1. MANAGE, CONTROL COUNCIL'S PROPERTY PORTFOLIO, INCLUDING BUT NOT LIMITED TO TOWN PLANNING FUNCTIONS
2. MANAGE, COORDINATE SHORT TERM LEASES OF ALL PROPERTIES - LIAISE WITH LEGAL & FINANCE
3. DISTRICT SPATIAL PLANNING FUNCTIONS AS REQUIRED BY SPLUMA - COORDINATING ROLE
4. MANAGE, COORDINATE, IMPLEMENT THE MUNICIPAL TRIBUNALS FOR THE DISTRICT, AS REQUIRED BY SPLUMA
5. MANAGE, COORDINATE THE IMPLEMENTATION OF INFRASTRUCTURE MAINTENANCE PLAN

PROPERTIES, FACILITIES & RESORTS

ADMINISTRATIVE OFFICER
P/N: 2021 NO: 1 PL: T10 ORG NR: DC4CMDP006
STATUS: FILLED
EMP: BUSSAK MB 1397
FUNCTIONS
1. RESPONSIBLE FOR RESORT BOOKINGS AND ENQUIRIES
2. PERFORM ADMINISTRATIVE SERVICES
3. PROCESS THE PURCHASING OF GOODS AND SERVICES
4. UPDATE PERFORMANCE MANAGEMENT SYSTEM



VICTORIA BAY & SWARTVLEI CAMP SITES

ADMINISTRATIVE OFFICER
P/N: 2021 NO: 1 PL: T10 ORG NR: DC4CMDP006
STATUS: FILLED
EMP: BUSSAK MB 1397
FUNCTIONS
1. RESPONSIBLE FOR RESORT BOOKINGS AND ENQUIRIES
2. PERFORM ADMINISTRATIVE SERVICES
3. PROCESS THE PURCHASING OF GOODS AND SERVICES
4. UPDATE PERFORMANCE MANAGEMENT SYSTEM

TEAM LEADER/CARETAKER
P/N: 2039 NO: 1 PL: T6 ORG NR: DC4CMDP038
STATUS: FILLED
EMP: VERWEY C 1599
FUNCTIONS
1. MAINTAIN ALL FACILITIES, TOOLS, EQUIPMENT AND BUILDINGS IN A WORKING ORDER
2. CLEAN AND MAINTAIN THE SWARTVLEI CAMPING GROUNDS

VICTORIA BAY CAMP SITE

RESORT MAINTENANCE
HANDYMAN
P/N: 2040; 4041 NO: 2 PL: T5 ORG NR: DC4CMDP045
STATUS: FILLED
EMP:
KORTJE PA 1313
FREDERICKS S 1314
FUNCTIONS
1. PERFORM MAINTENANCE AND CLEANING FUNCTIONS OF RESORT
TERRAINS AND BUILDINGS
2. REPORT ANY DEFECTS

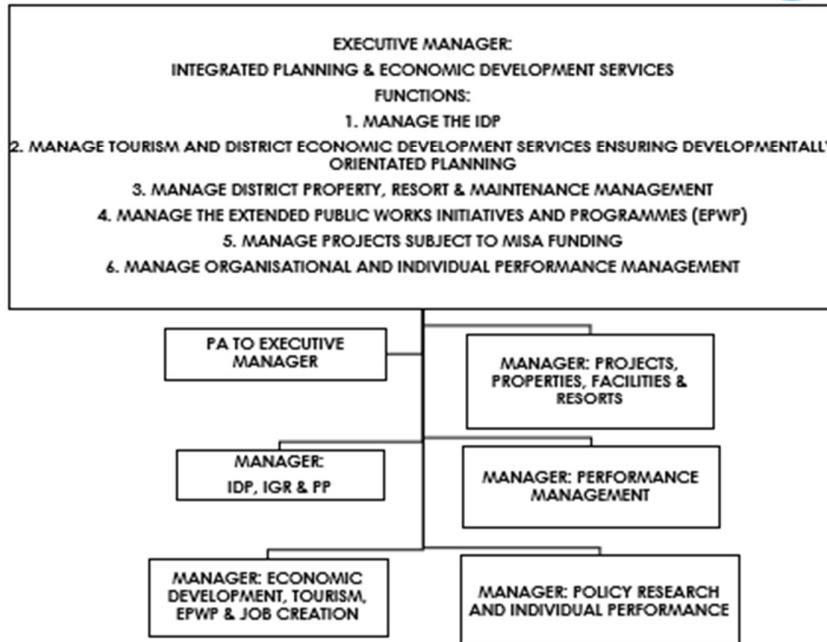
VICTORIA BAY CAMP SITE

RESORT HOUSEKEEPING
GENERAL ASSISTANT
P/N: 2042; 2043 NO: 2 PL: T4 ORG NR: DC4CMDP043
STATUS: FILLED
EMP:
KELA X 1315
JOBELA KC 1387
FUNCTIONS
1. RESPONSIBLE FOR BUILDING STOCK CONTROL
2. MAINTAIN CLEANING OF RESORT BUILDINGS AND LINEN
3. COORDINATE RESORT ASSISTANTS

SWARTVLEI CAMP SITE

RESORT MAINTENANCE
HANDYMAN
P/N: 2044; 2045 NO: 1 PL: T5 ORG NR: DC4CMDP042
STATUS: FILLED
EMP:
SOLOMONS DP 1311
FUNCTIONS
1. PERFORM MAINTENANCE AND CLEANING FUNCTIONS OF RESORT
TERRAINS AND BUILDINGS
2. REPORT ANY DEFECTS

6.2.3.3 It is proposed that the Human Settlements Function be removed from the structure as the contract term has lapsed.



6.3 Unfunded vacancies on the staff establishment

According to the Municipal Staff Regulations, (Government Gazette No. 45181, Notice 890 of 2021), which indicates the following:

Section 4: Determination of the Staff establishment refers to section (c)

Human resource planning

4. (1) This chapter applies to all municipal staff, including senior managers.
- (2) A municipal council must —
 - (a) determine the municipality's staff establishment, which will provide the basis for each departments' strategic workforce and human resource planning. The human resource planning will, in the staff supply planning process, take into account race, gender, disability, occupational level and grade with reference to their competencies, training needs and capacities;
 - (b) determine the staff establishment necessary to perform its functions which will guide the staff demand planning, with particular reference to—
 - (i) the number of staff members required;
 - (ii) the minimum competencies which the staff members must possess;
 - (iii) the posts and post levels in which each of the staff members will be appointed; and
 - (c) plan for the recruitment, retention and development of staff members according to the municipality's requirements within the available budgeted funds, including funds for the remaining period of the relevant medium-term revenue and expenditure framework.

Section 5: Determination of the Staff establishment refers to section (d)

- (d) **the financial capacity of the municipality, with the wage and salary bill not exceeding financial ratios and norms as set out in terms of Municipal Finance Management Act.**

"A municipality may only establish posts on its staff establishment that are affordable and aligned to its budget and integrated development plan."

Previously, part of outer years planning, unfunded posts were considered as departments motivated their departmental needs and requirements and based on funding allocations for the departmental needs. Unfortunately, this did not occur. Therefor these positions remained unfunded and therefore should be removed from the Staff Establishment.

That the vacancies as indicated in **Annexure A**, be removed from the staff establishment from 1 July 2026.

The Structural Layers and Shape in **Annexure B**, indicates the information after the removal of the mentioned vacancies and excluding the Roads and Transport Planning Services Department.

6.4 Financial Implications

The agency fee received from the DOI is part of the agreement that is coming to an end on 31 March 2026.

There will be a savings towards the annual SALGA payment on the number of positions on the staff establishment.

Employee cost will be contained within the 2026/2027 budget.

6.5 Legal Implications

MUNICIPAL SYSTEMS ACT, 2000 (ACT 32 OF 2000)

Municipal Structures Act

THE REGULATIONS ON APPOINTMENT AND CONDITIONS OF EMPLOYMENT OF SNR MANAGERS, GOVERNMENT NOTICE NO 37245, DATED 17 JANUARY 2014

MUNICIPAL STAFF REGULATIONS

6.6 Staff Implications

Distribution of functions, increase workload due to the abolishment of unfunded positions, possibly impacting on Job Evaluation as remaining positions will have to absorb the functions and will need to be subjected to Job Evaluation.

6.7 Previous / Relevant Council Resolutions:

Previous Council resolution on approved 2025/2026 Organisational Structure, 27 May 2025.

6.8 Risk Implications

- Non-compliance to the Municipal Staff Regulations.
- Failure to maintain Staff Establishment.

6.9 Financial Impact

Unfunded positions are removed from the organisational structure and thus do not have to reflect on the budget. Job Evaluation processes can have an impact on the budget and employee related costs.

ANNEXURE A

N R	DEPARTMENT	DIVISION	SECTION	DESIGNATION	POST LEVEL	COST TO COMPANY SALARY P/A	FORMER INCUMBENT	VACATED DATE
1	COMMUNITY SERVICES	MUNICIPAL HEALTH&ENV	MOSELBAY	CHIEF MUNICIPAL HEALTH	T14	890310.72	BENDLES	28/02/2023
2	COMMUNITY SERVICES	MUNICIPAL HEALTH&ENV	WILDERNESS	CHIEF MUNICIPAL HEALTH	T14	890310.72	RAATH PJ	31/01/2023
3	FINANCE & CORPORATE SERVICES	BTO, AFS & ASSETS	ASSETS	SNR ACCOUNTANT: ASSETS	T13	764695.68	SAMERY JL	30/09/2025
4	FINANCE & CORPORATE SERVICES	ICT	ICT OPERATIONS	JNR TECHNICIAN	T10	396523.20	NEW POST	01/07/2024
5	FINANCE & CORPORATE SERVICES	ICT	ICT OPERATIONS	SYSTEMS ANALYST	T12	582098.16	POWELL MM	31/03/2024
6	FINANCE & CORPORATE SERVICES	INCOME,BANK RECON, EXP&REM	REMUNERATION	ACCOUNTANT: REMUNERATION	T12	582098.16	NEW COMBINED	1/7/2025
7	FINANCE & CORPORATE SERVICES	ICT & RECORDS	SWITCHBOARD	SWITCHBOARD OPERATOR	T6	226850.04	JVRENSBURG JB	27/05/2024
8	FINANCE & CORPORATE SERVICES	ICT & RECORDS	RECORDS&ARCHIVES	SNR ADMINISTRATIVE OFFICER	T12	582098.16	JANSENDYANTYI Y	28/02/2026
9	FINANCE & CORPORATE SERVICES	HUMAN RESOURCES	EMPLOYEE RELATIONS	HR PRACTITIONER: EAP	T12	582098.16	WILLIAMS SR	31/12/2025
10	FINANCE & CORPORATE SERVICES	HUMAN RESOURCES	OHS	HR PRACTITIONER: OHS	T12	582098.16	ZAMBEZIS	26/06/2026
11	INTEGRATED PLANNING & ECONOMIC DEVELOPMENT	ECONOMIC DEV, TOURISM, EPWP & JOB CREATION	TOURISM	SNR TOURISM COORDINATOR	T13	764695.68	KOEBERG AC	31/03/2023
12	INTEGRATED PLANNING & ECONOMIC DEVELOPMENT	PROJECTS, PROPERTIES, FACILITIES & RESORTS	RESORTS CALITZDORP HOT SPRINGS	RESORT ASSISTANT	T4	175849.32	PRINSD	31/03/2026
13	INTEGRATED PLANNING & ECONOMIC DEVELOPMENT	PROJECTS, PROPERTIES, FACILITIES & RESORTS	RESORTS VICBAY/ SWARTVLEI	RESORT MANAGER: VICBAY/SWARTVLEI	T11	499120.44	CLAASSEN M	31/07/2023
14	INTEGRATED PLANNING & ECONOMIC DEVELOPMENT	HUMAN SETTLEMENTS	REMOVAL OF FUNCTION					
15	OFFICE OF THE MM	INTEGRATED SUPPORT&LEGAL	TRANSLATION	INTERPRETER	T9	453140.88	NEW POST	1/7/2017
16	OFFICE OF THE MM	STRATEGIC SERVICES	ADMIN SUPPORT	ADMINISTRATIVE OFFICER	T10	396523.20	SKOSANAN	30/06/2024
17	OFFICE OF THE MM	STRATEGIC SERVICES	GRSM	PROJECT MANAGER: GRSM	T14	890310.72	NEW POST	01/07/2025

ANNEXURE B**STRUCTURAL LAYERS, SHAPE & SPAN OF CONTROL (After removal of vacancies in Annexure A and excluding the Roads & Transport Planning Services)**

- **OFFICE OF THE MUNICIPAL MANAGER | 6 LAYERS:**
 - EXECUTIVE PA
 - INTEGRATED SUPPORT SERVICES AND LEGAL COMPLIANCE
 - STRATEGIC MANAGEMENT (Internal Audit, Risk, Communication Marketing and Brand Management, Legal Services, Skills Development & GRSM, Shared Services)
 - INTEGRATED PLANNING & ECONOMIC DEVELOPMENT SERVICES
 - FINANCIAL SERVICES & CORPORATE SERVICES
 - COMMUNITY SERVICES

<u>STRUCTURAL SHAPE: OFFICE OF THE MUNICIPAL MANAGER</u>						
	STAFF SPECIFICATION	REGULATIONS	NUMBER OF POSTS	GRDM STATUS	OCCUPATIONAL LEVELS	COMPLY (YES/NO)
STRATEGIC Section 54 and 56	1%		1	4.34%	MM & Executive Managers	No
MANAGERIAL T-Level 19 - 14	5-15%		8	34.78	Managers, Professionals	No
SPECIALIST T-Level 13 - 9	30-55%		14	60.86%	Skilled, Specialists Tech & Associates	No
OPERATIONAL T-level 8 - 3	15-30%		0	0	Semi-skilled and unskilled - Plant & Machine, Clerical, Elementary, Service & Sales	No
Total Number of posts:			23		(excl Executive Managers)	

<u>SPAN OF CONTROL OFFICE OF THE MM</u>					
		CURRENT STATUS		STATUS AFTER AMENDMENTS	
	STAFF REGULATIONS SPECIFICATION	GRDM STATUS (Average)	COMPLY (YES/NO)	GRDM STATUS (Average)	COMPLY (YES/NO)
MUNICIPAL MANAGER	6-8	1-to-7	Yes	1-to-6	Yes
EXECUTIVE MANAGERS	5-6	1-to-7	No	1-to-6	Yes
MANAGERS T-level (19-14)	4-5	1-to-7	No	1-to-5	Yes
SUPERVISORS T-level (13-9)	9-12	1-to-3	No	1-to-3	No

• **INTEGRATED PLANNING AND ECONOMIC DEVELOPMENT SERVICES DEPARTMENT**
| **6 LAYERS:**

- PA TO EXECUTIVE MANAGER
- DISTRICT IDP SERVICES
- DED, TOURISM & EPWP SERVICES
- PROJECTS, PROPERTIES, FACILITIES & RESORTS MANAGEMENT SERVICES
- ORGANISATIONAL PERFORMANCE MANAGEMENT
- POLICY RESEARCH & INDIVIDUAL PERFORMANCE MANAGEMENT

<u>STRUCTURAL SHAPE: INTEGRATED PLANNING AND ECONOMIC DEVELOPMENT</u>						
	STAFF REGULATIONS SPECIFICATION	NUMBER OF POSTS	GRDM STATUS	OCCUPATIONAL LEVELS	COMPLY (YES/NO)	
STRATEGIC				Executive Manager		
Section 54 and 56	1%	1	2.56%		No	
MANAGERIAL	5-15%	3	7.69%	Managers, Professionals	Yes	

T-Level 19 - 14					
SPECIALIST				Skilled, Specialists Tech &	
T-Level 13 - 9	30-55%	14	35.89%	Associates	Yes
OPERATIONAL				Semi-skilled and unskilled - Plant	
T-level 8 - 3	15-30%	21	53.84%	& Machine, Clerical, Elementary, Service & Sales	No
Total Number of posts:		39			

<u>SPAN OF CONTROL FOR INTEGRATED PLANNING AND ECONOMIC DEVELOPMENT SERVICES</u>					
		CURRENT STATUS		STATUS AFTER AMENDMENTS	
		GRDM STATUS (Average)	COMPLY (YES/NO)	GRDM STATUS (Average)	COMPLY (YES/NO)
DIRECTORS (EXECUTIVE MANAGERS)	5-6	1-to-7	Yes	1-to-6	Yes
MANAGERS T-level (19-14)	4-5	1-to-4	Yes	1-to-4	Yes
SUPERVISORS T-level (13-9)	9-12	1-to-7	No	1-to-4	Yes

- **FINANCIAL/CORPORATE SERVICES DEPARTMENT | 6 LAYERS:**

- PA TO EXECUTIVE MANAGER
- INCOME, EXPENDITURE, REMUNERATION & BANK RECON SERVICES
- STORES, DATA AND SUPPLY CHAIN
- BTO, AFS & ASSETS
- HUMAN RESOURCES
- ICT & RECORDS SERVICES

STRUCTURAL SHAPE: FINANCIAL/CORPORATE SERVICES						
	STAFF REGULATIONS SPECIFICATION	NUMBER OF POSTS	GRDM STATUS	OCCUPATIONAL LEVELS	COMPLY (YES/NO)	
STRATEGIC Section 54 and 56	1%	1	1.31%	Executive Manager	Yes	
MANAGERIAL T-Level 19 - 14	5-15%	11	14.47%	Managers, Professionals	Yes	
SPECIALIST T-Level 13 - 9	30-55%	46	60.52%	Skilled, Specialists Tech & Associates	No	
OPERATIONAL T-level 8 - 3	15-30%	18	23.68%	Semi-skilled and unskilled - Plant & Machine, Clerical, Elementary, Service & Sales	Yes	
Total Number of posts:		76				

SPAN OF CONTROL FOR FINANCIAL SERVICES						
		CURRENT STATUS		STATUS AFTER AMENDMENTS		
	STAFF REGULATIONS SPECIFICATION	GRDM STATUS (Average)	COMPLY (YES/NO)	GRDM STATUS (Average)	COMPLY (YES/NO)	
DIRECTORS (EXECUTIVE MANAGERS)	5-6	1-to-5	Yes	1-to-6	Yes	
MANAGERS T-level (19-14)	4-5	1-to-3	No	1-to-13	No	
SUPERVISORS T-level (13-9)	9-12	1-to-7	No	1-to-7	No	

• **COMMUNITY SERVICES DEPARTMENT | 4 LAYERS:**

- PA TO EXECUTIVE MANAGER
- DISASTER MANAGEMENT

- FIRE & RESCUE SERVICES
- MUNICIPAL HEALTH, SOLID WASTE MANAGEMENT AND AIR QUALITY CONTROL SERVICES

STRUCTURAL SHAPE: COMMUNITY SERVICES					
	STAFF SPECIFICATION	REGULATIONS NUMBER OF POSTS	GRDM STATUS	OCCUPATIONAL LEVELS	COMPLY (YES/NO)
STRATEGIC Section 54 and 56	1%	1	0.98%	Executive Manager	Yes
MANAGERIAL T-Level 19 - 14	5-15%	13	12.74%	Managers, Professionals	Yes
SPECIALIST T-Level 13 - 9	30-55%	58	56.86%	Skilled, Specialists Tech & Associates	No
OPERATIONAL T-level 8 - 3	15-30%	30	29.41%	Semi-skilled and unskilled - Plant & Machine, Clerical, Elementary, Service & Sales	Yes
Total Number of posts:		102			

SPAN OF CONTROL FOR COMMUNITY SERVICES			
	CURRENT STATUS	STATUS AFTER AMENDMENTS	
	STAFF SPECIFICATION	REGULATIONS	GRDM STATUS COMPLY (YES/NO)
DIRECTORS (EXECUTIVE MANAGERS)	5-6		1-to-4 No
MANAGERS T-level (19-14)	4-7		1-to-6 Yes
SUPERVISORS T-level (13-9)	9-12		1-to-6 No

SUMMARY ON STRUCTURAL SHAPE

STRUCTURAL SHAPE					
	STAFF SPECIFICATION	REGULATIONS NUMBER OF POSTS	GRDM STATUS	OCCUPATIONAL LEVELS	COMPLY (YES/NO)

STRATEGIC Section 54 and 56	1%	4	1.66%	MM & Executive Managers	No
MANAGERIAL T-Level 19 - 14	5-15%	35	14.58%	Managers, Professionals	Yes
SPECIALIST T-Level 13 - 9	30-55%	132	55.00%	Skilled, Specialists Tech & Associates	Yes
OPERATIONAL T-level 8 - 3	15-30%	69	28.75%	Semi-skilled and unskilled - Plant & Machine, Clerical, Elementary, Service & Sales	Yes
Total Number of posts:		240			

SUMMARY ON THE SPAN OF CONTROL

<u>SPAN OF CONTROL (ALL DEPARTMENTS)</u>					
		CURRENT STATUS		STATUS AFTER AMENDMENTS	
	STAFF REGULATIONS SPECIFICATION	GRDM STATUS (Average)	COMPLY (YES/NO)	GRDM STATUS (Average)	COMPLY (YES/NO)
MUNICIPAL MANAGER	6-8	7	Yes	6	Yes
DIRECTORS (EXECUTIVE MANAGERS)	5-6	1-to-7	No	1-to-6	Yes
MANAGERS T-level (19-14)	4-5	1-to-8	No	1-to-13	No
SUPERVISORS T-level 1(3-9)	9-12	1-to-8	No	1-to-7	No

BACK TO AGENDA

DISTRICT COUNCIL

24 JUNE 2026

1. DEBT WRITE-OFF REPORT 2025/26: QUARTER 1-4 / SKULD AFSKRYWINGSVERSLAG 2025/26: KWARTAAL 1-4 / INGXELO YOKUCINYWA KWETYALA KU 2025/26: KWIKOTA 1-4

REPORT FROM THE EXECUTIVE MANAGER: FINANCIAL & CORPORATE SERVICES (R BOSHOFF)

2 PURPOSE

The purpose of this report is to obtain Council approval to write-off outstanding debtor accounts and interest on remaining balances outstanding in line with the approved Credit Control and Debt Collection policy dated 25 May 2022.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The outstanding debtor accounts were reviewed and in line with the Council approved Credit Control and Debt Collection policy dated 25 May 2022, the list of outstanding debtor accounts recommended for debt write-off was compiled.

The total amount of outstanding debtors accounts recommended for write-off equates to R 8 964 863.94.

The recommended outstanding debtors to be written-off can be categorised as follows:

	2025/26: Financial Implications		
	Debt Included in Provision 2025/26 (R)	Actual Impact for 2025/26 year (R)	Total Debt Written-Off (R)
B. Write-off Category:			
Uneconomical to pursue the debt	7,904,133.23	598,074.50	8,502,207.73
Outstanding Debt after capital portion was settled	68,884.01	393,771.55	462,655.56
Prescription Debt expired	-	-	-
Interest requested to be written-off	-	-	-
TOTAL:	7,973,017.24	991,846.05	8,964,863.29

Table 1: Summary debt write-off categories

5. **RECOMMENDATION**

That Council approves the write-off of debtors balances outstanding per category with a total of R 8 964 863.94, of which R 7 973 017.24 was included in the debt impairment which totals for 2024/25 the actual financial implication for 2025/26 of **R 991 846.05** as per Annexure A attached.

AANBEVELING

*Dat die Raad goedkeuring verleen vir die afskrywing van debiteure met balanse uitstaande per kategorie met 'n totaal van R 8 964 863.94, waarvan R 7 973 017.24 alreeds ingesluit was by die voorsiening vir slegte skulde van 2024/25, dus is die werklike finansiële implikasie vir 2025/26 **R 991 846.05** soos per Aanhangsel A, aangeheg.*

ISINDULULO

Sesokuba iBhunga liphumeze ukucinywa kwamatyala angekahlawulwa ngokoluhlu lwawo nafikelela kwi R 8 964 863.94. nekuquka I R 7 973 017.24 nethe yanciphisa ityala nelifikelela kuchaphazeleko lwezemali kunyaka mali ka 2025/26 lwemali eli **R 991 846.05** ngokwe Sihlomelo A esigqagamshelweyo.

6. **DISCUSSION / CONTENTS**

6.1 **Background**

As per Annexure A attached, there is debt on outstanding debtor balances which is submitted for Council Approval due to the debt being categorised as:

1. **Uneconomical to recover:**

There are 200 accounts whose debt write-off is required as it would be uneconomical to recover as per assessment from appointed legal representation.

Please refer to Annexure A for the full detail and the actual financial implication in respect of the 2025/26 financial year.

3) **Interest charged on Government debtors not paid:**

There were 11 requests received to write off interest remaining on debtor account balances which included Hessequa Municipality, George Municipality, Mossel Bay Municipality, Bitou, Oudtshoorn Municipality and the Knysna Municipality. In terms of Section 62 (1) of the Local Government Municipal Finance Management Act, 2003 (No 56), the

Municipality must have and implement a Credit Control and Debt Collection Policy. Section 32 states that payments in vain will be classified as Fruitless and Wasteful Expenditure.

Therefore, municipalities and departments requested the Council of Garden Route DM to approve the write-off of their interest, which were billed on outstanding amounts. These government institutions did pay their principal debt and the balance remaining on their accounts is the interest portions, which will be Fruitless and Wasteful Expenditure for them if they continue to pay it. Please refer to Annexure A for the full detail and the actual financial implication in respect of the 2025/26 financial year.

3. Interest charge on Private debtors not paid:

There are 26 accounts where the billing run levied interest automatically on the balance outstanding however; payment was received from the debtor for their principal debt. Please refer to Annexure A for the full detail and the actual financial implication in respect of the 2025/26 financial year.

6.2 Discussion

In compliance with accounting rules (GRAP statements), the majority of these interest debts has already been provided for as "bad debt" in the 2024/25 financial statements. This means that if Council was to approve the request of the write-off of this debt, the impact on the 2025/26 income statement will be a debt **loss of R 991 846.05** as the rest was already expensed in prior years in order to comply with GRAP statements regarding the recoverability of debt.

6.3 Financial Implications

Annexure A attached contains the full detail for the financial implication of:

Reduction in debtors:	R 8 964 863.94
Reduction in provision for bad debt in 2024/25:	R 7 973 017.24
Net loss in 2025/26 financial year:	R 991 846.05

6.4 Legal Implications

None, as per the Garden Route Credit Control and Debt Collection Policy section 3.8.3 and 3.8.4 specifically provides for the Council to decide to write debt off on outstanding debtor balances for the abovementioned reason in section 6.1 above with reference to Annexure A attached.

6.5 Staff Implications

A decision to write-off debt will have no Staff implications.

6.6 Previous / Relevant Council Resolutions:

Local Government: Municipal Finance Management Act, No 56 of 2003
Garden Route District Municipality Credit Control and Debt Collection Policy

6.7 Risk Implications

There are no foreseen risks associated with the proposed decision for Council to write off debt referred to in section 6.1 above and Annexure A.

ANNEXURE

Annexure A: Schedule of Debtor Write-Off Debt 2025/26

Annexure A: 2025/2026 Write-Off Report

A. Debtor Type:	2025/26: Financial Implications		
	Debt Included in Provision 2025/26 (R)	Actual Impact for 2025/26 year (R)	Total Debt Written-Off (R)
Roads Medical Debtor	13,121.88	1,235.80	14,357.68
Medical Debtor	8,261.60	772.03	9,033.63
Fire Debtor	7,667,246.80	567,809.44	8,235,056.24
Fire Permit Debtor	4,445.93	6,213.88	10,659.81
Rental of Facilities	119,800.46	2,062.56	121,863.02
Health Services	5,346.14	9,234.69	14,580.83
Creditor Repayment Recovery	-	-	-
MMC Contributions from B-Municipalities	-	350,444.06	350,444.06
Shopsteward Contributions from B-Municipalities	6,449.81	1,107.89	7,557.70
Contributions Task	3,926.19	41,099.46	45,025.65
Staff recovery	126,190.26	10,181.04	136,371.30
Roads Staff recovery	9,881.49	861.86	10,743.35
Resort Recovery	8,346.68	823.34	9,170.02
Roads Debtor	-	-	-
GRDM Debtor	-	-	-
Councillor recovery	-	-	-
TOTAL:	7,973,017.24	991,846.05	8,964,863.29

Total Debt Breakdown between Principle		
Total Principle Debt to be written-off:	Total Interest to be written-off	Total Debt Write-off (R)
50,411.85	- 36,054.17	14,357.68
-	9,033.63	9,033.63
4,798,993.22	3,436,063.02	8,235,056.24
22,567.56	- 11,907.75	10,659.81
53,609.25	68,253.77	121,863.02
-	14,580.83	14,580.83
-	-	-
404,225.00	- 53,780.94	350,444.06
56,501.98	- 48,944.28	7,557.70
17,073.10	27,952.55	45,025.65
17,271.61	119,099.69	136,371.30
-	10,743.35	10,743.35
8,000.00	1,170.02	9,170.02
-	-	-
-	-	-
-	-	-
5,428,653.57	3,536,209.72	8,964,863.29

Number of accounts:
7
5
161
19
7
5
2
3
2
3
16
6
1
0
0
0
237

B. Write-off Category:	2025/26: Financial Implications		
	Debt Included in Provision 2025/26 (R)	Actual Impact for 2025/26 year (R)	Total Debt Written-Off (R)
Uneconomical to pursue the debt	7,904,133.23	598,074.50	8,502,207.73
Outstanding Debt after capital portion was settled	68,884.01	393,771.55	462,655.56
Prescription Debt expired	-	-	-
Interest requested to be written-off	-	-	-
TOTAL:	7,973,017.24	991,846.05	8,964,863.29

Total Debt Breakdown between Principle		
Total Principle Debt to be written-off:	Total Interest to be written-off	Total Debt Write-off (R)
4,873,426.10	3,628,781.63	8,502,207.73
555,227.47	- 92,571.91	462,655.56
-	-	-
-	-	-
5,428,653.57	3,536,209.72	8,964,863.29

Number of accounts:
200
37
0
0
237

Table 1: Summary debt write-off categories

C. Private versus Government Debt Included for Write-Off	2025/26: Financial Implications		
	Debt Included in Provision 2025/26 (R)	Actual Impact for 2025/26 year (R)	Total Debt Written-Off (R)
Government:	75,487.78	395,818.78	471,306.56
Private Households:	7,897,529.46	596,027.27	8,493,556.73
TOTAL:	7,973,017.24	991,846.05	8,964,863.29

Total Debt Breakdown between Principle		
Total Principle Debt to be written-off:	Total Interest to be written-off	Total Debt Write-off (R)
496,684.08	- 25,377.52	471,306.56
4,931,969.49	3,561,587.24	8,493,556.73
5,428,653.57	3,536,209.72	8,964,863.29

Number of accounts:
27
210
237

BACK TO AGENDA

COUNCIL

24 JUNE 2026

**CLOSURE FOR FESTIVE SEASON AND SALARY PAYMENT DATE FOR DECEMBER 2026
/ SLUITING VIR FEESSEISOEN EN DESEMBER 2026 SALARIS BETAALDATUM /
INGXELO NGOKUVALELA IHOLIDE ZEHLOBO KUNYE NOMHLA WOKUHLAWULWA
KWEMIVUZO KWEYOMNGA 2026**

(4/1/2) (5/9)

17 June 2026

**REPORT FROM THE EXECUTIVE MANAGER: FINANCIAL & CORPORATE SERVICES
(CHR BOSHOFF) / MANAGER: HR (MH SMIT)**

2. PURPOSE

The purpose of this report is to obtain approval for the festive season closure and earlier payment of salaries in respect of December 2026.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

- 4.1 Most of the employees take their annual leave over the festive season and go on holiday when schools close early in December.
- 4.2 Salaries are normally paid on the 25th of a month or the working day closest to the 25th of the month and earlier in December-month.

5. RECOMMENDATIONS

- 1. That the offices, excluding emergency staff, will be closed from 15 December 2026 @ 12:00 – 4 January 2027, opening on Tuesday, the 5th of January 2027 @ 07:30.
- 2. That annual leave be submitted as follow:
 - 2.1 15 December 2026, HOURS from 12:30 – 16:30, which is 4 Hours Annual leave (to accommodate 30 min lunch between 12:00 – 12:30);
 - 2.2 17 Dec'2026 – 4 Jan'2027, DAYS, which is 12.20 Annual leave days.
- 3. That supervisors ensure the submission of annual leave for the season period, excluding emergency staff.

4. That if an employee goes into a negative annual leave balance for the seasonal office closure, it will be dealt with as a minus and not as a deduction from their salaries.
5. That the 15th of December 2026 will be the salary payment date.
6. That the list of deadlines as set out in the table by the Finance department be adhered to.
7. That the Executive Mayor, and the Municipal Manager, Mr MG Stratu, or his successor in title, be delegated and authorized to perform all official Council duties, responsibilities and functions during the seasonal closure period 15 December 2026 until 4 January 2027 with the exception of those powers and functions as set out Section 160(2) of the Constitution namely:
 - a) the passing of by-laws;
 - b) the approval of budgets;
 - c) the imposition of rates and other taxes, levies and duties; and
 - d) the raising of loans;
 - e) disposal of Council properties;
 - f) appointment and dismissal of the Municipal Manager and section 56 managers in terms Section 56 of the Systems Act;
 - g) all functions which are according to legislation reserved for Council only.

AANBEVELINGS

1. *Dat die kantore, nooddienste personeel uitgesluit, vanaf 15 Desember 2026 om 12:00 – 4 Januarie 2027 sluit en weer oopmaak op Dinsdag, 5 Januarie 2027 om 07:30.*
2. *Dat die vakansieverlof as volg ingedien word:*
 - 2.1 *15 Desember 2026, URE vanaf 12:30 – 16:30, wat 4 Ure vakansieverlof is (om 30 min etenstyd te akkommodeer vanaf 12:00 – 12:30);*
 - 2.2 *17 Des'2026 – 4 Jan'2027, DAE, 12.20 Vakansieverlofdae.*

- 3 *Dat toesighouers toesien dat vakansieverlof vir die seisoen periode ingedien word, nooddienste personeel uitgesluit.*
- 4 *Dat indien 'n werknemer in 'n negatiewe vakansieverlof balans gaan gedurende die feesseisoen se kantoor sluiting, dat dit beskou sal word as 'n minus balans en nie van hy/sy se salaris verhaal word nie.*
- 5 *Dat die 15de Desember 2025 die salaris betaaldatum sal wees.*
- 6 *Dat die lys van sperdatums soos uiteengesit in die tabel deur die Finansies departement nagekom word.*
- 7 *Dat die Uitvoerende Burgemeester en die Munisipale Bestuurder, Mnr MG Stratu, of sy opvolger in titel, gedelegeer en gemagtig word om die Raad se amptelike verpligtinge, verantwoordelikhede en funksies vir die seisoen sluitingsperiode van 15 Desember 2025 tot 2 Januarie 2026, uit te voer met die uitsondering van die ondergenoemdes soos in Artikel 160 (2) van die Grondwet vervat:*
 - a) *die aanname van verordeninge;*
 - b) *die goedkeuring van begrotings;*
 - c) *die oplegging van eiendomsbelasting en ander belastings, heffings en regte en*
 - d) *die verkryging van lenings.*
 - e) *vervreemding van raadseiendom*
 - f) *aanstelling en skorsing van die Munisipale Bestuurder en Artikel 56 bestuurders in terme van Artikel 56 van die Munisipale Stelselwet;*
 - g) *alle funksies wat in terme van wetgewing slegs vir die Raad gereseveer is.*

IZINDULULO

1. Sesokuba iifisi, ngaphandle kwabasebenzi abangxamisekileyo, ziya kuvalwa ukususela nge-15 kaDisemba 2026 @ 12:00 – 4 kaJanuwari 2027, zivulwa ngoLwesibini, umhla wesi-5 kaJanuwari 2027 @ 07:30.
2. Sesokuba ikhefu lonyaka lingeniswe ngolu hlobo lulandelayo:
 - 2.1 15 kweyoMnga 2026, IYURE ukususela nge-12:30 – 16:30, nezi-EYURE ezi-4 zekhefu lonyaka (lokulungiselela isidlo sasemini semizuzu engama-30 phakathi kwe-12:00 – 12:30);

2.2 17 kweyoMnga 2026 – 4 kweyoMqungu 2027, 12.20 eziziintsuku zekhefu lonyaka.

3. Ukuba abaphathi baqinisekisa ukungeniswa kwekhefu lonyaka kwixesha lonyaka, ngaphandle kwabasebenzi abangxamisekileyo.
4. Sesokuba umqeshwa ungena kwibhalansi yekhefu lonyaka elingalunganga lokuvalwa kweofisi ngexesha lonyaka, kuya kuthathwa njengokunciphisa hayi njengokunciphisa kwimivuzo yakhe.
5. Sesokuba umhla we-15 kweyoMnga ka-2026 uza kuba ngumhla wokuhlawula imivuzo.
6. Sesokuba uluhlu lwemihla yokugqibela njengoko ichazwe kwitheyibhile lisebe lezeMali kufuneka ilandelwe.
7. Sesokuba uSodolophu oLawulayo, kunye noMphathi kaMasipala, uMnu. MG Stratu, okanye umlandeli wakhe kwisikhundla, banikwe igunya lokwenza yonke imisebenzi esemthethweni yeBhunga, uxanduva kunye nemisebenzi ngexesha lokuvalwa kwexesha le-15 kweyoMnga ka-2026 ukuya kutsho nge-4 kweyoMqungu ka-2027 ngaphandle kwala magunya kunye nemisebenzi njengoko ichazwe kwiCandelo 160(2) loMgaqo-siseko:

6. DISCUSSION / CONTENTS

6.1 Background

- 6.1.1 As with previous years, it is recommended to Council to consider the closing of Garden Route District Municipality's offices over the festive season, provided that responsible departments ensure arrangements for the rendering of essential and emergency services. It is almost tradition by now that the Garden Route District Municipality's offices are closed over the festive season.
- 6.1.2 It is also recommended that the December 2026 salaries are paid earlier than the usual 25th of the month payment date because of the public holidays during the festive season.

6.2 Discussion

6.2.1 The offices of GRDM, excluding emergency staff, will be closed from 15 December 2026 @ 12:00 – 4 January 2027, opening on Tuesday, the 5th of January 2027 @ 07:30.

6.2.2 The proposed salary payment date be the 15th of December 2026.

6.2.3 In view of the aforementioned seasonal closure period, interim measurements must be put in place in order to ensure that Council's activities, such as management, services and administration continue. The Executive Mayor, and the Municipal Manager, Mr MG Stratu, or his successor in title, be delegated and authorized to perform all official Council duties, responsibilities and functions during the recess period with the exception of those powers and functions as set out Section 160 (2) of the Constitution of the Republic of South Africa, 1996 namely:

- a) the passing of by-laws;
- b) the approval of budgets;
- c) the imposition of rates and other taxes, levies and duties; and
- d) the raising of loans;
- e) disposal of Council properties;
- f) appointment and dismissal of the municipal manager and section 56 managers in terms Section 56 of the Systems Act, Municipal Systems Act 32 of 2000;
- g) all functions which are according to legislation reserved for Council only.

6.3 Financial Implications

In order for the Finance department to process all the required transactions (i.e. salary payments, creditor payments, billing, etc), the following deadlines is set for information to reach the relevant section in the Finance department in order to be processed and paid before the office closes:

Nr	Information	Supplied by	Supplied to	Due date
1	Invoices, orders, GRVs relating to services/goods received in November that has to be paid in December 2023 Note: legislative timeline requirement of 30 days after invoice/statement date	All departments	Creditors section	07 Dec
2	All Salary related forms, such as overtime, standby, attendance registers, new appointments, terminations, etc.	All departments	Salaries section	07 Dec
3	Fire accounts for incidents to be billed to land owners	Fire section	Debtors section	07 Dec
4	New contracts for renting out of Council property	Property section	Debtors section	07 Dec
5	Salary payment date			15 Dec

Late submissions will not be processed due to limited time as a result of earlier salary payment date and closure of offices.

6.5 Legal Implications

Section 160(2) of the Constitution of the Republic of South Africa, 1996

Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)

GRDM System of Delegations

Section 66 of the Municipal Finance Management Act, 2003 (Act 56 of 2003)

6.5 Staff Implications

Sufficient leave balances for annual leave during the seasonal closure.

6.6 Previous / Relevant Council Resolutions:

Council Resolution dated 29 October 2025, D3/10/25 on the 2025/2026 seasonal closure.

BACK TO AGENDA

DISTRICT COUNCIL

24 JUNE 2026

1. **REPORT ON THE PROMULGATION OF THE DISTRICT FIRE SAFETY BY-LAW RELATING TO VELD, MOUNTAIN AND CHEMICAL FIRE SERVICES AND THE ADOPTION OF THE COMMUNITY FIRE SAFETY BY-LAW (2002) FOR REGULATION OF BUILDING AND RELATED FIRE PROTECTION IN THE KANNALAND MUNICIPAL AREA / VERSLAG RAKENDE DIE VERORDERING VAN DIE DISTRIK BY-WET VIR BRAND VEILIGHEID IN TERME VAN VELD, BERG EN CHEMIESE BRANDE ASSOOK DIE AANNEMING VAN DIE GEMEENSKAP BRANDVEILIGHEID VERORDERING (2002) VIR REGULERING VAN GEBOU EN VERWANTE BRAND BESKERMING VIR DIE KANNALAND MUNISIPALE AREA / NGXELO NGOKUQULUNQWA KOMTHETHO WESITHILI WOKHUSELEKO LOMLILO OPHATHELELE NAMATHAFA, IINTABA KUNYE NENKONZO YEMILIMO YAMACHIZA KWAKUNYE NOKWAMKELWA KOMTHETHO KAMASIPALA WOKUKHUSELWA KOLUNTU (2002) ULAWULO LWESAKHIWO KUNYE NOKHUSELKO LOMLILO OLAYAMANISISWEYO KWINGINGQI YOMASIPALA WASE KANNALAND**

REFER REPORT FROM THE EXECUTIVE MANAGER: COMMUNITY SERVICES: (N RAISA-MLANDU) AND CHIEF FIRE OFFICER (D. STOFFELS)
10/1/3/4

2. **PURPOSE**

The purpose of the report is to submit to Council the final draft of the By-Law: Relating to Veld, Mountain & Chemical Fire Services. Furthermore, the adoption of the Community Fire Safety By-law (2003) for regulation of building and related fire protection, including dangerous goods in the Kannaland Municipal area.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

The Garden Route District Municipality will enact a Fire Safety By-Law, relating to Veld, Mountain, and Chemical Fires. In terms of Section 156 (2) of the Constitution of the Republic of South Africa, Act No. 108 of 1996, the Municipal Systems Act, No. 32 of 2000, and Section 16 of the Fire Brigade Services Act, 99 of 1987 the Garden Route District Municipality makes this bylaw for the effective administration of matters that it has the right to administer in terms of the Municipal Structures Act, 84 (1)(j) Firefighting services serving the district municipality as a whole, which includes- i.e. (ii) specialized firefighting services such as mountain, veld and chemical fire services; and furthermore, in line with the National Veld and Forest Fire Act, 101 of 1998 and Amendment Act, 2023, the Hazardous Substances Act, No 15 of 1973, and the Occupational Health and Safety Act, No 85 of 1993.

PROCESS FLOW OF THIS BY-LAW INCLUDING PUBLIC PARTICIPATION

5.1 Identification of Need	March 2024
5.2. Drafting the By-Law	March – June 2024
5.3 Internal Review & Approval (Administration)	Legal services
5.4 Council Approval	July 2024
5.4 Public Participation (Mandatory)	<p>"Notice is hereby given that the Draft Garden Route District Municipality Fire Safety By-Law relating to Veld, Mountain, and Chemical Fires will be available for public comment and input from 23 August 2024 to 23 September 2024. The draft Garden Route District Municipality Fire Safety By-Law will be available for viewing at the following places"</p>
5.5 Significant Comments Received	<p>10 September 2024 (Mossel Bay Municipality)</p> <p>The Mossel Bay Municipality has perused the draft Garden Route District Municipality Fire Safety By-Law Relating to Veld, Mountain and Chemical Fires as published in the Provincial Gazette on 23 August 2024. It would seem that a duplication of functions will be created by this By-Law, and the practical implication of the By-Law is unclear, for example individuals will need to submit certain building plans at their local B Municipality as well as Garden Route District Municipality. It further appears as if Garden Route District Municipality would be regulating matters that fall beyond the scope of its mandate in terms of Section 84(1)(j) of the Local Government Municipal Systems Act, No 32 of 2000, read with the Fire Brigade Service Act, No. 99 of 1987. It is proposed that the draft By-Law be workshopped with all local B Municipalities within the jurisdiction of Garden Route District Municipality prior to the promulgation of the By-Law in order for the local B Municipalities to provide informed comments on the draft By-Law.</p> <p>23 August 2024 – 23 September 2024</p> <ul style="list-style-type: none"> - Farmers - Rob Erasmus: Rob Erasmus of Enviro Wildfire Consultancy (Pty) Ltd is a qualified Advanced Wildland Fire Investigator - Southern Cape Fire Protection Association
General comments received (and incorporated)	

5.6 Clarification meeting with Mossel Bay Municipality Legal Services Representative	01 November 2024
5.7 By-Law Presentation at the Municipal Managers Forum and District Coordinating Forum	13 November 2024
5.8 Revised distribution of draft By-Law submitted to B-Municipalities	23 January 2025
5.9 Workshop with B-Municipalities Captured Inputs and minutes distributed for confirmation with B-Municipalities	24 January 2025 02 February 2025
5.10 Further Comments received from Mossel Bay Municipality - letter to Municipal Manager	24 March 2025
5.11 Internal Revision of Draft By-Law with Legal services	Decision made to re-advertise
5.12 Council approval for re-publication	July 2025
5.13 Re-Publication of the By-law	<i>"Notice is hereby given that the Draft Garden Route District Municipality Fire Safety By-Law relating to Veld, Mountain and Chemical Fires will be available for public comment and input from 13 October 2025 to 13 November 2025. The draft Garden Route District Municipality Fire Safety By-Law will be available for viewing at the following places"</i>
5.14 By-Law copy requested by Mossel Bay Municipality	13 October 2025
5.15 Comments received from Mossel Bay Municipality – letter to Municipal Manager	06 November 2025
5.16 Clarification Meeting with Mossel Bay Municipality Legal Services on By-Law Comments	02 December 2025
5.17 Necessary revision as per Mossel Bay Municipality comments made and latest draft shared with MSB Municipality	07 April 2026
5.18 Further minor comments received from Mossel Bay Municipality Legal Services – no further comment received	20 April 2026
5.19 All comments addressed and necessary semantics corrected	

5. RECOMMENDATIONS

1. That Council take note of the content of the report.
2. That Council approve the final draft of the By-Law to be gazetted and promulgated.

AANBEVELINGS

1. *Dat die Raad kennis neem van die inhoud van die verslag.*
2. *Dat die Raad die finale konsep van die Verordening goedkeur om gepromulgeer te word.*

ISINDULULO

1. Sesokuba iBhunga lithathele ingqalelo okuqulethwe yingxelo.
2. Sesokuba iBhunga liphumeze uyilo lokugqibela loMthetho kaMasipala oza kufakwa kwigazethi kwaye emva koko ubhengezwe.

6. DISCUSSION / CONTENTS

6.1 Background

This by-law is intended for the effective administration and regulation of matters which the Municipality has the right to administer in terms of the Constitution, Section 156 (2) which states that a municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer and (5) A municipality has the right to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions, including the functions in terms of the Municipal Structures Act, No. 117 of 1998, Section 84 1(j) Firefighting services serving the area of the district municipality as a whole, which includes i.e. (ii) specialized firefighting services such as mountain, veld and chemical fire services.

A number of current key elements the by-law seeks to address, amend and enhance include the following;

- a) regulation of prescribed burn permits by the District Municipality.
- b) enforcement of fire break compliance.
- c) Alien invasive plant management (fuel load management), and in line with the National Environmental Management Laws Amendment Act 2 of 2022
- d) Strengthening compliance in terms of chemical fire services; i.e. hazardous materials and dangerous goods incidents, including its transporting.

Whereas it is intended to properly regulate veld and mountain fire management especially, it is certainly also intended to give effect to the following.

“By-laws to give effect to policy”

75. (1) A municipal council must adopt by-laws to give effect to the implementation and enforcement of its tariff policy. (2) By-laws in terms of subsection (1) may differentiate between different categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination.

“By-laws to give effect to policy”

98. (1) A municipal council must adopt by-laws to give effect to the municipality's credit control and debt collection policy, its implementation and enforcement. (2) By-laws in terms of subsection (1) may differentiate between different categories of ratepayers, users of services, debtors, taxes, services, service standards and other matters as long as the differentiation does not amount to unfair discrimination.”

6.3 Financial Implications

It is anticipated that doing inspections, and compliance inspections will incur cost, however a strategic approach will be implemented, i.e. a ratio of 1:6:1, one trip for 6 inspections per day on average to save on cost.

6.4 Legal Implications

No legal implications are anticipated. The District Municipality will implement this by law in line with its mandated function.

6.5 Staff Implications

Permanent staff will be utilized to enforce and implement the provisions of this by-law over the non-summer period.

6.6 Previous / Relevant Council Resolutions

Council Resolution 2024.

6.7 Risk Implications

Potential slow transitioning is anticipated.

ANNEXURE A

**BY-LAW: RELATING TO VELD, MOUNTAIN & CHEMICAL FIRE SERVICES, 2026**

To prescribe minimum standards to provide for the safety of life, property and the environment from the hazards created by fire, explosion and dangerous conditions, to regulate the use of fire in the veld and mountainous environment, and to prevent and combat unregulated veld and mountain fires within the District Municipality's mandated area of responsibility; and to mitigate the negative effects of chemical fires and / or potential chemical fires, to ensure a safe and healthy environment for all citizens residing within and visiting the district municipality;

To regulate the use of fire and related ignition sources in public and private spaces, with the aim of safeguarding residents and properties; to minimize the effects of fires and ignition sources; provide for fire-protection services and emergency evacuation and response plans; to regulate the transport of dangerous goods, to provide for a fire brigade service; to provide for offences and penalties; to provide for the repeal of laws and savings and to provide for any matters incidental thereto.

PREAMBLE

WHEREAS the Municipality has competence in terms of Part B of Schedule 4 of the Constitution relating to fire-fighting services.

WHEREAS everyone has the right to an environment that is not harmful to their health or well-being in terms of section 24 (a) of the Constitution.

AND WHEREAS there is a need to develop legislative instruments to regulate fire safety, the use of fire, ignition sources and other related matters within the Municipality's functional area and scope of responsibility.

NOW THEREFORE, the Municipal Council of the Garden Route District Municipality, acting in terms of section 156 of the Constitution of the Republic of South Africa, 1996, read with Part B of Schedule 4 thereto, and further read with section 11 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), hereby enacts the following By-law, which shall be read in conjunction with, and notwithstanding anything to the contrary contained in existing legislation.

CHAPTER 1

INTERPRETATION & DEFINITIONS

1. Interpretation
2. Definitions

CHAPTER 2

OBJECTS OF THIS BY-LAW

3. Objects of this By-law

CHAPTER 3

APPLICATION

4. Application (and scope) of this by-law

CHAPTER 4**PROVISIONS REGARDING THE PREVENTION AND COMBATING OF VELD, AND MOUNTAIN FIRES, REQUIREMENTS FOR FIREBREAKS AND PERMITTED BURNING**

5. Purpose of Fire Breaks
6. General Guide on firebreak width
7. Positioning of Firebreaks
8. Exemption from duty to prepare and maintain firebreaks
9. Additional requirements
10. Urban Edge Fire Breaks
11. Vacant Land Fire Breaks and Fuel Load Reduction
12. Servitude Fire Breaks
13. Power Line Servitudes
14. Road Reserve Fire Breaks
15. Plantation Fire Breaks
16. Railway Fire Breaks
17. Crops, Orchards and Vineyard Fire Breaks
18. Fences
19. Water pipelines
20. Firebreak Burning Seasons
21. Fire Control Zones
22. Controlled burn fire permit
23. Light, use or maintain a fire in open air

CHAPTER 5**CHEMICAL FIRE SERVICES**

24. Application of this Chapter
25. Authority of the Chief Fire Officer
26. Duties of Owners and Operators of Hazardous Installations
27. Registration of Hazardous Premises
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- 32. Transport, Supply and Delivery of Dangerous Goods
- 33. Dangerous goods certificate
- 34. Conditions of dangerous goods certificate
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- 36. Transfer of dangerous goods certificate
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OFFENCES & PENALTIES

55. Offences and Penalties

CHAPTER 09
GENERAL PROVISIONS

56. Appeals

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SCHEDULE 1 (FORMS)

A. Application to do a prescribe/controlled burn.

B. Prescribe Burn permit.

C. Application for a public fireworks display.

D. Public fireworks display certificate.

E. Application for a dangerous goods certificate.

F. Dangerous goods certificate.

G. Construction of spray boots.

H. Application for a flammable substance certificate.

I. Flammable substance certificate.

J. Event Application Certificate

K. Population Certificate

SCHEDULE 2

Relevant Codes and Standards

CHAPTER 1

INTERPRETATION & DEFINITIONS

1. Interpretation

In this By-law—

- (a) the masculine includes the feminine.
- (b) the singular includes the plural and vice versa.
- (c) where there is an inconsistency, the English text prevails; and
- (d) words and expressions used in this By-law and not defined must, unless the context otherwise indicates, bear the meaning assigned to them in applicable national or provincial legislation.

2. Definitions

“aerial firefighting resources” means aero planes, helicopters or unmanned aircraft equipped for fire detection, suppression or related support functions.

“agricultural holding” means land not less than 0.8 hectares used mainly for agriculture, horticulture or the keeping of livestock or bees.

“application form” means a form prescribed in Schedule 1 that must be completed when applying for a permit, certificate or approval.

“approved/approval” means approved in writing by the Municipality.

“authorized official” means a person authorized by the Municipality to enforce this By-law and includes a peace officer.

“burn permit” means written authorization issued by the Municipality permitting a controlled or prescribed burn under specified conditions.

“brush” means dense vegetation dominated by shrubs generally less than 6 meters tall.

“chemical fire” means a fire involving the combustion of chemical compounds, which presents distinct hazards compared to ordinary fires, are reactive chemicals that may produce toxic combustion products or require specialized extinguishing methods.

“Chief Fire Officer” means the person appointed to command the Fire Brigade Service, including an Acting Chief Fire Officer.

“combustible liquid” means a liquid with a closed-cup flash point $\geq 38^{\circ}\text{C}$ and $< 60^{\circ}\text{C}$.

“competent person” means a person with the required qualifications, training and experience to perform duties required by this By-law or the National Building Regulations.

“compliance notice” means a written instruction issued by the controlling authority requiring corrective action to remedy non-compliance with this By-law.

“combustible vegetation” means any living or dead plant material capable of igniting, sustaining combustion, or contributing to the spread or intensity of a veld, mountain, or wildfire, including but not limited to:

- Dry or cured grasses.
- Shrubs, bushes, and small trees.
- Dead leaves, pine needles, bark, twigs, and branches.
- Accumulated plant litter, mulch, or organic debris.
- Alien invasive plant species with high fire-load characteristics; and
- Any unmanaged or overgrown vegetation that increases fuel load or fire risk.

“controlling authority” means the municipality itself, as established under the Constitution of the Republic of South Africa, 1996, the Chief Fire Officer, the Municipal Manager, or their delegates in terms of sections 54 and 57 of this By-Law.

“controlled burn” means a fire ignited for land-management purposes under the supervision of the owner or responsible person and authorized by a valid burn permit.

“Criminal Procedures Act” means the Criminal Procedures Act, Act 51 of 1977, which governs the procedures and related matters in criminal proceedings in South Africa, including prosecution, arrest, bail, and court processes.

“dangerous goods” means any substance classified as dangerous in terms of the National Road Traffic Act, SANS 10234 or related national standards.

“dangerous goods certificate” means a certificate issued in terms of Chapter 5 of this By-law.

“designated fire area” means an area formally approved by the Municipality for the safe use of open flames.

“district municipality” means a district municipality, also known as a Category C municipality, a municipal entity that performs some functions of local government for a larger geographic area, i.e. the Garden Route District Municipality.

“emergency” means an incident that poses or may pose immediate danger to life, health, property, or the environment.

“emergency vehicle” means any fire, rescue or other vehicle authorized for emergency response.

“emergency evacuation plan” means a documented plan providing procedure for safe evacuation during a fire or emergency.

“emergency preparedness plan” means a documented plan outlining preparedness measures for fires or hazardous incidents.

“emergency response plan” means a documented plan outlining operational procedures during fire, hazardous or chemical emergencies.

"Emergency Response Guidebook (ERG)" means the reference manual identifying hazardous materials and providing initial response guidance.

"fire" includes a veld, forest, mountain, structural, vehicle or chemical fire.

"fire behavior" means the manner in which a fire reacts to environmental factors such as fuel, weather and topography.

"firebreak" means a strip of land on which vegetation has been removed or modified to prevent or slow the spread of fire.

"firebreak burning season" means a period designated by the Chief Fire Officer during which controlled burning may be conducted.

"firebreak plan" means a documented plan specifying the design, location, width and maintenance of firebreaks for a property.

"fire control zone" means any area identified by the Chief Fire Officer as requiring enhanced fire prevention measures.

"Fire Danger Index (FDI)" means the numerical rating issued daily by the South African Weather Service indicating the likelihood of a vegetation fire starting, spreading or becoming uncontrolled.

"fire danger" means the likelihood of a fire occurring or spreading, and its expected behavior.

"fire hazard" means any condition or substance that may create or aggravate a fire risk.

"fire intensity" means the rate at which a fire produces heat, influenced by fuel load, weather and slope.

"fire protection association" means an association registered under the National Veld and Forest Fire Act.

"fire protection officer" means the officer appointed in terms of the National Veld and Forest Fire Act.

"fire in the open air" means any fire not inside a building or structure, excluding fires in designated controlled areas for domestic purposes.

"fireworks" means pyrotechnic devices intended for entertainment purposes that produce heat, light, sound, smoke or motion.

"fuel load" means the amount of combustible vegetation on land that may contribute to fire intensity.

"fuel load reduction" means the removal, cutting or treatment of vegetation to reduce fire fuel available.

"hazard" means a condition or substance that may cause harm or loss.

"hazardous installation operator" means the person responsible for the management, operation or safety of a major hazard installation.

"**hazardous material**" means a substance that poses a risk to health, safety, property, or the environment when stored, used, handled or transported.

"**hazardous materials incident**" means an emergency involving the release or potential release of a hazardous material.

"**incident**" means an unplanned event involving fire or hazardous materials.

"**incident commander**" means the person in overall command at an emergency scene.

"**incident command system**" means a recognized framework for managing emergency incidents.

"**invader plant**" means a plant declared invasive under national biodiversity legislation.

"**land user**" means the owner, occupier or person in control of land.

"**letter of authority**" means written confirmation by the Municipality that premises comply with relevant regulations.

"**light fuel**" means short grass and light brush up to 0.6 meters.

"**local municipality**" means a local municipality, also known as a Category B municipality, a municipal entity that performs the functions of local government within a defined local area, including a town, city, or rural area and is responsible for providing most day-to-day municipal services directly to residents, typically forming part of a district municipality

"**major hazard installation**" means a facility where hazardous substances are stored or handled in quantities capable of causing a major incident.

"**member**" means a person appointed to the Fire Brigade Service.

"**medium fuel**" means brush vegetation up to 1.8 meters.

"**motor vehicle**" means a self-propelled vehicle as defined in the National Road Traffic Act.

"**mountain**" means a prominent landform with steep slopes and significant elevation.

"**mountain fire**" means a fire occurring or spreading on mountainous terrain.

"**municipality**" means a municipality, established in terms of section 12 of the Municipal Structures Act, 117 of 1998, and includes duly authorized agent, service provider or any employee thereof acting in connection with this By-law by virtue of a power vested in the Municipality and delegated or sub-delegated to such agent, service provider or employee;

"**Municipal Manager**" means the person appointed in terms of section 54A of the Municipal Systems Act and section 82 of the Municipal Structures Act.

"**National Building Regulations**" means the regulations made under the National Building Regulations and Building Standards Act.

"National Road Traffic Act" means the National Road Traffic Act, 93 of 1996

"National Veld and Forest Fire Act" means National Veld and Forest Fire Act, Act 101 of 1998.

"National Veld and Forest Fire Amendment Act, 2023" means the National Veld and Forest Fire Amendment Act, Act 13 of 2023.

"Occupational Health and Safety Act" means the Occupational Health and Safety Act, Act 85 of 1993.

"occupier" means any person who occupies or controls premises.

"operator" means the person registered as the operator of a vehicle transporting dangerous goods.

"owner" means a person with legal title to or lawful control over land, premises or an installation.

"peace officer" means a peace officer as defined in the Criminal Procedure Act.

"peri-urban" means an area adjacent to an urban area transitioning to rural land use.

"permit holder" means the person to whom a permit or certificate has been issued in terms of this By-law.

"person" includes a natural person, a juristic person, and an organ of state.

"person in charge" means a person responsible for managing or controlling premises.

"place of entertainment" means premises used for hosting public events or entertainment activities.

"plantation" means commercially cultivated timber trees.

"premises" includes land, buildings, structures, vehicles, vessels or any place to which this By-law applies.

"prescribed fee" means a fee determined by the Municipal Council.

"prohibited burning period" means any period declared by the Chief Fire Officer during which all open-air burning is prohibited due to elevated fire danger.

"public assembly premises" means premises used for gatherings of people for worship, entertainment, recreation or similar purposes.

"release" means any spilling, leaking, emitting, discharging or escaping of a hazardous substance into the environment.

"relevant authority" means any governmental, statutory, or regulatory body that has jurisdiction or oversight over a particular issue, location, or activity.

"registered premises" means premises registered in terms of this By-law.

"regulated facility" means a site where chemicals are stored or handled in quantities requiring registration.

“**remediation**” means action taken to eliminate or reduce contamination or environmental damage.

“**reportable quantity**” means the minimum quantity of a hazardous substance requiring formal reporting.

“**rescue**” means the saving of a life from fire or hazardous conditions.

“**response**” means actions taken before, during or after an emergency to protect life and property.

“**risk**” means the potential for loss or harm.

“**Safety Data Sheet (SDS)**” means documentation containing information on hazardous substances and their safe use.

“**service**” means a fire brigade service as contemplated in the Fire Brigade Services Act.

“**servitude**” means a registered right of way or right of access over land.

“**site**” means any defined piece of land on which a building exists or may be erected.

“**summary abatement**” means immediate action ordered by the controlling authority to eliminate a fire hazard or threatening danger.

“**tank**” means a container mounted on a vehicle for transporting hazardous liquids or gases.

“**tank truck**”, “**tank trailer**”, “tank semi-trailer” and “truck-tractor” have the meanings assigned in SANS 1518 and the National Road Traffic Act.

“**threatening danger**” means a condition posing imminent risk of harm.

“**urban area**” means land under municipal control used for urban purposes.

“**urban edge**” means the boundary separating urban areas from rural or natural areas.

“**UN number**” means the four-digit number assigned by the United Nations to identify hazardous materials.

“**Underground installation**” refers to the placement of pipelines or related infrastructure below the natural ground surface at a depth sufficient to protect the infrastructure from direct flame contact, radiant heat, and fire-induced damage during veld, mountain, or wildfire events.

“**vehicle**” means a vehicle as defined in the National Road Traffic Act.

“**vegetation**” includes grass, weeds, shrubs and trees.

“**vegetation fire**” means any fire burning in vegetation.

“**veld**” means open rural land, with or without crops.

“**veldfire**” means [a veld, forest or mountain] any vegetation fire that occurs outside a city, town, its adjoining industrial or residential area including any vegetation along any rural-urban fringe of a city, town, and its adjoining industrial or residential area boundaries.

“**vacant land**” means land on which no permanent buildings exist and which are not in use.

“**wayleave**” means official permission to cross or access land.

“**weed**” means a plant declared a weed under the Conservation of Agricultural Resources Act

CHAPTER 2

OBJECTS OF THIS BY-LAW

3. The objects of this By-law are to –

- (1) To establish a coordinated and effective system for preventing, managing, and responding to mountain and veld fires, in support of the Garden Route District Municipality's responsibility for specialised veld and mountain fire services.
- (2) To create a regulatory and operational framework for managing, controlling, and responding to chemical fires, including hazardous materials incidents, in alignment with specialised chemical fire services functions.
- (3) To regulate or prohibit activities, land-use practices, and conduct that increase the risk of mountain, veld, or chemical fires, ensuring a proactive approach to fire risk reduction.
- (4) To promote a safe, resilient, and fire-aware environment that protects lives, property, the natural landscape, and the economy within the Garden Route District Municipality.
- (5) To provide standardised systems, procedures, equipment requirements, and response protocols necessary for effective mountain, veld, and chemical firefighting operations across the district.
- (6) To regulate the transport, handling, storage, and use of dangerous goods, ensuring compliance with safety measures that prevent or mitigate chemical fire incidents.

CHAPTER 3 APPLICATION

4. Application for this By-law

Chapter 4 of this By-law applies to all properties, and land located or situated within the jurisdiction of the Garden Route District Municipality, and which falls outside of the urban perimeter of all local municipalities, including the peri-urban and rural sectors of the community and economy where the Garden Route District Municipality Fire & Rescue Services has the right to administer, in terms of Section 84 1 (j) of the Municipal Structures Act, and is binding on all persons to the extent applicable.

(1) The Garden Route District Municipality may, in terms of an agreement as contemplated in section 12 of the Fire Brigade Services Act, 99 of 1987, as amended, and the payment of tariffs in accordance with the municipality's tariff policy or as contemplated in this by-law also employ its services outside the area of jurisdiction of the Garden Route District Municipality.

(2) If any provision in this by-law vests or imposes any power, function, or duty of the Garden Route District Municipality in or on an employee of the Garden Route District Municipality and such power, function or duty has in terms of section 81(2) of the Municipal Systems Act, Act No. 32 of 2000 or any other law been assigned to a service provider, the reference in such provision to such employee must be read as a reference to the service provider or, where applicable, an employee of the service provider authorized by it.

CHAPTER 4

NOTWITHSTANDING THE PROVISIONS OF THE NATIONAL VELD AND FOREST FIRE ACT, 101 OF 1998, THE NATIONAL VELD AND FOREST FIRE AMENDMENT ACT, 2023, AND THE CONSERVATION OF AGRICULTURAL RESOURCES ACT 43 OF 1983, THIS CHAPTER REGULATES THE PREVENTION AND COMBATTING OF VELD, FOREST AND MOUNTAIN FIRES AND REQUIREMENTS FOR FIREBREAKS

5.Purpose of Firebreaks

(1) The purpose of a firebreak will determine what type of construction the firebreak should conform to. The purpose of firebreaks is to:

- (a) Prevent fire spread of controlled or uncontrolled fires
- (b) Is a point where fire may be extinguished
- (c) Is a point where counter burns may be started
- (d) Is a point of attack of fire
- (e) Is an access point to a fire

(2) In creating and maintaining fire breaks it is important to adhere to the following requirements.

(a) That it is wide enough and long enough to have a reasonable chance of preventing a veldfire from spreading to or from neighboring land.

(b) it does not cause soil erosion; and

(c) it is reasonably free of inflammable material capable of carrying a veldfire across it.

6. General Guide on Firebreak width

The following table represents a General Guide on Firebreak width, in relation to land type, type of vegetation, and topography.

Land Type	Prescribed Width	Recommended Method
Fynbos & Natural Veld, as well as Agricultural land interface	Width: 2,5-meter x height (a minimum: 5 meter)	Crop, Brush Cut, hoeing: on slopes less than 30 degrees
Road Verge: Provincial and District Roads	A minimum of 3 meters on either side	Crop, Brush Cut and hoeing
Alien Invasive Species	Width: 2,5-meter x height (a minimum of 5 meter)	Crop, Brush Cut, Mulching and hoeing
Labor cottages, farming infrastructure and homesteads	A minimum of 10 meter	Crop, brush cut, hoeing and mowing
Stubble and fallow land	2 meters	Cultivate (crop)

7. Positioning of Firebreaks

To ensure minimum environmental impact, firebreaks need to be established along the.

- (1) boundary of a property and / or other place from where a veld fire can spread and to ensure minimum environmental impact but also to increase their effectiveness, in agreement with the neighbor, the firebreaks must be positioned as much as possible,
 - (a) on or along existing disturbed areas, e.g. a road, ridges, property boundaries, cultivated land, old farmlands and natural wild divisions,
 - (b) follow the natural lay (contours) of the area and minimize the visual impact,
 - (c) to prevent soil erosion and

(d) away from wetlands and protected, rare and endangered plant communities.

8. Exemption from duty to prepare and maintain firebreaks

1. The Minister of Forestry, Fisheries and the Environment may exempt any owner or group of owners from the duty to prepare and maintain a firebreak or firebreaks for good reasons.

(2) The exemption may be subject to conditions.

(3) The Minister must consult the fire protection officer and relevant authority for the area, if there is any, before granting any exemption.

9. Additional Requirements

For the purposes of this by-law, additional requirements to the prescripts of the National Veld and Forest Fire Amendment Act, 2003, will be implemented and are as follows.

10. Urban Edge Fire Breaks

(1) Must be implemented and maintained on an annual basis, and a minimum of 15 meters.

(2) It must be wide enough and long enough, depending on the gradient of the location, prevailing wind conditions, density and combustibility of the fuel's material, predicted flame height, conditions and type of adjoining structures to have a reasonable chance of preventing a vegetation fire from spreading to residential structures and / or infrastructure, and comply with the general guide in table 1.

(3) Special consideration must be given to large tree species, i.e. pine and blue gum due to its height and firebrands' airborne potential during high wind conditions.

(4) it must not cause soil erosion

(5) Combustible material derived from creating the firebreak must be cleared out from the site so that it cannot contribute as fuel in a fire situation.

(6) Fine chipped material, spread on the surface layer within the firebreak is acceptable, as it assists in sustaining the fire break.

11. Vacant Land Fire Breaks and Fuel Load Reduction

Enforcement of firebreak establishment, fuel load reduction, and alien invasive plant control on vacant land, outside the urban perimeter, shall be undertaken through statutory mechanisms available to the Municipality, including the issuing of compliance notices and directives in terms of applicable fire services legislation, this by-law, the National Environmental Management Act (NEMA), the National Environmental Management Laws Amendment Act, 2022 (NEMLAA), and the

National Environmental Management: Biodiversity Act (NEMBA). Municipal Managers may issue directives under Section 28 of NEMA where a failure to comply constitutes environmental harm or risk, with provision for remedial action, cost recovery, and escalation to administrative or criminal enforcement where necessary.

12. Servitude Fire Breaks

All servitudes shall be provided with firebreaks on both sides of the utilized road or access space. Any vehicle access servitude across which a veldfire or vegetation fire may reasonably spread shall be maintained with a firebreak on each side of the utilized road space. The minimum width of each firebreak shall be equivalent to three (3) times the height of the adjoining vegetation and shall be established and maintained in accordance with the general guidelines set out in Table 1.

13. Powerline Servitudes

The following standard requirements, consistent with that of the VEGETATION MANAGEMENT AND MAINTENANCE WITHIN ESKOM LAND, SERVITUDES AND RIGHTS OF WAY: Standard for Maximum Vegetation Clearances and prevention of fires in Servitudes and Wayleaves may be utilized as the guideline.

TABLE 2.

Nominal voltage	Servitude building restrictions widths (Measured from the center line of the power line) *	Maximum Vegetation Clearance
11 kV	9m	4m on either side of the center line will be cleared. Grass and scrubs will be managed in accordance with Annex B (refer to 240-52456757) which is biome and land use dependent
22 kV	11 m	4m on either side of the center line will be cleared. Grass and scrubs will be managed in accordance with Annex B (refer to 240-52456757) which is biome and land use dependent
88 kV	11 m	5 m on either side of the center line will be cleared. Grass and scrubs will be managed in accordance with Annex B

		(refer to 24052456757) which is biome and land use dependent
132 kV	15, 5 m	8 m on either side of the center line will be cleared. Grass and scrubs will be managed in accordance with Annex B (refer to 24052456757) which is biome and land use dependent
220 to 765 kV	22m to 40 m	Clear from the center of the power line up to the outer conductor, plus an additional 10 meters on either side. Grass and scrubs will be managed in accordance with Annex B (refer to 240 52456757) which is biome and land use dependent.
533 kV DC	15 m	8 m either side of the center line will be cleared. Grass and scrubs will be managed to a width of 15 meters on either side of the center of the line.

14. Road Reserve Fire Breaks

Any road reserve identified by the controlling authority as serving a fire prevention function shall be maintained as an effective firebreak to reduce the risk of vegetation fire spread. Firebreaks shall be established and maintained on both sides of the road reserve, with a minimum width equivalent to three (3) times the height of the adjoining vegetation.

In determining the extent and maintenance of such firebreaks, particular consideration shall be given to areas containing highly flammable or fire-prone vegetation. All road reserve firebreaks shall be established and maintained in accordance with the applicable firebreak guidelines set out in Table 1.

15. Plantation Fire Breaks

1. Firebreaks established along the perimeter of commercial forestry plantations shall have a minimum width of ten (10) metres, unless otherwise justified by site-specific risk conditions. Existing natural or artificial barriers, including but not limited to rivers, streams, roads, cultivated farmland, or other permanently maintained fuel-reduced

areas, may be accepted as adequate or partial fire protection measures where they provide an equivalent level of fire resistance to a constructed firebreak.

2. In determining the required width, configuration, and maintenance of plantation firebreaks, due consideration shall be given to:

- (a) The slope and aspect of the land.
- (b) The type, density, and height of adjacent vegetation.
- (c) Prevailing wind conditions; and
- (d) The overall wildfire risk profile of the area.

3. All plantation firebreaks shall be established and maintained in accordance with forestry fire management norms and standards and the general firebreak guidelines set out in Table 1.

16. Railway Fire Breaks

The landowner, railway authority, and/or adjoining landowners, as applicable, shall ensure that firebreaks are established and maintained adjacent to railway reserves in order to reduce the risk of veldfire spread to or from railway infrastructure and adjoining properties. Firebreaks adjacent to railway lines shall comply with the following requirements:

1. **Minimum Width (General Areas)**
Firebreaks shall be of sufficient width to provide a reasonable prospect of preventing the spread of a veldfire but shall not be less than three (3) metres, measured inward from each boundary fence or railway reserve boundary.
2. **Station and High-Risk Areas**
Within station precincts, rail yards, sidings, or other identified high-risk areas, the firebreak width shall not be less than ten (10) metres, measured inward from the boundary fence or designated railway boundary.
3. **Soil Stability**
Firebreaks shall be constructed and maintained in a manner that does not cause or contribute to soil erosion, land degradation, or instability.
4. **Fuel Load Management**
Firebreaks shall be kept reasonably free of combustible vegetation and material capable of supporting or carrying a veldfire across the firebreak.

17. Crops, Vineyards, and Orchards

(1) The owner or person responsible for land used for crops, vineyards, or orchards shall establish and maintain a firebreak immediately adjacent to such cultivated areas and any adjoining wildland or undeveloped land. The firebreak shall be designed to reduce the risk of ember attack, flame contact, radiant heat exposure, and fire-related damage to crops, infrastructure, and agricultural assets.

(2) Natural vegetation, cover crops, or ground cover within crop rows, vineyard alleys, and orchard inter-rows shall be maintained at a minimum height, through regular mowing, grazing, or other approved means, in order to prevent the spread of fire to or from crops, vineyards, and orchards. All firebreak and vegetation management measures shall comply with the applicable firebreak width and maintenance guidelines set out in Table 1.

18. Fences

Each landowner shall ensure that vegetation management and/or firebreaks are established and maintained on both sides of any fence situated on their property, for the purpose of reducing fuel loads and limiting the risk of fire damage to fencing infrastructure. Such vegetation management and firebreaks shall be maintained in accordance with the firebreak width and maintenance guidelines prescribed in Table 1.

19. Water pipelines

(1) To minimise the risk of veld, mountain, and/or wildfire ignition and spread, each landowner shall ensure that all infrastructure, including but not limited to water pipelines and polyethylene (plastic) piping, is either:

- (a) Cleared of adjacent combustible vegetation, or
- (b) Installed below ground level,

where such infrastructure is in areas susceptible to and known for veld or mountainous fires, all necessary measures shall be implemented to reduce vulnerability to fire exposure and to limit the potential for fire spread along infrastructure corridors.

(2) Where underground installation is not practicable, equivalent fire protection measures, including vegetation clearance, shall be implemented to the satisfaction of the Municipality.

20. Permitted Fire Seasons

The Chief Fire Officer of the District Municipality, for the area concerned, will declare the opening and closure of the permitted fire burning season, through the official council public participation procedures. This period is generally 01 April – 30 November. Special permitted burning is considered in line with the South African Weather Bureau Fire Danger Index Indicators for periods outside of the above-mentioned period.

21. Fire Control Zones

Where the Chief Fire Officer of the District Municipality, for the area concerned, is of the opinion that a fire control zone should be declared in an area or that a fire control zone should be disestablished, he or she must cause such intention to be published in terms of the municipality's public participation policy.

22. Controlled burn fire permit

(1) The owner, occupier, or person in charge of any land, outside of the urban perimeter, who requires doing prescribed burning needs a burn permit and must apply to the Garden Route District Municipality Fire & Rescue Services, as prescribed in Schedule 1A of this By-law.

(2) Before the owner or person in charge of a farm or small holding, or an organ of state controlling non-proclaimed non-residential areas, dispose of combustible material by burning, an application in writing to the controlling authority must be done in terms of the applicable legislation set out in Schedule 1 (a).

(3) Burning may take place on state land, a farm, or a small holding, provided that the prior approval is obtained from the controlling authority, and such approval shall be obtained in writing and after approval has been obtained in terms of the applicable legislation set out in Schedule 1 (b)

(4) A burn permit is only valid for a period of eight (8) months, from 01 April to 30 November and must be renewed annually, before April each year.

(5) If at any time the controlling authority becomes aware that the usage of the permit is not in accordance with the issued permit, he must act in terms of section 49 of this By-law, if permission is obtained from the controlling authority on the day of the planned burn.

(6) Controlled Burning will be permitted between Monday and Friday, during the following hours: 06h00 to 18h00.

(7) Controlled Burning will be discretionally permitted any day and time during the annual year, i.e. exceptional permits, having due regard for the Fire Danger Index, as provided by official weather services, i.e. the South African Weather Bureau or any successor to that Bureau, including the necessary control measures being satisfied.

(8) Exceptional permits may be issued for weekends or public holiday burning by the Chief Fire Officer, and the following requirements shall be met before such exceptional permits are issued.

(a) Application must be in writing, 48 hours before the day of the intended burn.

(b) Approval must be given in writing before the burn can take place.

(c) The Chief Fire Officer shall have the discretion to prevent such burning based on several parameters such as weather forecasts.

- (d) Established norms with respect to the Fire Danger Index (FDI) conditions would prevail.
- (e) A full crew of minimum 15-man team of trained firefighting personnel is to be present for the prescribe burn and for the cost of the landowner, and depending on the size, the amount of teams could increase.
- (f) Depending on the FDI, aerial support is to be available on standby to be called on in event of emergency and for the cost of the landowner. Proof of this is to be made available to the Chief Fire Officer before the issue of the exceptional permit.
- (g) The landowner shall carry the responsibility and accountability of civil responsibility to neighbors.
- (h) Apart from burning in terms of exceptional permits, no burning is allowed on Saturdays, Sundays or public holidays.
- (j) A burn permit is valid only:
- (i) for the land or property for which it was issued.
 - (ii) for the state of the premises at the time of issue, and
 - (iii) for the time stated on the permit.
- (9) The burn permit must always be available on the premises for inspection.
- (10) The controlling authority must keep records of all land or property in respect of which a burn permit has been issued, amended, and renewed.

23. Light, Use or Maintain a fire in the open air

- (1) The lighting of fires and the disposal of combustible material by burning are prohibited, save for in the circumstances set out in this section.
- (2) A person may light a fire or use a flame-emitting device for the purpose of preparing food or for any other domestic purpose in a manner which will not cause a veld fire hazard or other threatening danger.
- (3) The owner or person in charge of the premises used in respect of an occupancy of entertainment or public assembly must ensure that a cooking fire or flame-emitting device is placed in designated areas to prevent a fire hazard or other threatening danger.
- (4) When the Minister: Department Forestry's Fisheries and the Environment (DFFE) has published a warning in terms of the fire danger rating and in terms of section 9 and 10 of the National Veld and Forest Fire Amendment Act, 2003 and particularly for the Fire Danger Index, Orange: The orange fire danger rating, for which the danger rating is high, prescribing that no fires are allowed in the open air during this rating and Fire Danger Index: Red, the red fire danger rating, for which the danger rating is high-extreme, prescribing that NO fires may be allowed under any circumstances in the open air, no fires may be allowed or lit.

(5) No ploughing of grasslands and combustible vegetation in areas prone to fire ignition, and use of motorized equipment which may emit sparks, may be used on Fire Danger Index Orange and Fire Danger Index: Red.

(6) Beehive smokers: Fire lit, maintained or used in connection with the management of bees and bee hives is permitted, however not on days when the Fire Danger Index is determined as Orange and Red, provided that:

(6.1) the fire is lit, maintained and used in a beehive smoker that is commercially available, made of metal and designed to prevent the escape from fire, and

(6.2) the fuel for the beehive smoker is lit inside a building or vehicle by a responsible adult person, and the smoker is sealed prior to leaving the building or vehicle and being taken to the hives, and

(6.3) fire is not permitted to escape from the beehive smoker, and

(6.4) the beehive smoker is always under the supervision of a responsible adult while it is a light, and

(6.5) the fuel for the beehive smoker is totally extinguished inside a building or vehicle by the responsible adult person at the completion of use of the smoker.

(7) Religious fire practices - religious fire practices are subject to the requirements of sections 20 and 21 of this by law.

CHAPTER 5

CHEMICAL FIRE SERVICES

24. Application of this Chapter

1. Notwithstanding the provisions of the *Hazardous Substances Act, 1973 (Act No. 15 of 1973)*, the *Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)*, and the *National Road Traffic Act, 1996 (Act No. 93 of 1996)*, this Chapter regulates chemical firefighting services and the transport of dangerous goods on provincial and national roads traversing the Garden Route District.
2. Chemical Fire Services shall be recognized as specialized firefighting services forming part of the broader Fire and Rescue Services provided by the District Municipality. These services are specifically designed to manage fires and incidents involving flammable liquids, gases, and other hazardous substances, and are essential to safeguarding life, property, and the environment in areas where such materials are present.
3. The Garden Route District Municipality shall establish and maintain a Chemical Fire Services capability as a specialized component of its Fire and Rescue Service. This capability shall be responsible for:

- (a) Responding to chemical emergencies and hazardous material incidents.
 - (b) Managing toxic gas releases and industrial chemical fires.
 - (c) Attending to transportation accidents involving dangerous goods.
 - (d) Addressing environmental contamination incidents.
 - (e) Responding to any other emergency involving hazardous substances.
4. The District Municipality shall ensure the availability and maintenance of specialized personnel, equipment, vehicles, and operational protocols necessary to perform the functions outlined in this Chapter

25. Authority of the Chief Fire Officer

The Chief Fire Officer of the Garden Route District municipality shall be vested with the authority to—

- (1) Establish, maintain, and oversee a Hazardous Materials Response capability for the Garden Route District Municipality.
- (2) Develop, implement, and enforce operational procedures for chemical incident response.
- (3) Determine and prescribe response zones, operational standards, and safety procedures applicable to chemical fire services.
- (4) Coordinate emergency response activities with relevant authorities and stakeholders, including but not limited to:
 - (a) Local municipalities
 - (b) Designated Fire Services
 - (c) Environmental authorities
 - (d) South African Police Service
 - (e) Disaster management structures
 - (f) Emergency Medical Services
 - (g) Industry stakeholders
 - (h) Environmental Health Services
 - (i) Law enforcement agencies
- (5) Order the evacuation, isolation, or containment of any area affected by a chemical incident, where such action is deemed necessary to protect life, property, and the environment

26. Duties of Owners and Operators of Hazardous Installations

Any person who stores, manufactures, transports, or uses hazardous substances within the jurisdiction of the District Municipality shall be required to—

- (a) Establish and maintain a Hazardous Chemical Inventory Register on the premises, reflecting all hazardous substances present.
- (b) Provide and make available Safety Data Sheets (SDS) for all hazardous substances stored, manufactured, transported, or used.
- (c) Notify the Fire and Rescue Service of the presence of dangerous goods where such goods exceed prescribed thresholds determined in terms of applicable legislation or municipal regulations.
- (d) Develop, implement, and maintain emergency response plans for chemical incidents, which shall be subject to review by the Fire and Rescue Service.
- (e) Permit inspection of premises, facilities, vehicles, and records by duly authorized officials of the Fire and Rescue Service for the purpose of verifying compliance with this Chapter.
- (f) Immediately report to the Fire and Rescue Service any spill, leak, explosion, or uncontrolled release of hazardous substances, and cooperate fully with emergency response measures.

27. Registration of Hazardous Premises

The Chief Fire Officer may, by written notice, require any premises that stores, manufactures, transports, or otherwise handles hazardous materials to register such with the Fire and Rescue Service.

The registration shall include, at a minimum—

- (a) the types and quantities of chemicals present.
- (b) the specific storage locations of such chemicals.
- (c) emergency contact details of responsible persons.
- (d) risk mitigation measures implemented on the premises.

Registered premises may be required to contribute to the municipal Hazardous Materials Response readiness planning, including the provision of information, resources, or participation in joint exercises, as determined by the Chief Fire Officer.

28. Chemical Incident Reporting

Any person who is responsible for, or who becomes aware of, a chemical incident shall—

- (a) Immediately report the incident to the relevant local municipality, which shall in turn notify the Garden Route District Municipality Fire and Rescue Service, or alternatively report the incident directly to the District Municipality.
- (b) Take all reasonable steps to prevent the escalation of the incident pending the arrival of emergency responders.
- (c) Cooperate fully with the Fire and Rescue Service and any other responding authorities in the management of the incident.
- (d) Be guilty of an offence if they fail to report a chemical incident as required under this Chapter.

29. Emergency Powers

During a chemical incident, the Chief Fire Officer, or any officer duly delegated by the Chief Fire Officer, shall be vested with the authority to—

- (a) Establish and enforce an incident control zone to ensure the safety of responders and the public.
- (b) Close or restrict access to roads, public spaces, or other areas as necessary to contain or manage the incident.
- (c) Order the evacuation of buildings, premises, or areas where life, property, or the environment is at risk.
- (d) Restrict or prohibit access to hazardous zones until such time as the area is declared safe.
- (e) Direct the removal, neutralization, or safe disposal of hazardous materials involved in the incident.
- (f) Request and coordinate specialized assistance from provincial or national agencies, or any other authority deemed necessary to effectively manage the incident.

30. Cost Recovery

Where a chemical incident occurs, whether accidental, as a result of negligence, non-compliance with applicable legislation or the municipal bylaw, or any other wrongful act or omission, the District Municipality may recover all reasonable costs incurred in responding to such incident, including but not limited to—

- (a) the deployment and use of specialized equipment.
- (b) hazardous material containment and control measures.
- (c) environmental mitigation and restoration activities.
- (d) decontamination of affected persons, property, or areas.
- (e) the provision of emergency response personnel and associated resources.

Such costs shall be recoverable from the person responsible for the incident in accordance with the approved municipal tariffs applicable to specialized firefighting and hazardous materials response services.

31. Classes of Dangerous Goods

The following table represents the Dangerous Goods Classes and their storage capacity.

TABLE 3

DANGEROUS GOODS CLASS	PRODUCT	QUANTITY
	Class 1: Explosives	
Class 1	Fire Works	No exemption
	Class 2: Gasses	
Class 2.1	Flammable gas	Total quantity may not exceed 100 Kg
Class 2.2	Non-Flammable Gas	Total quantity may not exceed 333 Kg
	Class 3: Flammable liquids	
Class 3.1	Closed cup flash point < 23 °C and initial boiling point ≤35 °C	Total quantity may not exceed 210 Lt
Class 3.2	Closed cup flash point < 23 °C and initial boiling point > 35 °C	Total quantity may not exceed 500 Lt
Class 3.3	Closed cup flash point ~ ≥23≤ 60°C and initial boiling point >35°C	Total quantity may not exceed 1000 Lt
Class 3.4	Closed cup flash point >60≤100°C and initial boiling point >35°C	Total quantity may not exceed 1000 Lt
	Class 4: Flammable solids	
Class 4.1	Flammable solids	Total quantity may not exceed 250 Kg

Class 4.2	Pyrophoric substances	No exemption
Class 4.3	Water reactive substances	No exemption
	Class 5: Oxidizing agents and organic peroxides	
Class 5.1	Oxidizers	Total quantity may not exceed 250 Kg
Class 5.2	Organic peroxides	Total quantity may not exceed 250 Kg
	Class 6: Toxic and infectious substances	
Class 6.1	Group I toxic substances	Total quantity may not exceed 5 Kg
Class 6.2	Group II toxic substances	Total quantity may not exceed 50 Kg
Class 6.3	Group III toxic substances	Total quantity may not exceed 500 Kg
Class 6.4	Infective substances	No exemption
	Class 7: Radioactive No exemption materials	
Class 7	Radioactive materials	No exemption
	Class 8: Corrosives	
Class 8.1	Group I acids in packets	Total quantity may not exceed 50 Kg
Class 8.2	Group II acids in packets	Total quantity may not exceed 200 Kg
Class 8.3	Group III acids in packets	Total quantity may not exceed 1000 Kg
Class 8.4	Group I alkaline substances	Total quantity may not exceed 50 Kg

	in packets	
Class 8.5	Group II alkaline substances in packets	Total quantity may not exceed 200 Kg
Class 8.6	Group III alkaline substances in packets	Total quantity may not exceed 1000 Kg
	Class 9: Miscellaneous substances	
Class 9	Liquids	Total quantity may not exceed 210 Lt
	Solids	Total quantity may not exceed 250 Kg
	Multi Load (Transport)	No exception

32. Transport, Supply and Delivery of Dangerous Goods

The transport, supply, and delivery of dangerous goods involve a series of steps and considerations to ensure safety and compliance.

33. Dangerous goods certificate

1. The owner, person in control, or operator of a motor vehicle shall be in possession of a valid dangerous goods certificate in order to convey dangerous goods on such motor vehicle.
2. No owner, person in control, or operator of a motor vehicle may transport dangerous goods in quantities exceeding those contemplated in *Table 3* unless a dangerous goods certificate has been issued by the relevant and authorized municipality.
3. An application for a dangerous goods certificate must be made on the prescribed form to the relevant local municipality.
4. The municipality may request any information from the applicant which it deems necessary in order to consider the application for a dangerous goods certificate.
5. A dangerous goods certificate shall confirm that the motor vehicle concerned complies with the requirements of this By-law and the applicable South African National Standards (SANS), including but not limited to:

(a) SANS 10087

(b) SANS 10228

(c) SANS 10229

(d) SANS 10231

(e) SANS 10232

(f) SANS 10233

(g) SANS 1157

(h) SANS 1518

(i) SANS 10187-8

(k) SANS 10263 or any other relevant codes acceptable to the authorizing municipality.

6. A dangerous goods certificate must be renewed— (a) not later than twenty-one (21) days after the expiry date indicated on the certificate; and (b) whenever major maintenance, repairs, or modifications have been affected on the motor vehicle.
7. If, at any time, the inspecting municipality becomes aware that the usage of a motor vehicle is not in accordance with the dangerous goods certificate or any provision of this By-law, it may act in terms of sections 44 and 46 of this By-law.
8. A consignor or supplier of dangerous goods may not supply dangerous goods in excess of the quantities stipulated in subsection (2) to an operator of a motor vehicle unless the operator is in possession of a valid dangerous goods certificate issued by a relevant approving municipality.
9. A dangerous goods certificate shall be valid only for the motor vehicle for which it was issued and in respect of the quantities stated therein.
10. The dangerous goods certificate must be displayed at all times in the motor vehicle for which it was issued, for inspection by a relevant controlling authority.
11. Issuing municipalities must keep records of all motor vehicles in respect of which a dangerous goods certificate has been issued, amended, and/or renewed.
12. Portable containers and their components must— (a) be leak-free before being loaded into vehicles; (b) be transported in a rack, frame, or on a flat secure surface; (c) be fastened in a position to minimize movement, tipping, or physical damage relative to each other or the supporting structure whilst in transit; and (d) be transported in the upright position unless designed to be transported otherwise.

13. The operator of a motor vehicle may not deliver dangerous goods to— (a) unregistered premises, in excess of the quantities contemplated in *Table 3*, unless such premises are registered in accordance with this By-law; or (b) registered premises, in excess of the quantities stipulated on the dangerous goods certificate issued to such premises.
14. Any container for liquefied petroleum gas found on a motor vehicle shall be deemed to be full until the contrary is proved.
15. A dangerous goods certificate issued by another municipality in terms of a by-law applying to the jurisdiction of such authority and having the same or similar provisions as this By-law, shall be recognized by the Garden Route District Municipality as acceptable, provided that such authority has been approved by the District Municipality for this purpose.
16. The Garden Route District Municipality reserves the right to inspect any motor vehicle prior to recognizing a certificate issued by another municipality.
17. Any person who alters or attempts to alter a dangerous goods certificate shall be guilty of an offence, and such certificate shall be withdrawn with immediate effect by the inspecting municipality.

34. Conditions of dangerous goods certificate

A person may not, on any motor vehicle, carry—

- (a) any quantity of dangerous goods exceeding the amount stated on the dangerous goods certificate issued in respect of such motor vehicle; or
- (b) any dangerous goods of a class other than the class or classes specified on the dangerous goods certificate issued in respect of such motor vehicle.

35. Suspension or cancellation of a dangerous goods certificate

1. In the event that the holder of a dangerous goods certificate is convicted of a contravention of this By-law on two or more occasions, the Municipality shall issue a written notice of its intention to cancel or suspend the certificate. Such notice must be delivered at least fourteen (14) days prior to the proposed cancellation or suspension.
2. The holder of the certificate may, within fourteen (14) days of receipt of the notice contemplated in subsection (1), submit written representations to the Municipality, providing reasons why the certificate should not be cancelled or suspended.
3. Where the written representations submitted by the holder are unsuccessful, the Municipality shall cancel the certificate and endorse such cancellation accordingly.

36. Transfer of dangerous goods certificate

1. Notwithstanding the requirements of Section 33 of this By-law, a dangerous goods certificate may be transferred from one person to another, provided that—
 - (a) no changes are made to the information captured on the dangerous goods certificate; and
 - (b) the certificate shall not be transferable from one motor vehicle to another. The vehicle registration number shall serve as proof of the motor vehicle to which the certificate applies.
2. Any person desiring a transfer of a dangerous goods certificate as contemplated in subsection (1) must submit a written application to the relevant municipality on the prescribed form, together with any information the municipality may require in order to consider the application.

37. General prohibition regarding transport, supply, and delivery of dangerous goods

1. The owner or person in control of a motor vehicle in respect of which a dangerous goods certificate has been issued must ensure that a nine (9) kilogram Dry Chemical Powder fire extinguisher, or an equivalent device acceptable to the Municipality, is readily available and accessible near the place where the transfer of dangerous goods is carried out.
2. No person may take onto or across any public sidewalk the hose of a pump for the purpose of replenishing any motor vehicle or container with flammable liquid or replenish any motor vehicle or container standing on any public sidewalk.
3. No person may transfer any flammable liquids on or across any public place or public road for the purpose of replenishing any motor vehicle or container with flammable liquid.
4. No person may—
 - (a) bring or cause to be brought any fire, naked light, flame, or other flame-emitting device likely to ignite dangerous goods within 4.5 metres of any motor vehicle in which such dangerous goods are transported;
 - (b) carry or permit to be carried any matches, cigarette lighter, or similar contrivance on any motor vehicle used for the transportation of dangerous goods; or
 - (c) smoke, be in possession of a lit cigarette, cigar, or pipe, or permit any other person to do so within 4.5 metres of a motor vehicle used for the transportation of dangerous goods, or during the filling, loading, or off-loading of such dangerous goods.

38. Condition of motor vehicle used for conveyance of dangerous goods

1. The owner or person in control of a motor vehicle in respect of which a dangerous goods certificate has been issued must ensure that such vehicle is maintained and operated in compliance with SANS 10087, SANS 10228, SANS 10229, SANS 10231, SANS 10232, SANS 10233, SANS 1157, SANS 1518, SANS 10187-8, SANS 10263, the requirements of the National Road Traffic Act, No. 93 of 1996, as amended, or any other relevant code acceptable to the Municipality.

2. The load on a motor vehicle transporting dangerous goods must be secured to the satisfaction of the inspecting Municipality, subject to the requirements of SANS 10187-8.

3. Any motor vehicle used for the conveyance of dangerous goods that is not included in SANS 1157 must comply with a specific standard and/or manufacturer's specification acceptable to the inspecting Municipality.

4. No person may—

(a) park a motor vehicle carrying dangerous goods on a public road or public place unless such parking is necessary for the loading or off-loading of dangerous goods on premises adjacent to the place where the motor vehicle is parked, and only for such period of time as is reasonably necessary for such loading or off-loading, unless the vehicle is parked in an area designated by the Municipality or under circumstances beyond the control of the driver;

(b) cause or permit such motor vehicle to park on or across any footpath during loading or off-loading operations.

(c) place or cause to be placed any hose across a footpath during loading or off-loading operations; or

(d) cause or permit such motor vehicle to park facing in any direction other than toward the exit during delivery operations.

5. The owner, person in control, or operator of a motor vehicle in which dangerous goods are conveyed must take all reasonable precautions to prevent accidents that could cause fire or explosion, and to prevent access by any unauthorized person to any motor vehicle or container whilst in transit.

39. Dangerous Goods Vehicles Inspections

Notwithstanding the provisions of the National Road Traffic Act, large carriers carrying vehicles which are not identified and passing through the district may be inspected and dangerous goods carriers may undergo routine inspections by the Garden Route District Municipality Fire and Rescue Services, to ensure compliance with regulations.

40. Labelling and Signage

All dangerous goods vehicles must be properly labelled, and the necessary signage must be accurately and clearly displayed.

41. Control of Incidents

1. For the purposes of this By-law, "incident" shall bear the meaning assigned in Section 30(1) of the National Environmental Management Act, Act No. 107 of 1998 ("NEMA"), namely: the unexpected, sudden, and uncontrolled release of a hazardous substance, including from a major emission, fire, or explosion, that causes, has caused, or may cause significant harm to the environment, human life, or property.

2. In terms of subsections (6) and (7) of Section 30 of NEMA, the relevant authority, being the Municipality with jurisdiction over the area in which an incident occurs, is vested with the legislative mandate to enforce the duty of responsible persons to—

- (a) report the incident.
- (b) undertake clean-up and containment measures.
- (c) remediate affected areas; and
- (d) assess the long-term impacts of the incident.

Such powers may be invoked during either the containment stage or the review stage of incident management.

3. The Garden Route District Municipality Fire and Rescue Services is legally mandated to respond to chemical fires and dangerous goods incidents occurring on all major routes across the district.

4. In terms of subsections (8) to (10) of Section 30 of NEMA, the relevant authority may intervene and undertake clean-up, remediation, and assessment activities on behalf of the person responsible for the incident. The Municipality shall be entitled to recover from the person responsible all reasonable expenses incurred in the execution of such activities. This intervention may commence during the containment stage and conclude during the review stage.

CHAPTER 6

PUBLIC SAFETY

42. Attendance of a service

When the controlling authority is of the opinion that a service is required to be in attendance during an event (including a prescribed burn) or function, in a place used for entertainment or public assembly, within its scope of responsibility, he may provide, in the interest of public safety and subject to the exigencies of the service, one or more members, a vehicle or equipment of a service to be in attendance on the premises for the duration of the function or part thereof. When the attendance of a service during a function in a place used for entertainment or public assembly involves costs, the costs incurred by the Municipality may be recovered from the person in charge of the function in accordance with section 51 of this By-law.

43. Water supply for fire-fighting purposes

(1) The owner of land or the person in charge of a building, farm stead, development or construction on any land must ensure that sufficient water supply is provided on such land or premises for fire-fighting purposes by members of the fire service as contemplated in SANS 10252-1 and SANS 10400.

(2) Any person contemplated in sub section 1 above must ensure that the water storage capacity and rate of replenishment or supply thereof are sufficient for fire-fighting purposes.

(3) Where municipal supply is insufficient, dedicated fire water storage tanks should be available. Water connections for firefighting equipment must remain clear and accessible, with routine checks to prevent blockages or leaks.

(4) For veld fire purposes, landowners in the rural areas must best ensure that open water sources, including dams and ponds, are available and maintained for water supply, for veld and mountain firefighting purposes, including for use by aerial firefighting equipment.

CHAPTER 07

ADMINISTRATIVE PROVISIONS

44. Enforcement provisions

(1) The controlling authority may, whenever he regards it as necessary or expedient to do so, enter any premises at any reasonable time to ensure compliance with this by-law.

(2) The controlling authority has the authority to summarily abate any condition which is in violation of any provision of this by-law, and which presents an immediate fire hazard or other threatening danger.

(3) The controlling authority must remedy any violation mentioned in subsection (2) by performing any act, and may also:

(a) order the cessation of any activity, and

(b) order the removal of the immediate threat.

(4) Any costs of such action must be borne by the person deemed by a controlling authority to be responsible for the existence of such condition.

45. Authority to investigate and right of access

Notwithstanding anything to the contrary contained in any other law, the controlling authority has the authority to investigate the cause, origin and circumstances of any fire or other threatening danger.

46. Failure to comply with provisions

(1) When the controlling authority, including the Chief Fire Officer, finds that there is no compliance with the provisions of this by-law, excluding the circumstances as provided for in section 58 (2) of this by-law, a written notice, including the following must be issued:

(a) confirmation of the findings.

(b) provisions of this by-law that are being contravened

(c) the remedial action required; and

(d) the time within which the notice must be complied with.

(2) An order or notice issued under this by-law must be served either by personal delivery or registered mail upon a person who is in the opinion of the controlling authority, deemed to be the appropriate person.

(3) For unattended or abandoned premises, a copy of such order or notice will be posted on the premises in a conspicuous place at or near the entrance to such premises and the order or notice must be mailed by registered mail, to the last known address of the owner, the person in charge of the premises or both.

(4) Notwithstanding the provisions contained in subsection (1), a spot fine may be issued when the controlling authority finds that there is no compliance with the provisions of this by-law.

47. Interference with the service

(1) No person may interfere with, prevent, obstruct, or hinder the Chief Fire Officer, the Municipal Manager, or any delegated member in the execution of his or her duties as contemplated in this bylaw.

(2) Any person who contravenes subsection (1) commits an offence.

48. Furnishing of false information

(1) No person may willfully give any member of the service any notice, or furnish any information regarding an outbreak of fire, or any other emergency requiring the attendance of the service, and which, to his or her knowledge, is false or inaccurate.

(2) Any person who contravenes subsection (1) commits an offence.

49. Denial, suspension or revocation of an approval of a certificate

The controlling authority, including the chief fire officer, may refuse, suspend, or revoke an approval of a certificate required by this by-law for:

(a) failure to meet the provisions of this by-law for the issuance of the approval or certificate; or

(b) non-compliance with the provisions of the approval or certificate.

50. Records required, access to records and release of media statements

(1) The safekeeping of all relevant records and documents is the responsibility of the controlling authority in terms of the National Archives and Record Service of South Africa, Act 43 of 1996. A request for access to a record held for the purpose or regarding the exercise of power or the performance of a function in respect of the Service must be made in accordance with the provisions of the Promotion of Access to Information Act, Act No.2 of 2000.

(2) Media statements regarding the Service will only be released as prescribed in terms of the communication strategy of the municipality.

51. Charges

(1) The Municipality may determine the fees payable by a person on whose behalf it, the controlling authority, rendered a service as contemplated in section 10 of the Fire Brigade Services Act, Act 99 of 1998.

(2) The Municipality may charge a fee for the provision of an inspection, re-inspection, or any other service, including a fire investigation, as well as the issuing of permits,

approvals, or certificates in accordance with the applicable local government legislation regulating the charging of fees and the approved tariff charges.

(3) Any costs incurred by the municipality in connection with the examination or analysis of any sample taken from any premises for the purposes of this by-law, and a report on such analysis by an institution accredited by the relevant authority, including the chief fire officer, for that purpose may be recovered from the owner or person in charge of the premises or property if such owner or person in charge is not in compliance with this by-law regarding the substance or condition concerned.

(4) Notwithstanding the provisions of subsection (1) the controlling authority, including the chief fire officer, may assess the aggregate of charges as contemplated in subsection (1) or any portion thereof, provided that such portion shall not be less than ninety percent, and / or a adequately, circumstantial, agreed upon aggregate of the charges that would have been payable, provided further that in assessing such charges or portion thereof, with due regard, in addition to other factors, be given to-

(a) the fact that the amount assessed shall be commensurate with the services rendered.

(b) the manner, place and origin of fire or another emergency situation, and

(5) Where charges are assessed in terms of section (51.1) and the person liable to pay such charges is aggrieved by such assessment, he may, in terms of section 10 (3) lodge a written objection in writing against that assessment as such or the amount thereof to the controlling authority concerned.

52. Indemnity

The Municipality, controlling authority or a member of the service is not liable for damage or loss as a result of bodily injury, loss of life, loss of or damage to property or financial loss, which is caused by or arises out of or in connection with anything done or performed in good faith in the exercise or performance of a power, function or duty conferred or imposed in terms of this by-law.

53. Reporting fire hazards and other threatening dangers

An owner or the person in charge of premises, upon discovering any evidence of a fire hazard or other threatening danger pertaining to this by-law, must immediately notify the controlling authority of such fire hazard or other threatening danger. The landowner/s and / or owner/s of premises is liable for any costs associated with services rendered to mitigate the effects of the hazard or threatening danger.

54. Administration and enforcement of this By-Law

(1) The Chief Fire Officer of the Garden Route District Municipality is responsible for the administration and enforcement of this by-law.

(2) Where no Chief Fire Officer has been appointed in terms of the Fire Brigade Services Act, Act 99 of 1987, the Municipal Manager is responsible for the administration and enforcement of this by-law.

(3) Where there is no service established in the area of jurisdiction of the Municipality, the Municipal Manager is responsible for the administration and enforcement of this by-law.

CHAPTER 08

OFFENCES AND PENALTIES

55. Offences and Penalties

(1) Any person who:

- (a) contravenes any of the provisions of this By-law or fails to comply therewith, or
- (b) contravenes or fails to comply with any order made hereunder or any notice served in connection herewith, is guilty of an offence and liable to a maximum fine or imprisonment as prescribed in section 21 of the Fire Brigade Services Act or a fine or imprisonment prescribed in terms of this By-law.

(2) Any person who –

- (a) intentionally resists or obstructs a member of a service including a Chief Fire Officer, in the exercise of his or her powers referred to in section 8(1) of the Fire Brigade Services Act, subsections 46 and section 49 of this By-law,
- (b) summons a service while he or she knows that there is no reason to do so, is guilty of an offence and liable to a maximum fine or imprisonment as prescribed in section 21 of the Fire Brigade Services Act or any relevant Act.
- (c) The imposition of a penalty for any contravention, does not release the guilty party from any liability resulting from his or her unlawful conduct; and
- (d) does not absolve the guilty party from a duty to take measures to correct, remedy or prevent any situation or condition which constitutes such contravention, on his or her own accord or upon any instruction from the controlling authority.

(3) Any person who continues to commit an offence after notice has been served on him or her or fails to cease committing such offence after he or she has been convicted of such offence, is guilty of a continuing offence.

(4) Any person who –

- (a) contravenes any of the provisions of this By-law, conditions or restrictions or fails to comply therewith; or
- (b) contravenes or fail to comply with any order made hereunder or any notice served in connection herewith; or

(c) furnishes a false statement, or give false or misleading information knowing it to be false or misleading;

is guilty of an offence and liable to a –

- (i) Fine or imprisonment, or both such fine and such imprisonment and;
- (ii) In the case of a continuing offence, to an additional fine or an additional period of imprisonment for each day on which such offence is continued and;
- (iii) a further amount equal to any costs and expenses found by the court to have been incurred by the Municipality as a result of such contravention or failure.

(5) The Controlling Authority must instruct a person found guilty to correct or remedy the contravention or defect concerned within a time specified by the Controlling Authority.

CHAPTER 09

GENERAL PROVISIONS (MISCELLANEOUS)

56. Appeals

1) A person whose rights are affected by a decision made by the Municipality in terms of this By-law may appeal against that decision in terms of the appeals provision contained within the Municipal Systems Act, Act 32 of 2000 by giving written notice of the appeal and reasons thereof to the Municipal Manager within 21 days of the date of the notification of the decision.

(2) The Municipal Manager is obliged to promptly submit the appeal to the appropriate appeal authority.

(3) The appeal authority must commence with an appeal within six weeks from the date of lodgment and must decide the appeal within a reasonable period.

(4) The appeal authority must confirm, vary or revoke the decision, but no such revocation or variation of a decision may detract from any rights that may have accrued as a result of the decision.

(5) The appeal authority must furnish written reasons for its decision on all appeal matters.

(6) All appeals lodged are done so in terms of the Municipal Systems Act.

(7) Where a conviction has been affirmed by a court of law and the accused wishes to appeal such conviction, the appeal must take place in terms of the court's appeal process and not in terms of subsections (1) to (5).

57. Delegations

(1) The Chief Fire Officer may delegate any power granted to him in terms of this by-law in accordance with section 19 of the Fire Brigade Services Act, 99 of 1987.

(2) The Municipal Manager may delegate any power granted to him in terms of this by-law in accordance with the system of delegation of the Municipality developed in terms of section 59 of the Municipal Systems Act.

58. Exemption from provisions of this by-law

(1) Any person may make application to the Garden Route District municipality in writing, for an exemption from any provision of this by-law, specifying the reasons for exemption in such application.

(2) The municipality may grant an exemption—

(a) in general, or in particular.

(b) for any period; and

(3) subject to any condition that will provide the same overall fire prevention and protection that would result from the full application of this by-law.

(4) If an exemption is granted in terms of subsection (2), the municipality must issue a certificate of exemption to the person concerned, specifying the scope and period of the exemption and any condition imposed.

(5) The municipality may amend or withdraw a certificate of exemption at any time.

(6) The holder of a certificate of exemption must ensure that the certificate is available on the premises concerned at all times for inspection by any member.

59. State Bound (By-law binds State)

This by-law binds any organ of state and any person in the service of any organ of state as defined in section 239 of the Constitution, 1996.

60. Repeal of by-laws and savings

The provisions of any by-laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality, are hereby repealed as far as they relate to matters provided for in this by-law, and insofar as it has been made applicable to the municipality by the authorization of the execution of powers and functions in terms of section 84(3) of the Local Government: Municipal Structures Act, Act 117 of 1998.

61. Service Delivery Arrangements

In an effort to achieve optimal service delivery in terms of this By-Law, the Garden Route District Municipality may enter into agreements with the Local Municipalities in the region with which legislative and executive powers are shared, in respect of any related matters including

- (a) the practical arrangements regarding the execution of the provisions of this By-Law.
- (b) the imposition and enforcement of conditions which pertain to related functions and powers.
- (c) mechanisms for the settlement of disputes regarding the powers and functions of this By-Law or the matters on which have been agreed, and
- (d) any other matter regarded necessary by the parties to achieve optimal service delivery in terms of this By-Law or other prescriptions.

62. Short title and commencement

This by-law shall be known as the Garden Route District Municipality Veld, Mountain & Chemical Fire Services By-law, 2026 and comes into operation on the date of publication in the Provincial Gazette.

SCHEDULE 1 (FORMS)

- A. Application to do a prescribed burn.
- B. Prescribe Burn permit.

A. APPLICATION TO DO A PRESCRIBED/CONTROLLED BURN

Prescribed / Control Burn (please indicate) Application No., Date received		GARDEN ROUTE DISTRICT MUNICIPALITY Fire & Rescue Services	
<u>APPLICATION FOR PERMISSION TO DO A PRESCRIBED / CONTROL BURN</u>			
Application for permission to conduct a prescribed burn is made in terms of Garden Route District Municipality By-Law Relating to Veld, Mountain and Chemical Fire Management, Chapter 04 Section 22			
PROPERTY DETAILS			
NAME OF PROPERTY			
ERF/FARM NUMBER			
ADDRESS			
LOCAL MUNICIPALITY			
OWNER DETAILS (Person responsible for account, if necessary)			
OWNER		ID NUMBER	
ADDRESS		CONTACT NUMBER	
RESPONSIBLE PERSON (Person in control of the fire)			
NAME		CONTACT NUMBER	
BURN AREA AND FLORA			
REASON FOR BURN			
VELD TYPE			
SIZE OF BURN			
RARE AND ENDANGERED			

SPECIES, PROTECTED AREAS		
EXOTIC SPECIES PRESENT	None	
SUFFICIENT PROTECTION AROUND AREA: FIRE BREAKS, NATURAL FIRE BREAKS, RIVERS, AGRICULTURAL LAND, EXPOSURES	Yes	No
INTENDED BURN DIRECTION AND PREFERRED WIND DIRECTION		

RESOURCES PRESENT DURING BURN		
DESCRIPTION	AMOUNT: OWN	AMOUNT: OTHER STAKEHOLDERS
Trained personnel		
Fire Beaters		
Knapsacks		
Bakkie Sakkies or Tractor Carts		
Tenders < 1000L		
Tenders > 1000L		
Water pumps and hoses		
Water Sources: Dam or Filling Point		
Working on Fire		
Local Municipality or Garden Route DM		Garden Route DM

B. PRESCRIBED BURN PERMIT

Application No. _____ Permit No. _____ Collab No. _____		GARDEN ROUTE DISTRICT MUNICIPALITY Fire & Rescue Services	
APPLICANT			
ERF/FARM NUMBER			
ADDRESS			
BURN MATERIAL TYPE			
SIZE OF AREA BURNING			
REASON FOR BURNING			
PERIOD VALID	from		to

- Permission is hereby granted to the Applicant to carry out a controlled burn of material and on the site as indicated on this permit.
- All the pre-requisites as indicated in the application for a burn permit, the general rules and any additional requirements listed on this permit, must be in place before the burn and on the day of the burn.
- The issuing Authority of this permit will not be responsible for any damage or loss, caused by any fire or action taken by the Permit Holder, due to the fact that all pre-requisites and controls are verified during inspection of the burn area.
- The Permit Holder and / or his agent or appointed burn specialist accepts responsibility for any damage that might occur because of the controlled burn or negligence at the time of the controlled burn.
- The Applicant must telephonically or in person contact the Garden Route Fire and Rescue Service on the day of the intended controlled burn, prior to carrying out the controlled burn.
- Controlled burning must cease on the day of the burn unless by prior arrangement, due to weather or other circumstances, was made with the Garden Route District Municipality Fire and Rescue Service.
- It is and remains the permit holder's responsibility to ensure that mop up operations take place after the controlled burn to ensure the fire is extinguished and/or containing and posing no threat of intensifying and/or spreading.
- Where the fire spreads beyond the permitted area and spreads

further, the Fire and Rescue Services of the Garden Route District Municipality must be notified immediately, and any fire suppression assistance will be for the cost of the permit holder.

Additional requirements:		
APPICATION/INSPECTION FEE R..... excl vat	R	
RECEIPT No		
Permit issued by:	Title:	Department:

Signature

Date

Open Community Fire Safety By-Law, 2002

The Garden Route District Municipality, in terms of establishment notice 2003, for Kannaland Municipality (WC041), being responsible for the inclusive firefighting function, adopt the Open Community Fire Safety By-Law, 2003, as amended 21 August 2015 and includes any amendments published up to 20 March 2026 and implementing the regulations of the National Building Regulations Act, 103 of 1977, Occupational Health and Safety & Regulations, Act 85 of 1993, the National Road Traffic Act, Act 93 of 1996, Hazardous Substances Act, 15 of 1973 and relevant SANS Codes and Specifications, as referenced in the Open Community Fire Safety By-Law, and which includes the following provisions.

Chapters

1. Definitions
2. Administrative provisions
3. Fire protection of buildings
4. Fire safety equipment
5. Public safety
6. Housekeeping
7. Fire hazards and firebreaks
8. Flammable substances
9. Transportation of dangerous goods
10. General provisions
11. Fireworks

Schedules

Schedule 1

Schedule 2

Schedule 3

Schedule 4

SCHEDULE 1.1 (FORMS)

- C. Application for a public fireworks display.
- D. Public fireworks display certificate.
- E. Application for a dangerous goods certificate.
- F. Dangerous goods certificate.
- G. Application for a flammable substance certificate.
- H. Flammable substance certificate.
- I. Events Application Form

K. Population Certificate Application

L. Population Certificate

M. Construction of spray boots.

C. APPLICATION FOR PUBLIC FIREWORKS DISPLAY

For official use only Application No. __ Certificate No. _____ Collab No. _____	GARDEN ROUTE DISTRICT MUNICIPALITY Fire Services
APPLICATION FOR PUBLIC FIREWORKS DISPLAY Application for permission for a public fireworks display is made in terms of Garden Route District Municipality adopted Open Community Fire Safety By-Law	
Name of Applicant / Contact Person	
Trading as	
Contact Numbers	
Postal Address (Applicant)	
Venue / Location of Display	
Erf Number	
Owner of Property	
Reason for Display	
Date(s) of Display	
Time(s) of Display	
Duration of Display	
Details of Fireworks (Pyrotechnics to be Used)	
Name of Pyro technician / Company / responsible person in charge of display	
NOTE: <ul style="list-style-type: none"> ▶ <i>This application must be submitted at least 14 days prior to the date of the fireworks display and will be subject to such conditions as may be determined by the controlling authority.</i> ▶ <i>Application must include a sketch plan of venue / location indicating the firing point, spectator area, safety distances, etc.</i> ▶ <i>The person, company, or organization responsible for the fireworks display shall supply the Garden Route District Municipality with an indemnity in order to safeguard the</i> 	

<p>local authority and its officials from any claims resulting in a loss of life, injury or damage to property that may result from the public fireworks display.</p> <p>► In terms of the Explosives Act (Act 26 of 1956), permission must be obtained from the South African Police Services (Chief Inspector of Explosives), prior to the fireworks display taking place (copy to be forwarded to this office)</p>	
REMARKS:	
Signature of Applicant:	
Address:	
Telephone No.:	
For controlling authority: (Signature)	
Print Name:	
<p>An application/inspection fee of R... excl. vat per 15 minutes is payable to GARDEN ROUTE DISTRICT MUNICIPALITY in respect of this application and the subsequent inspection.</p>	
For controlling authority (Signature)	Date of Issue:
Name of issuing official:	Designation:

D. PUBLIC FIREWORKS DISPLAY CERTIFICATE

For official use only Application N _____	GARDEN ROUTE DISTRICT MUNICIPALITY Fire Services
Permit No. _____	
APPLICANT DETAILS	
NAME OF APPLICANT	
ADDRESS	
CONTACT DETAILS	
VENUE/LOCATION OF PREMISES	
For Controlling Authority: Application Details	
APPLICATION/INSPECTION FEE R..... excl. vat per 15 minutes	R

RECEIPT No			
APPROVED (Subject to attached conditions)		APPROVAL PERIOD	
		from (date)	to (date)
APPROVING OFFICIAL NAME			
APPROVING OFFICIAL SIGNATURE			
DATE			

E. APPLICATION FOR DANGEROUS GOODS CERTIFICATE

For official use only Application No. _____ File No. _____		GARDEN ROUTE DISTRICT MUNICIPALITY Fire & Rescue Services	
DANGEROUS GOODS CERTIFICATE APPLICATION			
An application to convey dangerous goods is made in terms of Garden Route District Municipality adopted Open Community Fire Safety By-Law			
NAME OF OPERATOR			
TRADING AS			
ERF NO.			
ADDRESS			
CONTACT No.			
LOCATION OF VEHICLE			
ERF NO.			
ADDRESS			
DETAILS OF VEHICLE FOR WHICH A CERTIFICATE OF REGISTRATION IS REQUIRED			
TYPE OR CLASS OF VEHICLE			
REGISTRATION No.			
VIN No			
ENGINE No (if applicable)			
CHASSIS No.			

TARE			
LOAD			
MAKE			
NUMBER OF TANKS			
CAPACITY OF TANKS			
YEAR OF MANUFACTURE OF TANK			
DETAILS OF DANGEROUS GOODS			
FLAMMABLE LIQUID	FLAMMABLE GAS	MULTI LOAD	OTHER
IF MULTI LOAD – LIST SUBSTANCES ON SEPARATE SHEET AND ATTACH		IF OTHER – SPECIFY ON SEPARATE SHEET AND ATTACH	
IDENTIFICATION No. OF SUBSTANCE			
QUANTITY			
OPERATOR SIGNATURE			
An application/inspection fee of R... excl. vat per 15 minutes is payable to GARDEN ROUTE DISTRICT			
MUNICIPALITY in respect of this application and the subsequent inspection.			
FOR CONTROLLING AUTHORITY			
INSPECTOR NAME	SIGNATURE	DATE	
APPROVED		NOT APPROVED	

F. DANGEROUS GOODS CERTIFICATE

For official use only	GARDEN ROUTE DISTRICT MUNICIPALITY Fire & Rescue Services
Application No. _____ Permit No. _____	
DANGEROUS GOODS CERTIFICATE	
Dangerous goods certificate in terms Garden Route District Municipality adopted Open Community Safety Bylaw	
THIS IS TO CERTIFY THAT THE VEHICLE, PARTICULARS OF WHICH ARE GIVEN BELOW, HAS BEEN EXAMINED AND FOUND TO COMPLY WITH THE RELEVANT SECTIONS SANS 10087: PART 4, SANS 10089; PART 1, SANS 1398, AND SANS 1518 FOR THE CONVEYANCE OF DANGEROUS GOODS	

WITHIN THE LIMITS OF THE MUNICIPAL AREA AND SUBJECT TO ALL APPLICABLE LEGISLATION.			
DETAILS OF OPERATOR			
NAME OF OPERATOR			
TRADING AS			
ERF NO.			
ADDRESS			
CONTACT No.			
DETAILS OF VEHICLE			
TYPE OR CLASS OF VEHICLE			
REGISTRATION No.			
VIN No			
ENGINE No (if applicable)			
CHASSIS No.			
TARE			
LOAD			
MAKE			
NUMBER OF TANKS			
CAPACITY OF TANKS			
YEAR OF MANUFACTURE OF TANK			
DETAILS OF DANGEROUS GOODS			
FLAMMABLE LIQUID	FLAMMABLE GAS	MULTI LOAD	OTHER
IF MULTI LOAD – LIST SUBSTANCES ON SEPARATE SHEET AND ATTACH		IF OTHER – SPECIFY ON SEPARATE SHEET AND ATTACH	
IDENTIFICATION No. OF SUBSTANCE			
SUBSTANCE NAME			
QUANTITY			
This certificate of registration is not a warranty of fitness of the vehicle herein described and any operator, driver or person interested should satisfy themselves as roadworthiness, construction and condition of the vehicle.			

Dangerous Goods Certificate Fee		R..... per annum
Receipt No.		
FOR CONTROLLING AUTHORITY		
INSPECTOR NAME	SIGNATURE	DATE

F. APPLICATION FOR A FLAMMABLE SUBSTANCE CERTIFICATE

For official use only		GARDEN ROUTE DISTRICT MUNICIPALITY		
Application No.		Fire & Rescue Services		
File No. _____				
<u>APPLICATION FOR PERMISSION TO STORE FLAMMABLE SUBSTANCE</u>				
Application for permission to store a flammable substance is made in terms of Garden Route District adopted Open Community Fire Safety By-law				
<i>THIS FORM TO BE COMPLETED AND SUBMITTED TO THE GARDEN ROUTE DISTRICT MUNICIPALITY FIRE SERVICES,</i>				
Name Of Applicant:		Telephone No. Cell No.		
		E-Mail:		
Name of Business:		Telephone No.		
Location of premises for which permission is required:				
Permission is required for the storage of (please tick)				
Perm or temp above ground storage tank for a flammable liquid	Underground storage tank for a flammable liquid	Bulk storage depot for flammable substance	Small installations for liquid petroleum gas	Bulk storage vessel for liquid petroleum gas
State type flammable liquid and maximum quantity in liters:		State maximum quantity of LP Gas in kg:		

Purpose for which flammable substance is to be kept:		
Applicant Signature:	Applicant Capacity:	Date:
An application/inspection fee of excl vat per 15 minutes is payable to GARDEN ROUTE DISTRICT MUNICIPALITY in respect of this application and the subsequent inspection.		
For Controlling Authority		
Approving Officer: (print name)	Signature:	Date:
Premises compliant to store flammable substance	Yes	No
Comments		

G. FLAMMABLE SUBSTANCE CERTIFICATE

For official use only	GARDEN ROUTE DISTRICT MUNICIPALITY
Application No. _____ Permit No. _____	Fire and Rescue Service
LICENCE TO STORE FLAMMABLE SUBSTANCE	
PERMISSION IS HEREBY GRANTED TO	
OF	
TO STORE THE FOLLOWING	
MAXIMUM QUANTITY	
AT	
FROM THIS DATE	UNTIL THE END OF ONE CALENDAR YEAR
Subject to the flammable substance being stored to the satisfaction of the authorized officer in compliance with the regulations for the controlling and regulating the keeping, conveyance, storage, and use of a flammable substance.	
This license is not transferable to any other premises, nor can it be extended to include any additional facilities.	
THIS LICENCE MUST BE RENEWED ON OR BEFORE THE START OF THE NEW CALENDAR YEAR	

For controlling authority	
Flammable Substance Certificate fee	R per annum
Receipt No.	
..... CHIEF FIRE OFFICER	
..... DATE	

**H. EVENT APPLICATION
FIRE SAFETY SECTION**

Tel: 028 551 2456 Cell: 083 941 2726 Email: firecbl@edendm.co.za

EMERGENCY: 044 805 5071

APPLICATION FOR EVENT REGISTRATION AND FIRE SAFETY CLEARANCE

The following details must be completed by the person designated as the principal organizer for the event.

Full name of applicant:

Business name:

Office telephone:

Alternate contact:

Email:

Type of event:

Event name:

Venue: Venue size: m2

Set up commences on: (date)

Event starts on the and ends on
(date)

Target audience: (who is your event targeted at and/or what age group?)

Crowd expectation: per day;
and for entire event.

Do you have public liability insurance? YES NO

It is hereby confirmed that the above information is accurate and that by making the application I understand the following applicable conditions:

- a. That the event risk assessment process will only commence once the Fire Department has received proof of my application and payment.
- b. That the application is subject to the completion of the event risk assessment and unless all requirements have been met that I understand that the Fire Department may not allow the event to proceed.
- c. That the Fire Department may not allow the application to proceed any further if such application is lodged outside the required time frame as prescribed by the Fire Safety Bylaws.
- d. Depending on the nature of the event and risk generated that a further cost for Fire Department to standby at the event for the duration of the event may be warranted.

Signature:

Date:

Instructions for payment and fees schedule.

- 1. The prescribed application & issuing fee payable INCLUDING VAT is: R R941.61 application and certificate issuing fee: R 157. 58
- 2. Should it be determined that Fire Department standby is necessary following the event risk assessment process, a further fee of R 250 per day (fee charged only from second day onwards) will be applicable.
- 4. Should you wish to make payment via Electronic Funds Transfer [EFT] or direct deposit, please use the following details:

Account Holder: Garden Route District Municipality

Bank: Nedbank

Branch Code: 198765

Account number: 1186616261

Reference Number: Your Name, Surname and Event Name

- 5. Proof of EFT payment (Notification) must be sent to accounts@gardenroute.gov.za
Please note that EFT's normally take at least two days to reflect on the Municipal Banking account.
- 6. Once payment has been made (either manually or electronically), please email completed form and proof of payment to the accounts@gardenroutedm.gov.za
- 7. The event risk assessment process will only commence after proof of application and payment has been received.
- 8. In the event that the Fire Department does not approve your application for failure to comply with any of the requirements, OR should the organizer cancel the event for

whatever reason, the municipality will retain an administration fee of R75 (seventy-five rand) before refunding your payment.

I. POPULATION CERTIFICATE APPLICATION

Application Number:													
File Number:													
Population Certificate Application													
Application for a Population Certificate is made in terms of Section 21 (1) of the Garden Route District adopted Open Community Fire Safety By-law.													
Name of Applicant:						Telephone:							
Id Number:						Cell:							
Name of Business:						Telephone:							
Type of business, e.g. bar, nightclub etc.:						Erf Nr:							
On what floor of the building is the venue situated i.e. ground, 1st etc.?													
Street Adress								Code					
Suburb													
Details of Premises													
How many floors does the building have?						How many floors are occupied by the venue for							
Expected Population													
Square metres of usable area per floor of venue Indicate a separate square meterage for each floor occupied by the venue in the blocks below						Number of exits per floor Indicate exits per floor separately in the blocks below							
Tent	Floor	Floor	Floor	Floor	Tent	Floor	Floor	Floor	Floor	Floor	Floor		
()	()	()	()	()	()	()	()	()	()	()	()		
)))))))))))		
1) The controlling authority may refuse to issue the certificate applied for if the premises do not comply with the requirements of the National Building Regulations.													

- 2) The controlling authority may prescribe any additional conditions deemed necessary to render the premises safe prior to the issuing of the certificate.
- 3) The certificate is valid only for the premises for which it is issued and is not transferable.
- 4) If the occupancy or ownership of the premises changes, the owner or person in charge must apply for a new certificate.

Signature of Applicant	
Print Name	
Date	
Address	
For Controlling Authority: (Signature)	
Print Name	
Date	
<p>A certificate fee of per 15 minutes spent on site is payable to THE GARDEN ROUTE DISTRICT MUNICIPALITY in respect of this application and the subsequent inspection.</p>	

K. CONSTRUCTION OF SPRAY BOOTHS

Application No. _____ File No. _____	GARDEN ROUTE DISTRICT MUNICIPALITY Fire and Rescue Services
SPRAY BOOTH CONSTRUCTION	
Walls	225mm Brickwork
Roof	Reinforced concrete
Floor	Concrete or other impervious material
Doors	A Completely constructed 50mm hardwood, including the edges, with 24s.w.g. metal secured to the door with bolts at 30mm centers along the edges. The doors to open outwards and to be hung on tee hinges bolted to the door
	B Close fitting metal doors not less than 3mm in thickness, carried on an angle iron frame and having an all-round overlap of not less than 50mm

Windows	Metal frames with no opening sections glazed with wire-woven glass not exceeding 460mm x 460mm. putty approved by the SANS Code No. 680/59 only to be used and the occupier to furnish proof of this to the Chief Fire Officer: Fire Services
Note	The Factory Inspector requires natural light to the extent of 20% of the floor area.
Ventilation	30 Lineal meters/minute velocity across the room must be provided by means of mechanical ventilation, with the center line of inlets 460mm above the floor level and to discharge through vertical metal ducting terminating one (1) meter above the apex of the roof. No right-angle bends to be used in the ducting system. Exhaust fans to be installed at four (4) meter centers or horizontal metal ducting extending the entire length of the wall with suitable inlets, must be provided.
Note	If the ducting is external to the Spray Booth and in communication with the Workshop etc., it must be protected by either 110mm brick or 50mm lagging.
Ventilation Inlets	The wall opposite the exhaust fans to be honeycombed with airbricks from 100 mm above floor level to a height of not less than two (2) meters
<u>Minimum No. of air bricks</u>	<u>Size of room</u>
40	Up to but not exceeding 140 cubic meters.
65	Up to but not exceeding 280 cubic meters.
90	Up to but not exceeding 470 cubic meters.
150	Up to but not exceeding 650 cubic meters
Note	Metal fillers with metal swarf elements may only be used in an all-metal installation, in lieu of air bricks
Electrical Work	All electrical work must be of flame-proof construction
Danger Notice	" DANGER – NO SMOKING " notices in 150mm high white letters on a red background to be provided above the doors outside the Spray Booth

SCHEDULE 3**SANS CODES OF PRACTICE AND SPECIFICATIONS**

SANS CODE	TITLE
SANS 10019	Portable metal containers for compressed gas basic design, manufacture, use and maintenance.
SANS 10087	Part 1 The handling, storage and distribution of liquefied petroleum gas in domestic, commercial and industrial installations, Part 1: Liquefied petroleum gas installations involving gas storage containers of individual water capacity not exceeding 500 liter and a combined water capacity not exceeding 3 000 liter per installation.
SANS 10087	Part 3 The handling, storage and distribution of liquefied petroleum gas in domestic, commercial and industrial installations, Part 3: Liquefied petroleum gas installations involving storage vessels of individual water capacity exceeding 5 000 liters.
SANS 10087	Part 4 The handling, storage and distribution of liquefied petroleum gas in domestic, commercial and industrial installations, Part 4: Transportation of liquefied petroleum gas in bulk by road.
SANS 10087	Part 7 The handling, storage and distribution of liquefied petroleum gas in domestic, commercial and industrial installations, Part 7: Storage and filling sites for refillable liquefied petroleum gas (LPG) containers of capacity not exceeding 9kg.
SANS 10089	Part 1 The petroleum industry, Part 1: Storage and distribution of petroleum products in above ground bulk installations.
SANS 10089	Part 2 The petroleum industry, Part 2: Electrical installations in the distribution and marketing sector
SANS 10105	Part 1 The classification, use and control of firefighting equipment, Part 1: Portable fire extinguishers.
SANS 10108	The classification of hazardous locations and the selection of apparatus for use in such locations.
SANS 0131	Part 2 The handling and storage of liquid fuel, Part 2: Large consumer premises.
SANS 10142	The wiring of premises.
SANS 10177	Part 5 The testing of materials, components and elements used in buildings: Non-combustibility at 750°C of building materials.
SANS 193	Fire dampers.

SANS 10228	The identification and classification of dangerous substances and goods.
SANS 10230	Transportation of dangerous goods - Inspection requirements for road vehicles.
SANS 10232	Part 1 Transportation of dangerous goods ~ Emergency information systems, Part 1: Emergency information systems for road transportation.
SANS 10400	The application of the National Building Regulations.
SANS 1186	Part 1 Symbolic safety signs, Part 1: Standard signs and general requirements.
SANS 1253	Fire doors and fire shutters.
SANS 1398	Road tank vehicles for flammable liquids.
SANS 1475	Part 1 The production of reconditioned firefighting equipment, Part 1: Portable rechargeable fire extinguishers.
SANS 1518	Transportation of dangerous goods -Design requirements for road tankers.
SANS 1571	Transportable rechargeable fire extinguishers.
SANS 1573	Portable rechargeable fire extinguishers — Foam type extinguishers.

BACK TO AGENDA

DISTRICT COUNCIL

24 JUNE 2026

1. **REPORT ON THE SEVERE WEATHER EVENT THAT OCCURRED IN THE GARDEN ROUTE DISTRICT FROM THE SECOND TILL THE SEVENTH OF JUNE 2026 / VERSLAG OOR DIE GURE WEER WAT OOR DIE TUINROETE DISTRIK VOORGEKOM HET VIR DIE PERIODE 2 TOT 7 JUNIE 2026 / INGXELO NGEMOZILI EMBI NEGQUGQISE KWISITHILI SE GARDEN ROUTE UKUSUSELA NGOMHLA WESIBINI UKUYA KOWESIXHENXE KWEYESILIMELA 2026**

REPORT FROM EXECUTIVE MANAGER COMMUNITY SERVICES (N RAISA-MLANDU) / DISASTER MANAGER (G OTTO)

REFERENCE NUMBER: (10/1/3/4)

2. **PURPOSE**

To inform Council on the severe weather event that occurred from the second till the seventh of June 2026, the pro-active actions taken by the Garden Route Disaster Management Centre as well as the impact of the event on the district.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

This report will reflect on actions taken by the GRDM Disaster Management Centre with regards to a severe weather event that occurred from the second till the seventh of June 2026.

5. **RECOMMENDATIONS**

1. That Council takes note of the report.
2. That the GRDM Disaster Management Centre be mandated to coordinate the short as well as long term interventions needed to address impact of this severe weather event.

3. That the Provincial Disaster Management Centre be requested to do a formal post disaster assessment as well as verification of damages after the recent severe weather event.

AANBEVELINGS

1. *Dat die Raad kennis neem van die verslag.*
2. *Dat die GRDM DMC gemandateer word om die kort sowel as lang termyn intervensies ten opsigte van die aanspreek van hierdie insident te koördineer;*
3. *Dat die Provinsiale Rambestuur sentrum versoek word om na-ramp assesering asook skade verivieering uit te voer in terme van die insident;*

ISINDULULO

1. Sesokuba iBhunga le-GRDM liyithathele ingqalelo le ngxelo.
2. Sesokuba iziko loLawulo lweeNtlekele le-GRDM linikwe igunya lokulungelelanisa amanyathelo okungenelela amafutshane kunye nawexesha elide afunekayo ukujongana nempembelelo yesi siganeko semozulu embi.
3. Sesokuba iziko loLawulo lweeNtlekele lePhondo licelwe ukuba lenze uvavanyo olusemthethweni emva kwentlekele kunye nokuqinisekisa umonakalo emva kwesiganeko semozulu embi kakhulu sakutshanje.

6. DISCUSSION / CONTENTS

6.1 Background

Just more than three weeks after the previous flooding event a second Cut-Off – Low struck the Garden Route, once again affecting mainly the Western parts of the district peaking at Stormsrivier with 376 mm of rain recorded over the three days 2 to 4 June 2026, followed by 289 mm in Waboomskraal and around 200 mm in the mountainous areas above Knysna and Bitou.

Following the intense rain we also were on the receiving end of the water that fell in both the Central Karoo as well as to the East of the district with all the dams receiving water from these catchments spilling. The Gamkapoort dam

on Friday 5 June peaked at over 194% full, the Stompdrift dam at more than 135% and Kammanassie dam at 112%.

In addition, the Floriskraal dam also spilled at record levels and all this water was on its way to the Gouritz river down to the sea.

Unfortunately, this storm also claimed the lives of two people, both men that attempted to cross swollen rivers, one in Waboomskraal and one in Oudtshoorn.

6.1.1 Proactive actions initiated by the DMC

The Impact Based Weather Warnings as provided by the South African weather service were disseminated by the GRDM Disaster Management Centre to all relevant stakeholders as well as interested and affected parties for them to initiate pro-active measures and contingency plans, as well as to place first responder teams on standby and high alert.

Fortunately, after assessment it was found that all estuaries were either still open or the berm at the sea was so low that no immediate threat existed to lower lying areas adjacent to these estuaries.

The GRDM DMC and PDMC stakeholders had a meeting with representatives from the Department of Education to once again call for the closing of schools that would fall within the areas to be affected, or where scholar transport routes could negatively be affected.

In addition, two back-up swift water rescue teams were deployed from Cape Town to assist the Garden Route rescue teams, should it be required in the coming days. The Garden Route EMS rescue team coordinator indicated that rescue capacity for the coastal areas would be sufficient, but additional resources might be required in the Northern areas i.e. Oudtshoorn.

GRDM Disaster Management Centre attended daily Provincial JOC briefing meetings held by the Western Cape Disaster Management Centre to obtain the latest information w.r.t the approaching weather as well as the current situation in our neighbouring districts. These updates were provided to Local Municipalities to ensure pro-active mitigation as well as response if and where required.

6.1.2 Activation of the GRDM MACC

During the early hours of the third of June heavy rain started falling in the Garden Route District and then at 5:00 the GRDM MACC was formally activated.

The Oudtshoorn Fire and rescue teams were advised to evacuate all people residing next to the rising Olifants river with lessons learned during last month's floods guiding areas to be evacuated i.e. Welgelegen.

Table 1: Rainfall Measured by the South African Weather Services from the 2nd till the 5th of June 2026

Station Name	Date				Total
	2	3	4	5	
FAGG(WO)	39.6	73.0	27.5		140.1
Witfontein AWS	66.8	122.0	N/C		188.8
George Tierkop ARS	63.4	60.0	N/C		123.4
George Jonkershoek ARS	44.6	97.4	N/C		142.0
George Waboomskraal	80.4	127.0	81.8	0.2	289.4
Wilderness Dieprivier	18.8	N/C	N/C		18.8
Herold Lovain ARS	N/C	U/S	N/C		N/C
Knysna Kleingrysbos	20.2	68.8	N/C		89.8
Knysna Diepwalle	21.2	114.0	N/C		135.2
Plett Newlands ARS	30.4	137.4	24.6		192.4
Stormsrivier Witteklip	49,4	81,8	N/C		161.8
Stormsrivier Forest Fern ARS	94.2	112.4	43.6		376.2
Knysna Kruisfontein	30,6	96,8	N/C		127.4
Mosselbaai AWS	20.6	46,6	7.6		75.2

Mosselbaai Robinson Pas ARS	57.8	94,6	N/C		152.4
Witsand Westfield	3.8	29.6	N/C		33.4
Riversdale AWS	27.4	44,0	N/C		71.4
Riversdale Grootbos	33.4	76,4	2.0		111.8
Riversdale Assegaibosh	37.8	63.6	3.6		105.0
Stilbaai AWS	5.8	53,8	3.4		63.0
Heidelberg Kruisrivier ARS	26.2	47.7	N/C		73.6
Ladismith AWS	1.2	43.0	3.4		47.6
Oudtshoorn AWS	1.2	26,2	N/C		27.4
Kammanasieberg Vinkrivier ARS	7.4	78,0	N/C		84.6
Avontuur Boskloof	5.4	70,6	N/C	0.2	76.0
Uniondale De hoop	2,8	48,2	20,4		71.4

AWS: Automatic Weather Station / ARS: Automatic Rainfall Station / N/C: No Count

To assess the possible impact of the rainfall the Garden Route DMC in collaboration with the hydrology section at the Department of Water and Sanitation kept a close eye on the level of all major dams in the district as some dams still had spare capacity to reduce the impact of the heavy rainfall received, i.e. reduce the peak of the flood.

Table 2: Status of Gouritz River Catchment dams from the 3rd till the 7th of June 2026

Dam	03/06/2026	05/06/2026	06/06/2026
Duiwenhoks	100.2 %	103.0 %	
Korente Vet	60.8 %	82.9 %	
Floriskraal	100.9%	104.7 %	
Miertjieskraal	99.2 %	101.5 %	
Calitzdorp	100.2 %	102.0 %	
Leeu-Gamka	100.3 %	117.6 %	
Oukloof	100.4 %	102.4 %	
Gamkadam	99.9 %	102.6 %	
Gamkapoort	102.4 %	195.0 %	149.8%
Kammanassie	101.6 %	107.2 %	
Stompdrift	101.6 %	114.8 %	
Wolwedans	100.2 %	101.0 %	
Garden Route (Raised)	90.1 %	100.0 %	
Roodefontein	99.5 %	102.9 %	
Haarlem	100.3 %	104.5%	
Koos Raubenheimer	100.4 %	102.02%	
Tierkloof	100 %	100.00%	

Of particular concern was the level of the Stompdrift, Kammanassie and Gamka poort dams, as once again both the Central Karoo at specifically Leeu-Gamka and parts of the Eastern Cape also received significant amounts of water due to heavy rainfall in these areas.

Subsequently all these dams once again overtopped with a record high of 195% recorded for the Gamkapoort dam and a 107% for the Kammanassie and 114% at the Stompdrift dam. The Groot, Olifants as well as Gamka rivers breached its banks and in many areas people at were once again completely cut-off.

With the assistance of the Dept of Health and their partner the Red Cross Air Mercy Services a Helicopter was activated and disaster relief in the form of food parcels provided by Gift of the Givers and crucial medication were delivered to those in need.

At the Oudtshoorn, George and Kannaland Local Municipalities communities affected were housed in their community halls used as temporary shelter and assisted with humanitarian relief.

Humanitarian relief provided

The Department of Sosial Development (DSD) working as the lead of the Humanitarian relief cluster took the lead to do the required assessments as well as to coordinate relief required.

Community Halls used for Displaced People

George:

- All Bricks Private Hall
- Uniondale
- Pacaltsdorp

Kannaland:

- Ladismith Community Hall

Bitou:

- None

Knysna:

- None

Oudtshoorn:

- Toekomsrust
- De Rust

Current Status of Roads effected by flooding.**Road Closures as on the 11th of June 2026**



Western Cape Government
FOR YOU

Road closure update: 11 June 2026, 12:00

Garden Route District (1 of 5)

- **TR33/4, Meiringspoort (Oudtshoorn-area)**
- **TR2012, Natures Valley to N2 (Nature's Valley-area)**
- **TR75/2, Oudtshoorn to Cango Caves (Oudtshoorn-area)**
- **TR75/1, N12, Oudtshoorn to Holgate (George) (before horse-shoe bend)(Oudtshoorn-area)**
- **MR401, Uniondale Poort and town (Uniondale-area)**
- **MR368, Hoekplaas Road (Uniondale-area)**
- **DR1845, Toorwater/Nietgenaamd (Uniondale-area)**
- **DR1846, Warmbad (Uniondale-area)**
- **DR1840, Hartbees River (Uniondale-area)**
- **DR1838, Uitvlugt / Skietbane (residents only) (Uniondale-area)**
- **TR59/1, Prince Alfred Pass (residents only) (Uniondale-area)**
- **DR1385, Bo-Kouga (residents only) (Uniondale-area)**

Notes:

- **Closed till further notice**
- Please adhere to road closure notices
- Do not cross flooded roads

Legend for colour-coding

Red: Closed

Purple: One lane / Partially open

Blue: Local access only

Green: Status changed to Open

Issued on 11 June 2026 at 12:00 by:

- Mr Tertuis Simmers, Western Cape Minister of Infrastructure
- Adv Chantal Smith, Head of Department, Department of Infrastructure



Western Cape Government
FOR YOU

Road closure update: 11 June 2026, 12:00

Garden Route District (2 of 5)

- **DR1837, Dwarsfontein (residents only)(Uniondale-area)**
- **DR1833, Vergenoeg (residents only)(Uniondale-area)**
- **DR1650, Daskop (Bo-Langkloof-area)**
- **DR1653, Kykoe (Bo-Langkloof-area)**
- **DR1660, Pieters River (Residents only) (Bo-Langkloof-area)**
- **MR359, Hazenjacht (Bo-Langkloof-area)**
- **DR1648, Heimers River (Residents only) (Bo-Langkloof-area)**
- **DR1651, Blossoms (Residents only)(Bo-Langkloof-area)**
- **DR1707, Middelplaas (Oudtshoorn-area)**
- **DR1694, Le Roux Station (Oudtshoorn-area)**
- **DR1692, Van Wykskraal (Oudtshoorn-area)**
- **DR1673, Kamanassie Dam (Oudtshoorn-area)**
- **DR1668, Kleinspoort (Residents only)(Oudtshoorn-area)**

Notes:

- **Closed till further notice**
- Please adhere to road closure notices
- Do not cross flooded roads

Legend for colour-coding

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Purple: One lane / Partially open

Blue: Local access only

Green: Status changed to Open

Issued on 11 June 2026 at 12:00 by:

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- Adv Chantal Smith, Head of Department, Department of Infrastructure



Western Cape
Government
FOR YOU

Road closure update: 11 June 2026, 12:00

Garden Route District (3 of 5)

- DR1704, Vlakteplaas (Oudtshoorn-area)
- DR1662, Leeublad (Residents only)(Oudtshoorn-area)
- MR369, Swartberg Pass (Oudtshoorn-area)
- DR1677, Wynands River (Oudtshoorn-area)
- MR358, Volmoed (Oudtshoorn-area)
- DR1688, Old Cement Road (Oudtshoorn-area)
- DR363, Matjies River (Oudtshoorn-area)
- DR1689, Lategansvlei/Potgieterspoort (Oudtshoorn-area)
- DR1672, Driebekstommel (Oudtshoorn-area)
- DR1706, Groenfontein (Calitzdorp-area)
- DR1681, Middelpad (Residents only)(Calitzdorp-area)
- DR1675, Doornkloof (Calitzdorp-area)
- DR1676, Vlei River (Calitzdorp-area)

Notes:

- Closed till further notice
- Please adhere to road closure notices
- Do not cross flooded roads

Legend for colour-coding

Red: Closed
Purple: One lane / Partially open
Blue: Local access only
Green: Status changed to Open

Issued on 11 June 2026 at 12:00 by:

- Mr Tertuis Simmers, Western Cape Minister of Infrastructure
- Adv Chantal Smith, Head of Department, Department of Infrastructure



Western Cape
Government
FOR YOU

Road closure update: 11 June 2026, 12:00

Garden Route District (4 of 5)

- DR1690, Gais (Calitzdorp-area)
- DR1674, Jagberg (Calitzdorp-area)
- MR309, Seweweekspoort (Ladismith-area)
- DR1710, Van Zylsdamme (Ladismith-area)
- DR1433, Plathuis (Ladismith-area)
- DR1666, Baviaanskrans (van Wyksdorp-area)
- MR342, Muiskraal / Herbertsdale (van Wyksdorp-area)
- DR1661, Rooiberg (van Wyksdorp-area)
- DR1711, Van Zylsdamme (van Wyksdorp-area)
- MR390, Kruisvallei (Knysna/Plettenberg Bay-area)
- MR355, Seven Passes (Knysna/Plettenberg Bay-area)
- DR1888, Keurboomstrand (Plettenberg Bay-area)
- DR1788, Bucu (Knysna/Plettenberg Bay-area)

Notes:

- Closed till further notice
- Please adhere to road closure notices
- Do not cross flooded roads

Legend for colour-coding

Red: Closed
Purple: One lane / Partially open
Blue: Local access only
Green: Status changed to Open

Issued on 11 June 2026 at 12:00 by:

- Mr Tertuis Simmers, Western Cape Minister of Infrastructure
- Adv Chantal Smith, Head of Department, Department of Infrastructure



Western Cape
Government
FOR YOU

Road closure update: 11 June 2026, 12:00

Garden Route District (5 of 5)

- DR1583, Gouna (Knysna/Plettenberg Bay-area)
- TR5901, Prince Alfred Pass (Knysna/Plettenberg Bay-area)
- DR1602, Kleinplaas (George-area)
- DR1599, Great Brak River (George-area)
- DR1617, Nuwedrif (George-area)
- DR1624, Kleinfontein (George-area)
- MR355, Seven Passes (Geelhoutboom River, George-area)
- DR1621, Whites Road (George-area)
- DR1525, Melkhoutfontein (Mossel Bay-area)
- DR1581, Geelbeksvlei (Mossel Bay-area)
- DR1573, Novo (Riversdale-area)

Notes:

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- Please adhere to road closure notices
- Do not cross flooded roads

Legend for colour-coding

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MAIN ACTIONS INITIATED BY THE GRDM MACC

1. Linking Eskom to DOI to determine priority areas for repair of electrical connections, i.e. to re-connect water and sewerage infrastructure.
2. Liaison with humanitarian relief organisations i.e. Al Imdaad and Gift of the Givers to provide humanitarian relief to affected communities.
3. Before the issuing of any severe weather warning/s the GRDM DMC met with the SAWS duty forecaster to determine the most suitable level of warnings to be issued. The duty forecaster does have the synoptic charts and details of approaching weather, but to determine the possible impact the GRDM DMC's advice is required.
4. Provided several daily radio, as well as live national television interviews to update everyone on the status in the district.
5. Constantly liaised with SANRAL to ensure that National routes in the district always remain open.
6. With the aid of the SAPS representative in the MACC updates received from farm watch as well as safety and security WhatsApp groups could be verified with first responders and actioned to ensure that aid reach those in need.

7. Provided 1x 10 000 litre and 1x 6000 litre water tanker to be used for water tankering in Bitou as well as Knysna.
8. Formally requested both SASSA as well as the National Department of Housing to dispatch staff to render assistance to those who lost their houses during these storms

CURRENT CHALLENGES

- 1) Delay in the restoration of Eskom power connections, mainly due to access routes still to wet to access fallen poles with ESKOM trucks.
- 2) Some areas have been without electricity supply for 28 days – food spoilage and secondary food and water borne illness remain a concern.
- 3) In some areas the level of the rivers is still too high to repair roads as well as to access broken ESKOM lines. Cable vandalising delay power restoration.
- 4) Pollution due to flooded sewerage pump stations that is still in the process of being repaired.
- 5) In some areas of Bitou and Knysna communities still have to be provided with water by use of water tankers.
- 6) Road to Congo Caves remain closed- tourism impact.
- 7) Meiringspoort, Seweweeks poort and Swartberg pass remain closed.
- 8) R62 at Joubertinia still closed, EMS from Western Cape now need to cover medical emergencies from Misgund, Krakeel and Louterwater to George hospitals.

DISASTER DECLARATION/ CLASSIFICATION

The June 2026 Cut-Off Low has not yet been Classified by the National Disaster Management Centre.

WAY FORWARD

Daily communication between the GRDM DMC, DOI, ESKOM and affected local municipalities continues to ensure that current rehabilitation actions keep momentum.

In addition, all affected organisations i.e. Local Municipalities, Cape Nature, San Parks, Department of Health, DOI, Public Works, the Department of Education etc. compiled a high-level damage assessment that was provided to the PDMC as well as NDMC for verification.

On Tuesday 9 and Wednesday 10 June on-site damage verifications were done by representatives from National- as well as Provincial Departments accompanied by the GRDM DMC staff. These damage verifications will now be provided to the Western Cape Cabinet to solicit re-prioritisation of Provincial funding as well as to solicit disaster grant funding from National Treasury.

Following these damage assessments a formal multi stakeholder damage verification process will be followed with professional service providers to be appointed by the National Disaster Management Centre (NDMC)

6.4 RELEVANT LEGISLATION

Disaster Management Act 57 of 2002, as amended

“Disaster occurring or threatening to occur in municipal areas.

49. (1) When a disastrous event occurs or is threatening to occur in the area of a

Municipality, the disaster management center of the municipality concerned

must determine whether the event should be regarded as a disaster in terms

of. of this Act, and, if so, must immediately-

(a) initiate efforts to assess the magnitude and severity or potential magnitude and severity of the disaster;

(b) inform the National Centre and the relevant provincial disaster management

center of the disaster and its initial assessment of the magnitude and severity

or potential magnitude and severity of the disaster;

(c) alert disaster management role-players in the municipal area that may be of

assistance in the circumstances; and

(d) initiate the implementation of any contingency plans and emergency

procedures that may be applicable in the circumstances.

(2) When informing the National Centre and the relevant provincial disaster management center in terms of subsection (1)(b), the municipal disaster management center may make such recommendations regarding the classification of the disaster as may be appropriate."

6.3 Financial Implications

GRDM Disaster Management Centre as well as Fire and Rescue staff had to be placed on 24/7 standby for the duration of activation of the GRDM MACC and staff were required to work overtime daily between 6:00 and 21:00. This will lead to additional standby and overtime expenses still to be calculated.

6.4 Legal Implications

There are no legal implications for the GRDM relating to this report.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

There are no potential risk implications for the GRDM relating to this report.

Damage Assessment -Summary table for each municipality in the Garden Route

Municipality	Water	Sanitation	Electricity	Road and stormwater	Housing	Total
George	R 141,037,650	R 50,251,500	R 9,525,000	R 198,315,000	-	R 399,129,150
Knysna	-	-	-	R 178,170,912	-	R 178,170,912
Oudtshoorn	R 5,780,000	R 5,780,000	R 70,000	R 46,622,537	-	R 58,252,537
Mossel Bay	-	-	-	R 100,000	R 274,977	R 374,977
Hessequa	-	-	-	-	-	-
Kannaland	R 38,500,000	R 12,800,000	R 5,000,000	R 7,400,000	R 11,620,000	R 75,320,000
Bitou	R 9,035,000	-	R 1,127,487	R 1,700,000	-	R 11,862,487
Total	R 194,352,650	R 68,831,500	R 15,722,487	R 432,308,449	R 11,894,977	R 723,110,063

AFFECTED ROOF AND BUILDINGS

MUNICIPALITIES	ROOF	BUILDINGS	TOTAL
George	213	213	426
Knysna	99	52	151
Mossel bay	-	51	51
Hessequa	-	-	-
Oudtshoorn	-	62	62
Bitou	-	-	-
Kannaland	-	-	-
TOTAL	312	378	690

DISTRICT COUNCIL

24 JUNE 2026

1. REPORT ON THE GARDEN ROUTE REGIONAL WASTE MANAGEMENT FACILITY PROJECT /VERSLAG RAKENDE DIE TUINROETE STREEK AFVALBESTUUR FASILITEIT PROJEK/ INGXELO NGEPROJEKTHI YOLAWULO LWEBALA LENKUNKUMA LENGINGQI YE GARDEN ROUTE

14 June 2026

REPORT FROM EXECUTIVE MANAGER: COMMUNITY SERVICES (N. RAISA-MLANDU) / MANAGER: DISTRICT WASTE MANAGEMENT (J. GIE)

17/5/1/1

2. PURPOSE

For Council to note the progress on the Garden Route Regional Waste Management Facility Project.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Phase 1 of the regional landfill (Garden) is under construction by Civils 2000 (Pty) Ltd at a contract value of R109 million (incl. VAT). Work commenced 16 February 2026 and remains on programme for completion by 24 February 2027, despite adverse weather in the Garden Route. Key activities underway include the access road, Cell 1A lining, leachate and contaminated water dams, and associated infrastructure. Waste disposal is targeted to commence 1 March 2027, with GRDM having secured DFFE's commitment to expedite the normally lengthy approval process (typically 6–18 months).

A tariff structure review revealed a financing mismatch: Cell 1A has a 5-year lifespan against a 10-year loan term. Two initial remedies i.e. accelerated repayment, or a sinking fund, were not favoured by the participating municipalities. A preferred third option, the construction of Cell 1B under the existing contract, would extend the facility's lifespan to 10 years, aligning asset life with the loan term. This approach would also avoid additional tender processes, contain future cost escalation, and leverage the current contractor's proven performance. A formal Council report and public participation process will follow, as required under Section 116 of the MFMA.

The PetroSA landfill continues to serve as an interim disposal facility, operated by Khabokedi Waste Management under GRDM's SLA. Operational constraints, particularly limited working face at height and rain-related closures, periodically cause waste backlogs at municipalities.

A significant concern is PetroSA's 74% tariff increase (from R416.29 to R726.57 per ton, excl. VAT), effective 1 July 2026. GRDM's attempt to negotiate a reduction was unsuccessful, with PetroSA citing rehabilitation costs, diesel price increases, compliance expenditure, and the fact that municipalities had historically only been charged operational costs.

5. RECOMMENDATIONS

That Council notes the progress on the Garden Route Regional Waste Management Facility project.

AANBEVELINGS

Dat die Raad kennis neem van die vordering met die Garden Route Streeksafvalbestuursfasiliteitsprojek.

ISINDULULO

Sesokuba iBhunga lithathele ingqalelo umsebenzi kwiprojekthi Yolawulo Lwenkunkuma Kwingingqi ye Garden Route.

6. DISCUSSION / CONTENTS

6.1 Background / Discussion

Construction Progress

Civils 2000 (Pty) Ltd (Civils 2000) was appointed for the construction of Phase 1 of the Garden for a tendered amount of R109 000 000.00 (Incl. VAT).

Site establishment and construction commenced on 16 February 2026. In accordance with the approved construction programme, the due completion date is 24 February 2027. The contractor is currently still on track with the construction programme regardless of the severe inclement weather recently experienced in the Garden Route Region.

The asphalt portion of the access road is close to completion. The contractor has commenced with the construction of the concrete road using specialized equipment i.e., a paver (only two available nationally), which is enabling the contractor to construct approximately 120 – 150m of concrete road per day.

The contractor has also commenced with the continuation of the lining of Cell 1A; planning a minimum of 1000m² per day (weather permitting). Works on the leachate and contaminated water dams has also commenced, which are also part of the critical path. All other works such as buildings, water and electrical services, stormwater, fencing etc. are also ongoing, concurrently.

Once the critical path is completed, GRDM will commence with the approval processes from the Department of Water & Sanitation required before the commencement of waste disposal can take place. GRDM met with Department of Forestry, Fisheries & the Environment (DFFE) on 30 March 2026 (on site), where it was agreed that DFFE would expedite the approval processes which can generally take up to 6 – 18 months to finalise. The waste disposal commencement date is scheduled for 01 March 2027.

Waste Disposal Tariffs

It was decided by GRDM that a fixed waste disposal tariff per ton will be charged to the participating municipalities instead of the initial annual fixed and variable costs per municipality based on their proportional contributions.

Phase 1 of the project is the construction of a 5-year waste cell (Cell 1A), which subsequently results in a mismatch between the loan term and asset life. This has resulted in only two tariff options: an accelerated loan repayment to match the useful life period of the asset (5 years) instead of 10 years, or a depreciation funding strategy (sinking fund approach).

The participating municipalities were not in favour of these options when presented to them on 14 May 2026. A third option where the possibility of the construction of Cell 1B under the current construction contract was discussed. The construction of Cell 1B would provide a total lifespan of 10 years and would subsequently align the loan term and asset life. It was agreed by the participating municipalities that this would be the most viable option.

This would however require a contract variation in terms of Section 116 of the Municipal Finance Management Act; this includes the item being tabled before Council and a public participation process. The contractor has been requested to submit a cost in the form of a bill of quantities for the construction of Cell 1B.

This option would further avoid two additional tender processes, i.e., for new consulting engineers and a new contractor; will avoid an increase in future construction costs; and based on the contractor's performance, will provide known outcomes in terms of timelines and budget. A full report will be submitted to Council in this regard in due course.

PetroSA Landfill Site

GRDM's appointed Service Provider for the operations of the regional facility, Khabokedi Waste Management, is continuing to operate the PetroSA landfill site in the interim. The agreement for GRDM to pay the service provider for operations through its existing Service Level Agreement, which is reimbursed by PetroSA through the waste disposal tariffs charged to participating municipalities using their landfill site, is still in place.

The required side slopes of the PetroSA landfill materially reduces the available working face at the top of the landfill as the height increases. Subsequently, any rain at the landfill site severely impacts the working conditions and requires temporary closure of the site until conditions improve. This does result in waste backlogs at the participating municipalities.

On 13 April 2026, PetroSA notified the participating municipalities of a 74% waste disposal tariff increase from R416.29 (Excl. VAT) per ton to R726.57 (Excl. VAT) per ton. The municipalities requested that the new tariff only be implemented from 01 July 2026 in order to conclude their budget processes. This request was approved.

GRDM was further requested to negotiate with PetroSA to reduce the significant increase in the tariff. A meeting was held between GRDM and PetroSA on 29 June 2026 in this regard where the decrease in tariff was not considered by PetroSA due to the following reasons:

- The exorbitant costs of rehabilitation of the landfill;
- Significant increase in cost of diesel supplied by PetroSA;
- Cost of compliance. The height extension approval is subject to the installation of a herringbone drainage system;
- The increased tariff is market-related; and
- Historically, the municipalities have only been charged for operational costs which exclude rehabilitation and capital costs.

6.3 Financial Implications

R109 000 000.00 (Incl. VAT) as tendered by Civils 2000 for Tender No. GRDM/27/24-25.

6.4 Legal Implications

None

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

Council Item pertaining to the Garden Route Regional Waste Management Facility that served before Council on 25 February 2026.

6.7 Risk Implications

None

BACK TO AGENDA

DISTRICT COUNCIL

24 JUNE 2026

1. 2025/2026 ANNUAL REPORT PROCESS PLAN /2025/2026 JAARVERSLAG PROSESPLAN / INGXELO YESINCWANGCISO SENKQUBO YONYAKA KA 2025/2026

REPORT FROM: EXECUTIVE MANAGER: PLANNING & ECONOMIC DEVELOPMENT (L MENZE) / DISTRICT IDP MANAGER (M JAMES)

2. PURPOSE

The purpose of this report is to submit the Annual Report Process Plan for the development of the 2025/26 Annual Report for approval by Council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Annual Report Process Plan serves as a guiding framework for the preparation and adoption of the Municipality's 2025/2026 Annual Report. Its purpose is to ensure compliance with the legislative requirements governing the content, oversight and public participation processes associated with the Annual Report.

The timeframes contained in the Process Plan are informed by MFMA Circular 63, which encourages municipalities to table the unaudited Annual Report as soon as possible after year-end and to conclude the entire Annual Report and oversight process by December each year.

5. RECOMMENDATION

That Council approves the 2025/2026 Annual Report Process plan

AANBEVELING

Dat die Raad die 2025/2026 Jaarverslag prosesplan goedkeur.

ISINDULULO

Sesokuba iBhunga liphumeze Isicwangciso Senkqubo Yengxelo Yonyaka ka 2025/2026.

6. DISCUSSION / CONTENTS

6.1 Background

The Annual Report process flow provides a framework for municipalities and entities to follow in completing various reports within each financial year cycle. Sectoral plans, the municipality's spatial development framework, and financial strategy feed into the IDP. The IDP informs the budget, SDBIP and in-year reports.

The Four Quarterly Reports, which is the annual performance report, is synonymous with the Unaudited Annual Report. It contains the financial statements, derived from the in-year reports. This information should be available by the end of July and signed off by the Combined Audit and Performance Audit Committee and tabled to Council by the end of August annually in accordance with MFMA Circular 63.

6.2 Discussion

The Annual Report process is explained below as per Circular 63 of the MFMA (2003).

The Unaudited Annual Report is used to feed information to the next year's IDP. The Unaudited Annual Report is sent through in August to departments, National Treasury for records and the Auditor-General for auditing. It is also submitted to the MPAC for oversight verification and community consultation together with Council.

The Auditor-General submits the audited report to the Accounting Officer by the end of November. The audited Annual Report is then submitted to Council and the MPAC for finalising its oversight report, the Audit Committee to finalise its report.

The Accounting Officer to report on actions on issues raised in the audit report & explanations on matters related to the AFS, as well as the committee dealing with performance to enable it to report to Council on recommendations on performance awards, if any.

Public overview of the Unaudited Annual Report and participation in the IDP/Budget process should occur simultaneously. This process should be complete by December when Council is responsible for concluding the Annual Report.

The audited Annual Report will be submitted to Treasuries, DCoG and sector departments by the end of December annually and is also used to inform the mid-year assessment processes and IDP reviews.

6.3 Financial Implications

Expenditure relating to the compilation, publication, printing and public participation processes associated with the Annual Report will be funded from the approved operating budget.

6.4 Legal Implications

The Annual Report Process Plan gives effect to the requirements of:

- Local Government: Municipal Systems Act, 2000;
- Municipal Planning and Performance Management Regulations, 2001;
- Municipal Finance Management Act, 2003;
- MFMA Circular 11: Annual Report Guidelines;
- MFMA Circular 63: Annual Report Update.

6.5 Staff Implications

The tabling of this report to Council has no staff implications.

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

Failure to adhere to the approved Process Plan and statutory reporting timelines may result in non-compliance with the MFMA and negatively affect accountability and oversight processes

ANNEXURE

2025/2026 Annual Report Process Plan

Garden Route District Municipality 2025/2026 Annual Report Process Plan as per Circular 63 of the MFMA



Activity	Legislation and guidance	Process Owner/Role Player	Time Frame
Submit Annual Report process plan for Council's approval	GRDM Process	Executive Manager: Planning & Economic Development	24 June 2026
Sending out of the Annual Report input directives to the relevant officials/Line Managers in the different departments	GRDM Process	IDP Unit	30 June 2026
Deadline for Departments to submit Annual Report information to IDP unit by 16 July 2026 and Draft AFS to be submitted by 16 August 2026	GRDM Process	All HODs Chief Financial Officer	16 July 2026 16 August 2026
Consideration of next financial year's Budget and IDP process plan. In-year reporting formats should ensure that reporting and monitoring feeds seamlessly into the Annual Report process at the beginning of the Budget / IDP implementation period.	MSA S41(1)(e)	MM assisted by other Section 56 Managers & the CFO	July 2026 – August 2026
Implementation and monitoring of approved IDP and Budget through the approved SDBIP commences.	MSA S41(1)(e)	MM assisted by other Section 56 Managers & the CFO	July 2026

Activity	Legislation and guidance	Process Owner/Role Player	Time Frame
Finalise 4 th quarter report of previous financial year.	MFMA S52(d)	MM assisted by other Section 56 Managers & the CFO	July 2026
Submit draft previous financial year Annual Report and evidence to Internal and the Auditor General including annual financial statements and financial and non-financial information.	Submission of annual financial statements as per section 126(1) of the MFMA. Additional step, a draft Annual Report is prepared. Annual Performance report needs to be included as per section 46 of the MSA.	MM & CFO	July 2026
Submit Annual Report including annual financial statements and Annual Performance Report to the Combined Audit/Performance Committee.	Joint Committee assessing both financial and non-financial performance advances accountability and expedites corrective measures	MM & CFO	July/ August 2026
Combined Audit/Performance Committee considers unaudited annual Report of municipality.		Audit and Performance Audit Committee	
Mayor tables the unaudited Annual Report in Council by 31 August 2026.	The Annual Report submitted complies with the requirements of Section 121(3)(a-k). Information on pre-determined objectives to be included. Note that it is unaudited and will not include any of the Auditor-Generals reports as the auditing thereof will still be in progress.	Mayor	
Municipality submits Annual Report including final annual financial statements and annual performance report to Auditor General for auditing purposes by 31 August 2026. Council to submit unaudited tabled annual report to MPAC for vetting and verification of council's directive on service delivery & the		CFO	August/September 2026

Activity	Legislation and guidance	Process Owner/Role Player	Time Frame
committee to evaluate senior managers' performance against agreement entered into.			
Commencement of IDP analysis of institutional services and infrastructure provision, backlogs and priorities. Unaudited Annual Report as submitted to Auditor-General to be used as input into the IDP strategic phase process and community verification & input by MPAC on reported performance. Such information includes that of various entities incorporated into the information of the parent entity	If the above process is followed, the unaudited Annual Report can add value to the IDP/Budget planning process for the next year as well as oversight by MPAC on the reported deliverables by communities and achievements targets reached.	Council	
Annual Report and Oversight Report process for adoption to be used as input into public participation meetings for the IDP review process.	Section 127, 128, 129 and 130 of the MFMA	Council	September- November 2026
Annual Report made public and local community invited to submit representations on the Annual Report.	MFMA Section 127(5)	MM	September 2026
MPAC undertakes oversight process and considers representations received from the local community	MFMA Sections 129 and 130	MPAC	September – November 2026

Activity	Legislation and guidance	Process Owner/Role Player	Time Frame
Community inputs and MPAC recommendations to inform the Oversight Report for Council consideration.	MFMA Sections 129 and 130	MPAC/Council	November 2026
Auditor-General audits the unaudited Annual Report and submits the audit report to the accounting officer for the municipality.	Section 126(3)(b) require the Auditor-General to submit an audit report within three months after receipt of statements from the municipality.	Auditor General	November 2026
The Auditor General's reports are issued during the period of Oct/Nov 2026 Once the AG audit reports have been issued no further changes are allowed as the audit process is completed.	Section 129, 130 and 131. Tabling the audited Annual Report within 5 or 6 months after the end of the financial year. Section 75 for publication on website.	MM Auditor General	November/December 2026 (depending on date of the Audit Report)
Mayor tables audited Annual Report and Annual financial statements to Council.		Mayor	
Audited Annual Report is made public.		MM	
Oversight committee finalises its assessment of the Annual Report upon receipt of the Auditor General's report and submits an Oversight Report to Council for adoption.		Oversight Committee	
Council adopts oversight report	The entire process, including oversight reporting and submission to provincial legislators is completed in December and not in March the following year.	Council	December 2026
Oversight report is made public		MM	
Oversight report is submitted to Legislators, Treasuries and DLG.		Mayor	

DISTRICT COUNCIL

24 JUNE 2026

1. REPORT ON THE PROGRESS OF THE GARDEN ROUTE GROWTH AND DEVELOPMENT STRATEGY IMPLEMENTATION / VORDERINGSVERSLAG RAKENDE DIE VORDERING VAN DIE IMPLEMENTERING VAN DIE TUINROETE GROEI- EN ONTWIKKELINGSTRATEGIE / INGXELO NGOMSEBENZI WOKUMISELWA KWESICWANGCISO SOBUCHULE BEZOHLULO NOPHUHLISO LWE GARDEN ROUTE

REPORT FROM THE EXECUTIVE MANAGER: PLANNING AND ECONOMIC DEVELOPMENT (L. MENZE) / MANAGER: DED, TOURISM, EPWP AND JOB CREATION (R. DYANTYI)

2. PURPOSE

To inform Council on the progress of the implementation of the Garden Route Growth and Development Strategy (GRGDS) through the seven strategic priority focus area clusters:

- A Water Secure Future
- A Circular Economy
- Resilient Agriculture
- Sustainable Tourism
- Supporting Wellbeing and Resilience
- A connected economy: Transport and Rural-urban integration and ICT
- Sustainable Local Energy Transition

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

GDS CLUSTER/PROJECT IMPLEMENTATION UPDATES:

The Garden Route Growth and Development Strategy (GRGDS) 2040, adopted by Council on 30 March 2021, provides a long-term, aspirational framework for the region's sustainable and social and economic development. A detailed Implementation Plan, operationalised through a partnership with the Western Cape Economic Development Partnership (WCEP), was approved by Council on 30 January 2023.

Significant progress has been made across the seven (7) key priority areas. This report outlines key achievements, identifies ongoing challenges, and

details forward planning, aligning the GRGDS with the district's Integrated Development Plan (IDP).

Implementation efforts have focused on building foundational capacity and initiating key projects across the identified strategic focus areas, however in recent months many of the identified projects came to a halt due to processes and lack of capacity to drive/champion these projects.

A water secure future:

Project for development of the Bulk Water Master Plan was put on hold due to the National Water Resilience plan consultation and data collection process, to avoid duplication and leverage data collected by National Department of Water and Sanitation, to complete the demand and supply model for the Garden Route which is required as the national process will not be including the cross-border projects.

GRDM is also in engagement with COGTA in relation to potential assistance on becoming a water authority.

Sustainable Tourism:

The region has seen substantial growth in its tourism sector, emerging as the third largest contributor to provincial economic output in 2024. The Garden Route and Klein Karoo Tourism Strategy has been reviewed and approved to further enhance offerings and attract investment, including exploring collaboration opportunities with all partners like National Department of Tourism, Wesgro, Local Tourism Offices, etc. The Regional Tourism Office hosted industry workshops in George and Oudtshoorn on 26 and 27 May 2026 in collaboration with the National Department of Tourism to strengthen the tourism business eco-system in and outside the region.

Resilient Agriculture:

As part of the growing honeybush tea industry in the Western Cape, this project is vital for improving the quality and efficiency of its production process. The first phase of the project is completed and entailed the design and manufacturing of the processing retort. This phase was funded by the Western Cape

Department of Local Government through the Joint Metro and District Approach (JDMA) process.

The report will enable producers outside the current value chain to streamline the extraction and fermentation process, ensuring a consistent, high-quality product while also reducing waste of the product and apply methodologies of sustainability which will protect the environment.

The funding for the next phase of the project was committed by Department of Agriculture for the construction of a dedicated structure to house the honeybush processing retort. A well-designed structure will provide the necessary protection and environmental controls required for the optimal operation of the retort, ensuring consistent product quality. This facility will not only safeguard the retort but also support the scaling of production, allowing for increased output while adhering to industry standards.

Casidra SOC Ltd initiated a tender process in December 2025, which was subsequently re-advertised in January 2026. The outcomes of both processes reached the same conclusion, namely that the available budget was insufficient. A request for additional funding was submitted to cover shortfalls and should the required funding be approved, the funds will be committed to the construction of the facility.

At this stage the project requires assistance for a dynamic dryer for the facility, as well as additional assistance towards the shortfall required to make a successful service provider appointment for the construction of the processing facility. Failure to construct this facility will impact negatively on direct and indirect job creation and the economic growth of the region. We are confident that with this infrastructure in place, we can help drive the growth of the honeybush industry and its contribution to the Garden Route District and Western Cape economy.

By supporting this request, the Department of Agriculture will contribute to the sustainability and growth of the local honeybush industry, creating job opportunities and fostering economic development in rural areas. This

investment will empower small producers and help position the Western Cape as a leader in the global honeybush market. The intention of this project is to disrupt the sector and respond to the GDS and G4J focus areas.

Garden Route has engaged the DoA in 2024 to assist with a regional agriculture Development Master Plan, who then appointed a service provider to compile the plan and the process was concluded in April 2026. The plan will outline the economic commodities and infrastructure initiatives which will enable the sector to take strategic decisions.

Sustainable Local Energy Transition:

The Municipality is actively pursuing green mobility initiatives, with a vision to establish fast, efficient Electric Vehicle (EV) charging hubs along the N2 corridor and urban centres. Discussions with international consulates (e.g., India) for collaboration in renewable energy and IT sectors are also underway.

Supporting Wellbeing and Resilience:

The "Garden Route Skills Mecca" initiative is being actively rolled out, with a website operational since February 2022 to provide skills development and training opportunities. Reports are submitted to council for updates as required.

The review of the Municipal Spatial Development Framework is complete.

A Connected Economy:

Progress includes the development of an IT sector with a focus on digitalization. Airports Company of South Africa declared plans to expand their airport terminal and other projects around the airport. This will have economic spin-offs for businesses in the region as presented by ACSA at their supplier workshop on 5 June 2026.

A Circular Economy: Project progress is good as it is meeting its milestones. The relevant department is updating council on a regular basis as required.

Challenges and Mitigation

Key challenges in the implementation process include:

The region continues to experience significant population growth, placing pressure on existing infrastructure and services. The strategy is addressing this through connectivity clusters and targeted job creation initiatives within the key economic sectors (tourism, agriculture) and skills development programs.

Funding and Resources: Budget constraints necessitate the optimal utilisation of existing staff and a focus on securing alternative revenue streams and external funding for projects.

Way Forward

The GRGDS implementation is a continuous process that informs the annual IDP and budget cycles. A full report on the progress of the catalytic projects, that emanate from the GDS as the strategic drivers for the municipality, will be tabled to appraise Council of the progress made.

The following are the focus areas for the upcoming period:

- **Monitoring and Evaluation:** Strengthening the mechanisms for monitoring the strategy's progress and adapting plans based on performance reviews (e.g., the Municipal Spatial Development Framework assessment).
- **Inter-governmental Collaboration:** Leveraging partnerships with local municipalities, provincial departments (e.g., Western Cape Departments of Agriculture, Local Government,), and national agencies i.e. Small Enterprise Development and Finance Agency, to ensure integrated planning and resource allocation. We continue to engage with the National Departments through various platforms i.e. meetings and written correspondence for their strategic collaboration to address the GDS.
- **Private Sector Engagement:** Continued collaboration with the business community and key community organisations to co-invest in high-impact projects, attractions and experiences.

The Municipality remains committed to achieving the long-term ambitions of the GRGDS, ensuring a resilient, inclusive, and prosperous future for the Garden Route District.

While significant progress has been made across the seven key priority areas of the Growth and Development Strategy (GRGDS 2040), several projects have stalled due to a lack of capacity. Key developments include the growth of the tourism sector as a third-largest provincial contributor and the completion of the Skills Mecca portal, while projects like the Honeybush facility face budget shortfalls for construction. The process is focused on inter-governmental collaboration and securing funding to address these delays and drive the region's socio-economic development.

Subject to the intergovernmental dispute in relation to JDMA/DDM, COGTA has published amended regulations and with the conclusion of this process it will enable the district to review its One Plan as per the regulations. This will strengthen the project coordination through the JDMA/DDM structures and budget alignments.

5. RECOMMENDATION

That Council takes note of the report on the progress of the Growth and Development Strategy implementation through the seven key focus area project progress assessment.

AANBEVELING

Dat die Raad kennis neem van die vorderingsverslag rakende die vordering van die implementering van die Groei- en Ontwikkelingsstrategie deur die vorderingsassessering van die sewe sleutelfokusareas van die projek.

ISINDULULO

Sesokuba iBhunga lithathele ingqalelo umsebenzi wengxelo yokumiselwa koBuchule Bohlumo Nophuhliso ngokwenkalo ezingundoqo ezisixhenxe zamasebe.

6. DISCUSSION / CONTENTS

6.1 Background

The Garden Route Growth and Development Strategy (GDS) was adopted by Council on 30 March 2021 together with the Garden Route Economic Recovery Plan. Various key focus area workshops took place to develop and compile

the GDS Implementation Plan which was approved by Council on 27 February 2023.

Work is being done on identified activities, and catalytic projects together with the GRDM, local B-Municipalities, national and provincial Government, agencies, and the private sector at a later stage. Relevant stakeholders per strategic priority were identified as key members of the specific Clusters that are proceeding with the ongoing workings of the cluster to achieve the objectives of the strategy and projects identified.

It is important to re-iterate that the implementation of the GRG&DS is crucial in terms of making an impact in the region, through partnerships and collaboration with stakeholders, both inside and outside the region, inclusive of private and public sector.

6.3 Financial Implications

During the implementation of the GRGDS funding from Council, as well as from other public and private stakeholders will be needed to be able to implement programmes and projects.

6.4 Legal Implications

None.

6.5 Staff Implications

None.

6.6 Previous / Relevant Council Resolutions:

- Adoption of the Garden Route Growth and Development Strategy by Council on 30 March 2021.
- Adoption of the Garden Route Economic Recovery Plan on 30 March 2021.
- Approval of the GDS Implementation Plan on 27 February 2023.

6.6 . Risk Implications

Failure to implement the strategic catalytic projects will lead to high unemployment, poor infrastructure development, lack of education and result in council failing to execute its constitutional mandate.