

NDLAMBE MUNICIPALITY



AGENDA

OPEN NDLAMBE COUNCL **MEETING**

DATE: FRIDAY, 28 AUGUST 2026

TIME: 10H00.

**VENUE: ECO SUN VILLAGE
KENTON ON SEA**

**AGENDA OF AN OPEN NDLAMBE COUNCIL MEETING WILL BE HELD ON
FRIDAY, 28 AUGUST 2026 AT 10H00 IN THE ECO SUN VILLAGE, KENTON ON
SEA.**

**NOTICE is hereby given that an OPEN MEETING of the NDLAMBE COUNCIL will
be held on FRIDAY, 28 AUGUST 2026 at 10H00 IN THE ECO SUN VILLAGE,
KENTON ON SEA.**

**PORT ALFRED
21 August 2026**


**DIRECTOR, CORPORATE SERVICES
for: MUNICIPAL MANAGER**

TO: Councillor: A Marasi (In the Chair)

Councillors: K C Ncamiso, (Mayor) A. Bukani, S. T Dyakala, N. E. Haynes,
W. Johannes, P. Y Kani, S. Kolosa, P. Khungwayo, R. K. Purdon,
N. F. Memani, M. Mgweba, Z. W. Myali, S. Melani, O Msesiwe, A Nyumka,
M. Sweli, S. Venene, E. H. K. Walker, S. Zweni.

Officials: Municipal Manager, Directors: Financial Management, Corporate
Services, Infrastructural Development, Community / Protection Services.

Deputy Directors: Financial Management, Infrastructural Development (Port
Alfred), (Alexandria), Community/Protection Services,

Manager: Local Economic Development, Manager: Human Resources,
Manager: Town Planning, Manager: Integrated Development Plan, Manager:
Housing, Manager: Supply Chain Management Unit, Manager Water Services,
Manager: Budget & Treasury Manager: Internal Audit Unit, Manager:
Administration, Communication Officer, SAMWU and IMATU.

NCA001/08/2026

OPENING

NCA002/08/2026

APPLICATION FOR LEAVE OF ABSENCE

3/2/4

NCA003/08/2026

OFFICIAL ANNOUNCEMENTS BY THE SPEAKER

3/2/1

**AGENDA OF AN OPEN NDLAMBE COUNCIL MEETING WILL BE HELD ON
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NCA004/08/2026

REPORTS OF SPEAKER IN TERMS OF RULES

10 (1) and 87 (4)

NCA005/08/2026

**DISCLOSURE OF INTEREST BY COUNCILLORS (SCHEDULE 1 OF MUNICIPAL
SYSTEMS ACT)**

Attached as **Annexure C. 01**

NCA006/08/2026

**DISCLOSURE OF INTEREST AND BENEFITS BY MUNICIPAL STAFF MEMBERS
(SCHEDULE 2 OF MUNICIPAL SYSTEMS ACT)**

Attached as **Annexure C. 02**

NCA007/08/2026

REPORTS RECEIVED BY THE SPEAKER

NCA008/08/2026

MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

NCA009/08/2026

MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS

NCA010/08/2026

DEPUTATIONS AND INTERVIEWS

**AGENDA OF AN OPEN NDLAMBE COUNCIL MEETING WILL BE HELD ON
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**NCA011/08/2026
COMMUNICATION BY THE MAYOR**

**NCA012/08/2026
MINUTES OF PREVIOUS FULL OPEN NDLAMBE COUNCIL MEETING: 29 MAY
2026
3/2/1**

That the Minutes of the Full Open Ndlambe Council meeting held on 15 April 2026, Resolutions **NCM001/05/2026 to NCM045/05/2026**, a copy which appears as **Annexure C.03** BE CONFIRMED.

**NCA013/08/2026
MINUTES OF PREVIOUS SPECIAL OPEN NDLAMBE COUNCIL MEETING:
24 JUNE 2026
3/2/1**

That the Minutes of the Special Open Ndlambe Council meeting held on 24 June 2026, Resolutions **SNCM001/06/2026 to SNCM011/06/2026**, a copy which appears as **Annexure C.04** BE CONFIRMED.

**NCA014/08/2026
MINUTES OF PREVIOUS SPECIAL OPEN NDLAMBE COUNCIL MEETING:
29 JULY 2026
3/2/1**

That the Minutes of the Special Open Ndlambe Council meeting held on 29 July 2026, Resolutions **SNCM001/07/2026 to SNCM011/07/2026**, a copy which appears as **Annexure C.05** BE CONFIRMED.

**NCA015/08/2026
REPORT ON IMPLEMENTATION OF COUNCIL RESOLUTIONS**

Implementation of the Council Resolutions, a copy which appears as **Annexure C.06**, BE CONFIRMED AND UPDATED.

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NCA016/08/2026

**REPORT DATED 20 AUGUST 2026 FROM THE OFFICE OF THE MUNICIPAL
MANAGER TO COUNCIL: RISK ASSESSMENT REPORT 2026/2027 FY**

PURPOSE

The purpose of this report is to provide feedback on the risk assessment conducted for Ndlambe Municipality for the 2026/2027 Financial Year. The report provides feedback on the risks the municipality is exposed to and for Management, Risk Committee and Council to oversee mitigation. The risks identified are those that are a threat to the municipality because it is not being able to meet strategic objectives.

BACKGROUND

Section 62(1) c (i) and 95 c (i) of the MFMA require the Accounting Officer to ensure that their municipalities and municipal entities have and maintain effective, efficient and transparent systems of risk management. The risk assessment process is conducted in order to identify what could cause the municipality to deviate from its objective, to determine how likely the risk could occur, as well as the consequences if it does occur. The municipality must determine which risks need to be addressed or prioritised. Risk management processes purely consist of three steps, namely, risk identification, risk analysis and evaluation of risks.

The Risk Assessment was conducted on the 18th and 19th May 2026 at the Council Chambers in Kenton-On-Sea. The Municipality **was assisted by the Provincial Treasury and COGTA.**

The following key stakeholders were invited to the session:

- Chairperson of the Risk Committee – Prof. Plaatjes
- Municipal Manager
- Directors and Management of the Municipality.
- Risk and MPAC Office.
- Internal Audit Unit; and
- Risk Champions.

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DISCUSSIONS

Attached as **Annexure C.07** are the following:

- A - Summary Report – Risk Assessment Report
- B - Risk Assessment Report 2026/2027 FY

RECOMMENDATIONS TO COUNCIL

1. THAT the Council ACCEPTS and APPROVES the Risk Assessment Report for 2026/2027.
2. THAT Management IMPLEMENTS the actions as identified during the Risk Assessment.
3. THAT Management ensures ongoing monitoring of emerging risks affecting their department.
4. THAT the Risk Appetite be introduced and it be approved by the Council as part of the Risk Management Policies.
5. THAT the quarterly target set on the Risk Register should also be aligned with the SDBIP and the Budget.
6. THAT Operational Risk Registers for all the Directorates be developed for the 2026/2027 Financial Year.
7. THAT the Consequence Management Policy be reviewed and presented in the next Risk Committee Meeting.
8. THAT the draft SOPs as required by COGTA on the Non-Negotiables Booklet be presented in the next Risk Committee Meeting.
9. THAT all the Annual Target should be broken down into quarterly targets.
10. THAT the budget for the implementation of Risk Action Plans be included on the Risk Register.
11. THAT Treasury and COGTA be invited to the Municipality for the training on the calculation of the Risk Appetite for the Municipality.
12. THAT Management develop and submit a Risk Appetite and Risk Tolerance Framework for consideration by the Risk Committee and approval by Council during the 2026/2027 financial year.
13. THAT the performance of the Risk Chairperson be evaluated annually for consistency with the requirements.

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NCA017/08/2026

**REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL MANAGER TO THE
COUNCIL: PUBLIC PARTICIPATION PROCESS: REQUEST TO PURCHASE A
PORTION OF THE ROAD RESERVE OF ERF 1014 (PROSPECT LANE), PORT
ALFRED: ESTATES SECTION**

PURPOSE

The purpose of this report is to obtain Council's resolution authorizing the commencement of a statutory public participation process in terms of applicable legislative prescripts, following a request to regularize and dispose of a portion of the municipal road reserve of Erf 1014 (Prospect Land) Port Alfred, currently encroached upon by structures associated with Erf 1015, Seaview Terrace, Port Alfred.

This report seeks approval only to initiate the statutory public participation process and does not seek approval for the disposal or transfer of the affected municipal land.

LEGISLATIVE AND POLICY FRAMEWORK

The proposed process must be undertaken in accordance with the following legislative and regulatory frameworks:

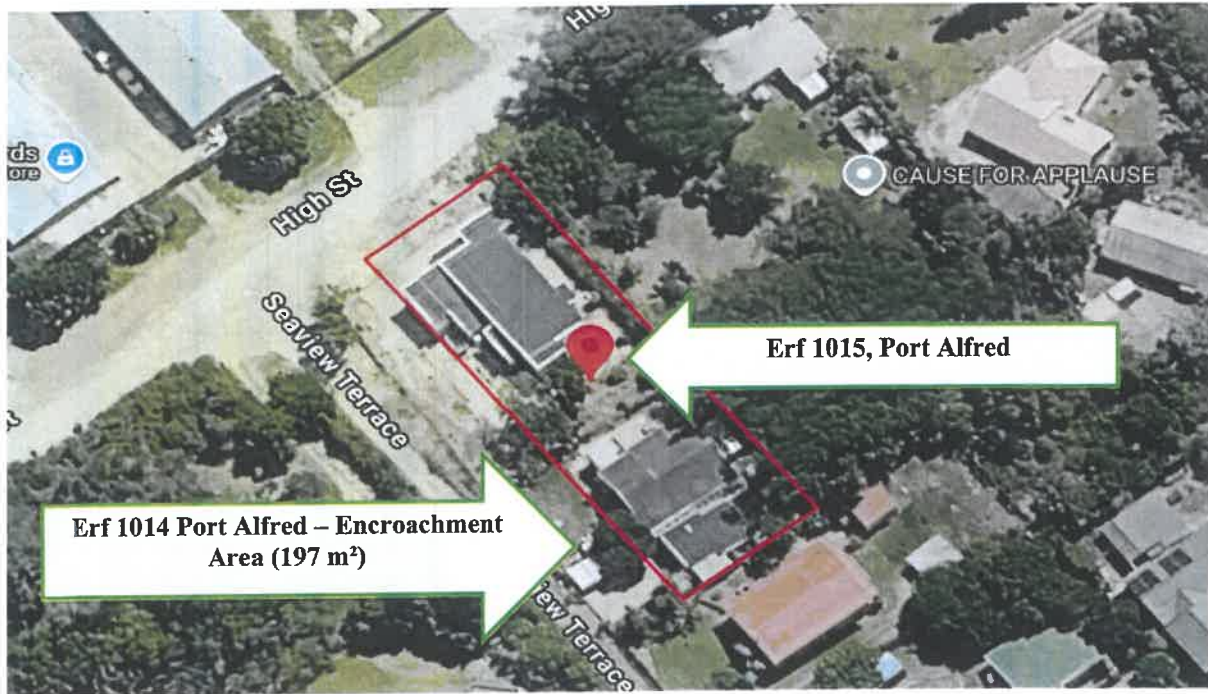
- **Local Government: Municipal Systems Act, No. 32 of 2000 (MSA):**
Sections 16 and 17 require municipalities to undertake public participation processes in municipal decision-making and governance matters.
- **Local Government: Municipal Finance Management Act, No. 56 of 2003 (MFMA):**
Section 14 regulates the disposal of municipal capital assets and requires that assets are not required for the provision of a minimum basic municipal service. This report seeks approval only to initiate the statutory public participation process and does not seek approval for the disposal or transfer of the affected municipal land.
- **Ndlambe Municipality Land Disposal Policy (as amended):**
 - Clause 9.6.1 permits the direct alienation (out-of-hand sale) of non-viable land, defined as land which cannot independently be developed or utilised but may be functionally integrated with an adjoining property.
 - Disposal remains subject to Council approval and compliance with all statutory processes.

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BACKGROUND

Ownership and Encroachment

- A portion of the road reserve of Erf 1014 (Prospect Lane), Port Alfred, measuring approximately 197 m², is affected by an existing encroachment associated with Erf 1015, Seaview Terrace, Port Alfred.



- Ownership of Erf 1014 (Prospect Land), Port Alfred, vests in William Shepherd under Deed of Transfer No. T536/1837.
- The owners of Erf 1015 purchased the property during 2021. During the acquisition process, it was indicated that the existing boundary fence and gate represented the cadastral boundary of the property.
- Acting on this understanding, the owners undertook improvements within the enclosed area, including the erection of a shade port measuring approximately 25,90 m² and the installation of a water storage tank to assist with stormwater management and prevention of soil erosion.

Survey and Planning History

- During the process of developing an additional dwelling on the property, building plans were submitted to Ndlambe Municipality and approved on 15 November 2021.

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- During the foundation inspection, it was identified for the first time that a portion of the land enclosed within the boundary fence extended beyond the registered property boundary.
- The services of a professional land surveyor were subsequently obtained to determine the correct cadastral boundaries.
- The survey confirmed that the upper section identified as ABCD on the survey sketch plan, measuring approximately 197 m², falls outside the boundary of Erf 1015 and forms part of the road reserve associated with Erf 1014 (Prospect Land).
- The building plans were subsequently amended to reflect the actual site conditions, including the approval of an additional dwelling unit and relaxation of building lines during September 2022.

Land Use and Planning Alignment

- The affected portion of land has historically been incorporated into the occupation and use of Erf 1015.
- The portion of land is not required for municipal infrastructure, public access, or any current or future municipal service delivery requirements.
- The affected area is considered non-viable for independent development and is suitable for incorporation into the adjoining property, subject to the required statutory approvals.

MOTIVATION AND IMPLICATIONS

- **Regularisation of Existing Encroachment:**

The proposed disposal will facilitate the legal regularisation of an existing encroachment and align the property boundaries with the actual occupation and development on site.

- **No Prejudice to Municipal Operations:**

The affected portion of land does not impact municipal infrastructure, road functionality, public access, or service delivery requirements.

- **Non-Viable Municipal Land:**

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The portion of land cannot reasonably be utilised as a separate entity and is intended to be incorporated into the adjoining property in accordance with the Ndlambe Municipality Land Disposal Policy.

- **Revenue Generation:**

The disposal of the affected portion will generate municipal revenue through the sale of the land and may contribute to an increased municipal rates base following incorporation into Erf 1015.

- **Transparency and Procedural Fairness:**

Conducting a public participation process will ensure compliance with legislative requirements and provide interested and affected parties with an opportunity to submit comments or objections prior to Council's final consideration of the proposed disposal.

See Annexure C.08

RECOMMENDATIONS TO THE COUNCIL

- a) THAT the motivation submitted by the owners, S D and C B Buso of Erf 1015, Seaview Terrace, Port Alfred, requesting the purchase of a portion of the road reserve of Erf 1014 (Prospect Land), Port Alfred, **BE NOTED**.
- b) THAT approval **BE GRANTED** for the commencement of a public participation process, in accordance with the applicable legislative prescripts, in respect of the proposed disposal of 197 m² of municipal property for the purpose of regularising the existing encroachments, comprising a carport, water tanks and a gate, as indicated on Layout Plan No. 9096, subject to the following conditions:
 - All costs associated with public notices, administrative processing, surveying, subdivision, conveyancing and transfer shall be borne by the applicant.
 - The public participation process shall include publication in local print media, placement of notices on municipal notice boards, and publication on the official website of Ndlambe Municipality.
 - Upon completion of the public participation process, a comprehensive report containing all comments, objections and representations received shall be submitted to the relevant Ward Committee and Council for final consideration.

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- d) THAT it **BE NOTED** that a portion of the road reserve of Erf 1014 (Prospect Land), Port Alfred, measuring approximately 197 m², is the subject of the proposed disposal and that ownership of Erf 1014 (Prospect Land) vests in William Shepherd under Deed of Transfer No. T536/1837.
- e) THAT it **BE NOTED** that the affected portion of land qualifies as non-viable property in terms of Clause 9.6.1 of the Ndlambe Municipality Land Disposal Policy and may be considered for disposal by way of an out-of-hand sale to the adjoining landowner, subject to compliance with all statutory requirements.
- f) THAT it **BE NOTED** that, in terms of Section 77(1) of the Spatial Planning and Land Use Management By-Laws, 2015, read with Section 122 of Ordinance 20 of 1974, ownership of land designated as a public street or public place vests in the Municipality upon confirmation of subdivision.

NCA018/08/2026

REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL MANAGER TO THE COUNCIL: PUBLIC PARTICIPATION PROCESS: REQUEST TO PURCHASE PORTIONS OF ERF 950 (STREET) AND ERF 394 (PUBLIC OPEN SPACE), BOESMANSRIVIERMOND: ESTATES SECTION

PURPOSE

The purpose of this report is to obtain Council's approval for the commencement of a statutory public participation process in terms of the applicable legislative prescripts, following a request received from the registered owner of Erf 310 Boesmansriviermond to purchase portions of municipal land, namely a portion of Erf 950 (Ocean View Drive) Boesmansriviermond and a portion of Erf 394, Boesmansriviermond, in order to regularise existing encroachments.

This report seeks approval only to initiate the public participation process and does not seek approval for the disposal or transfer of the affected municipal land.

LEGISLATIVE AND POLICY FRAMEWORK

The proposed process must be undertaken in accordance with the following legislative and regulatory frameworks:

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- **Local Government: Municipal Systems Act, No. 32 of 2000 (MSA):**
Sections 16 and 17 require municipalities to encourage community participation and establish processes that allow the local community to participate in municipal decision-making.
- **Local Government: Municipal Finance Management Act, No. 56 of 2003 (MFMA):**
Section 14 regulates the disposal of municipal capital assets and requires compliance with prescribed processes before municipal assets may be transferred.
- **Municipal Asset Transfer Regulations, 2008:**
Provides procedures relating to the transfer and disposal of municipal capital assets.
- **Ndlambe Municipality Land Disposal Policy (as amended):**
 - Clause 9.6.1 permits the direct alienation (out-of-hand sale) of non-viable property where such land cannot independently be used or developed but may be incorporated into an adjoining property.
 - Disposal remains subject to Council approval and compliance with all applicable statutory processes.

BACKGROUND

3.1 Summary of Request Received

An application was submitted by Mirinda de Beer, Professional Town and Regional Planner, acting on behalf of Mr Johannes Gerhardus Strydom, the registered owner of Erf 310 Boesmansriviermond.

The applicant requests permission to purchase two portions of municipal-owned land adjoining Erf 310 Boesmansriviermond, namely:

- A portion of Erf 950 Boesmansriviermond (Transport Zone 2 - Street) measuring approximately 174 m²; and
- A portion of Erf 394 Boesmansriviermond (Public Open Space) measuring approximately 28 m².

The purpose of the request is to regularise existing encroachments created by historical use and construction beyond the registered boundaries of Erf 310 Boesmansriviermond.

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The applicant has advised that the encroachments have existed for an extended period and that the affected portions have effectively been incorporated into the private use of Erf 310 Boesmansriviermond. The areas have been surveyed and are reflected on the Beacon Certificate prepared by M E H Sulter & Son Inc., Professional Land Surveyors.

3.2 Ownership and Encroachments

- Erf 310 Boesmansriviermond is registered in the name of Mr Johannes Gerhardus Strydom.
- The adjoining municipal properties, namely:
 - Erf 950 Boesmansriviermond (Street); and
 - Erf 394 Boesmansriviermond (Public Open Space),

Garden Encroachment – Portion of Erf 950 Boesmansriviermond (Street)

Approximately 174 m² of Erf 950 has historically been used as part of Erf 310 Boesmansriviermond.

The area was initially used for the storage of garden equipment due to the absence of physically identified cadastral boundaries. Over time, the area was enclosed by fencing and a permanent outbuilding was constructed, effectively extending the northern boundary of Erf 310 Boesmansriviermond.

The affected portion has never functioned as a public road or access route and is not currently used for municipal purposes.

Deck Encroachment – Portion of Erf 394 Boesmansriviermond (Public Open Space)

Approximately 28 m² of Erf 394 Boesmansriviermond is affected by a timber deck constructed on stilts and an associated boundary fence.

Due to the steep topography of the property and dense vegetation along the boundary, the cadastral beacons were difficult to identify during construction, resulting in the structure extending beyond the registered boundary.

Historical aerial imagery confirms that the deck has existed since at least 2010, indicating that the encroachment is longstanding.

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MOTIVATION AND IMPLICATIONS

- **Regularisation of Existing Encroachments:**

The proposed process will provide an opportunity to regularise an existing historical situation and align cadastral boundaries with the actual occupation and use of the land.

- **Limited Public Utility:**

The affected portion of Erf 950 Boesmansriviermond has not served as a public street or access route, while the affected portion of Erf 394 Boesmansriviermond is constrained by steep terrain and vegetation and has limited practical value as public open space.

- **Improved Land Administration:**

Regularisation of the encroachments will improve cadastral certainty and contribute towards orderly spatial planning.

- **Reduced Maintenance Responsibility:**

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The affected areas are currently maintained by the adjoining property owner. Should the disposal process be approved, the Municipality will no longer carry responsibility for these portions.

- **Revenue Generation:**

Should the disposal ultimately proceed, the Municipality may receive revenue from the transaction. Any valuation, purchase consideration and financial implications will be addressed in the subsequent reports following completion of the public participation process.

- **Transparency and Procedural Fairness:**

The public participation process will ensure that all interested and affected parties have an opportunity to submit comments, objections or representations before any final decision is considered.

FINANCIAL IMPLICATIONS

There are no immediate financial implications arising from the initiation of the public participation process.

All costs associated with the public participation process, including advertising, notices, administrative processing, shall be borne by the applicant.

Should the disposal proceed following completion of the required processes, the financial implications, including valuation, purchase consideration, conveyancing costs and possible impact on the municipal rates base, will be addressed in the subsequent reports submitted for consideration.

See Annexure C.09

RECOMMENDATIONS TO COUNCIL

- a) THAT the application dated 20 May 2026 submitted by Mirinda de Beer, Professional Town and Regional Planner, on behalf of Mr Johannes Gerhardus Strydom, registered owner of Erf 310 Boesmansriviermond, requesting the purchase of portions of Erf 950 Boesmansriviermond (Street) and Erf 394 Boesmansriviermond (Public Open Space),
BE NOTED.

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- b) THAT approval **BE GRANTED** for the commencement of a public participation process in terms of the applicable legislative prescripts regarding the proposed disposal of:
- 174 m², being a portion of Erf 950 Boesmansriviermond (Street); and
 - 28 m², being a portion of Erf 394 Boesmansriviermond (Public Open Space),
- for the purpose of regularising the existing encroachments by Erf 310 Boesmansriviermond, namely the extension of the property through boundary fencing and a permanent outbuilding onto a portion of Erf 950 Boesmansriviermond, and the encroachment of a timber deck on stilts and boundary fencing onto a portion of Erf 394 Boesmansriviermond Beacon Certificate (WG27).
- c) THAT the public participation process **BE CONDUCTED** subject to the following conditions:
- All costs associated with public notice shall be borne by the applicant.
 - The process shall include publication in local print media, placement on municipal notice boards and publication on the official website of the Ndlambe Municipality.
 - Upon conclusion of the public participation process, a comprehensive report containing all comments, objections and representations received shall be submitted to the relevant Ward Committee for consideration and a final report submitted to Council for consideration and a final decision regarding the proposed disposal of the affected municipal land.
- d) THAT it **BE NOTED** that Erf 950 Boesmansriviermond is zoned Transport Zone 2 and Erf 394 Boesmansriviermond is zoned Public Open Space 1 and registered in the name of the Ndlambe Municipality under Deed of Transfer No's. T8958/1950 and G249/1972, respectively.
- e) THAT it **BE NOTED** that the affected portions of Erf 950 Boesmansriviermond and Erf 394 Boesmansriviermond are regarded as non-viable municipal property in terms of Clause 9.6.1 of the Ndlambe Municipality Land Disposal Policy and may therefore be considered for disposal by direct sale (out-of-hand) to the adjoining landowner, subject to compliance with all statutory and municipal requirements.

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NCA019/08/2026

**REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
JOINT VENTURE AGREEMENT: NDLAMBE MUNICIPALITY / NELISA-MAKHI TRUST
PROPOSED DISPOSAL OF ERF 3133, KARIEGA HEIGHTS, KENTON-ON-SEA:
SUBMISSION OF INDEPENDENT VALUATIONS AND DETERMINATION OF PURCHASE
PRICE: ESTATES SECTION**

PURPOSE

The purpose of this report is to submit, for Council's consideration, the three independent professional valuations obtained in respect of Erf 3133, Kenton-on-Sea, in compliance with Condition 3(ii) of Council Resolution NCM018/10/2025 dated 31 October 2025.

The report further seeks Council's approval of the highest independent market valuation as the agreed purchase price for the disposal of Erf 3133, Kenton-on-Sea, to the Nelisa-Makhi Trust, and approval to proceed with the transfer of the property subject to the conditions contained herein.

BACKGROUND

2.1 Joint Venture Agreement

In 2005, Ndlambe Municipality entered into a Joint Venture Agreement with the Nelisa-Makhi Trust ("the Developer") relating to the subdivision and development of Erf 3136, Kenton-on-Sea.

The approved development comprised four residential villages, namely:

- Bellevue
- Hillside Drive
- Gorah Place; and
- iLanga Close

The development comprised approximately 80 residential erven. Erf 3133, Kenton-on-Sea, measuring approximately 1.1147 hectares (11 147m²), was reserved for the establishment of a retirement village comprising approximately 30 residential erven.

Due to changing market conditions, the proposed retirement village development became commercially unviable. The Developer therefore requested that the intended land use of Erf 3133, Kenton-On-Sea be amended to permit the

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establishment of a business park incorporating business storage and boat storage facilities.



Clause 31 of the Joint Venture Agreement provides that, should the retirement village not prove viable, Erf 3133, Kenton-On-Sea may, with the agreement of the Municipality, be developed for an alternative purpose acceptable to both parties.

Accordingly, a report dated 15 October 2025 was submitted to Council recommending the amendment of the Joint Venture Agreement and the disposal of Erf 3133, Kenton-On-Sea to the Nelisa-Makhi Trust.

Council subsequently adopted Resolution NCM018/10/2025 dated 31 October 2025, approving the proposed disposal, subject to certain conditions.

-See Annexure-C.10

2.2 LEGISLATIVE AND POLICY FRAMEWORK

The proposed disposal of Erf 3133, Kenton-on-Sea, is governed by the following legislative and contractual framework:

2.2.1 Constitution of the Republic of South Africa, 1996

Section 152(1) provides that the objects of local government include, amongst others:

- providing democratic and accountable government for local communities;

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- ensuring the provision of services to communities in a sustainable manner;
- promoting social and economic development;
- promoting a safe and healthy environment; and

The proposed disposal is intended to facilitate economic development within the municipal area through the establishment of a business park, while ensuring that the property is not required for the provision of municipal services.

2.2.2 Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003)

Section 14 of the Act provides that a municipality may not transfer ownership of a capital asset needed to provide the minimum level of basic municipal services.

Where a capital asset is not required for that purpose, Council may approve the transfer after considering:

- the fair market value of the asset; and
- the economic and community value to be received in exchange.

The proposed disposal has been undertaken in accordance with these requirements. Three independent professional valuations were obtained, and Council is requested to approve the highest valuation as the agreed purchase price.

Erf 3133 Kenton-On-Sea is not required for the provision of the minimum level of basic municipal services, as such services have already been established and are provided within the Kariega Heights development area.

2.2.3 Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)

Section 4(2)(j) provides that the Council has the right to approve the disposal, alienation or transfer of municipal assets.

The proposed disposal is consistent with this provision, as the property is not required for municipal service delivery purposes and its development will contribute towards local economic development.

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2.2.4 Municipal Asset Transfer Regulations, 2008

The Municipal Asset Transfer Regulations, promulgated in terms of the Municipal Finance Management Act, regulate the transfer and disposal of municipal capital assets.

The proposed disposal has been considered with due regard to the applicable requirements relating to the disposal of immovable capital assets and the determination of fair market value.

2.2.5 Council Resolution NCM018/10/2025 dated 31 October 2025

Council resolved, inter alia, that:

- Erf 3133 Kenton-On-Sea be disposed of to the Nelisa-Makhi Trust.
- Three independent professional valuations be obtained to determine the market value of the property;
- The highest valuation be accepted as the agreed purchase price; and
- All costs associated with obtaining the valuations be borne by the Nelisa-Makhi Trust.

The requirements of the Council Resolution have been complied with.

DISCUSSION

3.1 Compliance with Council Resolution NCM018/10/2025

In compliance with Condition 3(ii) of Council Resolution NCM018/10/2025 dated 31 October 2025, three independent professional valuations were obtained from registered professional valuers to determine the market value of Erf 3133, , Kenton-on-Sea.

The valuation reports were prepared by valuers registered in terms of the Property Valuers Profession Act, 2000 (Act No. 47 of 2000).

The purpose of the valuations was to establish the current market value of the property for purposes of the proposed disposal.

3.2 Summary of Independent Professional Valuations

The following independent valuations were obtained:

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3.2 Summary of Independent Valuations

Valuer	Professional Registration No.	Date of Valuation	Market Value
Penny Lindstrom Valuations – Mark Lindstrom	4968/9	1 June 2026	R6 150 000 Excluding VAT
Black Dot Property Consultants - P.P. Mabelane	5063	11 June 2026	R4 160 000
Letlaka Ndamase	5435/7	5 June 2026	R3 900 000

All three valuations were undertaken using the Direct Comparable Sales Method, being an accepted valuation methodology for determining the market value of vacant commercial land.

In determining the market value, the valuers considered, amongst other factors:

- the strategic location of the property adjacent to the R72 at the northern entrance to Kenton-on-Sea;
- the high visibility of the property from the R72;
- the property's proximity to established commercial facilities, including the shopping centre and filling station;
- the extent of the property (11 147m²);
- the Business Zone 1 zoning;
- accessibility and availability of municipal engineering services; and
- comparable sales of vacant commercial properties within Kenton-on-Sea and surrounding areas.

The valuation reports recognise Erf 3133 Kenton-On-Sea as a strategically located commercial development opportunity with potential for future business-related uses, subject to compliance with all applicable planning, zoning and statutory requirements.

3.3 Determination of Purchase Price

Condition 3(ii) of Council Resolution NCM018/10/2025 provides that the highest of the three independent valuations obtained shall constitute the agreed purchase price.

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The highest valuation received was prepared by Penny Lindstrom Valuations, determining the market value of Erf 3133, Kenton-On-Sea as R6 150 000 (excluding VAT).

It is therefore recommended that Council approve R6 150 000 (excluding VAT) as the agreed purchase price for the disposal of Erf 3133, Kenton-on-Sea.

3.4 Compliance with Section 14 of the Municipal Finance Management Act

Section 14 of the **Local Government: Municipal Finance Management Act, 2003** (Act No. 56 of 2003) provides that a municipality may not transfer ownership of a capital asset needed to provide the minimum level of basic municipal services.

Where a capital asset is not required for the provision of the minimum level of basic municipal services, Council may approve the transfer after considering the fair market value of the asset and the economic and community value to be received in exchange.

In considering the proposed disposal of Erf 3133, Kenton-On-Sea, Council records that:

- Erf 3133 Kenton-On-Sea is vacant land and is not utilised for the provision of municipal services;.
- The property is not required for the provision of the minimum level of basic municipal services.
- Basic municipal services have already been established and are provided within the Kariega Heights development area.
- Three independent professional valuations have been obtained to establish the fair market value of the property; and
- The proposed development will facilitate economic development through the establishment of a business park incorporating business storage and boat storage facilities, subject to all required approvals.

Accordingly, the proposed disposal complies with the requirements of section 14 of the Municipal Finance Management Act.

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FINANCIAL IMPLICATIONS

Approval of the proposed disposal will result in a capital receipt to Ndlambe Municipality amounting to: R6 150 000 (excluding VAT).

In accordance with Condition 3(iii) of Council Resolution NCM018/10/2025, all costs associated with obtaining the independent valuations were borne by the Nelisa-Makhi Trust.

All costs associated with the transfer of the property, including conveyancing fees, Deeds Office fees and any other costs necessary to effect registration, shall be borne by the Nelisa-Makhi Trust.

RECOMMENDATIONS TO COUNCIL

- a) THAT it **BE NOTED** that Condition 3(ii) of Council Resolution NCM018/10/2025 dated 31 October 2025 required three independent professional valuations to be obtained to determine the market purchase price of Erf 3133, Kenton-on-Sea, with the highest valuation constituting the agreed purchase price.
- b) THAT it **BE NOTED** that the following independent professional valuations were obtained in respect of Erf 3133, Kenton-on-Sea:
 - i) Penny Lindstrom Valuations (Registration No. 4968/9) dated 1 June 2026, determining a market value of R6 150 000 excluding VAT;
 - ii) Black Dot Property Consultants (Registration No. 5063) dated 11 June 2026, determining a market value of R4 160 000; and
 - iii) Letlaka Ndamase (Registration No. 5435/7) dated 5 June 2026, determining a market value of R3 900 000.
- c) THAT it **BE APPROVED** that, in accordance with Condition 3(ii) of Council Resolution NCM018/10/2025, the highest valuation obtained, being the valuation undertaken by Penny Lindstrom Valuations in the amount of R6 150 000 excluding VAT, be accepted as the agreed purchase price for the proposed disposal of Erf 3133, Kariega Heights, Kenton-on-Sea.
- d) THAT it **BE CONFIRMED** that Erf 3133, Kariega Heights, Kenton-on-Sea, is not required for the provision of the minimum level of basic municipal services as contemplated in section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), and that the disposal of the property will not adversely affect the Municipality's ability to provide such services.

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- e) THAT it **BE NOTED** that all costs associated with obtaining the independent valuations were borne by the Nelisa-Makhi Trust in compliance with Condition 3(iii) of Council Resolution NCM018/10/2025.
- f) THAT it **BE APPROVED** that the disposal of Erf 3133, Kariega Heights, Kenton-on-Sea, to the Nelisa-Makhi Trust proceed subject to the following conditions:
- i) The purchase price shall be R6 150 000 excluding VAT.
 - ii) All costs associated with the transfer of Erf 3133, including conveyancing fees, Deeds Office fees, transfer duty (where applicable), and any other costs necessary to effect registration, shall be borne solely by the Nelisa-Makhi Trust.
 - iii) Transfer of the property shall be effected in accordance with the provisions of the Deeds Registries Act, 1937 (Act No. 47 of 1937), as amended.
 - iv) Within three (3) months of registration of transfer, the Developer shall submit the necessary land use application for approval of the proposed business park development and shall comply with all applicable statutory, zoning and planning requirements.
 - v) The Developer shall formally accept, in writing, all conditions imposed by Council prior to transfer of the property.
 - vi) The Draft Addendum to the Joint Venture Agreement between Ndlambe Municipality and the Nelisa-Makhi Trust, attached as an annexure, be approved and finalised by the duly authorised representatives of both parties, subject to the mutual acceptance of the terms thereof by Ndlambe Municipality and the Nelisa-Makhi Trust.
 - vii) The Draft Addendum to the Joint Venture Agreement between Ndlambe Municipality and the Nelisa-Makhi Trust, attached as an annexure, be approved and finalised by the authorised representatives of both parties upon mutual acceptance of the purchase price of R6,150.000 excluding VAT by both Ndlambe Municipality and the Nelisa-Makhi Trust.
 - viii) The redevelopment of Erf 3133 Kenton-On-Sea shall comprise a business park incorporating business storage and boat storage facilities, subject to all required statutory approvals being obtained.
- g) THAT the Municipal Manager **BE AUTHORISED** to sign all agreements, transfer documentation and any ancillary documentation necessary to give effect to the disposal and transfer of Erf 3133, Kenton-On-Sea.

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NCA020/08/2026

**REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
PUBLIC PARTICIPATION PROCESS: REQUEST BY UNITED ETHIOPIAN CHURCH
OF AFRICA TO PURCHASE ERVEN 8270 AND 8271, THORNHILL, PORT ALFRED –
APPROVAL TO INITIATE PUBLIC PARTICIPATION PROCESS: ESTATES SECTION**

PURPOSE

The purpose of this report is to seek Council approval to initiate a public participation process in respect of an application received from the United Ethiopian Church of Africa for the possible acquisition of Erven 8270 and 8271, Thornhill, Port Alfred.

This process is required in terms of applicable legislation prior to any consideration of the possible disposal of municipal land.

LEGAL AND POLICY FRAMEWORK

The proposed process will be undertaken in accordance with the following:

- **Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)**, Sections 16 and 17
- **Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)**, Section 14
- **Ndlambe Local Municipality Land Disposal Policy** (as amended)
- **Ndlambe Spatial Development Framework (SDF) and Integrated Development Plan (IDP)**

BACKGROUND

3.1 Application Received

The United Ethiopian Church of Africa submitted applications dated 8 May 2026 and 11 May 2026 requesting the possible acquisition of Erven 8270 and 8271, Thornhill, Port Alfred.

In its submissions, the Church explains that it has an established national presence with congregations throughout South Africa and seeks to develop facilities that not only serve as places of worship but also contribute to the socio-economic development of the communities in which it operates. The Church states that its development model is based on three key pillars, namely support for the elderly, early childhood development and skills development.

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The applicant further advises that it has previously developed modern church facilities, including a recently completed church in Bathurst, which serves both the congregation and the broader community. The Church indicates that it wishes to establish a similar development in Thornhill to benefit the residents of Port Alfred and surrounding communities.

The Church currently owns and occupies premises in Mswela Street, eMakhamangeni. According to the applicant, the existing property has become unsuitable due to persistent geotechnical and waterlogging challenges despite significant investment and assistance sought from the Department of Infrastructure. The Church further states that the current site is constrained in terms of expansion and has become overcrowded as its membership has grown.

The applicant submits that Erven 8270 and 8271 Thornhill have been identified as suitable properties due to their location and accessibility. The Church advises that the proposed development would include:

- A modern place of worship with seating for more than 1 000 congregants;
- Conference facilities;
- An early childhood development (pre-school) facility;
- A community skills development centre;
- An old age home and associated feeding scheme for elderly residents.

The applicant contends that the proposed development would provide significant social and community benefits while addressing the limitations experienced at its existing premises.



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public participation and compliance with the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003).

- c) THAT approval **BE GRANTED** for the initiation of a public participation process in terms of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), subject to the following conditions:

i. **Cost of Public Participation**

The applicant shall be responsible for all costs associated with the publication and administration of the public participation process.

ii. **Post-Public Participation Submission**

Upon completion of the public participation process, a comprehensive report containing all comments, objections and representations received shall be compiled and submitted to the relevant Ward Committee for consideration, after which it shall be submitted to Council for consideration and decision-making.

- d) The it **BE NOTED** that the properties are registered in the name of the Ndlambe Local Municipality under Title Deed No T51490/2010 and comprise a combined extent of 3298 m².
- e) THAT it **BE NOTED** that this resolution does not constitute approval of the disposal of the properties or approval of the proposed development.
- f) THAT it **BE NOTED** that the public participation process is a statutory requirement and does not constitute approval of the proposed disposal or development.

NCA021/08/2026

REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL MANAGER TO THE COUNCIL: PUBLIC PARTICIPATION PROCESS: REQUEST TO PURCHASE A PORTION OF REMAINDER ERF 1111 KENTON-ON-SEA (PUBLIC OPEN SPACE): ESTATES SECTION

PURPOSE

The purpose of this report is to obtain Council's approval for the commencement of a statutory public participation process in terms of the applicable legislative prescripts following a request received from M E H Sülter & Son Professional Land Surveyors, acting on behalf of the registered owner of Erf 1911 Kenton-on-Sea, to purchase approximately

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267 m², being a portion of Remainder Erf 1111 Kenton-on-Sea, for the purpose of reinstating two timber viewing decks that historically existed on the site.

This report seeks approval only to initiate the statutory public participation process and does not seek approval for the disposal or transfer of the affected municipal land.

LEGISLATIVE AND POLICY FRAMEWORK

The proposed process must be undertaken in accordance with the following legislative and policy framework:

- **Local Government: Municipal Systems Act, No. 32 of 2000 (MSA)**

Sections 16 and 17 require municipalities to encourage community participation and establish mechanisms that enable local communities to participate in municipal decision-making.

- **Local Government: Municipal Finance Management Act, No. 56 of 2003 (MFMA)**

Section 14 regulates the disposal of municipal capital assets and prescribes the statutory processes that must be followed before municipal assets may be disposed of.

- **Municipal Asset Transfer Regulations, 2008**

Provide procedures governing the transfer and disposal of municipal capital assets.

- **Ndlambe Municipality Land Disposal Policy (as amended)**

Clause 9.6.1 permits the direct alienation (out-of-hand sale) of non-viable municipal property where such property cannot reasonably be utilised or developed independently but may be incorporated into an adjoining property.

- Any disposal remains subject to Council approval and compliance with all applicable statutory requirements.

BACKGROUND

3.1 Summary of the Application

An application dated 2 June 2026 was submitted by M E H Sülter & Son Professional Land Surveyors on behalf of Idtek Solutions (Pty) Ltd, the registered owner of Erf 1911 Kenton-on-Sea, requesting the purchase of approximately 267 m², being a portion of Remainder Erf 1111 Kenton-on-Sea.

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The purpose of the application is to regularise the historical use of municipal land by incorporating the affected portion into Erf 1911, thereby enabling the lawful reconstruction of two timber viewing decks that historically existed on the site.

The applicant submits that the proposal will resolve a long-standing land use anomaly by ensuring compliance with applicable planning, cadastral and property legislation while providing legal certainty regarding ownership and future maintenance responsibilities.

Historically, The Jerries Hotel used the municipal land situated in front of the property, where two timber viewing decks were erected. The current owner wishes to restore this historical arrangement through the lawful acquisition of the affected land.

Logical Extension of Erf 1911

The portion measuring approximately 267 m² forms part of the functional use area associated with Erf 1911. Owing to its location immediately adjacent to the property, the land has limited independent development potential and is best suited for incorporation into the adjoining property.

The proposed consolidation will create a practical and logical property boundary consistent with the existing pattern of land use.

No Negative Impact on Municipal Services or Infrastructure

The land proposed for disposal does not accommodate municipal roads, engineering services, public infrastructure, or utility corridors.

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Its alienation is therefore not expected to adversely affect municipal operations, service delivery, or future infrastructure planning. The Municipality will retain ownership and control of the remaining public land within the reserve.

No Material Loss of Public Amenity

Although forming part of land zoned Public Open Space, the affected portion is not used as a formal recreational facility, public access route, parking area, or public thoroughfare. The proposed disposal will therefore not materially affect public access to the adjoining coastline, beaches or surrounding public open spaces.

Environmental Stewardship

The incorporation of the land into Erf 1911 will place responsibility for the maintenance and environmental management of the affected area under a single owner. Any future improvements will remain subject to all applicable municipal approvals and environmental and planning legislation.

Enhancement of Property Value and Municipal Revenue

The consolidation will increase the extent and value of Erf 1911, thereby contributing positively to the municipal rates base. The Municipality will receive revenue from the sale of the land while also benefiting from increased future property rates.

Reconstruction of Existing Viewing Decks Only

The applicant has indicated that the intention is solely to reconstruct the two timber viewing decks that historically existed on the site. No additional residential or commercial buildings are proposed on the land to be acquired. Any future structures will remain subject to all applicable statutory approvals, including planning and building plan approval.

Consistency with Sound Planning Principles

The proposal promotes orderly development by:

- regularising a historical encroachment through lawful processes;
- creating logical and manageable property boundaries;

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- consolidating fragmented land ownership;
- improving cadastral certainty;
- reducing future land use conflicts; and
- encouraging compliance with planning and land administration legislation.

The proposal is therefore consistent with the principles of sound spatial planning and efficient land administration.

Conclusion

The proposed acquisition and consolidation of approximately **267 m²**, being a portion of Remainder Erf 1111 Kenton-on-Sea, with Erf 1911 will regularise a historical land use arrangement, improve legal certainty, enhance the municipal rates base and facilitate the lawful reconstruction of two timber viewing decks previously situated on the site. The proposal is not expected to prejudice municipal operations, neighbouring properties, or public access to the adjoining coastal environment.

Council is requested only to approve the commencement of the statutory public participation process. Any decision regarding the disposal of the municipal land will be considered only after completion of the public participation process and consideration of all comments, objections and representations received.

See Annexure C.12

RECOMMENDATIONS TO COUNCIL

- a) THAT the application dated 20 May 2026, submitted by M E H Sülter & Son Professional Land Surveyors on behalf of Idtek Solutions (Pty) Ltd (Registration No. 2014/174093/07), the registered owner of Erf 1911 Kenton-on-Sea, which property is utilised for The Jerries Hotel and associated restaurant facility, requesting the purchase of approximately 267 m², being a portion of Remainder Erf 1111 Kenton-on-Sea, known as the Joan Muirhead Nature Reserve, **BE NOTED**.
- b) THAT approval **BE GRANTED** for the commencement of a statutory public participation process in terms of the applicable legislative prescripts regarding the proposed disposal

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of approximately 267 m², being a portion of Remainder Erf 1111 Kenton-on-Sea, for consolidation with Erf 1911 and the reinstatement of two timber viewing decks.

- c) THAT the statutory public participation process **BE CONDUCTED** subject to the following conditions:
- All costs associated with the statutory public participation process shall be borne by the applicant.
 - The process shall include publication in the local press, placement on municipal notice boards and publication on the official website of the Ndlambe Municipality.
 - Upon completion of the public participation process, a comprehensive report containing all comments, objections and representations received shall be submitted to the relevant Ward Committee for consideration.
 - Thereafter, a final report shall be submitted to the Council for consideration and a final decision regarding the proposed disposal of the affected municipal land.
- d) THAT it **BE NOTED** that Remainder Erf 1111 Kenton-on-Sea, measuring 109.7328 hectares, is zoned Public Open Space Zone III, is known as the Joan Muirhead Nature Reserve, and is registered in the name of New Kenton Prop (Pty) Ltd under Deed of Transfer No. T55596/2000.
- e) THAT it **BE NOTED** that, in terms of section 77(1) of the Ndlambe Municipality Spatial Planning and Land Use Management By-Law, 2015, read with section 122 of Ordinance 20 of 1974, ownership of land designated as Public Open Space vests in the Municipality upon confirmation of the relevant subdivision.
- f) THAT it **BE NOTED** that the approximately 267 m² portion of Remainder Erf 1111 Kenton-on-Sea is regarded as non-viable land in terms of Clause 9.6.1 of the Ndlambe Municipality Land Disposal Policy, as it cannot reasonably be utilised or developed independently and can only be incorporated into the adjoining property, Erf 1911 Kenton-on-Sea. The portion may therefore be considered for disposal by direct sale (out-of-hand) to the adjoining owner, subject to compliance with all applicable statutory and municipal requirements.
- g) THAT it **BE NOTED** that approval of the commencement of the statutory public participation process shall not be construed as approval of the proposed disposal of the municipal land, and that the matter shall be referred back to Council for a final decision

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after completion of the public participation process and consideration of all comments, objections and representations received.

NCA022/08/2026

**REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL MANAGER TO
COUNCIL: APPROVAL AND ADOPTION OF THE NDLAMBE MUNICIPALITY
HOUSE SHOP POLICY AND OPERATIONAL POLICY FOR SUBMISSION OF LAND
USE PLANNING APPLICATIONS**

PURPOSE

The purpose of this report is for Council to adopt and approve the House Shop Policy and Operational Policy for Submission of Land Use Planning Applications.

LEGISLATIVE COMPLIANCE & ADHERANCE TO POLICY FRAMEWORKS

The preparation and public consultation of the proposed policies are guided by the following legislation:

- a) **Municipal Systems Act, No. 32 of 2000** – particularly Section 17 and 21, which obligate municipalities to encourage and facilitate public participation in local governance.
- b) **Spatial Planning and Land Use Management Act (SPLUMA), No. 16 of 2013**: The Act outlines norms and standards for land use planning and development, and promotes transparent, efficient, and participatory planning systems.
- c) **Ndlambe Municipality By-laws on Spatial Planning and Land Use Management, 2016**: The By-law provide for the regulation of land development and specify procedures for submitting planning applications.

BACKGROUND

On the 30th of May 2025, Council Approved the above Draft Policies for Public Participation to be conducted for the policies. The public participation processes was conducted and finalized. The policies were drafted/formulated in response to the ongoing challenges experienced in land use management, the Ndlambe Municipality

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has developed draft policy frameworks to guide critical aspects of development and regulation. These include:

- a) House Shop Policy:** To regulate the establishment and operation of small-scale retail shops within residential properties, thereby supporting economic development while maintaining residential amenity.
- b) Operational Policy for Submission of Land Use Planning Applications:**
To streamline the submission and assessment processes of land use applications and ensure administrative efficiency and legal compliance.

These draft policies were developed through internal stakeholder consultations, benchmarking with other municipalities, and alignment with national and provincial planning principles.

DISCUSSION

Subsequent to Council's approval of the Draft Policies for Public Participation on 30 May 2025, the Town Planning Section commenced the public participation process in respect of the Draft Policies. As part of the process, a workshop was also conducted with Councilors on 03 November 2025, to provide an overview of the Draft Policies, facilitate discussion, and ensure that Council Members were adequately informed of the proposed policies and their implications.

See Table below showing the milestones.

ACTION	COMMENTS
Approval of the Draft Policies for Public Participation/ Comments	Council Approved the Draft Policies on 30 May 2025 to Conduct Public Participation. The Policies were approved on condition that Councillors be workshopped on the policies before they are advertised for public comments.
Workshop/Presentation to Councillors	A Workshop/Presentation on the Draft Policies was conducted on 03 November 2025 , was conducted to induct, and

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	workshop the councillors on the policies.
Public Participation	Public Participation: • Policies were advertised on the Municipal Website/ Hard copies were sent to all municipal offices and libraries. • The notice was also advertised in Talk of the Town News Paper on 29 January 2026. • The public participation process for the policies started from 29 January 2026 and ended on 5 March 2026.

COMMENTS/OBJECTIONS

No objections or comments were received in respect of the Draft House Shop Policy.

In relation to the Draft Operational Policy for the Submission of Land Use Planning Applications, comments/objections were received from the Chamber of Business. It must be noted that the comments from the Chamber of Business were received on 19 March 2026, whereas the closing date for the submission of comments and objections was 5 March 2026. Notwithstanding that the comments were received after the closing date, the Town Planning Section has considered the matters raised and has provided clarification and responses to the issues raised. A copy of the comments received, together with the Town Planning Section's responses thereto, is attached hereto as **Annexure C. 13**

RECOMMENDATIONS TO COUNCIL

1. THAT, the Ndlambe Municipality House (Spaza) Shop Policy, 2026 and Ndlambe Municipality Operational Policy for Submission of Land Use Planning Applications, 2026, **BE ADOPTED & APPROVED.**

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2. THAT, it **BE NOTED**, that the policies shall be known as the Ndlambe Municipality House (Spaza) Shop Policy, 2026 and Ndlambe Municipality Operational Policy for Submission of Land Use Planning Applications, 2026.
3. THAT, the Proof of Public Participation, **BE NOTED**.
4. THAT, the Comments/Objections and Response from Town Planning Section, received, **BE NOTED**.
5. That, the Ndlambe Municipality House (Spaza) Shop Policy, 2026 and Ndlambe Municipality Operational Policy for Submission of Land Use Planning Applications, 2026, shall come into operation from 1st of October 2026, after the publication of the notice of adoption for the policies in the Newspaper.

NCA023/08/2026

**REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL MANAGER TO
COUNCIL: REPORT ON REVIEW OF HUMAN RESOURCES POLICIES**

PURPOSE

For Council to review and adopt the Human Resources Policies.

BACKGROUND

It is imperative that the Human Resources Policies should be reviewed to ensure consistency with the current applicable legislations. However, it is worth noting that ever since the last reviews there has been no major shift on legislative change that impacts on Human Resource. Furthermore, the Auditor General of South Africa requires that such policies be tabled before Council.

DISCUSSION

Attached as **Annexure C.14** is the Human Resources Policies.

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RECOMMENDATIONS TO COUNCIL

THAT the following Human Resources Policy **BE REVIEWED AND ADOPTED;**

NO.	TITLE	CUSTODIAN(S) RESPONSIBLE PERSON
1.	Discipline/Labour Relation Policy	Corporate Services
2.	Skills Development Policy	Corporate Services
3.	Ndlambe Municipality Delegation Framework and Register	Corporate Services

NCA024/08/2026
REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL MANAGER TO
COUNCIL: APPROVAL OF THE IDP, TARIFF AND BUDGET PROCESS PLAN
27-28

PURPOSE

The purpose of this item is to obtain Council approval for the annual Process Plan that will guide preparation of the 2027/28 Integrated Development Plan (IDP), Medium-Term Revenue and Expenditure Framework (MTREF), municipal tariffs, Performance Management System (PMS) and Service Delivery and Budget Implementation Plan (SDBIP).

This planning cycle is unusual because a local government election is scheduled for 4 November 2026. The process must therefore keep the statutory planning and budget cycle moving while responsibility passes from the outgoing Council to the incoming Council.

WHY THIS PROCESS PLAN IS DIFFERENT

In an ordinary year, Council reviews its existing five-year IDP and prepares the next annual budget. In this cycle, the current Council is approaching the end of its elected term and the incoming Council will be responsible for determining the five-year direction for its new term.

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The practical problem: The outgoing Council cannot simply stop planning because an election is approaching. At the same time, it should not decide the incoming Council's five-year political programme.

The proposed Process Plan resolves this through a two-stage transition:

PART OF THE TRANSITION	PERIOD	MAIN RESULT
Stage 1: Outgoing-term closure and handover	August–October 2026	Adopt the annual timetable; verify what was promised, delivered, delayed, unfunded or remains in progress; prepare the administrative, financial and community baseline; and formally close the outgoing record.
Election and formal transfer	November 2026	Constitute the incoming Council and transfer one verified handover record before new strategic choices are requested.
Stage 2: Incoming-Council direction and adoption	November 2026–July 2027	Induct councillors; validate community priorities; determine the five-year direction; test affordability; consult on the draft; and adopt the aligned IDP, budget, tariffs and SDBIP.

3. What the outgoing Council is being asked to do

By adopting this Process Plan 27 - 28, the outgoing Council will not be selecting the incoming Council's five-year priorities. It will be fulfilling its responsibility to:

- Keep the annual IDP and budget process legally and administratively active;
- Preserve the existing IDP, budget, policies and service obligations until lawfully changed;
- Require an honest account of completed, incomplete, delayed and unfunded commitments;
- Require a verified financial, tariff, project, risk and community baseline;
- Establish a controlled handover to the incoming Council; and
- Allow sufficient time for the incoming Council to understand the inherited position, consult communities and adopt its five-year IDP with the 2027/28 budget.

LEGAL FRAMEWORK

LEGAL SOURCE	RELEVANCE TO THIS ITEM
Municipal Systems Act, sections 16–18	Requires participatory governance and appropriate mechanisms through which communities and recognised organisations may participate.

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LEGAL SOURCE	RELEVANCE TO THIS ITEM
Municipal Systems Act, sections 25–30	Requires adoption of an IDP and an annual Process Plan that sets out the programme, responsibilities, participation arrangements and alignment requirements.
Municipal Systems Act, sections 32 and 34–36	Provides for submission, annual review or amendment, legal status and implementation of the IDP.
Municipal Structures Act, sections 19, 24 and 29	Deals with Council responsibility and term, and requires the Municipal Manager to call the first meeting within 14 days after the new Council is declared elected.
Municipal Structures Act, sections 72–75	Provides for ward committees as structures that enhance participatory democracy.
MFMA, sections 16–24 and Circular 10	Governs the annual budget timetable, preparation, tabling, consultation and adoption processes.
MFMA, sections 52–53, 62, 68–72 and 75	Sets responsibilities for the Mayor and Accounting Officer, the SDBIP, implementation, reporting, mid-year assessment and publication.
Planning and Budget Regulations and guidance	Provide prescribed IDP amendment, public-comment, budget format, mSCOA and related process requirements.

Strengthened planning and participation structures.

STRUCTURE	PURPOSE IN THE TRANSITION YEAR
IDP/Budget Steering Committee	The internal technical engine. It coordinates the work, verifies evidence, integrates the IDP, budget, tariffs, PMS and SDBIP, tests affordability and identifies inconsistencies before documents reach Council.
Expanded IDP Representative Forum	The broader community and sector voice. It includes ward representation together with recognised residents, ratepayers, tourism, business, agriculture, civic, NGO, NPO, traditional and Khoi-San, vulnerable-group and other sector representatives.
Ward councillors and ward committees	The geographical participation channel for all ten wards. They verify ward information, facilitate participation and report outcomes back to communities.
Council	The lawful decision-maker. Participation and technical advice inform Council; they do not replace its authority.

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The expanded Representative Forum will commence after adoption of this Process Plan. Nominations will be invited openly, representation gaps will be assessed, and the incoming Council will later update political and ward representation without unnecessarily discarding legitimate community and sector representatives.

Integration of the IDP, budget, tariffs and performance

The Process Plan does not treat the IDP, budget, tariffs and SDBIP as separate exercises. They must produce one coherent decision package:

- The IDP states what the municipality intends to achieve, for whom and where.
- The Budget shows what is funded, from which source and over what period.
- The tariff process shows the service-cost, revenue, indigent-support and affordability effects.
- The SDBIP states what will be delivered, by whom, by when and how it will be measured; and
- Risk, procurement and sector planning test whether the programme is lawful, ready and implementable.

Technical tariff work begins in September 2026 so the incoming Council can receive understandable options before political direction is required. Proposed tariffs will be tabled and consulted on with the draft budget and adopted with the final budget-related package.

Key milestones

DATE / PERIOD	MILESTONE
By 31 August 2026	Council considers and adopts the annual Process Plan and MFMA timetable.
September–October 2026	Financial, tariff, project, performance and community baselines are prepared and verified; the expanded Representative Forum is constituted and participates in handover verification.
4 November 2026	Local government election.
Within 14 days after Council is declared elected	Municipal Manager calls the first meeting of the incoming Council.
November–December 2026	Formal handover, councillor induction and confirmation of the remaining process.
January 2027	Mid-year evidence, ward/stakeholder validation and incoming-Council strategic planning.
February–March 2027	Project, affordability and tariff assessment; compilation and tabling of the draft IDP and budget by 31 March.

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DATE / PERIOD	MILESTONE
April 2027	Formal public consultation on the tabled IDP, budget, proposed tariffs and policies.
By 31 May 2027	Council adopts the final five-year IDP and the 2027/28 budget, tariffs, policies and measurable objectives.
June–July 2027	SDBIP, performance agreements, publication, system readiness and opening of implementation.

FINANCIAL IMPLICATIONS

Adoption of the Process Plan does not itself approve a project, tariff increase, new post or unbudgeted expenditure. Activities arising from the Process Plan must be undertaken within approved budgets and applicable cost-containment, supply chain management and financial-management requirements.

Where a proposed activity requires resources not presently available, the responsible official must identify the requirement and lawful funding source before any commitment is made. The final 2027/28 budget may include only realistically collectable revenue and cash-backed, affordable expenditure.

INSTITUTIONAL, LEGAL AND RISK IMPLICATIONS

AREA	IMPLICATION
Institutional	All directorates must provide verified handover, project, financial, risk, sector and performance information within the dates in Annexures A and B.
Legal/compliance	The section 28(2) pre-adoption consultation limitation is disclosed. Statutory budget, public-comment, adoption, submission and publication periods remain protected in the schedules.
Governance	The Process Plan prevents both a planning vacuum and improper pre-determination of the incoming Council's mandate.
Financial	Early baseline and tariff work exposes affordability constraints before political project and tariff decisions are made.
Participation	The expanded Representative Forum adds organised community and sector voices while retaining councillor, ward committee and direct public-participation channels.
Continuity	The verified transition baseline protects institutional memory and gives the incoming Council one controlled account of inherited obligations, risks and choices.

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ATTACHMENTS AS ANNEXURE C.15

REFERENCE	DOCUMENT
Attachment 1	2027/28 Election Transition IDP, Tariff and Budget Process Plan
Annexure A	2027/28 Election Transition IDP Activity and Responsibility Schedule
Annexure B	2027/28 Budget, Tariff and Key Statutory Deadlines

RECOMMENDATIONS TO COUNCIL

1. THAT Council notes that the 2027/28 IDP, Tariff and Budget cycle takes place across the 4 November 2026 local government election and must provide for both outgoing-term closure and incoming-Council priority-setting.
2. THAT Council adopts the 2027/28 IDP, Tariff and Budget Process Plan, including Annexure A and Annexure B, as the Municipality's annual process and timetable for preparation and adoption of the 2027/28 planning, budget, tariff and performance package.
3. THAT Council confirms that adoption of the Process Plan approves the process, structures, responsibilities and timetable and does not determine or restrict the incoming Council's lawful five-year political and strategic direction.
4. THAT the Approved Process Plan be publish and circulate from 30 August 2026.
5. THAT the Municipal Manager commence the open nomination and verification process for the expanded IDP Representative Forum during September 2026, in accordance with the Process Plan.
7. THAT all directors, deputy directors, responsible managers and relevant officials be instructed to submit complete, accurate and evidence-supported transition, financial, tariff, project, risk, sector and performance information within the timeframes in Annexures A and B.
8. THAT each directorate produces an implementation plan that meets the specific activity and time frames of the approved Process Plan which their directorate is responsible for.
9. THAT the Municipal Manager, through the IDP Steering Committee, monitor implementation of the Process Plan and report material delays, risks or required changes to the Mayor and Council.
10. THAT the incoming Council be provided with the verified Municipal Transition and IDP Baseline Report within ten working days after its first meeting and be invited to confirm or lawfully amend the remaining process and structures.

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NCA025/08/2026

**REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL MANAGER TO
COUNCIL: BUDGET FOR REGIONAL BULK INFRASTRUCTURE GRANT (RBIG)
PROJECTS DURING 2026/27 FINANCIAL YEAR.**

PURPOSE

For the council to approve budget for Regional Bulk Infrastructure grant (RBIG) projects during 2026/27 financial year.

BACKGROUND

Amatola Water was previously appointed to implement quick wins projects but due to delays where the projects were taking time to be completed.

The contract was then terminated between the department and Amatola water due to delays in completion of these projects and Ndlambe local Municipality was then appointed as implanting agent to complete the outstanding works.

The project was approved by the Department of water and sanitation for the Municipality to proceed with the works.

SOURCE OF FUNDING AND YEAR OF ALLOCATION

The project is funded by the Department of Water and Sanitation (DWS)

DISCUSSIONS

Nil

COMMENTS FROM OTHER DEPARTMENTS

Nil.

RECOMMENDATIONS TO COUNCIL

That Budget for the below projects **BE APPROVED** for 2026/27 financial year

Completion of Port Alfred Reverse Osmosis Plant	6,7,8,9&10	Water	R 18 367 486.58
Professional Service for Completion of Port Alfred Reverse Osmosis Plant	6,7,8,9&10	Water	R5 799 950.00
Implementation of Existing Inline isolation valve chambers and DN300 GRP	1	Water	R 4 964 700.00

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pipeline pressure testing (Contract 15)			
Professional Service for Implementation of Existing Inline isolation valve chambers and DN300 GRP pipeline pressure testing (Contract 15)	1	Water	R 1 235 300.00
Implementation of Existing Inline isolation valve chambers and DN300 GRP pipeline pressure testing (Contract 14)	1	Water	R 2 181 913.42
Professional Service for Implementation of Existing Inline isolation valve chambers and DN300 GRP pipeline pressure testing (Contract 14)	1	Water	R 450 650.00

NCA026/08/2026

**REPORT DATED 27 JULY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
PROJECT FOR IMPLEMENTATION FOR THE 2026/2027 FINANCIAL YEAR
FUNDED THROUGH DEPARTMENT OF HUMAN SETTLEMENTS.**

PURPOSE

For Council to consider and approve the project for implementation for the 2026/2027 financial year funded through Department of Human settlements.

BACKGROUND

The Municipality has submitted applications to the Department of human settlements for the purpose of upgrading informal settlements and associated bulk infrastructure through Upgrading Partnership Grant (ISUPG).

The Informal Settlements Upgrading Partnership Grant (ISUPG) is not designed for the direct construction of housing units. Instead, it plays a foundational role by ensuring that sites are fully serviced and ready for future housing development. This includes the installation of critical municipal infrastructure such as water, sanitation, roads, and stormwater systems.

The primary outcome of the ISUPG is the delivery of a serviced site, which provides the necessary platform for subsequent housing interventions.

The ISUPG also aims to intensify efforts to upgrade informal settlements in partnership

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with affected communities.

DISCUSSION

List of projects for 2026/2027 financial year

PROJECT NAME	WARD	SECTOR	TOTAL BUDGET	ALLOCATION FOR 2025/26	EXPENDITURE BUDGET	REMAINING BALANCE
Upgrading Bathurst Infill Informal settlements	5	Water and Sewer	R30,965,169.31	R15,287,982.73	R2,406,030.93	R12 881 951.83 R 3 839 123.20 (Contractor) R 9 042 828.63 (Professional Fees)
Upgrading of Alexandria Sewer Pump Station No. 2	1	Sewer	R3,822,335.24	R 1,075,917.00	R 96,445.25	R 979,471.75 (Contractor)
Upgrading of Alexandria Sewer Pump Station No. 3	1	Sewer	R4,702,122.04	R 864,193.00	R 57,362.35	R 806,830.65 (Contractor)
Upgrading of Alexandria Sewer Pump Station No. 4	1	Sewer	R4,702,122.04	R 403,145.00	R 209,479.38	R 193,665.62 (Contractor)
Upgrading of Klipfontein Sewer Pump Station No. 1	3	Sewer	R3,585,469.57	292,738.00	R 6,999.92	R 285,738.08 (Contractor)
Upgrading of Klipfontein Sewer Pump Station No. 2	3	Sewer	R3,348,603.89	R 1,075,917.00	R 0.00	R 1,075,917.00 (Contractor)
Refurbishment of WTW and New Package Plant (Port Alfred)	8	Water	R 27,747,121.98	R0.00	R 1,177,993.22	R 1,177,993.22 (Contractor)

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Upgrading of Boknes Road Informal Settlements	2	Water and sewer	R 35,187,692.40	R 15,999,263.59	R 19,421,241.00	R 3,213,300.92 (Contractor)
Upgrading of Horseplay Informal Settlements	4	Water and sewer	R18,649,476.97	R 9,962,324.00	R 0.00	R 156 869.56 (Contractor)

COMMENTS FROM OTHER DIRECTORATES

Nil

RECOMMENDATIONS TO COUNCIL

THAT the list of projects below **BE APPROVED** for implementation during 2026/27 financial year;

PROJECT NAME	WARD	SECTOR	TOTAL BUDGET	ALLOCATION FOR 2025/26	EXPENDITURE BUDGET	REMAINING BALANCE
Upgrading Bathurst Infill Informal settlements	5	Water and Sewer	R30,965,169.31	R15,287,982.73	R2,406,030.93	R12 881 951.83 R 3 839 123.20 (Contractor) R 9 042 828.63 (Professional Fees)
Upgrading of Alexandria Sewer Pump Station No. 2	1	Sewer	R3,822,335.24	R 1,075,917.00	R 96,445.25	R 979,471.75 (Contractor)
Upgrading of Alexandria Sewer Pump Station No. 3	1	Sewer	R4,702,122.04	R 864,193.00	R 57,362.35	R 806,830.65 (Contractor)
Upgrading of Alexandria Sewer Pump Station No. 4	1	Sewer	R4,702,122.04	R 403,145.00	R 209,479.38	R 193,665.62 (Contractor)
Upgrading of Klipfontein Sewer Pump Station No. 1	3	Sewer	R3,585,469.57	292,738.00	R 6,999.92	R 285,738.08 (Contractor)

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Upgrading of Klipfontein Sewer Pump Station No. 2	3	Sewer	R3,348,603.89	R 1,075,917.00	R 0.00	R 1,075,917.00 (Contractor)
Refurbishment of WTW and New Package Plant (Port Alfred)	8	Water	R 27,747,121.98	R0.00	R 1,177,993.2 2	R 1,177,993.22 (Contractor)
Upgrading of Boknes Road Informal Settlements	2	Water and sewer	R 35,187,692.40	R 15,999,263.59	R 19,421,241. 00	R 3,213,300.92 (Contractor)
Upgrading of Horseplay Informal Settlements	4	Water and sewer	R18,649,476.97	R 9,962,324.00	R 0.00	R 156 869.56 (Contractor)

NCA027/08/2026

REPORT DATED 20AUGUST 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL: ADJUSTMENT OF THE BUDGET FOR THE ALEXANDRIA 402 (297) RECTIFICATION PROJECT, A HUMAN SETTLEMENTS PROJECT FOR WHICH NDLAMBE LOCAL MUNICIPALITY HAS BEEN APPOINTED AS IMPLEMENTING AGENT.

PURPOSE

The purpose of this report is for Council to consider and approve an adjustment of the budget for the Alexandria 402 (297) Rectification Project, a Human Settlements project for which Ndlambe Local Municipality has been appointed as implementing agent.

BACKGROUND

The Department of Human Settlements has appointed Ndlambe Local Municipality as implementing agent for several housing projects within its area of jurisdiction. Among the projects allocated to the Municipality are the Alexandria 402 (Professional Services) project.

A professional service provider was appointed to oversee the implementation of the rectification of 297 houses for housing beneficiaries in Alexandria. Lilitha Projects was

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appointed as the professional service provider for this project at a total contract value of R3 382 597.00.

DISCUSSION

To date, an amount of R2 220 637.20 has been paid against the Lilitha Projects appointment, leaving an outstanding balance of R1 161 959.80 required to complete the professional services scope of the Alexandria 402 (297) Rectification Project.

In order for the project to proceed and be completed without interruption, it is necessary for Council to consider and approve an adjustment of the budget to provide for this outstanding balance.

FINANCIAL IMPLICATIONS

The financial implications of this report are summarised below:

Total appointment value: Lilitha Projects – Professional Services, Alexandria 402 (297) Rectification	3 382 597.00
Less: Expenditure incurred to date	(2 220 637.20)
Outstanding balance required – recommended budget adjustment	1 161 959.80

It is recommended that Council approve a budget adjustment of **R1 161 959.80** to the relevant to enable the Alexandria 402 (297) Rectification Project to be completed.

RECOMMENDATIONS TO COUNCIL

1. THAT the contents of this report **BE NOTED**.
2. THAT Council **APPROVE** the adjustment of the budget for the Alexandria 402 (297) Rectification Project in the amount of **R1 161 959.80**, being the outstanding balance on the appointment of Lilitha Projects as professional service provider for the project;

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NCA028/08/2026

**REPORT DATED 20 AUGUST 2026 – DISPOSAL AND DERECOGNITION OF
BROKEN MOVABLE ASSETS IDENTIFIED DURING YEAR END PHYSICAL
VERIFICATION**

PURPOSE

The purpose of this report is to request Council to approve the disposal, write-off and derecognition of broken movable assets identified during the physical verification process.

BACKGROUND

The Municipality's Asset Management Policy requires assets that are no longer in use and no longer provide economic benefits or service potential to be removed from the Asset Register.

During the 2024/2025 audit, the Auditor-General of South Africa (AGSA) raised a finding that the Asset Register included assets that were broken and no longer in use. AGSA advised that such assets should be assessed and, where appropriate, impaired or derecognised in accordance with GRAP 17 – Property, Plant and Equipment.

DISCUSSION

During the physical verification of movable assets, a number of assets were identified as broken, unusable and beyond economical repair. These assets are mainly computer equipment, furniture and office equipment, and machinery and equipment. The identified assets are considered scrap because they are no longer being used by the Municipality and no longer provide any economic benefits or service potential. As these assets no longer meet the definition and recognition criteria of an asset, they should be derecognised and removed from the Fixed Asset Register. This will ensure that the Asset Register accurately reflects the assets that are currently in use and prevents the Register from being overstated.

The total net book value (carrying value) of the broken assets identified for write-off is R146,868.29 as follows:

Classification	Net Book Value
Computer Equipment	R48,833.29
Furniture and Office Equipment	R18,763.94
Machinery and Equipment	R79,271.06
Total	R146,868.29

The detailed list of assets proposed for disposal and derecognition is attached as **Annexure C.16**

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DISCUSSION

The Draft annual report to be discussed in a separate document.

RECOMMENDATION TO COUNCIL

THAT the Draft Annual Report for the 2025/2026 financial year BE NOTED and be sent to the MPAC, relevant government departments and the Auditor General of South as stipulated by both the Local Government: Municipal Systems Act (No: 32 of 2000) and the Local Government: Municipal Finance Management Act (No: 56 of 2003) after which for public participation and consultation will be observed.

NCA030/08/2026

**REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL MANAGER:
PERFORMANCE AGREEMENTS FOR THE MUNICIPAL MANAGER AND
MANAGERS REPORTING DIRECTLY TO THE MUNICIPAL MANAGER FOR THE
2026/2027 FINANCIAL YEAR**

PURPOSE

For Council to NOTE the Performance Agreements for the Municipal Manager and Senior Managers reporting directly to the Municipal Manager for the 2026/2027 financial year .

LEGISLATIVE FRAMEWORK

- Constitution of the Republic of South Africa, 1996
- White Paper on Local Government, 1998
- Local Government: Municipal Systems Act 32 of 2000
- Municipal Planning and Performance Management Regulations, 2001
- Municipal Finance Management Act, 2003
- Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Manager, 2006

BACKGROUND

In terms of section 57 (1) (b) of the Municipal Systems Act the Performance agreements for the Municipal manager and all Senior managers are concluded in accordance with section 57 (2) of the Municipal Systems Act.

The Contract of Employment concluded between the parties, requires the parties to conclude an annual Performance Agreement. The performance plans must set out the objectives and targets that are aligned to the Integrated Development Plan, Services

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Delivery and Budget Implementation Plan and the Budget of the institution. The parties wish to ensure that they are clear about the goals to be achieved and secure the commitment of the employee to a set of outcomes that will secure local government policy goals. The managers are also expected to develop performance plans to fulfil their goals whilst also ensuring their personal development by having their own personal development plans.

OTHER PARTIES CONSULTED

- Mayor
- Municipal Manager
- All Municipal Directors
- Internal Audit Unit

DISCUSSION

The Performance Agreements for Municipal manager and Directors are attached as **Annexure C.17**

RECOMMENDATIONS TO COUNCIL

That the Performance Agreements as signed between the Mayor and the Municipal Manager, and between the Municipal Manager and Senior Managers for the 2026/2027 financial year **BE NOTED**.

NCA031/08/2026
URGENT REPORT BY MUNICIPAL MANAGER

NCA032/08/2026
CLOSURE

OPEN NDLAMBE COUNCIL MEETING

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**DISCLOSURE OF INTEREST BY COUNCILLORS
(SCHEDULE 1 OF MUNICIPAL SYSTEMS ACT)**

ANNEXURE C.01

NDLAMBE MUNICIPALITY



DECLARATION OF INTEREST BY COUNCILLOR

In accordance with Councillor's Code of Conduct Section 5(1)a, A Councillor must disclose to the Municipal Council or to any Committee of which that Councillor is a Member, any direct or indirect personal or private business interest that the Councillor or any Spouse, Partner or Business Associate of that Councillor may have in any matter before the Council or the Committee.

I, Councillor declare that I recuse myself during the discussion of the following items:

.....
.....
.....

And I will recuse myself on the abovementioned items.

Signed at: on this day of 2026

.....
Signature of Councillor

Witnesses:

1. Signature:

2. Signature:

OPEN NDLAMBE COUNCIL MEETING

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**DISCLOSURE OF INTEREST BY MUNICIPAL
STAFF MEMBERS
(SCHEDULE 2 OF MUNICIPAL SYSTEMS ACT)**

ANNEXURE C.02

NDLAMBE MUNICIPALITY



DECLARATION OF INTEREST BY STAFF

In accordance with Code of Conduct for Municipal Members under Section 4 Personal Gain
(1) a Staff Member of the Municipality may not:
b) take a decision on behalf of the Municipality concerning a matter in which that Staff Member's Spouse, Partner or Business Associate, has a direct or indirect personal or private business interest.

I, Identity Number

Staff Number employed by Ndlambe Council as

Hereby declare that I have an interest on the following items:

.....
.....
.....

And I will recuse myself on the abovementioned items.

Signed at: on this day of 2026

.....
Signature of Staff

Witnesses:

1. Signature:

2. Signature:

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**MINUTES OF PREVIOUS OPEN NDLAMBE
COUNCIL MEETING: 29 MAY 2026**

ANNEXURE C.03

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
MAY 2026 AT 10H00 IN SEAFIELD COMMUNITY HALL, KLEINEMONDE.**

The notice of an open meeting of the Ndlambe Council held on Friday, 29 May 2026 at 10h00 10h00 in Seafeld Community Hall, Kleinemonde **WAS TAKEN AS READ.**

PRESENT

Councillor: A Marasi (In the Chair)

Councillors: K C Ncamiso, (Mayor) A. Bukani, S. T Dyakala, N. E. Haynes,
W. Johannes, P. Y Kani, S. Kolosa, P. Khungwayo, R. K. Purdon,
N. F. Memani, Z. W. Myali, S. Melani, A Nyumka, X. Runeli,
E. H. K. Walker, S. Zweni.

Officials: Acting Municipal Manager, Directors: Financial Management,
Corporate Services, Infrastructural Development,

Deputy Directors: Financial Management, Community/Protection Services,

Manager: Human Resources, Manager: Town Planning, Manager: Integrated
Development Plan , , Manager: Budget & Treasury, Manager: Internal Audit
Unit,

Secretariat: Committee Administrator:

By Invitation:

Audit and Performance Chairperson, Ms B Nqadolo.
Risk Management Chairperson: Prof. Plaatjies

NCM001/05/2026

OPENING

1. The meeting was officially opened by the Speaker, Councillor A Marasi, he called upon Councillor A Nyumka to open with a short prayer, which was duly done.
2. The Speaker welcomed everyone who was present at the meeting.

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
MAY 2026 AT 10H00 IN SEAFIELD COMMUNITY HALL, KLEINEMONDE.**

NCM002/05/2026

APPLICATION FOR LEAVE OF ABSENCE

3/2/4

COUNCIL RESOLVED

THAT leave of absence BE GRANTED to Councillor S Venene for the meeting held on 29 May 2026.

NCM003/05/2026

OFFICIAL ANNOUNCEMENTS BY THE SPEAKER

3/2/1

The Speaker proposed that Ms B Nqabolo, the Chairperson of the Audit and performance committee must present her report as the first item in the agenda to allow her to be recused early from the meeting due to other commitments that she had to attend.

The Speaker, Councillor A Marasi further advised Council that the initiation Forum meeting had commenced with COGTA, he appealed to Councilor to avail themselves of those meetings.

NCM004/05/2026

REPORTS OF SPEAKER IN TERMS OF RULES

10 (1) and 87 (4)

The Councillor X Runeli raised a concern regarding the non-delivery of Council Agenda as hard copies, he expressed that, Council had not adopted a resolution regarding the non-delivery of the Council agenda to Councillors. He stated that it would be not proper to continue with the council business without hard copies of the agenda, as it would be difficult for him to fully participate or represent his constituents/community members in Council without the proper documents. He further requested that the Council proceedings be adjourned until the hard copies of the Council agenda and other documents are made available to Councillors.

The Speaker, Council A Marasi, responded thereto by informing Council that the Council agenda together with other documents were circulated to all Councillors via email however, Committee Support does provide hard copies to Councillors upon a

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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request and that they would also be able to distribute the Council agenda and other documents to Councillors during the meeting.

Councillor Y Kani also added that the last addendum was received very late the previous night, which is unfair to Councillors to be expected to engage on the document with limited time.

The Speaker further acknowledged the presence of the Chairperson Risk Committee: Prof. W. Plaatjies in the meeting.

NCM005/05/2026

DISCLOSURE OF INTEREST BY COUNCILLORS (SCHEDULE 1 OF MUNICIPAL SYSTEMS ACT)

None.

NCM006/05/2026

DISCLOSURE OF INTEREST AND BENEFITS BY MUNICIPAL STAFF MEMBERS (SCHEDULE 2 OF MUNICIPAL SYSTEMS ACT)

None.

NCM007/05/2026

REPORTS RECEIVED BY THE SPEAKER

None.

NCM008/05/2026

MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

The Speaker conveyed a message of condolence to the family of the Municipal Manager, Adv. R Dumezweni for the loss of his brother. He also conveyed a message of condolences to the following families; The family of a four-year old child who drowned at Alexandria, as well as the Zweni family in Bathurst and Kenton on Sea for the loss of their Daughter.

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The Speaker congratulated the African National Congress, for the successful Regional Congress that took place the previous week in Ndlambe, Port Alfred. He further congratulated the Chief Whip of the African National Congress, Councillor S Kolosa on his graduation.

NCM009/05/2026

MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS

Councillor X Runeli, conveyed a message of condolence to the family of a four-year-old child who sadly passed away in Alexandria in an open Municipality drainage. He also conveyed a message of condolence to the family of the late Ms T Ajah who was working in the Finance Department as the Senior Accountant in Ndlambe. He stated that she has been a loyal and dedicated servant in the Municipality.

Councillor X Runeli further congratulated Councillor S Kolosa on his Graduations and the Olando Pirates Team for their win in the previous weekend.

NCM010/05/2026

DEPUTATIONS AND INTERVIEWS

The Chairperson of the Audit and Performance Committee presented the report to Council, the report presented as item no. **NCA021/05/2026** in the Council agenda.

NCM011/05/2026

COMMUNICATION BY THE MAYOR

The Mayor tabled the Budget and IDP to Council and stated that she has made a commitment to ensure that Ndlambe Municipality must move away from an unqualified audit opinion with repeated findings, to a clean audit outcome. She stated that by doing the Mayor's foreword she is trying to emphasize that Ndlambe is no longer expecting to get repeated findings related to Irregular Expenditure, Fruitless expenditure, wasteful expenditure, unauthorized expenditure, poor controls and incorrect application of Municipal funding, She remains firm on that commitment.

She informed Council that she is aware of the role of the Finance Directorate and the Municipal Manager's office as the Accounting Officer who acts as the gatekeeper and ensuring that there is funding in the Municipality. Reports might be submitted for the quarter, however those offices are available every day in the municipality.

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If Ndlambe Municipality can tackle on the matters that had been raised by AG, Ndlambe might be going straight to the clean audit. The Mayor stated that Council relies on advice and scrutiny from Officials, before matters come to Council.

The Mayor tabled the Budget and IDP through the efforts made in preparation for the approval and that the budget is fully aligned with Municipal Finance Management Act (MFMA) and all applicable Treasury circulars. Projects and Programmes contained in the IDP are linked to prescribed legislations that are applicable in Local Government. The use of public funds contained in the Budget protects the financial sustainability and accountability of these institutions.

The Mayor further advised Council that this is the last Budget in her term as the Mayor of Ndlambe, as the Local Government Election will be conducted in November 2026.

She assured the residents of Ndlambe Municipality that this Budget and IDP are legally aligned. She stated that she not saying there will be no comments or no engagement on these documents however Council must engage and consider approving the budget and IDP in this Council.

NCM012/05/2026

**MINUTES OF PREVIOUS FULL OPEN NDLAMBE COUNCIL MEETING: 15 APRIL
2026
3/2/1**

COUNCIL RESOLVED

That the Minutes of the Full Open Ndlambe Council meeting held on 15 April 2026, Resolutions **NCM001/04/2026 to NCM029/04/2026**, a copy which appears as **Annexure C.03** BE CONFIRMED.

NCM013/05/2026

**MINUTES OF PREVIOUS SPECIAL OPEN NDLAMBE COUNCIL MEETING:
28 APRIL 2026
3/2/1**

COUNCIL RESOLVED

That the Minutes of the Special Open Ndlambe Council meeting held on 28 April 2026, Resolutions **SNCM001/04/2026 to SNCM017/04/2026**, a copy which appears as **Annexure C.04** BE CONFIRMED.

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NCM014/05/2026

**MINUTES OF PREVIOUS SPECIAL OPEN NDLAMBE COUNCIL MEETING:
13 MAY 2026**

3/2/1

COUNCIL RESOLVED

That the Minutes of the Special Open Ndlambe Council meeting held on 13 May 2026, Resolutions **SNCM001/05/2026 to SNCM008/05/2026**, a copy which appears as **Annexure C.05** BE CONFIRMED.

NCM015/05/2026

REPORT ON IMPLEMENTATION OF COUNCIL RESOLUTIONS

COUNCIL RESOLVED

Implementation of the Council Resolutions, a copy which appeared as **Annexure C.06**, BE CONFIRMED AND UPDATED.

NCM016/05/2026

**REPORT DATED 04 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
BANKING FACILITIES**

COUNCIL RESOLVED

1. THAT the Mayor BE AUTHORISED to sign the Council resolution for the renewal of the following banking facilities with First National Bank as per point 1.1 to 1.7 below.
2. THAT the Municipal Manager BE AUTHORISED to sign the renewal of the following banking facilities with First National Bank:

1.1 Overdraft	R 0
1.2 Contingent	R 1 070 551.00
1.3 Settlement Facility	Aggregate Limit: R 1 800 000.00
1.4 Purpose	To supplement ongoing working capital requirements
1.5 Interest Rate	Interest on overdraft will be charged at FNB's prime overdraft rate, payable in arrears. However, it be noted that Ndlambe Municipality did not request an

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	overdraft facility.
1.6 Management Fee	N/A
1.7 Security Held	Unsecured

NCM017/05/2026

**REPORT DATED 15 MAY 2025 FORM THE MUNICIPAL MANAGER TO COUNCIL:
SUPPLY CHAIN MANAGEMENT REPORT FOR THE QUARTER ENDED 31 MARCH
2026.**

COUNCIL RESOLVED

That the Supply Chain Management report for the quarter that ended 31 March 2026 together with the supporting documentation **BE NOTED**.

NCM018/05/2026

**REPORT DATED 15 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
REPORT ON REVIEW OF HUMAN RESOURCES POLICIES: ALLOWANCE
POLICY, PROCEDURE MANUAL AND EMPLOYMENT EQUITY POLICY**

COUNCIL RESOLVED

THAT the following Human Resources Policy **BE REVIEWED AND ADOPTED:**

NO	TITLE	CUSTODIAN(S) RESPONSIBLE PERSON
1.	Allowance Policy and Procedure Manual	Corporate Services
2.	Employment Equity Policy	Corporate Services

NCM019/05/2026

**REPORT DATED 15 MAY 2026: FROM THE MUNICIPAL MANAGER TO COUNCIL:
ICT BACKUP AND RESTORE POLICY.**

COUNCIL RESOLVED

THAT the Draft ICT Backup and Restore Policy of 2025/2026 **BE APPROVED**.

NCM020/05/2026

**REPORT DATED 17 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
DISPOSAL AND DERECOGNITION OF BROKEN MOVABLE ASSETS IDENTIFIED
DURING MID-YEAR PHYSICAL VERIFICATION**

COUNCIL RESOLVED

1. THAT the write off of the listed movable assets **BE APPROVED**.
2. THAT the broken movable assets identified during mid-year physical verification be collected and place in one unit and be donated to non-profit organisations as previously resolved by Council.

NCM021/05/2026

**REPORT DATED 15 MAY 2026 FROM MUNICIPAL MANAGER TO COUNCIL:
AUDIT AND PERFORMANCE COMMITTEE QUARTER 3 REPORT.**

COUNCIL RESOLVED

1. THAT the quarter 3 report of Audit and Performance Committee **BE NOTED**.
2. THAT it BE NOTED that the following was highlighted in the report by the Chairperson; The purpose of the report, background, opening marks by the Chairperson of the Audit and performance committee, attendance of committee members and apologies, confirmation of the agenda and previous minutes, financial matters; Section 52(d) / Section 71 Quarter 3 Report, Adjustments Budget and Adjusted SDBIP, SCM, Irregular, Fruitless and Wasteful Expenditure, Overtime Report, performance management, Internal Audit, Risk Management, Technical and Infrastructure Services, Corporate Services / Human Resources, Municipal Manager's Report, General Observations by the Chairperson, Recommendations to Council and a conclusion.
3. THAT it BE NOTED that the following matters were raised as concerns by Council: The customers from ESKOM areas who are not paying the municipal accounts; Non/late submission of items for Committee meetings; contract management and lack of controls; creditors payments within 30 days; Irregular expenditure and deviation; lack of implementation of the resolutions.
4. THAT it BE NOTED that the Audit and performance Committee acknowledge certain improvements in the governance structure and reporting processes, however, serious concerns remain regarding implementation failure, repeat findings, weak accountability and poor coordination across department and that there is an urge need for improved oversight, strengthened management controls, credibility reporting, and accelerated implementation of corrective actions to mitigate governance and audit risks.

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5. THAT it further BE NOTED that Administration commits to improve and implement the resolutions taken by the Audit and Performance Committee and Council.

NCM022/05/2026

**REPORT DATED 19 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
APPROVAL OF THE DRAFT NDLAMBE IDP-BUDGET-SDBIP 2026/2027**

COUNCIL RESOLVED

1. **THAT** the original comments received during the public participation process as reflected in the attached Annexure A and B **BE NOTED**.
2. **THAT council Notes, considers and discusses Annexure A** - the key issues raised, including:
 - affordability of tariff increases
 - service delivery challenges
 - governance, accountability and transparency concerns
 - detailed technical and governance inputs
 - questions and requests for clarification
3. THAT Council notes that acknowledgement letters and/or emails have been issued to respondents confirming receipt of submissions.
4. THAT All public comments, questions and requests for information, in terms of Annexure A and Annexure B be comprehensively responded to by the relevant Directorates and responsible officials by no later than 20 June 2026, and proof thereof be submitted to Council.
5. THAT Council acknowledges that a significant number of residents expressed the view that the proposed tariff increases are difficult to justify in the context of current service delivery challenges, infrastructure failures and affordability pressures experienced across Ndlambe.
6. That Council approves the Draft IDP 2026/27, Draft Budget 2026/27, subject to the incorporation of the following amendments and directives:

6.1 Tariffs, Affordability and Cost Containment

- i. Proposed tariff increases should, as far as reasonably possible, remain within National Treasury CPI guidance and affordability parameters.

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- ii. The Municipality must take into account the affordability levels of Ndlambe residents, particularly pensioners, vulnerable households and long-term residents already under financial pressure.
- iii. Special tariff support arrangements should be explored for pensioners across all communities, including those who may fall outside of existing thresholds but who are nevertheless financially vulnerable.
- iv. Where tariff increases are unavoidable, consideration should be given to phased implementation measures to reduce financial shock to residents.
- v. Before implementing any tariff increases, the Municipality should first demonstrate visible implementation of its own internal cost containment measures and provide residents with clear indication that municipal funds are not being utilised to subsidise non-core functions or mandates belonging to other spheres of government.
- vi. Before any tariff increase: Council must confirm that all property rates and taxes and funding received from external sources will be ring-fenced for the designated purpose and not be used to cross – subsidise any other municipal expenses.
- vii. Before tariff increases are implemented, the Municipality should provide residents with measurable service delivery commitments and implementation plans clearly indicating:
 - what improvements are planned
 - where improvements will occur
 - how progress will be measured
- viii. Residents must be able to see a direct and measurable relationship between tariff increases and improvements in service delivery outcomes.

6.2 Additions to Chapter 4 of the Draft IDP 26-27

- i. The following projects and or interventions be added to Chapter 4 of the Draft IDP, as well as to the Draft SDBIP and more specifically to the KPI's and scorecards of the relevant Directorates:
 - Assessment of the condition of all municipal buildings
 - Assessment of the condition, age and structural integrity of all core municipal infrastructure, related to water, stormwater, electricity and tourism infrastructure etc...
 - Development of a municipal Asset Management Plan
 - Development of an implementation prioritization criteria
- ii. The above asset / infrastructure assessments must, as far as reasonably possible, be undertaken internally in order to strengthen institutional knowledge, reduce dependence on consultants and build internal technical capacity.

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- iii. The current allocation for the maintenance of fire hydrants must be urgently reviewed and increased. At present only R10 000 has been allocated for the maintenance of all municipal fire hydrants, which raises serious concerns regarding infrastructure risk and public safety.
- iv. Funding allocated to stormwater maintenance must be reviewed and strengthened in light of increasing infrastructure deterioration, flooding risks and long-term maintenance backlogs.
- v. Greater emphasis must be placed on paving internal roads through labour-intensive methods to support local job creation and community-based economic participation.
- vi. All tender specifications and terms of reference must clearly provide for:
 - internal capacity building
 - skills transfer
 - institutional memory retention
 - reduction of long-term dependence on external consultants

6.2 Financial Governance and Accountability

- i. The Municipality should provide residents with a written undertaking that property rates, tariffs, levies and service charges will be utilised for their intended purposes and protected against inappropriate diversion toward non-core expenditure.
- ii. Greater transparency must be provided regarding:
 - municipal expenditure patterns
 - non-essential expenditure
 - travel and accommodation
 - conferences and workshops
 - entertainment and ceremonial expenditure
 - donations and sponsorships
- iii. All officials should formally acknowledge and sign the Financial Accountability Declaration contained in Chapter 7 of the Draft IDP.
- iv. Upon approval of the Final IDP, the Financial Stabilisation Plan should become one of the first implementation priorities of the institution.
- v. All officials should be made fully aware of the implications of breaching the MFMA, Treasury Circulars, cost containment measures and related financial governance provisions.
- vi. The Financial Stabilisation Plan contained in Chapter 7 of the Draft IDP must be implemented with immediate effect and treated as a standing institutional reform mechanism.

- vii. The Tier Prioritisation Framework should be further strengthened through the introduction of additional screening and stress-testing criteria to ensure that all projects and expenditure are subjected to a more rigorous sustainability and affordability assessment process.

6.3 Governance, Contracts and Transparency

- i. The Municipality should maintain a comprehensive internal register of:

- contracts
- SLA's
- MOU's
- terms of reference
- scope of work

including:

- existing agreements
- agreements currently in process
- anticipated agreements up to 2028

- ii. The Municipality should strengthen transparency regarding contractual obligations, financial commitments and outsourced services.
- iii. Directorate scorecards and performance systems should include KPI's monitoring:
- deviations
 - non-essential expenditure
 - expenditure on non-core functions
 - implementation of the Financial Stabilisation Plan
 - implementation of cost containment measures
- iv. All contradictions or areas of misalignment identified between the Draft IDP and applicable MFMA provisions and Treasury Circulars should be reviewed and corrected prior to final publication, with particular attention to Chapters 4, 5 and 7.

6.4 Mandates and Institutional Focus

- i. The Municipality should review its LED Strategy and related policies together with organised stakeholders and business structures in order to strengthen alignment, sustainability and long-term economic impact.
- ii. The project proposals submitted by the Black Business Forum and Black Business Chamber should be assessed and considered together with the existing LED project list reflected in Chapter 4 of the Draft IDP.

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- iii. The Municipality should actively prepare and submit business plans to relevant sector departments and funding institutions in order to secure external funding for projects and activities falling outside of the Municipality's core constitutional mandate. (schools – Dept Education, agricultural projects – Dept Agriculture, events – Dept specific, special days, festivals DSRAC, sport, tournaments)
- iv. Formal engagement should be undertaken with sector departments and other spheres of government regarding unfunded mandates and the increasing financial burden placed on local government.
- v. Where community support initiatives are required outside of the Municipality's core mandate, the role of the Municipality should primarily be one of:
 - facilitation
 - coordination
 - support
 - community mobilisation
 - provision of venues and basic logistical support

rather than direct long-term funding responsibility. – support ≠ money – shift away from 'funding sector projects' to "promoting/ facilitating/ coordinating sector projects"

6.5 Spatial Planning, Infrastructure Capacity and Development

- i. All future projects and expenditure should increasingly be discussed, assessed and evaluated within the context of the Spatial Development Framework (SDF) and identified nodal development principles.
- ii. Projects that cannot reasonably demonstrate alignment to strategic spatial priorities should be subjected to further motivation and discussion before approval.
- iii. The Tier Prioritisation Framework should be further strengthened through the introduction of additional screening and stress-testing criteria to ensure that all projects and expenditure are subjected to a more rigorous sustainability and affordability assessment process.
- iv. All future development proposals and municipal projects should be assessed in relation to:
 - water availability
 - electricity availability
 - sanitation capacity
 - infrastructure sustainability
 - long-term service delivery impacts

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- v. The Municipality should avoid promoting unsustainable expansion of towns and settlements without corresponding infrastructure capacity and long-term service delivery planning in place.
- vi. THAT all recommendations and amendments accepted by Council in relation to the Draft IDP 2026/27 be appropriately incorporated and aligned within the Final Budget 2026/27 and Final SDBIP 2026/27 prior to final approval and implementation.
- 7. THAT it BE NOTED that only Councillor X Runeli rejected the approval of the IDP due to the Mayor Councillor, K Ncamiso not conducting Mayoral Imbizo in all Ndlambe Wards, and that the community members were not given an opportunity to engage on the IDP document, only radio interviews/presentations were conducted which does not reach a realistic number of community members in Ndlambe particularly the disadvantage areas, only 54 responded captured in the IDP document which is the majority of white community.

NCM023/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
REQUEST BY PROJECT X DEVELOPMENT GROUP TO PURCHASE ERVEN 8290,
8291, 8294 AND 8295, THORNHILL, PORT ALFRED – APPROVAL TO INITIATE PUBLIC
PARTICIPATION PROCESS: ESTATES SECTION**

COUNCIL RESOLVED

- a) THAT the application submitted by Project X Development Group dated 30 March 2026 for the possible acquisition of Erven 8290, 8291, 8294 and 8295, Thornhill, Port Alfred, **BE NOTED**.
- b) THAT it **BE NOTED** that the properties are municipal assets and any decision regarding disposal will be subject to a full statutory evaluation process, including public participation and compliance with the Municipal Finance Management Act (Act 56 of 2003).
- c) THAT approval **BE GRANTED** for the initiation of a public participation process in terms of the Municipal Systems Act, 2000 (Act 32 of 2000) and the Municipal Finance Management Act, 2003 (Act 56 of 2003), subject to the following conditions:
 - i. **Cost of Public Participation**
The applicant shall be responsible for all costs associated with the publication and administration of the public participation process.
 - ii. **Post-Public Participation Submission**
Upon conclusion of the public participation process, a comprehensive report containing all submissions received shall be compiled and submitted to the Ward Committee for consideration and thereafter to Council for consideration and decision-making.

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- d) THAT it **BE NOTED** that the properties are zoned Business Zone 1 and registered in the name of Ndlambe Local Municipality under Title Deed No. T51490/2010.
- e) THAT it **BE NOTED** that this resolution does not constitute approval of the disposal of the properties or approval of any proposed development.
- f) **THAT it BE NOTED** that Erven 8290, 8291, 8294 and 8295, Thornhill Township, Port Alfred, as indicated on Locality Plan No. ERVEN 8290, 8291, 8294 & 8295/PA, are zoned Business Zone 1 and are registered in the name of Ndlambe Local Municipality under Title Deed No. T51490/2010.
- g) THAT it **BE NOTED** that the public participation process is a statutory requirement and does not constitute approval of the proposed disposal or development.

NCM024/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
REQUEST FOR THE ALLOCATION OF ERF 8642, THORNHILL, PORT ALFRED –
APPROVAL TO INITIATE PUBLIC PARTICIPATION PROCESS: ESTATES SECTION**

COUNCIL RESOLVED

- a) THAT the application submitted by MHM Recreation Centre (Registration No. 2026/340984/0800 dated 25 April 2026 for the possible allocation of Erf 8642, Thornhill, Port Alfred, **BE NOTED**.
- b) THAT it **BE NOTED** that Erf 8642 Port Alfred is a portion of Remainder Erf 7869 Port Alfred measuring approximately 2.0379 hectares (20,379 m²) in extent, is currently unregistered, and is zoned Residential Zone 1 in terms of the applicable Land Use Scheme.
- c) THAT approval **BE GRANTED** for the initiation of a public participation process in terms of the Municipal Systems Act, 2000 (Act 32 of 2000) and the Municipal Finance Management Act, 2003 (Act 56 of 2003), subject to the following conditions:
 - i) **Cost of Public Participation**
The applicant shall be responsible for all costs associated with the publication and administration of the public participation process.
 - ii) **Post-Public Participation Submission**
Upon conclusion of the public participation process, a comprehensive report containing all submissions received shall be compiled and submitted to the Ward Committee for consideration and thereafter to Council for consideration and decision-making.
- e) THAT it **BE NOTED** that this resolution does not constitute approval of the allocation or disposal of the property or approval of any proposed development.

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- f) **THAT it BE NOTED** that the public participation process is a statutory requirement and does not constitute approval of the proposed allocation or development.

NCM025/05/2026

**REPORT DATED 20 APRIL 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
HISTORICAL DISPOSAL AND FINALISATION OF TRANSFER OF ERVEN 656 AND 657,
MARSELLE, BOESMANSRIVIERMOND**

COUNCIL RESOLVED

1. **THAT it BE NOTED** that the sale of Erven 656 and 657, Marselle, Boesmansriviermond, to Mr Rolly Dumezweni was approved in terms of Council Resolution dated 22 January 2002, for R9 000.00 (VAT inclusive).
2. **THAT it BE NOTED** that a salary deduction arrangement was implemented at the time to facilitate payment of the purchase price.
3. **THAT it BE NOTED** that ownership of the properties was transferred to Ndlambe Municipality in terms of section 14(2) of Act 107 of 1997 on 29 March 2017 under endorsement T000018662/2017.
4. **THAT it BE NOTED** that, via e-mail dated 17 April 2026, the Financial Services Directorate has confirmed that payroll and salary deduction records prior to 2012 are not available within current municipal systems due to Transitional Local Council-era record-keeping limitations.
5. **THAT it BE NOTED** that the transaction originated during the Transitional Local Council period and forms part of a legacy municipal disposal process.
6. **THAT it BE APPROVED** that the transfer of Erven 656 and 657 Marselle to the beneficiary be finalised, subject to compliance with all conveyancing requirements, including that the purchaser shall be responsible for all costs associated with the transfer and registration of the properties.
7. **THAT it BE APPROVED** that the Chief Financial Officer be authorised to sign all documentation necessary to effect transfer of Erven 656 and 657 Marselle, noting that the Municipal Manager is the beneficiary of the historical allocation in terms of the 2002 Council resolution.

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NCM026/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
PROPOSED DONATION OF MUNICIPAL PROPERTY ERF 1693, ALEXANDRIA, TO
THE EASTERN CAPE PROVINCIAL GOVERNMENT FOR EDUCATIONAL
PURPOSES: ESTATES SECTION**

COUNCIL RESOLVED

- a) THAT it **BE NOTED** that Erf 1693, Alexandria, is not required for the provision of basic municipal services.
- b) THAT it **BE NOTED** that Erf 1693 is registered under Title Deed No. T53521/1993CTN, with Ndlambe Municipality being the lawful owner.
- c) THAT it **BE NOTED** that Erf 1693 is adjacent to Erf 1475, Alexandria, which is currently occupied by Alexandria Primary School, and that the donation will enable the expansion of the school's sports field, as per Locality Plan No. Erf 1693/Alexandria.
- d) THAT the request dated 12 February 2026 (Reference: 11/5/2/1/302 (3) from the Department of Public Works and Infrastructure **BE NOTED**.
- e) THAT Council Resolution NCM027/03/2022 dated 29 March 2022, which approved the acquisition of a 5-hectare portion, **BE RESCINDED** considering the updated property size and confirmed requirements.
- f) THAT approval **BE GRANTED** for the donation and transfer of Erf 1693, Alexandria (measuring 9,777 m²), to the Eastern Cape Provincial Government, subject to the following conditions:
 - i) A formal Deed of Donation must be entered into between Ndlambe Municipality and the Eastern Cape Provincial Government, with transfer executed through the Office of the State Attorney via the Department of Public Works and Infrastructure.
 - ii) All conveyancing and legal costs shall be borne by the Department of Public Works and Infrastructure.
 - iii) Written confirmation of acceptance of all conditions must be submitted by the Department prior to finalisation.
- g) THAT approval **BE GRANTED** to exempt the user department from publishing a notice of intent, as the matter holds no material interest for the public.
- h) THAT it **BE NOTED** that the donation is made in accordance with Section 42(3)(b) of the Ndlambe Local Municipality Supply Chain Management Policy.
- i) THAT it **BE NOTED** that the donation will relieve the Municipality of maintenance responsibilities while supporting the development of educational infrastructure for the community.

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- j) THAT the Municipal Manager, Advocate Rolly Dumezweni, **BE AUTHORISED** to sign all relevant documentation and facilitate the transfer on behalf of the Municipality.
- k) THAT it **BE NOTED** that the donation of Erf 1693 to the Eastern Cape Provincial Government will formalise the use of the property for educational purposes and ensure compliance with all applicable legislation, policies, and community benefit objectives.

NCM027/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
RESCISSION AND AMENDMENT OF COUNCIL RESOLUTION NCM015/10/2026:
PROPOSED PURCHASE OF A PORTION OF PUBLIC STREET ERVEN 2423 AND 3451
NKWENKWEZI: ESTATES SECTION**

COUNCIL RESOLVED

- a) THAT Council **RESCINDS** Resolution NCM015/10/2026 adopted on 21 October 2025 relating to the proposed purchase of a portion of Public Street Erf 2423, Nkwenkwezi.
- b) THAT Council **APPROVES** the amended application dated 13 May 2026 by Urban Dynamics Town & Regional Planners, acting on behalf of Mr. M.O. Nasiib, for the purchase of approximately 25 m² comprising portions of Public Street Erven 2423 and 3451, Nkwenkwezi as depicted on Sketch Ref: (Nkwen-3442 Plan) showing encroachments of Erf 3442 Nkwenkwezi, to legalise the existing building encroachment on Erf 3442.
- c) THAT it **BE NOTED** that Erf 2423 (Public Street) is registered in the name of the Provincial Government of the Eastern Cape under Deed of Transfer No. T644/2002.
- d) THAT it **BE NOTED** that, in accordance with Section 77(1) of the Spatial Planning and Land Use Management By-Laws, 2015, ownership of land designated as a public place on an approved subdivision plan vests in the municipality upon confirmation of the subdivision, and that a similar provision exists in Section 122 of Ordinance 20 of 1974.
- e) THAT it **BE NOTED** that Erf 3451, Nkwenkwezi, vests in the Ndlambe Municipality under Deed of Transfer No. T14450/2017 and is zoned Transport Zone 1.
- f) THAT it **BE NOTED** that the inclusion of Erf 3451 was omitted from the original application in error and that the affected portion already formed part of the original 25 m² area considered, valued, and approved by Council.
- g) THAT it **BE NOTED** that the valuation prepared by John Muirhead Appraiser dated 26 February 2025 included the affected portion of Erf 3451.
- h) THAT it **BE NOTED** that Erf 3451, Nkwenkwezi, vests in the Ndlambe Municipality under Deed of Transfer No. T14450/2017 and is zoned Transport Zone 1.

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- i) THAT the sale of the affected portions of Erven 2423 and 3451, Nkwenkwezi, **BE APPROVED** subject to the following conditions:
- i) The purchase price shall be R3,250.00 (VAT inclusive), as per the valuation dated 26 February 2025 prepared by John Muirhead Appraiser.
 - ii) The applicant shall submit a formal application to the Town Planning Section in terms of the Ndlambe Municipal SPLUMA By-Laws, 2015, within three (3) months of acceptance of the conditions of approval.
 - iii) The sale transaction shall only proceed upon successful approval of the relevant town planning application.
 - iv) The applicant shall confirm acceptance of all conditions in writing.
 - v) All costs associated with the transaction, including but not limited to survey, subdivision, rezoning, consolidation, conveyancing, and registration costs, shall be for the applicant's account.
 - vi) Input from the relevant municipal directorates and external stakeholders shall be obtained during the town planning process to determine whether any municipal services may be affected.

NCM028/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
PUBLIC PARTICIPATION PROCESS (PPP): REQUEST TO PURCHASE PORTIONS OF
MUNICIPAL LAND – HOYI STREET ERF 2484 AND DILI STREET ERF 330,
EKUPHUMLENI TOWNSHIP, KENTON-ON-SEA**

COUNCIL RESOLVED

- a) THAT the application submitted by Mr. Vuyisile Mnyani, owner of Erf 2457 Ekuphumleni Township, Kenton-on-Sea, dated 28 April 2026, **BE NOTED**.
- b) THAT it **BE NOTED** that the application relates to encroachments on municipal road reserves, namely:
 - Hoyi Street (Erf 2484) – ±15 m² covered patio encroachment; and
 - Dili Street (Erf 330) – ±15 m² ablution and associated permanent structures encroachment.
- c) THAT it **BE NOTED** that the affected portions are municipal property under the ownership and control of Ndlambe Municipality.
- d) THAT approval **BE GRANTED** to initiate a statutory Public Participation Process (PPP) in terms of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), and other applicable legislation, to investigate the proposed purchase and possible alienation of the affected portions of municipal land.

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- e) THAT the Public Participation Process **BE CONDUCTED** subject to the following conditions:
- All costs relating to advertising of public notices associated with the Public Participation Process shall be borne by the applicant;
 - Public participation shall include notice in local media, municipal notice boards, and the municipal website; and
 - A comprehensive report, including all comments, objections, and representations received during the PPP, be submitted to the relevant Ward Committee and thereafter to Council for consideration of the merits of the proposed alienation.
- f) THAT it **BE NOTED** that this resolution relates solely to the initiation of the Public Participation Process and does not constitute approval for the disposal or alienation of municipal land.

NCM029/05/2026

**REPORT DATED 14 MAY 2026 FROM THE MUNICIPAL MANAGER TO THE COUNCIL:
PROPOSED USE OF MUNICIPAL ROAD RESERVE (ERF 1, PORT ALFRED) FOR
PARKING PURPOSES – ERF 8554 PORT ALFRED (ESTATES SECTION)**

COUNCIL RESOLVED

- a) THAT the proposal submitted by Ms.Cebakazi Gebeda on behalf of R A and B A Leitao, owners of Erf 8554, Port Alfred, **BE NOTED**.
- b) THAT it **BE NOTED** that Erf 8554 is zoned Business Zone 2 and is currently operated as a restaurant (C'est La Vie).
- c) THAT it **BE NOTED** that, in terms of Section 66 of the Ndlambe Integrated Land Use Scheme, 2019, parking requirements are to be satisfied by means of on-site provision, provision on an alternative erf, or, where applicable, through payment in lieu of parking.
- d) THAT it **BE NOTED** that the option of payment in lieu of parking is not applicable in this instance, as the proposal relies on the utilisation of municipal road reserve land, which is expressly excluded by the Ndlambe Integrated Land Use Scheme, 2019 for the purpose of satisfying parking requirements.
- g) THAT it **BE NOTED** that, in terms of the National Road Traffic Act, 1996, public roads and road reserves are intended for public use, movement, and safety, and may not be allocated or appropriated for private parking or ancillary private use.
- h) THAT, notwithstanding the above, permission **BE GRANTED** for the informal use of the municipal road reserve situated in Stewart Road, fronting Erf 8554, Port Alfred, for approximately eleven (11) public parking bays utilised by patrons of the restaurant, subject

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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thereto that such parking shall remain public in nature, shall not be allocated exclusively to the restaurant or property owners, and shall not constitute a permanent right, lease, encroachment, or exclusive use entitlement in favour of Erf 8554 or the business known as C'est La Vie Restaurant (Mc Churro).

- i) THAT it **BE NOTED** that the municipal road reserve is already utilised for parking purposes by various businesses on Stewart Road, as there is no parking area and the properties are not big enough to provide sufficient parking.
- i) THAT it **BE NOTED** that the municipal road reserve is not available for encroachment, leasing, or any contractual arrangement for private parking use.
- j) THAT it **BE NOTED** that the Restaurant name: C'esr La Vie has been changed to Mc Churro.

NCM030/05/2026

**REPORT DATED 14 MAY 2026 FROM THE MUNICIPAL MANAGER TO THE COUNCIL:
PUBLIC PARTICIPATION PROCESS: REQUEST TO PURCHASE A PORTION OF PUBLIC
PLACE ERF 482 BOESMANSRIVIERMOND: ESTATES SECTION**

COUNCIL RESOLVED

- a) THAT the formal application dated 23 February 2026, submitted by Mirinda de Beer Town & Regional Planners on behalf of the Steenkamp Familie Trust (IT 180/99), registered owners of Erf 740, Boesmansriviermond, **BE NOTED**.
- b) THAT it **BE NOTED** that Erf 482, Boesmansriviermond, zoned Open Space Zone 1, is registered in the name of Bushmans River Mouth Township Extension 69/12066/07 in terms of Title Deed No. T36830/1979.
- c) THAT it **BE NOTED** that, in terms of Section 77(1) of the Spatial Planning and Land Use Management By-Laws, 2015, and Section 122 of Ordinance 20 of 1974, ownership of land designated as a public place vest in the Municipality upon confirmation of subdivision.
- d) THAT approval **BE GRANTED** to initiate a public participation process, in accordance with the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and the Municipal Finance Management Act, 2003 (Act 56 of 2003), for the proposed regularisation and disposal of 112 m² of municipal land forming part of Public Place Erf 482, 4th Avenue, Boesmansriviermond, being a portion required to accommodate the existing ±8 m² encroachment of the wooden deck from Erf 740 and to ensure compliance with the 3-metre rear building line applicable to Residential Zone 1 properties in terms of the Ndlambe Integrated Land Use Scheme (2019).
- e) THAT the public participation process **BE CONDUCTED** subject to the following conditions:

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- All costs associated with public notices, advertising, administrative processing, and land surveying shall be borne by the applicant;
 - Public participation shall include publication in local print media and the placement of notices on municipal notice boards and the municipal website;
 - Upon completion of the public participation process, a comprehensive report incorporating all comments, objections, and representations received shall be submitted to the relevant Ward Committee for consideration and thereafter forwarded to Council for final determination.
- f) THAT it **BE NOTED** that this resolution relates solely to the initiation of the public participation process and does not constitute approval of the disposal of municipal land, which shall be subject to a separate Council resolution following completion of the statutory process.

NCM031/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
MPAC REPORT ON IRREGULAR EXPENDITURE Q1 AND Q2.**

COUNCIL RESOLVED

1. THAT the report of the Municipal Public Accounts Committee (MPAC) **BE NOTED AND APPROVED.**
2. THAT the write-off of **R27 396 558,04** for the 01st Quarter and **R36 030 709,48** for the 02nd Quarter for Irregular Expenditure **BE APPROVED.**
3. THAT the Municipal Manager should follow up on the Consequence Management to be implemented with regard to the procurement using expired contracts.
4. THAT the Municipal Manager follows up on the outstanding projects that were not visited due to non-availability of the Deputy Directors.
5. THAT procurement made on expired contracts should be referred to the DC Board for further investigation.
6. THAT the details/reasons for the Irregular Expenditure write off be included in the recommendations to Council for tracing purposes.
7. THAT in future, the report of the Municipal Public Account Committee must be written by the Chairperson of the Committee and a copy of the signed report be included in the agenda of Council.

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NCM032/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
PROMOTION OF ACCESS TO INFORMATION ACT (PAIA).**

COUNCIL RESOLVED

THAT the Promotion of Access to Information Act (PAIA) as laid down by the Provincial Archives, Records Management Services and Information Regulator, **BE APPROVED.**

NCM033/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
FILE PLAN.**

COUNCIL RESOLVED

THAT the File Plan as laid down by the Provincial Archives **BE APPROVED.**

NCM034/05/2026

**REPORT DATED 29TH MAY 2026 FROM THE OFFICE OF THE MUNICIPAL
MANAGER: 3RD QUARTER RISK MANAGEMENT COMMITTEE REPORT**

COUNCIL RESOLVED

1. THAT the 03rd Quarter Risk Management Report **BE NOTED AND ADOPTED.**
2. THAT it BE NOTED that the recommendations on the 03rd Quarter Risk Management are implemented by management.
3. THAT it BE NOTED that the Chairperson of the Risk Management Committee highlighted the following in his report:

Duties and responsibilities of the Risk Management Committee, Purpose and Background, Risk Management Committee meetings, Updating of the Risk Register, Implementation rate, Development and updating of policy Documents, compliance registers, risk Champions, Emerging Risks, future of the Risk management Committee and recommendations to council.

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NCM035/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
REPORT ON EMNYAMENI MUSIC FESTIVAL**

COUNCIL RESOLVED

1. THAT the music festival entity must expand their financial sponsors to maintain the high-level entertainment.
2. THAT the entity must continue not selling tickets at the venue to avoid robbery.
3. THAT the festival organisers should develop packages that include accommodation to increase their profit margins for their sustainability.
4. THAT it BE NOTED that there is no budget allocated for this festival in 2026/2027 financial year.
5. THAT BE NOTED that the Emnyameni Music Festival has proved to be a valuable initiative with meaningful social, cultural and economic benefits to the people of Ndlambe Municipality.

NCM036/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
REPORT ON PORT ALFRED GOSPEL SHOW**

COUNCIL RESOLVED

1. THAT the organisers of the show need to increase their pool of funders to sustain the events quality.
2. THAT the organisers also need to strengthen partnerships with the private sector sponsors.
3. Introduce youth talent competitions as build-up to the event and
4. Increase funding pool to expand reach and artist line-up.
5. The show provides a platform for both emerging and established gospel musicians from the area.
6. The sponsoring of the school children must also increase as the sponsor from the municipality and profit margins increase.
7. It be noted that there is no funding for Gospel music festival in 2026/2027 financial year budget.

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8. That it further BE NOTED that the Gospel Show proved to be a valuable initiative with meaningful social, cultural and economic benefits. The collaboration between the Local and District Municipalities demonstrated the significance of investing in community-based events that uplift, unite and empower local residents.

NCM037/05/2026

**REPORT DATED 20 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
REPORT ON ECAWA MUSIC FESTIVAL REPORT**

COUNCIL RESOLVED

1. THAT the municipality consider allocating additional funding.
2. THAT, better crowd management is implemented by **LUTIFUSION PTY LTD.**
3. THAT, partnership with private sponsors is strengthened for additional resources and expertise.
4. THAT no tickets are sold at the event for safety and security purposes.
5. THAT the sponsoring of the school children must also increase as the sponsor from the municipality and profit margins increase.
6. THAT council notes that there is no budget allocation for Lutifusion in 2026/2027 financial year.

NCM038/05/2026

**REPORT DATED 21 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
DISABILITY POLICY.**

COUNCIL RESOLVED

1. THAT the Disability Policy BE ADOPTED.
2. THAT accessibility of buildings for people living with disabilities be priorities by Ndlambe Municipality.

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NCM039/05/2026

**REPORT DATED 21 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
ADOPTION OF DRAFT NDLAMBE MUNICIPALITY'S SCHEDULE OF MEETINGS
FOR 2026- 2027 FINANCIAL YEAR.**

COUNCIL RESOLVED

1. THAT the Draft Ndlambe Municipality's schedule of meetings for the 2026-2027 Financial Year **BE ADOPTED**.
2. THAT it BE NOTED that a Special Council meeting will be scheduled to announce the recess for Councillors to prepare for the Local Government Election that will be held in November 2026.

NCM040/05/2026

**REPORT DATED 22 MAY 2026 FROM THE MUNICIPAL MANAGER: PROCESS
PLAN FOR THE SENIOR MANAGERS' POSITIONS.**

COUNCIL RESOLVED

- a) THAT it BE NOTED that upon the expiry of the contractual term of any Senior Managers the Senior Managers positions will be filled on a permanent basis as prescribed by section 57(7) of the Municipal Systems Act.
- b) THAT the following process plan **BE ADOPTED**, noting that dates may change due to circumstances at the time.

PROCESS PLAN FOR FILLING THE POSITION OF DIRECTOR: INFRASTRUCTURE DEVELOPMENT SERVICES				
STEPS	LEGISLATIVE IMPERATIVE	ACTION PROPOSED	WHOM	WHEN
1	Council action in compliance with Clause 7: of Govt; Gazette no 37245 – Determination of recruitment needs	- Approval from the Municipal Council for the filling of vacant post - Confirmation of the budget	Municipal Council	Council Meeting 30 October 2026
2	Clause 8: General requirements for appointment of	- Appointment of South African citizen or permanent resident	Municipal Council	Council meeting of 30 October 2026

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
MAY 2026 AT 10H00 IN SEAFIELD COMMUNITY HALL, KLEINEMONDE.**

	Senior Managers	- With relevant competencies, qualification, experience and knowledge - Commencement date should be after the Municipal Council's approval of appointment		
3	Clause 10: (1,2 & 3) Advertising of vacant post	- Post to be advertised within 14 days of receipt of the approval by the Municipal Council - Advertisement on Sunday Times, Website, Herald and Daily Dispatch	Municipal Manager	08 November 2026
4	Clause 10: {3 (k)} Advertising of vacant post	Post to be advertised for 14 days	Municipal Manager	08 November 2026
5	Clause 12: (1) Selection Panel	Appointment of selection panel by the Municipal Council and the Municipal Council has delegated the Executive Mayor to appoint the Selection Panel in consideration of the following: - The nature of the post - The gender balance of the panel - The skills, expertise, experience and availability of persons to be involved	Municipal Council	Council meeting of 30 October 2026

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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6	Clause 12: (4) Selection Panel	Appointment of selection panel by the Municipal Council (Executive Mayor) in respect of sub-regulation 4: must consist of at least 3 and not more than 5 members constituted as follows: - Municipal Manager as the Chairperson - Member of the Mayoral Committee or Portfolio Councillor on the relevant Portfolio - At least one other person, who is not a Councillor or a staff member of the Municipality, and who has expertise and experience in the area of advertised post	Municipal Council (Mayor)	Council meeting of 30 October 2026
7	Clause 15: (2)	The selection panel for a specific post must remain the same throughout the screening and interviewing process	Selection Panel	Council meeting of 30 October 2026
8	Clause 13: Short-listing of applicants	The Municipal Manager, in consultation with the selection panel conduct short-listing within 30 days of the closing date and ensure confidentiality of the process	Municipal Manager	Between 23 – 27 November 2026
9	Clause 13: Screening of candidates Clause 16: Selection	• Conduct reference check (MIE) • Verifying qualifications and (MIE) • Verifying previous disciplinary record	Municipal Manager	30 Nov- 04 December 2026

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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		of short-listed candidates (MIE) Conducting Competency Assessment and testing (Clause 16) (Work Dynamics/SALGA)		Assessment of 3 top candidates between 14 – 15 December 2026
10	Clause 15: Interviews	Conduct interviews within 21 days of screening the candidates by the same panel of screening	Selection Panel	Between 7-11 December 2026
11	Clause 16: Selection (Sub-Regulation 5)	Submit a report and recommendation on the Selection Process to the Municipal Council on the suitable candidates	Selection Panel	Council Meeting in January 2027
12	Council action in compliance with Clause 17: of Govt. Gazette no 37245	Resolution of the Municipal Council on appointment and report to the MEC within 14 days of the decision on the appointment	Municipal Council	January 2027
13	`	Commencement date	Selected candidate	01 March 2027

PROCESS PLAN FOR FILLING THE POSITION OF DIRECTOR: COMMUNITY/PROTECTION SERVICES				
STEPS	LEGISLATIVE IMPERATIVE	ACTION PROPOSED	WHOM	WHEN
1	Council action in compliance with Clause 7: of Govt; Gazette no 37245 – Determination of recruitment needs	- Approval from the Municipal Council for the filling of vacant post - Confirmation of the budget	Municipal Council	Council Meeting as per Adopted schedule in January 2027
2	Clause 8: General requirements for	Appointment of South African citizen or	Municipal Council	Council Meeting as per Adopted schedule in

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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	appointment of Senior Managers	- permanent resident - With relevant competencies, qualification, experience and knowledge - Commencement date should be after the Municipal Council's approval of appointment		January 2027
3	Clause 10: (1,2 & 3) Advertising of vacant post	- Post to be advertised within 14 days of receipt of the approval by the Municipal Council - Advertisement on Sunday Times, Website, Herald and Daily Dispatch	Municipal Manager	30 January 2027
4	Clause 10: {3 (k)} Advertising of vacant post	Post to be advertised for 14 days	Municipal Manager	29 January 2027 in anticipation that Council would have convened
5	Clause 12: (1) Selection Panel	Appointment of selection panel by the Municipal Council and the Municipal Council has delegated the Executive Mayor to appoint the Selection Panel in consideration of the following: - The nature of the post - The gender balance of the panel - The skills, expertise, experience and availability of persons to be involved	Municipal Council	Council Meeting as per Adopted schedule in January 2027
6	Clause 12: (4)	Appointment of selection	Municipal	Council Meeting

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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	Selection Panel	panel by the Municipal Council (Executive Mayor) in respect of sub-regulation 4: must consist of at least 3 and not more than 5 members constituted as follows: - Municipal Manager as the Chairperson - Member of the Mayoral Committee or Portfolio Councillor on the relevant Portfolio - At least one other person, who is not a Councillor or a staff member of the Municipality, and who has expertise and experience in the area of advertised post	Council (Mayor)	as per Adopted schedule in January 2027
7	Clause 15: (2)	The selection panel for a specific post must remain the same throughout the screening and interviewing process	Selection Panel	Council Meeting as per Adopted schedule in January 2027
8	Clause 13: Short-listing of applicants	The Municipal Manager, in consultation with the selection panel conduct short-listing within 30 days of the closing date and ensure confidentiality of the process	Municipal Manager	Between 15-19 February 2027
9	Clause 13: Screening of candidates Clause 16: Selection	• Conduct reference check (MIE) • Verifying qualifications and (MIE) • Verifying previous disciplinary record of short-listed	Municipal Manager	22- 26 Feb 2027 Assessment of 3 top candidates

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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		candidates (MIE) Conducting Competency Assessment and testing (Clause 16) (Work Dynamics/SALGA)		between 5 – 9 April 2027
10	Clause 15: Interviews	Conduct interviews within 21 days of screening the candidates by the same panel of screening	Selection Panel	Between 1-5 March 2027
11	Clause 16: Selection (Sub-Regulation 5)	Submit a report and recommendation on the Selection Process to the Municipal Council on the suitable candidates	Selection Panel	31 March 2027
12	Council action in compliance with Clause 17: of Govt. Gazette no 37245	Resolution of the Municipal Council on appointment and report to the MEC within 14 days of the decision on the appointment	Municipal Council	31 March 2027
13		Commencement date	Selected candidate	01 June 2027

PROCESS PLAN FOR FILLING THE POSITION OF DIRECTOR: CORPORATE SERVICES

STEPS	LEGISLATIVE IMPERATIVE	ACTION PROPOSED	WHOM	WHEN
1	Council action in compliance with Clause 7: of Govt; Gazette no 37245 – Determination of recruitment needs	- Approval from the Municipal Council for the filling of vacant post - Confirmation of the budget	Municipal Council	Council Meeting as per Adopted schedule in May 2027
2	Clause 8: General requirements for appointment of Senior Managers	- Appointment of South African citizen or permanent resident - With relevant competencies,	Municipal Council	Council Meeting as per Adopted schedule in May 2027

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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		qualification, experience and knowledge - Commencement date should be after the Municipal Council's approval of appointment		
3	Clause 10: (1,2 & 3) Advertising of vacant post	- Post to be advertised within 14 days of receipt of the approval by the Municipal Council - Advertisement on Sunday Times, Website, Herald and Daily Dispatch	Municipal Manager	29 May 2027
4	Clause 10: {3 (k)} Advertising of vacant post	Post to be advertised for 14 days	Municipal Manager	29 May 2027
5	Clause 12: (1) Selection Panel	Appointment of selection panel by the Municipal Council and the Municipal Council has delegated the Executive Mayor to appoint the Selection Panel in consideration of the following: - The nature of the post - The gender balance of the panel - The skills, expertise, experience and availability of persons to be involved	Municipal Council	Council Meeting as per Adopted schedule in June 2027
6	Clause 12: (4) Selection Panel	Appointment of selection panel by the Municipal Council (Executive Mayor)	Municipal Council (Mayor)	Council Meeting as per Adopted schedule in

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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		in respect of sub-regulation 4: must consist of at least 3 and not more than 5 members constituted as follows: - Municipal Manager as the Chairperson - Member of the Mayoral Committee or Portfolio Councillor on the relevant Portfolio - At least one other person, who is not a Councillor or a staff member of the Municipality, and who has expertise and experience in the area of advertised post		May 2027
7	Clause 15: (2)	The selection panel for a specific post must remain the same throughout the screening and interviewing process	Selection Panel	Council Meeting as per Adopted schedule in May 2027
8	Clause 13: Short-listing of applicants	The Municipal Manager, in consultation with the selection panel conduct short-listing within 30 days of the closing date and ensure confidentiality of the process	Municipal Manager	21- 24 June 2027
9	Clause 13: Screening of candidates Clause 16: Selection	• Conduct reference check (MIE) • Verifying qualifications and (MIE) • Verifying previous disciplinary record of short-listed candidates (MIE) • Conducting	Municipal Manager	28 June- 02 July 2027 12 – 16 July 2027

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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		Competency Assessment and testing (Clause 16) (Work Dynamics/SALGA)		
10	Clause 15: Interviews	Conduct interviews within 21 days of screening the candidates by the same panel of screening	Selection Panel	5-9 July 2027
11	Clause 16: Selection (Sub-Regulation 5)	Submit a report and recommendation on the Selection Process to the Municipal Council on the suitable candidates	Selection Panel	Council meeting of July 2027
12	Council action in compliance with Clause 17: of Govt. Gazette no 37245	Resolution of the Municipal Council on appointment and report to the MEC within 14 days of the decision on the appointment	Municipal Council	August 2027
13	`	Commencement date	Selected candidate	01 September

PROCESS PLAN FOR FILLING THE POSITION OF DIRECTOR: FINANCIAL MANAGEMENT

STEPS	LEGISLATIVE IMPERATIVE	ACTION PROPOSED	WHOM	WHEN
1	Council action in compliance with Clause 7: of Govt; Gazette no 37245 – Determination of recruitment needs	- Approval from the Municipal Council for the filling of vacant post - Confirmation of the budget	Municipal Council	Council Meeting as per Adopted schedule in May 2027
2	Clause 8: General requirements for appointment of Senior Managers	- Appointment of South African citizen or permanent resident - With relevant competencies, qualification, experience and	Municipal Council	Council Meeting as per Adopted schedule in May 2027

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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		knowledge - Commencement date should be after the Municipal Council's approval of appointment		
3	Clause 10: (1,2 & 3) Advertising of vacant post	- Post to be advertised within 14 days of receipt of the approval by the Municipal Council - Advertisement on Sunday Times, Website, Herald and Daily Dispatch	Municipal Manager	29 May 2027
4	Clause 10: {3 (k)} Advertising of vacant post	Post to be advertised for 14 days	Municipal Manager	29 May 2027
5	Clause 12: (1) Selection Panel	Appointment of selection panel by the Municipal Council and the Municipal Council has delegated the Executive Mayor to appoint the Selection Panel in consideration of the following: - The nature of the post - The gender balance of the panel - The skills, expertise, experience and availability of persons to be involved	Municipal Council	Council Meeting as per Adopted schedule in June 2027
6	Clause 12: (4) Selection Panel	Appointment of selection panel by the Municipal Council (Executive Mayor) in respect of sub-regulation 4: must consist	Municipal Council (Mayor)	Council Meeting as per Adopted schedule in May 2027

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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		of at least 3 and not more than 5 members constituted as follows: - Municipal Manager as the Chairperson - Member of the Mayoral Committee or Portfolio Councillor on the relevant Portfolio - At least one other person, who is not a Councillor or a staff member of the Municipality, and who has expertise and experience in the area of advertised post		
7	Clause 15: (2)	The selection panel for a specific post must remain the same throughout the screening and interviewing process	Selection Panel	Council Meeting as per Adopted schedule in May 2027
8	Clause 13: Short-listing of applicants	The Municipal Manager, in consultation with the selection panel conduct short-listing within 30 days of the closing date and ensure confidentiality of the process	Municipal Manager	21- 24 June 2027
9	Clause 13: Screening of candidates Clause 16: Selection	• Conduct reference check (MIE) • Verifying qualifications and (MIE) • Verifying previous disciplinary record of short-listed candidates (MIE) • Conducting Competency Assessment and	Municipal Manager	28 June- 02 July 2027 12 – 16 July 2027

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
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		testing (Clause 16) (Work Dynamics/SALGA)		
10	Clause 15: Interviews	Conduct interviews within 21 days of screening the candidates by the same panel of screening	Selection Panel	5-9 July 2027
11	Clause 16: Selection (Sub- Regulation 5)	Submit a report and recommendation on the Selection Process to the Municipal Council on the suitable candidates	Selection Panel	Council meeting of July 2027
12	Council action in compliance with Clause 17: of Govt. Gazette no 37245	Resolution of the Municipal Council on appointment and report to the MEC within 14 days of the decision on the appointment	Municipal Council	August 2027
13	`	Commencement date	Selected candidate	01 September

NCM041/05/2026

**REPORT DATED 25 MAY 2026 FROM THE MAYOR TO COUNCIL: MEDIUM TERM
REVENUE AND EXPENDITURE FRAMEWORK 2026-2027**

COUNCIL RESOLVED

- 1. THAT** the final capital budget as outlined in **Table A5** - Budgeted Capital Expenditure by vote, standard classification and funding source valued **R84,638 million** for 2026/2027, (2028 **R62,421 million**) and (2029 **R65,208 million**) be APPROVED.
- 2. THAT** the final revenue and expenditure as outlined in **Table A2** - Budgeted Financial performance (revenue and expenditure by functional classification **total revenue incl capital transfers** valued at **R752,403 million** for 2026/2027, (2028 **R783,912million**) and (2029 **R825,698 million**) and final **operating expenditure** amounts to **R721,634 million** for 2026/27,(2028 **R753,843 million**) and(2029 **R787,784 million**) be APPROVED.
- 3. THAT** the final operating budget for the 2026/2027 financial year as presented in **Table A4** - Budgeted Financial Performance (revenue and expenditure) reflecting the operating deficit of **R40,221 million** (2028 **R36,079 million**) and (2029 **R31,722 million**) be APPROVED.

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
MAY 2026 AT 10H00 IN SEAFIELD COMMUNITY HALL, KLEINEMONDE.**

4. THAT the final tariffs be APPROVED with the following increases:

- **Property rates:** A 5.2% increase for 2026/2027.
- **Environmental fee:** A 5.2% increase for 2026/2027.
- **Water Basic Fee:** A 10.2% increase (comprising of 5.2% CPI inflation plus 5% for tariff structure change derived from cost of supply study conducted in 2023/24 and implemented in 2024/2025) for the current and two outer years.
- **Water Usage:** A 5.2% increase for 2026/2027.
- **Sewerage Basic Fee:** A 5.2% increase for 2026/2027
- **Sanitation/Pump Outs:** A 10.2% increase (5.2% inflationary plus a 5% for tariff structure change derived from cost of supply study conducted in 2023/24 and implemented in 2024/2025)
- **Waste Collection:** A 5.2% increase for 2026/2027.
- **lectricity tariff:** An average increase of 7% for 2026/27 due to tariff structure change derived from cost of supply study conducted in 2023/24
- **Miscellaneous tariffs:** An increase of 5.2% for 2026/2027

5. THAT the final financial position for the 2026/2027 financial year as presented in **Table A6-** Budgeted Financial Position, reflecting the community wealth/equity of **R1,692,380 billion** for 2026/2027, **(2028 R1,722,450 billion)** and **(2029 R1,760,363 billion)** be APPROVED with corrections still to be made before publishing.

6. THAT the final cash flow for the 2026/2027 financial year as presented in **Table A7-** Budgeted Cash Flow reflecting a positive cash and cash equivalent at the end of 2026/2027 financial year **R44,518 million**, **(2028 R82,086 million)** and **(2029 R127,461 million)** be APPROVED .

7. THAT the final cash backed reserves/accumulated surplus reconciliation for the 2026/2027 financial year as presented in **Table A8-** Budgeted cash backed reserves/accumulated shortfall/surplus reconciliation of 2026/2027 financial year **-R16,459 million**, **(2028 R8,988 million)** and **(2029 R42,416 million)** be APPROVED

8. THAT the final asset management for the 2026/2027 financial year as presented in **Table A9-** Budgeted asset management with projected total asset register of **R1,241,833 billion** in 2026/2027 financial year, **(2028 R1,188,735 billion)** and **(2029 R1,131,529 billion)** be APPROVED

9. THAT the final procurement plans for 2026/2027 budget be APPROVED.

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
MAY 2026 AT 10H00 IN SEAFIELD COMMUNITY HALL, KLEINEMONDE.**

10. THAT the Mscoa roadmap be APPROVED

11. THAT the draft service delivery implementation plans for 2026/27 be NOTED.

12. THAT budget related policies reviewed for 2026/2027 MTREF be APPROVED:

Policy	Policy Amended			Amendmen Date
	Yes	No	New	
Rates Policy		No		
Indigent Policy	YES			23/03/2026
Budget Policy		NO		
Creditors, Staff and Councilors Payment Policy		NO		
Customer Care & Credit Control and Debt Collection Policy		NO		
Consequence Management Policy	Yes			23/03/2026
Funding and Reserve Policy		NO		
Virement Policy	YES			23/03/2026
Banking & Investment policy		NO		
Subsistence and Travel Policy		NO		
Irregular Expenditure Reduction Strategy			NEW	19/03/2026
Fixed Asset Policy		NO		
Supply Chain Management Policy	YES			19/03/2026
Write-off of Irrecoverable Debt Policy	YES			23/03/2026
Loans Policy		NO		
Tariff Policy	YES			23/03/2026
Management of Accumulated Surplus and Bad Debt Policy		NO		
Loss Control Policy		NO		
Fuel Card Policy	YES			19/03/2026
Financial Management Internship Programme Policy		NO		
Cost Containment Policy		NO		
Donations Policy		NO		
Insurance Policy		NO		
Small Scale Embedded Generation Policy	YES			23/03/2026
Entertainment Policy		NO		
Long Term Financial Planning Policy		NO		
Petty Cash Policy		NO		
Overtime Policy		NO		
Debt Impairment Policy	YES			23/03/2026
Unallocated Deposits and Debtors with Credit Balances	YES			23/03/206
Consultant Policy		NO		

13. THAT it BE NOTED that Council X Runeli opposed the Tariff increase as it is too high and Ndlambe community members will not be able to afford such a high increase on tariffs.

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
MAY 2026 AT 10H00 IN SEAFIELD COMMUNITY HALL, KLEINEMONDE.**

NCM042/05/2026

**REPORT DATED 28 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
RATES AND VALUATION COMMITTEE MINUTES DATED: 06 OCTOBER 2025.**

COUNCIL RESOLVED

THAT the minutes of the Rates and Valuation committee dated 06 October 2026 a copy which appears as **Annexure C.30** BE APPROVED.

NCM043/05/2026

**REPORT DATED 26 MAY 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
APPROVAL OF EPWP PROJECT LIST FOR 2026/2027 TO 2027/2028 FINANCIAL
YEAR**

COUNCIL RESOLVED

1. THAT the proposed project for 2026/2027 financial year for implementation BE APPROVED.

List of proposed projects for 2026/2027 financial year

PROJECT NAME	WARD	SECTOR	TOTAL PROJECT COST
Upgrading of Runeli Drive phase 4 Nemato	9	Roads	R 4 800 000.00
Total Allocation for 2026/27 FY			R 1593 000.00
Shortfall to be allocated in 2027/28 & 2028/2029 FY			

List of proposed projects for 2027/2028 financial year

PROJECT NAME	WARD	SECTOR	TOTAL PROJECT COST
Upgrading of Runeli Drive phase 5 Nemato	9	Roads	R 3 207 000.00
Total Allocation for 2027/28 FY			To be confirmed by DORA 2027
Shortfall to be allocated in 2028/29 & 2029/2030 FY			

2. THAT the above project be included in the IDP document.
3. THAT Council Approves Upgrading of Runeli Drive in Nemato, to be implemented under EPWP grant funding.
4. THAT the council note that the road will be implemented in three financial years as the budget will not be sufficient for completing the road.

**MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 29
MAY 2026 AT 10H00 IN SEAFIELD COMMUNITY HALL, KLEINEMONDE.**

NCM044/05/2026
URGENT REPORT BY MUNICIPAL MANAGER

None.

NCM045/05/2026
CLOSURE

The meeting was officially closed at 14:20

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**MINUTES OF PREVIOUS SPECIAL OPEN NDLAMBE
COUNCIL MEETING: 24 JUNE 2026**

ANNEXURE C.04

**MINUTES OF A SPECIAL VIRTUAL OPEN NDLAMBE COUNCIL MEETING HELD
ON, WEDNESDAY, 24 JUNE 2026 AT 10H00 VIA MS TEAMS.**

The notice of a Special Virtual Open Ndlambe Council meeting held on Wednesday, 24 June 2026 at 10h00 via **MS TEAMS WAS TAKEN AS READ.**

PRESENT

Councillor: A Marasi (In the Chair)

Councillors: K Ncamiso (Mayor) A. Bukani, S. T Dyakala, N. E. Haynes,
W. Johannes, P. Y Kani, S. Kolosa, P. Khungwayo, R K Purdon,
M. Mgweba, Z. W. Myali, S. Melani, A Nyumka, X. Runeli, M. Sweli, S. Venene,
E. H. K. Walker,

Municipal Manager, Directors: Financial Management,

Manager: Human Resources, Manager: Housing, Manager: Integrated Development
Plan, Manager: Internal Audit Unit, Manager: Administration, Risk and MPAC Officer,
Communication Officer,

Secretariat: Committee Administrator.

By Invitation:

Audit and Performance Chairperson
Ms B Nqadolo

SNCM001/06/2026

OPENING

1. The meeting was officially opened by the Speaker, Councillor A Marasi, he welcomed everyone who was present at the meeting.
2. THAT it BE NOTED that the Speaker connected via MS Teams, together with the Mayor, Councillor K Ncamiso due to network challenges.

SNCM002/06/2026

APPLICATION FOR LEAVE OF ABSENCE

3/2/4

COUNCIL RESOLVED

THAT it BE NOTED that Councillors: M Sweli, M Mgweba and N Memani had technical challenges and were struggling to connect to the virtual meeting.

**MINUTES OF A SPECIAL VIRTUAL OPEN NDLAMBE COUNCIL MEETING HELD
ON, WEDNESDAY, 24 JUNE 2026 AT 10H00 VIA MS TEAMS.**

SNCM003/06/2026

OFFICIAL ANNOUNCEMENTS BY THE SPEAKER

3/2/1

The Speaker, Councillor, A Marasi advised Council about the initiation season which has started, and he raised concerns regarding the shortage of water tanks in the initiation sites. He stated that, there are officials who are currently assisting on the matter from Infrastructural Development, Community and Protections Services and Public Participation however Ndlambe would like to ensure that they do not find themselves like other Regions where initiate lose their lives due to dehydration. He appealed to Council and officials to take the matter very seriously.

The Speaker also raised concern regarding the non-sitting of Petition Committee and for Council to reconsider the members of the Petition Committee, and an item should be included in the agenda of the next Council meeting.

During the discussions on item SNCA007/06/2026 Councillor S Venene raised a concern regarding the Honourable Mayor and Honourable Speaker for not announcing to Council the sad news of the passing of Councillor T Mbekela who served in Ndlambe Council for more than 10 years as a PR Councillor, and was a servant of the people of Ndlambe. Councillor X Runeli concurred with Councillor S Venene and proposed for the Speaker to acknowledge the passing of Councillor T Mbekela.

The Speaker, apologized to Council for the omission and announced the passing of Councillor T Mbekela, who served in Council for more than 10 years. The news was received by the Speaker from the offices of the Democratic Alliance and Corporate Services. He advised Council that a memorial service for Councillor Mbekela has been arranged on 25 June 2026 at St Barnabas Church at 11: 00 in Port Alfred. The Speaker encouraged Councillors to attend the memorial service to pay the last respect to Councillor Mbekela who serves Council with respect, commitment and discipline without any hassles.

The Speaker allowed a moment of silence in honor of the late Councillor T Mbekela.

SNCM004/06/2026

COMMUNICATION BY THE MAYOR

3/2/1

None.

**MINUTES OF A SPECIAL VIRTUAL OPEN NDLAMBE COUNCIL MEETING HELD
ON, WEDNESDAY, 24 JUNE 2026 AT 10H00 VIA MS TEAMS.**

SNCM005/06/2026

**DISCLOSURE OF INTEREST BY COUNCILLORS (SCHEDULE 1 OF MUNICIPAL
SYSTEMS ACT)**

None.

SNCM006/06/2026

**DISCLOSURE OF INTEREST AND BENEFITS BY MUNICIPAL STAFF MEMBERS
(SCHEDULE 2 OF MUNICIPAL SYSTEMS ACT)**

None.

SNCM007/06/2026

**REPORT DATED 17 JUNE 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
MINUTES OF THE RATES AND VALUATION COMMITTEE 01 APRIL 2026 AND 12
JUNE 2026**

COUNCIL RESOLVED

THAT the minutes of the rates and valuation committee meetings 01 April 2026 and 12 June 2026 which appeared as **Annexure SC.03** **BE APPROVED.**

SNCM008/06/2026

**REPORT DATED 17 JUNE 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:
WRITE OFF OF IRRECOVERABLE INDIGENT AND DECEASED CONSUMER DEBTS
AT MAY 2026**

COUNCIL RESOLVED

1. THAT the comments of the Finance Department: Revenue Section **BE NOTED.**
2. THAT the request for "Indigent household debt" write-off amounting to R7 391 699.68 **BE APPROVED.**
3. THAT the request for "Deceased account holders' debt" write-off amounting to R8 514 139.26 **BE APPROVED.**
4. THAT the importance of timelines for the write offs of indigents household on a quarterly basis, the allocation of the indigent subsidy monthly basis and the vetting of

**MINUTES OF A SPECIAL VIRTUAL OPEN NDLAMBE COUNCIL MEETING HELD
ON, WEDNESDAY, 24 JUNE 2026 AT 10H00 VIA MS TEAMS.**

the indigent register biannually be aligned in accordance with the background as specified in the item.

5. THAT the date of death for the deceased owners must be clearly stated in the account/form.
6. THAT administration together with Councillors should work together in educating, assisting communities on the matters related to deceased estate, strategies and policies of the Municipality.

SNCM009/06/2026

**REPORT DATED 22 JUNE 2026 FROM THE MUNICIPAL MANAGER TO COUNCIL:THE
BOOKLET FROM MEC FOR COGTA ON MUNICIPAL NON –NEGOTIABLE STANDARD
GUIDELINES ON OPERATING PROCEDURES FROM MUNICIPAL MANAGER**

COUNCIL RESOLVED

1. THAT the Council **NOTES** non-negotiable directives issued by the MEC for Cooperative Governance and Traditional Affairs.
2. THAT the Council **ADOPTS** MEC's non-negotiable directives as municipal priorities for implementation.

SNCM010/06/2026

URGENT REPORTS BY THE MUNICIPAL MANAGER

None

SNCM0011/06/2026

CLOSURE

The meeting was closed at 11:15

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**MINUTES OF PREVIOUS SPECIAL OPEN NDLAMBE
COUNCIL MEETING: 29 JULY 2026**

ANNEXURE C.05

**MINUTES OF A SPECIAL VIRTUAL OPEN NDLAMBE COUNCIL MEETING HELD
ON, WEDNESDAY, 29 JULY 2026 AT 14H00 VIA MS TEAMS.**

The Notice of a Special Virtual Open Ndlambe Council Meeting Held On Wednesday, 29 July 2026 at 14h00 Via Ms Teams **WAS TAKEN AS READ.**

PRESENT

Councillor: S Kolosa (Acting in the Chair)

Councillors: K Ncamiso (Mayor) A. Bukani, N. E. Haynes,
W. Johannes, P. Y Kani, P. Khungwayo, R K Purdon,
M. Mgweba, S. Melani, A Nyumka, X. Runeli, M. Sweli, S. Venene,
E. H. K. Walker, S. Zweni.

Officials: Municipal Manager, Directors: Financial Management, Corporate Services,
Infrastructural Development, Community / Protection Services.

Deputy Directors: Financial Management, Manager: Internal Audit Unit, Manager:
Administration, Risk and MPAC coordinator,

Secretariat: Committee Administrator

SNCM001/07/2026

OPENING

Due to connection challenges from the Speaker, Councillor A Marasi, the Municipal Manager opened the Council meeting and proposed that Council nominate the Acting Speaker to chair the meeting in the absence of the Speaker.

Councillor: M Mgweba nominated Councillor A Nyumka to be acting Speaker, the nomination was seconded by Councillor P Khungwayo, however Councillor A Nyumka declined the nomination stating that due to connection challenges, he might struggle to chair the meeting he further proposed for the Municipal Manager to nominate another Councillor.

The Municipal Manager, called for another nomination in which Councillor A Bukani nominated Councillor S Kolosa, to be the acting Speaker, the nomination was seconded by Council X Runel, there being no other nomination, Councillor S Kolosa chaired the meeting as the Acting Speaker, he officially opened the meeting and welcomed everyone who was present.

**MINUTES OF A SPECIAL VIRTUAL OPEN NDLAMBE COUNCIL MEETING HELD
ON, WEDNESDAY, 29 JULY 2026 AT 14H00 VIA MS TEAMS.**

SNCM002/07/2026

APPLICATION FOR LEAVE OF ABSENCE

3/2/4

COUNCIL RESOLVED

THAT it BE NOTED that there was no leave of absence from the Municipal Manager. He indicated that all Directors were present at the meeting and had connected in a central area at ECO SUN Village in Kenton on Sea.

SNCM003/07/2026

OFFICIAL ANNOUNCEMENTS BY THE SPEAKER

3/2/1

None.

SNCM004/07/2026

COMMUNICATION BY THE MAYOR

3/2/1

None.

SNCM005/07/2026

DISCLOSURE OF INTEREST BY COUNCILLORS (SCHEDULE 1 OF MUNICIPAL SYSTEMS ACT)

None.

SNCM006/07/2026

DISCLOSURE OF INTEREST AND BENEFITS BY MUNICIPAL STAFF MEMBERS (SCHEDULE 2 OF MUNICIPAL SYSTEMS ACT)

None.

**MINUTES OF A SPECIAL VIRTUAL OPEN NDLAMBE COUNCIL MEETING HELD
ON, WEDNESDAY, 29 JULY 2026 AT 14H00 VIA MS TEAMS.**

SNCM007/07/2026

**REPORT DATED 27 JULY 2026 FROM THE MAYOR TO COUNCIL: SECTION 52
QUARTERLY REPORT FOR THE QUARTER ENDING 30 JUNE 2026**

COUNCIL RESOLVED

1. THAT the fourth quarter budget statement performance report **BE NOTED.**
2. THAT it BE NOTED that Council raised concerns on the unspent budget on two pumpstations and the maintenance thereof, the massive amounts of budget spent for Alexandria Tourism and the Piggery projects as compared to other units in Ndlambe.

SNCM008/07/2026

**REPORT DATED 27 JULY 2026 FROM THE MAYOR TO COUNCIL: SUPPLY CHAIN
MANAGEMENT REPORTS FOR THE PERIOD ENDING 30 JUNE 2026**

COUNCIL RESOLVED

1. THAT the Supply Chain Management report **BE NOTED.**
2. THAT Management ensures that oversight and monitoring of the diesel is conducted to eliminate the variance which are as a result of dipstick level measurement method.

SNCM009/07/2026

**REPORT DATED 29 JULY 2026 FROM THE AUDIT AND PERFORMANCE COMMITTEE
CHAIRPERSON TO COUNCIL: AUDIT AND PERFORMANCE COMMITTEE CHARTER
2026/27**

COUNCIL RESOLVED

1. THAT the revised **Audit and Performance Committee Charter** for the Municipality **BE APPROVED.**

**MINUTES OF A SPECIAL VIRTUAL OPEN NDLAMBE COUNCIL MEETING HELD
ON, WEDNESDAY, 29 JULY 2026 AT 14H00 VIA MS TEAMS.**

2. THAT the Charter **BE ADOPTED** as the governing document that defines the Committee's purpose, authority, responsibilities, composition, and operating procedures in accordance with the:
- Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);
 - Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);
 - Municipal Planning and Performance Management Regulations, 2001; and
 - Other applicable legislation and governance frameworks.
3. THAT the Municipal Manager **BE AUTHORISED** to implement the approved Charter and ensure that it is reviewed periodically to remain aligned with legislative and governance requirements.

SNCM010/07/2026
URGENT REPORTS BY THE MUNICIPAL MANAGER

None.

SNCM011/07/2026
CLOSURE

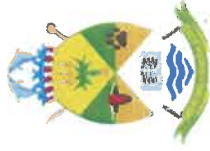
The meeting was officially closed at 14:45

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT ON IMPLEMENTATION OF COUNCIL
RESOLUTIONS**

ANNEXURE C.06



REPORT ON IMPLEMENTATION OF COUNCIL RESOLUTIONS – AUGUST 2026

NO.	ITEM NO.	ITEM (HEADING)	RESPONSIBLE PERSON	REPORT / COMMENTS SUBMITTED BY THE RELEVANT DIRECTOR	TIMEFRAME TO BE INSERTED BY DIR.
30 AUGUST 2022					
1.	NCM030/ 08/2022	Report dated 18 august 2022 from the municipal manager to council: Appointment of Ndlambe Municipality as an implementing agent for quick wins projects previously implemented by Amatola Water Board. <u>COUNCIL RESOLVED</u> 1. THAT the intention of the department to hand over the Amatola projects to the Ndlambe Municipality BE ACCEPTED. 2. THAT a comprehensive report be compiled by Infrastructure Directorate and be submitted to the Honourable Mayor and Councillors before the beginning of the Mayoral Imbizo. 3. THAT a physical verification be conducted by the Municipal Manager in order to fully evaluate the	Infrastructural Development. And Municipal Manager	The progress on Contract 15 Pipeline is currently at 98% completion in respect of the physical infrastructure works. The contractor has commenced with the hydrostatic testing of the pipeline and is currently attending to repairs on the first leak detected during the testing process. It should be noted that the contractor has experienced delays due to insufficient water availability required	Ongoing

	progress on the Project. <u>PREVIOUS PROGRESS</u> The progress on Contract 15 Pipeline is currently at 98% completion in respect of the physical infrastructure works. The contractor has commenced with the hydrostatic testing of the pipeline and is currently attending to repairs on the first leak detected during the testing process. It should be noted that the contractor has experienced delays due to insufficient water availability required for testing purposes. Consequently, the limited water supply currently available is being carefully rationed between pipeline testing activities and the provision of water to the community. In this regard, water supply to the community will continue to take precedence should available water volumes decline further.		for testing purposes. Consequently, the limited water supply currently available is being carefully rationed between pipeline testing activities and the provision of water to the community. In this regard, water supply to the community will continue to take precedence should available water volumes decline further.
30 MARCH 2023			
2.	NCM016/ 03/2023	Report Dated 15 March 2023 from the Municipal Manager to Council: On-Site Verification of Municipal Buildings And Land Leased to Various Tenants as Stated in The Current Lease Schedule: <u>COUNCIL RESOLVED</u> 1. THAT it BE NOTED that this verification exercise will now be extended to determine whether any other municipal buildings or vacant land is used	Infrastructure/ Estate. The status quo remains unchanged, pending receipt of an updated verification report on all municipal buildings and land from the service provider, after which

		by any other tenants without the necessary lease agreements being in place. 2. THAT a progress report on what has been done so far be submitted in the next Council meeting. <u>PREVIOUS PROGRESS</u> The status quo remains unchanged, pending receipt of an updated verification report on all municipal buildings and land from the service provider, after which the exercise will continue.		the exercise will continue.	
31 OCTOBER 2025					
3.	NCM027/ 10/2025	Report dated 23 October 2025 from the municipal manager to Council: Supply Chain Management report for the quarter ended 30 September 2025 <u>COUNCIL RESOLVED</u> 1. THAT the Supply Chain Management report for the quarter that ended 30 September 2025 and the supporting documentation in this report BE NOTED. 2. THAT a detailed report on the ABSA Devco contract be submitted in the next Council meeting. <u>PREVIOUS PROGRESS</u> a) An intention to terminate the tripartite Thornhill Development Agreement was written on 10	Municipal Manager/ Finance	The Dept of Human Settlement is busy engaging with the state attorney to get an opinion. So, we are still waiting to get feedback from the Dept.	

		December 2025 and response was received on 09 January 2026. ABSA DEVCO is now Triangle Property Development (TPD). TPD is objecting to the termination, however they request a meeting to discuss our concerns. The partners of TPD are Mr. J. Schindehutte and M. Rakgogo who is commended for being an experienced executive in the field of Property Development and Public Service and he is the one who is going to reach out to us for a meeting. b) An email has been sent to Mr J. Schindcome requesting them to come on the 14th April 2026. We are waiting for a response from them to confirm the date of meeting. c) That it BE NOTE that a Virtual meeting was held on Thursday, 21 May 2026, Report will be tabled in the meeting. d) THAT it further BE NOTED that it was resolved in the meeting on the 21 May 2026 to obtained a legal opinion on the matter and a full report thereof will be submitted once Ndlambe has received a legal opinion.			
12 DECEMBER 2025					
4.	NCM022/12/2025	Report dated 01 December 2025 from the municipal manager to council – Eviction of illegal occupiers of public open space at centenary park. <u>COUNCIL RESOLVED</u>	Community and Protection Services	Status quo remains the same, the matter is still with the appointed Attorneys.	

			THAT it BE APPROVED that an eviction order be obtained against the illegal occupants that are occupying a portion of erf 361, Centenary Park, which is zoned Open Space Zone 1 (Public Open Space). <u>PREVIOUS PROGRESS</u> a) The matter has been handed over to the appointed Attorney which they are busy with following the legal procedure for the eviction of the illegal occupiers.	

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 FROM THE
OFFICE OF THE MUNICIPAL MANAGER TO
COUNCIL: RISK ASSESSMENT REPORT 2026/2027
FY**

ANNEXURE C.07

NDLAMBE LOCAL MUNICIPALITY



RISK ASSESSMENT REPORT

2026/2027 FY

RISK ASSESSMENT REPORT TO COUNCIL REPORT DATED 23RD JUNE 2026

PURPOSE:

The purpose of this report is to provide feedback on the risk assessment conducted for Ndlambe Municipality for the 2026/2027 Financial Year. The report provides feedback on the risks the municipality is exposed to, and for Management, Risk Committee and Council to oversee mitigation. The risks identified are those that are a threat to the municipality because it is not able to meet strategic objectives.

The 2026/27 risk assessment process represents a significant milestone in the maturation of risk management within Ndlambe Local Municipality. As this is the first year of operation of the Risk Management Committee, the focus has appropriately been on establishing strategic risk oversight, reviewing the strategic risk register, strengthening compliance management and improving the monitoring of risk mitigation actions.

While the current Risk Assessment Report provides a solid foundation for strategic risk governance, the Municipality should progressively strengthen its risk management maturity over the Medium-Term Revenue and Expenditure Framework (MTREF) period by transitioning from a compliance-based approach towards a fully integrated, strategic and assurance-driven risk management framework.

The Risk Committee has successfully completed **Phase 1 (Risk Identification and Compliance-Based Risk Management)** and has begun elements of **Phase 2 (Strategic Risk Governance)**.

The next 12–24 months should focus on transitioning to **Phase 3 (Integrated Risk Governance and Assurance)** by implementing:

1. Risk Appetite Framework.
2. Combined Assurance Model.
3. Evidence-based reporting.
4. Performance-linked risk management.
5. Cybersecurity governance.
6. Business continuity testing.
7. Key Risk Indicators and dashboards.
8. Expanded compliance governance.
9. Strategic emerging risk monitoring.

LEGISLATION

- Sections 62 and 95 of MFMA (No 56 of 2003)
- National Treasury Public Sector Management Framework (2008)
- King V Report on Code of Corporate Governance
- COSO Framework

BACKGROUND:

Section 62(1) c (i) and 95 c (i) of the MFMA require the Accounting Officer to ensure that their municipalities and municipal entities have and maintain effective, efficient and transparent systems of risk management. The risk assessment process is conducted in order to identify what could cause the municipality to deviate from its objective, to determine how likely the risk could occur, and the consequences if it does occur. The municipality must determine which risks need to be addressed or prioritised. Risk management processes purely consist of three steps, namely, risk identification, risk analysis and evaluation of risks.

The Risk Assessment was conducted on the 18th and 19th May 2026 at the Council Chambers in Kenton-On-Sea. The Municipality **was assisted by the Provincial Treasury and COGTA.**

The following key stakeholders were invited to the session:

- Chairperson of the Risk Committee – Prof. Plaatjes
- Municipal Manager
- Directors and Management of the Municipality.
- Internal Audit Unit; and
- Risk Champions.

The following apologies were received from the Management:

- Municipal Manager;
- Director Infrastructure;
- Director Community and Public Safety; and
- Director Corporate Services.

OBJECTIVES OF THE SESSION

The objective of the session was to ensure that:

1. Ndlambe Municipality implements and maintains an effective, efficient and transparent system of risk management and internal control.

2. Risk management assists the municipality to achieve, among other things, the following outcomes needed to underpin and enhance performance:
- More sustainable and reliable delivery of services.
 - Informed decisions underpinned by appropriate analysis.
 - Achievement of strategic goals as set in the Integrated Development Plan.
 - Prevention of fraud and corruption.
 - Better value for money through more efficient use of resources; and
 - Better outputs and outcomes through improved project and program management.

SCOPE AND APPROACH OF THE SESSION

The approach for the session was that the 2025/2026 Risk Register would be reviewed for the relevance of the Risk that is currently on the Risk Register and alignment with the planning documents. It was noted that the Risk Register currently has 23 Risks that are sitting on the Risk Register for the 2025/2026 Financial Year. The number of risks on the Risk Register was too high, and the risks on the Strategic Risk Register should optimally not exceed 10 Risks.

During the review of the Risk Register, it was indicated that some of the Risks were operational and should be moved to the operational risk registers. Some of the risks were merged to form a Strategic Risk Register.

The Risk Register was also reviewed for alignment with the Key Performance Areas and the Objectives for the 2026/2027 Financial Year as indicated on the approved IDP. The purpose of this part of the workshop, then, was to elicit as much input as possible from staff in respect of their day-to-day activities and their experience within the Municipality in identifying possible risk factors and migration plans.

Below is a **summarised** outcome for the risk assessment conducted for Ndlambe Municipality for the 2026/2027 Financial Year and excludes Risk Ratings, Timeframes for Key Actions, and Responsible Persons, to name a few.

KPA	Risk Description	Risk Root Causes	Consequences	Current Controls	Actions to manage the risk
KPA5: Good Governance & Public Participation	Regression Outcome	1.1 Inadequate records management processes. 1.2 Non-submission of information during the Audit 2. Slow implementation of AG and Internal Audit recommendations 3. Non-compliance with GRAP (development of AFS) 4. Inadequate Internal Control System 5. Non-compliance with applicable laws and regulations.	1. Regression in service delivery 2. Reduced grant funding 3. Reputational damage 4. Community Unrest 5. Loss of potential investors 6. High Staff turnover	1.1 Audit action plan 1.2 Internal Audit Findings Tracker 2. Approved AFS Plan 3. Monthly reconciliations 4. Scheduled meetings for the Audit Action 5. Review of the draft AFS by the Treasury, Audit Committee and Internal Audit 6. Engagements with the Treasury for AFS Preparation and Audit Readiness 7. Adopted Municipal File Plan 8. Records Management Policy and Procedure Manuals 9. Owvio Document management system 10. Cloud-based backup 11. Audit Committee	1.1 Monitoring of the Audit Action Plan 1.2 Internal Audit Findings Tracker 2. Review of the AFS for GRAP Compliance before submission 3.1 Customise NT Finance SOPs. 3.2 Submit customised NT Finance SOPs for approval. 4.1 Review and update compliance register 4.2 Assessment of the compliance register 5.1 All departments to implement Owvio as a live scenario.

KPA	Risk Description	Risk Root Causes	Consequences	Current Controls	Actions to manage the risk
KPA3: Financial Planning & Budgets	Inability to meet current and future financial obligations	1. Inadequate implementation of the Revenue Enhancement Strategy 2. Inadequate implementation of the Credit Control and Debt Management Policy 3. Incomplete indigent register 4. Incomplete property valuation roll 5. Incorrect billing of water and electricity 6. Non-payment of municipal rates and services 7. Non-existent comprehensive Cost Containment Policy. 8. Poor planning and budgeting 9. Ineffective Implementation of Consequence Management	1. Loss of Revenue 2. Service delivery delays 3. Negative audit outcome 4. Inability to maintain infrastructure	1. Revenue completeness Reports (Ovvio system) 2. Rates reconciliation 3. Indigent and deceased verification system to determine qualifying criteria are met 5. Door-to-door indigent verification - Indigent policy 6. Pilot Prepaid Water Meter replacement program 7. Cost Containment Policy and Report 8. Revenue Enhancement Strategy 9. Credit Control and Debt Management Policy 10. Rate Payers Associations 11. Procurement Plan	1. Review of revenue enhancement strategy 2.1. Monitor implementation of the Credit Control and Debt Management Policy 2.2. Installation of prepaid water meters in Eskom electricity license areas 3. Updating and ensuring completeness of the Valuation Roll 4. Continuous indigent campaigns and door-to-door registrations 5. Source funding for the replacement of faulty meters. 6. Review of the Consequence Management Policy

KPA	Risk Description	Risk Root Causes	Consequences	Current Controls	Actions to manage the risk
KPA5: Good Governance & Public Participation	Non-compliance with Laws, Rules and Regulations	1. Lack of an Asset Management Plan, which leads to poor procurement planning 2. Non-adherence to procurement plan 3. Inadequate contracts management 4. Inappropriate use Deviations 5. Urgent request from external stakeholders - Grants 6. Incomplete compliance universe 7. Lack of clearly documented SOPs 8. Lack of regular compliance assessments 9. Non-implementation of audit recommendations related to compliance 10. Lack of understanding or application of relevant legislation.	1. Irregular expenditure 2. Fruitless and Wasteful Expenditure 3. Negative audit outcome 4. Litigations	1. Relevant Regulations and Policies 2. Munsoft Financial System 3. Bid committees 4. Procurement plan 5. Quarterly reporting on UIFWE 6. Disciplinary board for financial misconduct 7. Approved UIFWE reduction strategy 8. Vetting of bidders prior to appointment 9. Updating of the Contracts Register 10. Compliance Register 11. Audit Action Plan 12. Panel of Service providers	1. Addressing legacy contracts 2. Reduction of UIFWE relating to Prior Years through MPAC Assessment, write-offs and consequence management. 3. Implementation of the contracts monitoring tool 4. Development of an updated Asset Management Plan 5. Monitoring and reporting of the Procurement Plan 6. Sufficient budgeting for Landfill Site Provision for the 2026/2027 Financial Year. 7. Update Compliance universe 8. Perform compliance assessments 9.1 Customise NT Finance SOPs. 9.2 Submit customised NT Finance SOPs for approval.

KPA	Risk Description	Risk Root Causes	Consequences	Current Controls	Actions to manage the risk
KPA2: Service Delivery & Infrastructure Planning	Inability to provide adequate sewer, water, electricity and roads	1. Lack of bulk sewer and bulk master plans (water, electricity and roads) 2. Insufficient budget for bulk 2. Lack of as-built plans within the municipality 3. There is no official responsible for the GIS System 4. Theft and vandalism of infrastructure 5. Inadequate systems for measuring and monitoring (bulk meter and telemetry). 6. Increase in population (increases bulk water demand) 7. Illegal immigrants (undocumented) 8. Ageing infrastructure 9. Shortage of Equipment (Yellow fleet and jetting) 10. Outdated maintenance plans 11. Inadequate	1. Non-integration of bulk projects 2. Projects might not be implemented in accordance with their priority 3. Environmental pollution 4. Litigations 5. Negative economic impact 6. Water and Electricity losses 7. Community Unrest	1. The municipality does have a 5-year reliability water and sanitation plan 2. Developed Business Plans for the sourcing of funding 3. Council approved the Comprehensive Infrastructure Plan 4. Water conservation and water demand plan 5. Infrastructure Asset Register 6. One major pump station (reduced theft and vandalism, and savings on the Eskom bill) 7. Physical Security and Security Equipment 8. Roads and Stormwater Maintenance Plan 9. Shared GIS service from Sarah Baartman DM	1. Implementation of the Comprehensive Infrastructure Plan 2. Development of Infrastructure Business Plans 3.1 Retro Fittings for Indigent Households 3.2 Source a dedicated budget for the procurement of fittings 4. Sourcing of Grant Funding for prepaid smart water meters. 5. Explore the secondment of the GIS Official from COGTA 5.1 Make provision in the organogram for the inclusion of a GIS Officer. 6. Uploading of information on Owio 7. Source funding for Roads and Stormwater Maintenance 8. Reinstatement of the road attached to the bulk sewer infrastructure. 9. Review of Maintenance Plans 10. Involvement of Council in Public Participation for initiatives to repair potholes 11. Maintenance of Stormwater drainage system 12. Active identification and assessment of disaster-prone areas.

KPA	Risk Description	Risk Root Causes	Consequences	Current Controls	Actions to manage the risk
		implementation of the Roads and Stormwater Maintenance Plan 12. Severe weather conditions			
KPA1: Spatial Planning, Land, Human Settlements & Environmental Management	Uncoordinated planning to guide future developments through the Spatial Development Framework	1. Land invasion and land disputes 2. Inadequate bulk infrastructure 3. Prolonged internal and external processes to finalise land development applications. 4. Inadequate funding to cater for social development 5. Lack of Land Invasion Policy 6. Lack of enforcement of regulations 7. Lack of platforms for educating citizens on land use and spatial planning.	1. Loss of potential revenue sources 2. Despondent, missing middle class 3. Potential community unrest. 4. Replicated negative socio-economic status 5. Loss of potential investor confidence 6. Susceptibility to disasters 7. Political instability	1. Council approved the Spatial Development framework. 2. Council approved the Precinct /Master plan for PA and Alexandria towns 3. SPLUMA Compliant: Integrated land use scheme, Spatial planning and land use management By-law, Municipal Planning Tribunal and Appeal Authority 4. Policy on submission and processing of land use applications. 5. Utilisation of the Upgrading of informal settlements Grant. 6. Adopted Housing Sector Plan	1. Conduct Land Audit 2. Develop Land Invasion Policy 3. Develop Land Invasion By-law 4. Soliciting funding for bulk infrastructure, community services and housing development. 5. Conduct quarterly meetings to address delays with internal and external stakeholders 6. Conduct awareness campaigns on land use management.

KPA	Risk Description	Risk Root Causes	Consequences	Current Controls	Actions to manage the risk
KPA4: Local Economic Development (LED)	Inability to stimulate local economic development	1. The economy is highly dependent on the season 2. Dilapidated infrastructure and sources of water 3. Issue of capacity (Budget and Personnel) 4. Lack of budget to fund Tourism Activities 5. SMMEs are not self-sustainable 6. Lack of Agriculture Infrastructure 7. Lack of vaccines to provide for the farmers 8. Closure of the Chicory Factory in Alexandria 9. Capacity building programs	1. Loss of investment 2. Loss of revenue 3. Unemployment 4. Increased SMME dependency. 5. Missed opportunities 6. Increased poverty levels.	1. Draft LED strategy 2. SMME applications and acknowledgement letters 3. Soliciting funding from the Department of Small Business 4. The Department of Agriculture is also assisting with fencing and technical 5. Department of Agriculture has assisted the municipality with land care programs (Alien Vegetation) 6. SAN Parks, ECRDA and UNDP are also providing financial and non-financial support for fishing for small-scale fisheries	1. Establish relations with the new owner of the Chicory Factory, or identify alternative economic activities. 2. Establishment of an Abattoir in Alexandria 3. Review of draft LED strategy 4. Appointment of the Tourism Officer and SMME Officer for Ndlambe 5. Capacity Building of LED Officials 6. Ensure that the Ndlambe Investment and Promotion Committee is sitting regularly to identify Investment Projects and properly market the municipality. 7. Ensure that Tourism Events are held annually 8. Ensure that SMMEs are capacitated on an annual basis. 9. Ensure the 5% spending for the MIG Grant 10. Introduction of the SMMEs to the incubation programs

KPA	Risk Description	Risk Root Causes	Consequences	Current Controls	Actions to manage the risk
KPA5: Good Governance & Public Participation	Inability to leverage ICT capabilities as a strategic business enabler	1. Ineffective implementation of the ICT strategy 2. Lack of innovation 3. Misalignment of ICT Strategy to organisational strategy 4. Budget constraints 5. Ineffective Business Continuity Planning. 6. Inadequate ICT Disaster Recovery Planning 7. Insufficient training for ICT Staff 8. Insufficient Bandwidth	1. Loss of investment opportunities 2. System failures 3. Communication will be affected negatively 4. Loss of print activity 5. Financial Loss 6. Compromised Business Continuity	1. A needs analysis has been conducted to align the ICT Strategy to the Municipal Strategy 1. ICT Governance Framework and Policy 2. OVVO system (document management and GIS system in place) 3. Cloud-based metering system 4. Network infrastructure 5. Financial system (Munsoft) 6. Local Disaster recovery site (replicated 29 Kms from live environment) 7. Weekly Vulnerability and Patch assessments 8. Quarterly Network Penetration (Pen) Testing 9. Third Party Access Control Procedure. 10. Change Management Policy.	1. Approval of the draft ICT strategy 2. Continuous training within the ICT Unit 3. Monitor implementation of the ICT Strategy 4. Development of Cyber Security Policy 4.1 Include a timeframe for the resolution of Pen-test findings. 4.2 Reduction of Pen-test scoring from 5 to 3 through implementation of recommendations. 4.3 Explore utilisation of an external Service Provider to conduct Pen-testing to improve reports.' 11. Prioritisation of bandwidth: 11.1 Virtual Local Area Network (V-LAN) 11.2 Segmentation

KPA	Risk Description	Risk Root Causes	Consequences	Current Controls	Actions to manage the risk
KPA5: Good Governance & Public Participation	Increase in litigation cases	1. Ageing infrastructure and maintenance 2. Possible litigation due to the proximity of landfill sites to settlements 3. Outdated bylaws 4. Inadequate implementation/enforcement of by-laws 5. Lack of internal legal capacity 6. Lack of centralisation of systems	1. Negative financial implications 2. Reputational damage 3. Negative audit outcomes 4. Civil unrest 5. Civil claim/Civil Litigation	1. Panel of attorneys 2. Maintain the litigation register 3. Land Tribunal 4. Roads maintenance plan 5. Intergovernmental Relations	1. Analysis litigation register(to obtain a legal opinion on old cases ,possible settlement - Municipal Manager) 2. Land Audit to identify a landfill site for illegal dumping 3. Appointment of the Legal Advisor

KPA	Risk Description	Risk Root Causes	Consequences	Current Controls	Actions to manage the risk
KPA2: Service Delivery & Infrastructure Planning	Inability to effectively manage landfill sites and illegal dumping	1. Inadequate implementation of legislation 2. Inadequate budget allocation toward waste management. 3. Inherited landfill sites prior to NEMWA conditions promulgated. 4. Expansion of urban sprawl closer to the landfill site. 5. Proliferation of illegal activity at landfill sites due to remote location. 6. Increase in illegal dumping (builders' rubble and domestic waste)	1. Possible Contamination of groundwater/pollution 2. Atmospheric degradation due to illegal fires 3. Litigation 4. Community unrest 5. Non-compliance with NEMWA (Landfill sites) 6. Injuries	1. Licensed landfill sites 2. Service provider contracted to manage landfill sites 3. Environmental awareness campaigns in communities 4. Annual evaluation of landfill sites 5. Fire services on standby for Alexandra and Port Alfred landfill sites. 6. Regular cleanup campaigns. 7. Waste Management By-law and enforcement officer. 8. Integrated Waste Management Plan. 9. Procurement of Wheelie bins for distribution to communities. 10. Environmental Management Inspectors.	1. Monitoring of the service provider contracted to manage landfill sites. 2. Identification of land for new landfill site (subject to land audit and sourcing of funding) 3. Closure and rehabilitation of old landfill sites (to source funding) 4. Commence the process to create one transfer site with buyback centres 4.1 Source funding for land audit 5. Conversion of Port Alfred ECA to adhere to NEMWA

KPA	Risk Description	Risk Root Causes	Consequences	Current Controls	Actions to manage the risk
KPA6: Institutional Arrangements	Ineffective Human Resource Planning	A high number of officials are approaching 60 years of age and are closer to retirement.	1. High number of unfilled positions 2. Negative impact on the service delivery 3. High absenteeism	1. The municipality maintains an employee database with employee age profiles and retirement dates. 2. Retirement information is monitored through the payroll and HR information systems. 3. Annual Workforce Planning and Organisational Structure Reviews are conducted. 4. Recruitment and selection policies are in place to fill critical vacancies. 5. Skills Development Plans and Workplace Skills Plans are implemented to develop internal talent (growing your own timber). 6. Employee training and capacity-building programmes are conducted on an ongoing basis. 7. Human Resources provides periodic reports on retirement trends and vacancy levels to management meetings.	1. The Payday System will be set up to notify the municipality 12 months before the retirement date, allowing for proper succession planning. 2. The municipal officials will be taken on continuous training for capacitation. 3. An assessment for individuals approaching 60 will be done.

CHALLENGES AND MITIGATING FACTORS

NO.	CHALLENGES	MITIGATING FACTORS
1.	The Risk Management Unit is currently under-capacitated in terms of budget and staff.	Risk Management is currently utilising the budget from the Internal Audit Office and is being assisted by the Budget and Treasury Interns.
2.	Risk Management does not form part of the individual performance management for the Directors.	It has been agreed that during the development of the SDBIP and signing of Performance Agreements, Risk Management will form part of the registers.
3.	Departments do not have budgets to implement Risk Action Plans.	The municipality has recently approved the budget for the 2026/2027 Financial Year. Budget amounts will be included on the register.
4.	Risk Registers are set to be reviewed annually.	The municipality will currently be working outside the system in terms of splitting the targets and will continue to have discussions with the system provider in terms of splitting the targets into quarterly targets on the system.
5.	Risk Champions are not frequently trained and workshopped on Risk Management issues.	The Risk Champions were trained in March 2026. It was, however, noted that Risk Management is not their area of expertise, and frequent training will be held.

The Risk Committee considered the outcomes of the Strategic Risk Assessment Workshop held on 18 and 19 May 2026 and is satisfied that the strategic risks identified are aligned to the Municipality's Integrated Development Plan, Key Performance Areas and strategic objectives.

13. That the performance of the Risk Chairperson should be evaluated annually for consistency with the requirements.

Conclusion

The Strategic Risk Assessment has identified the principal risks that may impact the Municipality's ability to achieve its strategic objectives during the 2026/2027 financial year. Management has identified mitigation measures to address these risks, and the Risk Committee will monitor implementation on a quarterly basis. Council support is requested for the continued strengthening of risk governance processes to enhance institutional resilience, service delivery and good governance.

Appreciation

The Risk Management Committee expresses its sincere appreciation to the Honourable Speaker, Executive Mayor and entire Council, Municipal Manager, Senior Management Team, the Internal Audit Unit, Risk Management and MPAC.



Chairperson of the Risk Management Committee
Prof. Winston Plaatjes
Date: 23 June 2026

NDLAMBE LOCAL MUNICIPALITY

EXECUTIVE SUMMARY OF THE 2026/27 STRATEGIC RISK ASSESSMENT REPORT

1. PURPOSE

The purpose of this report is to present the outcomes of the Strategic Risk Assessment conducted for the 2026/27 financial year and to request Council approval of the Strategic Risk Register and associated recommendations.

(Refer to Page 2 of the full report)

2. BACKGROUND

A Strategic Risk Assessment Workshop was conducted on 18 and 19 May 2026 with the support of Provincial Treasury and COGTA. The assessment reviewed the existing Strategic Risk Register, aligned risks to the Municipality's Integrated Development Plan (IDP) and Key Performance Areas (KPA's), and consolidated risks from 23 risks to a focused set of strategic risks requiring oversight by Council and Management.

The Risk Committee further noted that the Municipality has completed the foundational phase of risk management and should now progress towards a more integrated risk governance framework through the introduction of:

- Risk Appetite Framework;
- Combined Assurance;
- Performance-linked Risk Management;
- Cybersecurity Governance;
- Business Continuity Testing;
- Key Risk Indicators and Dashboards; and
- Strategic Emerging Risk Monitoring.

(Refer to Pages 2–4 of the full report)

3. STRATEGIC RISKS IDENTIFIED

The following strategic risks were identified as the principal risks that may impact the Municipality's ability to achieve its strategic objectives during the 2026/27 financial year:

No.	Strategic Risk	Page
1	Regressed Audit Outcome	5
2	Inability to Meet Current and Future Financial Obligations	5–6
3	Non-Compliance with Laws, Rules and Regulations	6–7
4	Inability to Provide Adequate Water, Sewer, Electricity and Roads Infrastructure	7–9
5	Uncoordinated Planning to Guide Future Development Through the Spatial Development Framework	9
6	Inability to Stimulate Local Economic Development	10
7	Inability to Leverage ICT Capabilities as a Strategic Business Enabler	10–11
8	Increase in Litigation Cases	11–12
9	Inability to Effectively Manage Landfill Sites and Illegal Dumping	12
10	Ineffective Human Resource Planning	12–13

Summary Dashboard of Risk Assessment "at-a-glance"

Strategic Risk	Trend	Council Attention Required
Audit Outcome	High	Monitor audit readiness
Financial Sustainability	High	Revenue enhancement and debt collection
Compliance	High	Procurement and contract management
Infrastructure	High	Funding and maintenance
Spatial Planning	Medium	Land invasion and development planning
Local Economic Development	Medium-High	Investment attraction and economic diversification
ICT	Medium-High	Cybersecurity and business continuity
Litigation	Medium	Legal capacity and landfill matters
Landfill Sites & Illegal Dumping	High	Environmental compliance and future landfill capacity
HR Planning	Medium	Succession planning

4. KEY THEMES ARISING FROM THE RISK ASSESSMENT

The assessment identified several cross-cutting risks affecting the Municipality:

- Financial sustainability and revenue collection challenges.
- Compliance management and prevention of irregular expenditure.
- Infrastructure maintenance, ageing assets and service delivery sustainability.
- Economic development and investment attraction.
- Cybersecurity and ICT governance.
- Environmental compliance and landfill management.
- Human resource succession planning and retention of institutional knowledge.

(Refer to Pages 5–13 of the full report)

5. CHALLENGES IDENTIFIED

The Risk Committee identified several challenges that may impact implementation of risk mitigation plans, including:

- Under-capacitation of the Risk Management Unit.
- Limited departmental budgets for risk mitigation actions.
- Inadequate integration of risk management into performance management.
- Limitations within the risk management system regarding quarterly monitoring.
- The need for ongoing training of Risk Champions.

Mitigating measures have been identified to address each of these challenges.
(Refer to Page 14 of the full report)

6. RISK COMMITTEE CONCLUSION

The Risk Committee is satisfied that the strategic risks identified are aligned with the Municipality's Integrated Development Plan, Key Performance Areas and strategic objectives.

The Committee further noted opportunities to strengthen risk governance through the implementation of a Risk Appetite Framework, Combined Assurance Model, integration of risk management into performance management and enhanced oversight of emerging risks.
(Refer to Pages 14–15 of the full report)

7. RECOMMENDATIONS

Council is requested to:

1. Accept and approve the 2026/27 Strategic Risk Assessment Report.
2. Adopt the Strategic Risk Register.
3. Direct Management to implement the identified mitigation measures.
4. Support the development of a Risk Appetite and Risk Tolerance Framework during the 2026/27 financial year.
5. Require quarterly reporting on implementation progress through the Risk Management Committee.

(Refer to Pages 15–16 of the full report)

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 FROM THE
MUNICIPAL MANAGER TO THE COUNCIL: PUBLIC
PARTICIPATION PROCESS: REQUEST TO
PURCHASE A PORTION OF THE ROAD RESERVE
OF ERF 1014 (PROSPECT LANE), PORT ALFRED:
ESTATES SECTION**

ANNEXURE C.08

- Acquisition and purchase a portion of municipal land measuring approximately 197m² (ABCD)
- The formal recognition and regularisation of existing encroaching structures; and
- The incorporation of the affected portions into the lawful use and occupation associated with Erf 1015.
- as this pose no danger and hindrance to public flow of traffic and municipality infrastructure .
- Ndlambe Municipality by-laws also allowed for all Erf's in the same street lie (Seaview Terrace) to extend the boundary fence line beyond the 'Peg positions' and
- To give formal recognition and regularisation of existing structures referred to as unlawfully encroached a this was as a result of being unaware and ill-informed.

3. NEED FOR THE APPLICATION

The primary need for this application arises from the requirement to:

- Ensure that all existing structures are legally compliant with municipal by-laws and regulations;
- Facilitate the approval for the sub-division of the Erf, which cannot be finalised while there is an issue of unauthorised encroachments
- Without formal approval of the encroachments, the property remains in a state of non-compliance, which is undesirable both from a legal and planning perspective.

4. DESIRABILITY

The desirability of the application is supported by the following:

- There is no impact on heritage as no building is older than 25yrs and no impact on traffic or engineering services.
- The structures are already in existence and have become part of the established built environment and there will be no other disturbances and further disturbances that will take place in the area. trees and flowers will be planted to ring the area to its natural beauty.
- There is no adverse impact on public safety, access, or movement within the affected streets.
- The proposal promotes formalisation rather than informality, which is consistent with sound municipal governance.
- Neighbours have been contacted and no objections to date

5. MOTIVATION

This application is motivated by the intention to:

- Act in good faith by regularising existing encroachments – uniformity as per by-laws;
- Demonstrate willingness to comply with all municipal requirements.
- Ensure that the property development is fully authorised and legally recognised; and
- Maintain a positive and cooperative relationship with the Municipality.
- This application is therefore consistent with established municipal practice of managing and regularising encroachments rather than pursuing punitive measures where compliance can be achieved.

The applicant acknowledges the Municipality's ownership of the affected land and seeks permission to utilise it under controlled and regulated conditions.

Approval of this application will yield several benefits to Ndlambe Municipality, including:

- Revenue generation through encroachment lease fees;
- Promotion of regulatory compliance within the township;
- Reduction of unauthorised land use practices;
- Strengthening of municipal control over public land through formal agreements; and

6. CONCLUSION

In light of the above, it is respectfully submitted that:

- This application is therefore consistent with established municipal practice of managing and regularising encroachments rather than pursuing punitive measures where compliance can be achieved.
- The applicant is willing to pay all required fees and comply with conditions imposed by the Municipality; and
- Approval of the encroachment lease will promote legal compliance, revenue generation, and orderly development.

The Municipality is therefore kindly requested to approve for the acquisition and purchase of the encroached area of land (197m²).

SYMBOLIC SCALE 1/300

LEGEND

SUBDIVISION OF ERF 1015 PORT ALFRED

LAND USE TABLE			AREA - ±
DISTING STRUCTURES	ZONE	SUP	
CYCLING HOUSE 1	RESIDENTIAL ZONE 1	9321	±23.42
CYCLING HOUSE 2	RESIDENTIAL ZONE 1	REMANUER 1015	±173.72
GARAGE	RESIDENTIAL ZONE 1	REMANIDER 1015	±99.85
TEMPORARY USED	RESIDENTIAL ZONE 1	REMANIDER 1015	±17.23
TOTAL			±440.29

ERF 021

ERF AREA(m²)

971

DEMANDER OF ERF 1015

690

LEGEND

	SITE BOUNDARY
	ROOFED PASSAGEWAY
	BUILDING
	VERANDA
	BUILDING LINE
	WATER TANK STAND
	CARPORT
	EXISTING FENCE
	GARDEN PLANTS
	ENTRANCE GATE

NOTES

TRAC detects Water Tank Stand
GTP detects Sinks
BL detects Building Lines

**CADASTRAL BOUNDARIES ARE TO
BE CONFIRMED BY A PROFESSIONAL
LAND SURVEYOR**

DATE-14 MAY 2028

Guest: Sabatha Dalton Buso and
Carol Bulewa Buso

SCALE 1: 300 @ A3



Table

LAYOUT PLAN

PROPOSED CLOSURE OF
PORTION OF SEAVIEW TERRACE
AND CONSOLIDATION WITH
ADJOINING ERVEN 1015 & 9821
PORT ALFRED

PLAN NO.: 9089

Rev No	01
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LEGEND

Proposed Acquisition Area - 1197m²

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 FROM THE
MUNICIPAL MANAGER TO THE COUNCIL:
PUBLIC PARTICIPATION PROCESS: REQUEST
TO PURCHASE PORTIONS OF ERF 950 (STREET)
AND ERF 394 (PUBLIC OPEN SPACE),
BOESMANSRIVIERMOND: ESTATES SECTION**

ANNEXURE C.09

20 May 2026

Pr. Ptn A/1037/1998
BA M(TRP) MSAPI

Municipal Manager
Ndlambe Municipality
Department: Land and Estates Section
PO Box 13
Port Alfred
6170

Attention: Shirley Boshoff

ERF 310, BOESMANSRIVIERMOND: OFFER TO PURCHASE A PORTION OF ERF 950 (STREET) AND ERF 394 (PUBLIC OPEN SPACE), BOESMANSRIVIERMOND

We hereby submit an application on behalf of the registered owner of Erf 310, Boesmansriviermond, Johannes Gerhardus Strydom, to purchase two portions of Municipal owned land, one being Erf 950, Boesmansriviermond (Street) and the other Erf 394, Boesmansriviermond (Public Open Space), in order to regularize the existing encroachments of Erf 310, Boesmansriviermond.

As illustrated below access to Erf 310, Boesmansriviermond is obtained from Cycad Street (Erf 950, Boesmansriviermond) in the north.



- 1. Garden encroachment (Portion X – North of Erf 310 on Erf 950, Boesmansriviermond): $\pm 174m^2$**
Historically, Erf 310 was not fenced, and the cadastral boundaries were not physically demarcated on site. As a result, the owners informally began utilising a small area to the north of the dwelling for the storage of garden equipment.

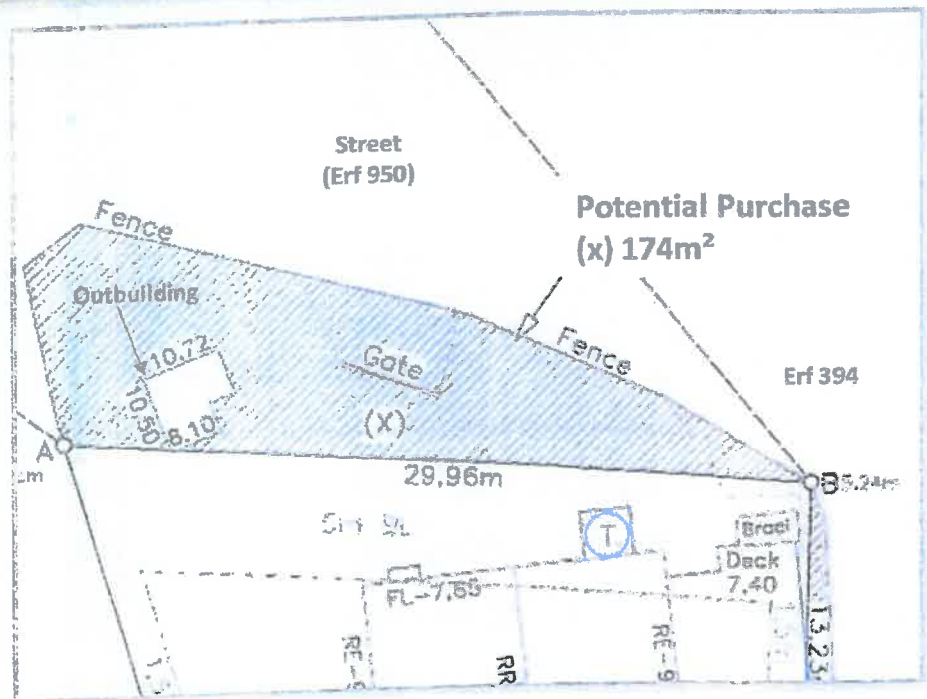
Over time, this use evolved from a temporary wendy house structure to a permanent outbuilding. This gradual development effectively extended the northern boundary of Erf 310, resulting in an encroachment of the cadastral boundaries.

This area, hereafter referred to as the **"garden encroachment,"** has since been enclosed by a fence for security purposes and is accessed via a gate, as reflected on the accompanying diagram and Beacon Certificate.





Due to the overgrown natural environment of the Boesmansrivier area, this encroachment is not visible on any aerial view maps but has been accurately surveyed and is reflected on the Beacon Certificate, prepared by M.E.H. Sulter & Son Inc., Professional Land Surveyors.



Motivation for Purchase:

On behalf of the owner, we respectfully request approval to purchase the fenced "garden" area based on the following considerations:

- The encroached portion has never functioned as a road, access route, or active public open space, and therefore holds limited public utility.

- The area is effectively incorporated into the private use of Erf 310 and has been maintained as such.
- Approval of the purchase will relieve the Municipality of any ongoing maintenance responsibility for this portion of land.
- The transaction will generate revenue for the Municipality, contributing positively to its financial position.
- The formalisation of the encroachment will ensure proper cadastral alignment and legal compliance, improving overall land administration in the area

2. Deck Encroachment (Portion X – East of Erf 310 on Erf 394, Boesmansriviermond) : ±28m².

The steep topography of the site, combined with dense and overgrown vegetation along the northern boundary, made it difficult to accurately identify and locate the cadastral beacons during the construction of the timber deck on stilts and the associated boundary fence. As a result, a portion of the deck and fence extends beyond the registered boundary of Erf 310 and is encroaching Erf 394, Boesmansriviermond (Public Open Space).

This encroached area is hereafter referred to as the “**deck encroachment**,” as illustrated in the accompanying figures.

It is acknowledged that aerial imagery sources, including Google Earth and Planet GIS, are subject to distortion and positional inaccuracies and should therefore not be regarded as precise cadastral evidence. The Beacon Certificate prepared by M.E.H. Sutter & Son Inc., Professional Land Surveyors, is accordingly submitted as the accurate and authoritative record of the property boundaries.

Longstanding Development (Google Earth Images):

As noted previously, the garden encroachment is not discernible on aerial imagery due to dense vegetation cover. However, historical information indicates that the previous owner, prior to 2010, had already enclosed the garden area with fencing, as reflected on the Beacon Certificate. It can therefore reasonably be inferred that the garden encroachment has long existed beneath the established tree canopy along the northern boundary.

Furthermore, available Google Earth imagery confirms that the timber deck encroachment on Erf 310, Boesmansriviermond, has been in place since at least 2010, indicating that the encroachment is not recent but forms part of a longstanding development pattern on the property.

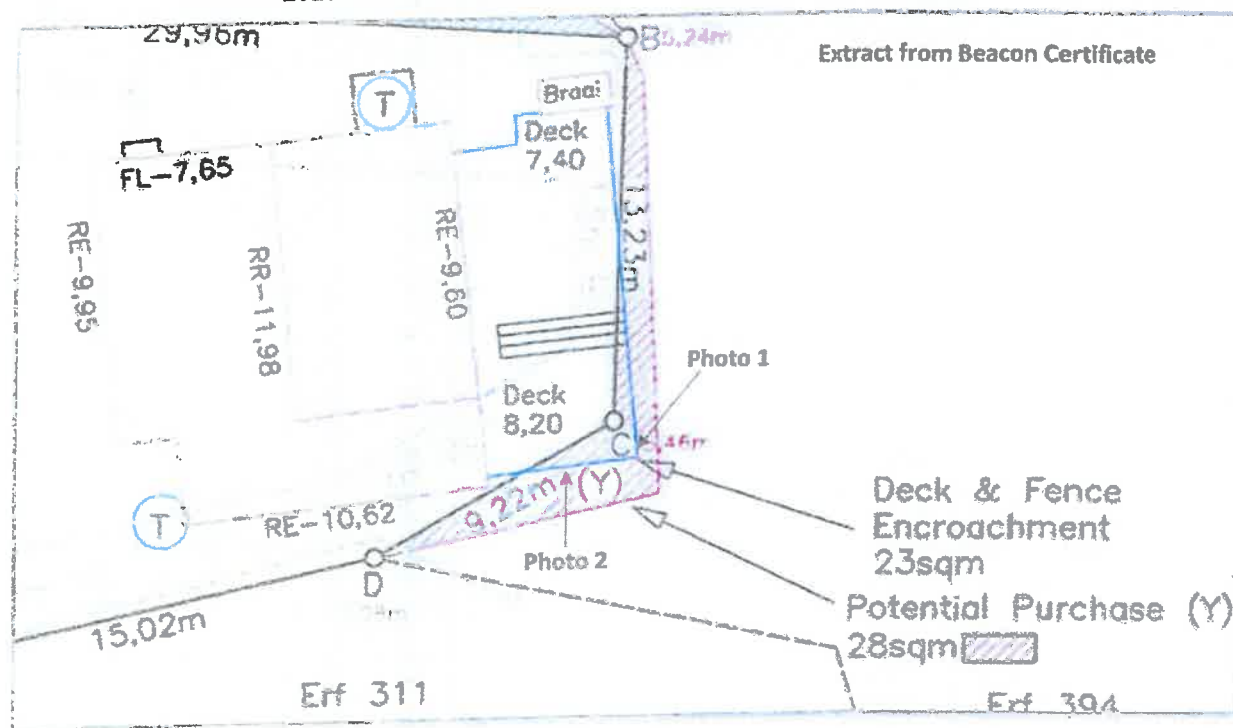


Photo 1: Southern corner of deck encroaching Erf 394, Boesmansriviermond

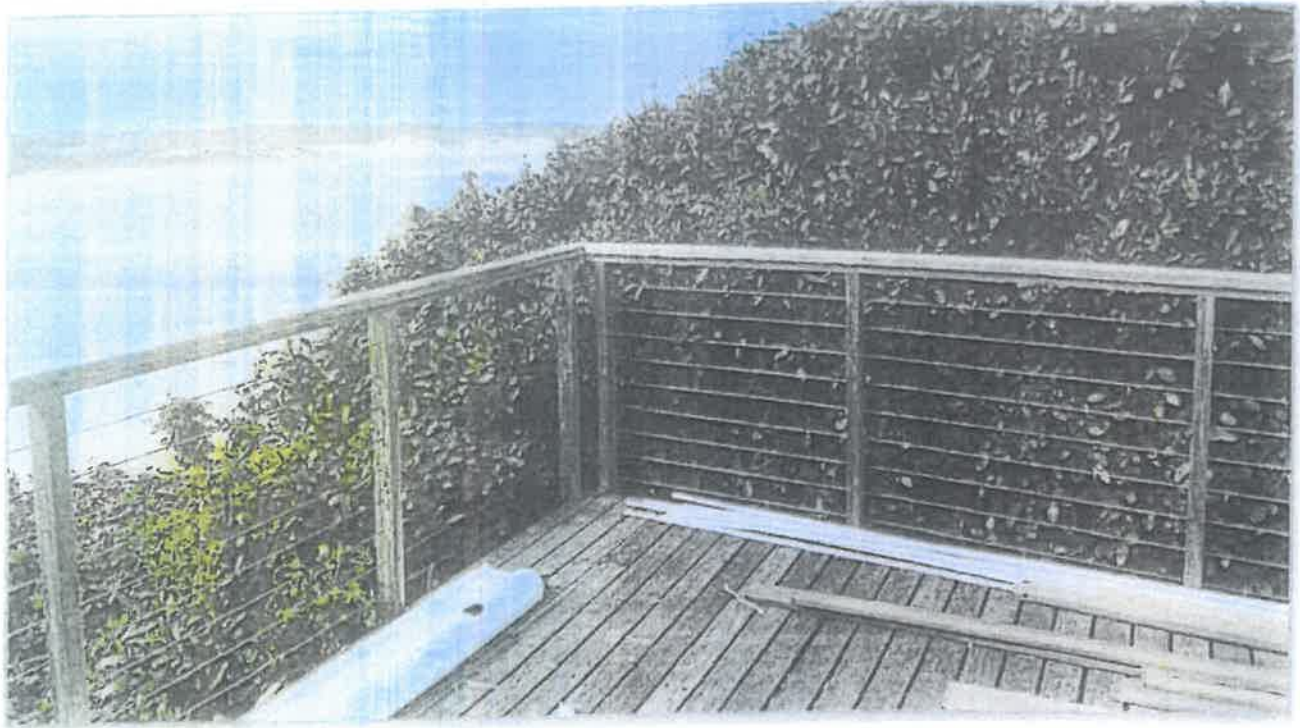


Photo 2: Southern boundary of deck encroaching Erf 394, Boesmansriviermond



Motivation for Purchase:

The existing garden area, timber deck, and associated fencing form permanent and integral components of the dwelling unit on Erf 310, Boesmansriviermond. The removal of these structures would result in significant and unnecessary financial loss to the owner, without yielding any meaningful public benefit.

The motivation for the retention and formalisation of the deck encroachment is based on the following considerations:

- Due to the specific location and topography of the site, the affected municipal land does not function as usable public open space, nor does it form part of any critical linkage within the broader public open space network.
- The encroachments do not impede pedestrian movement on an unusable open space. The remaining portion of the open space will be unaffected by the proposed purchase.
- Sightlines and visibility for neighbouring properties are not compromised, and no safety concerns arise from the formalisation of the existing structures.
- The encroached areas do not impact adjoining erven, municipal services, or shared infrastructure.
- The Municipality will derive financial benefit from the sale of land that currently has limited or no practical public use.
- The proposal supports orderly spatial planning principles by rectifying historical encroachments and aligning the cadastral boundaries with the actual use of the property.

This application therefore seeks to formalise an existing, long-standing situation, rather than introduce new or intensified development. The regularisation of the encroachment will enable the Municipality to resolve an existing land use inconsistency in a structured, lawful, and administratively sound manner.

Hereto attached the following:

- Application Form
- Locality Plan
- Aerial View Plan
- Beacon Certificate (M.E.H. Sulter & Son Inc., Professional Land Surveyors)
- Power of Attorney

I trust that you will find the above in order and that this application be considered favourably. Should any additional information or supporting documentation be required, we remain at your disposal.

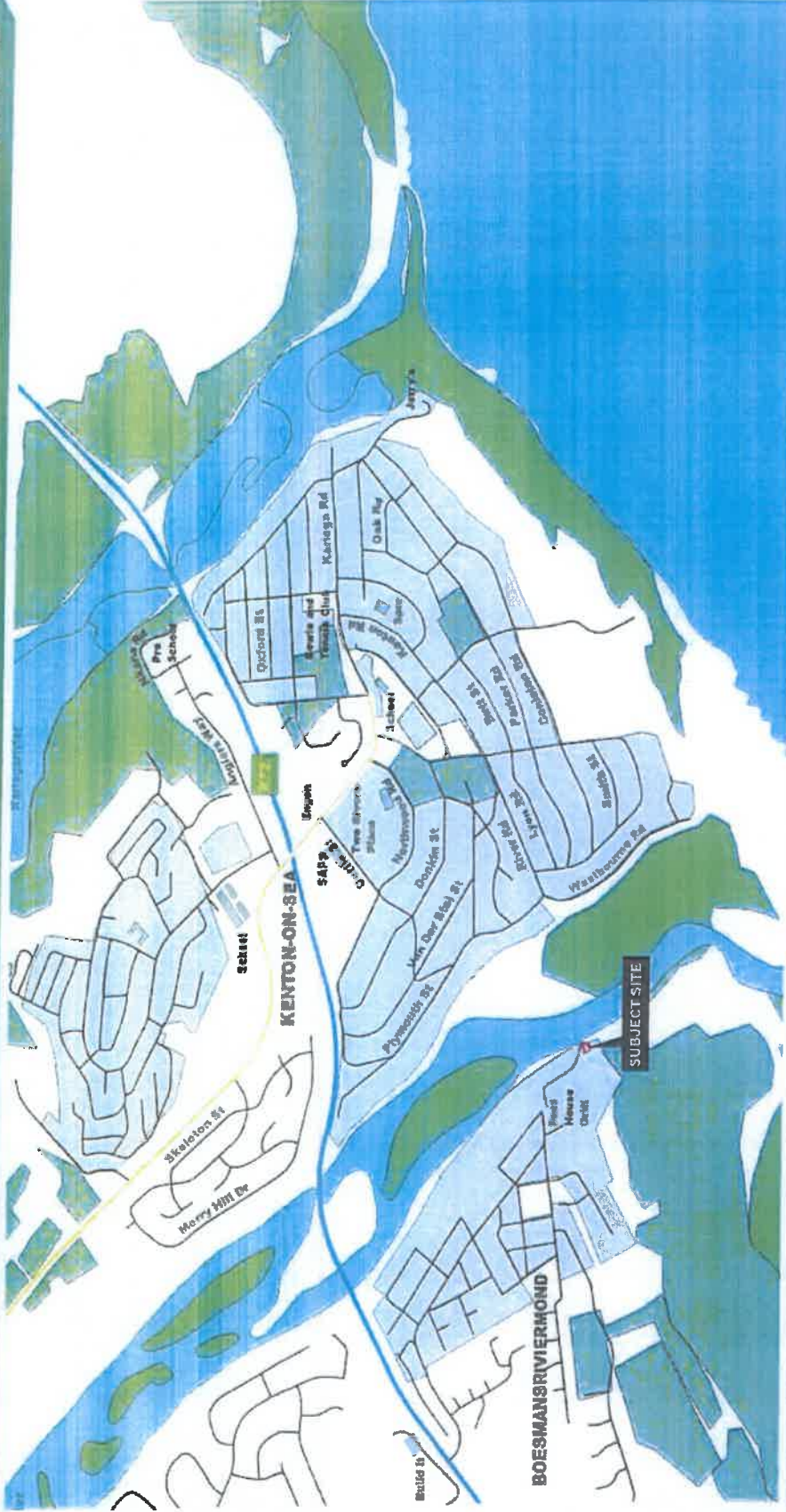
Kind Regards



Mirinda de Beer TRP (SA) PR.PLN A/1037/1998, SACPLAN
Professional Town & Regional Planner

LOCALITY

MAP 1



ERF 310, BOESMANSRIVIERMOND

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Mirinda de Beer
TOWN & REGIONAL PLANNERS

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ERF 310, BOESMANSRIVIERMOND

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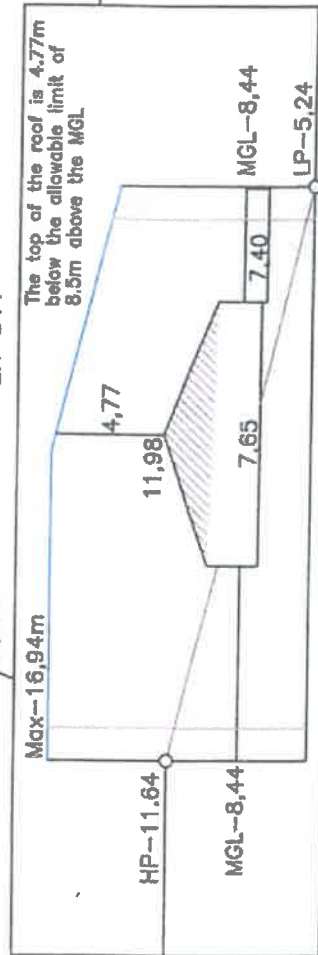
Mirinda de Beer
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P.B. Sußer (Lehrstuhl PVL/PA) Dr. Helmut
K. von Nitzsch (Lehrstuhl PVL/PA)



OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 FROM THE MUNICIPAL
MANAGER TO COUNCIL: JOINT VENTURE
AGREEMENT: NDLAMBE MUNICIPALITY / NELISA-MAK
TRUST**

**PROPOSED DISPOSAL OF ERF 3133, KARIEGA
HEIGHTS, KENTON-ON-SEA: SUBMISSION OF
INDEPENDENT VALUATIONS AND DETERMINATION
OF PURCHASE PRICE: ESTATES SECTION**

ANNEXURE C.10

Our Ref/Ons Verw W de Jager/an/WW289

Your Ref/U Verw KS/330

27 January 2025

The Municipal Manager
Ndlambe Municipality
PORT ALFRED
For attention: Dr N Vithi-Masiza
Shirley Boshoff

Email: sboshoff@ndlambe.gov.za

grahamstown:
2 allen street | po box 930 | 6140 | docex 11

tel: +27 46 622 2799

werner@djlw.co.za

alexandria:
25 relief street | po box 36 | 6185

tel: +27 46 622 2799

adri@djlw.co.za

Dear Ms Boshoff

**RE: DEVELOPMENT AGREEMENT / THE TRUSTEES FOR THE TIME
BEING OF THE NELISA-MAKHI TRUST ("the Development Trust") / THE
NDLAMBE MUNICIPALITY**

1. We refer to the abovementioned matter and prior correspondence in this regard.
2. We wish to record our gratitude to the Ndlambe Municipality for accommodating our prior request which is in the process of being implemented.
3. Our instructions from the trustees of the Development Trust are to submit a further request with reference to the development of erf 3133, Kenton-on-Sea.
4. You will note that this erf is situated adjacent to the R72.

De Jager & Lordan Incorporated (Registration No. 1999/017135/21)

Directors: Werner de Jager (B.Juris, LL.B) • Nkosinathi Sobele (B.Cur, LL.B, Cert. Insolvency Law and Practice)
Marius Coetsee (LL.B) • Stuart Tarr (LL.B, LL.M, Cert. Insolvency Law and Practice) • Leo Vaccaro (B.A, LL.B)

Non-Executive Director: Douglas Henney (B.Proc, Dip. Const. Litigation, Dip. Project Management, Dip. Risk Management)

Associates: Tharusha Naidoo-Malstry (LL.B, M.B.A) • Todd Simon (B.A, LL.B, Cert. Insolvency Law and Practice)

Candidate Attorneys: Olivia Mukozhiwa (B.Soc.Sci, LL.B) • Chevandre Doyle (B.A, LL.B) • Sibahle Ngozi (LL.B)

Consultant: Deborah Joubert (B.Proc)

Practice Manager: Michael Brown (B.Com, B.Compt (Hons), CA(SA))

Members of the Southern African Restructuring and Insolvency Practitioners Association (SARIPA)
(Registration No. 1986/002363/08)

EXTREMELY IMPORTANT:

Due to the risk of email related fraud, kindly contact our offices telephonically to verify our bank account details before making any payments.

We will never notify you by email of any change to our bank account details.

We will not accept liability for any incorrect payments that are made into an account without first telephoning us to confirm our account details

5. Our instructions are that the residential properties closest to the R72 are not desirable and are extremely difficult to sell because of the proximity to the R72 and the associated noise nuisance.
6. Our instructions are therefore to propose that erf 3133, in extent approximately 11,000 square metres, should be used, by agreement, as provided for in the development agreement, for another use rather than the development of a retirement village, as is currently set out in the original agreement and plans associated therewith.
7. The reason for the deviation from the original intent by both parties, is as aforesaid.
8. The proposal from the trustees of the Development Trust is to change the intended use of erf 3133 to the development of a business park that will include the development of business storage and boat storage facilities. Our instructions are that the aforesaid proposal is in line with the Ndlambe strategic development framework which is the long-term plan for the area.
9. Our instructions are furthermore that the construction of a business park could serve as a buffer between the R72 and the residential component of Kariega Heights.
10. We have perused the development agreement referred to hereinbefore and the following two clauses are relevant:

Clause 4.4.2, which states that "...any changes to the proposed retirement village....consensus must be reached between the Developer and the Municipality and the change must be recorded in an addendum to the main agreement"

Clause 31, which states that: "...the Developer intends developing a retirement village but the parties agree that if the development is not viable the land on erf 3133 may be developed in an alternative manner provided consensus has been reached with the Municipality...recorded in writing and signed by both parties to the Agreement."

11. The purpose of this letter is therefore to submit the request as set out hereinbefore to change the use of the applicable erf from the development of a retirement village to the development of a business park and storage facilities.
12. Could your municipality please consider the aforesaid request and will you let us have your views in this regard in due course.

13. Your usual cooperation is appreciated.

Kind regards

**WERNER
DE JAGER AND LORDAN INC.**

Cc: leo@dlaw.co.za; michael.wilmot@pamgolding.co.za

JOINT VENTURE AGREEMENT

MEMORANDUM OF A JOINT VENTURE AGREEMENT

made and entered into by and between:

THE NDLAMBE MUNICIPALITY

Herein represented by **VUKILE MICHAEL BALURA** and **NCAMISILE GEORGE NGESI** In their respective capacities as Mayor and Municipal Manager for the time being of the said Municipality and duly authorised by resolution of its council

its Successors in Title or Assigns

(hereinafter referred to as the "MUNICIPALITY") of the one part; and

NELISA-MAKHI TRUST

IT 414/2005

Herein represented by its Trustee **MATTHEW GIBBS** who warrants that he is duly authorised to act by Resolution of its Trustees

Its Successors in Title or Assigns

(hereinafter referred to as the "DEVELOPER") of the other part

WHEREAS the MUNICIPALITY is the registered owner of the land as depicted and described in the annexure to this Agreement lettered "A" which will be Erf 3136 (Portion of Erf 1944) Kenton-On-Sea

(hereinafter referred to as the "DEVELOPMENT LAND")

AND WHEREAS the DEVELOPER has submitted a Development Proposal to the MUNICIPALITY in respect of a Phased Development to be known as "KARIEGA HEIGHTS" a copy of which is annexed to this Agreement lettered "C" (hereinafter referred to as the "DEVELOPMENT PROPOSAL") in terms of which the Municipality will realise increased value for the Development Land as the development progresses and which Development will be a multi faceted development, phased over a period of time, and will consist of the following, namely:

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A. 80 (Eighty) Residential erven to be arranged into 4 (Four) separate nodes each of which will be a residential village and each of which will be themed by way of architectural design continuity, and which nodes will consist of the following villages;

- i) A village named "Bellevue" consisting of 16 (Sixteen) erven plus a roadway Erf 3091, plus Erf 3074 which is to be utilised as a commercial centre node (refer C below), with a distinctly Kenton architectural flavour as depicted in annexure "B" to this Agreement, which erven are to be established on the area of land depicted as Erf 2801 in annexure "A(i)" to this Agreement
- ii) A village named "Hillside Drive" consisting of 21 (Twenty One) erven plus a roadway Erf 3113, with a distinctly Kenton architectural flavour as depicted in annexure "B" to this Agreement, which erven are to be established on the area of land depicted as Erf 2082 in annexure "A(ii)" to this Agreement
- iii) A village named "Gorah Place" consisting of 25 (Twenty Five) erven plus a roadway Erf 2799, plus a public open space (Erf 2800), with a distinctly Kenton Architectural flavour as depicted in annexure "B" to this Agreement, which erven are to be established on the area of land depicted as Erf 2773 in annexure "A(iii)" to this Agreement
- iv) A village named "Langa Close" consisting of 18 (Eighteen) erven plus a roadway Erf 3132 with a distinctly Kenton Architectural flavour as depicted in annexure "B" to this Agreement, which erven are to be established on the area of land depicted as Erf 2803 in annexure "A(iv)" to this Agreement

(hereinafter referred to as the "RESIDENTIAL SECTION")

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- B. A 30 (Thirty) erven/unit retirement village node which is to be established on the area of land depicted as Erf 3133 (Retirement Village) in annexure "A(v)" to this Agreement (subject, however, to the provisions of Clause 31 below);

(hereinafter referred to as the "RETIREMENT VILLAGE SECTION")

- C. A commercial centre node which is to be established on the area of land depicted as Erf 3074 in annexure "A(I)" to this Agreement and which will consist of;

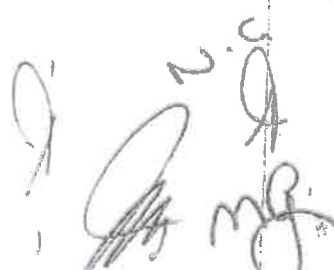
- i) A medical center, incorporating Doctors consulting rooms and a small "sleepover facility for short hospital stays";
- ii) A tourism hub which will offer a tourist information center and tourism related opportunities for entrepreneurs;
- iii) A cultural/art center that will offer local residents the opportunity to exchange ideas and display their products in a carefully planned environment;

(hereinafter referred to as the "COMMERCIAL CENTRE NODE");

AND WHEREAS the MUNICIPALITY has agreed to make the development land available for the development proposal subject to the hereinaftermentioned terms and conditions;

AND WHEREAS the MUNICIPALITY and the DEVELOPER have agreed to enter into a joint venture agreement in respect of the phased development which is to take place in terms of the development proposal on the development land subject to the hereinaftermentioned terms and conditions;

NOW THEREFORE WITNESSETH:

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1.

Development Consideration

- 1.1 The DEVELOPER will pay to the MUNICIPALITY a consideration of **R1 000 000,00 (One Million Rand)**, which is Vat inclusive, in respect of the right to develop the property depicted and described in annexure "A" to this Agreement as per the development proposal contained in annexure "C" to this Agreement read with the provisions of this Agreement, which deposit shall be dealt with in accordance with the other sub clauses below of clause 1
- 1.2 The parties record that the said amount has already been deposited with and is held by Attorneys Neave Stötter Incorporated in trust, and the DEVELOPER has consented to the investment, with a recognised financial institution, of the said amount, such investment to be made in terms of Section 78(2A) of the Attorney's Act Number 53 of 1979, as amended, and to be in the name of the said attorneys in trust for the DEVELOPER and shall be under their sole control. The investment shall be made pending payment over of the said amount to the MUNICIPALITY in terms of the provisions of this Agreement. All interest accruing and paid on such investment shall be for the benefit of the account of the MUNICIPALITY and shall be paid over to the MUNICIPALITY simultaneously with payment over of the aforementioned capital sum in terms of this Agreement. Should, however, the said amount not be paid over to the MUNICIPALITY in terms of the provisions of clause 1 of this Agreement due to the suspensive conditions in clause 2.1 below not having been fulfilled then and in such event all the interest which has accrued on the investment shall be for the benefit of the DEVELOPER and shall be paid over to the DEVELOPER when the capital sum aforementioned is refunded to the DEVELOPER in terms of the provisions of this Agreement.
- 1.3 The said amount is to be paid over to the MUNICIPALITY after the date of last signature of this Agreement and only once all the suspensive

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conditions to which this Agreement is subject set forth in clause 2.1 of this Agreement have been fulfilled.

1.4 Once the above amount has been paid over to the MUNICIPALITY in terms of the provisions of this Agreement the said sum shall not be refundable to the DEVELOPER unless for whatsoever reasons (save and except for breach of contract by the DEVELOPER) the proposed development does not proceed to its finality as envisaged in terms of the provisions of this Agreement in which case the deposit (or a pro rata portion thereof calculated in accordance with the percentage of the development which has been proceeded with and finalised) will be refunded to the developer.

1.5 Should the suspensive conditions in clause 2.1 below to which this Agreement is subject and not be fulfilled then and in such event the amount paid in terms of clause 1.1 above and all interest earned thereon whilst held in trust shall be refunded and be paid over to the DEVELOPER.

1.6 In the event that South African Revenue Services assess the consideration which has been paid in terms of clause 1 above for VAT in terms of the Value Added Tax Act then and in such event any such assessed value added tax shall be paid by the MUNICIPALITY.

2. Suspensive Conditions

2.1 This Agreement is suspended and is wholly subject to the fulfillment of the following suspensive conditions, at the cost of the DEVELOPER;

2.1.1 The amendment or cancellation of the existing plan of subdivision and General Plan No 12114 relating to the Development Land in terms of Section 30 of the Land Use Planning Ordinance, Cape

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Ordinance No 15/1985 (hereinafter referred to as "THE ORDINANCE") and/or the Land Survey Act, Act No 8/1997 and the resultant closure of roads and public places and the placing of statutory advertisements thereon (if necessary);

2.1.2 Obtaining all the relevant approvals as may be required by the Ordinance and by all the relevant municipal and provincial legislation and authorities in connection with the re-zoning (if necessary) and the re sub-division of the land;

2.1.3 Obtaining all the relevant approvals as may be required by all the environmental laws and environmental authorities;

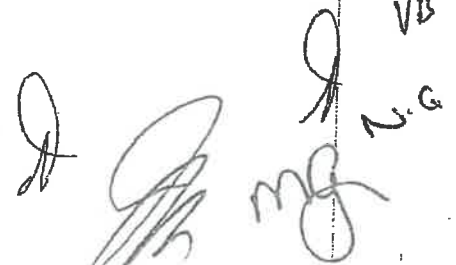
2.1.4 Obtaining all the necessary consents and permits in terms of any applicable laws from the premier of the Eastern Cape or the relevant MEC of the Provincial Government department concerned;

2.1.5 Obtaining the necessary approved new or amended general plan/s and/or survey diagram/s from the office of the Surveyor General.

2.2.1 The DEVELOPER shall be responsible for fulfillment of the above suspensive conditions but the MUNICIPALITY, as the registered owner of the land, undertakes to diligently and expeditiously assist the DEVELOPER in its endeavours to have the suspensive conditions fulfilled;

2.2.2 In order that the DEVELOPER may, at its cost, carry out the above procedures the MUNICIPALITY, as the registered owner of the development land, hereby appoints the DEVELOPER as its duly authorised agent and, on behalf of the MUNICIPALITY, to do all such things, take all such steps and sign all such documents as may be necessary and

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requisite for the purposes of achieving the objective set out in this agreement.

- 2.3 The suspensive conditions shall be fulfilled as soon as is possible but within a period of no longer than 4 (four) months from the date of last signature of this agreement. If any of the above conditions are not timeously fulfilled then this Agreement shall in the normal course lapse and be of no force and effect. This shall, however, be subject to the condition that provided that the DEVELOPER has diligently and expeditiously taken the necessary steps and has itself lodged the necessary applications or, where relevant, has done so on behalf of the MUNICIPALITY, with the relevant municipal and/or provincial authority but the necessary approvals/permits/consents have not been issued by that authority, the DEVELOPER shall have the right to ask the MUNICIPALITY in writing for a further reasonable period within which to have such suspensive conditions fulfilled and the MUNICIPALITY shall be obliged to give extension and to advise the DEVELOPER in writing as to what further reasonable period has been granted in that regard.
- 2.4.1 Notwithstanding any other provisions of this clause, if the stage is reached when any of the necessary permissions or conditions precedent cannot be fulfilled, or the cost or fulfillment thereof be deemed by the DEVELOPER, in its sole discretion, to be totally unattainable, then it may, on notice to the MUNICIPALITY, resile from this agreement and the deposit referred to in clause 1.1 above and all interest earned thereon whilst held in trust in terms of clause 1.2 above shall be refunded and be paid over to the DEVELOPER.
- 2.4.2 In the event of any approvals, permits or consents having been given subject to terms and conditions which the DEVELOPER, in its sole discretion, considers to be unacceptable to the DEVELOPER or too onerous to fulfil, then in such event the DEVELOPER, in its sole discretion

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forming that particular development node for the sale of erven to prospective purchasers;

3.4 Once the DEVELOPER has sold erven in a development node which has been released in terms of clause 3.3 above to transfer such erven to the purchasers thereof through its conveyancers, Neave Stötter Incorporated and the MUNICIPALITY shall on request sign all such documents and do all such things as may be necessary in requisite for purposes of passing transfer to end purchasers;

3.5 Once subsequent to registration of transfers of erven the proceeds from sales are ready for payment over, to appropriate and pay over the proceeds of those sales in accordance with the provisions of clause 5.4 below

4. Obligations of the Developer

The DEVELOPER shall, at its own cost;

4.1 Take all steps necessary to ensure that the suspensive conditions referred to in clause 2.1 are fulfilled;

4.2 Arrange for and fund the relocation and construction of the existing overhead ESKOM lines presently traversing the lands;

4.3 Arrange for and fund a main ESKOM electricity supply line and a main water supply line to the land which is to be developed and which is depicted and described in the preamble to this agreement as per Annexure "D";

4.4.1 Establish and develop the four nodes making up the "RESIDENTIAL SECTION" and the nodes making up the "RETIREMENT VILLAGE

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SECTION" and the "COMMERCIAL CENTRE" in accordance with the provisions of this agreement;

4.4.2 The parties acknowledge and agree that the architectural flavour of houses or the layout of erven in a residential node may have to change from time to time as the market forces may dictate;

4.4.3 The parties acknowledge and agree that the layout of the "RETIREMENT VILLAGE SECTION" and of the "COMMERCIAL CENTRE" and the nature and architectural flavour of buildings to be erected in those areas may have to change from time to time as the market forces may dictate;

4.4.4 The parties agree that before any change is made in terms of clause 4.4.2 and 4.4.3 above consensus must be reached between the DEVELOPER and the MUNICIPALITY and the change must be recorded in writing and be attached to this agreement as an addendum.

4.5.1 The laying out of each development node and for ensuring that all the erven within each node are fully serviced with;

- (i) surfaced roads with curbs, channels, edging and a piped stormwater drainage system to serve all the erven, in the order of the stages dictated by the phase development and to suit the soils and topography of the terrain, with use being made of any natural drainage paths and suitable scour protection measures;
- (ii) refuse site;
- (iii) water reticulation;
- (iv) sewer reticulation;

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- (v) electrical distribution;

to the satisfaction of the MUNICIPALITY and in accordance with current National and provincial standards for developments of this nature, as more detailed in annexure "D" to this agreement.

4.5.2.1 The DEVELOPER shall obtain a "Certificate of Completion" from the Director of Infrastructural Services of the municipality as and when the provisions of clause 4.5.1 above have been complied with in respect of a particular development node (ie. a particular residential node, the commercial node or the retirement village node);

4.5.2.2 Notwithstanding the issue of a Certificate of Completion in terms of clause 4.5.2.1 above, the DEVELOPER will for a period of 12 (twelve) months from the date of issue of such certificate remain liable for the maintenance of and rectification of any defects relating to the services of a particular development node for which the Certificate of Completion has been issued.

4.5.2.3 Once the 12 (twelve) month period referred to in clause 4.5.2.2 above has expired all risk in respect of services shall pass to the MUNICIPALITY, save and except for services provided in terms of the provisions of clause 4.5.1 (i) above relating to any street area erf which is to be or has been transferred to the Home Owner's Association referred to in clause 29.3 below, in respect of which all risk shall pass to the Home Owner's Association.

4.6.1 Once all suspensive conditions referred to in clause 2.1 above have been fulfilled, the provisions of clauses 4.2 and 4.3 have been complied with, and once a particular development node has been fully serviced to the satisfaction of the Municipality in terms of clause 4.5 above and a Certificate of Completion and has been issued in terms of clause 4.5.2

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above and the particular development node has been released for sale in terms of clause 3.3 above, actively market the erven making up such node to the best advantage of both the MUNICIPALITY and the DEVELOPER and in accordance with the provisions of clause 5 below.

- 4.6.2 Notwithstanding the fact that the provisions of clause 4.6.1 above may not have been fulfilled, the DEVELOPER, entirely at his own risk, may proceed to market the erven at prices determined in accordance with clause 5.1.1. below on the express understanding that the DEVELOPER, or any Estate Agency it employs in terms of clause 5.3.2 below, shall have no claim whatsoever against the MUNICIPALITY should for any reason whatsoever the MUNICIPALITY not be able to pass transfer of an erf sold to the purchaser thereof as envisaged in this agreement.

5. Sale of Erven

- 5.1.1 The MUNICIPALITY and the DEVELOPER will at the time of signature of this Agreement prepare and attach to this Agreement annexure "E", a schedule setting out what the parties to this Agreement agree is a fair and reasonable market value of each Erf in the Development at the date of signature of the Agreement.
- 5.1.2 The parties to this Agreement shall review the pricing schedule referred to in clause 5.1 above quarterly and record in writing such amendments as they have agreed upon.
- 5.1.3 The DEVELOPER shall market Erven to the best financial advantage of both the MUNICIPALITY and the DEVELOPER but in doing so will ensure that erven are not sold for less than the agreed fair and reasonable market value as recorded in terms of clause 5.1.1 above from time to time, unless the MUNICIPALITY has expressly agreed in writing to the developer doing so.
- 5.2 The terms and conditions upon which erven in the Phased Development

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5.4.2 Estate Agents commission and Value Added Tax thereon to the selling agent;

5.4.3 Refund to the MUNICIPALITY any amount which the MUNICIPALITY might have paid out relating to the development and for payment of which the DEVELOPER is liable for in terms of provisions of this agreement or any addendum to this agreement;

5.4.4. 30 (Thirty) percent of the sale price after deduction of any amounts in terms of clause 5.4.1. and 5.4.2 above to the MUNICIPALITY;

5.4.5. 70 (Seventy) percent of the sale price after deduction of any amounts paid in terms of clause 5.4.1 and 5.4.2 above to the DEVELOPER.

6. Development Programme

6.1 The parties to this agreement will do everything within their power to ensure that, within the time period specified below (which are to run from the date upon which all suspensive conditions in terms of clause 2 above have been fulfilled) the services will have been provided and completed in terms of clause 4.5 above and that sale agreements of erven in terms of clause 5 above will have been concluded, namely:

	<u>Services by</u>	<u>Sale Agreements by</u>
i) Bellevue Village	end 2005	end 2005
ii) Hillside Drive Village	end 2006	end 2006
iii) Gorah Place Village	end 2005	end 2005
iv) iLanga Close	end 2007	end 2007
v) Retirement Village	end 2008	end 2008

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vi) Commercial Centre end 2008 end 2008

- 6.2 The parties acknowledge and agree that the above programme may have to change from time to time as circumstances and market forces may dictate.
- 6.3 The parties record that if they agree to extend any of the dates as provided for in clause 6.1 above that such change will be recorded in writing and be attached to this agreement as an addendum.

7. Liabilities and Indemnities

- 7.1 Subject to terms stated in this contract, the Developer undertakes and assumes the responsibility at its own cost for the provision of the roads, electricity, water and sewerage services at its own technical risk and will be liable to the MUNICIPALITY for the fulfilment and discharge of its obligations and requirements in respect of providing these services in terms of this contract.
- 7.2 The Developer shall at all times do all such things and take all such steps as may be necessary and requisite for the protection of persons and property whilst the development is proceeding and, provided the MUNICIPALITY fulfils its obligations in terms of this agreement, the DEVELOPER hereby indemnifies and holds the MUNICIPALITY harmless against all claims of whatsoever nature that may arise in respect of injury to or death of any person or damage to property, unless such injury, death or damage was caused wholly or in part by any act or omission of any employees, agents, contractors or other persons for whom the MUNICIPALITY may be liable at law.

8. Insurance

Each party to this agreement shall, wherever it has an insurable interest, be it in respect of assets, obligations and liability to third parties or howsoever otherwise, effect, at its own cost, such comprehensive insurance as reasonably

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J. [Signature] mg

mediation, facilitation, mediation-arbitration or other technique involving the intervention of an independent neutral third party.

11.2 The party raising the complaint and/or declaring a dispute shall notify the other party in writing as soon as may be practicably possible under the circumstances, and set out the nature and extent thereof.

11.3 If,

11.3.1 a part will not participate in such ADR procedure; and/or

11.3.2 such procedure should have been agreed upon or, having commenced but the dispute has not been resolved within 10 (ten) days of such agreement or of the initiation of the ADR procedure; and/or

11.3.3 a party will not continue therewith

then in any one or more of the foregoing events the dispute shall be referred for resolution by a Referee on the basis set out in 11.4 below

11.4 The Referee shall

11.4.1 be appointed by both parties by mutual consent, failing which the party declaring the dispute shall nominate 3 (three) persons who possess the necessary skills and declare themselves to be willing and able to act as such, and the other party shall, within 3 (three) working days of receipt of such nomination select one of them. If, within that time, the parties cannot agree on the appointment of such a Referee, then this appointment shall be resolved by a practicing attorney, who shall have been practicing for his or her own account continuously for a period of not less than 10 (ten) years, the party declaring the dispute to nominate 3 (three) such practitioners who are willing and able to accept the

REW
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N.C.
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appointment and the other party to select one of them within 3 (three) working days after receipt of such nomination and, failing timeous selection, the party making the nomination shall be entitled to select one of them and the defaulting party shall be bound thereby;

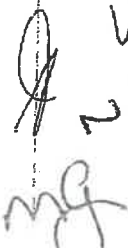
11.4.2 at all times be acting solely as an expert and not as an arbitrator;

11.4.3 decide the matter submitted to him or her and the procedure to be followed including, but not limited to, the questions of the holding of a hearing or a decision on the basis of written documents, representation at any hearing and costs thereof, in such manner and on such basis as he or she in his or her sole discretion considers to be fair, just and equitable under the circumstances then prevailing, subject to the proviso that both parties shall be entitled to an equal opportunity for the submission of such written and/or oral representations as the Referee may, in his or her sole discretion, determine.

11.5 Accordingly, neither the Arbitration Act, or any other Act of Parliament ~~nor Law, nor the rules of any law, custom and practice governing~~ hearings, evidence or procedure need to be observed or taken into account by the Referee.

11.6 Both parties shall be bound to continue with such proceedings and, insofar as may be necessary, irrevocably consent thereto including, but not limited to, the continuation of such proceedings should either party unilaterally withdraw therefrom.

11.7 The decision of the Referee shall be final and binding on both parties, and may be made an Order of Court selected by either party, for which purposes the other party consents to its jurisdiction.

 
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 V.B.
 N.G.
 mg

20. Whole Agreement. No Amendment

- 20.1 This contract including the annexures constitutes the whole contract between parties relating to the subject matter hereof and supersedes, all previous contracts or arrangements, whether oral or written, between the parties. No representations, warranties or other terms and conditions of whatever nature not contained or recorded herein shall be binding on either party.
- 20.2 No amendment or consensual cancellation of this contract or any provision or term hereof or of any agreement, bill of exchange or other document issued or executed pursuant to or in terms of this contract and no settlement of any disputes arising under this contract and no extension of time, waiver or relaxation or suspension of or agreement not to enforce or to suspend or postpone the enforcement of any of the provisions or terms of this contract or of any agreement, bill of exchange or other document issued pursuant to or in terms of this contract shall be binding unless recorded in a written document signed by the parties. Any such extension, waiver or relaxation or suspension which is so given or made shall be strictly construed as relating strictly to the matter in respect whereof it was made or given.
- 20.3 No extension of time or waiver or relaxation of any of the provisions or terms of this contract, bill of exchange or other document issued or executed pursuant to or in terms of this contract, shall operate as an estoppel against any party in respect of its rights under this contract, nor shall it operate so as to preclude such party thereafter from exercising its rights strictly in accordance with this contract.
- 20.4 To the extent permissible by law, no party shall be bound by any express or implied term, representation, warranty, promise or the like not recorded herein, whether it induced the contract or whether it was negligent or not.

AW
V.B
NC
MA

The following annexures form part of this contract –

- "A" Diagram of Erf 3136 – Development Land
- "A(i)" General Plan Diagram of Erf 2801 – Bellevue Node (16 Erven)
- "A(ii)" General Plan Diagram of Erf 2802 – Hillside Drive Node (21 Erven)
- "A(iii)" General Plan Diagram of Erf 2773 – Gorah Place Node (25 Erven)
- "A(iv)" General Plan Diagram of Erf 2803 – Yet to be named (18 Erven)
- "A(v)" Diagram Erf 3133 – Retirement Village
- "B" "Architectural Flavour" – Aesthetic Guideline Sheet
- "C" Development Proposal
- "D" Provision of Services Agreement – Clause 4.3 and 4.5.1
- "E" Erven Sale Price Schedule – Clause 5.1.1
- "F" ~~Sale Agreement – Residential Erven~~
- "G" Homeowners Association Constitution

SIGNED for and on behalf of the MUNICIPALITY at PORT ALFRED on this 15TH day of JUNE 2005

AS WITNESSES:

1.

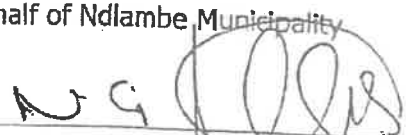




Vukile Michael Balura for and on behalf of Ndlambe Municipality

2.





Ncamisile George Ngesi for and on behalf of Ndlambe Municipality



SIGNED for and on behalf of DEVELOPER at
day of June 2005

Parr Arudo on this 28th

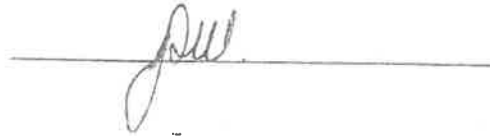
AS WITNESSES:

1.



Matthew Gibbs for and on behalf of
Nelisa-Makhi Trust

2.



NDLAMBE MUNICIPALITY

Port Alfred



Box 13, Port Alfred 6170
Tel: (046) 624 1140
Fax: (046) 624 2669
portalfred@ndlambe.gov.za
<http://www.ndlambe.co.za>

RESOLUTION

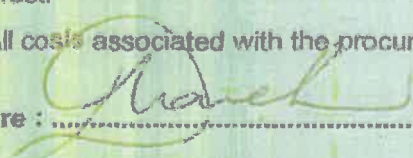
MINUTES OF AN OPEN NDLAMBE COUNCIL MEETING HELD ON FRIDAY, 31 OCTOBER 2025 AT 10H00 IN THE COUNCIL CHAMBERS, CAMPBELL STREET, PORT ALFRED.

NCM018/10/2025

**REPORT DATED 15 OCTOBER 2025 FROM THE MUNICIPAL MANAGER TO COUNCIL:
JOINT VENTURE AGREEMENT – NDLAMBE MUNICIPALITY / NELISA-MAKHI TRUST;
ALTERNATIVE LAND USE DEVELOPMENT FOR VACANT ERF 3133, KARIEGA HEIGHTS,
KENTON-ON-SEA: ESTATES SECTION**

COUNCIL RESOLVED

1. THAT the letter reference W de Jager/an/WW289 dated 27 January 2025 from De Jager Lordan Attorneys, on behalf of the Developer, Nelisa Makhi Trust **BE NOTED**.
2. THAT the Joint Venture Agreement between Ndlambe Municipality and Nelisa-Makhi Trust (IT 414/2005) **BE NOTED**.
3. THAT it **BE APPROVED** that Erf 3133 (1.1147 Ha) Kariega Heights, Kenton-on-Sea, and ownership which vests in Ndlambe Municipality under Deed of Transfer No. T10292/2006, first be sold to the Nelisa Makhi Trust, subject to the following conditions:
 - i. The Municipality is exempt from conducting a public participation process, as it will bear no interest to the public, given that the property is part of the existing Joint Venture Agreement.
 - ii. Three (3) independent professional valuations shall be obtained by valuers registered with the South African Institute of Valuers (SAIV) to determine the market purchase price of the property. The highest of the three valuations shall be deemed the agreed purchase price and shall be mutually accepted by both ND Lambe Municipality and the Nelisa-Makhi Trust.
 - iii. All costs associated with the procurement of the said valuations shall be borne solely by

Signature :  Date : 18/12/2025

the Nelisa-Makhi Trust, as the party benefiting from the proposed change in land use and the contemplated transfer of ownership.

4. **THAT it BE APPROVED IN PRINCIPLE** the addition of the appended **Draft Addendum to the Joint Venture Agreement** to formalize the proposed changes and conditions to be imposed, thereby permitting the redevelopment of Erf 3133 Kariega Heights, Kenton-on-Sea (LOCALITY PLAN NO. ERF 3133, KENTON-ON-SEA) as outlined in Clause 31 of the Joint Venture Agreement. The redevelopment will include a business park with business storage and boat storage facilities, subject to the following conditions:

- i) The property, Erf 3133, shall be transferred into the name of the Nelisa-Makhi Trust in accordance with the provisions of the Deeds Registries Act No. 47 of 1937, as amended.
- ii) The Developer shall, within three (3) months of registration of the property in its name, submit a formal application to the Town Planning Section of the Directorate Infrastructural Development Services for approval of the proposed in land use. The Developer shall ensure compliance with all applicable statutory, zoning, and regulatory requirements.
- iii) The Developer must formally accept conditions 3 (ii) and (iii), and 4 above in writing before the transaction is proceeded with by the Estates Section of the Directorate Infrastructural Development.

5. **THAT** all other **Town Planning** process be followed and be submitted to Council for approval.

Signature : 

Date : 18/12/2025

VALUATION OF IMMOVABLE PROPERTY

**Erf 3133 Kenton-on-Sea
Ndlambe Local Municipality
Eastern Cape Province**

THIS REPORT WAS PREPARED FOR THE BANK OF SOUTH AFRICA

1 June 2026



Prepared By
Mark Lindstrom
Professional Valuer – Reg No. 4968/9
Registered in terms of the Valuer's Act 47 of 2000

Joshua Lindstrom
Candidate Valuer – Reg No. 8766/7
Registered in terms of the Valuer's Act 47 of 2000



1. EXECUTIVE SUMMARY

Instructing Client:	Mr Michael Klaas
Property:	Ndlambe Municipality Erf 3133 Kenton-on-Sea
Local Authority:	Ndlambe Municipality
Co-ordinates:	32.6790°S 26.6692°E
Registered Owners:	Ndlambe Municipality
Title Deed No:	T10292/2006
Date of Inspection:	1 June 2026
Effective Date:	1 June 2026
Land Extent:	11,147m ²
Zoning:	Business 1
Current Market Value:	R6,150,000.00 excluding VAT

2. VALUATION INSTRUCTION

PENNY LINDSTROM VALUATIONS has been instructed by Mr Michael Klaas, Chief Financial Officer, Ndlambe Municipality to determine the estimated current market value of Erf 3133 Kenton-on-Sea. The property rights valued are the rights in ownership.

3. PURPOSE OF THE VALUATION

The purpose of this valuation is to establish the current market value for disposal purposes.

4. DEFINITION OF VALUE

In the process of estimating the market value of the subject property I have been guided by the IVSC (International Valuation Standards Committee) in their definition of market value, as revised in 2000. This definition, which has been generally accepted by the South African property valuation profession, reads as follows:



Market value is the estimated amount for which a property should exchange, on the date of valuation, between a willing buyer and a willing seller in an arm's length transaction, after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion.

5. TITLE DEED INFORMATION

Erf 3133 Kenton-on-Sea is currently registered to Ndlambe Municipality under Title Deed T10292/2006 in the Deeds Office. The property was registered on 15 February 2006 for an undisclosed sum.

6. CONDITIONS, SERVITUDES, ENDORSEMENTS

There are no conditions, servitudes or endorsements registered against the title deed

7. LOCAL AUTHORITY

The Ndlambe Local Municipality is a Category B municipality situated within the Sarah Baartman District Municipality in the Eastern Cape Province. It is bordered by Makana to the north, the Atlantic Ocean to the south, Ngqushwa to the east and Sundays River Valley to the west. It is the smallest of the seven municipalities in the district, making up only 3% of its geographical area.

The Ndlambe municipal area forms part of the Eastern Coastal Zone, which can be described as having a pristine coastal area, well-preserved river mouths and intertidal areas, diverse vegetation, relatively low density development along the coast, and major tourism potential.

The climate is mild, with year-round sunshine. Average rainfall is 850mm (33.5 inches).

It is bounded by Makana Municipality in the north, the Ngqushwa Municipality in the East, and Sundays River Valley Municipality in the West. The Indian Ocean runs along the coastline.

Main Towns include: Port Alfred, Kenton-on-Sea, Boesmansriviermond, Alexandria, Cannon Rocks/Boknestrand and Bathurst.





Details extracted from municipal information for Erf 3133 Kenton-on-Sea

Municipal Zoning: Business Zone 1
Valuation Category: Vacant Land - Business
Municipal Valuation: R6,500,000.00

8. LEASE DETAILS & OCCUPATION

The property is currently vacant land with no improvements.

No lease agreement was provided to the valuer.

9. DESCRIPTION OF SUBJECT PROPERTY

9.1. Location

The subject property is situated alongside the R72 near the entrance road to Kenton-on-Sea. It is unlikely that the property will have access off the R72 as the off-ramp to the neighbouring property, Erf 4136 runs along the road boundary of the subject property. Access would be off Kariega Road behind the shopping centre and filling station.

9.2. Land

The land is 1.1147ha or 11,147m². It has a gentle slope and is irregular in shape with a pan-handle effect created by the access required off Kariega Road. Full municipal services are available to the property on development although the internal reticulation will need to be done by the developer



10. HIGHEST AND BEST USE

Alternative uses for the subject property have been considered that must meet the following requirements:

- a. Legally permissible
- b. Financially feasible and
- c. Physically possible

The proposed use of the property is as a mixed use property with the following types of property being considered:

- Business Park
- Storage Units
- Boat Storage Facilities

These would be legally permissible, financially feasible and physically possible given the Business 1 Zoning, topography of the property and access available.

An application would need to be submitted for the boat storage facilities as this falls outside the normal uses provided for in the zoning scheme.

11. MARKET RESEARCH AND METHODOLOGY

11.1. MARKET CONDITIONS AS AT 1 June 2026

11.1.1. Macro-Economic Climate

The South African property market in early 2026 is experiencing a cautious recovery. interest rates eased to 10.25% in January and improved affordability, house prices are on a growth projection of approximately 6%. This is assisted by the 2026 budget which reduced the effects of bracket creep on taxpayers. The market has shifted to a more balanced away from a seller's market. The US/Iran conflict is affecting the market but extent of these on the property market haven't been tested yet. The high price of oil due to the restrictions on shipping in the middle east is causing inflationary pressure on products and the market is starting to retract slightly.

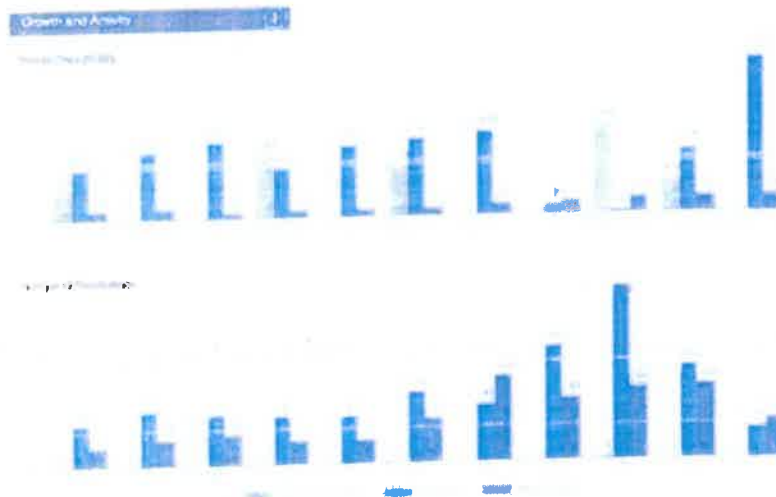
The Prime Lending Rate at the date of valuation is 10.5%.

The Long Bond Yield at the date of valuation is 8.75%



11.1.2. Local Property Market

Vacant land values in Kenton-on-Sea have seen constant growth over the last 5 years. The vast majority of these sales are residential plots but do indicate growth in the market.



11.1.3. Comparable Sales

The following sales of commercial/industrial land have been used to establish a market value for Erf 3133 Kenton-on-Sea

- **Erf 4136 Kenton-on-Sea sold on 18 November 2022 for R4,075,769.** The size of the property is 6,979m² and is zoned Business Zone 1. At the date of purchase significant earthworks and input had already been done on the property and therefore the rate needs to be adjusted to account for this. The comparable has a right of way servitude over the neighbouring property effectively granting it access directly off the R72.



more difficult for large trucks to access. The subject property also needs to be serviced and extensive site works done. The comparable property is on the outskirts of the new business node below the school grounds.

Erven 1847 sold on 29 May 2023 for R1,005,800. This is a commercial site with a total area of 2,074m² and is zoned Business Zone 1.

Rate at date of sale = R485.00/m²

Adjusted for time value of money using CPI

CPI at May 2023 = 94.4

CPI at April 2026 = 106.0

$$\begin{array}{rcl} \text{R485.00} \times & \frac{106.0}{94.4} & = \text{R544.60 say R545.00/m}^2 \end{array}$$

The subject property would attract a lower rate per m² than the comparable sale as the size is far greater in size. Traditionally larger properties attract a lower rate per hectare due to economies of scale factors. Access is also on a pan-handle which would make it more difficult for large trucks to access. The subject property also needs to be serviced and extensive site works done. The comparable property is on the outskirts of the new business node below the school grounds.

11.1.4. BULK

The property is valued as vacant land so bulk is not a factor in the valuation calculations.



11.2. Appropriate Method of Valuation

It is widely accepted that the most accurate way of estimating the value of vacant land is through the use of suitable comparable sales in the area.

The above sales give a fair indication of commercial vacant land sales within Kenton-on-Sea.

Based on the above information a rate of R550/m² is believed to be appropriate for the subject property. This rate would fall within the range provided by the actual sales rates achieved and is towards the lower end of the scale for time adjusted rates.



14. LIMITING CONDITIONS

This valuation has been prepared in accordance with the client's instructions, as well as the qualifications and assumptions detailed in the report. It is for the use of the instructing party only in the context of the purpose of the valuation stated herein. Neither the whole nor part of this valuation report or certificate or any reference thereto may be included in any published document, circular or statement, or published in any way *without the valuer's written approval* of the form and the context in which it may appear. No responsibility is accepted to any third party who may use or rely on the whole or any part of the contents of this valuation.

The statements of fact contained in this report are true and correct to the best of my knowledge, and the conclusions reached are based on my personal, unbiased analyses, opinions and deductions. All information furnished by outside sources is assumed to be reliable, and has been verified wherever possible, but no warranty is given for its accuracy. All improvements are assumed to be in accordance with accepted and prescribed standards unless otherwise stated.

With regard to values for replacement costs and insurance purposes, no responsibility is accepted where materials, finishes, standards and methods of construction have been discontinued or are not available on the South African market. This valuation provides for presently available and acceptable equivalents of similar standards. No responsibility is assumed beyond the period of insurance in the event of the valuation being used *in perpetuity* by escalating it each year by a standard percentage. The valuation takes no regard of depreciation or defects and no structural investigation was undertaken.

No account is taken of or allowance made for Value Added Tax with regard to rentals and/or expenses in respect of subject property, any comparables or any other aspects of the valuation unless specific mention is made thereof. Interested parties are strongly advised to seek advice from their Auditors or Receiver of Revenue in the event of subject property being sold or leased. It is essential that this information is obtained prior to the entering of any Deed of Sale or Lease Agreement.

No warranties are given regarding any dimensions and/or exact positions of pegs and/or boundaries and the valuer can in no way be held responsible for any discrepancies that may occur regarding the situation of pegs and/or boundaries or encroachments.

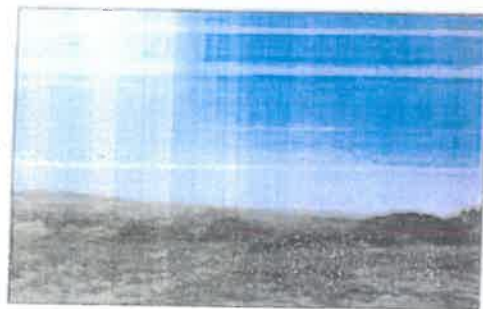
As prevailing economic, social and political conditions change from time to time it must be borne in mind that this market valuation is based on conditions at the time of preparing this report.

No responsibility is accepted for conflicts in law, such as between the Constitution, the Expropriation Act and other legislation that have not been resolved by the Government.

The majority of developers in the property industry are registered VAT vendors, and any VAT paid by them on any property development is fully recoverable. VAT has therefore not been allowed for in the above rates.



ANNEXURE A



1 GENERAL INFORMATION

1.1 Instruction

We were instructed by the Ndlambe Municipality, to determine the open market value of the subject property and to submit a motivated valuation report in regard thereto.

1.2 Date of Instruction

An instruction was received on: 28th May 2026

1.3 Date of Inspection

The property was physically inspected on: 5th June 2026

1.4 Date of Valuation

The effective date of the valuation is: 5th June 2026

1.5 Purpose of Valuation

To determine the Open Market Value of the subject property for the client to be able to negotiate a purchase price with potential buyers.

1.6 Definition of Market Value/Market Rental

Market Value is defined as:

"The estimated amount for which an asset should exchange on the date of valuation, between a willing buyer and a willing seller in an arm's length transaction after proper marketing, where the parties had each acted knowledgeably, prudently and without compulsion."

If the existing use has not utilised the full potential of the property, then the realistic Open Market Value of the subject property in accordance with its highest and best use will be determined, taking in account that such alternative use must be economically viable, physically feasible and legally permissible.

2 TITLE DEED INFORMATION (SEE ANNEXURES)

We did not have sight of the relevant Title Deed but the Deeds Web indicates that the property is held as follows:

2.1 Legal Description Erf 3133, Kenton-on-sea, Eastern Cape Province

2.2 Title Deed number T10292/2006

2.3 Registered owner Ndlambe Municipality

2.4 Extent of the property 11147 m²

2.5 Date of Purchase by Present Owner None Indicated on the Deeds Web.

2.6 Purchase Price None Indicated on the Deeds Web.

2.7 Bonds None Indicated on the Deeds Web

2.8 Servitude's, Conditions, Endorsement and Caveats

As we did not have sight of the relevant Title Deed, we are unable to comment on the effects of servitudes, if any, affecting the subject property.

3 PURCHASE DETAILS

3.1 Purchase Price Not known yet.

3.2 Purchase Date Not known yet.

3.3 Comments on the Purchase Price

Information received from the client was that the purchase price is dependant upon this valuation exercise, hence no further comment.

4 LOCAL GOVERNMENT INFORMATION

4.1 Local Authority Information Ndlambe Municipality

4.1.1 Municipal Valuation Market Value R 6 500 000

4.1.2 Town Planning and Zoning

	PERMITTED			ACTUAL
	Business Zone I			Currently vacant.
Zoning				Currently vacant.
Coverage:	100%	11147	m ²	Currently vacant.
Height		11m		Currently vacant.
FAR/Bulk:	3.00	33441	m ³	Currently vacant.
Building Lines:	All the building lines are zero.			Currently vacant.
Parking requirements:	2 bays / 100m ² floor space.			Currently vacant.
Comments:	The above zoning in relation to the location and surroundings, qualifies the subject property for any retail development but after proper need's analysis.			

4.1.3 Primary uses

General business and general residential above ground floor.

4.1.4 Consent uses

Funeral parlour, gambling activity, institution, liquor outlet, place of assembly, place of entertainment, place of instruction, place of Worship, service station, telecommunication mast, tourist facility and a warehouse.

5 PROPERTY DESCRIPTION

5.1 Land

5.1.1 Locality

The subject property is located in a rather small coastal town of the Eastern Cape known as, Kenton-on-sea, which is approximately 25km west of Port Alfred, the nearest bigger and known town. Within the precinct of Kenton-on-sea, the property is located on the northern edge of the central business district, along the R72, which also connects some well known bigger towns such as, East London and Port Elizabeth both of which are approximately 175km north-eastwards and 125km south-westwards, respectively.

5.1.2 Environment

The immediate area comprise a newly established small business node that appears to be an extension of the CBD, which is approximately 1km southwards. Adjacent to the property is a neighbourhood shopping centre that houses a few Nationals and a petrol filling station. Across the R72 from the subject property, are residential areas, including a low-cost settlement.

5.1.3 Topography, Shape and Access

The property is gently sloping from south to north, irregular in shape and accessed from a tarred road network.

5.1.4 Services

All the relevant municipal services such as, water, electricity and sewerage disposal, are available to the property.

5.1.5 Availability of Amenities

Very small basic amenities and services can be obtained from the subject town whereas Port Alfred, Gqeberha (formerly Port Elizabeth) and East London, as mentioned further above, are often referred to, should more developed and sustainable amenities and services be so required.

6 POTENTIAL USE OF THE PROPERTY

Given the location along the main arterial road also in a newly established business node, the highest and best use of the subject property is considered to be any retail development. Of the three tests that this highest and best use has to meet, legal permissibility has already been complied with whilst the other two being, physical feasibility and economic viability, will have to be complied with via a feasibility study.

10 MARKET ANALYSIS AND APPLICATION

Having confirmed the entirely vacant land status of the subject property, the best method of establishing its market value was the direct comparable sales approach as outlined further above. Comparable sales transactions, in order to establish going sale rates in the node, became imperative. However, it is worth mentioning that due to the small size of the subject town and its associated business offering, coupled with the fact that the rather old small central business district south of the subject property, is fully developed with no vacant land available. This is the reason why only transaction 1, adjacent to the subject property, was such a transaction in the same town as the subject property whereas the other two, were sourced from a nearby bigger town. Such transactions, which are somewhat dated, indicate sale rates of between R298/m² to R448/m². Accepting that time lapse is a factor due to the time value of money, all the transactions were adjusted to day's market, based on the consumer price index for each year of which such figures are : 6% in the year 2023, 4.4% in the year 2024 and 3.2% in the year 2025. Suffice to mention that property price appreciation or depreciation is best established on repeated sales, which due to the small business market of the respective towns, were not available, hence the CPI approach was adopted. Furthermore, the CPI's representative basket contains non-property items but has items that directly affect the disposable income stream that eventually affects property prices, hence the same was heavily relied on in terms of adjusting the sale's transaction.

The first transaction therefore equated to an adjusted sale rate of around R320/m², the second one around R330/m² and the third one, around R512/m². Referring to the first transaction that is situated adjacent to the subject property, we have taken a view that irrespective of adjacent location, the subject property has an edge over this transaction as it is clearly visible along the busy R72 Road although no direct access from such a road whereas this transaction is only visible and accessible from a side road and therefore, a higher potential sale rate is justified for the subject property over transaction 1. Transaction 2 is situated in a nearby slightly bigger town but situated off the main R72 Road and therefore, an element of equilibrium exists between this transaction and the subject property and thus justifying the same sale rate per square metre. Suffice to mention that this transaction is business II zoned, which basically has very close land use rights as the subject property's business zone I status. The adjusted sale rate of R512/m² for transaction 3 was not given any special consideration on the basis that this transaction took place before the second transaction, which indicated a lower sale rate and a conclusion was drawn to the fact that this could have been an indication of stagnant market conditions. As property prices are not absolute and not negotiated on a mathematical formula, a potential sale rate of R350/m² was applied to the subject property's site extent to determine the market value herein ascribed.

In the absence of a variety of sales transactions in the subject town, another similarly small adjacent town of Bushmansriver (Boesmanrivermond) was also referred to, where only two industrial zoned vacant sales transactions were obtained. These are : erf 959 measuring an extent of 4131m², sold for R1,000,000 on the 4th November 2025 and thus translated to a sale rate of R242,07/m² and erf 969 measuring an extent of 2065m², sold for R400,000 on the 20th February 2026 and thus translated to a sale rate of R193,70/m². The significance of these transactions is in the fact that given their zoning with lessor use rights, business zoned sites similar to the subject property, should attract higher sale rates.

11 RECOMMENDATIONS/CONDITIONS

11.1 All figures in the valuation report are exclusive of Vat.

a) It is hereby being placed on record that the Valuer did take note of the current municipal value of R8,500,000 for the subject property and wish to comment that such a value is considered to have been excessive. This value may very well have been maintained as no objections could have possibly been lodged, due to municipal properties being exempt from paying rates.

b) It is therefore our carefully considered professional opinion that had this property been privately owned and subject to rates charges, such rates would have been high as a result of this municipal value and that would have, without a doubt, compelled the private owner objecting to the municipal value upon which, evidence of a lower municipal value would have surfaced and in all likelihood, the municipal value would have been adjusted lower. This is informed by the above comparable sale's transactions.

c) Therefore, if the municipal value is to be used as a yard stick of market relevance, a justification would have surfaced on the basis of the objected municipal value outcome.

12 CERTIFICATE OF VALUATION

Based on the above and after having discussed same with fellow Property Practitioners active in the area, I, Letlaka Ndamase, do hereby certify that I have personally inspected the below mentioned property:

Erf 3133, Kenton-on-sea, Eastern Cape Province

and am of the opinion that the market value of the same lies in the region of:

Market Value

R 3 900 000,00

(Three million, nine hundred thousand rand)



Letlaka Ndamase
Professional Valuer
Registration number: 543577

5th June 2026

Date of Signature

Reviewed on the 18th June 2026

13 ASSUMPTIONS, LIMITATIONS AND RESTRICTIONS

The statements of fact contained in this report are true and correct to the best of our knowledge and the conclusions reached are based on our personal and unbiased analysis, opinions and deductions. All information furnished by outside sources is assumed to be reliable and has been verified wherever possible, but no warranty is given for its accuracy.

This valuation has been prepared on the basis that full disclosure of all information and factors, which may affect the valuation, has been made to ourselves and we cannot accept any liability or responsibility whatsoever for the valuation, unless such full disclosure have been made.

All improvements, in any exist, are assumed to be constructed in accordance with accepted and prescribed standards and within the boundaries of the subject property, unless otherwise stated.

We have not carried out a structural survey of the improvements, if any exists, or undertaken any test on the service installations. Our valuation is based on the assumption that these are in a reasonable state of repair and condition, unless otherwise stated.

We have not carried out detailed surveys of the plumbing and electrical installations on the site. This report assumes these to be in working order and in accordance with Local Authority requirements.

We have not inspected woodwork or other parts of the structure, which are covered unexposed or inaccessible and we are therefore unable to report that such parts of the property are free of rot, beetle or other defects.

Neither the whole nor part of this valuation report or any reference thereto may be included in any published documents, circular or statement, or published in any way without the Valuers written approval of the form and context in which it may appear.

14 ANNEXURES

14,1 Deeds Web

14,2 Locality Map

14,3 SG Diagram

14,4 Photos



DeedsWEB

1. The first step is to identify the problem or question that needs to be answered.

Dr. J. B. G. B. G.

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No data found for this search criteria

M.E.H. SULTER & SON
Professional Land Surveyors

OFFICE COPY

Erf 3133 (portion of Erf 3136) Kenton-on-Sea

Administrative District of Bathurst
Province of the Eastern Cape

S.G. No.

4366/2005

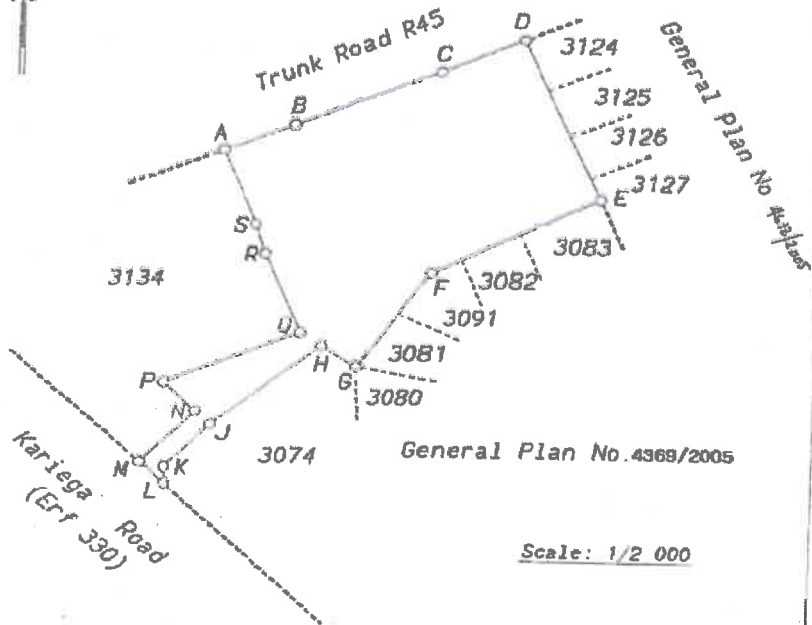
Approved

[Signature]

for Surveyor-General

2005-10-27

SHEET No. 2
OF 2 SHEETS



EXEMPT FROM PROVISIONS OF ACT
70 OF 1970
SECTION (a)

APPROVED IN TERMS OF SECT. 20
OF ACT 13/1986
REF 15/3/20 - 8396
DATE 14-07-2005

Surveyed in December 2004 - August 2005

by me.

[Signature]

P.B. Sulter.

Professional Land Surveyor 0786

(31338)

Kenton-on-Sea 3133

S

Erf 3133, Kanton-on-sea, Eastern Cape Province



View of the vacant subject property.



View of access into the property, from a side Kariega Road.



View of what appears to be sand mining on the property.



View of an adjacent property.

VALUATION REPORT



NDLAMBE
LOCAL MUNICIPALITY

VALUATION CERTIFICATE

PROPERTY INFORMATION

SG_CODE_21	0008000400000313300000	PORTION	00000
VALUATION NUMBER	0	REMAINDER	-
PROPERTY DESCRIPTION	ERF 00081330 PORTION 00000 OF KENTON-ON-SEA, 6191, EC	LONGITUDE	-33,679021
MUNICIPALITY	NDLAMBE LOCAL MUNICIPALITY	LATITUDE	26,669209
DISTRICT	SARAH BAARTMAN DISTRICT	ADDRESS	00081330 KENTON-ON-SEA, 6191, EC
FEATURE TYPE	ERF	LAND USE	COMMERCIAL
PARCEL TYPE	E	VERIFIED USE	VACANT LAND
TOWN ALLOTMENT	KENTON-ON-SEA, 6191, EC	NAME OF THE REGISTERED OWNER AS PER THE DEEDS	NDLAMBE MUNICIPALITY
PROVINCE	EASTERN CAPE	EXTENT_HA	1,1147
AVAILABLE ON SURVEY	YES	EXTENT_SQM	11147
GIS COMMENTS	-	GROSS BUILDING AREA (GBA)	0
SECTIONAL SCHEME	-	GENERAL VALUATIONS INFORMATION	
SCHEME NO	-	CATEGORY	BUSINESS AND COMMERCIAL
ALLOTMENT NO	00080004	MARKET VALUE	R 6 500 000,00
ERF	81330	VALUATION YEAR	2024/2025

Land Details

Measured area from gis (m2)	11 147m²
Extent of land developed	0m²
Undeveloped extent	11 147m²
Extent of roads on property	0m²
Other extent (area)	0m²

Valuer Details

I, P P Mabelane, registered as a Professional Valuer under Subsection (2) (a) of Section 20 of Act 47 of 2000 of the Property Valuers Profession Act, certify to the best of my knowledge and skill, the total asset value of the subject property is:

Total Land	
Total Building	
Total Market Value (Rounded)	
Valuer Signature	
Name of Valuer:	P P Mabelane
Professional Valuer:	Professional Valuer
Registration Number:	5063
Date:	11-Jun-26
Date of signature:	11-Jun-26

R4 137 551	
R0	
R4 160 000	
Candidate Valuer Signature	
Name of Valuer:	U Z Nkoi
Candidate Valuer:	Candidate Valuer
Registration Number:	8358
Date:	11-Jun-26
Date of signature:	11-Jun-26

CAVEATS

Full Disclosure

This valuation has been compiled for the exclusive use of the Ndlambe Local Municipality and shall not be divulged to any other party as it is confidential and might lack some of the all embracing details suggested by the South African Institute of Valuers for Valuation Reports. The valuation is subject to legal professional privilege and it is strictly private and confidential. Any disclosure to third parties requires a prior express written consent of the Valuer and Ndlambe Local Municipality, and granting or withholding such consent shall be in the absolute discretion of the Ndlambe Local Municipality and the Valuer or candidate Valuer, whatever the case may be. This is a Valuation Report and it does not purport to analyse technical, operational, accounting, actuarial or financial issues. In order to avoid losing the right to claim privilege and assert confidentiality over the Report and the information contained herein, this Report may not be copied or otherwise made available without the prior written consent of the Ndlambe Local Municipality to any other person except its professional advisors only on a strictly confidential basis for information only, solely for and in connection with the Transaction and on the basis that they may not rely on it and Ndlambe Local Municipality accepts no liability, duty or responsibility to them in respect of the Report, unless and to the extent agreed to with them in writing and save to the extent any disclosures are required by applicable law or regulation (in which case the recipient will inform the Ndlambe Local Municipality, if permitted by the relevant law or regulation to do so, of the requirement to make that disclosure. If notwithstanding this prohibition, a copy of this Report comes into the hands of a third party without our consent, such dissemination is neither intended nor is it a waiver of legal professional privilege. This Report is not to be used for any purpose other than in connection with the Transaction for which it has been prepared as indicated herein.

Declaration of interest

The signatory to this document hereby confirms that he has no present or contemplated interest in this or any other properties or any other interests, which would affect the statements or values contained in this valuation report. The valuation enclosed herewith was therefore undertaken on a completely independent basis and no one, except those specified in the report, has provided professional assistance in preparing the report.

Structural Condition

We emphasise that we have not carried out a structural survey of the improvements, nor have we examined them for signs of timber infestation, and accordingly, cannot be responsible for possible defects.

Market valuation means the price for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arms-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently, and without compulsion.

Definition of Estimated New Replacement Costs

Estimated New Replacement Cost is defined as the estimated cost of replacing the buildings and improvements, as they exist as if new, at prices applicable at the valuation date, inclusive of professional fees and value added tax, but exclusive of any finance charges or the cost of demolition or emergency services.

Contamination

This valuation has been prepared on the understanding that no onerous easements, rights of way or encroachment exist by or on the subject property, other than those in favour of statutory bodies, applicable to all such properties or which could be regarded as customary.

Exclusive rights

Finally, we must point out, that neither the whole nor any part of this valuation, nor any reference thereto, may be included in any document, circular or statement, without the prior written approval of the Valuer of the form and content in which it appears.

ANNEXURE D: DIAGRAM

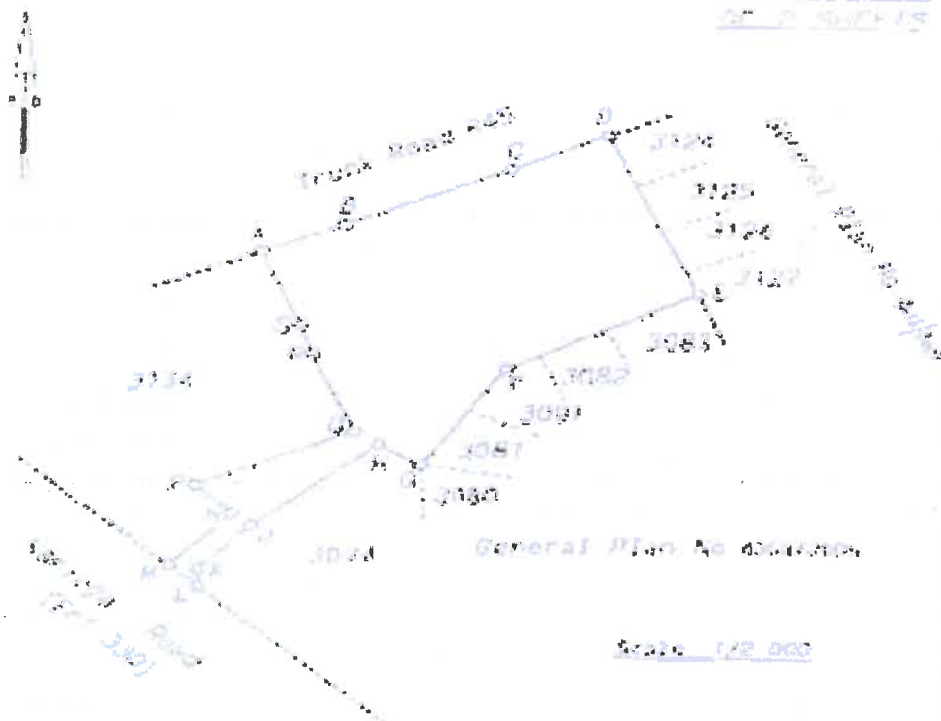
WILEY-SUNIL PAPER & GUM
Confidentiality • Lead Detection

OFFICE COPY

4364/2003

16- Surveyor - Geny will

SHEET No. 2

[illegible]

Submitted: 11 February 2004; Accepted: 20 July 2005

Professional Land Surveyor 028

Figure 6



NDLAMBE LOCAL MUNICIPALITY

ADDENDUM entered into pursuant to Council Resolution NCM _____ dated _____ to the Joint Venture Agreement dated 15 June 2005 between:

NDLAMBE LOCAL MUNICIPALITY

(a municipality established in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998))

represented herein by:

Advocate Rolly Dumezweni, in his capacity as Municipal Manager, duly authorised thereto in terms of Council Resolution _____ dated _____

and

NELISA-MAKHI TRUST

Trust Registration Number: IT 414/2005

(hereinafter referred to as "the Developer")

WHEREAS

- A. The Municipality and the Developer entered into a Joint Venture Agreement on 15 June 2005 relating to the subdivision and development of Erf 3136, Kariega Heights, Kenton-on-Sea ("the Principal Agreement").
- B. The Principal Agreement contemplated, amongst other matters, the development of Erf 3133, Kenton-on-Sea ("the Property") as a retirement village;
- C. Clause 31 of the Principal Agreement provides that, should the proposed retirement village not prove commercially viable, the parties may, by mutual agreement, approve an alternative development for the Property.
- D. The parties acknowledge that the retirement village development is no longer commercially viable and have agreed that the Property should instead be developed as a business park incorporating business storage and boat storage facilities, subject to all applicable statutory approvals.

ADDENDUM-ERF 3133 KENTON-NELISA MAKHI

Page 1 of 7

- E. Council, by Resolution NCM018/10/2025 dated 31 October 2025, approved the disposal of the Property to the Developer, subject to specified conditions, including the obtaining of three independent professional valuations to determine the purchase price.
- F. Following receipt of the three independent valuations, Council approved the highest valuation, being R6 150 000.00 (Six Million One Hundred and Fifty Thousand Rand), excluding VAT, as the purchase price for the Property.
- G. Council has confirmed that the Property is not required for the provision of the minimum level of basic municipal services as contemplated in section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003).

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. DEFINITIONS

Unless inconsistent with the context:

"Addendum" means this Addendum to the Principal Agreement.

"Developer" means the Nelisa-Makhi Trust.

"Principal Agreement" means the Joint Venture Agreement concluded between the Municipality and the Developer during 2005.

"Property" means Erf 3133, Kariega Heights, Kenton-on-Sea, measuring measuring 1.1147 hectares (11 147 m²).

Words importing the singular shall include the plural and vice versa.

2. CONTINUATION OF PRINCIPAL AGREEMENT

2.1 The Principal Agreement shall remain binding upon the parties except insofar as it is expressly amended by this Addendum.

2.2 In the event of any inconsistency between the provisions of this Addendum and the Principal Agreement, the provisions of this Addendum shall prevail to the extent of such inconsistency.

3. AMENDMENT OF DEVELOPMENT PROPOSAL

3.1 The parties record that the proposed retirement village development contemplated in the Principal Agreement is no longer commercially viable.

3.2 The parties accordingly agree that the intended development of the Property shall be amended to permit the establishment of a business park incorporating:

3.2.1 business storage facilities;

3.2.2 boat storage facilities; and

3.2.3 ancillary commercial uses permitted in terms of the applicable land use rights.

3.3 The Developer acknowledges that the proposed development remains subject to approval of all applicable planning, zoning, environmental and statutory requirements.

4. DISPOSAL AND TRANSFER OF THE PROPERTY

4.1 The Municipality agrees to dispose of and transfer the Property to the Developer.

4.2 The agreed purchase price shall be R6 150 000.00 (Six Million One Hundred and Fifty Thousand Rand), excluding VAT.

4.3 VAT shall be payable where applicable in terms of the Value-Added Tax Act, 1991 (Act No. 89 of 1991).

4.4 Transfer of ownership shall be effected through the Deeds Office in accordance with applicable legislation.

4.5 Risk in and benefit attaching to the Property shall pass to the Developer upon registration of transfer into the Developer's name in the Deeds Registry.

4.6 Possession and occupation of the Property shall be given to the Developer on the date of registration of transfer, unless otherwise agreed in writing between the parties.

5. PAYMENT OF PURCHASE PRICE

5.1 The purchase price shall be paid against registration of transfer into the name of the Developer, unless otherwise agreed in writing by the parties.

6. TRANSFER COSTS

6.1 All costs associated with the transfer and registration of the Property into the name of the Developer shall be borne solely by the Developer.

6.2 The Developer shall be liable for all costs, municipal charges, rates, taxes, duties and other amounts payable in connection with the transfer of the Property from the date upon which transfer is registered, unless otherwise provided by law.

7. LAND USE AND STATUTORY APPROVALS

7.1 The Developer shall, within three (3) months after registration of transfer, submit the required land use application for the proposed development.

7.2 The Developer shall be responsible for obtaining all approvals required in terms of applicable legislation, including but not limited to:

- The Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013);
- Applicable Eastern Cape planning legislation;
- The Ndlambe Municipality Land Use Scheme;

10.3 obtaining all required statutory approvals remains solely the responsibility of the Developer.

11. BREACH

Should either party commit a material breach of this Addendum and fail to remedy such breach within thirty (30) days after receipt of written notice requiring such remedy, the aggrieved party shall be entitled to exercise any remedy available in law without prejudice to any other rights available in law or under the Principal Agreement.

12. NO NOVATION

This Addendum shall not constitute a novation of the Principal Agreement.

Except as expressly amended herein, all provisions of the Principal Agreement shall remain binding and enforceable.

13. CONDITIONS PRECEDENT

This Addendum shall only become effective upon:

13.1 approval by Council;

13.2 signature by the authorised representatives of both parties; and

13.3 compliance with all applicable legislative and municipal governance requirements relating to the disposal of municipal immovable property.

14. DOMICILIA CITANDI ET EXECUTANDI

The parties retain the domicilia citandi et executandi addresses recorded in the Principal Agreement unless amended by written notice.

15. AUTHORITY

The persons signing this Addendum warrant that they are duly authorised to sign this Addendum and to bind their respective parties.

SIGNED AT PORT ALFRED ON THIS _____ DAY OF _____ 2026

AS WITNESSES:

1. _____

2. _____

**MUNICIPAL MANAGER
(ON BEHALF OF NDLAMBE
LOCAL MUNICIPALITY)**

SIGNED AT PORT ALFRED ON THIS _____ DAY OF _____ 2026

AS WITNESSES:

1. _____

2. _____

**MATTHEW GIBBS
NELISA-MAKHI TRUST**

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 FROM THE
MUNICIPAL MANAGER TO COUNCIL: PUBLIC
PARTICIPATION PROCESS: REQUEST BY UNITED
ETHIOPIAN CHURCH OF AFRICA TO PURCHASE
ERVEN 8270 AND 8271, THORNHILL, PORT
ALFRED - APPROVAL TO INITIATE PUBLIC
PARTICIPATION PROCESS: ESTATES SECTION**

ANNEXURE C.11

UNITED ETHIOPIAN CHURCH



Of
Africa

50116 Salamutu Street, Kwa-Zakhele Township, Port Elizabeth, 6205
Founded by Apostle Dr J M Masebe, Tel/Fax: 041-4665418

Date: May 8, 2026

Ndlambe Municipality
Cause way street
Port Alfred
6170

The Municipal Manager
Advocate R Dumezwani

Dear Sir

Application for a plot to build a Church

The above-mentioned Church has a national footprint, with branches all over South Africa. Our vision is to build churches that do not only cater for the spiritual upliftment of the community, but to also contribute in the Socio-Economic upliftment of the community we serve. Our Church has got three pillars we always intend to implement, that is to support the Elderly, Early childhood development and skills enhancement. We build modern facilities that enhances the outlook of the neighbourhood, we recently built a Church of the highest standard in the nearby Bathurst township for the benefit and use of not only the congregants but the Bathurst community as well. We would like to do the same in Port Alfred, in the Thornhill area.

Currently we have a Church in Mswela street, eMakhamangeni we bought the property several years ago with only a corrugated iron structure and built a modern brick and cement structure. Our Church is being used by the community for various reasons like funerals and voting activities. Due to Geo technical challenges of the area we are in constant struggle with water as the area is always wet, we have sort assistance from the department of Infrastructure on various occasions, but the challenge persists. A lot of financial resources have been used in trying to address this challenge, but because of the nature of the land it is difficult to overcome.

In addressing this challenge, we have identified a suitable piece of land that will enable us to fulfil our vision of making a meaningful contribution in the community we serve. The property is in Thornhill, in an accessible area for the people of the city and will bring the much-needed contribution for the people of the area. This is not your normal application for a Church site, but a mechanism to address a natural challenge for both the Church and the municipality for the benefit of the citizens.

We believe our cooperation will bring a permanent solution to the current impasse and be of great benefit to the citizens of Ndlambe municipality

Thanking you in advance


Rev MR Dyosi
Chairperson -Local Church Council
mendiled@gmail.com
Contact: 0832000377

UNITED ETHIOPIAN CHURCH



Of
Africa

50116 Salamutu Street, Ikwa-Zakhele Township, Port Elizabeth, 6205
Founded by Apostle Dr J M Masebe, Tel/Fax: 041-4665418

Date: May 11, 2026

The Manager
Ndlambe Municipality
Housing and Land Business Unit
Inkwenkwezi Location - Port Alfred

Dear Sir or Madam:

Re: Acquisition of land to build a Church and a Skill Development Facility

Our congregation has the need to build a sizable and suitable Church in Port Alfred as a center of Albany Region, the local Church Council has identified Erf.8270 and Erf.8271 of Thornhill location as sites that we can apply for, that will fit the purpose. As the church grows in membership, the current place of worship is overcrowded, has expansion limitations and waterlogged, we therefore would humbly plead for consideration on the mentioned sites.

Note: The main Purpose of this acquisition is:

- To Build a state-of-the-art Place of Worship with a gallery for 1000+ members sitted.
- To Have a conference facility in our premises
- To build a pre-school to develop and educate young kids of our members and the members of the community at large.
- To build a Skill development Facility for the community
- To build **OLD AGE HOME** for our elderly people and introduce the feeding schemes that are being implemented in our Head Office in Gqebera.

Your attention is much appreciated regarding this application and will await your positive response. For more information don't hesitate to contact our LCC Member: Elder Veto - 0781727765

We trust that this will meet with your approval

Humble we Remain

Bishop N B Masebe
For and on behalf of UECA

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 FROM THE
MUNICIPAL MANAGER TO THE COUNCIL:
PUBLIC PARTICIPATION PROCESS: REQUEST
TO PURCHASE A PORTION OF REMAINDER
ERF 1111 KENTON-ON-SEA (PUBLIC OPEN
SPACE): ESTATES SECTION**

ANNEXURE C.12



M.E.H. SÜLTER & SON Inc.

Professional Land Surveyors / Professionele Landmeters
Township & Property Consultants / Dorps- en Eendomsraadgewers
Sectional Title Surveyors / Deeltitelopmeters
3D Scanning and Data Modelling / 3D Skanderlog en Datamodelleëring

Medical Centre
15A Milner Street
Grahamstown 6139

Tel: 046-6224441

Cell: 082-6549849

072-7976479

E-mail: peter@surveyec.co.za

kyle@surveyec.co.za

Our Reference / Ons verwysing: KEN-1911

Your Reference / U verwysing:

Date: 02nd June 2026

Attention:

The Municipal Manager
Ndlambe Municipality Municipal Offices
Po Box 13
Port Alfred
6170

Motivation for the Purchase and Consolidation of Portion A (Subdivision off Remainder Erf 1111 Kenton-on-Sea (Public Place) (267m²) with Erf 1911 Kenton-on-Sea (Jerries Hotel)

1. Re-instating of Existing Decks that used to be on Municipal Ground

The primary purpose of the application is to re-instate an existing situation where timber viewing decks were historically constructed on municipal land adjoining Erf 1911. The owner wishes to re-instate this encroachment through the lawful acquisition and consolidation of the affected land portion, thereby ensuring compliance with all applicable planning, cadastral and property legislation.

The proposal represents a responsible approach to resolving a long-standing land-use anomaly and provides legal certainty regarding ownership and future maintenance responsibilities. *The Jerries hotel has historically used the ground in front and there used to be two viewing decks to sit at. The current owner would like to re-establish/ re-instate that by purchasing the 267 square meters and rebuilding the 2 viewing decks*

2. Logical Extension of Erf 1911

The 267m² portion forms an integral part of the functional use area associated with Erf 1911. Due to its location immediately adjacent to the property and its relationship with the existing dwelling, the land has limited independent development potential and is best utilised as an extension of Erf 1911.

The proposed consolidation will create a more practical and coherent property boundary that reflects the actual use and management of the site.

Reference: KEN-1911

Directors: P.B. Sulter B.Sc Survey, Pr.L. (S.A.G.C.) Dip. Proj. Management :: K. van Niekerk B.Sc Geomatics, Pr.L. (S.A.G.C.)

Reg. No. 2014/003435/21

"A curse upon him who moves his neighbour's boundary stone": the people shall say 'Amen'" -- Deuteronomy 27:17

3. No Negative Impact on Municipal Services or Infrastructure

The land proposed for purchase does not accommodate municipal services, roads, public infrastructure, or utility corridors. The alienation of the land will therefore not compromise municipal operations, service delivery, or future infrastructure planning.

The Municipality will retain full control over all remaining public land in the vicinity.

4. No Loss of Public Amenity

The portion is not utilised as a formal public open space, recreational facility, access route, parking area, or public thoroughfare. The proposed acquisition will therefore not materially affect public access, public enjoyment, or community facilities.

The surrounding beach and public coastal areas will remain fully accessible to the public.

5. Improved Environmental Stewardship

Consolidation of the land into Erf 1911 will place responsibility for the maintenance, management and environmental care of the area under a single owner. This will assist in ensuring that the area is properly maintained and managed in accordance with municipal and environmental requirements.

Future improvements can then be designed, approved and constructed in accordance with all relevant legislation.

6. Enhancement of Property Value and Municipal Revenue

The consolidation will increase the size and value of Erf 1911, which in turn will contribute positively to the municipal rates base. The Municipality will receive revenue from the sale of the land while also benefiting from increased property rates associated with the enlarged erf.

This represents a positive financial outcome for both the Municipality and the property owner.

7. Re-instate ONLY Existing Deck Structures on the encroached land

Historically, viewing decks existed on the affected portion of land and formed part of the overall enjoyment and functionality of the property. The owner's intention is not to intensify development but rather to establish a lawful framework within which appropriately designed decks may be approved and reconstructed, subject to all applicable municipal, planning and environmental requirements.

The purchase of the land is therefore a necessary prerequisite to ensuring that any **future structures (decks only)** are legally authorised and properly regulated and the use and enjoyment of previous times can be enjoyed. The owner does not wish to construct any future dwellings on the property, only 2 viewing decks.

8. Consistency with Sound Planning Principles

The proposal promotes orderly development by:

- Re-instating a previous encroachment and legalizing it before use.
- Creating rational property boundaries.
- Consolidating fragmented land ownership.
- Improving cadastral certainty.
- Reducing future land-use conflicts.
- Encouraging compliance with planning legislation.

The application is therefore aligned with the principles of efficient land administration and sound spatial planning.

Conclusion

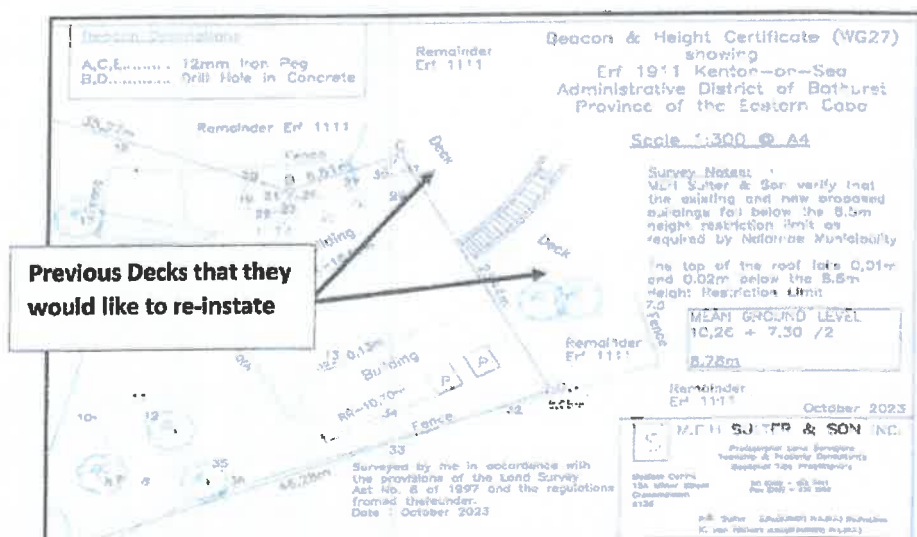
The proposed acquisition and consolidation of the 267m² (Erf 1111) portion A with Erf 1911 will re-instate an existing historical situation, create a more logical and manageable property configuration, improve legal certainty, enhance the municipal rates base, and facilitate the lawful reconstruction of viewing decks that previously existed on the site. The proposal will not prejudice the Municipality, surrounding property owners, or public access to the adjoining coastal environment and is considered desirable from both a planning and land management perspective.

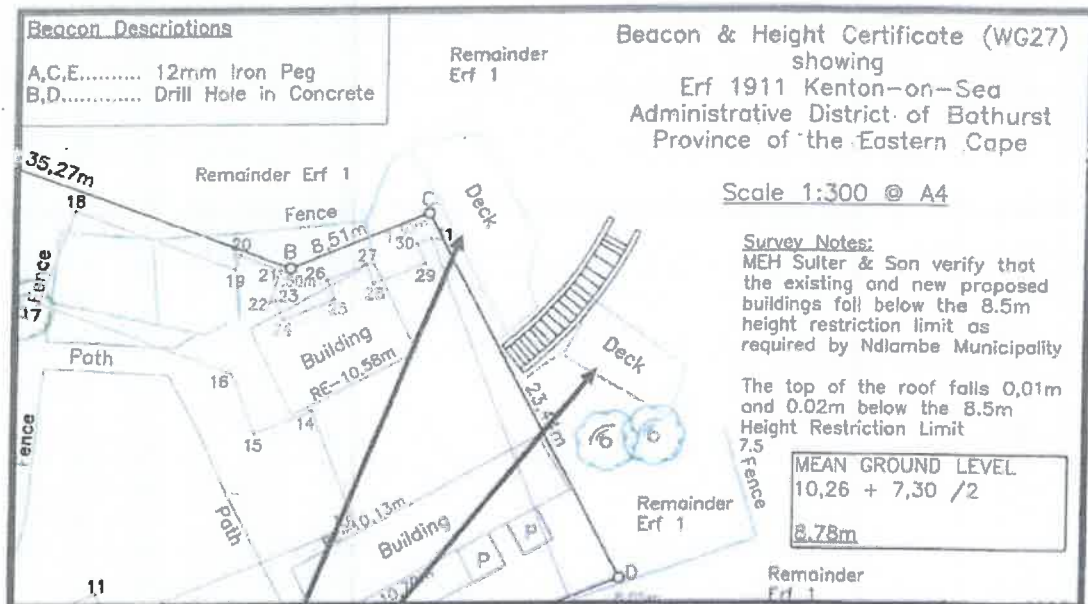
Please could you consider the purchase of this land and consolidation with Erf 1911 Kenton-on-Sea?

Yours sincerely

K. N. N. N.

M.E.H. Sulter & Son Inc.





Previous Decks that they would like to re-instate

3D MAP: ERF 1911 KENTON-ON-SEA

n of Portion A (Red: 267sqm) onto Erf 1911 (Yellow)

LEGEND

- Erf 1911 (Owned)
- Portion A (267sqm and consolidated)
- Erf 1911 Consolidated (After Purchase)

PORTION A
267sqm
to be purchased

AFTER PURCHASE & CO
Total Erf 1911 Area
 $1,357\text{sqm} + 267\text{sqm} =$
Unified title under Erf 1

Sea, Eastern Cape

1911:
(Yellow)

(ed)

olidation: 1,624sqm

Bathurst St

20m

EXTRACT OF THE ZONING MAP SHOWING ERF 1911 AND SURROUNDING ERVEN – OPEN SPACE 3



 **Community Zone 3**
Institution

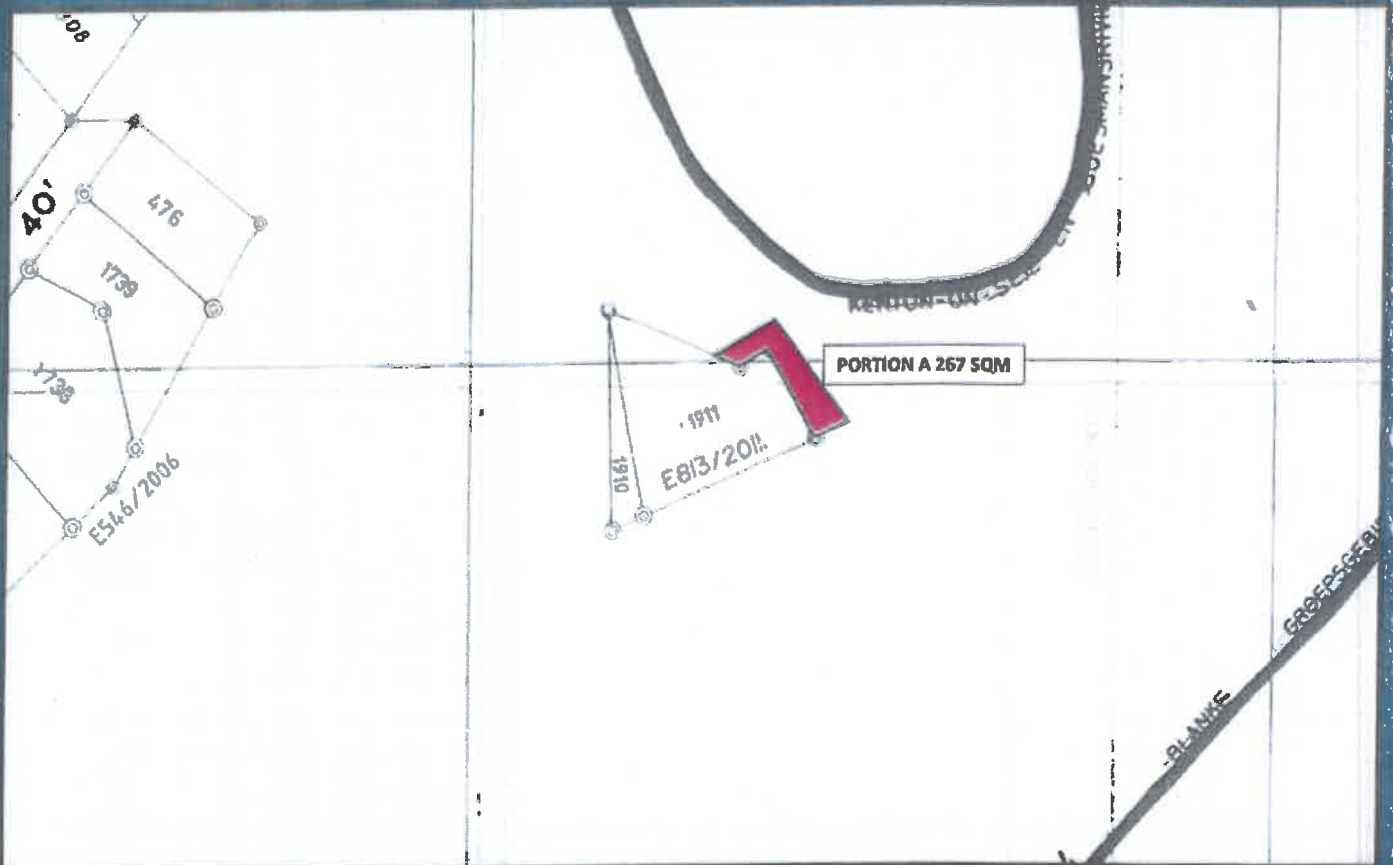
 **Authority Zone**
Authority Use

 **Open Space Zone 1**
Public Open Space

 **Open Space Zone 2**
Private Open Space

 **Open Space Zone 3**
Nature Reserve

EXTRACT FROM THE NOTING SHEET ERF 1911 KENTON-ON-SEA



- 1) It is proposed to subdivide 267sqm off Erf 1111 Kenton-on-Sea and consolidate it onto Erf 1911 (Jerry's).
- 2) The intention of the purchase is to restore the old decks which used to exist and give the visitors the view they once had in the past from the Decks.
- 3) There is no vegetation present and no damage will be done to the environment.

Confirm Ownership—
If Municipal, can still
apply to purchase it

K. Nasser

KEN-1911 Beacon Certificate

Remainder Erf 1111 (Public Place)

Proposed Subdivision & Consolidation Plan
showing Remainder Erf 1111 &
Erf 1911 Kenton-on-Sea
Administrative District of Bathurst
Province of the Eastern Cape
Scale 1:300 @ A4

35,27m

47,55m

Erf 1910 (Municipal)

er.

F

E

46,28m

8,51m

23,44m

Old Deck

Old Deck

Portion A
267 sqm

Consolidate

Erf 1911 (Jerries)

Remainder Erf 1111 (Public Place)

May 2026

Beacon Descriptions

A,C,E..... 12mm Iron Peg
B,D..... Drill Hole in Concrete

M.E.H SULTER & SON INC.
Professional Land Surveyors
Township & Property Consultants
Sectional Title Practitioners

Medical Centre
15A Miller Street
Grahamstown
6139

Tel (046) - 622 4441
Fax (046) - 622 1628

F.R. Sultter B.Sc.(Hons) Fd.S.A. R.P.(Hons)

May 2026

S **M.E.H SULTER & SON INC.**
Professional Land Surveyors
Township & Property Consultants
Sectional Title Practitioners

Medical Centre
15A Miller Street
Graftonville
6139

Tel (045) - 622 4461
Fax (045) - 622 1022

P.R. SULTER **GR-000672** **P1-043** **Exp/Ann.**
K. von Holst **GR-000672** **P1-043**

OPEN NDLAMBE COUNCIL MEETING
HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 FROM THE
MUNICIPAL MANAGER TO COUNCIL: APPROVAL
AND ADOPTION OF THE NDLAMBE
MUNICIPALITY HOUSE SHOP POLICY AND
OPERATIONAL POLICY FOR SUBMISSION OF
LAND USE PLANNING APPLICATIONS**

ANNEXURE C.13

DRAFT POLICIES



NDLAMBE
LOCAL MUNICIPALITY
(EC 105)

HOUSE (SPAZA) SHOP POLICY 2026



www.ndlambe.gov.za

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1. INTRODUCTION

House (Spaza) shops play a vital role in the informal economy sector, particularly within communities that have historically faced barriers to economic participation. The informal sector, including spaza shops, makes a significant contribution to reducing unemployment and stimulating local economic activity. Due to the sector's low barriers to entry, it offers an accessible platform for individuals from previously disadvantaged backgrounds to engage in entrepreneurial activity and income generation.

Recognizing the value of this sector, the Ndlambe Municipality is committed to supporting both existing and proposed spaza shops that align with the municipality's policy framework. The Municipality is committed to provide assistance to ensure these businesses operate legally and sustainably. This includes providing support in guiding property owners in obtaining necessary approvals such as land use and planning permissions, building plan approvals, business licensing, and health compliance certificates (Certificate of Acceptability). To provide clear guidelines and support mechanisms, the Municipality has formulated a policy that regulates and enable the establishment of house shops (spaza shops) on residential properties within the Ndlambe Municipal Area. This policy aims to balance economic empowerment with orderly development and compliance with relevant legislation.

2. PURPOSE OF THE POLICY

The aim of this policy is to enable Ndlambe Municipality to effectively manage and regulate the concession for the establishment of house shops on residential properties within the Ndlambe Municipal Area. This initiative seeks to strike a balance between promoting local economic development and protecting the quality of life in residential neighbourhoods. By formalising this concession, the Municipality intends to empower residents to generate income from their own properties through small-scale, home-based retail activity, thereby encouraging entrepreneurship and self-employment, particularly in communities with limited economic opportunities.

The policy aims to mitigate potential negative impacts associated with house shops, which may affect the rights of neighbouring residents to enjoy a clean, safe, and peaceful living environment. Furthermore, the policy seeks to prevent the exploitation by external business operators who establish commercial ventures under the guise of house shops, often profiting at the expense of the property owner(s) and surrounding community. By introducing clear guidelines and enforcement mechanisms, the Ndlambe Municipality will ensure that the benefits of this concession are retained by the local residents for whom it is intended.

3. DEFINING A HOUSE SHOP

In terms of the Ndlambe Integrated Land Use Scheme, a House Shop is defined as follows: *"the use of a portion of dwelling house or outbuildings for the sale of convenience goods to the public in a structure or portion of building on the premises that allow for the serving of goods to customers"*. In essence, a house shop shall include, but is not limited to, a convenience retail business that sells groceries and other food stuffs, as well as convenience services.

A liquor store (off sales) is not considered a house shop as it has a wider servicing area than the surrounding community. It must be noted that the above definition includes operation of a retail trade from a dwelling house, second dwelling, outbuilding or any other legal structure as approved by Council, by one or more of the occupants residing permanently on the respective residential property.

4. LEGISLATIVE FRAMEWORK

4.1. Spatial Planning and Land Use Management Act, 2013 (Act 16 Of 2013) (SPLUMA)

The Spatial Planning and Land Use Management Act, 2013 (SPLUMA) provides the legal framework for all land use and development decisions in South Africa. Its application to Ndlambe Municipality's house shop policy is critical to ensure proper governance and sustainable local economic development. SPLUMA empowers municipalities like Ndlambe to:

- a) Regulate land use through municipal planning tools such as land use schemes and spatial development frameworks.
- b) Promote spatial justice by enabling home-based economic activities, particularly in historically disadvantaged areas.
- c) Ensure house shops are managed in line with principles of sustainability, efficiency, resilience, and public participation.
- d) Create clear rules and application processes for house shop approvals and compliance.

4.2. Ndlambe Municipality Spatial Planning and Land Use Management By-Law, 2016 (By-Law) As Amended

The Ndlambe Municipality Spatial Planning and Land Use Management, By-Law, 2016 (as amended) has been adopted in accordance with the provisions of Spatial Planning and Land Use Management Act (SPLUMA), 2013 (Act No. 16 of 2013). The By-law provides the legal framework for managing land use and spatial development in the municipality. In relation to a house shop policy, the By-Law is relevant in the following ways:

- a) Regulations: House shops are not automatically permitted in residential zones. Operators must apply for consent use or a temporary/permanent departure in terms of the By-Law to legally operate from a residential property.
- b) Application Procedures: The By-Law sets out a clear and formal process for land use applications, including the submission of required documents, public notices, and municipal evaluation criteria.
- c) Enforcement: The Municipality has the authority to act against unauthorised or non-compliant land uses. The By-Law outlines specific enforcement procedures, including penalties and compliance notices, to regulate unlawful operations.

4.3. Ndlambe Spatial Development Framework, 2023 (NSDF)

The NSDF is intended to function as a strategic, indicative and flexible forward planning tool, to guide decisions on the use of land and land development in the municipality taking into account other applicable policies. The NSDF indicates that mixed use development enables different land uses to be situated in proximity to each other, improve social and functional integration, and to create efficient settlements. Mixed uses are best located along activity corridors and strategic nodes to take advantage of available resources, infrastructure and adjacent threshold population.

The spatial development of most towns in Ndlambe Municipality still resembles that of the apartheid era and lacks integration. Low-income residential areas are situated on the peripheries of the towns far from economic opportunities and services in the CBD and or are physically separated by distance from each other. Mixed use developments must be promoted in the identified nodes, corridors and gateway precincts. The type of development envisaged in these areas will include a combination of residential, commercial and retail development and in some cases community facilities and social spaces and public squares. It is important from a socio-economic point of view that small scale business nodes and local economic activities be allowed to occur outside of the existing central business district in support of urban restructuring.

4.4. Ndlambe Integrated Land Use Scheme, 2019

According to the Ndlambe Integrated Land Use Scheme, 2019, house shops are classified under home enterprises. The term 'home enterprise' is defined in the scheme as follows *"means an activity which is carried out in or from a dwelling house on an erf where the dominant use is and remains residential and is subject to the following provisions:*

- a) includes a house shop;
- b) does not include an industry, restaurant, bottle store, tavern or noxious industry;
- c) the display of any notice, sign or goods must be to the satisfaction of the Municipality;
- d) occupies no more than 30% of the floor area of the buildings on the erf;
- e) does not involve the regular parking or storing on the premises of any vehicle used for the transporting of goods, materials or passengers for hire or reward, other than the vehicle required for the personal use of the resident in connection with the home-enterprise;
- f) does not create a volume of traffic inconsistent with the level of traffic on the street on which the dwelling unit is located;
- g) the occupant shall be entitled to be assisted by not more than 4 persons who are not resident on the property; and
- h) conditions and restrictions as imposed by the Municipality”.

In terms of the Ndlambe Integrated Land Use Scheme, 2019, a home enterprise is permitted as a consent use within Agricultural Zones and all four Residential Zones. This means that an applicant wishing to operate a house shop may submit a consent use application for a home enterprise, in order to allow or operate a house shop.

5. THE APPLICATION PROCESS CONCERNING HOUSE SHOPS

5.1. Application Details to be Submitted To Town Planning Section

The following documents and information must be submitted with the application for a house shop:

- a) Completed application form;
- b) Proof of payment;
- c) Power of attorney or Owner’s consent (if owner is not the applicant);
- d) Certified copy of ID and in the case of a foreign national legal documents for residing in South Africa, business permit and proof of place of residence must be submitted;
- e) Locality plan;
- f) Site development plan
- g) Surrounding land use plan;
- h) Copy of title deed;
- i) Letter of consent /power of attorney from municipality if the property is still registered under the Municipality.

- j) Internal photos of the existing house shop clearly showing each room used by the shop, furnishings, fittings, floor coverings, ablution facilities, internal storage areas, etc. (if applicable);
- k) External photos clearly indicating the external finishes of the structure which is used, its relationship to the existing dwelling unit on the erf, external storage areas, parking areas, treatment of erf boundaries, garbage disposal area, signage. (if applicable);
- l) The owner of the existing or proposed house shop must provide a full motivation stating the type of house shop being applied for and as to why it should be approved. Furthermore, the motivation should also indicate the kind of goods that the house shop will sell or is selling.
- m) The municipality may also request further information deemed to be necessary for purposes of the application.

5.2. Application Procedure

The following procedure must be followed in applying for a house shop:

- a) The applicant must consult the Town Planning Office for advice in relation to the type of application that must be made. The application must undergo through a pre-consultation phase.
- b) No application will be accepted by the Town Planning Office if it has not gone through a pre-consultation phase and a go ahead has been granted to submit the final application.
- c) The Town Planning Office will advise the applicant which neighbours should the applicant obtain consent from, if consent is not obtained, Registered Notices shall be served on surrounding property owners affording those 30 days to comment.
- d) Notices shall be served on surrounding organizations such as community, welfare, educational and religious organizations as well as other commenting government departments affording them 30 days to comment (if applicable);
- e) Notices shall be served on the Ward Councillor of the area affording them an opportunity to comment.
- f) The applicant shall be granted a maximum of 30 days to respond on the objections/comments received, should there be any objections.
- g) A report on the application shall be compiled and will be sent to the Authorised Official or the Municipal Planning Tribunal, (as the case may be), for consideration and a decision will be made.
- h) The decision / final recommendation will then be communicated to the applicant and any objector by email.

- i) The applicant or objector, as the case may be, shall be afforded a right of appeal in terms of the provisions of the Section 136 of the Ndlambe Municipality Spatial Planning & Land Use Management By-law, 2016, which right must be exercised within 21 days of registration of the decision notice.

6. CRITERIA AND CONDITIONS FOR ASSESSMENT OF LAND USE RIGHTS TO OPERATE A HOUSE SHOP

6.1. General Criteria for Assessment for Spaza Shops

- a) No approval for a spaza shop will be granted within a house which has a floor area of 25m² or less.
- b) The floor area of the house/spaza shop may not exceed 25m² or 30% of the total floor area of all approved buildings on the property, whichever is the lesser. The extent and position of all buildings and the spaza shop must be clearly defined on a site plan to show compliance with this requirement.
- c) The dominant use and appearance of the property must remain residential, and any new structure or alteration to the property to accommodate a house shop must enhance the residential character of the area, particularly with regard to the streetscape, and must be capable of reverting back to residential use as permitted in the scheme.
- d) The spaza shop must not have a negative impact on the surrounding properties.
- e) The owner of the business must live on the site. This assists with self-regulation in terms of residential amenity of the neighbourhood.
- f) The approval of house shops does not include any entertainment license ("game shop license").
- g) Operating hours must be restricted between 06:00am and 22:00pm. The Municipality may further restrict trading hours depending on various factors.
- h) The location of the site must be desirable e.g. location on main route/on corner. No approval for a spaza shop will be granted within a 400m walking distance of:
 - i. business zoned sites within the CBD of a town; and / or
 - ii. a formally zoned business site within a residential area; and /or
 - iii. an existing approved house/spaza shop; unless the site in question is located within a specifically defined "economic zone/activity nodes" in terms of the Land Use Scheme or Spatial Development Framework.
- i) All applicants must submit a certified copy of South African ID and in the case of foreign nationals, legal documents for residing in South Africa i.e. work permit etc. and proof of residence must be submitted.

6.2. Health Requirements

- a) The area used for a house/spaza shop may not open directly onto a bedroom or toilet, and no goods which will be sold from the spaza shop may be stored in a bedroom or toilet.
- b) The spaza shop must be adequately ventilated and illuminated.
- c) After approval of the land use application, an application must be made to the Environmental Health Section of the Municipality in order to obtain a Certificate of Acceptability in terms Regulation 638 of 2018 (R638) under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).

6.3. Sale Or Supply of Meals or Perishable Foodstuffs

The carrying on of business by the sale and supply to consumers of –

- a) Any foodstuff in the form of meals for consumption on or off the business premises; or
- b) Any perishable foodstuff

6.4. Other Regulations

- a) House shops operated from Council owned land should have a lease agreement in place;
- b) The house shop must comply with the following health regulations, if food is to be sold or prepared in the house shop's premises, namely:
 - i. that the owner obtains a business license as required in terms of the Business Act, 1991 (Act 71 of 1991);
 - ii. that the premises comply with the general hygiene requirements for food premises and the transport of food Regulation 638 of 2018 as promulgated under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);
 - iii. that a Certificate of Acceptability be obtained as required by the Health Act, 1977 (Act 63 of 1977);
 - iv. that the premises comply with government notice R975 of 2000 relating to the smoking of tobacco products in public places as promulgated in terms of Section 2 of the Tobacco Products Control Act, 1999 (Act 12 of 1999) as amended.

6.5. General Conditions of Approval

The following general conditions shall apply to all house shops:

- a) The rights to operate a house shop are Not Transferrable;
- b) No person(s) may sleep/overnight within the shop if it is located in other structure on the erf;
- c) A house shop is restricted to the selling of daily household goods and services;

- d) The sale of liquor or alcoholic beverages, storage or sale of gas and gas containers, paraffin and other hazardous substances as well as the operation of vending machines, video games, gambling machines or pool tables is prohibited;
- e) The extent and position of the retail component shall be clearly defined on a plan, and shall not exceed 25m². In cases of outbuildings or containers; an additional area of 15m² can be applied for in order to accommodate any water closet, change room, and/or storeroom;
- f) Any new structure, or alteration to the existing dwelling unit or outbuilding, must conform to the residential sense of place of the area concerned;
- g) Trading must be restricted to the property and the dwelling unit and not take place on the sidewalks;
- h) If stock is to be delivered the deliveries must be restricted to normal business hours which is 8:00 to 17:00;
- i) Jukeboxes will not be allowed within a house shop. Should music be played in a house shop, it must be limited to listening music set at a low volume and speakers may not be placed outside the house shop;
- j) No more than 3 (three) persons, including the occupant of the dwelling unit, are permitted to be engaged in retail activities on the property.
- k) Only one non-illuminated sign shall be permitted and shall not exceed 5000cm² in area. Such sign shall indicate only the name of the owner, the name of the business and the nature of the retail trade.
- l) Disposal of refuse must be disposed to the satisfaction of Ndlambe Municipality.
- m) All owners of unauthorized house shops must be informed to apply to legalize their house shops within 30 days after receiving written notice.
- n) There should be display of certificates obtained from Municipality in respect of health regulations and in respect of the business licenses, where food is to be sold or prepared.

7. NON-COMPLIANCE WITH CONDITIONS OF APPROVAL

- a) If conditions of approval are not complied with the Town Planning Section will issue a written notice to the owner to rectify any irregularities within 14 days.
- b) If complaints are received with regard to the legally approved house shop, the Town Planning Section will evaluate the legality and validity of the complaints and if necessary inform the owner about these complaints and will request the owner to comply with the approval conditions.
- c) If there is failure to comply with the general conditions of approval, further legal action will be taken by the Municipality. If necessary, an approval may be withdrawn, or a court interdict will be obtained against the owner of the property forcing him to suspend trade from the property.

- d) In the case of a criminal offence, the matter will be referred to the state prosecutor's office for further legal recourse.

8. WITHDRAWAL OF APPROVAL

Any violation of the above requirements, non-compliance with conditions of approval, sale of illegal goods, abuse of state-funded housing, or any written complaints received by officials of Council should be reported to the Town Planning Section and may result in the closure of the spaza shop and the withdrawal of an approval.

9. MONITORING, COMPLIANCE AND ENFORCEMENT

Given the complex nature of issues related to House Shops, effective implementation of the Policy will require coordinated efforts from various stakeholders. The following outlines the general roles and responsibilities to support the Policy's enforcement.

9.1. Ndlambe Municipality Town Planning Section

Ensure compliance with the Land Use Regulations by monitoring House Shop operations. Where violations occur, issue non-compliance notices to property owners and pursue legal action in cases of persistent non-compliance.

9.2. Ndlambe Municipality Building Control Section

Enforce adherence to the National Building Regulations and Building Standards Act (Act 103 of 1977), particularly for structures modified or used for House Shops, to guarantee public safety and structural integrity.

9.3. Ndlambe Municipality Local Economic Development Section

Educate/ inform House Shop operators of the requirements and provide small business support where applicable.

9.4. Ndlambe Municipality Finance Department (Rates Section)

Ensure accurate classification and municipal rating of House Shops. This includes appropriate billing adjustments to reflect increased service usage, such as refuse removal and sanitation.

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1. INTRODUCTION

Ndlambe Municipality has developed guidelines for the submission of land use and development applications in terms of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and the Ndlambe Municipality Spatial Planning and Land Use Management By-law, 2016 (By-law). The operational policy for submission of land use planning applications set out the basic submission requirements for land use planning applications compiled in terms of Section 184(1) of the By-law, ensuring that there is a uniform and standard approach when dealing with land use applications. The policy also ensures a consistent and standardized approach to handling land use planning applications, promoting clarity, efficiency, and transparency in the application process.

2. PURPOSE OF THE POLICY

Ndlambe Municipality has formulated the Operational Policy for Submission of Land Use Planning Applications to provide for uniform, appropriate and adequate land use application submission and advertising guidelines for land use and development applications. The purpose of the policy is to:

- 2.1 Outline the submission requirements for land use planning applications.
- 2.2 Establish guidelines for pre-consultation and pre-scrutiny processes in land use planning applications.
- 2.3 Outline clear procedures for conducting public participation in land use planning applications.

3. LEGISLATIVE FRAMEWORK

3.1 The Constitution of The Republic of South Africa, 1996

Municipal Planning is a legislative function assigned to municipalities in terms of Section 156 of the Constitution of the Republic of South Africa, read in conjunction with Part B of Schedule 4. This grants municipalities both executive authority and the right to administer planning matters as outlined in Section 155. The planning function operates within a defined legal framework designed to ensure that municipalities fulfill their developmentally oriented objectives in accordance with Sections 152 and 153 of the Constitution. Achieving these objectives requires balancing diverse and often competing social, economic, and environmental interests across national, provincial, regional, and local levels, while aligning public and private interests. All development must be sustainable and guided by legislative processes. Given the legalistic and complex nature of planning, property rights are managed through zoning, which indicates potential land uses, subject to evaluation and regulation through planning, environmental, and building approval processes. The rights and

responsibilities of property owners, along with the protection of public interest, are safeguarded through established procedures. It is within this context that the Operational Policy for the Submission of Land Use Planning Applications has been developed.

3.2 Spatial Planning and Land Use Management Act, 2013 (SPLUMA)

The Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) (SPLUMA) establishes the overarching legislative framework for spatial planning, land use management, and land development across South Africa. SPLUMA empowers municipalities with the authority to manage land use and development within their jurisdictions, in alignment with their constitutional mandate under Section 156 of the Constitution of the Republic of South Africa.

This Operational Policy for Submission of Land Use Planning Applications has been developed to give effect to the principles, procedures, and requirements set out in SPLUMA and its associated regulations. The policy seeks to ensure that land use applications are processed in a manner that upholds SPLUMA's core objectives. The policy provides detailed guidance on submission requirements, pre-consultation processes and public participation — all of which are designed to comply with SPLUMA's provisions. By aligning with SPLUMA, the policy ensures that land use planning applications contribute to coherent spatial development and support the long-term development objectives of the municipality.

3.3 Spatial Planning and Land Use Management Regulations, 2015

The Spatial Planning and Land Use Management Regulations, 2015 (SPLUM Regulations) provide the detailed procedural framework necessary to implement the provisions of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA). These regulations set out the specific requirements, timeframes, and processes for land use applications, ensuring uniformity, legal certainty, and compliance with national planning principles. In terms of Regulations 14 of the SPLUM Regulations, *"a municipality must at least determine, amongst others, the following in terms of land development applications:*

- *The manner and format in which a land development and land use application must be submitted;*
- *Timeframes applicable to each component of the phases as outlined in Regulation 16;*
- *The level of participation required, and*
- *The manner and extent of intergovernmental participation as part of the land development application".*

This Operational Policy for Submission of Land Use Planning Applications is designed to align with and operationalize the SPLUM Regulations, guiding applicants through each stage of the land use application process. The policy incorporates the regulatory requirements to ensure that applications are processed lawfully, efficiently, and in a manner that upholds public interest and development objectives of the Municipality. It is within the above context that the Operational Policy for Submission of Land Use Planning Applications has been formulated.

3.4 Ndlambe Municipality Spatial Planning and Land Use Management By-Law, 2016

Section 184(1) of the By-law empowers the municipality to adopt policies, procedures, standards, and guidelines to facilitate the effective administration of the By-law, provided they are not inconsistent with the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and the By-law itself. This provision forms the legal foundation for the development of the Operational Policy for Submission of Land Use Planning Applications, enabling the municipality to streamline and regulate the application process while ensuring alignment with broader legislative requirements.

The policy functions as an administrative tool that translates legislative provisions into practical steps, offering clear guidance to applicants. It provides a structured framework for managing land use applications in accordance with the By-law. By adopting this policy under Section 184(1), the municipality enhances its ability to administer land use management effectively while providing certainty and predictability to applicants. The policy ensures that all land use decisions are made in a manner that balances development needs with spatial justice, environmental sustainability, and public interest considerations, reinforcing the municipality's broader developmental mandate.

3.5 Promotion of Administrative Justice Act, No 3 Of 2000 (Paja)

In accordance with Sections 3 and 4 of the Promotion of Administrative Justice Act (PAJA), all administrative actions that impact an individual or the public must be conducted in a procedurally fair manner. Where a land use planning application may significantly affect a person's rights or expectations, the process must ensure procedural fairness. With this understanding, the Operational Policy for Submission of Land Use Planning Applications has been developed to provide clear guidelines that ensure procedural fairness in processing of land use planning applications.

4. SUBMISSION OF LAND USE PLANNING APPLICATIONS

All land development applications must be submitted to the Municipality as the authority of first instance. It should be noted that any land development application submitted to the Municipality require any other authorization or consent in terms of any other legislation related to land use, such application should also be made, or such an authorization be obtained in terms of the specified legislation.

4.1 TYPES OF APPLICATIONS

The land use planning applications may include any of the following applications made in terms Section 57 of the Ndlambe Municipality Spatial Planning and Land Use Management By law, 2016.

Type of Application in terms of the By-law	
Subdivision of land	Section 57(a)
Phasing of subdivision	Section 57(b)
Amendment of an existing scheme or land use scheme by the rezoning of land, including rezoning to an overlay zone	Section 57(c)
Removal, Amendment or Suspension of a Restrictive or Obsolete Condition, Servitude or Reservation Registered Against the Title of the Land	Section 57(d)
Consolidation of land	Section 57(e)
Amendment or cancellation of a subdivision plan;	Section 57(f)
Permanent closure of any public place	Section 57(g)
Consent use	Section 57(h)
Development on communal land that will have a high impact on the traditional community concerned	Section 57(i)
Permanent or temporary departure from land use scheme	Section 57(j)
Extension of the period of validity of an approval	Section 57(k)
Exemption of a subdivision from the need for approval in terms of this By-Law as contemplated in section 66	Section 57(l)
Determination of a zoning as contemplated in section 181	Section 57(m)
Amendment, deletion or addition of conditions in respect of an existing approval granted or deemed to be granted in terms of section 54(9)	Section 57(n)

Approval of the constitution of an owners' association or an amendment of the constitution of the owners' association	Section 57(o)
Any other application provided for in this By-Law	Section 57(p)
Any other application which the Council may determine in terms of this By-Law and/ or	Section 57(q)
Any combination of the applications referred to in this section submitted simultaneously as one application.	Section 57(r)

4.2 Pre-Application Consultation

- 4.2.1 All land use planning applications lodged in terms of the By-law are subject to Pre-Consultation or Pre-Scrutiny Phase with the Municipality.
- 4.2.2 No application will be accepted by the Municipality if it has not gone through the Pre-Consultation or Pre-Scrutiny Phase.
- 4.2.3 Once a land use planning application has undergone a Pre-Consultation or Pre-Scrutiny Phase and the Municipality is satisfied that all the application documents required and the type of application lodged is correct, the applicant will be given a go ahead to make a formal hard copy submission of the land use planning application.
- 4.2.4 No land use planning application will be accepted by the Municipality if a go ahead to make a submission has not been granted.
- 4.2.5 The purpose of the pre-application consultation is to enable the Municipality to determine if the correct application is lodged and advise the applicant in relation to the documentation that is required for the application.
- 4.2.6 All Pre-Consultations will be conducted online and must be via email. No hard copies will be submitted as part of pre-consultation.
- 4.2.7 A Pre-Consultation must not be construed as an indication that the application will be approved.

4.3 Proposal Motivation

- 4.3.1 An application must be properly motivated in terms of the application criteria set out in Schedule 6 to Schedule 13 of the By-law. Motivations may include, but is not limited to the following information:
- a) **Background:** Any information of significance to the application, which may include site history, any previous negotiations, transactions or changing circumstances preceding the application, previous applications etc.

- b) **Physical characteristics of the application premises and surrounding area:** Description of all physical characteristics of the subject premises, including topography, slopes, drainage, vegetation, floodplains and flood lines, unique ecological habitats and sensitive areas, any unstable soil formations, existing buildings and structures, access routes etc., as well as expert knowledge and opinion where problems are anticipated. The use of photographs is encouraged. It is furthermore strongly recommended that the surrounding area is assessed in the context of the specific application, to an extent that is acceptable and realistic.
- c) **Development proposal:** Detailed description of all aspects of the proposed development, including any alternative schemes. The application should furthermore be supported by drawings, plans, sections, or elevations which can give an indication of the proposed built form, landscaping and public interface of the proposed development.
- d) **Desirability:** The following considerations are amongst other things relevant to the assessment of the proposed land use to determine if it would be desirable and should therefore be properly motivated in an application. Please refer to Section 53(4) of the By-law.
- e) **Policy compliance:** The application needs to highlight how the applications comply with the provisions of SPLUMA, By-law, the Municipal Spatial Development Framework, Land Use Scheme and other related Municipal Policies, Provincial and National key strategic policies.
- f) **SPLUMA principles:** Discussion of the application in terms of the development principles, norms and standards as referred to in Chapter 2 of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA).
- g) In motivating applications for the removal, suspension or amendment of restrictive conditions, applicants must have regard to Section 69(5) of the By-law and Sections 42(1)(c) and 47 of the Spatial Planning and Land Use Management Act (2013).
- h) Applicants are encouraged to include additional information in their motivation and may also justify their application with reference to other applicable and relevant legislation or policies, such as Provincial Spatial Development Framework (PSDF), National Environmental Management Act of 1998 (NEMA), Subdivision of Agricultural Land Act, 1970 (SALA), or the National Development Plan (NDP), etc.

4.4 Application Fees

- 4.4.1 An applicant must pay the application fees determined by the Municipality prior to submitting an application.
- 4.4.2 Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.
- 4.4.3 Land use application fees are calculated in terms of the fee structure as approved by Council for each financial year.
- 4.4.4 The total fee payable for the application(s) is determined by the type(s) of application(s) being lodged.
- 4.4.5 Application fees for land use and development applications may only be paid once the Pre-Consultation or Pre-Scrutiny Phase of the application is complete and the Town Planning Office has granted permission for the application to be submitted.
- 4.4.6 Failure to pay the application fees in full may lead to the application not being accepted in terms of Section 87(b) of the By-law.

4.5 Communication Regarding Applications

- 4.5.1 In a case where the property owner is not the applicant and has designated an agent to submit an application to the municipality on their behalf through a signed power of attorney, the Municipality in particular the Town Planning Office will solely communicate with the appointed agent regarding the processing or status of the application.
- 4.5.2 The Town Planning Office will not liaise with the property owner and therefore, it is the responsibility of the appointed agent to provide regular updates to their client/property owner.

4.6 Hard Copy Submission

- 4.6.1 Hard copies of the land use planning application may only be submitted after the Municipality has granted permission, following the completion of the Pre-Consultation or Pre-Scrutiny Phase, and confirmation that the application can be submitted.
- 4.6.2 Applications must be submitted in the following format:
 - a) Applications must be accompanied by proof of payment. Applications without proof of payment will not be accepted. No screenshots of payments made will be accepted. If proof of payment is submitted later, the date of submission will be considered as the application date.
 - b) Two (2) A4 hard copies printed one sided.

- c) No bounded, stappled or punched applications will be permitted.
- d) Both A3 and A4 color copies of the Site Development Plans are to be submitted with the application.
- e) The land use application forms must not be altered or amended in anyway. Applications lodged with forms that have been amended or altered will not be accepted.
- f) Applications can be delivered at: 1 Causeway Road, Civic Centre/Town Hall, Town Planning Section, Port Alfred, 6170.

5. PUBLIC PARTICIPATION ON LAND USE PLANNING APPLICATIONS

5.1 Public Participation Procedure for Land Use Planning Application

- 5.1.1 Land use and development applications must go through an advertising or public participation process to notify a person whose rights or legitimate expectations may potentially be materially and adversely affected by a proposal.
- 5.1.2 The extent to which an application is advertised should depend on the type of application, the complexity of the application and the potential impact of the proposed development.
- 5.1.3 The minimum extent for such advertising will be indicated by the Municipality as guided by the By-law.
- 5.1.4 Notice of land use and development applications are made in terms of Section 92 of the By-law. Public participation is undertaken as guided by Section 93, 94 and 96 of the By Law.
- 5.1.5 Before the applicant conducts the advertising, this may only be done after the Municipality has drafted or vetted the notices and such notices are in accordance with the Municipality's standard letters and requirements.
- 5.1.6 No advertising or public participation may be conducted by the applicant without a directive from the Municipality.
- 5.1.7 The starting and closing date for comments and objections must be in accordance provisions of the By-law.
- 5.1.8 A separate notice of the application(s) must in all cases be served on each of the affected owners in accordance with the Municipality's prescribed standard notification letter, giving detailed notice of the relevant applications applied for as well as the time period allowed for submitting comments/objections and include relevant plans and further information, where applicable. Notified owners must sign for receipt of such notice and note the date of receipt thereof in cases where the applicant can serve a notice on such owners. In cases where the

applicant must forward notices by registered mail, necessary proof must be submitted. Once such notice has been served on the relevant owner(s), the applicant (or his/her representative) may discuss the application with the notified owner(s) and if the owner agrees to it, he/she can sign the prescribed Notice of no objection and the relevant plan(s), consenting to the application.

5.1.9 The Municipality shall provide the applicant with a complete list of names and addresses of people whose rights or legitimate expectations may potentially be materially and adversely affected, to be served notice on where the Municipality is legally obligated to cause such application to be advertised.

5.1.10 The Municipality may require that a new notice of an application be given if more than 18 months has lapsed since the first public notice of the application and if the application has not been considered by the Municipality.

5.1.11 The Municipality may, at any stage during the processing of the application:

- a) require notice of an application to be republished or to be served again; and
- b) an application to be resent to municipal departments for comment, if new information comes to its attention which is material to the consideration of the application.

5.1.12 In cases where an application is substantially amended, which leads to a more adverse impact, the Municipality must advise the applicant that such application will need to be re-advertised as a new or amended application after determining the extent of advertising of the new or amended application.

5.1.13 The applicant is responsible for covering all costs associated with publishing public notices and carrying out public participation through any additional methods required for the land use and development application.

5.1.14 The Municipality may also request the applicant to conduct other additional public participation methods in terms of Section 96 of the By-law.

5.2 Additional Methods of Public Participation

5.2.1 The Municipality may also request the applicant to conduct other additional public participation methods in terms of Section 96 of the By-law.

5.2.2 If the Municipality considers notice in accordance with Sections 93 or 94 of the By-law to be ineffective or the Municipality decides to give notice of any application in terms of the By-law, the Municipality may on its own initiative or on request require an applicant to follow one or more of the following methods to give additional public notice of an application:

- a) site notice
- b) to convene a meeting for the purpose of informing the affected members of the public of the application;
- c) to broadcast information regarding the application on a local radio station in a specified language;
- d) to hold an open day or public meeting to notify and inform the affected members of the public of the application;
- e) to publish the application on the Municipality's website for the duration of the period that the public may comment on the application; or
- f) to obtain letters of consent or objection to the application.

5.2.3 Where an applicant has given additional public notice of an application, the applicant must provide proof that the additional public notice has been given as required.

5.3 Standard Minimum Requirements for Displaying Site Notices

5.3.1 Where on-site display of notices is required, this is additional to any other form of advertising or public participation method that might be required, the following must be adhered to.

5.3.2 The size of at least 60cm x 42 cm on the frontage of the erf concerned or at any other conspicuous and easily accessible place on the erf, provided that:

- a) the notice must be displayed for a minimum of 30 days during the period that the public may comment on the application;
- b) the applicant must, within 21 days from the last day of display of the notice, submit to the Municipality — a sworn affidavit confirming the maintenance of the notice for the prescribed period; and at least two photos of the notice, one from nearby and one from across the street.
- c) Notice content must include the following information:
 - i) details of the applicant and the owner of the land unit (if different from the applicant);
 - ii) description and physical address of the land unit;
 - iii) the purpose of the application to which the notice relates;
 - iv) details of where and when particulars of the application of which notice is given are available for inspection;
 - v) an invitation to members of the public to lodge with the Municipality written comment or objection with reasons;

- vi) details of the procedure for a person to submit written comment or objection and the date by when it must be lodged (which may not be a date less than 30 days from the date of the notice); and
 - vii) a statement that no late comment or objection will be considered unless the Municipality Manager has agreed in writing.
- 5.3.3 Applicant/property owner exempts Council from any liability attributable directly or indirectly as a result of construction / placing on-site or removal of above notice or any damage incidental thereto resulting from these requirements.
- 5.3.4 The applicant will be responsible to display the notice as per the undertaking and provide the Municipality with photographic proof thereof, with the date displayed on the photograph, which must be taken on the commencement date of the advertising period.
- 5.3.5 The photograph must be kept on the application file for record purposes. All costs for the display of notices will have to be borne by the applicant.
- 5.3.6 It is the responsibility of the application to ensure that the site notice display is in good condition during the advertising period.

5.4 Submissions of Comments/Objections on Land Use Planning Applications

- 5.4.1 A person who has been invited to comment or object, or any person in response to a public invitation/notice to comment or object, may object, comment on or make representations about the application. This must be done in accordance with Section 98 of the By-law.
- 5.4.2 A person whose rights or legitimate expectations may potentially be materially and adversely affected must be given at least 30 days to comment or object to a proposal and the time period must be clearly indicated on the letter of notification.
- 5.4.3 The Municipality may advise/ notify any objector to resubmit proper/valid objections if the objections submitted do not meet the requirements of Section 98 of the By-law.
- 5.4.4 After the closing date, all comments and/or objections will be sent to the applicant, to response to the comments and/or objections received. The applicant may, within a period of 30 days from the date of the provision of the objections, comments, or representations, submit written reply thereto with the Municipality and must serve a copy thereof on all the parties that have submitted objections, comments, or representations.
- 5.4.5 If the applicant does not submit comments within the period of 30 days or additional time provided, the applicant is considered to have no comment.
- 5.4.6 Any objection, comment or representation that is received after the closing date for comments and/or objections, is deemed not to be valid and the Municipality will not accept any such objection, comment or representation.

5.5 Circulation of Land Use Planning Applications to Internal & External Stakeholders

- 5.5.1 Once an application has been received and confirmed complete, the Municipality will circulate the application to both internal and external stakeholders as part of public participation.
- 5.5.2 Internal stakeholders include departments within the Municipality, whereas external stakeholders include organizations or entities that are not part of the Municipality, however they might have an interest in or be affected by the application.
- 5.5.3 The Municipality may at any given time request the applicant to obtain consent or comments from other internal or external stakeholders and submit it to the Town Planning Office.

5.6 Requirements for Departure Applications

- 5.6.1 Applications submitted in terms of Section 76(1)(a) of the By-law must include neighbors' consent. During the Pre-Consultation or Pre-Scrutiny Phase, the Municipality will provide a list of neighbors from whom consent is required.
- 5.6.2 Applications for a departure to relax height restrictions under Section 76(1)(a) must include a height certificate issued by a registered Professional Land Surveyor. The certificate must specify the extent to which the proposed structures exceed the permitted height.
- 5.6.3 Simultaneous land development applications that include relaxation of building line(s) and relaxation of height restriction must be accompanied by neighbors' consent forms.

6. GENERAL PROVISIONS FOR ALL LAND USE PLANNING APPLICATIONS

- 6.1 No application will be accepted by the Town Planning Office if it has not gone through the Pre-Consultation or Pre-Scrutiny Phase.
- 6.2 Applications must be accompanied by the information required as outlined in Section 85 of the By-law. Failure to do so may lead to the application not being accepted in terms of Section 87 of the By-law.
- 6.3 Applications for subdivision of land zoned agriculture falling under the Subdivision of Agricultural Land Act (Act 70 of 1970) must be accompanied by a consent letter from the Department of Land Reform and Rural Development.
- 6.4 Applications for development of properties which fall within the 100m high water mark or have environmental constraints for example, Critical Biodiversity Areas, traversed by

7. OTHER LEGISLATIONS AND REGULATIONS

The purpose of this policy is to establish clear guidelines for submission of land use planning applications. This policy is intended to complement and not replace, existing legislation or regulations. It must be read in conjunction with the applicable By-law, the Spatial Planning and Land Use Management Act (SPLUMA), the SPLUM Regulations, and all other relevant planning legislation and regulations.

8. COMMENCEMENT DATE

Unless otherwise specified, the commencement date of this policy will be the date of adoption by the Council, and shall remain in effect until it is reviewed, revoked, or amended by Council.

PROOOF OF PUBLIC PARTICIPATION

SPONSORED CONTENT

Woodridge: balance, belonging, and a nurturing outdoor environment

Canoeing, archery, horse riding, trail running, mountain biking, rock climbing, camping, fishing, a host of traditional sporting codes and a myriad cultural activities are all part of the adventure that awaits at Woodridge.

The journey is filled with opportunities to learn from enhanced experiences and to produce a future generation of innovative problem-solvers.

With the added benefit of small classes and ample individual attention, pupils thrive in an environment where the emphasis is not on their last test result, but rather on nurturing children to become good citizens, who are respectful, can think independently and creatively, and make good decisions. As a result, a solid foundation is laid, creating a mindset for lifelong learning.

The 365-acre estate, set in the heart of the Eastern Cape countryside, lends itself beautifully to the philosophy of teaching in "classrooms" without walls by incorporating the outdoors into the curriculum.

With little to no homework given at the preparatory school level, afternoons are spent doing enriching extramurals, sport, and outdoor education activities, which form the cornerstone of the non-academic timetable. Pre-primary pupils are welcomed from as young as two years old and spend many hours soaking up the fresh air and leaving for home with their cups filled to the brim.

At the college, the facilities, teaching techniques, and curriculum are designed to provide pupils with the skills, attitudes, and knowledge they need to become global citizens.

At Woodridge, children learn to nurture their surroundings, all living things, and each other, while overcoming personal fears and developing self-discipline, responsibility, and leadership.

Similarly, pupils are encouraged to participate and explore music, arts, speech, and drama activities, which further develop their confidence and enable them to flourish both in the classroom, on the sports field, and in the great outdoors.

Through numerous community outreach

initiatives, pupils are taught to empathise with the less fortunate. The longest-running community service project dates back to 1973 with the establishment of the Woodridge Surf Lifesaving Club. To our knowledge, this is the only school-based surf lifesaving club in the world, and members currently perform voluntary duties at Main Beach, Cape St Francis, every Sunday during the summer terms.

Our diverse community includes boarders from grade 4 to 12 from all over SA and abroad. At the preparatory school, we have two residences for boys and girls, with the emphasis being on making it a homely environment with dedicated house parents looking after the needs of the children. The college boarding comprises four residences, with two for girls and two for boys.

Weekends can include a variety of activities, as well as Sunday school and chapel service for seniors, contributing to a well-rounded boarding experience. The spiritual well-being of our pupils, and particularly boarders, is of utmost importance, as the school is guided by Christian principles and values.

Woodridge caters for day pupils and boarders, from grade 0-12. We are a proud member of ISASA (Independent Schools Association of Southern Africa) and the IEB (Independent Examinations Board), and are infinitely aware of the fundamental importance of the final matric exam results for aspiring students.

Knowing full well that universities, colleges, and trade schools build their acceptance models on these results, we work hand in hand with the IEB, which seeks to nurture problem-solving abilities and a heightened skillset, resulting in students who are well-equipped for the challenges of tertiary education and beyond.

Woodridge is more than a school, it's an experience. If you would like to go on an adventure with Woodridge, email admissions@woodridge.co.za, call 041-492-2395 or visit www.woodridge.co.za.

Bathurst Agricultural Show guarantees fun

TOTT REPORTER

Now is the time to get your entries ready for the Home and Garden and Photography and Art competitions at the Bathurst Agricultural Show from March 26-29. There are several great categories to inspire you! Email bas@thebas.co.za for catalogues and entry forms.

The Woody Cape wildlife auction features more than 140 lots of the finest buffalo and wildlife superior genetics to the market. Renowned auctioneer Brandon Leer wields the hammer at this prestigious event starting at midday on Saturday March 28. Potential bidders should register and view the catalogue on woodycapewildlife.co.za.

Hobson & Co are hosts in the livestock arena. Hugh Ainslie from Bedford will be bringing along magnificent cattle. Action there includes the judging of lambs and cattle on Friday, the Elite Fat Stock and Kapater Safe, and a boerwors competition.

New to the show this year is an Antique & Collectible Auction hosted by 1825 Online Auctioneers which is part of the Traders Auction Group. A unique, over the top, highly professional auction. Viewing of all items is from Thursday onwards at the show. The auction will take place on Saturday afternoon.

The Cask & Cuisine Marquee — also new to the

show — features various wine, gin, champers and more tastings, and artisanal food to take home, from smoked meats, handmade cheeses to breads, olives, pestos and more. Chef Ray Hanekom-Barnard will be hosting a 150-seater al fresco dining experience where you can indulge in his expertly prepared offerings.

Stalls, as usual, steal the show. Hundreds of stalls will delight everyone from young to old: we guarantee something for everyone — every stall has been hand-picked to ensure everyone will have a good time.

From humungous tractors and agricultural equipment to clothing, home décor, seeds, lawnmowers, leather work, toys, hand made knives, quad bikes, treats, handbags and — oh dear! — too much to mention. And don't forget the

Food Court with over 30 food stalls: variety is no issue, plus there's live entertainment on the stage. There will be live music by well known bands, great hospitality and cold ones at Bulls Inn and The Ulysses Pub on Friday and Saturday evenings.

The Kidz Zone & Creche offers non-stop entertainment with a giant jenga, jumping castles, carnival games and art workshops as well as a creche so mom and dad can take a time out at The Cask & Cuisine Marquee.

The main arena will be on fire with a full programme of events brought to you by the Bathurst Riding Club.

The show jumping is always a huge crowd puller and connoisseurs will appreciate top dressage and showing.

The main arena will also be home to the Great Parade featuring classic cars, vintage tractors and bikes, as well as new cars and quad bikes.

The Western Mounted Games will be a massive attraction with demonstrations of horseback archery and barrel racing.

This guarantees to get the excitement levels on a whole new high. A first for the show and definitely not to be missed!

Keep updated at www.thebas.co.za and enquiries to bas@thebas.co.za. Weekly updates right here in Talk of the Town!



Hundreds of stalls will delight everyone from young to old: we guarantee something for everyone - every stall has been hand-picked to ensure everyone will have a good time

NDLAMBE MUNICIPALITY PORT ALFRED



NOTICE: COMMUNITY PARTICIPATION

NOTICE: DRAFT HOUSE/SPAZA SHOP POLICY AND DRAFT OPERATIONAL POLICY FOR SUBMISSION OF LAND USE PLANNING APPLICATIONS.

Notice is hereby given in terms of Section 21A of the Municipal Systems Act, 2000 (No. 32 of 2000) that the local community is invited to submit representations/comments in connection with the promulgation of the House/Spaza Shop Policy and Operational Policy for Submission of Land Use Planning Applications.

Members of the public can access the document/policies under the Ndlambe Municipality website under the following link: <https://www.ndlambe.gov.za/notices/>

Furthermore, members of the public can access the document/policies for public inspection at the following municipal offices and libraries:

- Town Planning Office
- Civic Centre, Cause Way Street, Port Alfred, 6170.
- The Municipal Manager's Office
- 44 Campbell Street, Port Alfred, 6170.
- Kenton on Sea Municipal Offices
- Kenton on Sea, 6191.
- Alexandria Municipal Office
- Voortrekker Street, Alexandria 6185.
- All Ndlambe Municipal Libraries

All representation/inputs/comments must be addressed to The Municipal Manager at P.O. Box 13, Port Alfred, 6170 or be emailed to townplanning@ndlambe.gov.za not later than **16h30 on Thursday, 05 March 2026**. Any person who cannot write may come during office hours to any of the above listed municipal offices, where a staff member of the municipality will assist that person to transcribe that person's comments or representations.

Enquires may be directed to the Town Planning Section, at 046 604 5520/5603 during office hours from 07h30 to 16h30.

NOTICE NUMBER: 17/2026

29 JANUARY 2025

ADV. R DUMEZWENI
MUNICIPAL MANAGER





Notices

General

Media Statements

Libraries

Road Closures

Council Meetings

Community Awareness

Service Interruptions

Public Participation

- draft-policy-on-submission-of-land-use-applications
- draft-house-shop-policy-for-public-participation
- Notice Nr 19 (Human Settlement Notice) | Published on 29 January 2025 at 14:40 by Nomfundo Dzudzudzu
- Notice Nr 257_2024 Bursary



Town Planning Portal

Town Planning Application Forms and Fees

Public Participation

- draft-policy-on-submission-of-land-use-applications
- draft-house-shop-policy-for-public-participation
- APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE TO RELAX THE LATERAL AND REAR BUILDING LINES ON ERF 604, KENTON ON SEA.
- APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE TO RELAX THE STREET AND LATERAL BUILDING LINES ON ERF 594, BOKNESSTRAND.
- The Notice for Temporary Suspension of Advertising and Registered Notices
- APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND PERMANENT DEPARTURE TO ALLOW A MEDICAL USE (VETERINARY CLINIC) ON ERF 433, KENTON ON SEA
- APPLICATION FOR ERF 1581, KENTON ON SEA (1)
- APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND PERMANENT DEPARTURE TO RELAX BOTH LATERAL AND THE STREET BUILDING LINES ON ERF 1730, KENTON ON SEA
- APPLICATION FOR THE REMOVAL OF RESTRICTIVE CONDITIONS, CONSENT USE FOR AN ADDITIONAL DWELLING UNIT AND THE RELAXATION OF THE STREET BUILDING LINE ON ERF 1651, KENTON ON SEA
- APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, CONSENT USE FOR AN ADDITIONAL DWELLING UNIT AND DEPARTURE TO RELAX BOTH LATERAL AND STREET BUILDING LINES ON ERF 182, KENTON ON SEA
- APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND PERMANENT DEPARTURE TO RELAX BOTH LATERAL AND STREET BUILDING LINES ON ERF 111, KENTON ON SEA

Planning Regulations and Framework

Town Planning Bylaws

Zimbira

DRAFT POLICY ON SUBMISSION OF LAND USE APPLICATIONS AND DRAFT HOUSE SHOP (SPAZA SHOP) POLICY**From :** Xolela Makambi <xmakambi@ndlambe.gov.za>

Fri, Jan 30, 2026 04:03 PM

Subject : DRAFT POLICY ON SUBMISSION OF LAND USE APPLICATIONS AND DRAFT HOUSE SHOP (SPAZA SHOP) POLICY

3 attachments

To : R. Dumezweni <rdumezweni@ndlambe.gov.za>, Michael Mlungisi Klaas <mklaas@ndlambe.gov.za>, Noluthando Vithi <nvithi@ndlambe.gov.za>, Nombulelo Booyesen <nbooyesen@ndlambe.gov.za>, Thulani Maluleke <tmaluleke@ndlambe.gov.za>, Sipho Babama <sbabama@ndlambe.gov.za>, Rene Wendy Uren <ruwen@ndlambe.gov.za>, Fanie Fouche <ffouche@ndlambe.gov.za>, Teressa Jacobs <tjacobs@ndlambe.gov.za>, Mcingeli Madlebe <mmadlebe@ndlambe.gov.za>, Aluta Beja <abeja@ndlambe.gov.za>, Siyazamkela Koka <skoka@ndlambe.gov.za>, Nceba <nroblyane@ndlambe.gov.za>, Thembekile Bunge <tmbunge@ndlambe.gov.za>, Qawekazi Mampana <qmampana@ndlambe.gov.za>, Kudakwashe Sanyamandwe <ksanyamandwe@ndlambe.gov.za>, Zinyuse Zonwabele Maka <zmaka@ndlambe.gov.za>, Nqab'ohlanga Kiswa <nkiswa@ndlambe.gov.za>, Willem Nel <wnel@ndlambe.gov.za>, Mervyn A. Sauls <msauls@ndlambe.gov.za>, Portia Dingaen <pdingaen@ndlambe.gov.za>, Tembeka Ajah <tajah@ndlambe.gov.za>, Diane May <dmay@ndlambe.gov.za>, Sipho M. Velezantsi <svelezantsi@ndlambe.gov.za>, Luyanda Dyani <ldyani@ndlambe.gov.za>

Cc : Kholofelo Radingoana <kradingoana@ndlambe.gov.za>, Zamagcina Dantile <zdantile@ndlambe.gov.za>, Amahle Nohaji <anohaji@ndlambe.gov.za>, Khanyisa Kani <kkani@ndlambe.gov.za>, Anelisa Klaas <aklaas@ndlambe.gov.za>, Debbie Nel <dnel@ndlambe.gov.za>

Good Day Internal Departments

Kindly note that the Council adopted the **Draft Policy on Submission of Land Use Applications** and the **Draft House Shop Policy** in one of the 2025 Council Meetings.

For purposes of public participation on the promulgation of the above mentioned, Internal Departments are hereby requested to review the adopted draft policies (**see attached**) and provide their written comments, inputs, or recommendations.

It is required that these be circulated for comments from the Internal Departments. Should any clarity be needed on the subject matter, please contact the Town Planning Office on (046) 604 5603.

Kindly be requested to submit your comments **no later than 6 March 2026** to ensure adequate consolidation and consideration.

Hope the above is received in good form

Kind Regards



XOLELA (BIAFF) MAKAMBI
SEN-OF ADMINISTRATIVE
OFFICES TOWN PLANNING

Ndlambe Local Municipality

046 604 5520

xmakambi@ndlambe.gov.za

Town Planning Section, 1 Causeway Road,
Civic Centre, Port Alfred, 6170

www.ndlambe.gov.za

Draft Policy on Submission of Land Use Applications (3).pdf
1 MB

Final Draft House Shop Policy (1).pdf
483 KB

NDLAMBE MUNICIPALITY



ATTENDANCE REGISTER Policy Clarification Meeting DATE – 3 November 2025 TIME – 9:30 – 11:30

NAME & SURNAME	POSITION	CELL	E-MAIL	SIGNATURE
Rene Uren	TOP Manager	082 657 1147	rene@ndlambe.gov.za	[Signature]
Lulamile Timana	Inspector	071 872 6102	lulamile.timana@k.h.e.	[Signature]
Khaleko Radingoma	Manager: Town Planning	072 035 6384	Khalingoma@ndlambe.gov.za	[Signature]
Gerrit Gerhaishien	ICT Manager	067 504 8088	gerrit@ndlambe.gov.za	[Signature]
Phil Kani	CCB	0753608113	phil@ndlambe.gov.za	[Signature]
Sikhumbuzo Venene	CLER	0683984717	sikhumbuzo@ndlambe.gov.za	[Signature]
Nadine Haynes	WARD 10 CLERK	083 921 6417	nadine.haynes@ndlambe.gov.za	[Signature]
Tumefelwa Mbeleky	CLER	0614689037	tumefelwa@gmail.com	[Signature]
Xolisa Rineke	CLER	0736400624	xolisa.rineke@gmail.com	[Signature]
Tuli Memeani	"	0764572133	tulikanemane@gmail.com	[Signature]



Campbell
P.O. Box 13
Port Alfred
6170

NDLAMBE MUNICIPALITY

OFFICE OF THE MUNICIPAL MANAGER

Phone: (046) 6045500

Fax: (086) 7296421

rdumezweni@ndlambe.gov.za

kkani@ndlambe.gov.za

Date: 16 October 2025

To: All Ndlambe Councillors

SUBJECT: Invitation to a Ndlambe Policy Clarification Session

At the request of Councillors, a policy clarification session has been scheduled as follows:

Date: 3 November 2025

Time: 9:30 – 11:30

Venue: Council Chambers Port Alfred

To ensure effective time management, Councillors are requested to READ all of the attached simplified documents and identify questions for additional clarity, **PRIOR** to attending the workshop session on the 3rd November 2025.

Agenda

Item	Questions for Clarity time slot	Facilitate and or provide answers to questions for clarity
Ndlambe ICT Strategy	9:30 – 10:30 30 minutes	IDP Manager: Rene Uren ICT Manager: Gerrie Germishuizen
Ndlambe Land Use Contravention Penalty Policy	10:30 – 10:45 15 minutes	Town Planner: Kholofelo Radingoana
Ndlambe Operational Policy for Submission of Land Use Planning Applications	10:45 – 11:00 15 minutes	Town Planner: Kholofelo Radingoana
Draft Ndlambe House Shop Policy	11:00 – 11:15 15 minutes	Town Planner: Kholofelo Radingoana
Draft Ndlambe Liquor Licence Policy	11:15 – 11:30	IDP Manager: Rene Uren Public Participation Manager: L Dyani


Advocate R Dumezweni

(Municipal Manager: Ndlambe Municipality)

Ndlambe Municipality incorporating Port Alfred, Bathurst, Kenton on Sea, Boesmansriviermond,
Alexandria, Seafeld, Boknes, Cannon Rocks, and Surrounding Rural areas

DELIVERY OF DRAFT POLICIES FOR PUBLIC PARTICIPATION COMMENTS

COMMENTS START DATE: 29 JANUARY 2026 – END DATE: 5 MARCH 2026

COPY 1: DRAFT HOUSE/SPAZA SHOP POLICY	COPY 2: DRAFT OPERATIONAL POLICY FOR SUBMISSION OF LAND USE PLANNING APPLICATIONS	ADDRESS/PLACE/ BUILDING	ACCEPTED BY	SIGNATURE
✓	✓	P.A LIBRARY	BABUWA' NGEXUKI	Ble
✓	✓	mini's office	Khanyisani	Khanyisani
✓	✓	Kenton Library	Magcinandile	Mtoto
✓	✓	Ekuphumleni Library	P. Tsengile	P. Tsengile
✓	✓	Masulef Buthingwen's dib	JCSko	JCSko
✓	✓	Town Planning Office	X. Motom's	X. Motom's

DELIVERY OF DRAFT POLICIES FOR PUBLIC PARTICIPATION COMMENTS

COMMENTS START DATE: 29 JANUARY 2026 – END DATE: 5 MARCH 2026

COPY 1: DRAFT HOUSE/SPAZA SHOP POLICY	COPY 2: DRAFT OPERATIONAL POLICY FOR SUBMISSION OF LAND USE PLANNING APPLICATIONS	ADDRESS/PLACE/ BUILDING	ACCEPTED BY	SIGNATURE
N. Majo 30/01/26	N. Majo 30/01/26	1557 Runeli Drive Dr JK Mabindiso Library	Nantsoa Mogobela	N. Majo
N. Majo 30/01/26	N. Majo 30/01/26	1114A. Peddie Batnurst	Nceba Pato	N. Majo
N. Majo 30/01/26	N. Majo 30/01/26	Freestone Library	Nesithanga	N. Majo

DELIVERY OF DRAFT POLICIES FOR PUBLIC PARTICIPATION COMMENTS

COMMENTS START DATE: 29 JANUARY 2026 – END DATE: 5 MARCH 2026

COPY 1: DRAFT HOUSE/SPAZA SHOP POLICY	COPY 2: DRAFT OPERATIONAL POLICY FOR SUBMISSION OF LAND USE PLANNING APPLICATIONS	ADDRESS/PLACE/ BUILDING	ACCEPTED BY	SIGNATURE
✓	✓	1157 ALEX CEO OFFICE ALEX	Ngisihlwa Sphumani	
✓	✓	ALEX LIBRARY	Lurika Colman	
✓	✓	KWANYONGUBELA LIBRARY	Bhelelwa Nomabusa	

Re: REQUEST FOR

Close

Reply

Reply to All

Forward

Archive

Delete

Spam

Actions

- ✓ 1. PA Town Library - Causeway, Port Alfred (Erf 1404 PA)
- ✓ 2. Dr IK Mahindira Library - Roodi Drive, Nkwenkweni (Erf 1557 Nkwenkweni)
- ✓ 3. Hilda Peddie Library, Nico Malan Avenue, Bathurst (Erf 711 Bathurst)
- ✓ 4. Freestone Library, Street name unknown - not shown on map, Nalukhweni (Erf 2046 Freestone)
- ✓ 5. Ekuphumleni Library, Street name unknown - not shown on map, Ekuphumleni (KOS) (Erf 2723 Ekuphumleni)
- ✓ 6. Kenton-on-Sea Town Library, High Street, KOS (Erf 8 KOS)
- ✓ 7. Marselle (Bushman's River) Library, Mjuza Street, Marselle (KOS) (Erf 102 Marselle)
- ✓ 8. KwaNooqubela Library, Winnie Madikizela Street, KwaNooqubela (Alexandria) (Erf 7 KwaNooqubela)
- ✓ 9. Alexandria Town Library, Church Street, Alexandria (Erf 1511 Alexandria)

Kind regards,

Jackie Nel
Manager : Administration
Corporate Services
NDI AMRF MUNICIPALITY

**COMMENTS AND RESPONSE TO COMMENTS
FROM CHAMBER OF BUSINESS**

OPENING STATEMENT

A Fundamental Observation on the Purpose and Orientation of the Draft Operational Policy for Submission of Land Use Planning Applications 2025

Submitted by the Chamber of Business and Professionals, Port Alfred | March 2026

1. THE CORE OBSERVATION

Before addressing the specific provisions of the Draft Operational Policy for Submission of Land Use Planning Applications 2025 ("the Draft Policy"), the commenters wish to place on record a fundamental observation about the orientation and purpose of the policy as drafted.

The central concern

The Draft Policy, read as a whole, is organised around the administrative convenience and institutional control of the Town Planning Department and the Municipal Planning Tribunal. It is not organised around the needs of the investors, developers and property owners who are the users of the planning system, and whose economic activity sustains the municipality's rates base.

Every power conferred by the Draft Policy is conferred on the municipality, without a corresponding obligation to exercise it within a defined time. Every obligation imposed by the Draft Policy falls on the applicant, accompanied by a deadline. This asymmetry is not a drafting oversight — it is the structural expression of an institutional mindset that treats the planning function as a regulatory gatekeeping function rather than a development facilitation function.

The commenters make this observation respectfully and without imputing bad faith to any individual. Policies of this kind emerge from an institutional culture that has developed over time, often without conscious awareness that the balance has shifted. The purpose of this opening statement is to name that shift clearly, so that the Council — in adopting the policy — can make a conscious decision about what kind of planning environment Ndlambe Municipality wishes to offer its investors and ratepayers.

2. WHAT SPLUMA ACTUALLY REQUIRES — THE LEGAL BENCHMARK

The Spatial Planning and Land Use Management Act, 2013 (SPLUMA) is not a neutral framework. It has a clearly stated developmental purpose. Section 2 sets out the principles that must guide spatial planning and land use management in South Africa. These are not aspirational — they are legally binding on every municipality in the exercise of its planning functions, including in the adoption of operational policies under Section 184(1) of the By-law.

Any operational policy that is inconsistent with SPLUMA's principles is — by express provision of Section 184(1) of the By-law — invalid to the extent of its inconsistency. The commenters submit that the Draft Policy is inconsistent with the following SPLUMA principles in material respects:

S.2(a) Spatial justice

What SPLUMA requires:

"Historically distorted patterns of spatial development must be reversed through, amongst others, more equitable distribution of — the opportunities and resources — within the different regions of South Africa." Planning systems must actively include, not exclude.

How the draft policy fails this principle:

The Draft Policy imposes maximum procedural complexity on ordinary property owners and small developers seeking routine approvals. Its multi-stage gatekeeping structure — pre-consultation, go-ahead to submit, notice vetting, stakeholder circulation — without any corresponding municipal timeframe, creates a system in which access to development rights depends on the municipality's administrative goodwill rather than the applicant's legal entitlement. This excludes rather than includes.

S.2(b) Spatial sustainability

What SPLUMA requires:

"Land use and development must take into account the need for social cohesion, economic sustainability and environmental integrity." Economic sustainability requires that development investment is enabled, not obstructed.

How the draft policy fails this principle:

A policy that provides no certainty of processing time, no binding municipal obligations, and no recourse for delay does not support economic sustainability. Investors cannot commit capital to projects where the regulatory timeline is entirely within the control of the authority processing the application. The documented processing times in this municipality — "6 to 18" months for routine applications — are evidence of the economic cost of this structure.

S.2(c) Efficiency

What SPLUMA requires:

"Land use management systems must be efficient and effective and must facilitate the achievement of spatial planning objectives." Efficiency is not a secondary consideration — it is a core statutory obligation.

How the draft policy fails this principle:

The Draft Policy is not designed for efficiency. It is designed for control. The absence of any municipal timeframe obligation, the universal mandatory pre-consultation for all applications, and the open-ended powers to require re-advertising and re-referral at any stage are all structural inefficiencies. They do not facilitate spatial planning objectives — they obstruct them.

S.2(e) Good administration

What SPLUMA requires:

Changing requirements mid-process	The municipality may impose new requirements at any stage. No obligation to explain why requirements have changed. No constraint on how many times requirements may change.	Documentary requirements fixed at pre-consultation. Changes only permitted where new material information has come to the municipality's attention. Written reasons required for any change.
Re-advertising	Municipality may require re-advertising at any stage after 18 months — at the applicant's cost — regardless of who caused the delay.	Re-advertising due to municipal delay is at the municipality's cost. Re-advertising due to applicant delay may be required at the applicant's cost. The cause of delay determines who pays.
Professional qualification	No requirement for any application type to be submitted by a registered professional. Unqualified submissions consume processing time and generate return cycles.	Key application types, if at all, reserved for submission by registered professionals. Declaration of completeness required. Deficient applications returned within 5 working days.
Information about requirements	Not addressed. Applicants must attend pre-consultation to discover what is required.	Standard documentary checklists for each application type published on the municipality's website and freely available. Updated whenever requirements change.
Purpose of the policy	To establish the municipality's control over the application process and protect it from challenge.	To facilitate efficient, lawful and consistent processing of applications in the interests of applicants, the public and the municipality's own development objectives.

4. THE ECONOMIC ARGUMENT — WHY THIS MATTERS TO THE MUNICIPALITY

The argument for a facilitation-oriented planning policy is not merely one of fairness to applicants. It is an argument about the municipality's own economic interest. The commenters ask the Council to consider the following:

The revolving rand — what planning delay costs Ndlambe

A single subdivision approval — when it results in a new erf being developed — generates economic activity across the following: professional fees (land surveyor, town planner, architect, engineer); municipal application fees; Surveyor-General examination fees; estate agency commission; conveyancing fees; bond registration; transfer duty; capital gains tax; building plan fees; construction (materials, labour, subcontractors); household appliances and fittings; landscaping and gardening; ongoing maintenance; and rates and taxes in perpetuity.

Every month of delay in the planning approval is a month in which none of this economic activity occurs. Every application that is abandoned because the process is too slow or too uncertain is a permanent loss of this activity to the local economy. The municipality's own rates base — from which its budget is funded — is directly diminished by a planning department that obstructs rather than facilitates development.

This is not a theoretical observation. The commenters have documented average processing times for routine applications in this municipality of between 6 and 18 months. At a conservative estimate of R2 million in economic activity per approved subdivision, every 10 applications delayed by 12 months represents R20 million in economic activity deferred or lost. The municipality collects rates on none of it during the delay period.

The commenters note further that Ndlambe is in direct competition with neighbouring municipalities for investment. An investor or developer who encounters a planning system characterised by uncertainty, inconsistency and delay will, in many cases, redirect their investment to a municipality with a functioning, investor-friendly planning department. The Draft Policy, if adopted unchanged, will accelerate this dynamic.

5. THE PROPOSED REORIENTATION — A STATEMENT OF PURPOSE

The commenters propose that the Draft Policy be fundamentally reoriented around a clear statement of purpose that reflects SPLUMA's developmental mandate, the municipality's constitutional obligations, and the legitimate expectations of the investors, developers and property owners who use the planning system.

This reorientation does not require rewriting the entire policy. It requires three things:

- **First, a new Section 1.3 — Statement of Purpose** — that expressly commits the municipality to investor-friendly, time-bound, transparent and consistent processing of land use applications. This statement becomes the interpretive lens through which all other provisions are read. Where a provision is ambiguous, it must be interpreted in the way that best advances this purpose.
- **Second, a binding obligation on the municipality at every procedural stage**, matched to the obligations already imposed on applicants. Every provision that says "the municipality may" or "the municipality will" must be accompanied by a timeframe. Where no timeframe is given, a default of 20 working days applies.
- **Third, the four structural improvements proposed in the supplementary proposals document:** the Authorised Official track for routine applications; differentiated turn around times (TATs) by application type; mandatory pre-consultation limited to complex applications; and reservation of key application types for registered professionals.

Together, these three changes convert the Draft Policy from a control instrument into a facilitation instrument — which is what SPLUMA requires and what the Ndlambe ratepayer deserves.

PROPOSED NEW SECTION 1.3 — STATEMENT OF PURPOSE AND INVESTOR COMMITMENT

1.3.1

The commenters are available to meet with the Municipal Manager, the Director of Infrastructure, and the Town Planning Department at any mutually convenient time to discuss these proposals and any others that may arise once more information is at hand. They approach the engagement with optimism and good faith, and they ask for the same in return.

This opening statement forms part of the formal comments to be submitted by the Chamber of Business and Professionals on the Draft Operational Policy for Submission of Land Use Planning Applications 2025. It should be read together with the detailed technical comments and supplementary proposals which will be submitted as soon as possible after the information in the letter to which this statement is attached is received.

Chamber of Business and Professionals, Port Alfred | March 2026

RESPONSE FROM THE TOWN PLANNING SECTION IN RELATION TO THE CHAMBER OF BUSINESS COMMENTS AND OBJECTIONS ON THE DRAFT OPERATIONAL POLICY FOR SUBMISSION OF LAND USE PLANNING APPLICATIONS, 2025.

1. Your email dated 19 March 2026, together with the attachments thereto (Opening Statement), refers in relation to the above-mentioned matter.
2. Please accept my sincere apologies for the delay in responding to your correspondence. The delay was in no way intentional. I had initially anticipated that I would be afforded an opportunity to participate in some of the proposed sessions or engagements to discuss the matter further, and accordingly expected that there would be an opportunity for further engagement before a formal response was provided. However, such opportunity was never afforded.
3. I would also like to note that I have unfortunately not been well during this period and have, from time to time, been out of the office due to ill health. This has regrettably contributed to the delay in providing a response.
4. I sincerely apologise for the delay and any inconvenience that this may have caused, and trust that my apology will be accepted.
5. Notwithstanding the above, and with regard to the comments and representations submitted by the Chamber of Business and Professionals on the *"Draft Operational Policy for Submission of Land Use Planning Applications 2025"*, please find below the response of the Town Planning Section to the matters raised in your correspondence and accompanying submissions.
6. The comments and representations have been considered in their entirety, and the Town Planning Section has endeavoured to respond to the substantive issues raised, particularly insofar as they relate to the purpose, application and administration of the Draft Operational Policy.
7. The Town Planning Section appreciates the time and effort taken by the Chamber and its members to engage with the Draft Policy. The comments provide an opportunity for the Municipality to further consider and, where appropriate, clarify aspects of the Policy before its finalisation.
8. The Town Planning Section's response to the comments and objections is set out below.

9. PUBLIC PARTICIPATION PROCESS AND SUBMISSION OF COMMENTS

- 9.1 It must be noted that the Draft Operational Policy for Submission of Land Use Planning Applications 2025 was subjected to a public participation process in order to afford all interested and affected parties, members of the public, property owners, professionals, developers, businesses and other relevant stakeholders an opportunity to consider the proposed policy and submit comments or objections.
- 9.2 The public participation process was initiated through *Notice 17/2026*, which was published in the *Talk of the Town* on 29 January 2026 (See Annexure "A"). The notice expressly invited all interested and affected parties to submit written comments and/or objections in respect of the Draft Operational Policy on or before 5 March 2026.
- 9.3 In addition to the publication of the notice in the local newspaper, the Draft Policy and the invitation to comment were also made available on the Ndlambe Municipality's official website on 29 January 2026. Hard copies of the relevant notice and policy were further placed at the various municipal offices and public libraries as indicated in *Notice 17/2026*, thereby providing members of the public and other interested and affected stakeholders with additional opportunities to access the policy and participate in the process.
- 9.4 The Municipality accordingly provided multiple avenues through which interested and affected parties could become aware of the Draft Policy, access its contents and submit representations. The process was therefore not limited to a single method of notification, but included publication in the local newspaper, publication on the Municipality's website and the placement of hard copies at the identified public venues.
- 9.5 It must also be noted that Councillors were workshopped on the policy on 03 November 2026, prior to commencement of public participation process for the policy.
- 9.6 The closing date for the submission of comments and/or objections was clearly stipulated as 5 March 2026. By the closing date, no comments or objections had been received by the Municipality in respect of the Draft Policy(ies).
- 9.7 It is therefore important to distinguish between the formal public participation period and the subsequent submission made by the Chamber of Business and

Professionals. The Chamber's comments and objections were only submitted to the Municipality on 19 March 2026, being 14 days after the closing date of 5 March 2026. The submission was therefore received outside the public participation period specified in Notice 17/2026.

9.8 The Municipality accordingly notes that the Chamber did not submit its comments within the period afforded to all interested and affected parties to participate in the public participation process.

9.9 Notwithstanding the fact that the submission was received after the prescribed closing date, the Municipality has nevertheless elected to consider and respond to the issues raised by the Chamber of Business. This is done in the interests of constructive engagement, transparency and ensuring that the concerns raised by stakeholders are properly considered in the finalisation of the Draft Policy.

9.10 The Municipality's consideration of the late submission should, however, not be construed as an extension of the public participation period, nor should it be interpreted as reopening the formal public participation process. The formal period for public comments closed on 5 March 2026, and no comments or objections were received by that date.

9.11 The decision to nevertheless respond substantively to the Chamber's submission demonstrates the Municipality's willingness to engage with stakeholders and consider legitimate concerns raised in relation to the administration of land use planning applications. The Municipality remains committed to ensuring that the final policy is lawful, reasonable, transparent and capable of facilitating the effective administration of land use planning applications.

9.12 It is against this background that the Municipality's response to the comments and objections submitted by the Chamber of Business and Professionals on 19 March 2026 is set out below.

10. GENERAL COMMENTS AND OPENING REMARKS ON THE SUBMISSION OF COMMENTS/OBJECTIONS OF THE DRAFT POLICY

10.1 Ndlambe Municipality acknowledges the written comments and objections submitted by the Chamber of Business and Professionals in respect of the Draft Operational Policy for Submission of Land Use Planning Applications 2025 ("the Draft Policy").

- 10.2 The Municipality appreciates the constructive engagement with the Draft Policy and recognises the importance of ensuring that the land use planning application system is efficient, transparent, predictable and responsive to the needs of property owners, developers, investors and the broader community.
- 10.3 The Municipality, however, does not agree with the characterisation that the Draft Policy is primarily designed around "administrative convenience and institutional control" or that it constitutes a "regulatory gatekeeping function" rather than a development facilitation instrument.
- 10.4 The Draft Policy was developed specifically to establish a uniform and standardised approach to the submission and processing of land use planning applications. Its stated purpose is to provide uniform, appropriate and adequate submission and advertising guidelines, establish guidelines for pre-consultation and pre-scrutiny, and provide clear procedures for public participation. These objectives are expressly recorded in the Draft Policy itself.
- 10.5 The policy further expressly recognises that the Municipality's land use planning function must operate within the constitutional, legislative and planning framework applicable to municipal planning.
- 10.6 The comments are therefore considered below in the context of the purpose, legal status and intended operation of the Draft Policy.

11. RESPONSE TO THE CENTRAL OBSERVATION AND COMMENT THAT THE POLICY IS "CONTROL-ORIENTED"

- 11.1 The Chamber submits that the Draft Policy is structured around the administrative convenience and institutional control of the Town Planning Department and Municipal Planning Tribunal rather than around the needs of investors, developers and property owners. The Town Planning Section of the Municipality does not agree with this assertion.
- 11.2 The Draft Policy is intended to establish a consistent administrative framework within which land use planning applications can be submitted, assessed and processed. The absence of a standardised process would, in fact, create greater uncertainty for applicants and could result in different requirements being applied to different applications.

- 11.3 The policy expressly states that it is intended to ensure a "uniform and standard approach" when dealing with land use applications and to promote clarity, efficiency and transparency in the application process.
- 11.4 The requirement for pre-consultation or pre-scrutiny should therefore not be interpreted as an additional substantive hurdle to the exercise of development rights. Its purpose is to establish, before formal submission, whether the correct application has been identified and whether the documentation required for that particular application has been identified.
- 11.5 In this regard, the Draft Policy specifically provides that the purpose of pre-application consultation is to enable the Municipality to determine whether the correct application is being lodged and to advise the applicant regarding the documentation required.
- 11.6 This mechanism is intended to reduce the number of incomplete applications submitted, unnecessary refusal for acceptance of applications and delays emanating from applicants submitting applications without the information necessary for the Municipality to commence a proper assessment.
- 11.7 Accordingly, the Municipality does not accept that the pre-consultation process constitutes a mechanism through which access to development rights is placed at the discretion or "goodwill" of the Municipality.
- 11.8 The substantive land use rights and decision-making powers remain governed by the applicable legislation, By-law, Land Use Scheme and other applicable policies and legislation. The Draft Policy merely provides an administrative framework for submission.

12. **RESPONSE TO THE ALLEGED INCONSISTENCY WITH SECTION 184(1) OF THE BY-LAW**

- 12.1 The Chamber correctly identifies Section 184(1) of the Ndlambe Municipality Spatial Planning and Land Use Management By-law, 2016 as an important legal provision.
- 12.2 However, the conclusion that the Draft Policy is invalid because it is allegedly inconsistent with SPLUMA principles is not accepted.
- 12.3 The Draft Policy expressly records that Section 184(1) empowers the Municipality to adopt policies, procedures, standards and guidelines to facilitate

the effective administration of the By-law, provided that these are not inconsistent with SPLUMA or the By-law.

- 12.4 The Municipality has relied on this enabling provision in developing the Draft Policy.
- 12.5 The Draft Policy must furthermore be read together with, and subject to, the applicable legislation. This is expressly confirmed in Section 7 of the Draft Policy, which states that the policy is intended to complement and not replace existing legislation or regulations and must be read in conjunction with the By-law, SPLUMA, the SPLUM Regulations and other relevant planning legislation.
- 12.6 Consequently, the policy cannot be interpreted as creating powers that are inconsistent with the By-law or SPLUMA, nor can it be interpreted as overriding statutory rights or procedural safeguards.

13. RESPONSE TO THE SPLUMA PRINCIPLES

- 13.1 The Municipality's position is that the Draft Policy is broadly consistent with the SPLUMA principles of spatial justice, spatial sustainability and efficiency. Standardised administrative and submission requirements are not intended to create barriers for ordinary property owners or developers, but rather to ensure consistency, transparency and sufficient information for proper assessment of applications.
- 13.2 While the Municipality recognises the importance of economic development and efficient processing, these considerations must be balanced with environmental integrity, infrastructure capacity, spatial planning objectives, public participation and compliance with other applicable legislation.
- 13.3 The pre-consultation and pre-scrutiny processes, together with standardised submission requirements, are intended to improve administrative certainty and reduce delays associated with incomplete or incorrectly submitted applications.
- 13.4 The Municipality further notes that statutory timeframes and processes contained in the applicable legislation and By-law remain applicable.
- 13.5 Importantly, the SPLUMA principles are not intended to be discussed or elaborated upon as substantive provisions of the Policy itself; rather, they are considered and applied as part of the assessment and evaluation of individual land use applications, in accordance with the applicable legislative and policy framework.

14. RESPONSE TO THE ALLEGATION/ COMMENT THAT THE POLICY IMPOSES DEADLINES ONLY ON APPLICANTS

14.1 The Chamber argues that every obligation in the Draft Policy falls on the applicant while the Municipality is not subjected to corresponding deadlines. The Municipality notes this concern. However, it is important to distinguish between:

- a) requirements relating to the submission and preparation of an application;
and
- b) statutory timeframes applicable to the Municipality once an application has been formally lodged and accepted.

14.2 The Draft Policy primarily addresses the first category. Its purpose is to establish the requirements that must be satisfied before and upon submission of a land use planning application. For example, the policy requires proof of payment, prescribed documentation and the required number and format of copies. It further provides that an application may not be accepted where the prescribed requirements have not been met.

14.3 These requirements are necessary because the Municipality cannot properly assess an application where the required information has not been provided.

15. RESPONSE TO THE PROPOSAL TO MAKE PRE-CONSULTATION OPTIONAL

15.1 The Chamber proposes that pre-consultation should only be mandatory for complex or high-impact applications and that routine applications submitted by registered professionals should proceed directly to formal submission.

15.2 The Municipality does not support this proposal in its current form.

15.3 The purpose of pre-consultation is not merely to assess the competence of the applicant or the professional representing the applicant. It enables the Municipality to determine the appropriate application type and identify the information and supporting documentation necessary for the particular application.

15.4 Land use applications vary significantly in complexity and may involve simultaneous or of applications, title deed conditions, environmental constraints,

servitudes, infrastructure considerations and other statutory requirements. So, to say, each application is assessed on its merits.

15.5 A blanket exemption for applications prepared by registered professionals could therefore result in inconsistent treatment and does not necessarily eliminate the need for municipal verification/assessment.

15.6 The Draft Policy accordingly provides that all applications lodged in terms of the By-law are subject to pre-consultation or pre-scrutiny.

16. RESPONSE TO THE PROPOSAL FOR "DEEMED APPROVALS" AND "DEEMED NON-OBJECTIONS"

16.1 The Chamber proposes that deemed approvals or deemed non-objections should apply where the Municipality fails to act within proposed timeframes. Section 106 of the By-law deals with matters relating to failure to deal with applications within the legislated time frames.

16.2 The Municipality does not support the introduction of deemed approvals through an operational policy. This will be illegitimate. SPLUMA does not make provision for the so called deemed approvals, and therefore this will be unlawful.

16.3 An operational policy adopted under Section 184(1) of the By-law cannot create substantive approval mechanisms that are not provided for in the enabling legislation (SPLUMA).

16.4 A deemed approval mechanism has significant legal and planning consequences and would need to be authorised by the applicable legislative framework. At the moment there is no planning legislation that provides for deemed approvals.

16.5 The Municipality therefore cannot accept a provision whereby the failure of a municipal official or department to act within an administrative timeframe automatically results in a land use right being granted.

16.6 This would be particularly problematic where applications involve public interest considerations, objections, environmental considerations, infrastructure capacity or other statutory approvals.

17. RESPONSE TO THE PROPOSAL FOR "AUTHORISED OFFICIAL" TO CONSIDER APPLICATIONS

- 17.1 The Chamber proposes that routine applications such as consolidations, building line relaxations and extensions of validity should be delegated to an Authorised Official rather than being referred to the Municipal Planning Tribunal. The Authorised Official is already considering applications like consolidation, building line relaxations, subdivisions and extension of validity for applications considered by the Authorised Official and other less complex applications.
- 17.2 The Municipality notes this proposal but does not consider the Draft Policy to be the appropriate instrument through which such delegation should be established.
- 17.3 The authority responsible for determining categories of land use applications is governed by the applicable By-law, delegations and Council resolutions. It is also important to note that there is Council resolution on the delegation and categorisation of applications considered by the Authorised Official and Municipal Planning Tribunal.
- 17.4 The policy cannot, by itself, alter the statutory or delegated authority of the Municipal Planning Tribunal or an Authorised Official.
- 17.5 Any proposal to revise delegations should therefore be considered separately in accordance with the applicable legislative and governance framework. As it is, there is a clear Council resolution on the delegation and categorisation of applications considered by the Authorised Official and Municipal Planning Tribunal.

18. RESPONSE TO CHANGES IN REQUIREMENTS DURING THE APPLICATION PROCESS

- 18.1 The Chamber expresses concern that the Draft Policy allows the Municipality to request additional information at any stage. The Municipality considers this provision necessary.
- 18.2 Land use planning applications are dynamic and may reveal material issues during assessment that were not apparent at the time of initial submission. At times, applicants do not reveal all information affecting the application, and therefore there is a need to request further information that allows the Municipality to make an informed and lawful decision. For example, an application may reveal an issues with environmental constraint, infrastructure

issue, road access concern or other material planning consideration that requires further information. Therefore, the Municipality should be able to request such information to make an informed decision. At times such request for further information is also requested to assist applicants, in cases where objections are raised and such further information may assist in addressing the concerns raised.

18.3 Section 89 of the By-law provides the legal basis for requesting additional information, and the Draft Policy expressly recognises this. It also provides that failure to provide requested information may result in the application not being accepted or considered and the application being closed.

18.4 The Municipality does, however, agree in principle that requests for additional information should be reasonable, relevant and linked to matters material to the assessment of the application.

19. RESPONSE TO PUBLIC PARTICIPATION REQUIREMENTS

19.1 The Chamber's submission does not adequately distinguish between administrative requirements imposed on applicants and the Municipality's statutory obligation to ensure meaningful public participation.

19.2 The Draft Policy specifically provides that land use applications must undergo an appropriate public participation process where rights or legitimate expectations may potentially be materially and adversely affected. It further provides that the extent of advertising must depend on the type, complexity and potential impact of the application.

19.3 The Municipality is required to ensure that persons potentially affected by development proposals are given an appropriate opportunity to participate.

19.4 The requirement that notices be vetted by the Municipality before advertising is therefore not merely an exercise of administrative control. It is intended to ensure that the public receives accurate and sufficient information regarding the application and that the prescribed statutory process is followed.

19.5 The policy further provides for additional participation mechanisms, including site notices, public meetings, local radio, open days, publication on the municipal website and obtaining letters of consent or objection where appropriate.

19.6 The Municipality accordingly considers the public participation provisions to be an important component of procedural fairness rather than an unnecessary administrative burden.

19.7 It must be noted that not all applications are advertised.

20. RESPONSE TO THE PROPOSED PROFESSIONAL-ONLY SUBMISSION REQUIREMENT

20.1 The Chamber proposes that certain application types should be reserved for registered professionals. The Municipality acknowledges the value of registered professionals in ensuring that applications are properly prepared. This will be looked into. However, at the moment it is not appropriate to the policy to include such provision.

20.2 The Municipality's focus is rather on establishing clear and objective requirements that enable applications to be assessed efficiently and consistently.

21. RESPONSE TO THE ECONOMIC DEVELOPMENT ARGUMENT

21.1 The Municipality accepts the general proposition that efficient land use planning administration contributes to economic development.

21.2 The Chamber argues that planning delays can defer investment, construction, employment, professional fees and future rates revenue. The Municipality agrees that these are legitimate considerations.

21.3 However, it must equally be recognised that the Municipality has a responsibility to ensure that development is appropriate, sustainable, properly serviced, consistent with municipal and other related policies and undertaken through a procedurally fair process.

21.4 Economic development and development facilitation cannot therefore be equated with the fastest possible approval of every application.

21.5 Sound planning processes must achieve appropriate balance between development facilitation; protection of property rights; public participation; environmental sustainability; infrastructure capacity; spatial planning objectives; procedural fairness; and the public interest. The Draft Policy is intended to provide the administrative framework through which this balance can be achieved.

22. RESPONSE TO THE PROPOSED NEW SECTION 1.3

- 22.1 The Chamber proposes the insertion of a new statement of purpose committing the Municipality to investor-friendly, time-bound, transparent and consistent processing.
- 22.2 The Municipality is generally supportive of the principle that the land use planning system should be transparent, consistent, efficient and investor friendly.

23. GENERAL RESPONSE TO THE COMMENTS

- 23.1 The Municipality does not regard the Draft Policy as a mechanism intended to restrict development or discourage investment.
- 23.2 Rather, the policy seeks to address a practical administrative need for a standardised process for the submission and public participation of land use planning applications.
- 23.3 Without clear submission requirements, applications may be submitted in different formats, with different levels of supporting information and without the necessary statutory approvals or documentation. This creates uncertainty for both applicants and the Municipality.
- 23.4 The Draft Policy therefore seeks to establish certainty at the front end of the process.
- 23.5 Importantly, the policy expressly provides that it is an administrative instrument and that it must be read together with the applicable legislation. It does not replace SPLUMA, the SPLUM Regulations, the Ndlambe Municipality Spatial Planning and Land Use Management By-law, the Land Use Scheme or other applicable legislation.
- 23.6 The Municipality consequently does not accept that the policy, when properly interpreted and implemented, constitutes an unlawful restriction on development rights.

24. CONCLUSION

- 24.1 It must be noted that no objections were received from Town Planners who undertake planning work in terms of the Planning Profession Act, 2002. In fact, the majority of Town Planners who regularly submit land use applications to the Ndlambe Municipality are not opposed to the Policy. On the contrary, the Policy

is generally viewed as a measure that will assist in streamlining the application process, promoting consistency and improving administrative efficiency in the processing of land use applications.

- 24.2 The Municipality appreciates the Chamber of Business and Professionals' engagement with the Draft Policy and acknowledges the importance of continuously improving the efficiency of the land use planning system.
- 24.3 The Municipality agrees that land use planning administration should be transparent, consistent, efficient and responsive to the needs of applicants and the broader community.
- 24.4 However, the Municipality does not accept the proposition that the Draft Policy is fundamentally inconsistent with SPLUMA or that it has been designed primarily as a control mechanism.
- 24.5 The policy was developed to provide a uniform and standardised administrative process for land use planning applications, including submission requirements, pre-consultation, pre-scrutiny, public participation and supporting documentation.
- 24.6 The policy expressly recognises the constitutional and legislative basis of municipal planning and expressly provides that it must be read together with SPLUMA, the SPLUM Regulations, the By-law and other relevant legislation.
- 24.7 The Municipality remains committed to improving the efficiency of its land use planning system while ensuring that applications are processed lawfully, consistently, transparently and in a manner that protects both development interests and the broader public interest.



KHOLOFELO RADINGOANA
MANAGER: TOWN PLANNING

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 FROM THE
MUNICIPAL MANAGER TO COUNCIL: REPORT ON
REVIEW OF HUMAN RESOURCES POLICIES**

ANNEXURE C.14

NDLAMBE MUNICIPALITY CORPORATE SERVICES



DISCIPLINE/LABOUR RELATIONS POLICY

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DISCIPLINE/LABOUR RELATIONS POLICY

1. PREAMBLE

The Municipality conforms to the law and good governance that discipline is to be applied fairly, consistently, progressively and promptly. The principles of natural justice and fair procedure shall be adhered to notwithstanding any criminal and / or civil action having been instituted.

2. PURPOSE

The purpose of this policy is to establish a uniform standard for management of discipline in the Municipality. The application is therefore mandatory as a condition of service. If there is a contradiction with the collective agreement, the collective agreement will take precedence.

3. SCOPE

This policy applies to all employees of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act 108 of 1996
- Municipal Systems Act 32 of 2000
- Municipal Structures Act 117 of 1998
- Local Government: Regulations on appointment and conditions of employment of senior managers, dated 17 January 2014
- Local Government: Municipal Staff Regulations, 2016 (issued in terms of Section 72, read with Section 120 of the Municipal Systems Act 32 of 2000)
- Local Government: Guidelines for the Implementation of the Municipal Staff Regulations, 2016 (issued in terms of Section 72, read with Section 120 of the Municipal Systems Act 32 of 2000)
- Municipal Finance Management Act 56 of 2003
- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Skills Development Act 97 of 1998
- Arbitration Act 42 of 1965
- Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014
- Public Administration Management Act 11 of 2014
- National Anti-Corruption Strategy 2020-2030

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the applicable legislation, or as defined and / or explained in the Glossary of the Human Resources Policies Manual.

6. PROBLEM STATEMENT

Discipline goes to the heart of the employment relationship and this policy does not replace the Collective agreement on Disciplinary Procedure but compliments it.

7. POLICY PROVISIONS

7.1 *Principles of disciplinary code and its application*

7.1.1 The purpose of the disciplinary code in the Municipality is to –

7.1.1.1 promote constructive, orderly and safe conduct in the workplace

7.1.1.2 regulate discipline in a manner that is both substantively and procedurally fair

7.1.1.3 promote certainty and consistency in the application of discipline

7.1.1.4 establish principles, standards and procedures to be followed in order to address any misconduct; and

7.1.1.5 encourage staff to adhere to the appropriate standards of conduct required of them by providing for progressive and corrective action.

7.1.2 It is the responsibility of every staff member to abide by the code of conduct and rules of discipline applicable to staff members.

7.1.3 Discipline is a management function and supervisors are responsible for the Management of discipline within their place of work.

7.1.4 Discipline is a corrective measure and not a punitive one.

- 7.1.5** The Municipality shall take all reasonable steps to ensure that discipline is applied in a prompt, fair, consistent and progressive manner.
- 7.1.6** If a staff member commits misconduct that is also a criminal offence, the criminal procedure and the disciplinary procedure will continue as separate and different proceedings and the disciplinary action shall not be halted due to pending external criminal actions against the staff member alleged to have committed the misconduct.
- 7.1.7** The nature and severity of the staff member's alleged misconduct determines the nature and extent of the disciplinary action.
- 7.1.8** Management shall, if appropriate, correct and seek to improve conduct in the normal course of work. If there is a serious infringement or repeated misconduct, formal disciplinary procedures shall be invoked.
- 7.1.9** Disciplinary procedures shall be fair, which means that as a minimum –
- 7.1.9.1** the staff member shall be notified of the allegations using a form and language that the staff member can understand
 - 7.1.9.2** the staff member shall be allowed an opportunity to state a case in response to the allegations, and if the staff member is found to have committed misconduct, to state a case concerning an appropriate sanction
 - 7.1.9.3** the staff member shall be afforded a reasonable time to prepare a response, depending on the nature and complexity of the allegations
 - 7.1.9.4** the staff member shall be entitled to representation by a fellow staff member or a trade union representative during a disciplinary process; and
 - 7.1.9.5** the Municipality shall give the staff member written notification of and reason for the decision after the hearing.
- 7.1.10** The disciplinary code and procedure apply to conduct off the Municipality's premises or outside of working hours which may have an effect on the employment relationship or on the operation of the Municipality.

7.2 *Disciplinary measures*

7.2.1 Forms of disciplinary measures

The application of discipline may take any of the following forms, depending on the circumstances of the particular case, the frequency and the severity of the misconduct:

7.2.1.1 corrective counselling

7.2.1.2 verbal warning

7.2.1.3 written warning

7.2.1.4 final written warning

7.2.1.5 suspension without pay

7.2.1.6 transfer

7.2.1.7 demotion; and

7.2.1.8 dismissal.

7.2.2 Corrective counselling

If the seriousness of the misconduct warrants corrective counselling, the staff member's supervisor shall –

7.2.2.1 convene a meeting with the staff member and his or her representative

7.2.2.2 inform the staff member of the misconduct and the rule or standard that the staff member is required to comply with

7.2.2.3 give the staff member or that member's representative an opportunity to respond to the allegation or allegations

7.2.2.4 decide on a course of action to correct the misconduct; and

7.2.2.5 place a note of the corrective counselling arising from this process on the staff member's personnel file.

7.2.3 Verbal warning

7.2.3.1 If the seriousness of the misconduct warrants a verbal warning, the staff member's supervisor shall, after considering the representations of the staff member, give the staff member a verbal warning.

7.2.3.2 The staff member may be represented by a fellow staff member or trade union representative in this process.

7.2.3.3 The verbal warning shall be valid for three months.

7.2.3.4 The purpose of the verbal warning is to –

- a.** inform the staff member of the misconduct and the rule or standard that the staff member is required to comply with; and
- b.** correct the staff member's conduct.

7.2.3.5 A note recording the nature of the verbal warning and its date of issue shall be kept in the staff member's personnel file, even after expiry of the warning, in order to serve as a record of the staff member's disciplinary history, and not in disciplinary proceedings.

7.2.4 Written warning

7.2.4.1 If the seriousness of the misconduct warrants a written warning, the staff member's supervisor shall, after considering the representations of the staff member, issue him or her with a written warning.

7.2.4.2 The staff member may be represented by a fellow staff member or trade union representative in this process.

7.2.4.3 The written warning shall be in accordance with the prescribed form.

7.2.4.4 The written warning shall remain in effect for six months from the date of issue.

7.2.4.5 A copy of the written warning shall be kept in the staff member's personnel file, even after expiry of the warning, in order to serve

as a record of the staff member's disciplinary history, and not in disciplinary proceedings.

7.2.4.6 The supervisor shall give a copy of the written warning to the staff member, who shall sign receipt of the written warning.

7.2.4.7 If the staff member refuses to sign receipt of the written warning, the manager shall hand the warning to the staff member in the presence of a witness, and the manager and witness shall sign the warning in confirmation that it was given to the staff member.

7.2.4.8 If during the six-month validity period of the warning, the staff member is subjected to disciplinary action, the written warning may be taken into account in deciding an appropriate sanction.

7.2.5 Final written warning

7.2.5.1 If the seriousness of the misconduct warrants a final written warning, the manager shall, after considering the staff member's representations, give the staff member a final written warning.

7.2.5.2 The staff member may be represented by a fellow staff member or trade union representative in this process.

7.2.5.3 The final written warning shall be in accordance with the prescribed form.

7.2.5.4 The final written warning shall remain in effect for 12 months from the date of issue.

7.2.5.5 A copy of the final written warning shall be kept in the staff member's personnel file, even after expiry of the warning, in order to serve as a record of the staff member's disciplinary history, and not in disciplinary proceedings.

7.2.5.6 The supervisor shall give the staff member a copy of the final written warning, who shall sign receipt of the final written warning.

7.2.5.7 If the staff member refuses to sign receipt of the final written warning, the manager shall hand the warning to the staff member in the presence of a witness, and the manager and witness shall sign the warning in confirmation that it was given to the staff member.

7.2.5.8 If during the twelve-month validity period of the warning the staff member is subjected to disciplinary action, the final written warning may be taken into account in deciding an appropriate sanction.

7.2.6 Suspension without pay

Suspension without pay is a sanction that may be imposed by the presiding officer of a disciplinary hearing, for a maximum of 10 day spread for three months if –

7.2.6.1 dismissal is justified, but there are mitigating circumstances warranting a sanction less than dismissal

7.2.6.2 the staff member agrees to this sanction as an alternative to dismissal

7.2.6.3 together with the suspension, the staff member is issued with a final written warning valid for 12 months.

7.2.7 Transfer or demotion

A transfer or a demotion is a sanction that may be imposed by the presiding officer of a disciplinary hearing if –

7.2.7.1 dismissal is justified, but there are mitigating circumstances warranting a sanction less than dismissal

7.2.7.2 the staff member agrees to either the transfer or demotion as an alternative to dismissal; and

7.2.7.3 in addition to the transfer or demotion, the staff member is issued with a final written warning valid for 12 months.

7.2.8 Dismissal

7.2.8.1 Dismissal shall be imposed by the presiding officer of a disciplinary hearing if –

- a. the misconduct is of such a serious nature that it has resulted in the employment relationship having broken down or its continuation having been rendered intolerable; or
- b. the misconduct would not ordinarily result in dismissal, but when considered together with the staff member's previous

verbal warning, written warning or final written warning, irrespective of whether they are related to the latest misconduct, has resulted in the employment relationship having broken down or its continuation having been rendered intolerable.

7.2.8.2 Dismissal may be with or without payment in lieu of notice, depending on the seriousness of the misconduct.

7.3 *Precautionary suspension*

7.3.1 As precautionary measure, the Municipality shall suspend a staff member on full pay pending the outcome of an investigation or disciplinary hearing if –

7.3.1.1 the Municipality has a justifiable reason to believe that the staff member has engaged in serious misconduct, which may lead to the staff member's dismissal

7.3.1.2 the Municipality has an objectively justifiable reason to deny the staff member access to workplace based on the Collective Agreement.

7.3.2 Relevant factors may include the safety of staff and other persons, and the possibility of interference with witnesses and electronic or written documents.

7.3.3 This shall be made in line with the SALGBC Disciplinary Procedure Collective agreement.

7.3.3.1 .

7.3.4 The staff member may be represented by a fellow employee or trade union representative in this process.

7.3.5 A precautionary suspension is valid for a maximum of three months and may be extended.

7.3.6 Despite clause 7.3.3 –

7.3.6.1 if a disciplinary hearing has not been convened within the a reasonable time period, the Municipal Manager may extend the suspension on full pay for a further.

7.3.6.2 if a disciplinary hearing has been convened, the suspension is automatically extended on full pay until the end of the disciplinary hearing.

7.3.7 A staff member placed on precautionary suspension may refer any dispute about an alleged unfair suspension to the bargaining council or the CCMA or any court of law which has jurisdiction to hear the matter.

7.4 *Disciplinary hearing*

7.4.1 Timing of disciplinary hearing

7.4.1.1 Although it is recognised that investigations into some forms of misconduct may take longer than others, the Municipality shall, as a general rule, hold the disciplinary hearing as soon as is reasonably practicable after becoming aware of the misconduct.

7.4.1.2 Any allegation of misconduct shall be brought to the attention of the Municipal Manager. If there is reasonable cause to believe that an act of misconduct has been committed by the staff member, the Municipal Manager or his/ her delegate shall, appoint an independent investigator to investigate the allegation(s) of misconduct.

7.4.1.3 The investigator appointed in terms of clause 7.4.1.2 shall act within the confines of the DCPCA.

7.4.1.4 The disciplinary hearing must be concluded within three months of the decision to institute disciplinary action.

7.4.2 Financial misconduct procedures

Notwithstanding anything to the contrary herein, disciplinary procedures and investigations involving financial misconduct shall be conducted in terms of the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014.

7.4.3 Notice to attend disciplinary hearing

7.4.3.1 The Municipality shall give the staff member at least seven days' notice of the disciplinary hearing. However, where the relevant disciplinary charges are serious and complex, the Municipality shall consider an extension of the seven-day period as aforesaid.

7.4.3.2 The notice to attend the disciplinary hearing shall be as per the prescribed form.

7.4.3.3 If the staff member alleged to have committed an act of misconduct refuses to acknowledge receipt of the notice, the staff member shall be handed the notice in the presence of a witness, and the person who handed the notice to the staff member and the witness shall sign a copy of the notice in confirmation that it was given to the staff member.

7.4.3.4 Notwithstanding clause 7.4.3.3, the Municipality may, for the purpose of disciplinary proceedings contemplated in this policy and for the purpose of giving any notice contemplated herein, give a staff member notice to attend a disciplinary hearing by sending a notice in writing to the address, including the fax number and email address if applicable, as provided by the staff member, which address the staff member elect to use as his or her chosen domicilium citandi et executandi (i.e., place where legal notices can be served on them).

7.4.3.5 Any notice given in terms of this policy shall be in writing and be deemed to have been received –

- a. on the date of delivery if delivered by hand during normal business hours
- b. on the seventh day or extended period contemplated in clause 7.4.3.1 following posting if posted by either pre-paid registered post or ordinary mail, as the case may be
- c. on the date appearing on the transmission report generated by the fax machine if sent by fax; or
- d. on the date of transmission if sent by electronic mail.

7.4.3.6 Any written notice received shall be adequate written notice.

7.4.3.7 For purposes of this policy, a staff member who changes his or her address to another physical address in the Republic of South Africa shall do so by giving fourteen day written notice to the Municipality.

7.4.3.8 A staff member who receives a notice to attend a disciplinary hearing shall be entitled to resign from the Municipality or to retire, if eligible, in terms of retirement fund rules, provided that:

- a. the staff member does so prior to the handing down of a determination;
- b. the staff member consents in writing to the deductions of all and any amounts owing by him / her to the Municipality from any monies payable to him / her by the Municipality (including but not limited to retirement fund monies) arising out of or in connection with his / her resignation or retirement; and
- c. the disciplinary hearing does not proceed.

7.4.4 Disciplinary action against trade union representative, official or office-bearer

If the staff member alleged to have committed an act of misconduct is a trade union representative or an office-bearer or official of a trade union, the Municipality shall notify the trade union and consult with the trade union before the disciplinary hearing commences.

7.4.5 Non-attendance or postponement of disciplinary hearing

7.4.5.1 A disciplinary hearing may be postponed only if there is valid and sufficient reason for the postponement.

7.4.5.2 If the staff member refuses or fails to attend the disciplinary hearing without good cause, and the presiding officer is satisfied that the staff member was duly notified of the date, time and place of the disciplinary hearing, the hearing may continue in his or her absence.

7.4.6 Record of disciplinary hearing

7.4.6.1 The Municipality shall electronically record the hearing.

7.4.6.2 A staff member charged with an act of misconduct is entitled to a copy the recording.

7.4.7 Initiator

The Municipality shall appoint an initiator to present its case at the disciplinary hearing.

7.4.8 Presiding officer

7.4.8.1 The Municipality shall appoint a presiding officer to chair the disciplinary hearing.

7.4.8.2 The presiding officer shall be objective and may not have been involved in the matter prior to the hearing.

7.4.8.3 In the event that the presiding officer is also a staff member of the Municipality, he or she shall be employed at least one level higher than both the staff member who is alleged to have committed misconduct and the initiator.

7.4.8.4 The presiding officer may not confer, consult or have contact with any of the parties or their representatives on any aspect of the case.

7.4.8.5 The staff member may, upon good cause shown, apply for the recusal of the presiding officer.

7.4.8.6 The Municipality may, where appropriate, appoint an external independent presiding officer to chair the disciplinary hearing.

7.4.8.7 The presiding officer's role is to –

- a. chair the disciplinary hearing in a fair, diligent and impartial manner, granting the parties sufficient opportunity to make their representations
- b. make the staff member alleged to have committed misconduct aware of the allegation or allegations of misconduct and his or her rights
- c. make written findings based on the evidence presented
- d. make interim determinations or rulings as may be deemed necessary

- e. propose compromises and/or settlements in disposal of the whole or a portion of the charges with the consent of the parties
- f. ratify any written plea agreement entered into by the parties at any stage of the hearing; and
- g. if necessary –
 - i. decide upon an appropriate sanction
 - ii. advise the staff member of the sanction
 - iii. afford the staff member alleged to have committed a misconduct and the initiator sufficient opportunity to present mitigating and aggravating circumstances; and
 - iv. complete the necessary documentation.

7.4.8.8 The determination of the presiding officer shall not be altered by the Municipal Manager or any other governing structure of the Municipality and shall be final and binding on the Municipality except as otherwise permitted by law.

7.4.9 Representation at disciplinary hearing

7.4.9.1 A staff member is entitled to be represented at a disciplinary hearing by a fellow staff member or a trade union representative.

7.4.9.2 In a disciplinary hearing, neither the Municipality nor the staff member may be represented by a legal practitioner unless an application is made.

7.4.10 Legal costs

A staff member represented by a legal practitioner shall bear the costs of his or her legal practitioner.

7.4.11 Conducting a disciplinary hearing

7.4.11.1 The presiding officer shall –

- a. confirm that the staff member alleged to have committed a misconduct understands his or her rights as set out in the Notice to Attend a Disciplinary Hearing, as per the prescribed form
- b. read out the allegation(s) of misconduct and confirm that the staff member understands these allegations
- c. grant the staff member or his or her representative an opportunity to state whether the staff member accepts or rejects all or part of the misconduct allegations; and
- d. provide the initiator and the staff member or his or her representative –
 - i. with sufficient time to motivate their cases, which may include, where appropriate, the calling of witnesses
 - ii. access to all relevant documents or items produced as evidence
 - iii. an opportunity to question the witnesses; and
 - iv. the opportunity to summarise their cases at the end of the proceedings.

7.4.11.2 During the hearing, the presiding officer may –

- a. question any of the witnesses in the hearing; and
- b. call any witnesses that he or she believes are necessary to resolve a matter in dispute.

7.4.11.3 The presiding officer shall –

- a. make his or her findings in writing within five days of the conclusion of the hearing on the merits of the matter and the findings; and
- b. in his or her report summarise the relevant evidence and the grounds on which the findings were made.

7.4.11.4 In evaluating whether the staff member has committed the misconduct the presiding officer shall consider –

- a. whether the staff member contravened a rule or standard regulating conduct in, or of relevance to, the workplace; and
- b. if the rule or standard was contravened, whether or not –
 - i. the rule was valid or reasonable
 - ii. the staff member was aware, or could reasonably be expected to have been aware of the rule or standard; and
 - iii. the rule or standard has been consistently applied by the Municipality.

7.4.11.5 The initiator shall have the duty to begin and shall bear the onus of proving each and every allegation of misconduct as set out in the notice of misconduct on a balance of probabilities.

7.4.11.6 If the staff member is found to have committed the misconduct, the initiator and staff member or his or her representative may lead evidence and make submissions in mitigation or aggravation of the sanction, as the case may be.

7.4.11.7 In determining the appropriate sanction, the presiding officer shall, in order to ensure consistency, have regard to the Municipality's approach to discipline in similar matters.

7.4.11.8 The presiding officer's decision with regard to the sanction shall be made in writing within five days of the conclusion of the hearing.

7.4.11.9 If the sanction is a summary dismissal, the staff member's date of dismissal is the date on which the sanction is delivered.

7.5 Referral of disputes

If a staff member is dissatisfied with the result of the disciplinary hearing and/or appeal hearing or the fairness of the procedure adopted at the hearing or both, the staff member may in terms of the Labour Relations Act refer the dispute to the appropriate forum which has jurisdiction to hear the matter.

7.6 *Pre-dismissal arbitration*

- 7.6.1** Despite the provisions of this policy, the Municipality may, with the consent of the staff member, request the CCMA to conduct an arbitration into allegation(s) of misconduct or poor performance against a staff member as provided for under section 188A of the Labour Relations Act.
- 7.6.2** The decision of the arbitrator appointed in terms of clause 7.6.1 shall be final and binding and only subject to review by the Labour Court.
- 7.6.3** The Municipality shall bear the costs of the arbitrator if it converts a disciplinary hearing into a pre-dismissal arbitration.
- 7.6.4** Despite the provisions of this policy, the Municipality and the staff member may agree, in writing, to convert a disciplinary hearing into a private pre-dismissal arbitration and to conduct the arbitration in terms of an arbitration agreement as contemplated in the Arbitration Act, 1965.

7.7 *Disciplinary action in case of protected disclosures*

No disciplinary action may be taken against a staff member who has made a protected disclosure in terms of the Protected Disclosures Act, 2000 (Act No. 26 of 2000) if no investigation or disciplinary process was in progress prior to the staff member having made the protected disclosure unless such proposed disciplinary action has been submitted to the MEC for local government for review and approval.

7.8 *Appeal*

- 7.8.1** The staff member has the right to appeal against any disciplinary finding and/or sanction, which has been given at a disciplinary hearing. The staff member may waive the right to an appeal and proceed to refer a dispute as provided for in the Labour Relations Act.
- 7.8.2** An appeal shall be lodged on the prescribed form within seven (7) days of receipt of written notification of the findings sanction of the disciplinary hearing. However, the presiding officer may condone any late application for an appeal on good cause shown.

7.8.13 The disciplinary appeal hearing shall be conducted expeditiously and with the minimum legal formalities and provided that the standards of procedural fairness are complied with.

7.8.14 The presiding officer of the disciplinary appeal hearing shall consider whether the finding and sanction imposed by the disciplinary hearing were fair and correct and shall be entitled to make whatsoever order the presiding officer deems fair and reasonable in the circumstances.

7.8.15 The presiding officer of the disciplinary appeal hearing shall make the determination in writing, within ten (10) days from the last day of the hearing of the appeal and provide a copy of the determination to the Municipal Manager or his/ her delegate and the staff member or his/ her representative.

7.8.16 The determination of the presiding officer of the disciplinary appeal hearing shall not be altered by the Municipal Manager or any other governing structure of the Municipality and shall be final and binding on the Municipality except as otherwise permitted by law.

7.9 *Types of disciplinary offences / misconduct*

The list below is a guideline only and is not intended to be an exhaustive list of possible disciplinary offences. A staff member shall be guilty of misconduct if he or she –

7.9.1 absents himself or herself from duty without leave

7.9.2 without written approval from the Municipality, performs work for compensation in a private capacity for another person or organisation either during or outside working hours

7.9.3 while on duty, conducts himself or herself in an improper, disgraceful and unacceptable manner

7.9.4 demonstrates any rude, abusive, insolent, provocative, intimidating or aggressive behaviour to a fellow staff member

7.9.5 participates, either individually or with others, in any form of action, which will have the effect of disrupting the operations of the Municipality, other than actions contemplated by the Labour Relations Act

- 7.9.6** wrongfully discloses privileged information
- 7.9.7** while on duty, is under the influence of intoxicating, illegal, unauthorised, habit-forming or stupefying drugs, including alcohol
- 7.9.8** displays disrespect towards others in the workplace or displays abusive or insolent behaviour
- 7.9.9** intimidates or victimises fellow staff members
- 7.9.10** prevents other staff members from belonging to any trade union or body
- 7.9.11** without permission, possesses or wrongfully uses the property of the Municipality or that of another staff member or a visitor
- 7.9.12** fails to comply with or contravenes any Act of Parliament, regulation or legal obligation relating to the employment relationship
- 7.9.13** bribes or commits a financial misconduct, fraud or corruption
- 7.9.14** wilfully, intentionally or negligently damages or causes loss of Municipal property
- 7.9.15** endangers the lives of himself or herself or others by disregarding safety rules or regulations
- 7.9.16** prejudices the administration, discipline or efficiency of the Municipality, office or institution of the Municipality
- 7.9.17** misuses his or her position in the Municipality to promote or to prejudice the interest of any political party
- 7.9.18** accepts any compensation in cash or otherwise from a member of the public or another staff member for performing his or her duties without written approval from the Municipal Council
- 7.9.19** fails to carry out a lawful instruction without just or reasonable cause
- 7.9.20** derelicts his or her duties, absents or repeatedly absents himself or herself from work without reason or prior permission

7.9.21 commits an act of sexual harassment

7.9.22 unfairly discriminates against others on the basis of race, gender, disability, pregnancy, marital status, ethnic and social origin, colour, sexual orientation, age, religion, conscience, belief, culture, language, birth, family responsibility, HIV status, political opinion or other grounds prohibited by the Constitution

7.9.23 performs poorly or inadequately for reasons other than incapacity

7.9.24 contravenes the Code of Conduct for Municipal Staff Members contained in Schedule 2 of the Municipal Systems Act

7.9.25 assaults, or attempts or threatens to assault, another staff member or person while on duty

7.9.26 incites other Municipal staff to engage in un-procedural and unlawful conduct

7.9.27 operates any money lending scheme for staff members for his or her own benefit during working hours or from the premises of the Municipality

7.9.28 carries or keeps a firearm or other dangerous weapon on Municipal premises, without the written authorisation of the Municipality

7.9.29 refuses to obey security regulations

7.9.30 gives false statements or evidence in the execution of his or her duties

7.9.31 falsifies records or any other documentation

7.9.32 participates in un-procedural, unprotected or unlawful industrial action

7.9.33 fails or refuses to follow a formal programme of counselling contemplated in this policy; or

7.9.34 commits a common law or statutory offence while on Municipal premises.

7.10 Roles and responsibilities

7.10.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.10.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 Non-compliance to the stipulations contained in this policy shall be regarded as misconduct, which shall be dealt with in terms of the Code of Conduct.

8.2 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

NDLAMBE MUNICIPALITY CORPORATE SERVICES



SKILLS DEVELOPMENT POLICY

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1. PREAMBLE

A skills development policy aligned to the Municipality's goals affords opportunities to benefit from better co-ordination and alignment of development initiatives. The Municipality commits to provide skills development to all employees on an equal opportunity basis.

2. PURPOSE

The purpose of this policy is:

- 2.1** To ensure that skills development occur in a coherent and structured manner
- 2.2** To provide clear alignment of the strategic plan, National Skills Development Strategy, and other internal Human Resource policies
- 2.3** To facilitate access to appropriate skills development
- 2.4** To support personal development plans and career development
- 2.5** To support the Municipality's succession planning
- 2.6** To promote and facilitate participation of unemployed learners in learnerships

3. SCOPE

This policy applies to all employees of the Municipality, learners in cases of learnership programmes for students who are not employees, and interns, where applicable.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act 108 of 1996
- Municipal Systems Act 32 of 2000
- Municipal Structures Act 117 of 1998
- Local Government: Regulations on appointment and conditions of employment of senior managers, dated 17 January 2014
- Local Government: Municipal Staff Regulations, 2016 (issued in terms of Section 72, read with Section 120 of the Municipal Systems Act 32 of 2000)
- Local Government: Guidelines for the Implementation of the Municipal Staff Regulations, 2016 (issued in terms of Section 72, read with Section 120 of the Municipal Systems Act 32 of 2000)
- Municipal Finance Management Act 56 of 2003
- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Skills Development Act 97 of 1998

- Occupational Health and Safety Act 85 of 1993
- Skills Development Levies Act, No. 9 of 1999
- National Skills Development Strategy
- National Qualifications Framework

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the applicable legislation, or as defined and / or explained in the Glossary of the Human Resources Policies Manual.

6. PROBLEM STATEMENT

The municipality strives to be the hub of skill development and envisage to retain skills developed.

7. POLICY PROVISIONS

7.1 Principles of skills development

7.1.1 Skills development shall –

- 7.1.1.1** support the achievement of the Municipality's goals set out in the Integrated Development Plan by providing critical skills that ensure the delivery of quality services
- 7.1.1.2** promote the development and retention of competent Municipal staff, including the development of technical, professional and specialist staff who have the required qualifications and skills
- 7.1.1.3** support the employment equity objectives of the Municipality
- 7.1.1.4** be based on high quality provision and effective workplace learning and development practices, including coaching, mentoring, on-the-job learning and opportunities for the practical application of skills in the workplace
- 7.1.1.5** seek to continuously improve its results and the returns on learning investments, by defining measures of success, conducting regular evaluations and improving the impact of learning, training and development; and
- 7.1.1.6** be designed to support and reinforce other capacity building programmes in the Municipality.

- 7.1.2** A staff member shall take responsibility for his or her development and own career growth.

7.1.3 The Municipality shall support its staff members by –

- 7.1.3.1** clarifying the skills required for jobs, identifying relevant skills needs and developing opportunities to satisfy the skills needs
- 7.1.3.2** identifying new skills and knowledge required by staff to support their career growth and progression
- 7.1.3.3** creating learning opportunities that will allow their staff to develop the skills and expertise to enable them to compete effectively for placement in new or vacant posts; and
- 7.1.3.4** allocating responsibilities to senior managers and supervisors to promote career development and to conduct career development consultations with staff members.

7.1.4 The skills development process shall involve planning, skills assessment, implementation, and review.

7.2 Skills development planning

7.2.1 Alignment to strategic planning cycles

The determination of Municipal skills needs, priorities and budgets shall be –

- 7.2.1.1** developed once every five years at the commencement of the integrated development planning process, and shall be reviewed annually thereafter; and
- 7.2.1.2** aligned to the strategic planning cycles associated with the –
 - a.** Integrated Development Plan
 - b.** Municipal budget
 - c.** human resource planning; and
 - d.** performance management cycle.

7.2.2 Determination of skills needs

Skills needs in the Municipality shall be determined by conducting –

- 7.2.2.1** skills needs analysis, in which the Municipality shall identify skill needs at Municipal and department levels based on critical roles and job categories and associated competencies; and
- 7.2.2.2** a staff skills audit, which shall identify skills needs for each staff member based on specific competency needs associated with current roles and future career aspirations.

7.2.3 Skills needs analysis

- 7.2.3.1** The Municipality shall conduct a skills needs analysis that analyses the Municipality's skills needs and assesses the skills constraints on service delivery in the Municipality as a whole and in each department or function.
- 7.2.3.2** The skills needs analysis shall identify the priority skills needs, which if effectively developed, will have a marked impact on the Municipality's performance.
- 7.2.3.3** The process of identifying the skills needs shall –
 - a.** be guided by the critical and scarce skills lists for the sector published by the Minister for Higher Education and Training and the Local Government: Competency Framework for Occupational Streams as contained in Annexure A of the Municipal Staff Regulations.
 - b.** take into account the related institutional capacity needs and workplace skills plan of the Municipality; and
 - c.** cover all major roles in the Municipality, including –
 - i.** management and leadership roles that –
 - (1)** require strategic and analytical functions
 - (2)** involve a relatively high degree of discretionary decision-making
 - (3)** have a relatively high level of risk associated with decisions made; or
 - (4)** require long lead times (2+ years) to develop the qualifications and a further time (3+ years) to develop the experience required to be able to perform competently.
 - ii.** technical, specialist, professional and administrative roles; and

iii. specified priority skills needs.

7.2.3.4 The skills needs analysis shall be based on –

- a. a strategic evaluation of skills needs that have constrained the service delivery and performance of the Municipality and each of its departments or functions in the current year
- b. a review of community feedback information and an assessment as to whether a lack of skills has contributed to the shortcomings in respect of service delivery
- c. a review of the effectiveness of the implementation of previous priority skills development programmes and interventions; and
- d. an analysis of individual staff member personal development plans to identify common skills needs across job categories.

7.2.4 Staff skills audit

7.2.4.1 The Municipality shall conduct a skills analysis using programmes or systems determined by the Minister to ascertain the skills needs of staff members in respect of their current roles.

7.2.4.2 A skills audit may comprise –

- a. biographical audits, which includes information on the educational qualifications and experience of the staff member
- b. perception based assessments; and
- c. evidence based assessments, including assessments using psychometric instruments.

7.2.5 Personal development plans

7.2.5.1 Every staff member where possible shall have a personal development plan that sets out the strategies to –

- a. address the staff member's development needs and specific skills to be developed for their current roles arising from the skills audit, as well as the learning interventions required to build these skills; and

- b. develop new skills and provide exposure to new areas of work, which are linked to the realistic career aspirations of and opportunities available to the staff member.
- c. Staff members opting not to participate in this programme (PDP and Skill Audit) shall not be prioritised for training.

7.2.5.2 The personal development plan shall take account of the skills audit and the implementation of the performance management system.

7.2.5.3 No staff member shall undergo training unless –

- a. the training is contained in personal development plan of the staff member; or
- b. the Municipal Manager or his or her delegate approves the training intervention.

7.2.6 Workplace skills plan

7.2.6.1 The Municipality shall, in consultation with the trade unions, develop a workplace skills plan arising from the outcomes of institutional skills needs analysis and the individual skills audits.

7.2.6.2 The workplace skills plan shall include –

- a. the priority skills needs for the Municipality and each department or function;
- b. the associated interventions that the Municipality intends conducting; and
- c. an aggregation of the learning and development initiatives from staff personal development plans.

7.2.6.3 The workplace skills plan shall be included in the Municipality's Integrated Development Plan.

7.2.7 Discretionary grants

The Municipality shall make use of discretionary grants to fund the development of critical and scarce skills that coincide with the published lists of critical and scarce skills or roles of the LGSETA or the Department of Higher Education and Training.

7.2.8 Budgeting for skills development

7.2.8.1 The Municipality shall establish a skills development budget that provides funding for the priority skills needs identified in the workplace skills plan.

The sources of funding for priority learning interventions

shall be –

- a. the Municipality's dedicated training budget from own budget
- b. the grants available from the LGSETA on approval of the workplace skills plan and resulting from discretionary grant submissions; and
- c. additional funding available for skills development for the Municipality from provincial and national government.

7.2.9 Recognition of prior learning assessment

7.2.9.1 Recognition of prior learning assessment determine a staff member's skills and knowledge acquired through formal or informal training conducted by industry or educational institutions, work experience and on-the-job training.

7.2.9.2 Recognition of prior learning assessment shall be conducted –

- a. by service providers that are accredited by the relevant Education and Training Quality Assurance Body; and
- b. in line with the provisions of the National Qualifications Framework established in terms of the National Qualifications Framework Act.

7.3 Implementing skills development

7.3.1 Types of skills development programmes

The Municipality shall focus on developing priority skills through –

7.3.1.1 structured learning programmes, which shall include learnerships, apprenticeships, technicians-in-training programmes, and graduates-in-training programmes

7.3.1.2 structured on-the-job learning and development, which may include –

- a. professional coaching of staff members by an external or internal expert coach where such capacity exists
- b. coaching of staff by supervisors, including guiding a staff member to develop new skills

- c. mentoring staff to master technical, professional or specialist roles, which may include pairing a staff member with an expert for a period of time
- d. the creative allocation of work to accelerate learning, including –
 - i. allocating staff members to a specific project
 - ii. seconding a staff member to another department or work area to increase the staff member's exposure to other work processes and systems
 - iii. increasing the responsibilities allocated to a staff member
 - iv. rotating staff through the full range of activities of a particular process or department; and
 - v. work shadowing, where a staff member is given the opportunity to observe a more senior professional or manager at work enabling the staff member to understand more complex and challenging roles in a structured and secure manner; and

7.3.1.3 professional development programmes.

7.3.2 Succession planning

The Municipality shall develop future leaders in order to ensure seamless succession of competent leaders, as follows:

- #### **7.3.2.1** Carry out a potential staff member search and matching through -
- a. nomination of staff members who are considered for succession planning, ensuring representation of qualified women, Black people, and employees with disabilities
 - b. nomination criteria that include staff member who –
 - i. show an interest to be nominated
 - ii. are able to work without supervision
 - iii. show a commitment to deliver beyond what is required
 - iv. display consistent high performance in their duties, in attaining targets, and with a rating scored at outstanding level; and

- v. demonstrate potential to operate at a high level

7.3.2.2 Create a succession pool of staff members who demonstrate desirable values, behaviour and competencies to be potential successors, and -

- a. where a number of jobs are of similar type and need similar skills, the number of potential successors to the succession pool shall be increased; and
- b. nominate two (2) or more staff members for possible succession per post to cater for natural attrition / turnover.

7.3.2.3 Enter formal agreements with staff members earmarked for succession planning to protect the interests of both the staff member and the Municipality. The agreement shall outline the following:

- a. Staff members shall not be guaranteed appointments in posts that they are prepared for, and shall have to compete for the posts when advertised
- b. The succession period for each successor shall range from six (6) to twelve (12) months or more.
- c. A successor who has failed to make an impression during the interviews shall not be guaranteed a stay in the programme

7.3.2.4 Consultants contracted to the Municipality shall be obliged to act as mentors to nominated employees for skill transfer during contract duration.

7.3.2.5 Successors shall have properly designed career paths to ensure that they gain most appropriate experience for their future roles.

7.3.3 Obligations of the Municipality

7.3.3.1 Supervisors shall collaborate on the re-allocation, rotation and secondment of staff members across functions within the Municipality.

7.3.3.2 The Municipality shall ensure the effective management of the quality of learning delivery, especially that provided by external training providers.

7.3.3.3 Supervisors shall be encouraged to gain coaching skills and shall actively coach and support the development of staff members who report to them.

- 7.3.3.4** The Municipality shall prioritise the appointment of mentors who are experts in their fields to support structured skills transfers in order to achieve the required specialist and technical skills for priority roles.

7.4 Evaluating skills development quality and impact

7.4.1 The Municipality shall –

- 7.4.1.1** conduct regular evaluations of the workplace skills plan and personal development plans, as well as their implementation; and
- 7.4.1.2** adjust its learning programmes to improve its effectiveness, including the impact on reducing the skills constraint on service delivery.

7.4.2 The Municipality shall ensure that –

- 7.4.2.1** every supervisor reports annually on progress on implementing staff personal development plans and the other programmes contained in the workplace skills plan
- 7.4.2.2** the effect of implementing personal development plans for staff is evaluated
- 7.4.2.3** evaluations, using standard benchmarks determined by the Minister, respond to priority learning programmes and contribute to the development of skills which result in improved performance and service delivery; and
- 7.4.2.4** regular skills development reports and evaluation results are –
 - a.** integrated into the wider capacity building initiatives within the Municipality; and
 - b.** reported to the relevant provincial and national capacity building structures.

7.5 Payment for skills development programmes

- 7.5.1** The Municipality may agree to pay full or part payment for a staff member's learning programme and for reasonable travel and accommodation expenses on receipt of official proof of the structured learning programme.

7.5.2 If the Municipality agrees to pay for a learning programme, the staff member shall be required to work for the Municipality for a reasonable period that is 24 months after the completion of the programme, failing which the staff member shall pay back the costs, or part of the costs, associated with the programme.

7.5.3 Despite clause 7.5.1, if a staff member fails to attend or fails a learning programme, the Municipality shall recover the costs associated with the programme after complying with Section 34 of the Basic Conditions of Employment Act.

7.6 Roles and responsibilities

7.6.1 A staff member shall –

7.6.1.1 actively manage their own development, whether for their current role or for their future career opportunities, based on their personal development plan

7.6.1.2 participate actively in skills audits

7.6.1.3 develop and reflect on their personal development plans with their supervisor

7.6.1.4 commit to development that coincides with the Municipality's priority skills

7.6.1.5 participate actively in all forms of learning, training and development which will assist the staff member to meet agreed needs

7.6.1.6 stay abreast of and apply new knowledge and skills in their field of expertise; and

7.6.1.7 provide feedback on the outcomes, effectiveness and relevance of training and development received.

7.6.2 A supervisor shall –

7.6.2.1 link skills development to the priorities of their function, the integrated development plan and to the outcomes of the performance management process

7.6.2.2 monitor skills needs and constraints that have, or may have, a major impact on the achievement of their objectives and report on these during the institutional skills needs analysis process

- 7.6.2.3** develop, report on and review progress with the personal development plans of the staff members who report to the supervisor or supervisor
- 7.6.2.4** ensure that development proposed in the personal development plans of the staff members who report to the supervisor is relevant to the functions of the Municipality
- 7.6.2.5** provide coaching to and support for the development of their staff members
- 7.6.2.6** provide input into the content of training programmes, if relevant
- 7.6.2.7** allow their subordinates time off for training, as agreed in training schedules and plans; and
- 7.6.2.8** actively facilitate the application of learning back on the job.

7.6.3 The Skills Development Facilitator shall –

- 7.6.3.1** facilitate the adoption of the Workplace Skills Plan, including liaising with the registered trade unions
- 7.6.3.2** facilitate the implementation of skills development programmes with supervisors, staff and external training providers; and
- 7.6.3.3** liaise with the LGSETA and ensure that the Municipality meets all the requirements of the LGSETA.

7.6.4 The Chief Financial Officer shall ensure that proof is provided to the LGSETA that all funds obtained from the LGSETA and the 1% budgeted towards skills development have been used for skills development purposes.

7.6.5 The Training Committee shall –

- 7.6.5.1** be chaired by a senior manager
- 7.6.5.2** have an equal number of managers and representatives of staff
- 7.6.5.3** include the Integrated Development Planning Manager, the Skills Development Facilitator, the Manager responsible for human resources, individual and institutional performance managers, and the Chief Financial Officer, as representatives of the Municipality

- 7.6.5.4** include representatives of the registered trade unions recognised by the Municipality as representatives of staff members or, in their absence, staff members who are representative of the Municipality's staff as a whole; and
- 7.6.5.5** consult, and make recommendations to the Municipal Council, on –
 - a.** proposed improvements to skills audit processes
 - b.** findings and priorities emerging from the skills audit presented by management
 - c.** the draft workplace skills plan
 - d.** management's regular skills development report; and
 - e.** skills development policy of the Municipality.

8. POLICY MONITORING AND EVALUATION

- 8.1** Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.



Ndlambe Municipality

DELEGATION FRAMEWORK & REGISTER

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STATEMENT OF ADMINISTRATIVE INTENT:

The Council, Speaker, Executive Mayor, political office bearers and staff members shall:

- (a) Adhere to the principles of just administrative action as contemplated in Section 33 of the Constitution of the Republic of South Africa and the Promotion of Administrative Justice Act, No. 3 of 2000.
- (b) Observe the code of conduct applicable to both councillors and staff members
- (c) Embrace a system of good governance.

OBJECTIVES:

The objectives of this delegation are

- (a) To maximise administrative and operational efficiency and provide adequate check and balances

To determine the relationships amongst the political structures, political office-bearers and the administration, and the appropriate lines of accountability and reporting for each of them.

PART A: INTERPRETATIONS AND DEFINITIONS

1. DEFINITIONS

1.1 In this document, unless the context otherwise indicates, an expression to which meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), the Local Government Municipal Systems Act, 2000 (Act No. 32 of 2000), Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), the Local Government: Municipal Property Rates Act (Act No. 4 of 2004) or any other applicable legislation, shall have the meaning so assigned to it, and-

KEY CONCEPTS	DEFINITIONS
Administration	The Municipal Manager and other employees of the Municipality
Appointment Regulations	The Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers, 2014
Municipal Manager	A person appointed by Council as the head of Administration and the Accounting Officer of the Municipality in accordance with section 54A of the Systems Act
Constitution	The Constitution of the Republic of South Africa (Act No. 18 Of 1996)
Committee	Any Committee of the Municipality established in terms of Section 79 and 80 of the Local Government Structures Act
Council	The Municipal Council of the municipality
Delegating Authority	The Council in terms of original authority by the Constitution, or a political structure or office bearer, or the Municipal Manager or the staff member to whom power have been delegated, with power to sub-delegate
Delegation	Means the granting of power to take decisions and to perform duties in terms of the decisions as contemplated in s59 of the Local Government: Systems Act or s79 of the Municipal Finance Management Act
Delegated Body	Means political structure or political bearer, committee, employee to whom power has been delegated

Director	A senior manager directly accountable to the Municipal Manager and appointed in terms of s56 of the MSA
Manager	The senior official designated by the Municipal Manager in terms of S77 (1) (d) of the Municipal Finance Management Act
Municipality	Ndlambe Municipality
Performance Regulations	The Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, 2006
Power	Means the authority to perform a function
Political Officer Bearer	Means the Mayor, Speaker elected by the Council to such a position in accordance with the provisions of the Local Government: Structures Act
mSCOA	The MFMA: Municipal Regulations on Standard Chart of Accounts, 2014
Standing Rules and Orders	The By-Law on the Standing Rules and Orders for the meetings of the Municipal Council of the municipality and Committees
Structures Act	Local Government: Structures Act (Act No. 117 of 1998)
Systems Act	Local Government: Systems Act (Act. 32 of 2000)

1.2 Unless the context indicates otherwise, words and expression denoting-

- The singular shall include the plural and vice versa,
- The male sex shall include the female sex and vice versa,
- A reference to a natural person shall include a legal person and vice versa.

1.3 The following abbreviations are used in column 1 of the tables:

Constitution	CON
Municipal Structures Act	MSTA
Municipal Systems Act	MSA
Municipal Finance Management Act	MFMA
Municipal Property Rates Act	MPRA
Municipal Demarcation Act	MDA
Municipal Manager	MM
Executive Committee	EXCO
Accounting Officer	AO
Chief Financial Officer	CFO
Director: Corporate Services	DCS
Director: Infrastructural Development	DID
Director: Community & Protection Services	DC&PS

PART B: DELEGATIONS FRAMEWORK

LEGISLATIVE AND POLICY FRAMEWORK:

THE CONSTITUTION.

Section 160 (1) (a) empowers a municipal council to make decisions concerning the exercise of all powers and the performance of all the functions of the municipality.

Section 160 (2) prohibits a municipal council from delegating the passing of By-Laws, approval of budgets, imposition of rates and taxes, levies and duties, and the raising of loans.

Section 160 (6) empowers a municipal council to make By-Laws which prescribe rules and orders for its internal arrangements, its business and proceedings, and the establishment, composition, procedures, powers and functions of its committees.

DELEGATION AS DETERMINED BY THE MUNICIPAL SYSTEMS ACT:

SECTION 59

(1) A municipal council must develop a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances, and in accordance with that system, may

- (a) delegate appropriate powers, excluding a power mentioned in section 160 (2) of the Constitution and the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76 (b) and to approve or amend the municipality's integrated development plan, to any of the municipality's other political structures, political office bearers, councillors, or staff members:
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the municipality's duties, and (c) withdraw any delegation or instruction.

2. A delegation or instruction in terms of subsection (1)-

- (a) must not be in conflict with the Constitution, this Act or the Municipal Structures Act, (b) must be in writing
- (c) is subject to any limitations, conditions and directions the municipal council may impose;
- (d) may include the power to sub-delegate a delegated power,
- (e) does not divest the control of the responsibility concerning the exercise of the power or the duty, and
- (f) must be reviewed when a new council is elected, or it is a district council, elected and if it is a district council, elected and appointed.

3. The municipal council-

(a) in accordance with procedures in its orders, may, or at the request in writing of at least one quarter of the councillors, must, review any decision taken by such a political office bearer, councillor or staff member in consequence of a delegation or instruction, and either confirm, vary or revoke the decision subject to any rights that may have accrued by a person, and (b) may require it executive committee or executive mayor to review any decision taken by such a political structure, political office bearer, councillor or staff member in consequence of a delegation or instruction.

4. Any delegation or sub-delegation to a staff member of a power conferred on a municipal manager must be approved by the municipal council in accordance with the systems of delegation referred to in sub-section (1).

REFERRAL OF MATTERS TO DELEGATION AUTHORITIES FOR DECISION. SECTION

61.

A political structure, political office bearer, councillor or staff member of a municipality to whom a delegating authority has sub-delegated a power to dispose of a matter falling within the area of responsibility of that political structure, political office bearer, councillor or staff member may, or must if instructed to do so by the relevant delegating authority, refer a matter before the political structure, political office bearer, councillor or staff member to the relevant delegating authority for decision.

APPEALS.

SECTION 62.

1. A person whose rights are affected by a decision taken by a political structure, political office bearer, councillor or staff member of a municipality in terms of a power or duty delegated or sub-delegated by a delegating authority to the political structure, political officer bearer, councillor or staff member, may appeal against that decision by giving written notice of the appeal and reasons to the Municipal Manager within 21 days of the date of the notification of the decision.

2. The Municipal Manager must promptly submit the appeal to the appropriate appeal authority mentioned in sub-section (4).

3. The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.

4. When the appeal is against a decision taken by-

(a) a staff member other than the Municipal Manager, the Municipal Manager is the Appeal Authority

(b) the Municipal Manager, the Executive Mayor or Executive Committee is the Appeal Authority, or

if the municipality does not have an Executive committee or Executive Mayor, the Council of the municipality is the Appeal Authority.

(c) a political structure or political office bearer, or councillor -

(i) the municipal council is the Appeal Authority where the council comprises less than 15 councillors, or

- (ii) a committee of councillors who were not involved in the decision and appointed by the municipal council for this purpose is the Appeal Authority where the council comprises more than 14 councillors.

5. An Appeal Authority must commence with an appeal within six weeks and decide the appeal within a reasonable period.

DUTY TO REPORT TO DELEGATING AUTHORITY. SECTION

63.

A political structure, political office bearer, councillor or staff member of a municipality to whom a delegating authority has delegated or sub-delegated a power or duty, must report to the delegating authority at such intervals as the delegating authority may require, on decisions taken in terms of that delegated or sub-delegated power or duty since the last report.

WITHDRAWAL, AMENDMENT OR LAPSING OF DELEGATION OR SUBDELEGATION.

SECTION 64.

The withdrawal, amendment or lapsing of a delegation or sub-delegation does not invalidate anything as a consequence of a decision taken in terms of that delegation or sub-delegation.

REVIEW OF DELEGATIONS. SECTION

65.

1. Whenever it becomes necessary in terms of Section 59(2)(f) to review a municipality's delegations, the Municipal Manager must submit to the Council-

- (a) a report on the existing delegations issued in terms of Section 59 by the Council and other delegation authorities of the municipality, and
- (b) recommendations on any changes to the existing delegations which the Municipal Manager may consider necessary.

2.If the municipality has an Executive Committee or Executive Mayor, the Municipal Manager must submit the report through the Executive Committee or Executive Mayor.

DELEGATION AS DETERMINED BY THE MFMA:

The relevant provisions of the MFMA regarding the delegation are as follows:

Section 79.

1. The Accounting Officer of a municipality-

- (a) Must, for a proper application of this Act in the municipality's administration, develop an appropriate system of delegation of delegation that will both maximise administrative and operation efficiency and provide adequate checks and balances in the municipality's financial administration,

- (b) May, in accordance with that system, delegate to a member of the municipality Top Management referred to in Section 77 or any other official of the municipality-
 - (i) Any of the powers or duties assigned to an Accounting Officer in terms of this Act, or
 - (ii) Any powers or duties reasonably necessary to assist the Accounting Officer in complying with a duty which requires the Accounting Officer to take reasonable or appropriate steps to ensure the achievement of the aims of a specific provision of the Act, and
 - (c) Must regularly review delegations issued in terms of paragraph (b) and, if necessary, amend or withdraw any of those delegations.
2. The Accounting Officer may not delegate to any political structure or political office bearer of the municipality
3. A delegation in terms of subsection (1)-
- (a) Must be in writing
 - (b) Is subject to such limitations and conditions as the Accounting Officer may impose in a specific case,
 - (c) May either be a specific individual or to the holder of a specific post in the municipality,
 - (d) May, in the case of a delegation to a member of the municipality's Top Management in terms subsection (1) (b), authorise that member to sub-delegate the delegated power or duty to an official or the holder of a specific post in that member's area of responsibility, and
 - (e) Does not divest the Accounting Officer of the responsibility concerning the exercise of the delegated power or the performance of the delegated duty.
4. The Accounting Officer may confirm, vary or revoke and any decision taken in consequence of delegation in terms of this section, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.

GENERAL PRINCIPLES AND CONDITIONS OF DELEGATION.

GENERAL PRINCIPLES:

- (i) Delegation should be aimed at the improvement of good governance and allow for adequate check and balances.
- (ii) Delegation should be aimed at the enhancement of service delivery without sacrificing accountability.
- (iii) All exercising of delegated authority should be with due diligence.
- (iv) A delegated body must always be answerable to the delegating authority who is never divested from accountability following the exercise of powers or performance of duties delegated.
- (v) Authority can only be delegated to the extent that the delegation authority can call a delegated body to account for a decision made in terms of the delegated power.
- (vi) The exercising of any delegated authority must not deviate from an existing policy of Council. Any deviation from such a policy due to an emergency must be sanctioned by the Executive Mayor or Municipal Manager as the case may be and afterwards be submitted to Council for condonation.

- (vii) All delegation must be in writing.
- (viii) Delegated powers can at any stage be withdrawn or amended by the delegating authority
- (ix) Delegated powers do not absolve Council from the responsibility to exercise the power to perform duties (x) Delegated powers must always be reviewed when a new Council is elected.

GENERAL CONDITIONS:

All decision-making powers delegated by Council or any other delegating authority are subject to the following:

- (i) Delegated powers are conferred upon the holder of a specific position in the municipality or specific individual,
- (ii) Delegations also apply to the persons acting in positions, unless otherwise stipulated. Persons acting in such positions have the same delegated powers as persons appointed permanently, provided that the competent authority has duly appointed such acting persons with due consideration to authorities delegated to such a person.
- (iii) Any delegation made does not divest Council of accountability concerning the performance of the duty.
- (iv) Existing policies will determine the parameters of any delegation and the delegating authority is bound to comply with.
- (v) In executing authority, no expenditure may be incurred unless the delegated body is satisfied that the Council has budgeted for the expenditure and that the funds are still available on the relevant budget votes.
- (vi) The chain of authority from Council to the Mayor to the Municipal Manager to officials below must not be jeopardised by any delegations,
- (vii) A delegation may set out circumstances in which a delegated body is prohibited from exercising his/her delegated power.
- (viii) All decisions by a delegated authority affecting the rights of others must be in writing and reasons must be recorded for such decisions.
- (ix) Any delegation decision may be revoked, varied or withdrawn at any time in terms of Section 59(3) of the MSA, subject to any right that may have accrued to a person.
- (x) The withdrawal, amendment or lapse of a delegation does not invalidate anything done as a consequence of a decision taken in terms of that delegation or sub-delegation before such withdrawal, amendment or lapse.
- (xi) In terms of Section 59(2) (f) of the MSA, this system of Delegation of Powers must be reviewed when a new Council is elected.

PART C: DELEGATION REGISTER

POWERS RESERVED FOR THE COUNCIL

The powers to execute the functions set out hereunder are reserved for the council either by legislation or by a council resolution and may not be delegated to any of the municipality's other political structures, political office bearers or employees. The council may however take no decision in respect of these matters, unless it has received and considered the report and recommendations of the executive committee submitted by the mayor in this regard. A decision in this regard must be taken by the Council with a supporting vote of a majority of its members.

SECTION IN ACT	FUNCTION	Delegation		CONDITIONS
		From	To	
160 (2) CON	The passing and publication of by-laws	Council	None	
160 (2) CON	The approval of budgets	Council	None	Section 25 MFMA applies in the event that the budget is not approved.
16 (1) MFMA				
160 (2) CON	The imposition of rates and other taxes, levies, and duties	Council	None	
75 (2) MSA				
14 (1) MPRA				
160 (2) CON	The raising of loans	Council	None	

160 (6) CON	Approving the Rules and Orders for meetings of the Council and the Committees	Council	None	
39 (c) MSA	The adoption of the performance management system	Council	None	
54A MSA; 30(5)(c) MSTA	The appointment, suspension, and dismissal of the municipal manager after receiving the report and recommendations of the executive committee submitted by the mayor on the matter	Council	None	
59 (1)(a) MSA 75 MSA	The setting of tariffs	Council	None	
59(1)(a) MSA	The decision to enter into a service delivery agreement in terms of section 76(b) of the Systems Act	Council	None	
59(1)(a) MSA	To approve or amend the Municipality's integrated development plan	Council	None	
18 MSTA	The designation of full-time councillors as determined by the MEC for Local Government	Council	None	
33 MSTA 79(1) & (2) MSTA 80 MSTA	The establishment of Committees, including the determination of the functions and procedures of any such Committee, the appointment and removal of the members of such Committee and the appointment of a chairperson [Note: s31 of the MSTA has been repealed – provision to be made in the Standing Rules]	Council	None	
34 (1) MSTA	Considering the dissolution of the Council	Council	None	

36 MSTA	The election of the Speaker	Council	None	
40 MSTA	Removing the Speaker from office and filing any vacancy in the office of Speaker	Council	None	
45 MSTA	Electing the Executive Committee of the Council	Council	None	
48(1) MSTA	Electing the Mayor	Council	None	
Item 4 Code of Conduct for Councillors	The sanctioning of non- attendance of Council meetings	Council	None	
Item 7 (4) Code Of Conduct for Councillors	Determining the financial interest of Councillors that must be made public	Council	None	
Item 13 Code Of Conduct for Councillors	Consideration of a report of the Speaker on the suspected breach of the code of conduct for Councillors	Council	None	
78 MSA	The decision on the appropriate mechanisms to provide municipal services	Council	None	
85 MSA	Decision on the establishment and termination of internal municipal services districts and multijurisdictional municipal service districts	Council	None	

14 (2) MFMA	Deciding to transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset.	Council	None	Council must, in a meeting open to the public, decide that the asset is not needed to provide the minimum level of basic municipal services, and consider the fair market value of the asset and the economic and community value to be received for the asset.

16(1) MFMA	Approval of an annual budget	Council	None	
16(3) MFMA	Deciding whether money for capital expenditure for a period not exceeding three financial years may be appropriated in an annual budget	Council	None	A separate appropriation must be made for each of financial year.
19(1)(b) MFMA	Approving a capital project, including its total cost	Council	None	
19(1)(d) MFMA	Considering the sources of funding of a capital project	Council	None	
19(2) MFMA	Considering, in respect of a capital project, the projected cost covering all financial years until the project is operational and the future operational costs and revenue on the project, including municipal tax and tariff implications.	Council	None	
19(3) MFMA	Deciding to approve capital projects below the prescribed value individually or as part of a consolidated capital programme	Council	None	
23(1) MFMA	Receiving and considering the views of the communities and organs of state received in connection with the budget	Council	None	

23(2) MFMA	Giving the Mayor an opportunity to respond to any submissions received in connection with the budget from communities and organs of state	Council	None	
28(1) MFMA	Deciding to revise an approved budget by way of an adjustments budget	Council	None	
32(2) MFMA	Deciding to recover unauthorised, irregular, or fruitless and wasteful expenditure from the person liable for that expenditure	Council	None	
	Determining the amount of unauthorised, irregular, or fruitless and wasteful expenditure to be recovered, written off or provided for an adjustment budget	Council	None	

	Appointing a committee to investigate any suspected or reported unauthorised, irregular, or fruitless and wasteful expenditure	Council	None	
32(7) MFMA	Determining whether an alleged irregular expenditure incurred by the Municipal Manager constitutes a criminal offence	Council	None	
	Determining whether the Municipal Manager allegedly committed an act of theft and fraud	Council	None	
	Reporting alleged irregular expenditure incurred by the Municipal Manager that constitutes a criminal offence and alleged theft and fraud perpetrated by the Municipal Manager to the SAPS	Council	None	
10(1) Regulations on Financial Misconduct and Criminal	Report an alleged financial offence by the Municipal Manager to the South African Police Service	Council	None	

Proceedings, 2014				
33(1) MFMA	Deciding to enter into a contract which will impose financial obligations on the municipality beyond three financial years	Council	None	
34(3)(b) MFMA	Considering a notification of the provincial government of any emerging or impending financial problems in the Municipality	Council	None	
38(2) MFMA	Considering a notice received from the National Treasury of its intention to stop the transfer of funds to the Municipality and submitting written representations, in regard to the proposed stopping of funds, informing the MEC for local government and consulting the Cabinet member responsible for the national department making transfer	Council	None	
39 (3) MFMA	To answer the allegations against it, and to state its	Council	None	
	case before a committee of Parliament before it approves or renews a decision of National Treasury to stop the transfer of funds in terms of section 38 of MFMA			
45(2)(a) MFMA	Approving any short-term debt agreement	Council	None	
46 MFMA	Deciding whether to incur long term debt and approving any long-term debt agreement	Council	None	

48(1) MFMA	Deciding whether to provide for any of the Municipality's debt obligations and contractual obligations of the Municipality undertaken in connection with capital expenditure by other persons on property, plant or equipment to be used by the Municipality or such other person	Council	None	
48(2) MFMA	Deciding the form/nature of security to be provided for any of the Municipality's debt obligations and contractual obligations of the Municipality undertaken in connection with capital expenditure by other persons on property, plant or equipment to be used by the Municipality or such other person	Council		
48(3)(a) MFMA	Deciding whether an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services	Council	None	
48(3)(b) MFMA	Deciding, if an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services, the manner in which the availability of the asset or right will be protected	Council	None	
50 MFMA	Deciding to issue a guarantee for any commitment or debt or organ of state or person	Council	None	

116(3) MFMA	Considering the reasons for the proposed amendment of a contract or agreement and any representation that may have been received regarding the proposed amendment of a contract or an agreement procured through the supply chain management policy and deciding whether to consent to the amendment of a contract or agreement	Council	None	Contracts may be amended by the Bid Adjudication Committee and / or the Municipal Manager, whichever is applicable, within the prescribed thresholds determined by National Treasury
120 MFMA	Deciding to enter into a public-private partnership agreement	Council	None	
129 (1) MFMA	Considering the annual report of the municipality and adopting an oversight report containing the council's comments on the annual report	Council	None	
133 (1)(c)(i) MFMA	Deciding whether to request the speaker or another councillor to investigate the reasons for a failure of the municipal manager to submit annual financial statements to the auditor-general or the mayor's failure to table the annual report of the municipality	Council	None	
133(1)(c)(ii) MFMA	Determining the appropriate steps to be taken to ensure that the financial statements are submitted to the auditor-general or that the annual report, including the financial statements and the audit report on those statements, is tabled in the council, as the case may be	Council	None	
133(1)(c)(iii) MFMA	Deciding whether disciplinary steps should be taken against the municipal manager or other persons responsible for the failure of the municipality to submit annual financial statements to the auditor-general or the mayor's failure to table the annual report of the municipality in the council	Council	None	

143 (3)(a) MFMA	Receiving an approved financial recovery plan for the Municipality	Council	None	
145 (1)(a) MFMA	Implementing an approved financial recovery plan for the municipality	Council	None	
148 (1) (b) (i) MFMA	Declaring the Municipality's willingness to fulfil the executive obligation in terms of legislation or the Constitution that gave rise to any discretionary intervention in the municipality	Council	None	
166 (2)(d) MFMA	Requesting the audit committee to investigate the financial affairs of the Municipality	Council	None	
166 (4) & (5) MFMA	Determine the number of members of the audit committee, the nature of the appropriate experience that persons should possess to be considered for appointment as a member of the audit committee and appointing the members and the chairperson of the audit committee of the municipality	Council	None	
168(3) MFMA	Considering any guidelines issued by the Minister of Finance in terms of section 168 (1) of the MFMA	Council	None	
171(4)(a) MFMA	Investigating any allegations of financial misconduct against the municipal manager, the CFO, a director or other official of the municipality and consider whether the investigation warrants the institution of disciplinary proceedings	Council	None	Subject to the provisions of the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014

POWERS DELEGATED TO THE EXECUTIVE COMMITTEE IN RESPECT OF LEGISLATED FUNCTIONS

The functions referred to hereunder are allocated to the executive committee in terms of the MSTA and MSA.

SECTION IN ACT	FUNCTION	DELEGATIONS		CONDITIONS
		FROM	TO	
44(1)(b) MSTA	To receive reports from the Committees and to forward these reports together with a recommendation to the Council when the Executive Committee cannot be disposed of a matter in terms of its delegated powers	Council	EXCO	
44(2)(a) MSTA	To identify the needs of the Municipality	Council	EXCO	
44(2)(b) MSTA	To review and evaluate those needs in order of priority	Council	EXCO	
44(2)(c) MSTA	To make recommendations to the Council regarding strategies, programmes, and services to address priority needs to the integrated development plan, and the estimates of revenue and expenditure, taking into account any applicable national and provincial development.	Council	EXCO	

44(2)(d) MSTA	To make recommendations to the Council regarding the best way, including partnership and other approaches, to deliver those strategies, programmes and services to the maximum benefit of the community	Council	EXCO	
44(3)(a) MSTA	To identify and develop criteria in terms of which progress in the implementation of those strategies, programmes and services can be evaluated, including key performance indicators which are specific to the	Council	EXCO	

	Municipality and common to local government in general			
44(3)(b) MSTA	To evaluate progress against the identified and developed key performance indicators	Council	EXCO	
44(3)(d) MSTA	To monitor the management of the administration in accordance with the directions of the council	Council	EXCO	
44(3)(e) MSTA	To oversee the provision of services to communities in the municipality in a sustainable manner	Council	EXCO	
44(3)(g) MSTA	To annually report on the involvement of communities and community organizations in the affairs of the municipality	Council	EXCO	
44(3)(h) MSTA	To ensure that regard is given to public views and report on the effect of consultation on the decisions of the Council	Council	EXCO	
44(4) MSTA	To report to the Council on all decisions taken by it	Council	EXCO	

80(3) MSTA	Appoint a chairperson for each committee established to assist the executive committee and delegate any powers and duties of the executive committee to such committee	Council	EXCO	
80 (4) MTSA	Require that a committee established to assist the executive committee report in accordance with the directives of the executive committee	Council	EXCO	
30(5) (a)-(c) MSTA	Before Council takes a decision on any of the following matters, it must first require its EXCO to submit to it a report and recommendation on the matter: a) Any matter mentioned in Section 160 (2) of the CONS	Council	EXCO	

	b) the approval of an integrated plan for the municipality, and any amendments to that plan, and c) the appointment and conditions of service of the Municipal Manager and a Director			
39 (a) & (b) MSA	The development of a performance management system, the assignment of responsibilities in this regard to the Municipal Manager and the adoption of the performance management system	Council	EXCO	
40 MSA	The monitoring and review of the Municipality's performance management system	Council	EXCO	
60(1)(a) MSA	Decisions to expropriate immovable property or rights in or to immovable property	Council	EXCO	
60(1)(b) MSA	The determination or alteration of the remuneration, benefits or other conditions of service of the municipal manager and directors	Council	EXCO	

66(1) MSA	The approval of a policy framework for the development of a staff establishment for the Municipality subject to any applicable legislation	Council	EXCO	
66(1)(a) MSA	The approval of the staff establishment of the Municipality developed by the Municipal Manager	Council	EXCO	
3 Appointment Regulations	(a) The assessment of the human resources necessary to perform the functions of the Municipality; (b) The assessment of the existing human resources of the Municipality; (c) The planning for the recruitment, retention and development of the Municipality's human resources	Council	EXCO	
135(3)(b) MFMA	Informing the MEC responsible for local government and the MEC responsible for finance of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	EXCO	

ADDITIONAL POWERS DELEGATED TO THE EXECUTIVE COMMITTEE

		DELEGATIONS		
SOURCE	FUNCTION	FROM	TO	CONDITIONS
	Appoint councillors and municipal officials to attend international meetings, conferences, etc. except where there is a specific invitation extended to a specific councillor or office bearer	Council	EXCO	
	Nominate Council's representatives in the provincial executive committee of SALGA	Council	EXCO	
	Consider reports of Directorates of the Municipality	Council	EXCO	

	Take any appropriate action with regard to any loss or shortage in funds or property belonging to or controlled by the Council involving alleged fraud, theft, or negligence on the part of all staff members of the Council or any other structure of Council. This action may only be instituted pursuant to relevant recommendations submitted by the Portfolio Committee	Council	EXCO	
	Oversee the provision of services to communities in a sustainable manner	Council	EXCO	
	Consider appeals from a person whose rights are affected by a decision of the Municipal Manager, provided that the decision reached by this committee may not detract from any right that may have vested.	Council	EXCO	
	Make recommendations to the Council in respect of its legislative powers	Council	EXCO	
	Determine strategic approaches, guidelines and growth parameters for a draft budget including tariff structures	Council	EXCO	
	Consider recommendations on the alignment of the integrated development plan and the budget received from the committees	Council	EXCO	

	Ensure that regard is given by the Council to public views and reports emanating from consultation	Council	EXCO	
	Make recommendations to the Council regarding: - the adoption of estimates of revenue and expenditure, as well as capital budget and the imposition of rates and other taxes, levies, and duties - the passing of by-laws - the raising of loans - the approval of the integrated development plan and any amendments thereto	Council	EXCO	
	Consider any matter referred to it by the Council and submit a recommendation thereon for consideration by the Council	Council	EXCO	
	Delegate any powers and duties of the Executive Committee to any Section 80 Committee	Council	EXCO	

	Develop strategies, programmes, and services to address priority needs of the Municipality through the integrated development plan as well as national and provincial plans and submit a report and recommendations thereon to the Council	Council	EXCO	
	Review the performance of the Municipality in order to improve: - the economy, efficiency, and effectiveness of the Municipality - the efficiency of credit control and revenue and debt collection services, and the implementation of Municipality's By-laws	Council	EXCO	
	Monitor the management of the administration in accordance with the policy directions of the Council (output monitoring)	Council	EXCO	
	Annually report on the involvement of communities and community organizations in the affairs of the Municipality	Council	EXCO	
	Grant permission to an employee to pursue a paid work in his / her spare time within the policy framework of the Municipality	Council	EXCO	

POWERS DELEGATED TO THE MAYOR IN RESPECT OF LEGISLATED FUNCTIONS

The functions listed below are allocated to the Mayor in terms of statute and the authority to implement same is accordingly delegated to him/her by the Council. A decision in this regard must be taken by the Mayor in consultation with the Executive Committee except where specifically excluded.

		DELEGATIONS		
SECTION IN ACT	FUNCTION	FROM	TO	CONDITIONS
12(1) MFMA	Deciding to set-up a relief, charitable, trust or other fund of whatever description	Council	Mayor	
16(2) MFMA	Tabling a budget at a Council meeting	Council	Mayor	The draft annual budget must be tabled at least 90 days before 1 July each year.
21(1)(a) MFMA	Coordinating the processes of preparing the annual budget and reviewing the municipality's integrated development plan and budget related policies	Council	Mayor	

21(1)(b) MFMA	Tabling in the Council a time schedule outlining key deadlines for the preparation, tabling and approval of the annual budget, the annual review of the integrated development plan and the municipality's budget related policies and any consultative processes forming part of the process	Council	Mayor	At least 10 months before 1 July each year.
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21(2)(b) MFMA	Deciding the reasonable steps to be taken to review the municipality's integrated development plan	Council	Mayor	
21(2)(d) MFMA	Determining the manner and timing of consultation of the district municipality and all local municipalities within the area of the district municipality, the provincial treasury, and such other organs of state as may be prescribed with regard to the Municipality's annual budget	Council	Mayor	
21(2)(e) MFMA	Providing information relating to the budget that may be requested by the National Treasury and any other organ of state	Council	Mayor	
25(3) MFMA	Complying with section 55 of the MFMA if the Municipality has not approved an annual budget, including revenue-raising measures necessary to give effect to the budget, by 1 July of any year	Council	Mayor	

27(1) MFMA	Determining the likelihood of the Municipality not being able to comply with the MFMA or other legislation relating to the tabling or approval of an annual budget or compulsory consultation processes	Council	Mayor	
27(1) MFMA	Informing the MEC responsible for finance of any impending non-compliance by the Municipality of any provisions of the MFMA or any other legislation pertaining to the tabling or	Council	Mayor	

	approval of an annual budget or compulsory consultation processes			
27(2) MFMA	Deciding to and applying to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	Council	Mayor	
27(3) MFMA	Informing the Council, the MEC responsible for finance and the National Treasury, in writing, of any actual non-compliance by the Municipality of a provision of Chapter 4 of the MFMA and any remedial or corrective measures the Municipality intends to implement to avoid a recurrence of such non-compliance	Council	Mayor	
28(4) MFMA	Tabling an adjustment budget in the Council	Council	Mayor	

29(1) MFMA	Deciding to authorize unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Council	Mayor	
29(2)(c) MFMA	Reporting to the Council regarding the authorization of unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Council	Mayor	Such report must be made to the Council meeting next ensuing after the authorisation was given.

31(d) MFMA	Giving written approval for exceeding the amount appropriated in respect of a capital programme	Council	Mayor	
37 (1)(a) MFMA	Determining steps the Municipality must take to promote co-operative government with the national and provincial spheres of government and other municipalities in the Municipality's fiscal and financial relations	Council	Mayor	In consultation with the Municipal Manager, the function is also delegated to the Municipal Manager
52(a) MFMA	Deciding the nature, extent of, and manner in which political guidance over the fiscal and financial affairs of the Municipality will be provided	Council	Mayor	
52 (b) MFMA	Deciding the monitoring and oversight mechanisms to be applied to the exercise by the Municipal Manager and the Chief Financial Officer of their powers, functions and duties in terms of MFMA	Council	Mayor	
52 (c) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality performs its constitutional and statutory functions within the limits of the Municipality's approved budget	Council	Mayor	

52 (d) MFMA	Submitting to the Council, within 30 days of the end of each quarter, a report on the implementation of the budget and the financial state of affairs of the Municipality	Council	Mayor	

53 (1) (a) MFMA	Deciding the nature, extent of, and manner in which political guidance is to be given over the budget process and the priorities that must guide the preparation of a budget	Council	Mayor	
53 (1) (b) MFMA	Deciding steps to be taken to co-ordinate the annual revision of the integrated development plan and the preparation of the annual budget	Council	Mayor	
	Determining how the integrated development plan is to be taken into account or revised for the purposes of the budget	Council	Mayor	
53 (1) (c) (i) MFMA	Determining reasonable steps to be taken to ensure that the Municipality approves its annual budget before the start of the budget year	Council	Mayor	
53 (1) (c) (ii) MFMA	Determining reasonable steps to be taken to ensure he/she approves the Municipality's service delivery and budget implementation plan	Council	Mayor	The Mayor must approve the annual service delivery and budget implementation plan within 28 days after the approval of the budget
53 (1) (c) (iii) MFMA	Determining reasonable steps to be taken to ensure that the annual performance agreements for the Municipal Manager and all senior managers comply with the MFMA, are linked to the measurable performance objectives approved	Council	Mayor	In terms of section 57(2)(a) of the Systems Act the annual performance agreements must be concluded on or before 30 July of each year
	with the budget implementation plan and are concluded in accordance with section 57 (2) of the MSA			

53 (2) MFMA	Reporting to the Municipal Council and the MEC responsible for finance any delay in the tabling of an annual budget, the approval of the service delivery and budget implementation plan or the signing of the annual performance agreements	Council	Mayor	
53 (3)(a) MFMA	Ensuring that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, contained in the service delivery and budget implementation plan, are made public no later than 14 days after the approval of the service delivery and budget implementation plan	Council	Mayor	
53 (3)(b) MFMA	Ensuring that the performance agreements of the Municipal Manager, senior managers and any other categories of officials as may be prescribed, are made public no later than 14 days after the approval of the Municipality's service delivery and budget implementation plan	Council	Mayor	
	Submission of the annual performance agreements of the Municipal Manager, senior managers and any other categories of officials as may be prescribed, to the Municipal Council and the MEC	Council	Mayor	
	responsible for local government			

54 (1)(a) MFMA	Making arrangements for the receipt of a monthly statement on the state of the Municipality's budget and a mid-year corporate performance assessment report	Council	Mayor	
54 (1)(b) MFMA	Determining procedures, including reports required to check whether the Municipality's approved budget is implemented in accordance with the service delivery and budget implementation plan	Council	Mayor	
54 (1)(c) MFMA	Determining whether it is necessary to make any revisions to the service delivery and budget implementation plan	Council	Mayor	
54 (1)(d) MFMA	Determining instructions to be given to the Municipal Manager to ensure that the budget is implemented in accordance with the service delivery and budget implementation plan and that spending of funds and revenue collection proceed in accordance with the budget	Council	Mayor	
54 (1)(e) MFMA	Considering whether the Municipality faces any financial problems including any emerging or impending financial problems	Council	Mayor	
54(3) MFMA	Making public any revisions of the service delivery and budget implementation plan	Council	Mayor	

54 (1)(a) MFMA	Making arrangements for the receipt	Council	Mayor	
	of a monthly statement on the state of the Municipality's budget and a mid-year corporate performance assessment report			
55 MFMA	Immediately report to the MEC for local government if the Municipality has not approved an annual budget by 1 July of any year or if the Municipality encounters a serious financial problem	Council	Mayor	
59(1)(b) MFMA	Deciding to delegate the powers and duties assigned to the Mayor to another member of the EXCO	Council	Mayor	
59(3) MFMA	Deciding to confirm, vary or revoke any decision taken in consequence of a delegation by the Mayor	Council	Mayor	
127(2) MFMA	Tabling in the Municipal Council the Municipality's annual report	Council	Mayor	
127(3)(a) MFMA	Submitting to the Council a written explanation setting out the reasons for any delay in tabling the Municipality's annual report	Council	Mayor	

130(1) MFMA	Determining reasonable time period to be allowed during a council meeting at which an annual report is to be discussed or at which decisions concerning an annual report are to be taken for the discussion of any written submissions received from the local community or organs of state on the annual report and for members of the local community or	Council	Mayor	
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	any organs of state to address the Council			
131(1) MFMA	Ensure compliance by the municipality in addressing any issues raised by the auditor-general in an audit report	Council	Mayor	
133(1)(a) MFMA	Tabling in the Council a written explanation setting out the reasons for the failure of the Municipal Manager to submit annual financial statements to the Auditor-General or the Mayor's failure to table the annual report of the Municipality in the Municipal Council	Council	Mayor	
135 (3)(b) MFMA	Informing the MEC responsible for local government and the MEC responsible for finance of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	Mayor	

136(1)(a) MFMA	Participating in consultations with the MEC for local government regarding a serious financial problem in the Municipality	Council	Mayor	
137(1)(d) MFMA	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in resolving any financial problem, and if applicable, implementing the financial recovery plan	Council	Mayor	
139(1)(b) MFMA	Participating in consultations with the	Council	Mayor	

	MEC for local government regarding the Municipality's co-operation in implementing the recovery plan, including the approval of a budget and legislative measures giving effect to the recovery plan			
139(2) MFMA	Receiving a request made by the provincial executive to the Municipal Financial Recovery Service to determine the reasons for the crisis in the Municipality's financial affairs, to assess the Municipality's financial state and to prepare an appropriate recovery plan for the Municipality	Council	Mayor	

153 (3) (b) to (e) MFMA	Giving notice of an application in the High Court for an order to suspend the Municipality's financial obligations, or any portion of those obligations, until the Municipality can meet those obligations to the MEC for finance, the MEC for local government, the minister of finance the minister responsible for local government	Council	Mayor	
166(2) MFMA	Receiving reports of the audit committee	Council	Mayor	
49 (1) (a) MSTA	Presiding at meetings of the Executive Committee	Council	Mayor	
49 (1) (b) MSTA	Performing duties, including any ceremonial functions	Council	Mayor	
57(1) MSA	The conclusion of the employment contract of the municipal manager	Council	Mayor	
Chapter 2 Performance Regulations				
57(2) MSA Chapter 3 Performance Regulations	The conclusion of a performance agreement with the municipal manager within 60 days of his / her appointment and annually thereafter within one month after the beginning of the financial year	Council	Mayor	

POWERS DELEGATED TO THE SPEAKER

The functions set out hereunder are allocated to the speaker in terms of legislation, and the authority to implement same is accordingly delegated to the speaker by the council.

		DELEGATIONS		
SECTION IN ACT	FUNCTION	FROM	TO	CONDITIONS
28 MSTA	To ensure that the provisions in respect of privileges and immunities of Councillors are adhered to	Council	Speaker	
29 (1) MSTA	The Speaker decides when and where the Council meets, save if the majority of the Councillors request the speaker in writing to convene a meeting at time set out in the request	Council	Speaker	Subject to section 18 (2) of the Structures Act that requires quarterly meetings
37 MSTA	To preside at the meetings of the Council	Council	Speaker	
	To ensure that the Council meets at least quarterly	Council	Speaker	
	To maintain order during meetings of the Council	Council	Speaker	
	To determine the date and venue of ordinary Council meetings	Council	Speaker	

	To ensure compliance in the Council and the Committees with the Code of Conduct	Council	Speaker	
20 (4) MSA	Take reasonable steps to regulate public access to, and public conduct at meetings of the Council	Council	Speaker	
13(1), (2) & (3) Schedule 1 MSA	If the Speaker, on a reasonable suspicion, is of the opinion that a provision of the code of conduct for the councillors has been breached, the Speaker must: 1. Authorise an investigation of the fact and circumstances of the alleged breach; 2. Give the affected Councillor a reasonable opportunity to reply in writing regarding the alleged breach; 3. Report the matter to an open meeting of the council; and 4. Report the outcome of the investigation to the MEC for local government	Council	Speaker	
13(4) Schedule 1 MSA	Ensure that each councillor when taking office is given a copy of the code of conduct for councillors and that a copy of the code of conduct for councillors is available in every room or place where the council meets	Council	Speaker	

130(1) MFMA	Determining the reasonable time period to be allowed during a Council meeting at which an annual report is to be discussed or at which decisions concerning an annual report are to be taken for the discussion of any written submissions received from the local community or any organs of state to address the Council	Council	Speaker	
133(1)(b)(i) MFMA	Submitting information received from the auditor-general regarding the failure to submit annual financial statements to the Council	Council	Speaker	

POWERS DELEGATED TO THE MUNICIPAL MANAGER (MM)

The functions and roles and responsibilities listed below are allocated to the Municipal Manager by statute. The Council accordingly delegates the authority to the MM to implement them and the MM in turn sub-delegates the function and authority as indicated.

		DELEGATION			
SECTION IN ACT	FUNCTION	FROM	TO	SUB-DELEGATION & CONDITIONS	

23 (1) MSA	The undertaking of developmentally orientated planning to ensure that the municipality achieves the objects of local government in section 152 of the Constitution, gives effect to its developmental duties as required by section 153 of the Constitution and the contribute to the progressive realisation together with other organs of state of the fundamental rights contained in the Constitution	Council	MM	Manager: IDP	
38 & 41 MSA	The establishment of a performance management system	Council	MM		
46 MSA	The preparation of the annual performance reports	Council	MM	Manager: IDP and PMS	
55 (1) MSA	The formation and development of an economical, effective, efficient and accountable administration (a) Operating in accordance with the Municipality's performance management system in accordance with Chapter 6 of Systems Act; and Responsive to the needs of the local community to participate in the affairs of the Municipality	Council	MM	Directors	
	The management of the administration in accordance with the MSA and other legislation applicable to the Municipality	Council	MM	Directors	
	The implementation of the Municipality's integrated development plan, and the monitoring of progress with and suitable and equitable manner	Council	MM	Directors	

	The appointment of staff other than the Municipal Managers and Directors, subject to the provisions of the Employment Equity Act, 1998 (Act 55 of 1998)	Council	MM	DCS	
	The effective management, utilisation, and training of staff	Council	MM	Directors	
	The maintenance of discipline of staff	Council	MM	In terms of the Code of Conduct and the Disciplinary Code and Bargaining Council Agreements. Delegation to Directors limited to processes leading to discipline, sanction remains the Municipal Manager's authority.	
	The promotion of sound labour relations and compliance by the Municipality with applicable labour legislation	Council	MM	Directors and the Local Labour Forum	
Divisional Collective Agreement	Appointment of Acting Personnel to the position of senior manager for a period less than three (3) months	Council	MM	DCS	
Divisional Collective Agreement	Appointment of Acting Personnel within the SALGBC Personnel	Council	MM	Directors	
	Advising the political structures and political office bearers of the Municipality	Council	MM	Directors in respect of Committees and MM. in respect of EXCO and Council	
	Managing communications between the administration and its political structures and political office bearers	Council	MM		
	Carrying out the decisions of the political structures and political office bearers of the Municipality	Council	MM	Directors	
	The administration and implementation of the Municipality's by-laws and other legislation	Council	MM	Directors	

	Facilitating participation by the local community in the affairs of the Municipality	Council	MM	Directors	
	Developing and maintaining a system whereby community satisfaction with municipal services is assessed	Council	MM	DCS ensures coordination, maintenance and reporting	
	The implementation of national and provincial legislation applicable to the Municipality	Council	MM	Directors	
55(2) MSA	As accounting officer of the Municipality, the Municipal Manager is responsible and	Council	MM		

	accountable for- (a) all income and expenditure of the Municipality; (b) all assets and the discharge of all liabilities of the Municipality; and (c) proper and diligent compliance with applicable municipal finance management legislation				
57(1) MSA Chapter 2 Performance Regulations	The conclusion of the employment contract of a director	Council	MM		
57(2) MSA Chapter 3 Performance Regulations	The conclusion of a performance agreement with a director within 60 days of his / her appointment and annually thereafter within one month after the beginning of the financial year	Council	MM		
59 MSA	Develop a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances	Council	MM		

66(1) MSA	Within a policy framework determined by the Council and subject to any applicable legislation, to: (a) develop a staff establishment for the Municipality and submit the staff establishment to the Council for approval; (b) provide a job description for each post on the staff establishment; (c) attach to those posts the remuneration and other conditions of service for each post on the staff establishment in accordance with	Council	MM	DCS is responsible for all the processes leading to the appointment of staff, the Municipal Manager approves of the appointment of staff	
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	applicable labour legislation or any collective agreement; and regularly evaluate the staff establishment and the remuneration and conditions of service				
4 Appointment Regulations	The review of the Municipality's staff establishment as prescribed	Council	MM	DCS	
67 (1) & (2) MSA	Develop and adopt appropriate systems and procedures, in accordance with applicable law and subject to any applicable collective agreement and labour legislation, consistent with any uniform standards prescribed in terms of section 73(1)(c), to ensure fair, efficient, effective, and transparent personnel administration	Council	MM	DCS	
67 (4) MSA	On written request by a staff member, to make a copy of or extract from the staff systems and procedures of the Municipality, including any amendments, available to that staff member	Council	MM	Director: Corporate Services	

67 (4) MSA	To ensure that the purpose, contents, and consequences of the staff systems and procedures of the Municipality and the Code of Conduct for officials are explained to staff members who cannot read	Council	MM	Director: Corporate Services	
96(a) & 9(b) MSA	To collect monies due and payable to it, subject to the MSA and any other legislation and for this purpose, must adopt, maintain, and implement a credit control and debt collection policy, which is consistent with the rates and tariff policies	Council	MM	CFO	

97(g) MSA	The termination or restriction of services when payments are in arrears	Council	MM	CFO	
98 MSA	To differentiate between different categories of ratepayers, users of services, debtors, taxes, services, service standards and any other matters as long as such differentiation does not amount to unfair discrimination	Council	MM	CFO	
103(a) MSA	Credit an account holder for a payment made and issue a receipt as acknowledgement for such payment	Council	MM	CFO	
109(2) MSA	To compromise or compound any legal action, claim or proceedings, and to submit to arbitration any matter other than a matter involving a decision on the status, powers or duties of the Municipality or the validity of its acts or by-laws	Council	MM		

85 (3-4) Housing Act	To approve, subject to certain conditions, if necessary, applications for the demolishing / alterations of houses or buildings used for residential purposes, excluding buildings older than fifty years, historically declared buildings and other questionable cases after consultation with the relevant director	Council	MM	DID advises the MM, who has ultimate authority)	
Reg. 41 (b) & 44 (4) of the Road Traffic Act	The power to comment to the Local Road Transport Council on applications for public road transport permits in consultation with the Manager responsible for this purpose	Council	MM	DCSS	
Removal of Restrictions Act 1967	Comment in respect of the removal of restrictions in terms of the Removal of Restrictions Act	Council	MM	DID	

Occupational Health and Safety Act (sect 16)	Authority and duty to ensure that the Municipality adheres to the stipulations of the Occupational Health and Safety Act, 1993 (Act 35 of 1993)	Council	MM	DCS	
Regulation of Gatherings Act 205/93	To grant approval for the holding of public gatherings and demonstrations	Council	MM	DCPS	After consultation in terms of Section 4 of the Gatherings Act (25 of 1993)
Regulation of Gatherings Act 205/93	To act as responsible officer in terms of the provisions of the Regulation of Gatherings Act, 1993 (Act NO 205 OF 1993)	Council	MM	DCPS	
35 (1) MPRA	Designate officials of the Municipality or persons in private practice as data collectors to assist the municipal valuer	Council	MM	CFO	

49(1) & (2) MPRA	Within 21 days of receipt, to publish, disseminate and serve copies of a notice that the roll is open for inspection and inviting objections, in the manner prescribed in s49(1)(a), (b) & (c) of the MPRA	Council	MM	CFO	
50 MPRA, 54 MPRA, 61 MPRA, 66 MPRA	To assist with the process of objections to and appeals against the valuation of properties	Council	MM	CFO	
56 of SPLUMA	The powers and authority to enable the Municipal Manager to fulfil the functions allocated to him / her by the provisions of SPLUMA including such functions necessary ancillary to the aforesaid functions	Council	MM	DID	
7(1) MFMA	Deciding to open a bank account for the Municipality.	Council	MM		

	Deciding at which bank/banks to open a bank account.	Council	MM	CFO	
	Deciding to close a bank account.	Council	MM	CFO	
7(2) MFMA	Determining into which bank account money collected or received by the Municipality must be deposited	Council	MM	CFO	
8(1) MFMA	Designating a bank account of the Municipality as the Municipality's primary bank account	Council	MM	CFO	

8(5) MFMA	Submission of the Municipality's primary bank account details, and any impending change thereof to National Treasury, Provincial Treasury and the Auditor-General	Council	MM	CFO	
8(3) MFMA	Determining the reasonable steps to be taken to ensure that the prescribed money received is paid into the Municipality's primary bank account	Council	MM	CFO	
9(a) MFMA	Submission of the prescribed details regarding any new bank accounts opened for the Municipality to the Provincial Treasury and the Auditor – General	Council	MM	CFO	
9(b) MFMA	Submission of the details of the Municipality's bank accounts annually before the start of a financial year to the Provincial Treasury and the Auditor-General	Council	MM	CFO	
10(1)(a) MFMA	Administration of the Municipality's bank accounts	Council	MM	CFO	
10(2) MFMA	Enforcing compliance with sections 7, 8 and 11 of the MFMA	Council	MM	CFO	
11(1) MFMA	Written authorisation to the municipal manager, CFO or senior financial official to withdraw or authorise the withdrawal of money from the Municipality's bank account for the purpose outlined in terms of section 11 of the MFMA	Council	MM	CFO	

11(4) MFMA	Prepare and table a quarterly consolidated report of all withdrawals made in terms of section 11 (1) (b) to (j) of the MFMA from the Municipality's bank accounts in the Council and submit a copy to the Provincial Treasury and the Auditor – General	Council	MM	CFO	
12 (2) MFMA	Deciding to open a separate bank account in the name of the Municipality for the purpose of a relief, charitable, trust or other fund	Council	MM		
12(4) MFMA	Issue written authority to withdraw money without appropriation in terms of an approved budget from a bank account opened for the purpose of a relief, charitable, trust or other fund	Council	MM	CFO	In accordance with the Council decision.
13(2) MFMA 60(2) of the MSA	Establishing an appropriate and effective cash management and investment policy for the Municipality	Council	MM	CFO	
14 (4) MFMA	The transfer of ownership or otherwise disposal of a movable capital asset below the value of R1000 000.00 that is not needed to provide the minimum level of basic municipal services	Council	MM	CFO	
17(3)(b) MFMA	Prepare measurable performance objectives for revenue from each source and for each vote in the budget taking into	Council	MM	CFO	
	account the municipality's integrated development plan				

22 MFMA	Make public the annual budget, invite the local community to submit representations in connection therewith and submit same to the national and provincial treasuries and other municipalities affected by the budget	Council	MM	CFO	
24 (3) MFMA	Submission of the approved annual budget to the National Treasury and Provincial Treasury	Council	MM	CFO	
26 (4) MFMA	Obtain the approval of the MEC responsible for finance to withdraw funds from the Municipality's bank accounts, if a budget has not been approved on or before 1 July of each year	Council	MM		Subject to section 11 of the MFMA
31(c) & (d) MFMA	Issuing the certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit and obtain the Mayor's approval for exceeding the amount	Council	MM		
31(e) MFMA	Submitting the certificate in s31(c) & (d) to the provincial treasury and the Auditor-General	Council	MM		
32 (3) MFMA	Inform the Council, Mayor or EXCO that a decision taken by Council, Mayor, the EXCO or any Committee of Council is likely to result, if implemented, in unauthorised, irregular or fruitless and	Council	MM		

	wasteful expenditure.				
32 (4) MFMA	Identify the person responsible, or suspected of being responsible, for unauthorised, irregular, fruitless and wasteful expenditure.	Council	MM		
	Determining the steps to be taken to recover or rectify any unauthorised, irregular, fruitless and wasteful expenditure.	Council	MM		
	Determine the steps to be taken to prevent the recurrence of unauthorised, irregular, fruitless and wasteful expenditure	Council	MM		
	Inform the Mayor, the MEC for local government and the Auditor-General, in writing of any unauthorized, irregular or fruitless and wasteful expenditure incurred by the Municipality, whether any person is responsible or under investigation for such unauthorized, irregular or fruitless and wasteful expenditure and the steps that have been taken to recover or rectify such expenditure and to prevent a recurrence of such expenditure	Council	MM		
10(1) Regulations on Financial Misconduct and Criminal Proceedings, 2014	Reporting an alleged financial offence by any person referred to in section 173 of the MFMA, to the SAPS	Council	MM		

10(1) Regulations on Financial Misconduct	Reporting the judgment, where a financial offence is successfully prosecuted, to the National Treasury, together with full details of the convicted person, the name of the	Council	MM		
and Criminal Proceedings, 2014	municipality where the offence was committed and the sanction that was imposed				
32 (6) MFMA	Determine whether an alleged irregular expenditure falls to be reported to the SAPS	Council	MM		
	Determine whether an alleged theft and fraud occurred in the Municipality	Council	MM		
	Report alleged irregular expenditure that constitutes a criminal offence and alleged theft and fraud which occurred in the Municipality to the SAPS	Council	MM		
34 (1) MFMA	Entering into an agreement with the national or provincial government to assist the Municipality to build its capacity for efficient, effective and transparent financial management	Council	MM		
34 (3)(a) MFMA	Considering the results of the provincial government's monitoring of the Municipality	Council	MM		
37 (1)(a) MFMA	Determining steps the Municipality must take to promote co-operative government with the national and provincial spheres of government and other municipalities in the Municipality's fiscal and financial relations	Council	MM	In consultation with the Mayor, the function is also delegated to the Mayor	

37 (2) MFMA	Determine the projected amount of any allocation proposed to be transferred to another Municipality during each of the next three financial years and notifying the receiving Municipality thereof	Council	MM	CFO	
45 (2)(b) MFMA	Signing a debt agreement or other document which creates or acknowledges	Council	MM		

	any short-term debt				
46 (2)(b) MFMA	Signing a debt agreement or other document which creates or acknowledges any long-term debt	Council	MM		
54 (1)(e) MFMA	Identify any financial problems facing the Municipality, including any emerging or impending financial problems	Council	MM		
60 (b)(i) MFMA	Provide guidance and advice on compliance with the MFMA to the political structures, political office-bearers and officials of the Municipality	Council	MM	CFO	
61 (1)(b) MFMA	Disclose to the Council and the Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Mayor	Council	MM	CFO	
62(1)(a) MFMA	Deciding reasonable steps to be taken to ensure that the resources of the Municipality are used effectively, efficiently and, economically	Council	MM	CFO	

62(1)(c)(i) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient, and transparent systems of financial and risk management and internal control	Council	MM	Directors	
62(1)(c)(ii) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient, and transparent systems of internal audit operating in accordance with any prescribed norms and standards	Council	MM		

62(1)(d) MFMA	Deciding reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented	Council	MM	CFO & DCS	
62(1)(e) MFMA	Deciding reasonable steps to be taken to ensure that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the Municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15 of the MFMA	Council	MM	CFO	
62(1)(f)(i) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and implements a tariff policy referred to in section 74 of the Municipal Systems Act	Council	MM	CFO	
62(1)(f)(ii) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and implements a rates policy as required in terms of section 3 of the MPRA	Council	MM	CFO	

62(1)(f)(iii) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and implements a credit control and debt collection policy referred to in section 96(b) of the Systems Act	Council	MM	CFO	
62(1)(f)(iv) MFMA	Deciding reasonable steps to be taken to ensure that that the Municipality has and implements a supply chain management policy in accordance with Chapter 11 of the MFMA	Council	MM	CFO	
63(2)(a) MFMA	Deciding reasonable steps to be taken to	Council	MM	CFO	
	ensure that the Municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the Municipality				
63(2)(b) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice	Council	MM	CFO	
63(2)(c) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may be prescribed	Council	MM	CFO	

64(2)(a) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has effective revenue collection systems consistent with section 95 of the Systems Act and the Municipality's credit control, debt collection, rates and, tariff policies	Council	MM	CFO	
64(2)(b) MFMA	Deciding reasonable steps to be taken to ensure that revenue due to the Municipality is calculated on a monthly basis	Council	MM	CFO	
64(2)(c) MFMA	Deciding reasonable steps to be taken to ensure that accounts for municipal tax and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical	Council	MM	CFO	

64(2)(d) MFMA	Deciding reasonable steps to be taken to ensure that all money received is promptly deposited in accordance with the MFMA into the Municipality's primary and other bank accounts	Council	MM	CFO	
64(2)(e) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises revenue when it is earned and accounts for debtors and for receipts of revenue	Council	MM	CFO	

64(2)(f) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of debtors and revenue	Council	MM	CFO	
64(2)(g) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality charges interest on arrears, except where the Council has granted exemptions in accordance with its budget- related policies and within a prescribed framework	Council	MM	CFO	
64(2)(h) MFMA	Deciding reasonable steps to be taken to ensure that all revenue received by the Municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis	Council	MM	CFO	
64(3) MFMA	Informing the National Treasury of any payments due by an organ of state to the Municipality in respect of municipal tax or for municipal services, if such	Council	MM	CFO	

	payments are regularly in arrears for periods of more than 30 days.				
64(4)(a) MFMA	Deciding reasonable steps to be taken to ensure that any funds collected by the Municipality on behalf of another organ of state is transferred to that organ of state at least on a weekly basis	Council	MM	CFO	

64(4)(b) MFMA	Deciding reasonable steps to be taken to ensure that funds collected by the Municipality on behalf of another organ of state are not used for purposes of the Municipality	Council	MM	CFO	
65(2)(a) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal, and payment of funds	Council	MM	CFO	
65(2)(b) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises expenditure when it is incurred and that accounts for creditors of, and payments made by, the Municipality	Council	MM	CFO	
65(2)(c) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of creditors and payments	Council	MM	CFO	
65(2)(d) MFMA	Deciding reasonable steps to be taken to ensure that payments by the Municipality are made directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed and either electronically or by way of nontransferable cheques	Council	MM	CFO	

65(2)(e) MFMA	Deciding reasonable steps to be taken to ensure that all money owing by the Municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure	Council	MM	CFO	
65(2)(f) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments	Council	MM	CFO	
65(2)(g) MFMA	Deciding reasonable steps to be taken to ensure that any dispute concerning payments due by the Municipality to another organ of state is disposed of in terms of legislation regulating disputes between organs of state	Council	MM	CFO	
65(2)(h) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality's available working capital is managed effectively and economically in terms of the prescribed cash management and investment framework	Council	MM	CFO	
65(2)(i) MFMA	Deciding reasonable steps to be taken to ensure that the Municipality's supply chain management policy is	Council	MM	CFO	
	implemented in a way that is fair, equitable, transparent, competitive and cost-effective				

65(2)(j) MFMA	Deciding reasonable steps to be taken to ensure that all financial accounts of the Municipality are closed at the end of each month and reconciled with its records	Council	MM	CFO	
66 MFMA	Reporting to the Council on all expenditure incurred by the Municipality on staff salaries, wages, allowances and benefits, and in a manner that discloses such expenditure per type of expenditure	Council	MM	CFO	
67 (1) MFMA	Satisfy himself/herself, before entering into an agreement with an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with commercial or other business transaction, that it complies with the criteria in s67(1)	Council	MM		
67 (2) MFMA	Obtaining the approval of the provincial treasury to transfer funds of the Municipality to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction which has not complied with s67(1)	Council	MM		
67 (3) MFMA	Enforce compliance with s67(1) MFMA	Council	MM		

67 (4) MFMA	Determine whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction is an organisation or body serving the poor or used by government as an agency to serve the poor	Council	MM		
68 (a) & (b) MFMA	Assist the Mayor and provide administrative support, resources and information required by the Mayor to perform the budgetary steps assigned to the Mayor	Council	MM	CFO	
69 (1)(a) MFMA	Take reasonable steps required to ensure that the spending of funds is in accordance with the budget and is reduced as necessary when revenue is anticipated to be less than projected in the budget or in the service delivery and budget implementation plan	Council	MM	Directors	
69 (1)(b) MFMA	Take reasonable steps required to ensure that revenue and expenditure are properly monitored.	Council	MM	CFO	
69(2) MFMA	Determining whether it is necessary to prepare an adjustments budget	Council	MM	CFO	
	Preparing an adjustments budget and submitting it to the Mayor for consideration and tabling in the Council	Council	MM	CFO	

69(3)(a) MFMA	Preparing and submitting, within 14 days after the approval of the Municipality's	Council	MM	Manager: IDP	
	annual budget, a service delivery and budget implementation plan for the budget year				
69(3)(b) MFMA	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, drafts of the annual performance agreements as required in terms of section 57(l)(b) of the Systems Act for the Municipal Manager and all senior managers	Council	MM	Manager: IDP	
70 (1) MFMA	Reporting in writing to the Municipal Council any impending shortfalls in budgeted revenue and overspending of the Municipality's budget and any steps taken to prevent or rectify such shortfalls or overspending	Council	MM	CFO	
70 (2) MFMA	Inform National Treasury if the Municipality's bank account or, if the Municipality has more than one bank, the consolidated balance in those bank accounts, shows a net overdrawn position for a period exceeding a prescribed period	Council	MM	CFO	
71 (1) MFMA	Submit to the Mayor and provincial treasury, within 10 working days after the end of each month, a statement in the prescribed format on the state of the Municipality's budget	Council	MM	CFO	

	Preparing an adjustments budget and submitting it to the Mayor for consideration and tabling in the Council	Council	MM	CFO	

71 (5) MFMA	Submit to the national or provincial organ of state or Municipality which transferred an allocation during any particular month to the Municipality within 10 working days after the end of the month concerned a statement indicating the amount of any allocations, excluding expenditure on its share of the local government equitable share and allocations exempted by the annual Division of Revenue Act from compliance with this requirement.	Council	MM	CFO	
72 (1)(a) MFMA	Assess the Municipality's performance during the first financial year	Council	MM	Manager: IDP	
72 (1)(b) MFMA	Submit the mid-year performance assessment report to the Mayor, the National Treasury and the Provincial Treasury	Council	MM	Manager: IDP	
72 (3) MFMA	Determine whether it is necessary to recommend that an adjustments budget be considered and whether revised projections for revenue and expenditure are necessary	Council	MM	CFO	
73 (a) MFMA	Inform the provincial treasury of any failure by the Council to adopt or	Council	MM	CFO	

	implement a budget- related policy or a supply chain management policy				
73 (b) MFMA	Inform the provincial treasury of any non-compliance by a political structure or political office-bearer of the Municipality with a budget-	Council	MM		

	related policy or the supply chain management policy				
74 (1) MFMA	Submit to the National Treasury, the provincial treasury, the department for local government and the AuditorGeneral such information, returns, documents, explanations and motivations as may be prescribed or as may be required	Council	MM	CFO	
74 (2) MFMA	Report the municipal manager's inability to comply with any of the responsibilities in terms of the MFMA, together with reasons, to the Mayor and the provincial treasury	Council	MM		
75 (1) & (2) MFMA	Ensure that the required documents are uploaded to, and available on, the Municipality's website within five days after its tabling in the Council or on the date on which it must be made public, which ever occur first	Council	MM	DCS	

74 (1) MFMA	Submit to the National Treasury, the provincial treasury, the department for local government and the AuditorGeneral such information, returns, documents, explanations and motivations as may be prescribed or as may be required	Council	MM	CFO	
74 (2) MFMA	Report the municipal manager's inability to comply with any of the responsibilities in terms of the MFMA, together with reasons, to the Mayor and the provincial treasury	Council	MM		

75 (1) & (2) MFMA	Ensure that the required documents are uploaded to, and available on, the Municipality's website within five days after its tabling in the Council or on the date on which it must be made public, which ever occur first	Council	MM	DCS	
77 (1) MFMA	Decide to designate any officials other than those listed in section 77(1)(a) to (c) of the MFMA as "top management"	Council	MM		
79 (1)(a) MFMA	Develop an appropriate system of delegation that will maximise administrative and operational efficiency and provide adequate checks and balances in the Municipality's financial administration for the proper application of the MFMA	Council	MM	CFO	

79 (1)(b) MFMA	Delegate to a member of Top Management or any other official of the Municipality any of the powers or duties assigned to an accounting officer in terms of the MFMA any powers or duties reasonably necessary to assist the accounting officer to take reasonable or appropriate steps to ensure achievement of the aims of a specific provision of the MFMA	Council	MM		
79 (1)(c) MFMA	Regularly review delegations issued to a member of the Municipality's Senior Management or any other official of the Municipality and, if necessary, amend or withdraw any of those delegations	Council	MM		

79 (2) MFMA	Review and confirm, vary or revoke any decision taken in consequence of a delegation or a sub delegation in terms of the MFMA	Council	MM		
80 (1)(b) MFMA	Allocate officials of the Municipality to the CFO	Council	MM		
83 (2) MFMA	Provide the resources or opportunities to be made available for the training of the municipal manager, the CFO, directors and other financial officials to meet the prescribed financial management competency levels	Council	MM	DCS	
111 & 115 MFMA	Making and implementing a supply chain management policy for the Municipality	Council	MM	All Directors and Bid Committees	

4 & 5 Municipal Supply Chain Management Regulations, 2005	Such additional powers and duties to enable the municipal manager to: (a) to discharge the supply chain management responsibilities conferred on accounting officers in terms of - (i) Chapter 8 or 10 of the MFMA; and (ii) the supply chain management policy of the Municipality; (b) to maximise administrative and operational efficiency in the implementation of the supply chain management policy; (c) to enforce reasonable cost-effective measures for the prevention of fraud, corruption, favouritism and unfair and irregular practices in the implementation of the supply chain management policy; and	Council	MM	All Directors and Bid Committees	

	(d) to comply with his or her responsibilities in terms of section 115 and other applicable provisions of the MFMA.				
113(1) MFMA	Deciding whether to consider an unsolicited bid received outside the Municipality's normal bidding process	Council	MM	Bid Committees	
114 (1) MFMA	Submit a report to the Auditor-General, the provincial treasury and the National Treasury on the reasons why a tender other than the one recommended in the normal course of implementing the supply chain management policy of the Municipality is approved	Council	MM		

115 (1)(b) MFMA	Determining reasonable steps that must be taken to ensure that proper mechanisms and separation of duties in the supply chain management system are in place to minimise the likelihood of fraud, corruption, favouritism and unfair and irregular practices	Council	MM	CFO	
116(2)(a) MFMA	Determining reasonable steps that must be taken to ensure that a contract or agreement procured through the supply chain management policy of the Municipality is properly enforced	Council	MM	CFO	
116(2)(b) MFMA	Monitoring the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Council	MM	All Directors, the CFO coordinates the information	
116(2)(c) MFMA	Determining capacity that needs to be established within the Municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Council	MM	Directors	

	Establishing capacity in the Municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Council	MM	CFO	
116(2)(d) MFMA	Regularly report to the Council regarding the management of contracts and/or agreements and the performance of contractors.	Council	MM	CFO & Directors	
	Determining frequency/regularity of reports to be submitted to the Council regarding the management of contracts and/or agreements and the performance of contractors.	Council	MM	CFO	
116(3)(a) MFMA	Tabling reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of the Municipality in the Council	Council	MM	CFO	

116(3)(b) MFMA	Giving local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of the Municipality and inviting the local community to submit representations to the Municipality	Council	MM	CFO	

119(2) MFMA	Determining resources or opportunities to be made available for the training of officials involved in the implementation of the supply chain management policy of the Municipality to meet the prescribed competency levels	Council	MM	CFO	
32 Municipal Supply Chain Management Regulation, 2005	Deciding to procure goods or services for the municipality under a contract secured by another organ of state in compliance with regulations 32(1)(a) to (d)	Council	MM		
36 (1) (a) Municipal Supply Chain Management Regulations, 2005	Deciding 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 works of art or historical objects where specifications are difficult to compile; (iv) acquisition of animals for zoos; or	Council	MM		
	in any other exceptional case where it is impractical or impossible to follow the official procurement processes				

36 (1) (b) Municipal Supply	Deciding to ratify any minor breaches of the procurement processes by an official or	Council	MM		
Chain Management Regulations, 2005	committee acting in terms of delegated powers or duties which are purely of a technical nature				
120(4) MFMA	Deciding to conduct a feasibility study before a public-private partnership is concluded	Council	MM		
120(6)(a) MFMA	Submitting the report on the feasibility study together with all other relevant documents to the Council for a decision, in principle, on whether the municipality should continue with the proposed public-private partnership	Council	MM	CFO	
120(6)(b) MFMA	Making the particulars of the proposed public- private partnership, including the report on the feasibility study and inviting the local community and other interested persons to submit to the Municipality comments or representations in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered	Council	MM	CFO	
120(6)(c) MFMA	Soliciting the views and recommendations of the National Treasury, the national department responsible for local government, the	Council	MM	CFO	

	responsible national department if the proposed public-private partnership involves the provision of water, sanitation, electricity or any other service as may be prescribed and any other national or provincial organ of state as may be prescribed in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered				
121(1) MFMA	Preparing an annual report for the Municipality in accordance with chapter 12 of the MFMA	Council	MM	Manager: IDP	
121(3)(e) MFMA	Performing an assessment of any arrears on municipal taxes and service charges for inclusion in the Municipality's annual report	Council	MM	CFO	
121(3)(f) MFMA	Performing an assessment of the Municipality's performance against the measurable performance objectives referred to in section 17(3)(b) of the MFMA for revenue collection from each revenue source and for each vote in the Municipality's approved budget for the relevant financial year for inclusion in the Municipality's annual report	Council	MM	CFO	
122(1) MFMA	Preparing annual financial statements which fairly presents the state of affairs of the Municipality, its performance against its budget, its management of revenue, expenditure, assets and	Council	MM	CFO	

	liabilities, its business activities, its financial results, and its financial position as at the end of the financial year				
126(1)(a) MFMA	Submitting the annual financial statements of the Municipality to the Auditor-General on or before 31 August of each year	Council	MM	CFO	
126 (4) MFMA	Receiving a report outlining the reasons for the delay from the Auditor-General if he she is unable to complete an audit within three months after submission of the Municipality's annual financial statements	Council	MM		
127(5)(a) MFMA	Publishing the annual report and inviting the local community to submit representations in connection with the annual report	Council	MM		Manager: IDP to assist in the coordination.
127(5)(b) MFMA	Submitting the annual report to the Auditor- General, the provincial treasury and the provincial department responsible for local government	Council	MM	Manager: IDP	
129 (1) MFMA	Preparing the oversight report containing council's comments on the annual report in compliance with s129(a) to (c)	Council	MM		

129(2)(a) MFMA	Attend the meetings of the Council and its committees where the annual report is discussed and respond to questions concerning the report	Council	MM		

129(2)(b) MFMA	Submitting copies of the minutes of meetings of the Municipal Council and its committees where the annual report was discussed to the Auditor- General, the provincial treasury and the provincial department responsible for local government	Council	MM	Manager: IDP	
129 (3) MFMA	Publish the oversight report regarding the annual report	Council	MM		Manager: IDP to assist in the coordination.
131(1) MFMA	Ensuring that the Municipality addresses all the issues raised in an audit report	Council	MM		Internal Audit to assist in the compilation of the Audit Action Plan.
131 (2)(a) MFMA	Submit the Municipality's responses to the issues raised in an audit report to the MEC for local government	Council	MM		
132 (2) MFMA	Submit the Municipality's annual report and oversight report to the provincial legislature	Council	MM	Manager: IDP	
135(3) MFMA	Considering whether the Municipality is, or is likely to, encounter a serious financial problems in meeting its financial commitments	Council	MM	CFO	

135(3)(a) MFMA	Determining the manner of seeking solutions to any serious financial problem encountered or anticipated by the municipality in meeting its financial commitments	Council	MM	CFO	
135(3)(a) MFMA	Defining the solutions to be implemented to solve or avoid any serious financial problem encountered or anticipated by	Council	MM	CFO	

	the municipality in meeting its financial commitments				
135 (3)(c) MFMA	Notifying organized local government of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	MM		
141 (3)(a) MFMA & 144(2)	Participating in consultations with the person or body appointed to prepare a financial recovery plan or an amendment of such plan for the Municipality	Council	MM	CFO	
141 (3)(c) MFMA & 144 (2) MFMA	Commenting on a draft financial recovery plan or an amendment to such plan for the Municipality	Council	MM	CFO	
145(1)(a) MFMA & 146(1)(a) MFMA	Implementing an approved financial recovery plan for the Municipality	Council	MM	CFO	
146(1)(c) MFMA	Reporting monthly to the MEC responsible for finance on the implementation of a financial recovery plan for the Municipality resulting from a mandatory provincial intervention	Council	MM	CFO	

152 (1) MFMA	Deciding to apply to the High Court for an order to stay all legal proceedings, including the execution of legal process, to persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	Council	MM	CFO	
152 (2) MFMA	Giving notice of an application by the Municipality to the High Court for an order to stay all legal proceedings, including the execution of legal process, to persons	Council	MM	CFO & DCS	

	claiming money from the Municipality if the Municipality is unable to meet its financial commitments				
153 (1)(a) MFMA	Deciding to apply to the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality	Council	MM	CFO & DCS	
153 (1)(b) MFMA	Deciding to apply to the High Court for an order to suspend the Municipality's financial obligations to creditors, or any portion of those obligations, until the Municipality can meet those obligations	Council	MM	CFO & DCS	
153 (1)(c) MFMA	Deciding to apply to the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	Council	MM	CFO & DCS	

153 (3) (a) MFMA	Giving notice of an application in the High Court for an order to suspend the Municipality's financial obligations, or any portion of those obligations, until the Municipality can meet those obligations to creditors and organised labour	Council	MM	CFO & DCS	
165 (1) & (3) MFMA	Deciding whether to establish an internal audit unit or to outsource the internal audit function	Council	MM		
166(1) & (6) MFMA	Deciding to establish an audit committee for the municipality only or Municipality and the local municipalities within the district municipal area	Council	MM		

167 (2)(a) MFMA	Recover any amount paid or given in cash or in kind to a person as a political office-bearer or as a member of political structure of the Municipality otherwise than in accordance with the framework of the Public Office-Bearer Act, 1998 (Act No. 20 of 1998), including any bonus, bursary, loan advance or other benefit	Council	MM	CFO	
171 (4)(a) MFMA	Investigating any allegations of financial misconduct against the Chief Financial Officer, a senior manager or other official of the Municipality	Council	MM		

171 (4)(a) MFMA	Deciding whether an allegation of financial misconduct against the Chief Financial Officer, a senior manager or other official of the Municipality is frivolous, vexatious, speculative or obviously unfounded	Council	MM		
171(4)(b) MFMA	Deciding whether an investigation of an allegation of financial misconduct against the Chief Financial Officer, a senior manager or other official of the Municipality revealed anything that warrants the institution of disciplinary proceedings	Council	MM		
mSCOA	The powers and authority to enable the Municipal Manager to fulfil the functions allocated to him / her by mSCOA including such functions necessary ancillary to the aforesaid functions	Council	MM	All Directors and BTO managers	
Regulations on Financial Misconduct and Criminal Proceedings, 2014	The powers and authority to enable the Municipal Manager to fulfil the functions allocated to him / her by the Regulations on Financial Misconduct and Criminal Proceedings, 2014 including such functions necessary ancillary to the aforesaid functions	Council	MM	Directors	
4 Regulations on Financial Misconduct and Criminal Proceedings, 2014	The establishment of a disciplinary board to investigate allegations of financial misconduct in the Municipality and to monitor the institution of disciplinary proceedings against an alleged transgressor	Council	MM	DCS	

PAIA & POPI	The powers and authority to enable the official to fulfil the functions allocated to him / her by PAIA and POPI including such functions necessary ancillary to the aforesaid functions	Council	MM	DCS	

POWERS DELEGATED TO THE CHIEF FINANCIAL OFFICER:

The functions set out hereunder are allocated to the Chief Financial Officer in terms of the legislation as indicated in column 1 and the Council accordingly delegates the necessary authority to the CFO to enable him/her to implement them

SECTION IN ACT	FUNCTION	DELEGATION		CONDITIONS
		FROM	TO	
81 (1)(b) MFMA	Advise the Municipal Manager on the exercise of powers and duties assigned to her/him in terms of the MFMA	Council	CFO	
81 (1)(c) MFMA	Assist the Municipal Manager in administering the Municipality's bank accounts and, in the preparation, and implementation of the Municipality's budget	Council	CFO	
81 (1)(d) MFMA	Advise Managers and other senior officials in the exercise of powers and duties assigned or delegated to them	Council	CFO	

82(1) MFMA	Deciding to sub-delegate any powers and duties to employees in the Budget and Treasury Office	Council	CFO	
82 (4) MFMA	Review and confirm, vary or revoke any decision taken in consequence of a sub- delegation	Council	CFO	

POWERS DELEGATED TO THE DIRECTOR CORPORATE SERVICES

		DELEGATION		
SOURCE	FUNCTION	FROM	TO	CONDITIONS
BCEA	Approval of annual leave, sick leave, maternity leave, family responsibility leave and parental leave.	MM	DCS	
Libraries	Approval of Library Grant business plan and other related grant funding	MM	DCS	
Committee Services	Signing of Resolutions of Council, Executive Committee, Local Labour Forum and any ad hoc committee or related committee	MM	DCS	
	Signing of Council, Portfolio, Local Labour Forum any ad hoc committee or related committee	MM	DCS	

Conditions of services (SALGBC)	Approval of housing subsidy and vehicle allowance and essential user scheme	MM	DCS	
	Issue precautionary suspensions for employees covered by the SALGBC and upliftment's of suspensions	MM	DCS	

	Approval of severance pay in respect of operational requirements, three weeks remuneration for each completed year	MM	DCS	
	Sign affidavits in respect of disputes lodged in the SALGBC, Labour Court and Labour Appeal Court, Magistrate and High Court, SCA.	MM	DCS	
	Approval of encashment of leave for Directors and employees upon motivation	MM	DCS	
	To approve the payment of a travelling and subsistence allowance of an applicant for a vacancy when she or he reports for an interview in accordance to Council policy	MM	DCS	
	To authorize medical examinations for persons who claim for damages from Council on account of injuries	MM	DCS	

	In the case of a new appointment, if such an appointee has been obliged to change his place of residence as a result of the appointment, to grant permission in terms of the Council's employment policy for the payment of removal costs in respect of the appointee's movable property: Provided that sufficient proof of such costs that had been incurred, is furnished	MM	DCS	
Contacts of employment	Sign appointment contracts such as EPWP and CWP.	MM	DCS	

	appointment of an employee that was appointed on probation, on a permanent basis or to extent the probation, on a permanent basis or to extent the probation period in the light of the performance and competence of the appointee, subject to the provisions of the labour legislation			
	To discharge with proper notice, any temporary employee, whether in a permanent or temporary post, if his services are no longer required, subject to the provisions of the labour legislation	MM	DCS	

	To decide about the acceptance or not of a notice of termination of service received from an employee on a shorter period than the period set in the conditions of service of the employee	MM	DCS	
	To maintain the Municipality's register for lease contracts for immovable property and submit it to Council each year	MM	DCS	
	The authority to allocate municipal buildings that are occupied by the municipality, other organs of state and for commercial purposes	MM	DCS	
	To annually adjust the schedule of uniforms and protective clothing	MM	DCS	
	To keep custody of all records and	MM	DCS	

	documents of the Municipality, except where otherwise provided			
	To decide upon architectonic maintenance, including the provision of funds	MM	DCS	
Skills Development Act	To draft and submit the Skills Development Plan to Training Committee and LGSETA	MM	DCS	
	Draft letter of approval for SDF to be included in the LGSETA electronic System			

Skills Development Act	In consultation with the Division Manager Human Resources and the Manager Financial Services, to ensure that all necessary claims for refunds are submitted to LGSETA	MM	DCS	
	Approval of internal and external bursaries in line with the applicable policy			
Staff Regulation	To sign appointment letters in respect of new employees and approve allowances	MM	DCS	
SALGBC	To sign appointment letters of the presiding officer, appeal presiding officer and prosecutor in line with the Disciplinary Procedure Collective Agreement	MM	DCS	
	To sign termination letters in respect of misconduct	MM	DCS	
IOD	Termination of service in respect of ill health, injury on duty and incapacity	MM	DCS	
	Approve all matter in respect of IOD as directed by COIDA	MM	DCS	

POWERS DELEGATED TO THE DIRECTOR: INFRASTRUCTURAL DEVELOPMENT

		DELEGATION		
SECTION IN ACT	POWER	FROM	TO	CONDITIONS

	Removal and replacement of an electricity meter	MM	DID	
	Temporary closing of roads and other public sites	MM	DID	In respect of roads, after consultation with the Chief Traffic Officer
	Approval of storm water drainage applications	MM	DID	
56 of SPLUMA	The powers and authority to enable the DID to fulfil the functions allocated to him / her by the provisions of SPLUMA including such functions necessary ancillary to the aforesaid functions	MM	DID	Subject to the Framework for delegations in terms of SPLUMA
	Prevention of illegal squatting	MM	DID	
	Prohibition of works on and use of certain land	MM	DID	
	Distribution of occupation certificate	MM	DID	
	Application for installation of radio repeaters, except for those that need permanent structures for business	MM	DID	

	To consider and approve application for the erection of cellular base stations, high masts and / or structures associated with communication networks as well as access roads leading to these structures, subject to compliance with the Environmental Impact Assessment Regulations according to section 26 of the Environmental Conservation Act, 1989 (Act No3 73 of 1989) and any other appropriate conditions	MM	DID	
	To evaluate and approve or reject, conditionally or unconditionally, traffic impact studies submitted by developers for rezoning and development purposes, except for cases where the impact of such developments may have financial implications for Council	MM	DID	
POWERS DELEGATED TO THE DC&PS				

		DELEGATION		
SOURCE	FUNCTION	FROM	TO	CONDITIONS
	By-laws relating to the licensing of cafes, restaurants, and eating houses	MM	DC&PS	
	Street Trading By-laws	MM	DC&PS	

	The establishment of crèches and Nursery Schools	MM	DC&PS	
	The maintenance of crèches and Nursery Schools located on municipal property	MM	DC&PS	
	To serve subpoenas	MM	DC&PS	
	Allocates stands to hawkers	MM	DC&PS	In consultation with the DID
	Permission for pauper funerals	MM	DC&PS	
	Allocate parking space for vendors	MM	DC&PS	
	Authority to grant approval for the use of public amenities and facilities	MM	DC&PS	
	To issue all statutory notices for the elimination of nuisances	MM	DC&PS	
	To grant written permission for a caravan to be occupied in a residential area for a period not exceeding 21 days, but in any event not exceeding 4 months	MM	DC&PS	
Business Act, 1991 (Act No. 71 of 1991)	To consider applications for the licensing of businesses	MM	DC&PS	
	To take necessary readings for the measurement of decibel value as contemplated in regulations 6 of the Noise Control Regulations	MM	DC&PS	

	To make decisions in respect of the removal or pruning of trees on the Municipality's property	MM	DC&PS	
	The authority to allocate municipal buildings that are not occupied by the municipality and other organs of state to a prospective lessee in compliance with the prescribed framework	MM	DC&PS	In consultation with the DCS
	To grant permission for the use of loudspeakers in the street to advertise functions and events, which may take place in terms of the Municipality's policy	MM	DC&PS	
	In cases where merits exist, to repay removal and storage costs for impounded vehicles	MM	DC&PS	
	To grant permission for parades, athletic and other events to be conducted in a street within the municipal area, as well as for the temporary closing of a street the temporary closing of a street	MM	DC&PS	
	To approve participation of the fire and rescue division in public demonstrations, public displays and welfare functions	MM	DC&PS	
	To decide on placement of legal, exclusive parking bays	MM	DC&PS	

	To decide on the placement of road markings	MM	DC&PS	

POWERS DELEGATED TO THE SECTION 79 AND 80 COMMITTEES

FINANCE STANDING COMMITTEE

SOURCE	FUNCTION	DELEGATION		CONDITIONS
		FROM	TO	
	To consider the Municipality's financial policies, long term financial planning and budgeting of the Municipality. Advise the EXCO and the Council on financial matters such as charges and fees or tariffs, investment of funds, loan redemption and renewal of funds	EXCO	Standing Committee	
	Consider reports involving expenditure not provided for on the budget of the functional units	EXCO	Standing Committee	
	Consider the financial statements and audit reports of the Municipality	EXCO	Standing Committee	
	Monitor all trust and reserve accounts created for a specific purpose	EXCO	Standing Committee	
	Control all accounting and costing work of all Directorates	EXCO	Standing Committee	

	Control the keeping of accounts of the Municipality	EXCO	Standing Committee	
	Advise the EXCO on overall management and the allocation and control of financial and other assets of the Municipality	EXCO	Standing Committee	
	Advise the EXCO on matters relating to the investment of funds, loans, the consolidated capital development	EXCO	Standing Committee	
	Make recommendations on proposed policy to be followed concerning matters falling within this standing committee	EXCO	Standing Committee	

COMMUNITY & PROTECTION SERVICES STANDING COMMITTEE

SOURCE	FUNCTION	DELEGATION		CONDITIONS
		FROM	TO	
	To oversee and monitor the performance of the Directorate falling within the jurisdiction of this Committee and advise EXCO accordingly	EXCO	Standing Committee	
	To consider and advise the EXCO and Council on all matters related to the functional area of the Committee	EXCO	Standing Committee	

	To ensure that effect is given to all legislation that deals with matters falling within the jurisdiction of this Committee	EXCO	Standing Committee	

INFRASTRUCTURAL DEVELOPMENT STANDING COMMITTEE

		DELEGATION		
SOURCE	FUNCTION	FROM	TO	CONDITIONS
	To oversee and monitor the performance of the Directorate falling within the jurisdiction of this Committee and advise EXCO accordingly	EXCO	Standing Committee	
	To consider and advise the EXCO and Council on all matters related to the functional area of the Committee	EXCO	Standing Committee	
	To ensure that effect is given to all legislation and policy that deals with matters falling within the jurisdiction of this Committee	EXCO	Standing Committee	

INFRASTRUCTURAL DEVELOPMENT STANDING COMMITTEE

		DELEGATION		
SOURCE	FUNCTION	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To oversee and monitor the performance of the Directorate falling within the jurisdiction of this Committee and advise EXCO accordingly	EXCO	Standing Committee	
	To consider and advise the EXCO and Council on all matters related to the functional area of the Committee	EXCO	Standing Committee	
	To ensure that effect is given to all legislation and policy that deals with matters falling within the jurisdiction of this Committee	EXCO	Standing Committee	

CORPORATE SERVICES STANDING COMMITTEE

		DELEGATION		
SOURCE	FUNCTION	FROM	TO	CONDITIONS
	To oversee and monitor the performance of the Directorate falling within the jurisdiction of this Committee and advise EXCO accordingly	EXCO	Standing Committee	

	To consider and advise the EXCO and Council on all matters related to the functional area of the Committee	EXCO		
	To ensure that effect is given to all legislation and policy that deals with matters falling within the jurisdiction of this Committee	EXCO	Standing Committee	

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

TERMS OF REFERENCE: The Municipal Public Accounts Committee (MPAC) is established in terms of Section 79 of the Municipal Structures Act, 117 of 1998, as amended, and performs an oversight function on behalf of the Council. Through the Municipal Public Account Committee, Council will be able to provide the public with assurance that public money and assets are being managed properly and that value for money is being rendered. In order for the MPAC to fulfil the oversight role, it needs to be provided with the necessary information and documentation to interrogate the actions of the executive.

SOURCE	FUNCTION	DELEGATION		CONDITIONS
		FROM	TO	
	To consider and evaluate the Annual Report as table to Council, and thereafter make recommendations to Council in this regard. The committee must receive the report no more than two weeks after tabling to Council	Council	MPAC	

Section 129 of the MFMA	To compile an Oversight Report and table in Council no later than two months from the date of which the Annual report was tabled, in terms of Section 129 of the MFMA	Council	MPAC	
Sections 127(5), 130, & 132 of the MFMA	To monitor that all submissions and calls have been undertaken as per Sections 127(5), 130, and 130 of the MFMA	Council	MPAC	
Sections 129 of the MFMA	To review whether matters raised in past Annual Reports have been attended to, as well as whether recommendations made in previous Oversight Report in terms of Section 129 of the MFMA have been attended to	Council	MPAC	

Section 29 of the MFMA	Any unforeseen and unavoidable expenditure in terms of Section 29 of the MFMA, must be reported to the MPAC with proof of the necessary appropriation in the adjustment budget. After consideration of the matter, the MPAC must report to Council on the matter	Council	MPAC	

Section 32 of the MFMA	Any unauthorised, irregular, or fruitless expenditure, in terms of Section 32 of the MFMA, incurred by the Council, Executive Mayor, political office bearers or officials, must be reported to the MPAC. The Accounting Officer must report to the MPAC on all steps taken to authorise or certify or recover or write off the expenditure, as well as whether any criminal action was instituted. The MPAC must report to Council on the appropriateness of action taken	Council	MPAC	
	To monitor whether the Executive Mayor has initiated a review of the IDP postelection and annually thereafter. If such review is not done, the MPAC must report to Council	Council	MPAC	
Section 128 and 133 of the MFMA Section 52(d) of the MFMA Section 127 of the MFMA	To consider and comment on the following: • Section 72 reports (Mid-year Budget and performance assessment); • The final audit opinion and documents from the Audit Committee related thereto;	Council	MPAC	

	- Any information in terms of Section 128 and Section 133 of the MFMA; and - Quarterly Report of the Executive Mayor in terms of Section 52(d) of the MZMA (implementation of the Budget and the Financial state of affairs of municipality) - The Annual Report (Section 127)			
	To recommend an investigation in its area of responsibility, after reviewing any investigation report already undertaken by the Municipality or the Audit Committee			
	In the case of any irregular expenditure or any fruitless and wasteful expenditure incurred by the municipality or municipal entities, the MPAC will have the right to call upon the accounting officer of the municipality or the chairperson of the municipal entity's board or directors to appear before it to provide information or clarity			
Section 130 of the MFMA	The MPAC may, for the purposes of 130 of the MFMA, engage directly with the public and consider public comments			
	To perform any other functions assigned to it through a resolution of council with its area of responsibility			

SOURCE	FUNCTION	DELEGATION		CONDITIONS
		FROM	TO	
Section 166 (2)(a)-(e)	(a) advise the municipal council, the political office-bearers, the accounting officer, and the management staff of the municipality, or the board of directors, the accounting officer, and the management staff of the municipal entity on matters relating to- (i) internal financial control and internal audits; (ii) risk management; (iii) accounting policies; (iv) the adequacy, reliability and accuracy of financial reporting and (v) performance management; (vi) effective governance; (vii) compliance with this Act, the annual Division of Revenue Act and any other applicable legislation; (viii) performance evaluation; and other applicable legislation: (ix) any other issues referred to it by the municipality or municipal entity: (b) review the annual financial statements to provide the council of the municipality or, in the case of a municipal entity, the council of the parent municipality and the board of directors of the entity, with an authoritative and credible view of the financial position of the municipality or municipal entity, its efficiency and	Council	Audit Committee	

	effectiveness and its overall level of compliance with this Act, the annual Division of Revenue Act and any other applicable legislation; (c) respond to the council on any issues raised by the Auditor-General in the audit report; carry out such investigations into the financial affairs of the municipality or municipal entity as the council of the municipality, or in the case of a municipal entity, the council of the parent municipality or the board of directors of the entity, may request: and (x) perform such other functions as may be prescribed.			
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OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 FROM THE
MUNICIPAL MANAGER TO COUNCIL: APPROVAL
OF THE IDP, TARIFF AND BUDGET PROCESS
PLAN
27-28**

ANNEXURE C.15



NDLAMBE LOCAL MUNICIPALITY

2027/28 IDP, TARIFF AND BUDGET PROCESS PLAN

ELECTION TRANSITION EDITION

Purpose: To keep the annual IDP and budget cycle legally and administratively active across the 4 November 2026 local government election; close and hand over the outgoing term honestly; and enable the incoming Council to determine and adopt its five-year direction through an affordable 2027/28 IDP, budget, tariffs and performance programme.

Council consideration: 28 August 2026
Financial year: 1 July 2027–30 June 2028

1. Purpose and election-transition context

The 2027/28 planning cycle begins near the end of the current Council's term. A local government election is scheduled for 4 November 2026. The municipality therefore cannot treat this cycle as an ordinary annual review, but it also cannot postpone the statutory IDP and budget process until the new Council takes office.

The existing IDP, budget, policies, contracts, service obligations and municipal administration continue through the election. The outgoing Council must keep the annual process moving and prepare a reliable handover. The incoming Council must then understand the inherited position, determine its political and strategic direction, and adopt the five-year IDP that will guide its elected term.

Central idea: This Process Plan is a bridge between two Councils. It protects continuity between the out-going Council and the newly elected “incoming” Council's five-year mandate.

1. What this Process Plan does

- Sets the annual programme and deadlines for the IDP, budget, municipal tariffs, PMS and SDBIP processes;
- Separates outgoing-term closure and handover from incoming-Council priority-setting;
- Creates one verified administrative, financial and community baseline for the incoming Council;
- Establishes clear roles for Council, the administration, the Steering Committee and the expanded Representative Forum;
- Provides meaningful participation opportunities after adoption, before the election, after the election and on the tabled draft;
- Requires priorities and projects to be tested against mandate, need, affordability, readiness, capacity and measurable results; and
- Ensures that the final IDP, budget, tariffs, policies and performance commitments form one aligned implementation package.

2. Legal and policy framework

The following provisions establish the legal boundaries of the process. They must be read together rather than as separate planning exercises.

Instrument	What it governs in this Process Plan
Municipal Systems Act 32 of 2000	Sections 16–18: participatory governance; sections 25–26: adoption and core contents of an IDP; section 32: submission to the MEC; section 34: annual review and amendment; sections 35–36: legal status and implementation of the IDP; sections 41 and 55: performance and administrative responsibility.
Municipal Structures Act 117 of 1998	Sections 19 and 24: Council responsibilities and term; sections 29 and related provisions: Council meetings and transition; sections 72–75: ward committees and participatory democracy; applicable provisions governing election of office-bearers.
Municipal Finance Management Act 56 of 2003	Sections 16–24 and Circular 10: annual budget, timetable, tabling, consultation and adoption; sections 52–53: Mayor's responsibilities and SDBIP; sections 62, 68 and 69: accounting officer and budget implementation duties; sections 71–72 and 75: reporting, mid-year assessment and publication.
Municipal Planning and Performance Management Regulations, 2001	Prescribed requirements for the IDP process, amendment and participation, including the minimum public-comment period applicable to a proposed amendment.
Municipal Budget and Reporting Regulations	Prescribed budget formats, processes and the Budget Steering Committee arrangements, read with applicable National Treasury circulars.
Other alignment instruments	The SBDM IDP Framework Plan, applicable COGTA and Treasury guidance, DDM/One Plan, sector plans, grant frameworks and formally communicated intergovernmental deadlines.

Legal boundary: The annual Process Plan organizes the work. It does not itself adopt the incoming Council's five-year IDP. Council remains the decision-maker, and community participation complements.

3. The two-stage transition approach

Part of the bridge	Period	Main result
Stage 1: Outgoing-term closure and handover	August–October 2026	Adopt the annual timetable; preserve existing ward and sector inputs; verify delivery, unfinished commitments, risks, contracts, projects and finances; establish the expanded Representative Forum; produce one indexed transition baseline.
Election and formal transfer	November 2026	Constitute the incoming Council; elect office-bearers; formally transfer the verified baseline; confirm or amend the remaining Process Plan arrangements.
Stage 2: Incoming-Council direction and adoption	November 2026–July 2027	Induct councillors; refresh the Representative Forum; validate community priorities; set strategic direction; test affordability; table and consult on the draft; adopt and implement the aligned IDP, budget, tariffs and SDBIP.

3.1 The outgoing Council's responsibility

The outgoing Council remains responsible for governing until its term lawfully ends. Its final planning responsibility is to leave a truthful, organized and usable record.

It must:

- Adopt and publish the annual Process Plan and integrated budget timetable.
- Continue oversight of the existing IDP, budget and service commitments.
- Identify what was promised, delivered, delayed, unfunded or remains in progress.
- Ensure that administrative, contractual, financial and community information is verified.
- Distinguish binding obligations from matters on which the new Council may make a fresh choice; and
- Formally note and hand over unfinished commitments and material risks.

3.2 The incoming Council's responsibility

The incoming Council should not be asked to choose projects before it understands what it has inherited. It must:

- Receive and interrogate the verified transition baseline.
- Understand the municipality's legal mandate, service position, finances, risks and existing commitments.
- Confirm or amend the remaining annual process and participation structures.
- Determine its five-year vision, outcomes, priorities and strategic objectives.
- Consider community and sector inputs and the technical and affordability assessment; and

- Adopt an aligned five-year IDP, 2027/28 budget, tariffs, policies and measurable implementation programme.

4. Governance and planning structures

The process employs the following structures for different purposes. No structure may assume Council's decision-making authority, and no single participation channel may be treated as the complete voice of the community.

4.1 IDP Steering Committee

Role: The internal technical and administrative engine of the process. It protects the credibility, integration and continuity of the work while political leadership changes.

The Committee is chaired by the Municipal Manager and comprises the CFO, Directors, Deputy Directors, Managers other relevant technical officials and EXCO.

Mayor and executive political leadership may provide political guidance without displacing the Municipal Manager's responsibility for managing the drafting process.

The IDP Steering Committee must:

- Test the Process Plan, dependencies and responsibilities before submission to Council.
- Coordinate and verify the outgoing-term handover returns and evidence.
- Integrate the IDP, budget, tariffs, policies, PMS and SDBIP processes.
- Consider and respond to Representative Forum, ward, stakeholder and intergovernmental inputs.
- Test proposals against mandate, need, affordability, readiness, capacity and measurable results.
- Identify inconsistencies, unfunded commitments, duplication and delivery risks; and
- Certify the credibility and alignment of the draft and final planning package before it reaches Council.

When required, specific financial related information will be referred to the Budget Steering Committee.

4.2 Expanded IDP Representative Forum

Role: The municipality-wide advisory and participation platform that carries a broader community and sector voice across the election. It complements councillors and ward committees; it does not replace them or make decisions for Council.

The IDP Representative Forum will begin through an open nomination process after Council adopts this Process Plan 27-28.

It will be constituted before the election for verification and handover work, and refreshed after the election to update political and ward representation while preserving legitimate community and sector representation.

Constituency	Indicative representation
Political and ward representation	Councillors and selected ward committee representatives from all ten wards.
Organized community and civil society	Residents' and ratepayers' associations, civic and community groups, NGOs, NPOs, faith-based bodies, voluntary and community-service organizations.
Economic and sector representation	Tourism organizations, local business forums and chamber, agriculture/farmers' associations, organized labour, environmental bodies, education, health, sport, arts and culture.
Inclusion and vulnerable interests	Youth, women, older persons, persons with disabilities and historically disadvantaged or otherwise under-represented communities.
Leadership and government partners	Traditional and Khoi-San leadership, relevant government departments, public entities, SBDM and designated municipal officials.

4.3 Safeguards for a credible Forum

- Nominations must be invited publicly and not be limited to organizations preferred by officials or councillors.
- An organisation must show that it operates in, serves or represents an identifiable interest within Ndlambe.
- Each participating body should nominate a primary representative and an alternate.
- A representation-gap analysis must test geographical, sectoral, gender and vulnerable-group coverage.
- The membership register and terms of reference must be transparent.
- Members must disclose material conflicts of interest and represent their constituencies rather than personal interests.
- Attendance, replacement of inactive members and addition of genuinely omitted sectors must be regulated.
- Officials and organized interests must not dominate quieter, rural, poor or less formally organized communities.
- Representatives must receive information in usable form and report back to the constituencies they represent.

4.4 Ward councillors and ward committees

Ward councillors and ward committees remain essential geographical participation structures. Their role is to carry ward concerns into the process, mobilize inclusive ward participation, verify the inherited ward record, monitor local commitments and report municipal decisions and responses back to communities. Their presence does not remove the need for direct participation by recognized community and sector organizations.

5. Roles and responsibilities

Role-player	Core responsibility in this transition year
Council	Adopts the Process Plan, IDP, budget, tariffs and related policies; provides strategic direction; considers public representations; monitors implementation and approves lawful amendments.
Mayor and EXCO	Provide political leadership; coordinate the budget process; guide the strategic direction; table the draft and final packages; monitor compliance with the timetable.
Speaker	Oversees democratic participation and ward structures; supports inclusive engagements and report-back; ensures ward participation is not reduced to attendance only.
Municipal Manager / Accounting Officer	Manages and coordinates preparation of the IDP and budget; Chairs the Steering Committee; ensures administrative continuity, legal compliance, credible information and formal handover.
Chief Financial Officer	Coordinates the budget, tariff and financial-policy processes; prepares the financial baseline and MTREF; tests affordability, funding and cash implications; aligns budget and IDP.
IDP Manager	Prepares and manages the Process Plan; coordinates participation, intergovernmental alignment, drafting, evidence and submissions; maintains the integrated issue and response record.
PMS Manager	Aligns strategic objectives, indicators, targets, SDBIP and performance agreements; uses performance evidence to inform review and closes the planning-performance loop.
Directors and managers	Provide verified service, project, risk and sector information; prepare credible proposals; engage sector departments; respond to public inputs; implement approved commitments.
Public Participation Manager and Communications	Coordinate accessible notices, nominations, Facilitate ward and stakeholder engagements, records and report-back using appropriate languages and channels. – co-ordinates with the CDW's to identify community needs, facts and figures.

Role-player	Core responsibility in this transition year
IDP Steering Committee	Performs technical coordination, verification, integration, affordability testing, issue resolution and credibility checking throughout the process.
IDP Representative Forum	Represents ward, community and sector interests; verifies the inherited record; comments on priorities, trade-offs and drafts; carries information in both directions.
Communities and stakeholders	Participate through ward, organisational, sector and direct channels; identify needs and changed circumstances; consider trade-offs; review drafts and monitor delivery.
SBDM, COGTA and treasuries	Support vertical and horizontal alignment, provide frameworks and guidance, coordinate engagements and assess the credibility and responsiveness of the IDP and budget.
Sector departments and public entities	Provide sector plans, technical information, funding commitments and implementation programmes; identify dependencies and matters outside the municipal mandate.

6. Integrated IDP, Budget, Tariffs, PMS and SDBIP process

These instruments have different legal functions, but they must be prepared as one decision system. A project may not appear as an IDP promise without a realistic funding and implementation path; a budget allocation must support an approved municipal purpose; a tariff decision must show its service-cost, revenue, affordability and indigent-support effects; and the SDBIP must translate the adopted package into measurable delivery responsibilities.

Instrument	Question it must answer
IDP	What the municipality intends to achieve, for whom, where and why.
Budget and MTREF	What can be funded, from which source, over what period and with what future operating consequences.
Tariffs and related policies	How municipal services and revenue requirements affect households, indigent customers, businesses and municipal sustainability.
PMS and SDBIP	What will be delivered, by whom, by when, at what cost and how delivery will be measured and reported.
Risk, SCM and sector planning	Whether the programme is lawful, ready, procurable, implementable and aligned with external dependencies.

6.1 Tariff-review approach

The tariff review will be managed as a distinct technical workstream but remain part of the integrated Process Plan. Technical work must start early enough to produce understandable options before the draft budget is completed. It must consider cost of supply, bulk increases, consumption and billing trends, losses, collection levels, indigent support, subsidies, affordability and the effect on municipal financial sustainability. Proposed tariffs will be tabled and consulted on with the draft budget and adopted with the final budget-related package.

6.2 Priority and project tests

Before a proposal is recommended for political selection, the Steering Committee must make the following visible:

Test	Question
Mandate	Is this a municipal function, an enabling role, or a responsibility of another sphere?
Need and scale	Who benefits, how many people benefit, for how long, and will the intervention materially change the problem?
Existing commitment	Is it legally, contractually or politically inherited, already funded, incomplete or dependent on another action?
Affordability	Is funding cash-backed and sustainable, including future operating and maintenance costs?
Readiness	Are designs, land, approvals, procurement arrangements, capacity and timeframes realistic?
Priority	How does it relate to Ndlambe's inherited Top Four priorities and the incoming Council's strategic direction?
Result	What visible or measurable community outcome will show that the promise was delivered?

7. Public participation and communication approach

Participation must occur for a clear purpose at each stage. It is not sufficient to hold meetings without showing what information is being tested, how inputs are recorded, who must respond and how the outcome is reported back.

Stage	Participation purpose
After Process Plan adoption	Publish the approved programme; invite nominations; expand the stakeholder database; explain when and how communities may participate.
Before the election	Use the expanded Forum and existing ward and sector records to verify outstanding priorities, incomplete commitments, changed circumstances and omissions. Do not set the incoming political mandate.

Stage	Participation purpose
After the election	Refresh political and ward representation; orient the Forum and new councillors; present the verified baseline; validate and prioritise needs through ward and stakeholder engagements.
Before draft completion	Allow the Forum to test emerging priorities, affordability results, tariff implications and whether inputs have been understood.
After draft tabling	Invite formal representations on the actual draft IDP, budget, tariffs and policies through accessible ward, sector and written channels.
Before final adoption	Provide a consolidated response showing what was accepted, amended, deferred, referred elsewhere or not supported, and why.
After adoption	Publish the adopted package in accessible form and continue reporting against delivery commitments.

7.1 Participation mechanisms

- IDP Representative Forum meetings and targeted sector engagements;
- ward-based meetings supported by ward councillors and ward committees;
- public notices and copies at municipal offices, libraries and other accessible points;
- municipal website, social media and electronic distribution lists;
- email, written submissions and accessible comment registers;
- radio, loud-hailing, bulk messaging and other locally appropriate communication; and
- direct engagement with traditional and Khoi-San leadership and groups requiring reasonable support to participate.

8. Intergovernmental and sector alignment

- The Process Plan identifies responsibilities and dependencies across SBDM, provincial and national departments, public entities, grant funders and neighboring municipalities.
- Vertical alignment: link municipal priorities to district, provincial and national plans, budgets, grants and implementation programmes.
- Horizontal alignment: coordinate cross-boundary, shared-service and district-wide matters with SBDM and neighbouring municipalities.
- Mandate alignment: refer non-municipal functions to the responsible sphere while recording the municipality's lawful facilitation, enabling or coordination role.
- Evidence alignment: include only confirmed external projects and funding commitments as commitments; record unconfirmed proposals separately.
- Timing alignment: insert formally communicated SBDM, COGTA and Treasury deadlines into the working schedule without undermining statutory municipal deadlines.

9. Monitoring, evidence and control of changes

Annexure A is the operational control schedule. Each activity must produce the evidence stated in that schedule. The IDP Manager will maintain an integrated progress and issue register, while responsible officials remain accountable for the accuracy and timely delivery of their own inputs.

9.1 Monthly process monitoring

- The Steering Committee will review progress, overdue actions, dependencies and unresolved matters at least monthly, and more frequently near statutory deadlines.
- Each activity will be recorded as not started, in progress, completed, delayed or amended, with reasons and corrective action.
- Material delays or risks affecting statutory dates must be escalated to the Municipal Manager, Mayor and Council as appropriate.
- Participation inputs and responses must remain traceable from receipt to final decision.
- The IDP, budget, tariff and performance documents must be reconciled before draft tabling and again before final adoption.

9.2 Amendment of the Process Plan

Dates linked to the declaration of election results, the first meeting of the incoming Council and formally issued intergovernmental programmes may require adjustment. The incoming Council may also confirm or amend the remaining process. Any material change must be authorised at the appropriate level, recorded with reasons, communicated to affected participants and must not reduce a statutory participation or adoption period below what the law permits.

10. Phases and binding annexures

The detailed programme is contained in annexures that form an integral part of this Process Plan:

Annexure	Title	Purpose
Annexure A	2027/28 Election Transition IDP Activity and Responsibility Schedule	Detailed activities, dates, reasons, responsible role-players, required evidence and legal basis.
Annexure B	2027/28 Budget, Tariff and Key Statutory Deadlines	Detailed MFMA, budget, tariff, reporting and SDBIP timetable aligned to Annexure A.

10.1 Summary of phases

Phase	Focus	Period
1	Commence the statutory process	By 30 August 2026
2	Close the outgoing term and prepare the handover	September –October 2026
3	Election and formal governance transition	4–30 November 2026
4	Build understanding and set the new direction	November 2026–January 2027
5	Turn priorities into an affordable IDP, budget and tariff package	January–March 2027
6	Consult, respond, adopt and implement	April–July 2027

Review-draft note: Election-dependent dates, intergovernmental deadlines, annual Treasury guidance and references to the incoming Council must be updated when formally confirmed. The Process Plan and both annexures have been cross-aligned; management must now test institutional practicality, assigned responsibilities and Ndlambe-specific dates before Council submission.

ANNEXURE A

2027/28 ELECTION TRANSITION IDP ACTIVITY AND RESPONSIBILITY SCHEDULE

STATUS: REVIEW DRAFT 1 – FOR MANAGEMENT REVIEW

Purpose of this schedule: To keep the statutory IDP and budget cycle moving before, during and after the 4 November 2026 local government election; to close and hand over the outgoing term honestly; and to give the incoming Council sufficient time and information to determine its five-year direction and adopt an aligned 2027/28 IDP, budget, tariffs and SDBIP.

Date / Period	What must happen	Why this is necessary	Responsible	Required output / evidence	Legal basis
PHASE 1: COMMENCE THE STATUTORY PROCESS 15–31 AUGUST 2026 Adopt and publish the annual Process Plan and integrated IDP–budget timetable before the statutory deadline.					
By 15 August 2026	Draft Ndlambe Process Plan submitted to Municipal Manager	Municipal Manager approves Draft process plan to be submitted to Council for approval	Municipal Manager; IDP Manager; CFO;	Final internal draft; signed Council item; annexures	MSA ss 28–30; MFMA s 21
28 August 2026	Council considers and adopts the 2027/28 IDP, Tariff and Budget Process Plan and the MFMA time schedule.	The annual cycle must formally begin no later than ten months before 1 July 2027.	Mayor; EXCO; Council	Council item; adopted Process Plan; Council resolution	MSA s 28(1); MFMA s 21(1)(b)
29–31 August 2026	Publish the adopted Process Plan, circulate it to existing stakeholders and community structures, and submit it to SBDM, COGTA and the relevant treasuries where required.	The community and intergovernmental partners must know the process, dates and future opportunities to participate.	Municipal Manager; IDP Manager; CFO; Communications	Website proof; public notice; circulation and submission records	MSA s 28(3); MFMA ss 21, 75
PHASE 2: CLOSE THE OUTGOING TERM AND PREPARE THE HANDOVER AUGUST–OCTOBER 2026 Create one verified record of what was promised, delivered, delayed, unfunded or still in progress, and prepare the factual and financial baseline for the incoming Council.					
By 31 August 2026	Issue standard templates and instructions for the IDP transition handover pack.	Every directorate must report in the same format so that commitments, risks, projects and evidence can be compared and verified.	Municipal Manager; IDP Manager	Approved templates; written instructions; responsibility register	MSA ss 30, 55; MFMA ss 62, 68
1–11 September 2026	Publish an open invitation for Ndlambe organisations and sectors to nominate a primary and alternate representative to the expanded IDP Representative Forum.	Community participation must extend beyond councillors and ward committees and include recognised geographical, civic, social and economic interests across Ndlambe.	Municipal Manager; IDP Manager; Public Participation; Communications	Public invitation; nomination form; circulation register; stakeholder database	MSA ss 16–17, 29
14–25 September 2026	Verify nominations, map representation across all ten wards and sectors, identify missing or under-represented voices and prepare a transparent membership register and terms of reference.	The Forum must be broadly representative and must not be dominated by municipal officials, political representatives or well-organised interest groups.	IDP Manager; Public Participation; Legal Services; Steering Committee	Verified nominations; representation-gap analysis; draft membership register and terms of reference	MSA ss 16–18; Structures Act ss 72–74
1–18 September 2026	Each directorate prepares its end-of-term delivery and handover return: delivered commitments; incomplete work; contracts; grants; projects; service backlogs; infrastructure risks; sector plans; litigation or dependencies; and decisions still requiring action.	The incoming Council needs an honest operational picture, not only a list of approved projects.	Directors; Deputy Directors; responsible managers	Signed directorate handover returns with supporting evidence	MSA ss 25(2), 34, 41; Structures Act s 19

Date / Period	What must happen	Why this is necessary	Responsible	Required output / evidence	Legal basis
1–18 September 2026	Finance prepares the preliminary 2027/28 financial baseline: cash position; debtors and collection levels; creditors; bulk accounts; employee costs; grants; existing commitments; borrowing; repairs and maintenance; and realistic funding limits.	Political priorities can only be considered responsibly after Council understands what money is already committed and what revenue is realistically collectable.	CFO; Budget Office; Revenue; SCM	Financial baseline; preliminary MTREF assumptions; commitments schedule	MFMA ss 17–18, 21, 62, 71
1–30 September 2026	Undertake the technical tariff baseline: cost of supply, consumption and billing trends, losses, collection levels, indigent support, subsidies, bulk increases and affordability pressures.	The tariff decision will be made with the 2027/28 budget, but the technical evidence must be ready before the incoming Council chooses between options.	CFO; Revenue and Budget Units; service directorates	Tariff baseline; cost-reflectivity results; affordability analysis	MSA ss 74–75; MFMA ss 17, 21, 24
By 30 September 2026	Consolidate the existing ward priorities, 2026/27 public comments and unresolved community commitments into one ward-based record. Do not ask communities to recreate the same lists.	The purpose is to preserve institutional memory and identify what still requires validation or political consideration.	IDP Manager; Public Participation; Ward Councillors; directorates	Ward priority and commitment register for Wards 1–10	MSA ss 16–17, 29; Structures Act s 19
By 2 October 2026	Constitute and convene the expanded IDP Representative Forum. Explain its advisory role, the election-transition process, participation rules and the distinction between verification and political priority-setting.	Representatives must understand that the pre-election task is to preserve and test community information, not to determine the incoming Council's political programme.	Municipal Manager; Mayor/Speaker; IDP Manager; Public Participation	Approved interim membership register; adopted terms of reference; attendance and induction record	MSA ss 16–17, 29
2–9 October 2026	Expanded IDP Representative Forum verifies the community-facing record: outstanding ward and sector priorities, incomplete commitments, changed circumstances and important omissions.	The handover must reflect lived community experience as well as the municipality's administrative records.	IDP Representative Forum; Ward Councillors; ward committee representatives; IDP Manager	Forum verification report; additions and disputes register; supporting submissions	MSA ss 16–17, 29
By 16 October 2026	IDP/Budget Steering Committee tests and verifies the consolidated administrative, financial and community handover information.	Unverified, duplicated, unaffordable or conflicting information must be corrected or clearly flagged before it is handed to the new Council.	Municipal Manager; IDP/Budget Steering Committee	Verification report; corrections and unresolved-matters register; attendance record	MSA s 30; MFMA ss 21, 53, 68
By 23 October 2026	Complete the Municipal Transition and IDP Baseline Report, including the existing Top Four priorities and Tier framework as the approved inherited position.	The report must distinguish binding legal/contractual commitments, existing Council policy and matters on which the new Council may make a fresh political choice.	Municipal Manager; IDP Manager; CFO; PMS; Directors	Final transition baseline and indexed handover pack	MSA ss 25(2), 35–36; MFMA s 21
By 30 October 2026	Table the end-of-term performance and transition report to the outgoing Council for noting and handover.	The outgoing Council should close its record and formally identify unfinished commitments before its term ends.	Mayor; Municipal Manager; Council	Council item and resolution; Q1 performance information	Structures Act ss 19, 24; MSA ss 34, 41
PHASE 3: ELECTION AND FORMAL GOVERNANCE TRANSITION 4–30 NOVEMBER 2026 Constitute the new Council, transfer the verified record and confirm who will lead the remaining IDP and budget process.					
4 Nov 2026	Local government election.	The election marks the political transition, but the existing IDP and approved municipal administration continue.	IEC; Municipality for assigned support	Election held; continuity arrangements activated	Structures Act s 24; MSA s 25(2)

Date / Period	What must happen	Why this is necessary	Responsible	Required output / evidence	Legal basis
Within 14 days after Council is declared elected	Municipal Manager calls the first meeting of the newly elected Council.	The new Council must be formally constituted before it can make political and strategic decisions.	Municipal Manager	Notice and agenda of first Council meeting; constituted Council	Structures Act s 29(2)
At first Council meeting	Elect office-bearers and establish the immediate governance arrangements needed to continue the IDP and budget cycle.	The Speaker, Mayor and executive structures must be in place and understand the approaching statutory deadlines.	New Council; Municipal Manager	Election of office-bearers; Council resolutions	Structures Act ss 36, 45 or 55, as applicable
Within 10 working days of first meeting	Formally present and transfer the Municipal Transition and IDP Baseline Report to the incoming Council.	The new Council must receive one verified account of the municipality before being asked to decide priorities.	Municipal Manager; Mayor; IDP Manager; CFO; Directors	Handover presentation; signed receipt; questions and information-request register	MSA ss 25, 35–36; MFMA ss 52–53
By 30 Nov. 2026 or first practical Council meeting	Incoming Council reviews the approved annual Process Plan; confirms or amends the remaining dates; and initiates the updating of councillor and ward committee representation on the IDP Representative Forum.	The annual plan keeps the cycle moving, but the new Council must take political ownership while preserving the participation of verified community and sector organisations.	Mayor; EXCO; Council	Council resolution; revised schedule if required; instruction to update Forum membership	MSA ss 16–17, 28–30; MFMA s 21
PHASE 4: BUILD UNDERSTANDING AND SET THE NEW DIRECTION NOVEMBER 2026–JANUARY 2027					
Help new councillors understand the municipality's mandate, inherited commitments, service position and financial limits before selecting priorities.					
Late Nov–early Dec. 2026	Conduct practical councillor induction on the IDP, budget, tariffs, SDBIP, municipal functions, Council's role and the transition timetable.	Most councillors will be participating in their first start-of-term IDP process. They must understand what each instrument does and which decisions belong to Council.	Municipal Manager; IDP; Finance; PMS; COGTA/SALGA where available	Induction material; attendance register; councillor question log	MSA ss 25–26, 35–36; MFMA ss 16–24, 53
By 11 Dec. 2026	Hold a Council orientation session on the inherited IDP position: Top Four priorities. Tier framework, ward and sector commitments, financial stabilisation requirements, sector plans, risks and performance.	This is an understanding session—not yet a project-selection session.	Mayor; Municipal Manager; IDP/Budget Steering Committee	Orientation report; confirmed matters requiring further information	MSA ss 25–26, 34–36
By 15 Dec. 2026	Refresh and formally confirm the IDP Representative Forum by inserting the new political representatives, addressing ward committee representation, filling material gaps and confirming the community and sector representatives who continue.	The election changes political representation, but it should not erase the verified participation of legitimate community and sector organisations.	Incoming Council; Speaker; Municipal Manager; IDP Manager	Council/authorised confirmation; updated membership register and terms of reference	MSA ss 16–17, 29; Structures Act ss 72–75
11–29 January 2027	Conduct focused ward and stakeholder engagements, supported by the refreshed IDP Representative Forum, to validate the inherited record and identify priorities for the new Council's five-year term.	Communities should confirm what has changed, what remains unresolved and what should be prioritised—not recreate an unlimited shopping list.	Mayor; Speaker; Ward Councillors; IDP Representative Forum; Public Participation; IDP Manager	Ward and sector reports; attendance registers; consolidated inputs; issues referred to other spheres	MSA ss 16–17, 29; Planning Regulations reg 15
By 22 January 2027	Table the mid-year budget and performance assessment and explain its implications for the new IDP and budget.	The first strategic choices must be informed by actual half-year delivery, spending, revenue and corrective measures.	Municipal Manager; CFO; Mayor; Council	MFMA section 72 report; Council resolution; corrective-action record	MFMA ss 52(d), 72; MSA s 34

Date / Period	What must happen	Why this is necessary	Responsible	Required output / evidence	Legal basis
25–29 January 2027	Hold the new Council strategic planning session: confirm vision, outcomes, priorities and strategic objectives for the elected term.	The Council must translate its mandate and community inputs into a limited, coherent and affordable strategic direction.	Mayor; EXCO; Council; Municipal Manager; Directors	Draft strategic framework; decision and issue register	MSA ss 25–26; Structures Act s 19
PHASE 5: TURN PRIORITIES INTO AN AFFORDABLE IDP, BUDGET AND TARIFF PACKAGE JANUARY–MARCH 2027 Test every proposed priority and project against mandate, need, affordability, readiness, capacity and measurable results.					
By 5 February 2027	Council confirms the draft strategic framework to guide preparation of the draft IDP and MTREF.	Officials require an authorised direction before final project, budget, tariff and performance work can be completed.	Mayor; EXCO; Council	Council resolution; approved draft strategic framework	MSA ss 25–26; MFMA ss 21, 53
1–12 February 2027	Directorate submit or update project and programme proposals against the new strategic framework using the approved project template.	Each proposal must show mandate, location, beneficiaries, readiness, total cost, future operating cost, funding source, responsible owner and intended result.	Directors; project managers; IDP Manager; Budget Office	Signed project templates; project register	MFMA ss 17–19; MSA s 26
8–19 February 2027	Technical assessment of all proposals using the Ndlambe prioritisation and affordability tests.	Projects should not reach political selection unless their legal, technical, financial and implementation implications are visible.	Steering Committee; Finance; SCM; Infrastructure; IDP; PMS; Risk	Scored and categorised project register; reasons for exclusion or deferral	MFMA ss 18–19, 62; MSA ss 25–26
By 19 February 2027	Present tariff scenarios and their household, indigent, business and municipal-finance impacts to the Budget Steering Committee and executive leadership.	The incoming Council needs understandable choices, not only a proposed percentage increase.	CFO; Revenue; Budget Office; service directorates	Tariff options paper; cost-reflectivity and affordability impact tables	MSA s 74; MFMA ss 17, 21
By 26 February 2027	Council provides policy direction on priorities, provisional project selection, affordability measures and tariff assumptions.	The administration needs political direction in time to complete a credible draft budget and IDP by 31 March.	Mayor; EXCO; Council	Council resolution and instruction register	MFMA ss 21, 53; MSA ss 25–26
By 5 March 2027	Present Council's emerging strategic direction, prioritisation results and tariff implications to the IDP Representative Forum for focused comment before the drafts are completed.	The Forum should test whether community and sector inputs have been understood and whether important consequences or omissions remain visible.	Mayor; Municipal Manager; IDP/Budget Steering Committee; IDP Representative Forum	Forum report; comment and response register; required drafting changes	MSA ss 16–17, 29; MFMA s 21
1–19 March 2027	Compile and reconcile the draft five-year IDP, 2027/28 MTREF, proposed tariffs, budget-related policies and draft SDBIP indicators.	All documents must tell the same story: the same priorities, projects, funding, locations, outputs and responsible owners.	IDP Manager; CFO; PMS Manager; Directors; Municipal Manager	Draft IDP; draft A Schedule; reconciliation tables; draft SDBIP	MFMA ss 16–18, 21; MSA ss 25–26; MFMA Circular 88
By 22 March 2027	IDP/Budget Steering Committee performs a final credibility and alignment check.	Errors, unfunded commitments and inconsistencies must be corrected before the documents reach Council and the public.	Municipal Manager; Steering Committee	Signed credibility checklist; correction register	MFMA ss 21, 53, 68; MBRR
By 31 March 2027	Mayor tables the draft five-year IDP, draft 2027/28–2029/30 MTREF, proposed tariffs and budget-related policy changes in Council.	The draft budget must be tabled at least 90 days before 1 July 2027 and made available for public comment.	Mayor; Municipal Manager; CFO; IDP Manager	Council item and resolution; complete public draft package	MFMA ss 16(2), 17, 22; MSA ss 25, 29

Date / Period	What must happen	Why this is necessary	Responsible	Required output / evidence	Legal basis
PHASE 6: CONSULT, RESPOND, ADOPT AND IMPLEMENT APRIL–JULY 2027 Give the public a meaningful opportunity to comment, show how every representation was considered and adopt one credible, aligned implementation package.					
Immediately after tabling	Publish the draft IDP, budget, proposed tariffs and policy amendments and invite representations.	The community must have reasonable access to the full draft package and clear instructions on how to comment.	Municipal Manager; CFO; IDP; Communications	Public notice; website proof; office copies; submission proof to NT/PT and other bodies	MFMA s 22; MSA Ch 4; Planning Regulations reg 15(3)
1–30 April 2027	Run the formal public-comment period, including at least 21 days for the draft IDP, accessible ward engagements and targeted stakeholder consultations.	Participation must test the actual draft priorities, projects, budget and tariff implications—not occur before the choices are visible.	Mayor; Speaker; Ward Councillors; Public Participation; IDP; Finance	Meeting schedule; attendance registers; written submissions; consolidated comment register	MFMA s 23; MSA ss 16–17, 29; reg 15(3)
During April 2027	Convene the IDP Representative Forum to consider the tabled draft IDP, budget, proposed tariffs and policies as one integrated package.	Organised community and sector representatives need a structured opportunity to examine the actual choices, affordability effects and trade-offs.	Mayor; Municipal Manager; IDP/Budget Steering Committee; IDP Representative Forum	Forum presentation; attendance register; formal Forum submission	MFMA s 23; MSA ss 16–17, 29
By 30 April 2027	Use the third-quarter SDBIP and financial results to test whether any draft targets or allocations require correction.	The final plan should reflect the latest reliable performance and financial information.	PMS; CFO; Municipal Manager; Directors	Q3 performance report; proposed corrections	MFMA ss 52(d), 71; MSA s 34
1–14 May 2027	Refer every public representation to the responsible directorate, prepare a clear response and identify any change required to the drafts.	Consultation is incomplete unless the municipality considers and responds to what was submitted.	Municipal Manager; IDP Manager; CFO; Directors	Consolidated comment-and-response report; change register	MFMA s 23; MSA Ch 4
Before final Council adoption	Provide the IDP Representative Forum with a clear account of its submissions, the municipality's responses and the principal changes made to the draft package.	Participation must include report-back so representatives can see how their inputs were considered, even where a proposal could not be accepted.	Municipal Manager; IDP Manager; CFO; IDP/Budget Steering Committee	Forum feedback record; final comment-and-response report	MSA s 17(2)(e); MFMA s 23
By 21 May 2027	Complete the final reconciliation of the IDP, budget, tariffs, policies, projects and performance measures.	Council must receive one internally consistent decision package with no unfunded or contradictory promises.	Municipal Manager; CFO; IDP Manager; PMS; Directors	Final IDP and budget package; reconciliation and funding certification	MFMA ss 18, 24, 53; MSA ss 25–26
By 31 May 2027	Council considers and adopts the final five-year IDP, 2027/28 budget, tariffs, measurable performance objectives and budget-related policies.	The municipality must have an approved, funded and lawful plan before the new financial year begins.	Mayor; EXCO; Council	Council item; resolutions; adopted IDP, budget, tariffs and policies	MFMA ss 16, 24; MSA s 25
Within 10 days after IDP adoption	Submit the adopted IDP and prescribed process summary to the MEC and required intergovernmental bodies.	Provincial oversight and alignment processes require the adopted plan and a record of how it was prepared.	Municipal Manager; IDP Manager	Submission letters and proof of delivery	MSA s 32
Within 14 days after adoption	Give public notice of the adopted IDP and publish a plain-language summary and access details.	Residents must be able to see what Council adopted and where the full documents can be inspected.	Municipal Manager; IDP; Communications	Public notice; summary; website proof	MSA s 25(4); MFMA s 75

Date / Period	What must happen	Why this is necessary	Responsible	Required output / evidence	Legal basis
Within 14 days after budget approval	Accounting Officer submits the draft SDBIP and senior-manager performance agreements to the Mayor.	The adopted plan and budget must be translated into measurable implementation responsibilities.	Municipal Manager; PMS; CFO; Directors	Draft SDBIP; draft performance agreements; proof of submission	MFMA s 69; MSA s 57
Within 28 days after budget approval	Mayor approves the SDBIP and ensures performance agreements are linked to it.	Implementation accountability must be in place at the beginning of the financial year.	Mayor; Municipal Manager; PMS	Mayor's approval; final SDBIP; signed performance agreements	MFMA s 53(1)(c)
Within 14 days after SDBIP approval	Publish the approved SDBIP and prescribed performance information.	The community must be able to track what will be delivered, where, by when and by whom.	Mayor; Municipal Manager; PMS; Communications	Website proof; public notice; submissions	MFMA s 53(3); s 75
By 31 July 2027	Complete the fourth-quarter and year-end performance assessment and use it as the opening evidence for implementation and the next annual IDP review.	The planning cycle must close the loop between promises, delivery, learning and the next review.	Municipal Manager; PMS; CFO; Directors; Council	Q4/year-end report; improvement actions	MSA ss 34, 41; MFMA ss 52(d), 71

Drafting note: Dates linked to the declaration of election results and the first meeting of the incoming Council must be updated once the IEC and Municipal Manager confirm those dates. Intergovernmental dates issued by SBDM, COGTA, Provincial Treasury or National Treasury must be inserted when formally communicated.

ANNEXURE B

2027/28 BUDGET, TARIFF AND KEY STATUTORY DEADLINES

STATUS: REVIEW DRAFT 1 – FOR MANAGEMENT REVIEW

How to read this schedule: STATUTORY = a deadline or duty set by legislation; INTERNAL CONTROL = an earlier Ndlambe management date used to protect compliance; ELECTION / EXTERNAL = a date dependent on election results or formally issued intergovernmental programmes. Internal dates may be managed operationally, but statutory periods may not be reduced.

Date / period	Deadline type	Council / Mayor decision or oversight	Administration and technical work	Required evidence	Primary legal basis
PHASE 1: START AND AUTHORISE THE INTEGRATED CYCLE AUGUST 2026					
Adopt the annual timetable and establish the internal controls needed to manage the IDP, budget, tariffs and PMS as one process.					
By 31 July 2026	STATUTORY	Mayor oversees the review of the previous year's budget process plan	Planning and review of previous year's budget process.	Budget checklist	MFMA Circular 10
28 Aug 2026	STATUTORY	Council considers and adopts the 2027/28 IDP, Budget and PMS Process Plan and MFMA time schedule.	Administration records the resolution and prepares the adopted documents for publication and submission.	Council resolution; adopted Process Plan and Annexures A and B	MFMA s 21(1)(b); MSA s 28, MFMA Circular 10
29–31 Aug 2026 – 2 Sept 2026	STATUTORY	Mayor oversees implementation of the approved timetable.	Publish the adopted Process Plan and submit/circulate it to SBDM, COGTA and relevant treasuries and stakeholders as required.	Public notice; website proof; submission and circulation records	MSA s 28(3); MFMA ss 21, 75, MFMA Circular 10
PHASE 2: BUILD THE INHERITED FINANCIAL AND TARIFF BASELINE SEPTEMBER–OCTOBER 2026					
Prepare a verified picture of existing commitments, affordability, revenue, service costs and financial risks for handover to the incoming Council.					
1–18 Sep 2026	INTERNAL CONTROL	Outgoing political leadership remains informed of material financial risks and binding commitments.	CFO prepares preliminary financial baseline: cash, debtors, collection, creditors, bulk accounts, employee costs, grants, borrowing, repairs and maintenance, commitments and funding limits.	Signed financial baseline; commitments schedule; preliminary MTREF assumptions	MFMA ss 17–18, 62, 71, MFMA Circular 10
1–30 Sep 2026	INTERNAL CONTROL	No tariff decision is made at this stage; political leadership is advised of material cost and affordability pressures.	Begin technical tariff baseline for property rates and service charges: cost of supply, bulk costs, consumption, billing, losses, collection, indigent support, subsidies and affordability.	Tariff baseline; cost-of-supply/cost-reflectivity analysis; affordability profile	MSA ss 74–75; MFMA ss 17, 21, MFMA Circular 10
By 30 Sep 2026	INTERNAL CONTROL	Mayor and executive leadership note material contracts and delivery choices that constrain the next MTREF.	Review service-delivery mechanisms, contracts, grants, capital commitments, procurement dependencies and known future operating costs.	Contract and commitments review; grant and capital pipeline	MSA ss 76–81; MFMA ss 19, 62, 68, MFMA Circular 10
By 16 Oct 2026	INTERNAL CONTROL	Executive leadership receives verified issues requiring political attention or disclosure in the handover.	IDP/Budget Steering Committee verifies administrative, financial, tariff and community baseline information and records unresolved matters.	Verification report; correction and unresolved-matters register	MSA s 30; MFMA ss 21, 53, 68, MFMA Circular 10
By 23 Oct 2026	INTERNAL CONTROL	Mayor prepares for formal outgoing-term handover.	Complete Municipal Transition and IDP Baseline Report, including financial position, tariff pressures, existing commitments and preliminary 2027/28 constraints.	Indexed transition baseline and handover pack	MSA ss 25, 35–36; MFMA ss 21, 52–53, MFMA Circular 10
By 30 Oct 2026	INTERNAL CONTROL	Outgoing Council notes the end-of-term performance and transition position.	Table verified financial and performance information with unfinished commitments and material risks.	Council item and resolution; Q1 and transition information	Structures Act s 19; MSA ss 34, 41; MFMA s 52(d), MFMA Circular 10
PHASE 3: ELECTION AND FORMAL GOVERNANCE TRANSITION 4–30 NOVEMBER 2026					
Protect continuity, constitute the incoming Council and transfer the verified financial position.					
4 Nov 2026	ELECTION / EXTERNAL	Local government election. Existing approved budget, policies, tariffs, delegations and administrative duties continue.	Activate continuity arrangements and preserve the approved budget timetable and working records.	Continuity record; controlled transfer of planning information	Structures Act s 24; MSA s 25(2), MFMA Circular 10

Date / period	Deadline type	Council / Mayor decision or oversight	Administration and technical work	Required evidence	Primary legal basis
Within 10 working days of first Council meeting	ELECTION / EXTERNAL	Incoming Council receives the Municipal Transition and IDP Baseline Report before strategic choices are requested.	MM, CFO, IDP and directors present commitments, cash and revenue position, tariff pressures, grants, risks and MTREF constraints.	Handover presentation; signed receipt; questions register	MSA ss 25, 35–36; MFMA ss 52–53, MFMA Circular 10
By 30 Nov 2026 or first practical Council meeting	ELECTION / EXTERNAL	Incoming Council confirms or lawfully amends the remaining Process Plan dates and governance arrangements.	Administration updates the control schedule and communicates authorised changes without reducing statutory periods.	Council resolution; revised schedule and circulation record, if required	MSA ss 28–30; MFMA s 21, MFMA Circular 10
PHASE 4: BUILD UNDERSTANDING AND SET THE NEW DIRECTION NOVEMBER 2026–JANUARY 2027 Orient the incoming Council, update the evidence and convert its emerging direction into preliminary financial limits.					
By 11 Dec 2026	INTERNAL CONTROL	Incoming Council receives orientation on the inherited financial position and the choices it will need to make.	Explain the MTREF, cash-backed funding, commitments, grants, employee costs, maintenance, revenue, tariffs, indigent support, SDBIP and statutory budget decisions in plain language.	Orientation pack; attendance and questions record	MFMA ss 16–24, 52–53, 62, MFMA Circular 10
By 22 Jan 2027	INTERNAL CONTROL	Mayor receives the mid-year assessment, previous years unauthorised expenditure adjustment and annual report in time to exercise the responsibilities in section 54.	MM and CFO complete the section 72 mid-year budget and performance assessment and submit it to Mayor, National Treasury and Provincial Treasury.	Section 72 report; proof of submission; corrective-action proposals	MFMA s 72, MFMA Circular 10
By 29 Jan 2027	INTERNAL CONTROL	Mayor tables the mid-year assessment to Council and identifies corrective measures.	Explain implications for the adjustment budget, new IDP, MTREF, projects, revenue assumptions and affordability.	Council item and resolution; corrective-action register	MFMA ss 54, 72; MSA s 34, MFMA Circular 10
By 29 Jan 2027	INTERNAL CONTROL	Mayor tables the special adjustment budget for the unauthorised expenditure incurred in the previous year together with the annual report	MM and CFO complete the annual report and unauthorised expenditure adjustment and submit it to Mayor, National Treasury and Provincial Treasury.	Annual and Unauthorised expenditure adjustment reports (Schedule B); proof of submission.	MFMA ss 172(2), MFMA 32(2)(a)(i), MFMA Circular 10
25–29 Jan 2027	INTERNAL CONTROL	New Council determines draft five-year outcomes, priorities and strategic objectives informed by the inherited position and participation inputs.	CFO and Steering Committee translate the emerging strategic direction into preliminary funding envelopes and decision constraints.	Draft strategic framework; preliminary funding envelopes	MSA ss 25–26; MFMA ss 17–18, 21, MFMA Circular 10
PHASE 5: TURN PRIORITIES INTO AN AFFORDABLE IDP, BUDGET AND TARIFF PACKAGE JANUARY–MARCH 2027 Use allocations, tariff evidence, project tests and actual performance to complete one credible and affordable draft package.					
January–February 2027	ELECTION / EXTERNAL	Mayor and Council consider implications of formally communicated national and provincial allocations and fiscal guidance.	Update the MTREF for the Division of Revenue Bill, provincial allocations, Treasury circulars, bulk-price information and other formal inputs when issued.	Updated grants register; allocation reconciliation; assumptions register	MFMA ss 35–36, 42; annual DoR Bill and Treasury guidance, MFMA Circular 10
By 5 Feb 2027	INTERNAL CONTROL	Council confirms the draft strategic framework guiding the draft IDP and MTREF.	Issue final budget/project templates and parameters aligned to Council's direction and the verified baseline.	Council resolution; budget circular; templates and parameters	MSA ss 25–26; MFMA ss 21, 53, MFMA Circular 10
1–12 Feb 2027	INTERNAL CONTROL	Political leadership receives progress and material gaps.	Directorates submit complete operating, capital, staffing and project proposals showing mandate, funding, future operating cost, readiness, location, beneficiaries and intended result.	Signed budget and project submissions; capital forms; staffing motivations	MFMA ss 17–19, 62, 68, MFMA Circular 10
12 Feb 2027	INTERNAL CONTROL	Mid-year assessment engagements with Provincial treasury and sector departments	Preparation of the mid year assessment presentation.	Submit mid-year assessment presentation to Provincial treasury	MFMA Circular 10
8–19 Feb 2027	INTERNAL CONTROL	Only proposals that pass technical assessment proceed to political prioritisation.	Steering Committee scores proposals for mandate, need and scale, existing commitments, affordability, readiness, priority and measurable result; reconcile mSCOA segments.	Assessed project register; mSCOA reconciliation; reasons for deferral/exclusion	MFMA ss 17–19, 62; MSA ss 25–26; mSCOA Regulations, MFMA Circular 10
By 19 Feb 2027	INTERNAL CONTROL	Mayor, executive leadership and incoming Council receive understandable tariff choices and consequences.	Present property-rate and service-charge scenarios, including cost-reflectivity, revenue effect, household/business impacts, indigent protection, cross-subsidies and collection risk.	Tariff options paper; impact tables; recommendation record	MSA s 74; MFMA ss 17, 21, MFMA Circular 10
By 26 Feb 2027	INTERNAL CONTROL	Council gives policy direction on priorities, provisional projects, affordability measures and tariff assumptions.	Budget Office and directorates incorporate authorised direction into the draft MTREF and related policies.	Council resolution; authorised instruction and change register	MFMA ss 21, 53; MSA ss 25–26, 74, MFMA Circular 10

Date / period	Deadline type	Council / Mayor decision or oversight	Administration and technical work	Required evidence	Primary legal basis
By 28 Feb 2027, where applicable	STATUTORY	Council considers a lawful adjustments budget informed by the mid-year assessment and prescribed framework.	Prepare and submit the adjustments budget and supporting documents where required; keep adjustment decisions distinct from the new 2027/28 budget.	Schedule B; Council resolution; submission and publication proof	MFMA s 28; MBRR ch 4, MFMA Circular 10
By 3 Mar 2027	STATUTORY	Council notification of municipal projected allocations.	Notification of projected allocations for the next three budget years, where applicable.	Allocation notices and proof of delivery	MFMA s 37(2), MFMA Circular 10
By 5 Mar 2027	INTERNAL CONTROL	Emerging strategic, budget and tariff direction is exposed to the Representative Forum before drafts are finalised.	Present prioritisation and affordability results; record Forum comment and required drafting changes. Presentation: 1 st Draft Budget presented to IDP Rep Forum	Forum report; response and change register	MSA ss 16–17, 29; MFMA s 21, MFMA Circular 10
1–15 Mar 2027	INTERNAL CONTROL	Mayor receives progress reports and resolves policy matters requiring political direction.	Compile draft five-year IDP, 2027/28–2029/30 MTRF, proposed tariffs, budget-related policies, draft SDBIP indicators and prescribed mSCOA/A Schedule data.	Draft IDP; A Schedule; tariff schedules; policies; draft SDBIP; data strings	MFMA ss 16–18, 21; MBRR; mSCOA Regulations, MFMA Circular 10
By 15 Mar 2027	INTERNAL CONTROL	Mayor and executive leadership MUST receive complete Draft Budget 27-28 minimum of 2 weeks before tabled to Council.	Steering Committee performs final funding, cash, tariff, IDP-budget-SDBIP, policy, mSCOA and legal alignment check; correct discrepancies. Complete Budget presented to Mayor and EXCO BEFORE COUNCIL	Signed credibility checklist; correction register; reconciliation tables	MFMA ss 18, 21, 53, 68; MBRR, MFMA Circular 10
By 31 Mar 2027	STATUTORY	Mayor tables the draft five-year IDP, 2027/28–2029/30 annual budget, proposed tariffs and budget-related policy amendments in Council.	Complete prescribed resolutions and supporting documentation; submit and upload required draft information.	Council item/resolution; tabled A Schedule; draft IDP; proposed tariffs/policies; upload validation	MFMA ss 16(2), 17, 22; MSA ss 25, 29, MFMA Circular 10
Immediately after tabling	STATUTORY	Mayor oversees the statutory consultation and consideration process.	Publish the tabled draft package; invite representations; submit to NT, PT and prescribed bodies; make documents reasonably accessible.	Public notice; website/office copies; submission proof; comments register	MFMA s 22; MSA Ch 4; Planning Regulations reg 15(3), MFMA Circular 10
PHASE 6: CONSULT, RESPOND, ADOPT AND IMPLEMENT APRIL–JULY 2027 Test the actual draft choices and tariff effects, respond transparently, adopt one aligned package and translate it into implementation.					
1–30 Apr 2027	STATUTORY	Council and Mayor hear and consider community, stakeholder, treasury and organ-of-state views on the tabled drafts, sector department plans for water, sanitation and Electricity etc.	Run accessible ward and stakeholder consultation, including at least 21 days for the proposed IDP; convene Representative Forum; consolidate all submissions.	Notices; attendance; written submissions; Forum report; consolidated register	MFMA s 21 and 23; MSA ss 16–17, 29; reg 15(3), MFMA Circular 10
During Apr 2027	ELECTION / EXTERNAL	Mayor and Council consider National/Provincial Treasury benchmark feedback and other formal assessments when scheduled.	Participate in benchmark/assessment engagements; reconcile formal comments and proposed responses.	Assessment reports; presentations; attendance and response register	MFMA s 23; annual Treasury budget circulars/programmes), MFMA Circular 10
By 30 Apr 2027	INTERNAL CONTROL	Mayor and Council receive Q3 results relevant to final budget and target choices.	Use Q3 SDBIP, revenue, expenditure and cash results to test and correct draft assumptions, allocations and performance targets.	Q3 reports; assumptions and correction register	MFMA ss 52(d), 71; MSA s 34, MFMA Circular 10
1–14 May 2027	INTERNAL CONTROL	Mayor is enabled to respond to representations and recommend amendments.	Refer every representation to responsible officials; prepare plain-language responses; cost and assess requested changes; distinguish accepted, amended, deferred, referred and unsupported inputs.	Comment-and-response report; costed change register	MFMA s 23; MSA s 17(2)(e), MFMA Circular 10
By 21 May 2027	INTERNAL CONTROL	Mayor receives the final, reconciled package for recommendation to Council.	Complete final IDP, funded budget, taxes and tariffs, policies, projects, performance objectives and SDBIP reconciliation; obtain funding/credibility certification.	Final A Schedule and IDP; tariffs/policies; funding certification; reconciliation tables	MFMA ss 18, 24, 53; MSA ss 25–26, MFMA Circular 10
Before final adoption	INTERNAL CONTROL	Council and Forum receive the consolidated response to participation before the final decision.	Report back on submissions and principal changes; preserve the full audit trail.	Forum feedback record; final comment-and-response report	MSA s 17(2)(e); MFMA s 23, MFMA Circular 10
By 31 May 2027	STATUTORY	Council adopts the five-year IDP, 2027/28 annual budget, taxes and tariffs, budget-related policies and measurable performance objectives by separate required resolutions.	Complete prescribed submissions, uploads and publication preparations; ensure all adopted documents agree.	Council resolutions; adopted IDP/A Schedule; tariffs and policies; final reconciliation	MFMA ss 16, 24; MSA ss 25, 74–75; MPRA as applicable, MFMA Circular 10

Date / period	Deadline type	Council / Mayor decision or oversight	Administration and technical work	Required evidence	Primary legal basis
PHASE 6 CONTINUED: IMPLEMENT THE ADOPTED PACKAGE JUNE–JULY 2027					
Complete submissions, SDBIP and performance agreements, publish the adopted package and open the new implementation cycle.					
Within 10 days after IDP adoption	STATUTORY	Council's adopted IDP enters the provincial alignment and oversight process.	Submit the adopted IDP and prescribed process summary to the MEC and required bodies.	Submission letters and proof of delivery	MSA s 32, MFMA Circular 10
Within 14 days after IDP adoption	STATUTORY	Public is informed of the adopted IDP.	Give public notice and publish a plain-language summary and access details.	Public notice; summary; website proof	MSA s 25(4), MFMA Circular 10
Within 14 days after budget approval	STATUTORY	Mayor receives implementation drafts.	Accounting Officer submits the draft SDBIP and draft senior-manager performance agreements to the Mayor.	Draft SDBIP; draft agreements; proof of submission	MFMA s 69; MSA s 57, MFMA Circular 10
Within 28 days after budget approval	STATUTORY	Mayor approves the SDBIP and ensures performance agreements are linked to the measurable objectives approved with the budget.	Finalise SDBIP, performance agreements and any required technical corrections that do not amend Council's adopted budget.	Mayor's approval; final SDBIP; signed performance agreements	MFMA s 53(1)(c); MSA s 57, MFMA Circular 10
Within 14 days after SDBIP approval	STATUTORY	Mayor ensures the approved implementation programme is made public and submitted as prescribed.	Publish the approved SDBIP and performance information and complete required submissions.	Website/publication proof; submission records	MFMA ss 53(3), 75, MFMA Circular 10
Before 1 Jul 2027	STATUTORY	Mayor and Council ensure the municipality is ready to implement the adopted budget from the first day of the financial year.	Load and validate the adopted budget, tariffs, billing changes, delegations, procurement plans, cash-flow forecast and implementation controls.	System validation; tariff/billing test; procurement and cash-flow plans	MFMA ss 15, 24, 53, 69; MBRR/mSCOA, MFMA Circular 10
By 31 Jul 2027	INTERNAL CONTROL	Council receives year-end/Q4 information as the opening evidence for implementation and the next review.	Complete Q4 and year-end performance/financial assessment and record improvement actions.	Q4/year-end reports; improvement register	MFMA ss 52(d), 71; MSA ss 34, 41, MFMA Circular 10

Drafting notes: (1) Dates dependent on election results, Council constitution, Treasury/COGTA programmes, the annual Division of Revenue process and formally communicated bulk-price determinations must be updated when confirmed. (2) Relative SDBIP dates must be calculated from the actual budget-adoption date. If adopted on 31 May 2027, the indicative outer dates are 14 June (Accounting Officer submission), 28 June (Mayor approval) and 12 July 2027 (publication after approval). (3) MPRA valuation-roll and rates-resolution requirements must be checked against Ndlambe's applicable valuation cycle and notices before Review Draft stage.

OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 - DISPOSAL
AND DERECOGNITION OF BROKEN MOVABLE
ASSETS IDENTIFIED DURING YEAR END
PHYSICAL VERIFICATION**

ANNEXURE C.16

BROKEN MOVABLE ASSETS

Computer Equipment			DESCRIPTION	ISITION DATE	NET BOOK VALUE	ROOM	BUILDING NAME
PARENT	SUB ASSET	BARCODE					
28045	1	'17194	TOSHIBA LAPTOP	20080701	0.51	'R0690	FIRE DEPARTMENT PORT ALFRED CPS BUILDING
28406	1	'01176	MACHINE PLOTTER HC D2500D2500	20080701	0.27	'R0046	ALEXANDRIA MUNICIPAL OFFICES
29546	1	'04328	SPS SCHULTZ POWER SYSTEM	20080701	0.06	'R0317	KLEINEMONDE WORKSHOP
29568	1	'04445	CANON PRINTER ALLINONE INKJET	20080701	0.27	'R0418	PORT ALFRED MUNICIPAL YARD
29695	1	'04522	MECER COMPUTER MONITOR FLAT SCREEN	20080701	12.61	'R0964	ALEXANDRIA MUNICIPAL OFFICES
29622	1	'04579	MECER COMPUTER MONITOR FLAT SCREEN J777	20080701	18.53	'R0317	FINANCE BUILDING
29752	1	'05058	MECER COMPUTER MONITOR FLAT SCREEN J777	20080701	0.75	'R1443	FIRE DEPARTMENT PORT ALFRED
29755	1	'05069	PROLINE COMPUTER MONITOR MON19H	20080701	7.03	'R0198	PORT ALFRED YARD
29772	1	'05181	LG COMPUTER MONITOR L1952TQ	20080701	0.27	'R0129	PORT ALFRED MUNICIPAL YARD
29800	1	'05272	MECER COMPUTER CPU	20080701	30.51	'R0964	PORT ALFRED MUNICIPAL YARD
29803	1	'05279	DVDVCR PLAYER	20101220	2.90	'R0914	PORT ALFRED MUNICIPAL YARD
29832	1	'05450	MECER COMPUTER MONITOR FLAT SCREEN W999	20080701	7.03	'R1009	PORT ALFRED MUNICIPAL YARD
29843	1	'06714	MECER COMPUTER SERVER	20080701	35.54	'R0030	PORT ALFRED MUNICIPAL YARD
29858	1	'05186	LG COMPUTER MONITOR FLAT SCREEN L1952TQ	20090326	0.51	'R1067	ALEXANDRIA MUNICIPAL OFFICES
29975	1	'05692	MECER COMPUTER CPU	20081120	176.01	'R0372	PUMPHOUSE CANNON N ROCKS
29977	1	'05696	MECER COMPUTER CPU	20080701	14.50	'R0372	PUMPHOUSE CANNON N ROCKS
30005	1	'05769	ACER COMPUTER MONITOR FLAT SCREEN V173	20080701	12.61	'R0222	HILDA PEDDIE LIBRARY
30020	1	'05795	HP PRINTER DESKJET 5163	20080701	5.78	'R0306	ALEXANDRIA MUNICIPAL OFFICES
30029	1	'05809	MECER COMPUTER CPU	20081015	0.73	'R0293	KENTON CONSERVATION OFFICE
30067	1	'04510	MECER COMPUTER CPU SYMPHONY	20080701	0.27	'R1067	ALEXANDRIA MUNICIPAL OFFICES
30381	1	'06624	HP PRINTER OFFICEJET PRO 8500	20100618	0.51	'R1035	DR IK MABINDISA LIBRARY
30447	1	'06710	PROLINE COMPUTER PC ALL IN ONE MS863	20100928	184.95	'R0048	CIVIC CENTRE
30454	1	'06718	EPSON PRINTER LX300	20110224	0.75	'R0030	PORT ALFRED MUNICIPAL YARD
30514	1	'06824	HP PRINTER CM1415fn color MFP	20110510	78.61	'R0051	CIVIC CENTRE
30522	1	'06836	HP 5000B MF COMPUTER CPU 5008 MT	20110628	0.51	'R0128	PORT ALFRED YARD
30523	1	'06837	FUJITSU COMPUTER MONITOR FLAT SCREEN L3200T	20110628	18.25	'R0037	CIVIC CENTRE
30573	1	'06893	EPSON PRINTER RECEIPT	20110505	41.80	'R1061	COUNCILOR OFFICES
30574	1	'16565	COMPUTER LAPTOP	20080701	166.87	'R0036	CIVIC CENTRE
30578	1	'06898	MECER COMPUTER MONITOR FLAT SCREEN TFT20W80	20111107	14.74	'R0844	CIVIC CENTRE
30595	1	'06924	LG COMPUTER MONITOR FLAT SCREEN L1742S	20080701	0.59	'R1244	KENTON MUNICIPAL OFFICE
30768	1	'07163	ACER COMPUTER MONITOR FLAT SCREEN V173	20080701	-12.61	'R0061	CIVIC CENTRE
30915	1	'09064	PROLINE CPU	20080701	30.51	'R0954	CIVIC CENTRE
31028	1	'13485	LENOVO COMPUTER LAPTOP P81HN	20130123	0.51	'R0030	PORT ALFRED MUNICIPAL YARD
31038	1	'07640	TOSHIBA COMPUTER LAPTOP	20140825	24.03	'R0200	FIRE DEPARTMENT PORT ALFRED
31068	1	'07680	HP COMPUTER MONITOR FLAT SCREEN L2002x	20080701	4.87	'R1149	PORT ALFRED LIBRARY
31073	1	'07686	MECER COMPUTER PC ALL IN ONE H2159	20130723	271.27	'R0037	CIVIC CENTRE
31080	1	'07695	SAMSUNG PRINTER ALLINONE INKJET SCX-3405FW	20130903	27.10	'R0372	PUMPHOUSE CANNON N ROCKS
31181	1	'07822	MECER COMPUTER PC ALL IN ONE ET 30	20120816	197.77	'R1183	CPS BUILDING
31251	1	'07906	COMPUTER ROUTER	20080701	0.64	'R0030	PORT ALFRED MUNICIPAL YARD
31434	1	'08192	MECER COMPUTER PC ALL IN ONE	20140226	171.48	'R0495	PORT ALFRED MUNICIPAL YARD
31441	1	'16243	RYOBI LAWNMOWER	20090126	47.39	'R1098	PORT ALFRED MUNICIPAL YARD
31473	1	'08260	PPS COMPUTER UPS	20080701	8.06	'R0736	CIVIC CENTRE
31679	1	'08557	MECER PC ALL IN ONE H2159	20140328	156.24	'R0844	CIVIC CENTRE
31690	1	'08558	MECER PC ALL IN ONE Xtreme H81M-S2PV	20140328	0.51	'R0121	PORT ALFRED MUNICIPAL YARD
31695	1	'08567	HP PROBOOK 430G 430 G1	20120701	0.51	'R1485	MM BUILDING
31688	1	'10519	HP COMPUTER LAPTOP 4540S	20140716	0.75	'R1479	FBS-IGG OFFICE
31713	1	'08594	SAMSUNG PRINTER MULTI FUNCTION FX - 1180	20080701	39.24	'R0959	PORT ALFRED MM BUILDING
31714	1	'18053	LENOVO THINKPAD ThinkPad	20141113	4.44	'R0030	PORT ALFRED MUNICIPAL YARD

BROKEN MOVABLE ASSETS

PARENT	SUB ASSET	BARCODE	DESCRIPTION	ISITION DATE	NET BOOK VALUE	ROOM	BUILDING NAME
31933	1	'08956	HANDHELD POINT OF SALENew8810	20141029		'R1009	PORT ALFRED FINANCE BUILDING
31998	1	'09056	MECER UNINTERRUPTIBLE POWER SUPPLY UPS650VA	20150327	19.70	'R1309	MM BUILDING
32016	1	'09075	HP COMPUTER SCREEN	20151005	180.01	'R0061	CIVIC CENTRE
32740	1	'10521	HP PROBOOK 450 G4 COMPUTER LAPTOP5CD7119SBC	20180309	357.16	'R1007	PORT ALFRED FINANCE BUILDING
32812	1	'18051	LENOVO COMPUTER LAPTOPE50-70	20160630		'R0030	PORT ALFRED MUNICIPAL YARD
32830	3	'106803	SEAGATE IRONWOLF SERVER DRIVE	20220920	760.98	'R0030	PORT ALFRED MUNICIPAL YARD
32830	5	'106804	Seagate Ironwolf HDD NAS Server Drive	20231010	217.46	'R0908	FINANCE OFFICE
32992	1	'11142	MECER COMPUTER MONITOR	20080701	0.27	'R0882	CANNON ROCKS LEISURE RESORT
33305	1	'12669	COMPUTER UPSCPS1000VA	20080701	0.51	'R0306	ALEXANDRIA MUNICIPAL OFFICES
33736	1	'16691	COMPUTER UPS	20080701	30.51	'R0286	KENTON MUNICIPAL OFFICES
33777	1	'13422	HP COMPUTER LAPTOP3168NGW	20180131	159.07	'R0305	ALEXANDRIA MUNICIPAL OFFICES
33788	1	'13434	MECER PROLINE COMPUTER SERVERProficent	20131122	0.51	'R0030	PORT ALFRED MUNICIPAL YARD
33813	1	'13460	HP DESKTOP 290 G2	20181205	316.98	'R0301	KENTON ON SEA LIBRARY
33817	1	'13464	NOC COMPUTER MONITOR FLAT SCREEN	20181205	42.00	'R0301	KENTON ON SEA LIBRARY
33820	1	'13468	HP 250 G6250 G6	20190328	437.78	'R1480	CIVIC CENTRE
33922	1	'13470	LENOVO	20190613	487.62	'R0051	CIVIC CENTRE
33823	1	'13471	LENOVOV130	20190313	801.01	'R0035	CIVIC CENTRE
33838	1	'18056	HP PROBOOK 450 G8 COMPUTER LAPTOPProBook 450 G6	20190808	0.05	'R0030	PORT ALFRED MUNICIPAL YARD
34751	1	'14602	LENOVO V130-15V130-151KB	20181205	309.80	'R0051	CIVIC CENTRE
34794	1	'14653	HP200 G3	20190606	520.67	'R0061	CIVIC CENTRE
34820	1	'14691	HP INTEL CORE I3 8TH GEN	20181129	0.59	'R0954	CIVIC CENTRE
34933	1	'14853	MOTOROLA CM 340	20190605	0.59	'R0731	PORT ALFRED MUNICIPAL YARD
35338	1	'15329	DELL VOSTRO 3591	20201102	8,261.63	'R0950	MM BUILDING
35361	1	'15369	LENOVO V530s SFF	20201123	4,547.11	'R1479	FBS-IGG OFFICE
35404	1	'15418	MECER COMPUTER PC ALL IN ONE	20150415	0.51	'R0128	PORT ALFRED YARD
35978	1	'17783	SAMSUNG COMPUTER TABLETSM-T561	20080701	76.70	'R0742	FREESTONE LIBRARY
35980	1	'S0089	SAMSUNG COMPUTER TABLETSM-T561	20080701	0.75	'R0742	FREESTONE LIBRARY
101079	1	'16289	HANDHELD ELECTRICITY VENDING TERMINALTPS300	20220228	3,806.04	'R1009	PORT ALFRED FINANCE BUILDING
101080	1	'16296	HAND HELD POINT OF SALETPS300	20220228	3,806.04	'R1009	PORT ALFRED FINANCE BUILDING
102028	1	'16534	MONITOR	20230214	1.00	'R0907	FINANCE BUILDING
029784	1	05248	MECER COMPUTER MONITOR FLAT SCREEN	20080701	0.27	'R0824	CIVIC CENTRE
030389	1	06634	SAMSUNG PRINTER	20100930	121.03	'R1080	MMS BUILDING
030594	1	06910	HP PRINTEROfficeJet Pro 8500	20080701	19.11	'R0044	CIVIC CENTRE
030709	1	07164	HP COMPUTER CPUExtensa	20080701	30.51	'R0055	CIVIC CENTRE
031283	1	07953	ACER COMPUTER MONITOR FLAT SCREENFT1980PS	20080701	3.66	'R0035	CIVIC CENTRE
031428	1	08181	EPSON PRINTER RECEIPT	20140113	8.16	'R1139	KENTON ON SEA MUNICIPAL OFFICES
030635	1	08200	MECER PC ALL IN ONE	20080701	0.27	'R1067	ALEXANDRIA MUNICIPAL OFFICES
032718	1	10492	SCANNER HANDHELD	20080701	20.47	'R0222	HILDA PEDDIE LIBRARY
032825	1	10675	COMPUTER SWITCH	20160927	79.38	'R1303	HILDA PEDDIE LIBRARY
033116	1	11395	COMPUTER UPS	20080701	0.64	'R0932	MMS BUILDING
033233	1	12559	BIOMETRIC ACCESS FINGERPRINT READER	20161230	25.77	'R0048	FREESTONE LIBRARY
033781	1	13426	ROUTER	20090408	294.12	'R0123	CIVIC CENTRE
033787	1	13433	MECER COMPUTER CPUPROFICIENT	20080701	0.77	'R0484	PORT ALFRED YARD
033789	1	13435	MECER COMPUTER MONITORA2256	20080701	0.75	'R0484	PORT ALFRED TRAFFIC DEPARTMENT
033812	1	13459	HP DESKTOP 290 G2	20181205	263.81	'R0770	PORT ALFRED TRAFFIC DEPARTMENT
033829	1	13482	LENOVO COMPUTER CPU	20080701	26.68	'R0035	HILDA PEDDIE LIBRARY
034918	1	14832	HP P203P203	20180604	128.23	'R1259	CIVIC CENTRE
035342	1	15333	LENOVO S145 CORE I3IdeaPad	20210618	0.88	'R0330	ALEXANDRIA
035344	1	15335	CANON PRINTER CANONMF443dw	20210611	3,513.69	'R1479	ALEXANDRIA MUNICIPAL OFFICES
035952	1	15381	Dell Vostro3500	20210602	8,368.87	'R0907	FBS-IGG OFFICE
035383	1	16919	LENOVO LAPTOP	20210505	4,651.82	'R1451	FINANCE BUILDING
031016	1	18013	TOSHIBA COMPUTER LAPTOP	20130111	95.93	'R0025	MM BUILDING
							FINANCE BUILDING

PARENT	SUB ASSET	BARCODE	DESCRIPTION	ISITION DATE	NET BOOK VALUE	ROOM	BUILDING NAME
031438	1	S0038	CANON CAMERA	20140217	48.98	R1013	CPS BUILDING
32739	1	'10520	HP PROBOOK 450 G4 COMPUTER LAPTOP450 G4	20180131	358.56	'R1004	FINANCE BUILDING
101946	1	'16434	ASUS EXPERTBOOK L1500CDA CORE i5i5	20220805	3,715.66	'R1005	FINANCE BUILDING
030395	0001	'06649	MECER COMPUTER MONITOR FLAT SCREENET-0005-NA	20101013	37.99	'R0483	PORT ALFRED TRAFFIC DEPARTMENT
031025	0001	'07625	EPSON PRINTER DOT MATRIXFX-2190	20121231	42.03	'R0484	PORT ALFRED TRAFFIC DEPARTMENT
					48,833.29		

BROKEN MOVABLE ASSETS

PARENT	SUB ASSET	BARCODE	DESCRIPTION		ISITION DATE	NET BOOK VALUE	ROOM	BUILDING NAME
Furniture and Office Equipment								
PARENT	SUB ASSET	BARCODE	DESCRIPTION	DESCRIPTION	QQUISITION DATE	NET BOOK VALUE	ROOM	BUILDING NAME
27952	1	'00053	SHARP DESKTOP CALCULATOR	SHARP DESKTOP CALCULATOR	20080701	2.71	'R0947	FINANCE BUILDING
27965	1	'14651	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	35.68	'R0047	CIVIC CENTRE
28033	1	'00221	DINING/BOARDROOM CHAIR	DINING/BOARDROOM CHAIR	20080701	11.82	'R1301	MMS BUILDING
28052	1	'00249	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	7.89	'R0057	CIVIC CENTRE
28124	1	'00409	EXTINGUISHER FIRE	EXTINGUISHER FIRE	20080701	0.27	'R0043	CIVIC CENTRE
28403	1	'01166	4 COMPARTMENT METAL LOCKER	4 COMPARTMENT METAL LOCKER	20080701	11.30	'R0959	PORT ALFRED MUNICIPAL YARD
28616	1	'01787	CUPBOARD 2 DOOR WOOD 600MM X 800MM X1200MM H	CUPBOARD 2 DOOR WOOD 600MM X 800MM X1200MM H	20080701	13.68	'R1431	BATHURST STORES
28686	1	'01894	WOODGRAINAND MELAMINE BOARDS ONE SET OF DRAWERS	WOODGRAINAND MELAMINE BOARDS ONE SET OF DRAWERS	20080701	38.88	'R0261	MARSELLE / BUSHMAN'S LIBRARY
28741	1	'02056	CUPBOARD KITCHEN WOOD 200CM H X 40CM W X 45CM M	CUPBOARD KITCHEN WOOD 200CM H X 40CM W X 45CM M	20080701	30.35	'R0261	MARSELLE / BUSHMAN'S LIBRARY
28743	1	'02058	WOOD BOOKCASE 4 SHELVES 300MMX600MMX1200MMH	WOOD BOOKCASE 4 SHELVES 300MMX600MMX1200MMH	20080701	17.49	'R0261	MARSELLE / BUSHMAN'S LIBRARY
28818	1	'02273	HIGHBACK CHAIR BLUE	HIGHBACK CHAIR BLUE	20080701	1.49	'R0293	KENTON CONSERVATION OFFICE
29041	1	'02760	CHAIR MIDBACK UPHOLSTERED SWIVEL & TILT	CHAIR MIDBACK UPHOLSTERED SWIVEL & TILT	20080701	0.64	'R0345	ALEXANDRIA WORKSHOP
29054	1	'02876	PANASONIC FASCIMILE MACHINE KX F2781	PANASONIC FASCIMILE MACHINE KX F2781	20080701	0.59	'R0937	BOKNES WORKSHOP
29062	1	'02886	CABINET FILING DRAWER METAL 600 X 800 X 1200 H	CABINET FILING DRAWER METAL 600 X 800 X 1200 H	20080701	75.02	'R0937	BOKNES WORKSHOP
29652	1	'04645	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20090122	145.28	'R1009	PORT ALFRED FINANCE BUILDING
29669	1	'04713	CUPBOARD SHELVES BEHIND ROLLER DOOR600 X 1200 X 1800	CUPBOARD SHELVES BEHIND ROLLER DOOR600 X 1200 X 1800	20080701	74.46	'R1431	BATHURST STORES
29690	1	'04767	CANON PHOTOCOPY MACHINE IR2220i	CANON PHOTOCOPY MACHINE IR2220i	20080701	0.73	'R0131	PORT ALFRED MUNICIPAL YARD
29821	1	'05427	REXEL 180CD SHREDDER	REXEL 180CD SHREDDER	20080701	23.24	'R0048	CIVIC CENTRE
29996	1	'05759	DESK WOOD 2 DRAWER	DESK WOOD 2 DRAWER	20080701	3.40	'R1153	FREESTONE LIBRARY
30000	1	'05763	AURCO 9000btu FIXED SPEED MID-WALL AIR CONDITIONER	AURCO 9000btu FIXED SPEED MID-WALL AIR CONDITIONER	20120130	0.59	'R0306	ALEXANDRIA MUNICIPAL OFFICES
30130	1	'06024	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	0.59	'R0951	PORT ALFRED MUNICIPAL YARD
30148	1	'06058	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20091117	0.54	'R0770	FREESTONE LIBRARY
30152	1	'06070	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20091117	0.28	'R0770	FREESTONE LIBRARY
30153	1	'06071	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20091117	0.54	'R0770	FREESTONE LIBRARY
30161	1	'06084	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	0.06	'R0951	FREESTONE LIBRARY
30311	1	'06340	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	20080701	9.93	'R1206	PORT ALFRED MUNICIPAL YARD
30317	1	'06354	CHAIR MIDBACK UPHOLSTERED SWIVEL & TILT	CHAIR MIDBACK UPHOLSTERED SWIVEL & TILT	20080701	0.64	'R0732	KELLY'S BEACH
30342	1	'06413	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20090508	154.56	'R1007	FINANCE BUILDING
30531	1	'06846	3 TIER STEEL TEA TROLLEY 850 X 450 X 900MM H	3 TIER STEEL TEA TROLLEY 850 X 450 X 900MM H	20080701	0.64	'R0062	CIVIC CENTRE
30565	1	'06884	HIGHBACK CHAIR SWIVEL & TILT	HIGHBACK CHAIR SWIVEL & TILT	20110719	45.73	'R1480	CIVIC CENTRE
30697	1	'07046	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	19.18	'R0900	MMS BUILDING
30698	1	'07047	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	29.11	'R1316	MM BUILDING
30731	1	'07105	CHAIR HIGHBACK UPHOLSTERED SWIVEL & TILT	CHAIR HIGHBACK UPHOLSTERED SWIVEL & TILT	20120420	59.23	'R1639	MM BUILDING
30750	1	'07138	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	29.11	'R0911	MMS BUILDING
30767	1	'07162	BANNER PULLUP 800X200MM	BANNER PULLUP 800X200MM	20080701	11.64	'R0055	CIVIC CENTRE
30924	1	'14369	BANNER PULLUP 800X200MM	BANNER PULLUP 800X200MM	20080701	3.29	'R1306	MMS BUILDING
31225	1	'07874	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	20080701	2.06	'R0129	PORT ALFRED YARD
31285	1	'14378	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	20080701	1.00	'R1695	PORT ALFRED PUBLIC LIBRARY
31384	1	'08129	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	20080715	1.88	'R0033	CIVIC CENTRE
31498	1	'08301	CHAIR HIGHBACK UPHOLSTERED SWIVEL & TILT	CHAIR HIGHBACK UPHOLSTERED SWIVEL & TILT	20130527	4.28	'R0964	PORT ALFRED MUNICIPAL YARD
31585	1	'05636	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	20080701	2.06	'R0070	PORT ALFRED COMMUNITY SERVICES
31646	1	'08518	GOLDAIR INDUSTRIAL PEDESTAL FAN	GOLDAIR INDUSTRIAL PEDESTAL FAN	20140327	0.51	'R1206	PORT ALFRED LIBRARY
31655	1	'08529	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20140219	254.05	'R0483	PORT ALFRED TRAFFIC DEPARTMENT
31656	1	'08530	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	0.77	'R0484	PORT ALFRED TRAFFIC DEPARTMENT

BROKEN MOVABLE ASSETS

PARENT	SUB ASSET	BARCODE	DESCRIPTION	ISITION DATE	NET BOOK VALUE	ROOM	BUILDING NAME
31801	1	'16302	TABLE PLASTIC FOLDING	20080701	0.31	'R0241	BATHURST LOCATION HALL
31811	1	'08758	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	34.08	'R0856	PORT ALFRED SEWER PLANT
31876	1	'08868	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	20080715	1.62	'R0846	ALEXANDRIA YOUTH ADVISORY CENTER
32074	1	'09205	ABLE FIXED SEWING MACHINE 69CM TO 96CM STANDING HIGH	20120701	0.51	'R0315	ALEXANDRIA MAIN OFFICE
32211	1	'08383	WOOD DESK WITH STEEL LEGS	20080701	28.97	'R1214	ALEXANDRIA TRAFFIC DEPARTMENT
32492	1	'09731	WOOD BOARDROOM TABLE 1200MM X 2000W X 700MM H	20141212	67.81	'R1232	TITI JONAS MPCC
32611	1	'09758	TABLE TENNIS 274 X 152.5 X 76CM	20141212	0.32	'R1239	TITI JONAS MPCC
32522	1	'09771	PLASTIC FOLDING TABLE	20140602	0.32	'R1239	TITI JONAS MPCC
32853	1	'10406	REXELE 340002 STYLE LAMINATOR A3 210451	20080701	0.77	'R0951	PORT ALFRED MUNICIPAL YARD
32748	1	'10557	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	25.47	'R1480	CIVIC CENTRE
32762	1	'10591	TABLE PLASTIC FOLDING	20080701	101.28	'R1232	TITI JONAS MPCC
32919	1	'11057	CHAIR HIGHBACK UPHOLSTERED SWIVEL & TILT	20091029	12.64	'R0241	BATHURST LOCATION HALL
32921	1	'11059	ECONOMY SIDE OFFICE CHAIR WITH STEEL ARMS AND LEGS	20170605	69.67	'R0241	BATHURST LOCATION HALL
32929	1	'11069	F91 KONICA MINOLTA MACHINE PHOTOCOPY C224E	20161118	2,264.51	'R0844	CIVIC CENTRE
33103	1	'11335	EXTINGUISHER FIRE	20080701	5.15	'R0770	FREESTONE LIBRARY
33221	1	'12547	BANNER PULLUP 800X200MM	20120701	0.67	'R1445	PORT ALFRED MUNICIPAL YARD
33477	1	'12924	KIDS PLASTIC CHAIR	20121122	0.32	'R1035	DR IK MABINDISA LIBRARY
33485	1	'12934	KIDS WOODEN CHAIR	20080701	0.51	'R1035	DR IK MABINDISA LIBRARY
33490	1	'12941	KIDS WOODEN CHAIR	20080701	0.02	'R1035	DR IK MABINDISA LIBRARY
34538	1	'17562	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20120130	168.99	'R1398	MM BUILDING
34555	1	'17966	BANNER PULLUP 800X200MM	20080701	3.28	'R1306	MMS BUILDING
34694	1	'17237	CHAIR HIGHBACK UPHOLSTERED SWIVEL & TILT	20120701	3.12	'R0241	BATHURST LOCATION HALL
34703	1	'14540	CHAIR HIGHBACK UPHOLSTERED SWIVEL & TILT	20120701	1.82	'R0241	BATHURST LOCATION HALL
34814	1	'14681	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	20080701	74.47	'R0914	EKUPHUMLENI LIBRARY
34844	1	'14728	12000 AIR CONDITIONER SINGLE UNIT WALL OR WINDOW	20080701	0.06	'R0033	CIVIC CENTRE
34859	1	'14747	EXTINGUISHER FIRE	20080701	23.18	'R1080	MMS BUILDING
34967	1	'14889	CHAIR HIGHBACK UPHOLSTERED SWIVEL & TILT	20190207	78.17	'R1449	NDLAMBE INTEGRATED EMERGENCY CENTRE
35151	1	'15095	ECONOMY SIDE OFFICE CHAIR WITH STEEL ARMS AND LEGS	20080701	8.49	'R1232	TITI JONAS MPCC
35226	1	'15184	BANNER PULLUP	20190515	105.75	'R1306	MMS BUILDING
35293	1	'15275	12000 BTU AIRCONDITIONER SPLIT UNIT WALL	20191017	580.86	'R0035	CIVIC CENTRE
35301	1	'15284	12000 AIR CONDITIONER SINGLE UNIT WALL OR WINDOW	20130130	129.58	'R0048	CIVIC CENTRE
35666	1	'15736	12000 BTU AIRCONDITIONER SPLIT UNIT WALL	20191205	797.81	'R1449	NDLAMBE INTEGRATED EMERGENCY CENTRE
35717	1	'15802	PLASTIC FOLDING TABLE	20210530	0.64	'R1232	TITI JONAS MPCC
35733	1	'15826	PLASTIC FOLDING TABLE	20210530	195.04	'R0259	ALEXANDRIA MUNICIPAL OFFICES
35836	1	'15990	NEW ALLIANCE 12000BTU FIXED SPEED MIDWALL UNIT	20210208	1,889.50	'R0955	FIRE DEPARTMENT PORT ALFRED
100959	1	'16095	HOOVER WET AND DRY TANK VAC VACUUM CLEANER	20211116	654.52	'R1206	PORT ALFRED LIBRARY
101048	1	'16298	DEFY 20LT MICROWAVE MET DMO081	20220221	801.70	'R0979	WATERS MEETING PUMP STATION
102205	1	'16915	2 BAR HEATER	20230719	1.00	'R0819	BATHURST PURIFICATION PLANT
102741	1	'17024	POLYURETHANE INDUSTRIAL DRAUGHTSMAN CHAIR TYPIST	20231103	1,747.61	'R1463	TRAFFIC DEPARTMENT
103464	1	'17519	BANNER WALLS	20241008	4,338.27	'R1203	MMS BUILDING
103466	1	'17521	EXECUTIVE PULL UP BANNERS	20241008	1,129.90	'R1445	PORT ALFRED MUNICIPAL YARD
028316	1	00764	WOOD TABLE 600 X900 X 700 H	20080701	6.50	R0454	KAP RIVER LODGE
029026	1	02725	HEATER BAR	20080701	3.10	R1214	ALEXANDRIA TRAFFIC DEPARTMENT
030764	1	07155	9000 BTU AIR CONDITIONER SPLIT UNIT WALL	20080701	44.87	R0047	CIVIC CENTRE
031224	1	07873	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	20080701	2.06	R0062	CIVIC CENTRE
031518	1	08327	RICKSTACKER SIDE CHAIR BLACK EPOXY FRAME - 4 LEGGED	20060701	1.00	R0062	CIVIC CENTRE
032075	1	09206	ABLE FIXED SEWING MACHINE 69CM TO 96CM STANDING HIGH	20120701	0.51	R0315	ALEXANDRIA MUNICIPAL OFFICE
033246	1	12578	REXELE 340002 STYLE LAMINATOR A3 210451	20080701	6.59	R1229	ALEXANDRIA TOWN LIBRARY
035417	1	15436	TOR CHAIR-HIGHBACK-CLUTCH MECHANISM-NYLON BASE FOR	20200518	0.41	R1476	IGG INDIGENT
101200	1	16352	ALLEGRO 2 ONE SHOT TOP 1800X1100 LHS (DESK)	20220628	1,767.59	R1608	BATHURST SPORTSFIELD
35416	1	'15435	TOR CHAIR-HIGHBACK-CLUTCH MECHANISM-NYLON BASE FOR	20200518	144.27	'R1004	FINANCE BUILDING
028204	1	'00578	BOARD WHITE 152X220MM	20080701	1.69	'R0485	PORT ALFRED

BROKEN MOVABLE ASSETS

PARENT	SUB ASSET	BARCODE	DESCRIPTION	ACQUISITION DATE	NET BOOK VALUE	ROOM	BUILDING NAME
029553	1	'R1592	TABLE FOLDING METAL	20080701	0.31	'R0259	ALEXANDRIA
031901	1	'16262	TABLE PLASTIC FOLDING	20080701	97.46	'R0819	BATHURST
032756	1	'10575	TABLE PLASTIC FOLDING	20140630	12.16	'R0241	BATHURST
035641	1	'15708	TABLE PLASTIC FOLDING	20170612	0	'R0259	ALEXANDRIA
036003	1	'15836	PLASTIC FOLDING TABLE	20210615	199.52	'R0936	KLIPFONTEIN
					18,763.94		

BROKEN MOVABLE ASSETS

PARENT	SUB ASSET	BARCODE	DESCRIPTION	ISITION DATE	NET BOOK VALUE	ROOM	BUILDING NAME
Machinery and Equipment							
PARENT	SUB ASSET	BARCODE	DESCRIPTION	ISITION DATE	NET BOOK VALUE	ROOM	BUILDING NAME
28018	1	'17673	FRIDGEMASTER SD185 REFRIDGERATOR	20080701	0.51	'R1031	KAP RIVER LODGE
28490	1	'01583	FLOATING PUMP	20080701	5.37	'R0837	FIRE DEPARTMENT PORT ALFRED
28493	1	'01589	INGERSOL-RAND ELECTRIC COMPRESSOR	20090126	79.19	'R0837	FIRE DEPARTMENT PORT ALFRED
28817	1	'02270	TRACER MR595 2-WAY RADIO HOMEBASE	20080701	0.59	'R0293	KENTON CONSERVATION OFFICE
28825	1	'02282	FRIDGEMASTER C305 REFRIDGERATOR AND FREEZER	20080701	51.35	'R1144	KENTON CONSERVATION OFFICE
29042	1	'02763	EXTINGUISHER FIRE	20080701	0.59	'R0345	ALEXANDRIA WORKSHOP
29043	1	'02768	EXTINGUISHER FIRE	20080701	0.51	'R0425	WENTSEL PARK HALL
29044	1	'02769	EXTINGUISHER FIRE	20080701	0.59	'R0425	WENTSEL PARK HALL
29050	1	'02812	BRIGS & STRATTON FLOATING PUMPING	20080701	3.46	'R0837	FIRE DEPARTMENT PORT ALFRED
29198	1	'03314	MACHINE FLOOR POLISHER SCRUBBER	20080701	115.10	'R1031	KAP RIVER LODGE
29199	1	'03315	WAP PER CLEAN VACUUM CLEANER	20080701	4.03	'R1031	KAP RIVER LODGE
29425	1	'03932	TAR SPRAYER MACHINE	20080701	0.73	'R0345	ALEXANDRIA WORKSHOP
29515	1	'04208	LADDER A FRAME ALUMINIUM	20080701	0.64	'R0041	CIVIC CENTRE
29616	1	'16696	THESENS RGT43CC brushcutter	20080701	6.54	'R1070	KENTON ON SEA MAIN OFFICE
29742	1	'05027	DEFY DMO 295 DIGITAL MICROWAVE	20080701	0.77	'R1014	CPS BUILDING
29822	1	'05429	DEFY C305 REFRIDGERATOR & FREEZER	20080801	165.28	'R0048	CIVIC CENTRE
29839	1	'14615	BANNER PULLUP	20080701	112.85	'R1445	PORT ALFRED MUNICIPAL YARD
30108	1	'05973	EUTECH PH 5 ECOSCAN TEMP & PH METER	20080701	1.42	'R0649	PORT ALFRED WATERWORKS
30110	1	'05975	KK FP4 FLOCCULATOR	20080701	739.04	'R0649	PORT ALFRED WATERWORKS
30168	1	'06093	HISENSE DVD838A DVD PLAYER	20080701	19.09	'R0301	KENTON ON SEA LIBRARY
30827	1	'17158	ACER COMPUTER MONITOR FLAT SCREEN	20080701	17.17	'R1443	FINANCE BUILDING
30887	1	'07430	SAMSUNG WA-13V5 LAUNDRY WASHING MACHINE	20120530	21.19	'R1031	KAP RIVER LODGE
30920	1	'07481	SMC FP4 FLOCCULATOR	20080701	739.04	'R0649	PORT ALFRED WATERWORKS
30922	1	'07483	SMC FP4 FLOCCULATOR	20080701	13.26	'R0649	PORT ALFRED WATERWORKS
30966	1	'07547	LG FLATRON W1943SS FLATSCREE MONITOR	20080701	3.30	'R0301	KENTON ON SEA LIBRARY
31161	1	'07802	RYOBI BL-3500 BLOWER MACHINE	20120828	13.23	'R0030	PORT ALFRED MUNICIPAL YARD
31207	1	'07850	SCREEN PROJECTOR ON STAND	20121031	35.28	'R1304	MMS BUILDING
31338	1	'14876	MAKITA LARGE ANGLE GRINDER	20080701	15.04	'R1371	PORT ALFRED MUNICIPAL YARD
31367	1	'08097	MOTOROLA CM340 2-WAY RADIO	20080701	5.63	'R0731	PORT ALFRED MUNICIPAL YARD
31451	1	'08217	PRECISION DIGITAL SCALE PLATFORM	20090630	163.47	'R0649	PORT ALFRED WATERWORKS
31465	1	'08245	PRECISION DIGITAL SCALE PLATFORM	20090625	100.89	'R0649	PORT ALFRED WATERWORKS
31483	1	'08273	WATER PUMP PETROL	20080701	0.51	'R0837	FIRE DEPARTMENT PORT ALFRED
31491	1	'08289	FUJIFILMS FINEPIX C110 CAMERA	20120731	0.31	'R0818	FIRE DEPARTMENT PORT ALFRED
31550	1	'08365	CHALLEN PIANO	20080701	0.77	'R0420	KENTON ON SEA MAIN OFFICE
31570	1	'08401	BENCH WORK OR WITH VICE	20080701	1.91	'R0372	PUMPHOUSE CANNON N ROCKS
31803	1	'08746	HONDA GX 390 POKER & DRIVE MOTOR	20080701	49.29	'R1371	PORT ALFRED MUNICIPAL YARD
31886	1	'08883	KO STS-QA SCALE PLATFORM	20080701	7.02	'R1216	PORT ALFRED SEWER PLANT
31887	1	'08884	KO STS-QA SCALE PLATFORM	20080701	18.73	'R1216	PORT ALFRED SEWER PLANT
32110	1	'09252	HONDA GX 160 POKER DRIVE GENERATOR	20140513	2,923.06	'R1371	PORT ALFRED MUNICIPAL YARD
32112	1	'09254	HONDA GX GENERATOR	20140416	2,359.74	'R1371	PORT ALFRED MUNICIPAL YARD
32118	1	'14939	EXTINGUISHER FIRE	20150313	0.59	'R1384	NDLAMBE INTEGRATED EMERGENCY CENTRE
32190	1	'09356	TROLLEY JACK	20120701	4.64	'R0345	ALEXANDRIA WORKSHOP
32210	1	'09381	COMPAIR ELECTRIC COMPRESSOR	20080701	2.10	'R0563	ALEXANDRIA WORKSHOP
32244	1	'09469	SAMSUNG DIGITAL MICROWAVE	20150313	0.59	'R0898	CANNON ROCKS LEISURE RESORT
32374	1	'09602	DEFY MANUAL MICROWAVE	20150313	242.32	'R0895	CANNON ROCKS LEISURE RESORT
32520	1	'09769	EXTINGUISHER FIRE	20080701	0.28	'R1232	TITI JONAS MPCC

PARENT	SUB ASSET	BARCODE	DESCRIPTION	ISITION DATE	NET BOOK VALUE	ROOM	BUILDING NAME
32666	1	'10419	STIHL FS160 P BRUSHCUTTER	20151027	126.27	'R0317	ALEXANDRIA MUNICIPAL OFFICES
32668	1	'10421	STIHL FS280 BRUSHCUTTER	20151012	144.02	'R1098	PORT ALFRED MUNICIPAL YARD
32947	1	'15711	SKIP BIN	20160916	2,538.50	'R0131	PORT ALFRED MUNICIPAL YARD
33022	1	'11182	EXTINGUISHER FIRE	20090630	0.01	'R0949	PORT ALFRED FINANCE BUILDING
33075	1	'11302	DEFY MICROWAVE MANUAL	20080701	65.75	'R0261	MARSELLE / BUSHMAN'S LIBRARY
33076	1	'11303	KELVINATOR REFRIDGERATOR BAR	20080701	70.41	'R0261	MARSELLE / BUSHMAN'S LIBRARY
34276	1	'16222	TORX XT200 LAWNMOWER	20180509	674.11	'R1594	MARSELLE SPORT FIELD
34701	1	'16345	HACH POCKET COLORIMETER 2 CHLORINE METER	20120814	27.22	'R0849	PORT ALFRED WATERWORKS
34704	1	'14541	HACH 2100Q TURBIDIMETER	20090126	13.72	'R0649	PORT ALFRED WATERWORKS
34708	1	'14547	HACH 2100Q TURBIDIMETER	20150313	118.55	'R0649	PORT ALFRED WATERWORKS
34774	1	'14627	HONDAWL30XH WATER PUMP	20180509	0.01	'R0837	FIRE DEPARTMENT PORT ALFRED
34851	1	'14735	HACH POCKET COLORIMETER 2 CHLORINE METER	20120328	8.15	'R0532	PORT ALFRED MUNICIPAL YARD
35241	1	'16331	SKIP BIN	20190625	7,716.32	'R0131	PORT ALFRED MUNICIPAL YARD
35279	1	'15257	LG TELEVISION	20080701	131.90	'R0914	EKUPHUMLENI LIBRARY
35504	1	'15545	ELLIES GENERATOR 14HP 4 STROKE 6.5KW	20100618	68.20	'R1314	PORT ALFRED MUNICIPAL YARD
35576	1	'15635	SKIP BIN	20160916	4,069.52	'R0131	PORT ALFRED MUNICIPAL YARD
35807	1	'17603	P MAX 600L/MINUTE MAX 8 BAR CW HOFFMANN 14HP SELF	20210302	15,790.28	'R0731	PORT ALFRED MUNICIPAL YARD
35933	1	'18016	HOFFMANN HL-22B1 WATER PUMP	20210602	3,897.36	'R0731	PORT ALFRED MUNICIPAL YARD
35999	1	'16150	HUSQVARNA W 80P WATER PUMP PETROL	20210503	0.88	'R1142	KENTON ON SEA WORKSHOP
102169	1	'16898	FALCON HEAVY DUTY SLASHER	20230629	35,182.37	'R0731	PORT ALFRED MUNICIPAL YARD
029068	1	02895	KUDU SELF PROPELLED LAWNMOWER	20080701	0.59	'R0711	VISKRAAL RESERVOIR
030967	1	07548	LA DVR-5008-C CCTV NETWORK VIDEO RECORDER	20080701	1.50	'R0301	KENTON ON SEA LIBRARY
031059	1	07671	ZEBEX Z3151 HANDHELD SCANNER	20130729	0.28	'R1229	ALEXANDRIA TOWN LIBRARY
032060	1	09150	SUNBEAM SPU 16 URN STAINLESS STEEL	20080701	15.06	'R0066	PORT ALFRED LIBRARY
032783	1	10621	PHILLIPS TELEVISION	20080701	24.13	'R0951	MARSELLE LIBRARY
035392	1	16384	BLACKVIEW IP-68 CELLPHONE DEVICE	20190620	323.13	'R1004	NONE FLOOR
035390	1	17209	BLACKVIEW IP-68 CELLPHONE DEVICE	20190620	215.17	'R1004	NONE FLOOR
031417	1	S0002	GP DSC-W690 CAMERA	20120927	0.64	'R1085	MMS BUILDING
					79,271.06		
					146,868.29		

**SAMPLES OF MOVABLE ASSETS LISTED IN ANNEXURE A
COMPUTER EQUIPMENT**



OPEN NDLAMBE COUNCIL MEETING

HELD ON FRIDAY, 28 AUGUST 2026

**REPORT DATED 20 AUGUST 2026 FROM THE
MUNICIPAL MANAGER: PERFORMANCE
AGREEMENTS FOR THE MUNICIPAL MANAGER
AND MANAGERS REPORTING DIRECTLY TO THE
MUNICIPAL MANAGER FOR THE 2026/2027
FINANCIAL YEAR**

ANNEXURE C.17

NDLAMBE LOCAL MUNICIPALITY



PERFORMANCE AGREEMENT AND PERFORMANCE PLAN of MUNICIPAL MANAGER

FINANCIAL YEAR: 1 JULY 2026 – 30 JUNE 2027

S.M. *[Signature]* ROK
K.C. N.A. PSD

PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN:

THE NDLAMBE LOCAL MUNICIPALITY,

AS REPRESENTED BY THE MAYOR,

AND

THE MUNICIPAL MANAGER OF THE MUNICIPALITY

FOR THE

FINANCIAL YEAR: 01 JULY 2026 – 30 JUNE 2027

S.m
Kc
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PSD

PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The Ndlambe Local Municipality herein represented by **Mrs Khululwa Celia Ncamiso** in her capacity as Mayor (hereinafter referred to as the **Employer**) **Adv Rolly Dumezweni, Municipal Manager** of the Ndlambe Local Municipality (hereinafter referred to as the **Employee**).

WHEREBY IT IS AGREED AS FOLLOWS:

1. INTRODUCTION

- 1.1 The **Employer** has entered into a contract of employment with the **Employee** in terms of section 57(1)(a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The **Employer** and the **Employee** are hereinafter referred to as "the Parties".
- 1.2 Section 57(1)(b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance Agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the **Employee** to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

2. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to –

- 2.1 comply with the provisions of Section 57(1) (b), (4A), (4B) and (5) of the Systems Act as well as the Contract of Employment entered into between the parties;
- 2.2 specify objectives and targets established for the **Employee** and to communicate to the **Employee** the **Employer's** expectations of the **Employee's** performance expectations and accountabilities;
- 2.3 specify accountabilities as set out in the Performance Plan (Annexure A);
- 2.4 monitor and measure performance against set targeted outputs;
- 2.5 use the Performance Agreement and Performance Plan as the basis for assessing the suitability of the **Employee** for permanent employment and/or to assess whether the **Employee** has met the performance expectations applicable to his/her job;
- 2.6 appropriately reward the **Employee** in accordance with the **Employer's** performance management policy in the event of outstanding performance; and
- 2.7 give effect to the **Employer's** commitment to a performance-orientated relationship with the **Employee** in attaining equitable and improved service delivery.

3. COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the **1st July 2026** and will remain in force until **30th June 2027** whereafter a new Performance Agreement, Performance Plan and Personal Development Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.
- 3.3 This Agreement will terminate on the termination of the **Employee's** contract of employment for any reason.
- 3.4 The content of this Agreement may be revised at any time during the abovementioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

4. PERFORMANCE OBJECTIVES

- 4.1 The Performance Plan (Annexure A) sets out-
- 4.1.1 the performance objectives and targets that must be met by the **Employee**; and
 - 4.1.2 the time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in Annexure A are set by the **Employer** in consultation with the **Employee** and based on the Integrated Development Plan and the Budget of the **Employer** and shall include key objectives; key performance indicators; target dates and weightings.
- 4.3 The key objectives describe the main tasks that need to be done. The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved. The target dates describe the timeframe in which the work must be achieved. The weightings show the relative importance of the key objectives to each other.
- 4.4 The **Employee's** performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the **Employer's** Integrated Development Plan.

5. PERFORMANCE MANAGEMENT SYSTEM

- 5.1 The **Employee** agrees to participate in the performance management system that the **Employer** adopts or introduces for the **Employer**, management and municipal staff of the **Employer**.
- 5.2 The **Employee** accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the **Employer**, management and municipal staff to perform to the standards required.

5.3 The **Employer will** consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.

6. THE EMPLOYEE AGREES TO PARTICIPATE IN THE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM THAT THE EMPLOYER ADOPTS.

6.1 The **Employee** undertakes to actively focus towards the promotion and implementation of the KPAs (including special projects relevant to the **Employee's** responsibilities) within the local government framework.

6.2 The criteria upon which the performance of the **Employee** shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.

6.2.1 The **Employee** must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPAs) and the Core Competency Requirements (CCRs) respectively.

6.2.2 Each area of assessment will be weighted and will contribute a specific part to the total score.

6.2.3 KPAs covering the main areas of work will account for 80% and CCRs will account for 20% of the final assessment.

6.3 The **Employee's** assessment will be based on his/ her performance in terms of the outputs/ outcomes (performance indicators) identified as per attached Performance Plan (Annexure A), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the weightings agreed to between the **Employer** and **Employee**:

Key Performance Areas (KPA's): 80%		Weighting
Municipal Transformation and Institutional Development		15
Local Economic Development (LED)		20
Financial Viability and Management		15
Good Governance and Public Participation		50
Total		100%

6.4 The CCRs will make up the other 20% of the **Employee's** assessment score.

LEADING COMPETENCIES		WEIGHT
01	Strategic Direction and Leadership	8.37%
02	People Management	8.37%
03	Program and Project Management	8.37%
04	Financial Management	8.37%
05	Change Leadership	8.37%
06	Governance Leadership	8.37%
CORE COMPETENCIES		
07	Moral Competence	8.3%
08	Planning and Organising	8.3%
09	Analysis and Innovation	8.3%

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10	Knowledge and Information Management	8.3%
11	Communication	8.29%
12	Results and Quality Focus	8.29%
TOTAL		100
WEIGHT		20%

7. EVALUATING PERFORMANCE

7.1 The Performance stated in 4 (4.1) above shall be the basis for evaluating performance.

7.2 Despite the establishment of agreed intervals for evaluation, the **Employer** may in addition review the **Employee's** performance at any stage while the contract of employment remains in force.

7.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within set time frames.

7.4 The **Employee's** performance shall be measured in terms of contributions to the goals and strategies set out in the **Employer's** IDP.

7.5 The annual performance appraisal shall involve:

7.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) Each KPA shall be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
- (b) An indicative rating on the five-point scale should be provided for each KPA.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.

7.5.2 Assessment of the CCRs

- (a) Each CCR shall be assessed according to the extent to which the specified standards have been met.
- (b) An indicative rating on the five-point scale should be provided for each CCR.
- (c) The applicable assessment rating calculator (refer to paragraph 7.5.3) must then be used to add the scores and calculate a final CCR score.

7.5.3 Overall rating

An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcome of the performance appraisal.

7.6 The assessment of the performance of the **Employee** will be based on the following rating scale for KPA's and CCRs:

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

7.7 For purposes of evaluating the performance of the **Employee**, an evaluation panel constituted by the following persons will be established –

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7.7.1 Municipal Manager

7.7.2 Chairperson of the Audit Committee;

7.7.3 Portfolio Councillor of Executive Committee or representative who is a portfolio councillor of Executive Committee

7.7.4 Municipal Manager of another local municipality

The Manager: Human Resources shall provide secretarial services to the assessment team referred to above and Internal Audit and PMS serve as resource personnel.

8. SCHEDULE FOR PERFORMANCE REVIEWS

8.1 The performance of each **Employee** in relation to his/her performance agreement shall be reviewed on the following dates with the understanding that reviews in the first and third quarter may be verbal if performance is satisfactory:

First quarter (Municipal Manager and Director) :	July – September 2025
Second quarter (Full Panel) :	October – December 2025
Third quarter (Municipal Manager and Director) :	January – March 2026
Fourth quarter (Full Panel) :	April – June 2026

8.2 The **Employer** shall keep a record of the mid-year review and annual assessment meetings.

8.3 Performance feedback shall be based on the **Employer's** assessment of the **Employee's** performance.

8.4 The **Employer** will be entitled to review and make reasonable changes to the provisions of Annexure "A" from time to time for operational reasons. The **Employee** will be fully consulted before any such change is made.

8.5 The **Employer** may amend the provisions of Annexure A whenever the performance management system is adopted, implemented and/or amended as the case may be. In that case the **Employee** will be fully consulted before any such change is made.

9. DEVELOPMENTAL REQUIREMENTS

The Personal Development Plan (PDP) for addressing developmental gaps is attached as Annexure B.

10. OBLIGATIONS OF THE EMPLOYER

10.1 The **Employer** shall –

10.1.1 create an enabling environment to facilitate effective performance by the **Employee**;

10.1.2 provide access to skills development and capacity building opportunities;

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- 10.1.3 work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**;
- 10.1.4 on the request of the **Employee** delegate such powers reasonably required by the **Employee** to enable him/ her to meet the performance objectives and targets established in terms of this Agreement; and
- 10.1.5 make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist him/ her to meet the performance objectives and targets established in terms of this Agreement.

11. CONSULTATION

- 11.1 The **Employer** agrees to consult the **Employee** timeously where the exercising of the powers will have amongst others –
 - 11.1.1 a direct effect on the performance of any of the **Employee's** functions;
 - 11.1.2 commit the **Employee** to implement or to give effect to a decision made by the **Employer**; and
 - 11.1.3 a substantial financial effect on the **Employer**.
- 11.2 The **Employer** agrees to inform the **Employee** of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 11.1 as soon as is practicable to enable the **Employee** to take any necessary action without delay.

12. MANAGEMENT OF EVALUATION OUTCOMES

- 12.1 The evaluation of the **Employee's** performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.
- 12.2 A performance bonus of 5% to 14% of the inclusive annual remuneration package may be paid to the **Employee** in recognition of outstanding performance. . In determining the performance bonus the relevant percentage is based on the overall rating, calculated by using the applicable assessment rating calculator; provided that-
 - 12.2.1 a score of 130% to 149% is awarded a performance bonus ranging from 5% to 9%; and
 - 12.2.2 a score of 150% and above is awarded a performance bonus ranging 10% to 14%
- 12.3 The **Employee** will be eligible for progression to the next higher remuneration package, within the relevant remuneration band, after completion of at least twelve months (12) service at the current remuneration package on 30 June (end of financial year) subject to a fully effective assessment.
- 12.4 In the case of unacceptable performance, the **Employer** shall –
 - 12.4.1 provide systematic remedial or developmental support to assist the **Employee** to improve his or her performance; and
 - 12.4.2 after appropriate performance counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the **Employer** may consider steps to terminate the contract of employment of the **Employee** on grounds of unfitness or incapacity to carry out his or her duties.

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PERFORMANCE PLAN

1. PURPOSE

The Performance Plan defines the Council's expectations of the Director's Performance Agreement and Section 57 (5) of the Municipal Systems Act, which provides that performance objectives and targets shall be based on the Key Performance Areas and Indicators as set in the Ndlambe Local Municipality Integrated Development Plan (IDP) and as reviewed annually.

2. KEY RESPONSIBILITIES

The following objectives of local government will inform the Municipal Manager's performance against set performance indicators

- a. Provide democratic and accountable government for local communities
- b. Ensure the provision of services to communities in a sustainable manner
- c. Promote social and economic development
- d. Promote a safe and healthy environment
- e. Encourage the involvement of communities and community-based organisations in matters of local government

3. KEY PERFORMANCE AREAS

The following Key Performance Areas (KPA's) as outlined in the Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, 2006, inform the strategic objectives in the table below:

- a. Spatial Planning
- b. Basic Service Delivery
- c. Municipal Institutional Development and Transformation
- d. Local Economic Development
- e. Municipal Financial Viability and Management
- f. Good Governance and Public Participation

Details of the Performance Plan are contained in Annexure A of this contract.

4. DISPUTE RESOLUTION

- 4.1 Any disputes about the nature of the employee's performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/or salary increment in the agreement, must be mediated by the MEC responsible for Local Government in the Province of the Eastern Cape within thirty (30) days of receipt of a formal dispute from the employee, whose decision shall be final and binding on both parties.
- 4.2 Any disputes about the outcome of the employee's performance evaluation, must be mediated by the MEC responsible for Local Government in the Province of the

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Eastern Cape, within thirty (30) days of receipt of a formal dispute from the employee, whose decision shall be final and binding on both parties.

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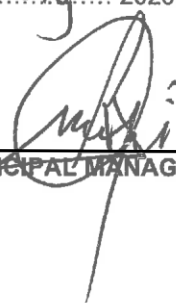
5.1 The contents of this agreement and the outcome of any review conducted in terms of Annexure A may be made available to the public by the **Employer**.

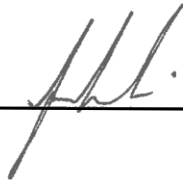
5.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his/ her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.

Thus done and signed at Port Alfred on this the 9 day of July 2026.

AS WITNESSES:

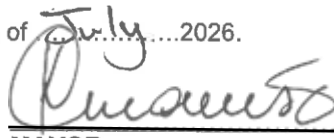
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Thus done and signed at Port Alfred on this the 9 day of July 2026.

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ANNEXURE A
PERFORMANCE PLAN

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NDAMBE LOCAL MUNICIPALITY MUNICIPAL MANAGER SCORECARD 2024/2025 FINANCIAL YEAR										
Department	Key Performance Area	Strategic Objective	Key Performance Indicator (KPI)	Weighting	Baseline 2023/2024 (Apr)	Annual Targets				Means of Verification
						Quarter 1	Quarter 2	Quarter 3	Quarter 4	
Office of the Municipal Manager	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndambe Top 4 development priorities.	16. Percentage of funded posts (Task Grade 5 upwards) filled within 6 months of vacancy according to municipal staff regulations 880	5	84.00%	60%	60%	60%	60%	Lead Schedule, Positions advertised, Appointment letters issued, Approved institutional Organogram, Appointments and Terminations Report
Office of the Municipal Manager	KPA 4: Local Economic Development	Support sustainable livelihoods through targeted LED, SMME, EPWP/CWP projects / initiatives	17. Number of work opportunities created by the municipality through Public Employment Programmes (incl. EPWP, CWP and other related employment programmes)	10	2890	60	579	419	171	Lead Schedule Employment contracts, Letters of appointment Listing of employed persons
Financial Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management.	23. Repairs and Maintenance as a % of Property, Plants and Equipment and Investment Property (Carrying Value)	5	2.83%	1.40%	2.80%	4.30%	5.70%	Lead Schedule, Monthly budget actuals from expenditure, Section 71 Report (PPE excl. WIP, Investment Property) (Table C8)
Financial Services	KPA 6: Good Governance and Public Participation	Maintain financial sustainability through effective revenue, expenditure, and compliance management.	25. Audit Opinion	10	4(Unqualified)	N/A	4 (5 - Clean Audit 4 - Unqualified 3 - Qualified 2 - Adverse Findings 1 - Disclaimer)	N/A	N/A	Lead Schedule, Auditor-General Report
Financial Services	KPA 6: Good Governance and Public Participation	Maintain financial sustainability through effective revenue, expenditure, and compliance management.	26. Average number of days from the point of advertising to the letter of award per R020 procurement process	10		90 Days	90 Days	90 Days	90 Days	Lead Schedule, Advert, Letter of Appointment
Office of the Municipal Manager	KPA 6: Good Governance and Public Participation	Strengthen institutional capacity and corporate support services to enable delivery on Ndambe Top 4 development priorities.	27. Percentage progress made towards the development of the Infrastructure Asset Management Plan	5	New Indicator	N/A	N/A	N/A	100% (Infrastructure Asset Management Plan)	Lead Schedule Infrastructure Asset Management Plan
Office of the Municipal Manager	KPA 6: Good Governance and Public Participation	Ensure integrated planning, performance, risk, and audit systems that enable accountable governance and effective service delivery.	28. Percentage of reported fraud and corruption allegations investigated.	10	100%	100%	100%	100%	100%	Lead Schedule IMM's Report
Office of the Municipal Manager	KPA 6: Good Governance and Public Participation	Ensure integrated planning, performance, risk, and audit systems that enable accountable governance and effective service delivery.	30. IDP Assessment Rating	10	5(High)	N/A	N/A	N/A	5 (5 - High 3 - Medium 1 - Low)	Lead Schedule COGTA Rating, Previous IDP
Office of the Municipal Manager	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndambe Top 4 development priorities	36. Number of departmental sessions held to discuss implementation of Resolution Matrices (Council, Exco, MPAC, APC, Risk Committee, Management Resolutions)	10	New Indicator	3	3	3	3	Lead Schedule Attendance Register Resolution Matrices
Office of the Municipal Manager	KPA 4: Local Economic Development	Promote local economic development through strategic initiatives, positioning Ndambe as a potential logistics and trade hub.	45. Number of meetings held with external stakeholders by the NLC.P.	5	4	1	1	1	1	Lead Schedule Attendance Register Minutes of the Meetings
Office of the Municipal Manager	KPA 4: Local Economic Development	Promote local economic development through strategic initiatives, positioning Ndambe as a potential logistics and trade hub.	46. Number of milestones reached towards the implementation of a marketing plan	5	1	1 (Submission of marketing plan to Council)	N/A	1 (NLC.P. to incorporate inputs from C.O.B. and produce a draft marketing plan.	1 (Submission of marketing plan to Council)	Lead Schedule Minutes of meeting, Draft Marketing Plan, Council agenda item, Minutes of council meeting
Office of the Municipal Manager	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management	47. Number of deviations non compliant with SCM Regulations leading to irregular expenditure	10	New Indicator	0	0	0	0	Lead Schedule Deviation Register Irregular Expenditure Report from SCM
Office of the Municipal Manager	KPA 6: Good Governance and Public Participation	Ensure integrated planning, performance, risk, and audit systems that enable accountable governance and effective service delivery.	52. Number of performance agreements entered into: (Municipal Manager and Senior Managers signed by 31st July 2025) and (Municipal Manager and Managers reporting directly to the Municipal Manager by 31st of August 2025)	5	10 (4 - Performance Agreements with Senior Managers) 6 - Performance Agreements with Managers reporting directly to the MM)	N/A	N/A	N/A	N/A	Lead Schedule Signed Performance Agreements

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ANNEXURE B
PERSONAL DEVELOPMENT PLAN

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*Topic	*Skill required / Performance Gap	Outcome Expected (What will be achieved)	Status	*Completion Date (Deadline)	Priority	Name of Manager	Mode of Delivery	Suggested Training/ Learning	Work opportunity created to practice Skill Development Area	Support Person	Competency
Leadership	To intensify teamwork and improve political and administrative interface	High level of performance by the municipality. Stability between the officials and councillors	Ongoing	11-Nov-27	Medium	Mayor Cllr KC Ncamiso	Training, Self-study	Budget for books, attending workshops, register leadership courses, attend leadership seminars	Attendance of Council Meetings	Mayor	Leadership
Financial Management	To have knowledge of municipal finances	Clean Audit, Viable municipality	Ongoing	11-Nov-27	High	Mayor Cllr KC Ncamiso	Training, Internal mentorship	Attend Municipal Manager's Forum. Attend mentorship programmes on finance. Attend conferences on financial management.	Attendance of Finance Committee meetings. Analysis of the AFS, Budget and Financial Reports	CFO	Financial Management
Local Economic Development Knowledge	Ability to understand the local economic development	Training, Mentorship	Ongoing	11-Nov-27	Medium	Mayor Cllr KC Ncamiso	Self-study	Self-study by buying relevant books to read	Self study, Attendance of LED Meetings, Analysis and discussion of LED Strategy	Manager: LED DEDEAT	Socio-economic Knowledge
Knowledge of Environmental Impact on Development	Deepen understanding of Environmental Impact on the development	Provide more input into EIA issues	Ongoing	11-Nov-27	Medium	Mayor Cllr KC Ncamiso	Self-study	Self-study by buying relevant books to read	Attendance of EIA Committee Meetings. Analysis of EIA documentation	DEDEAT Director: Community Protection Services	Research, information analysis and policy
Town Planning and Property Upgrade	Deepen understanding of town planning and property law	Provide more input and insight into Spatial Planning matters	New	11-Nov-27	High	Mayor Cllr KC Ncamiso	Self-study	Self-study by buying relevant books to read	Attendance of meetings with Town Planners, Self Study	Town Planner	Spatial Planning

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NDLAMBE LOCAL MUNICIPALITY



PERFORMANCE AGREEMENT AND PERFORMANCE PLAN of Director Infrastructural Development

FINANCIAL YEAR: 1 JULY 2026 – 30 JUNE 2027

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PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN:

THE NDLAMBE LOCAL MUNICIPALITY,

AS REPRESENTED BY THE MUNICIPAL MANAGER,

AND

THE DIRECTOR: INFRASTRUCTURAL DEVELOPMENT

FOR THE

FINANCIAL YEAR: 01 JULY 2026 – 30 JUNE 2027

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PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The Ndlambe Local Municipality herein represented by **Adv. Rolly Dumezweni** in his capacity as Municipal Manager (hereinafter referred to as the **Employer**) **Dr Noluthando Vithi-Masiza, Director: Infrastructural Development** of the Ndlambe Local Municipality (hereinafter referred to as the **Employee**).

WHEREBY IT IS AGREED AS FOLLOWS:

1. INTRODUCTION

- 1.1 The **Employer** has entered into a contract of employment with the **Employee** in terms of section 57(1)(a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The **Employer** and the **Employee** are hereinafter referred to as "the Parties".
- 1.2 Section 57(1)(b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance Agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the **Employee** to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

2. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to –

- 2.1 comply with the provisions of Section 57(1) (b), (4A), (4B) and (5) of the Systems Act as well as the Contract of Employment entered into between the parties;
- 2.2 specify objectives and targets established for the **Employee** and to communicate to the **Employee** the **Employer's** expectations of the **Employee's** performance expectations and accountabilities;
- 2.3 specify accountabilities as set out in the Performance Plan (Annexure A);
- 2.4 monitor and measure performance against set targeted outputs;
- 2.5 use the Performance Agreement and Performance Plan as the basis for assessing the suitability of the **Employee** for permanent employment and/or to assess whether the **Employee** has met the performance expectations applicable to his/her job;
- 2.6 appropriately reward the **Employee** in accordance with the **Employer's** performance management policy in the event of outstanding performance; and
- 2.7 give effect to the **Employer's** commitment to a performance-orientated relationship with the **Employee** in attaining equitable and improved service delivery.

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3. COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the **1st July 2026** and will remain in force until **28th February 2026** whereafter a new Performance Agreement, Performance Plan and Personal Development Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.
- 3.3 This Agreement will terminate on the termination of the **Employee's** contract of employment for any reason.
- 3.4 The content of this Agreement may be revised at any time during the abovementioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

4. PERFORMANCE OBJECTIVES

- 4.1 The Performance Plan (Annexure A) sets out-
- 4.1.1 the performance objectives and targets that must be met by the **Employee**; and
 - 4.1.2 the time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in Annexure A are set by the **Employer** in consultation with the **Employee** and based on the Integrated Development Plan and the Budget of the **Employer** and shall include key objectives; key performance indicators; target dates and weightings.
- 4.3 The key objectives describe the main tasks that need to be done. The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved. The target dates describe the timeframe in which the work must be achieved. The weightings show the relative importance of the key objectives to each other.
- 4.4 The **Employee's** performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the **Employer's** Integrated Development Plan.

5. PERFORMANCE MANAGEMENT SYSTEM

- 5.1 The **Employee** agrees to participate in the performance management system that the **Employer** adopts or introduces for the **Employer**, management and municipal staff of the **Employer**.
- 5.2 The **Employee** accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the **Employer**, management and municipal staff to perform to the standards required.

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5.3 The **Employer** will consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.

6. THE EMPLOYEE AGREES TO PARTICIPATE IN THE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM THAT THE EMPLOYER ADOPTS.

6.1 The **Employee** undertakes to actively focus towards the promotion and implementation of the KPAs (including special projects relevant to the **Employee's** responsibilities) within the local government framework.

6.2 The criteria upon which the performance of the **Employee** shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.

6.2.1 The **Employee** must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPAs) and the Core Competency Requirements (CCRs) respectively.

6.2.2 Each area of assessment will be weighted and will contribute a specific part to the total score.

6.2.3 KPAs covering the main areas of work will account for 80% and CCRs will account for 20% of the final assessment.

6.3 The **Employee's** assessment will be based on his/ her performance in terms of the outputs/ outcomes (performance indicators) identified as per attached Performance Plan (Annexure A), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the weightings agreed to between the **Employer** and **Employee**:

Key Performance Areas (KPA's): 80%		Weighting
Spatial Planning		10
Basic Service Delivery		43
Municipal Transformation and Institutional Development		9
Local Economic Development (LED)		18
Financial Viability and Management		15
Good Governance and Public Participation		5
Total		100%

6.4 The CCRs will make up the other 20% of the **Employee's** assessment score.

LEADING COMPETENCIES		WEIGHT
01	Strategic Direction and Leadership	8.37%
02	People Management	8.37%
03	Program and Project Management	8.37%
04	Financial Management	8.37%
05	Change Leadership	8.37%
06	Governance Leadership	8.37%

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CORE COMPETENCIES		
07	Moral Competence	8.3%
08	Planning and Organising	8.3%
09	Analysis and Innovation	8.3%
10	Knowledge and Information Management	8.3%
11	Communication	8.29%
12	Results and Quality Focus	8.29%
TOTAL		100
WEIGHT		20%

7. EVALUATING PERFORMANCE

- 7.1 The Performance stated in 4 (4.1) above shall be the basis for evaluating performance.
- 7.2 Despite the establishment of agreed intervals for evaluation, the **Employer** may in addition review the **Employee's** performance at any stage while the contract of employment remains in force.
- 7.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within set time frames.
- 7.4 The **Employee's** performance shall be measured in terms of contributions to the goals and strategies set out in the **Employer's** IDP.
- 7.5 The annual performance appraisal shall involve:
- 7.5.1 Assessment of the achievement of results as outlined in the performance plan:
- (a) Each KPA shall be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
 - (b) An indicative rating on the five-point scale should be provided for each KPA.
 - (c) The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.
- 7.5.2 Assessment of the CCRs
- (a) Each CCR shall be assessed according to the extent to which the specified standards have been met.
 - (b) An indicative rating on the five-point scale should be provided for each CCR.
 - (c) The applicable assessment rating calculator (refer to paragraph 7.5.3) must then be used to add the scores and calculate a final CCR score.
- 7.5.3 Overall rating
- An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcome of the performance appraisal.

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7.6 The assessment of the performance of the **Employee** will be based on the following rating scale for KPA's and CCRs:

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

7.7 For purposes of evaluating the performance of the **Employee**, an evaluation panel constituted by the following persons will be established –

7.7.1 Municipal Manager

7.7.2 Chairperson of the Audit Committee;

7.7.3 Portfolio Councillor of Executive Committee or representative who is a portfolio councillor of Executive Committee

7.7.4 Municipal Manager of another local municipality

The Manager: Human Resources shall provide secretarial services to the assessment team referred to above and Internal Audit and PMS serve as resource personnel.

8. SCHEDULE FOR PERFORMANCE REVIEWS

8.1 The performance of each **Employee** in relation to his/her performance agreement shall be reviewed on the following dates with the understanding that reviews in the first and third quarter may be verbal if performance is satisfactory:

First quarter (Municipal Manager and Director) :	July – September 2026
Second quarter (Full Panel) :	October – December 2026
Third quarter (Municipal Manager and Director) :	January – March 2027
Fourth quarter (Full Panel) :	April – June 2027

8.2 The **Employer** shall keep a record of the mid-year review and annual assessment meetings.

8.3 Performance feedback shall be based on the **Employer's** assessment of the **Employee's** performance.

8.4 The **Employer** will be entitled to review and make reasonable changes to the provisions of Annexure "A" from time to time for operational reasons. The **Employee** will be fully consulted before any such change is made.

8.5 The **Employer** may amend the provisions of Annexure A whenever the performance management system is adopted, implemented and/or amended as the case may be. In that case the **Employee** will be fully consulted before any such change is made.

9. DEVELOPMENTAL REQUIREMENTS

The Personal Development Plan (PDP) for addressing developmental gaps is attached as Annexure B.

10. OBLIGATIONS OF THE EMPLOYER

10.1 The **Employer** shall –

- 10.1.1 create an enabling environment to facilitate effective performance by the **Employee**;
- 10.1.2 provide access to skills development and capacity building opportunities;
- 10.1.3 work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**;
- 10.1.4 on the request of the **Employee** delegate such powers reasonably required by the **Employee** to enable him/ her to meet the performance objectives and targets established in terms of this Agreement; and
- 10.1.5 make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist him/ her to meet the performance objectives and targets established in terms of this Agreement.

11. CONSULTATION

- 11.1 The **Employer** agrees to consult the **Employee** timeously where the exercising of the powers will have amongst others –
 - 11.1.1 a direct effect on the performance of any of the **Employee's** functions;
 - 11.1.2 commit the **Employee** to implement or to give effect to a decision made by the **Employer**; and
 - 11.1.3 a substantial financial effect on the **Employer**.
- 11.2 The **Employer** agrees to inform the **Employee** of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 11.1 as soon as is practicable to enable the **Employee** to take any necessary action without delay.

12. MANAGEMENT OF EVALUATION OUTCOMES

- 12.1 The evaluation of the **Employee's** performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.
- 12.2 A performance bonus of 5% to 14% of the inclusive annual remuneration package may be paid to the **Employee** in recognition of outstanding performance. . In determining the performance bonus the relevant percentage is based on the overall rating, calculated by using the applicable assessment rating calculator; provided that-
 - 12.2.1 a score of 130% to 149% is awarded a performance bonus ranging from 5% to 9%; and
 - 12.2.2 a score of 150% and above is awarded a performance bonus ranging 10% to 14%
- 12.3 The **Employee** will be eligible for progression to the next higher remuneration package, within the relevant remuneration band, after completion of at least twelve months (12) service at the current remuneration package on 30 June (end of financial year) subject to a fully effective assessment.
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 - 12.4.1 provide systematic remedial or developmental support to assist the **Employee** to improve his or her performance; and

- 12.4.2 after appropriate performance counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the **Employer** may consider steps to terminate the contract of employment of the **Employee** on grounds of unfitness or incapacity to carry out his or her duties.

PERFORMANCE PLAN

1. PURPOSE

The Performance Plan defines the Council's expectations of the Director's Performance Agreement and Section 57 (5) of the Municipal Systems Act, which provides that performance objectives and targets shall be based on the Key Performance Areas and Indicators as set in the Ndlambe Local Municipality Integrated Development Plan (IDP) and as reviewed annually.

2. KEY RESPONSIBILITIES

The following objectives of local government will inform the Municipal Manager's performance against set performance indicators

- a. Provide democratic and accountable government for local communities
- b. Ensure the provision of services to communities in a sustainable manner
- c. Promote social and economic development
- d. Promote a safe and healthy environment
- e. Encourage the involvement of communities and community-based organisations in matters of local government

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- a. Spatial Planning
- b. Basic Service Delivery
- c. Municipal Institutional Development and Transformation
- d. Local Economic Development
- e. Municipal Financial Viability and Management
- f. Good Governance and Public Participation

Details of the Performance Plan are contained in Annexure A of this contract.

4. DISPUTE RESOLUTION

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of receipt of a formal dispute from the employee, whose decision shall be final and binding on both parties.

- 4.2 Any disputes about the outcome of the employee's performance evaluation, must be mediated by the MEC responsible for Local Government in the Province of the Eastern Cape, within thirty (30) days of receipt of a formal dispute from the employee, whose decision shall be final and binding on both parties.

5. GENERAL

- 5.1 The contents of this agreement and the outcome of any review conducted in terms of Annexure A may be made available to the public by the **Employer**.

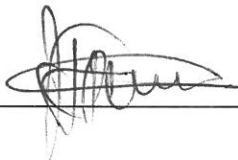
- 5.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his/ her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.

Thus done and signed at Port Alfred on this the 9 day of July 2026.

AS WITNESSES:

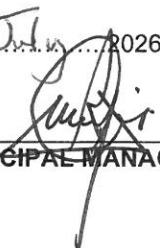
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EMPLOYEE

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Thus done and signed at Port Alfred on this the 9 day of July 2026.

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MUNICIPAL MANAGER

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ANNEXURE A
PERFORMANCE PLAN

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NDLAMBE LOCAL MUNICIPALITY DIRECTOR: INFRASTRUCTURAL DEVELOPMENT SCORECARD 2026/2027 FINANCIAL YEAR											
Department	Key Performance Area	Strategic Objective	Key Performance Indicator (KPI)	Weighting	Baseline 2025/2026 (April)	Annual Targets				Means of Verification	
						2026/2027	Quarter 1	Quarter 2	Quarter 3		Quarter 4
Infrastructural Development	KPA 1: Spatial Planning	Ensure sustainable, compliant and well managed land use and building development in line with legislation, the Spatial Development Framework, and National Building Regulations.	1. Turnaround time for processing of land use applications within 16 months in accordance with SPLUMA	10	13.95 months	16 months	16 months	16 months	16 months	N/A	Lead Schedule Register, Return Approvals/Rejection letter to applicant, Progress reports
Infrastructural Development	KPA 2: Basic Services Delivery	Construct and Upgrade reliable infrastructure to attract and enable investment – Capital Infrastructure	8. Number of sanitation infrastructure project milestones completed (Multi-year)	5	New Indicator	1 Port Alfred Sewerage Infrastructure Phase 1 Reliculation (11.8km) [100% Road Reinstatement and Cleaning]	NA	1 Port Alfred Sewerage Infrastructure Phase 1 Reliculation (11.8km) [100% Road Reinstatement and Cleaning]	NA	NA	Lead Schedule, Appointment Letter, Cashflows, Programme of Works, Insurance, Letter of Good Standing Progress Reports
Infrastructural Development	KPA 2: Basic Services Delivery	Construct and Upgrade reliable infrastructure to attract and enable investment – Capital Infrastructure	10. Number of metres of stormwater drainage upgraded in municipal roads	5	New Indicator	110m Runell Drive, Port Alfred (Stormwater - 110m)	NA	NA	110m Runell Drive, Port Alfred (Stormwater - 110m)	NA	Lead Schedule Progress Report Completion Certificate
Infrastructural Development	KPA 2: Basic Services Delivery	Construct and Upgrade reliable infrastructure to attract and enable investment – Capital Infrastructure	11. Metres of road improved (paving)	5	11 183.64m	110m (Runell Drive)	NA	NA	110m (Runell Drive)	NA	Lead Schedule Progress Report Completion Certificate
Infrastructural Development	KPA 2: Basic Services Delivery	Ensure reliable, well-maintained infrastructure to attract and enable investment.	12. Percentage of non-revenue water	5	32.92%	32%	32%	32%	32%	N/A	Lead Schedule Internal Non Revenue Water Report
Infrastructural Development	KPA 2: Basic Services Delivery	Ensure reliable, well-maintained infrastructure to attract and enable investment.	13. Percentage of water samples complying to SANS241 (Blue Drop)	5	87.81%	85%	85%	85%	85%	N/A	Monthly Lab results, Detailed Lead Schedule
Infrastructural Development	KPA 2: Basic Services Delivery	Ensure reliable, well-maintained infrastructure to attract and enable investment.	14. Percentage of unplanned electricity outages that are restored to supply within industry standards (98% of households restored within 24 hours (municipal service areas))	9	98.00%	98%	98%	98%	98%	N/A	Lead Schedule Report from CDR
Infrastructural Development	KPA 2: Basic Services Delivery	Construct and Upgrade reliable infrastructure to attract and enable investment.	137. Number of business plans submitted to other spheres of government and/or private entities for service delivery projects	9	1 (WSIG)	1 (WSIG)	NA	NA	1 (WSIG)	N/A	Lead Schedule Business Plans Proof of Submission
Infrastructural Development	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	138. Number of departmental sessions held to discuss implementation of Resolution Matrices (Council, Exco, MPAC, APC, Risk Management Committee Resolutions)	9	New Indicator	9	3	3	3	N/A	Lead Schedule Attendance Register Resolution Matrices
Infrastructural Development	KPA 4: Local Economic Development	Promote local economic development through strategic initiatives and position Ndlambe as a potential logistics and trade hub.	139. Number of SMME's appointed on projects	9	124	12	4	3	5	N/A	Lead Schedule Appointment letters

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Department	Key Performance Area	Strategic Objective	Key Performance Indicator (KPI)	Weighting	Baseline 2025/2026 (April)	Annual Targets				Means of Verification	
						2026/2027	Quarter 1	Quarter 2	Quarter 3		Quarter 4
Infrastructure Development	KPA 4: Local Economic Development	Promote local economic development through strategic initiatives and position Ndamebe as a potential logistics and trade hub.	140. Number of jobs created in line with EPWP policy (ID)	9	1492	120	25	35	60	N/A	Lead Schedule EPWP Report (Including supporting documents such as Employment contracts, Appointment Letters, Time Sheets, etc.)
		Maintain financial sustainability through effective revenue, expenditure, and compliance management	141. Number of deviations non compliant with SCM Regulations leading to irregular expenditure	5	5	0	0	0	0	N/A	Lead Schedule Deviation Register Irregular Expenditure Report from SCM
Infrastructure Development	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management	142. Percentage of Repairs and Maintenance budget spent (Infrastructure)	5	73.20%	70%	5%	50%	70%	N/A	Lead Schedule Monthly budget actuals for expenditure, Section 71 Report
Infrastructure Development	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management	143. Percentage capital budget spent (ID)	5	72.75%	75%	10%	35%	75%	N/A	Lead Schedule Monthly budget actuals
Infrastructure Development	KPA 6: Good Governance and Public Participation	Ensure integrated planning, performance, risk, and audit systems that enable accountable governance and effective service delivery.	144. Number of performance agreements entered into between the Senior Manager and Managers (ID) signed by 31st July 2025.	5	6	6	6	NA	NA	N/A	Lead Schedule Signed Performance Agreements

**ANNEXURE B
PERSONAL DEVELOPMENT PLAN**

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*Topic	*Skill required / Performance Gap	Outcome Expected (What will I achieve)	Status	*Completion Date (Deadline)	Priority	Name of Manager	Mode of Delivery	Suggested Training/ Learning	Work opportunity created to practice Skill Development Area	Support Person	Competency
Career Development	Enhancement of Engineering Skills to better service delivery	Professional Engineer/Able to take sound engineering decisions. Apply innovative strategies on service delivery	Ongoing	30-Jun-26	High	Adv Rolly Dumezw	Training	Attend training on technical project management, asset management and occupational health and safety. Alternative building Technologies exposure.	Engineering	Municipal Manager	Operation and Maintenance
Strengthen my leadership capabilities	Leadership and Administration	Able to manage in a manner that will contribute to the success of the organisation	Ongoing	30-Jun-26	Normal	Adv Rolly Dumezw	Self-study	Learning by doing and attending workshops on leadership and reading books	Team Leader	Municipal Manager	Leadership
More knowledge in government legislative framework	Corporate Governance	Adherence to legal frameworks	Ongoing	30-Jun-26	High	Adv Rolly Dumezw	Self-study	Time to time refresher course on legislative framework, government Acts and policies	Municipal Policies and bylaws	Municipal Manager	Research, Information Analysis and Policy
More knowledge in finance issues	Financial Management	Contribute Technical with actions that will enhance financial viability of the municipality. Read financial-related policies	Ongoing	30-Jun-26	High	Adv Rolly Dumezw	Training	Learning through pursuing a formal qualification via a university	CFO to assist in matters that require financial knowledge. Attend courses on financial management	Municipal Manager	Financial Management

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NDLAMBE LOCAL MUNICIPALITY



PERFORMANCE AGREEMENT AND PERFORMANCE PLAN of Director Community and Protection Services

FINANCIAL YEAR: 1 JULY 2026 – 30 JUNE 2027

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PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN:

THE NDLAMBE LOCAL MUNICIPALITY,

AS REPRESENTED BY THE MUNICIPAL MANAGER,

AND

**THE DIRECTOR: COMMUNITY AND PROTECTION
SERVICES**

FOR THE

FINANCIAL YEAR: 01 JULY 2026 – 30 JUNE 2027

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PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The Ndlambe Local Municipality herein represented by **Adv. Rolly Dumezweni** in his capacity as Municipal Manager (hereinafter referred to as the **Employer**) **Mrs Nombulelo Booysen-Willy**, **Director: Community and Protection Services** of the Ndlambe Local Municipality (hereinafter referred to as the **Employee**).

WHEREBY IT IS AGREED AS FOLLOWS:

1. INTRODUCTION

- 1.1 The **Employer** has entered into a contract of employment with the **Employee** in terms of section 57(1)(a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The **Employer** and the **Employee** are hereinafter referred to as "the Parties".
- 1.2 Section 57(1)(b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance Agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the **Employee** to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

2. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to –

- 2.1 comply with the provisions of Section 57(1) (b), (4A), (4B) and (5) of the Systems Act as well as the Contract of Employment entered into between the parties;
- 2.2 specify objectives and targets established for the **Employee** and to communicate to the **Employee** the **Employer's** expectations of the **Employee's** performance expectations and accountabilities;
- 2.3 specify accountabilities as set out in the Performance Plan (Annexure A);
- 2.4 monitor and measure performance against set targeted outputs;
- 2.5 use the Performance Agreement and Performance Plan as the basis for assessing the suitability of the **Employee** for permanent employment and/or to assess whether the **Employee** has met the performance expectations applicable to his/her job;
- 2.6 appropriately reward the **Employee** in accordance with the **Employer's** performance management policy in the event of outstanding performance; and
- 2.7 give effect to the **Employer's** commitment to a performance-orientated relationship with the **Employee** in attaining equitable and improved service delivery.

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3. COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the **1st July 2026** and will remain in force until **31st May 2027** whereafter a new Performance Agreement, Performance Plan and Personal Development Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.
- 3.3 This Agreement will terminate on the termination of the **Employee's** contract of employment for any reason.
- 3.4 The content of this Agreement may be revised at any time during the abovementioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

4. PERFORMANCE OBJECTIVES

- 4.1 The Performance Plan (Annexure A) sets out-
- 4.1.1 the performance objectives and targets that must be met by the **Employee**; and
- 4.1.2 the time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in Annexure A are set by the **Employer** in consultation with the **Employee** and based on the Integrated Development Plan and the Budget of the **Employer** and shall include key objectives; key performance indicators; target dates and weightings.
- 4.3 The key objectives describe the main tasks that need to be done. The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved. The target dates describe the timeframe in which the work must be achieved. The weightings show the relative importance of the key objectives to each other.
- 4.4 The **Employee's** performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the **Employer's** Integrated Development Plan.

5. PERFORMANCE MANAGEMENT SYSTEM

- 5.1 The **Employee** agrees to participate in the performance management system that the **Employer** adopts or introduces for the **Employer**, management and municipal staff of the **Employer**.
- 5.2 The **Employee** accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the **Employer**, management and municipal staff to perform to the standards required.

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5.3 The **Employer** will consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.

6. THE EMPLOYEE AGREES TO PARTICIPATE IN THE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM THAT THE EMPLOYER ADOPTS.

6.1 The **Employee** undertakes to actively focus towards the promotion and implementation of the KPAs (including special projects relevant to the **Employee's** responsibilities) within the local government framework.

6.2 The criteria upon which the performance of the **Employee** shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.

6.2.1 The **Employee** must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPAs) and the Core Competency Requirements (CCRs) respectively.

6.2.2 Each area of assessment will be weighted and will contribute a specific part to the total score.

6.2.3 KPAs covering the main areas of work will account for 80% and CCRs will account for 20% of the final assessment.

6.3 The **Employee's** assessment will be based on his/ her performance in terms of the outputs/ outcomes (performance indicators) identified as per attached Performance Plan (Annexure A), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the weightings agreed to between the **Employer** and **Employee**:

Key Performance Areas (KPA's): 80%		Weighting
Basic Service Delivery		55
Municipal Transformation and Institutional Development		5
Local Economic Development (LED)		10
Financial Viability and Management		25
Good Governance and Public Participation		5
Total		100%

6.4 The CCRs will make up the other 20% of the **Employee's** assessment score.

LEADING COMPETENCIES		WEIGHT
01	Strategic Direction and Leadership	8.37%
02	People Management	8.37%
03	Program and Project Management	8.37%
04	Financial Management	8.37%
05	Change Leadership	8.37%
06	Governance Leadership	8.37%
CORE COMPETENCIES		
07	Moral Competence	8.3%

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08	Planning and Organising	8.3%
09	Analysis and Innovation	8.3%
10	Knowledge and Information Management	8.3%
11	Communication	8.29%
12	Results and Quality Focus	8.29%
TOTAL		100
WEIGHT		20%

7. EVALUATING PERFORMANCE

7.1 The Performance stated in 4 (4.1) above shall be the basis for evaluating performance.

7.2 Despite the establishment of agreed intervals for evaluation, the **Employer** may in addition review the **Employee's** performance at any stage while the contract of employment remains in force.

7.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within set time frames.

7.4 The **Employee's** performance shall be measured in terms of contributions to the goals and strategies set out in the **Employer's** IDP.

7.5 The annual performance appraisal shall involve:

7.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) Each KPA shall be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
- (b) An indicative rating on the five-point scale should be provided for each KPA.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.

7.5.2 Assessment of the CCRs

- (a) Each CCR shall be assessed according to the extent to which the specified standards have been met.
- (b) An indicative rating on the five-point scale should be provided for each CCR.
- (c) The applicable assessment rating calculator (refer to paragraph 7.5.3) must then be used to add the scores and calculate a final CCR score.

7.5.3 Overall rating

An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcome of the performance appraisal.

7.6 The assessment of the performance of the **Employee** will be based on the following rating scale for KPA's and CCRs:

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

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7.7 For purposes of evaluating the performance of the **Employee**, an evaluation panel constituted by the following persons will be established –

7.7.1 Municipal Manager

7.7.2 Chairperson of the Audit Committee;

7.7.3 Portfolio Councillor of Executive Committee or representative who is a portfolio councillor of Executive Committee

7.7.4 Municipal Manager of another local municipality

The Manager: Human Resources shall provide secretarial services to the assessment team referred to above and Internal Audit and PMS serve as resource personnel.

8. SCHEDULE FOR PERFORMANCE REVIEWS

8.1 The performance of each **Employee** in relation to his/her performance agreement shall be reviewed on the following dates with the understanding that reviews in the first and third quarter may be verbal if performance is satisfactory:

First quarter (Municipal Manager and Director) :	July – September 2026
Second quarter (Full Panel) :	October – December 2026
Third quarter (Municipal Manager and Director) :	January – March 2027
Fourth quarter (Full Panel) :	April – June 2027

8.2 The **Employer** shall keep a record of the mid-year review and annual assessment meetings.

8.3 Performance feedback shall be based on the **Employer's** assessment of the **Employee's** performance.

8.4 The **Employer** will be entitled to review and make reasonable changes to the provisions of Annexure "A" from time to time for operational reasons. The **Employee** will be fully consulted before any such change is made.

8.5 The **Employer** may amend the provisions of Annexure A whenever the performance management system is adopted, implemented and/or amended as the case may be. In that case the **Employee** will be fully consulted before any such change is made.

9. DEVELOPMENTAL REQUIREMENTS

The Personal Development Plan (PDP) for addressing developmental gaps is attached as Annexure B.

10. OBLIGATIONS OF THE EMPLOYER

10.1 The **Employer** shall –

10.1.1 create an enabling environment to facilitate effective performance by the **Employee**;

- 10.1.2 provide access to skills development and capacity building opportunities;
- 10.1.3 work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**;
- 10.1.4 on the request of the **Employee** delegate such powers reasonably required by the **Employee** to enable him/ her to meet the performance objectives and targets established in terms of this Agreement; and
- 10.1.5 make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist him/ her to meet the performance objectives and targets established in terms of this Agreement.

11. CONSULTATION

- 11.1 The **Employer** agrees to consult the **Employee** timeously where the exercising of the powers will have amongst others –
 - 11.1.1 a direct effect on the performance of any of the **Employee's** functions;
 - 11.1.2 commit the **Employee** to implement or to give effect to a decision made by the **Employer**; and
 - 11.1.3 a substantial financial effect on the **Employer**.
- 11.2 The **Employer** agrees to inform the **Employee** of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 11.1 as soon as is practicable to enable the **Employee** to take any necessary action without delay.

12. MANAGEMENT OF EVALUATION OUTCOMES

- 12.1 The evaluation of the **Employee's** performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.
- 12.2 A performance bonus of 5% to 14% of the inclusive annual remuneration package may be paid to the **Employee** in recognition of outstanding performance. . In determining the performance bonus the relevant percentage is based on the overall rating, calculated by using the applicable assessment rating calculator; provided that-
 - 12.2.1 a score of 130% to 149% is awarded a performance bonus ranging from 5% to 9%; and
 - 12.2.2 a score of 150% and above is awarded a performance bonus ranging 10% to 14%
- 12.3 The **Employee** will be eligible for progression to the next higher remuneration package, within the relevant remuneration band, after completion of at least twelve months (12) service at the current remuneration package on 30 June (end of financial year) subject to a fully effective assessment.
- 12.4 In the case of unacceptable performance, the **Employer** shall –
 - 12.4.1 provide systematic remedial or developmental support to assist the **Employee** to improve his or her performance; and
 - 12.4.2 after appropriate performance counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the **Employer** may consider steps to terminate

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the contract of employment of the **Employee** on grounds of unfitness or incapacity to carry out his or her duties.

PERFORMANCE PLAN

1. PURPOSE

The Performance Plan defines the Council's expectations of the Director's Performance Agreement and Section 57 (5) of the Municipal Systems Act, which provides that performance objectives and targets shall be based on the Key Performance Areas and Indicators as set in the Ndlambe Local Municipality Integrated Development Plan (IDP) and as reviewed annually.

2. KEY RESPONSIBILITIES

The following objectives of local government will inform the Municipal Manager's performance against set performance indicators

- a. Provide democratic and accountable government for local communities
- b. Ensure the provision of services to communities in a sustainable manner
- c. Promote social and economic development
- d. Promote a safe and healthy environment
- e. Encourage the involvement of communities and community-based organisations in matters of local government

3. KEY PERFORMANCE AREAS

The following Key Performance Areas (KPA's) as outlined in the Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, 2006, inform the strategic objectives in the table below:

- a. Spatial Planning
- b. Basic Service Delivery
- c. Municipal Institutional Development and Transformation
- d. Local Economic Development
- e. Municipal Financial Viability and Management
- f. Good Governance and Public Participation

Details of the Performance Plan are contained in Annexure A of this contract.

4. DISPUTE RESOLUTION

- 4.1 Any disputes about the nature of the employee's performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/or salary increment in the agreement, must be mediated by the MEC responsible for Local Government in the Province of the Eastern Cape within thirty (30) days of receipt of a formal dispute from the employee, whose decision shall be final and binding on both parties.

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- 4.2 Any disputes about the outcome of the employee's performance evaluation, must be mediated by the MEC responsible for Local Government in the Province of the Eastern Cape, within thirty (30) days of receipt of a formal dispute from the employee, whose decision shall be final and binding on both parties.

5. GENERAL

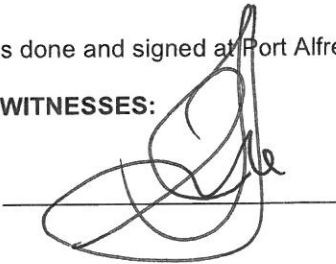
- 5.1 The contents of this agreement and the outcome of any review conducted in terms of Annexure A may be made available to the public by the **Employer**.

- 5.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his/ her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.

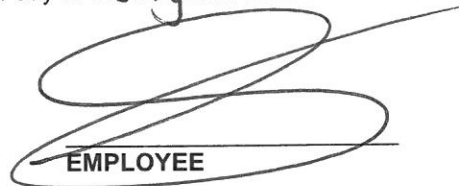
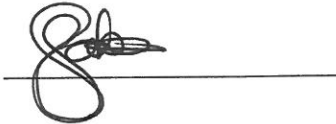
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AS WITNESSES:

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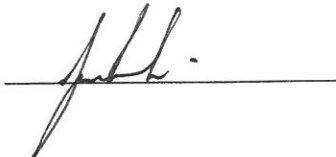


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EMPLOYEE

Thus done and signed at Port Alfred on this the 9 day of July 2026.

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MUNICIPAL MANAGER

ANNEXURE A
PERFORMANCE PLAN

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NOLAMBE LOCAL MUNICIPALITY DIRECTOR: COMMUNITY AND PROTECTION SERVICES' SCORECARD 2026/2027 FINANCIAL YEAR											
Department	Key Performance Area	Strategic Objective	Key Performance Indicator (KPI)	Weighting	Baseline 2025/2026 (April)	Annual Targets				Means of Verification	
						2026/2027	Quarter 1	Quarter 2	Quarter 3		Quarter 4
Community Protection Services	KPA 2: Basic Services Delivery	Ensure safe, healthy, and resilient communities through effective protection, compliance, and community services.	2. Number of formal households with access to refuse removal as per the refuse collection schedule	10	21922	21922	21922	21922	21922	N/A	Refuse Removal Schedule, Billing confirmation from the Finance Department, Lead Schedule
Community Protection Services	KPA 2: Basic Services Delivery	Ensure safe, healthy, and resilient communities through effective protection, compliance, and community services.	3. Number of milestones taken towards the rehabilitation of the Bushman's Landfill Site	5	New Indicator	(1. Engagements with DEDEAT regarding the rehabilitation of the Bushman's Landfill Site; 2. Scope of Works for the Consultants; 3. Advertisment of the Appointment of a Consultant for the Rehabilitation of the Bushman's Landfill Site	1 Engagements with DEDEAT regarding the rehabilitation of the Bushman's Landfill Site	1 Scope of Works for the Consultants	1 Advertisment of the Appointment of a Consultant for the Rehabilitation of the Bushman's Landfill Site	N/A	Lead Schedule, Minutes, Attendance Register, Agenda, Draft Scope of Works, Advert, Appointment Letter
Community Protection Services	KPA 2: Basic Services Delivery	Ensure safe, healthy, and resilient communities through effective protection, compliance, and community services.	4. Number of landfill sites maintained	5	5	(3 Licensed landfill sites, 2 Transfer Sites)	5 (3 Licensed landfill sites, 2 Transfer Sites)	5 (3 Licensed landfill sites, 2 Transfer Sites)	5 (3 Licensed landfill sites, 2 Transfer Sites)	N/A	Lead Schedule, Reports from service provider, Service Level Agreement between Service Provider and Municipality
Community Protection Services	KPA 2: Basic Services Delivery	Ensure safe, healthy, and resilient communities through effective protection, compliance, and community services.	5. Number of milestones reached towards the establishment of a new cemetery (Mill Farm)	10	New Indicator	(Finalisation of Procurement Process, Draft Plan of the Cemetery, Submission of the Draft Layout Plan to CPS Committee)	1 Draft Plan of the Cemetery	1 Submission of the Draft Layout Plan to CPS Committee	1 Finalisation of Procurement Process	N/A	Lead Schedule, Report, Completion Certificate, Draft Layout Plan, Item to CPS Committee
Community Protection Services	KPA 2: Basic Services Delivery	Ensure safe, healthy, and resilient communities through effective protection, compliance, and community services.	6. Number of beaches with full blue flag status maintained according to blue flag beach criteria and explanatory notes 2020.	10	2.40 (Dec and Jan - 3; Feb, March and April - 2)	3 Blue Flag Beaches	N/A	3 Blue Flag Beaches (December)	3 Blue Flag Beaches (January) 2 Blue Flag Beaches (Feb and March)	N/A	Lead Schedule, Blue Flag Certificates, Blue Flag report
Community Protection Services	KPA 2: Basic Services Delivery	Ensure safeguarding of municipal buildings	7. Number of municipal sites (76) secured by alarms and armed response as per the security contract.	5	(77 Sites)	76 Sites	76 Sites	76 Sites	76 Sites	N/A	Service Level Agreement between Security Company and the Municipality, Monthly Security Company Report, Lead Schedule
Community Protection Services	KPA 2: Basic Services Delivery	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	85. Number of business plans submitted to other spheres of government and/ or private entities for service delivery projects	10	26	4	2	N/A	2	N/A	Lead Schedule, Copy of Business Plans, Proof of Submission (Emails/ Confirmation of Receipt)
Community Protection Services	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	87. Number of departmental sessions held to discuss implementation of Resolution Matrices (Council, Exco, MPAC, APC, Risk, Management Committee Resolutions)	5	New Indicator	9	3	3	3	N/A	Lead Schedule, Attendance Register, Resolution Matrices

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Department	Key Performance Area	Strategic Objective	Key Performance Indicator (KPI)	Weighting	Baseline 2025/2026 (April)	Annual Targets					Means of Verification
						2025/2027	Quarter 1	Quarter 2	Quarter 3	Quarter 4	
Community Protection Services	KPA 4: Local Economic Development	Promote local economic development through strategic initiatives, positioning Ndabambe as a potential logistics and trade hub.	88. Number of jobs created in line with EPWP policy (CPS)	10	597	222	20	142	60	N/A	Lead Schedule EPWP Report (Including supporting documents such as Employment contracts, Appointment Letters, Time Sheets, etc.)
Community Protection Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management	89. Number of deviations non compliant with SCM Regulations leading to irregular expenditure	10	0	0	0	0	0	N/A	Lead Schedule Irregular Expenditure Report
Community Protection Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management	90. Percentage of Repairs and Maintenance budget spent (CPS)	5	69.53%	70%	10%	35%	70%	N/A	Lead Schedule Monthly budget actuals from Expenditure, Section 71 Report
Community Protection Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management	91. Percentage capital budget spent (CPS)	10	59.77%	75%	N/A	35%	75%	N/A	Lead Schedule Monthly Budget Actuals
Community Protection Services	KPA 6: Good Governance and Public Participation	Ensure integrated planning, performance, risk, and audit systems that enable accountable governance and effective service delivery.	92. Number of performance agreements entered into between the Senior Manager and Managers (ID) signed by 31st August 2026.	5	1	1	1	N/A	N/A	N/A	Lead Schedule Signed Performance Agreements

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ANNEXURE B
PERSONAL DEVELOPMENT PLAN

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*Topic	*Skill required / Performance Gap	Outcome Expected (What will I achieve)	Status	*Completion Date (Deadline)	Priority	Name of Manager	Mode of Delivery	Suggested Training/ Learning	Work opportunity created to practice Skill Development	Support Person	Competency
Maritime and Coastal Control	Maritime and Coastal Control	To be able to manage and control coastal activities within the municipality	New	31-12-26	High	Municipal Manager Adv Rolly Dumezweni	Self-study	PGDIP in Maritime Studies	Coastal and Marine Law	Deputy Director CPS; Conservationist; Environmental Law	Maritime and Coastal Control
Disaster Management	Prevention and mitigation of disasters	Coordinating disaster management policies within the municipality and focus on prevention and	New	31-12-27	Normal	Municipal Manager Adv Rolly Dumezweni	Self-study	Disaster Management / Fire Services	Development of a Disaster Management Policy	Disaster Coordinator / Fire Services	Disaster Operations
Security Management	Integrated security management	To be able to manage security activities within the municipality	New	31-12-26	Normal	Municipal Manager Adv Rolly Dumezweni	Self-study	Grade A Security Managers	Work with the service provider to gain sufficient understanding and	Security Coordinator	Safety and Welfare
Traffic Management	Development of traffic procedures	Planning and preparing traffic procedures	New	30-06-26	Normal	Municipal Manager Adv Rolly Dumezweni	Self-study	Traffic Management	Examiner: F Examiner: D Examiner: L MURA	Manager: Traffic	Operation and Control

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NDLAMBE LOCAL MUNICIPALITY



PERFORMANCE AGREEMENT AND PERFORMANCE PLAN of Director Corporate Services

FINANCIAL YEAR: 1 JULY 2026 – 30 JUNE 2027

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PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN:

THE NDLAMBE LOCAL MUNICIPALITY,

AS REPRESENTED BY THE MUNICIPAL MANAGER,

AND

THE DIRECTOR: CORPORATE SERVICES

FOR THE

FINANCIAL YEAR: 01 JULY 2026 – 30 JUNE 2027

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PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The Ndlambe Local Municipality herein represented by **Adv. Rolly Dumezweni** in his capacity as Municipal Manager (hereinafter referred to as the **Employer**) **Mrs Lazola Maneli-Payi, Director: Corporate Services** of Ndlambe Local Municipality (hereinafter referred to as the **Employee**).

WHEREBY IT IS AGREED AS FOLLOWS:

1. INTRODUCTION

- 1.1 The **Employer** has entered into a contract of employment with the **Employee** in terms of section 57(1)(a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The **Employer** and the **Employee** are hereinafter referred to as "the Parties".
- 1.2 Section 57(1)(b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance Agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the **Employee** to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

2. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to –

- 2.1 comply with the provisions of Section 57(1) (b), (4A), (4B) and (5) of the Systems Act as well as the Contract of Employment entered into between the parties;
- 2.2 specify objectives and targets established for the **Employee** and to communicate to the **Employee** the **Employer's** expectations of the **Employee's** performance expectations and accountabilities;
- 2.3 specify accountabilities as set out in the Performance Plan (Annexure A);
- 2.4 monitor and measure performance against set targeted outputs;
- 2.5 use the Performance Agreement and Performance Plan as the basis for assessing the suitability of the **Employee** for permanent employment and/or to assess whether the **Employee** has met the performance expectations applicable to his/her job;
- 2.6 appropriately reward the **Employee** in accordance with the **Employer's** performance management policy in the event of outstanding performance; and
- 2.7 give effect to the **Employer's** commitment to a performance-orientated relationship with the **Employee** in attaining equitable and improved service delivery.

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3. COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the **1st July 2026** and will remain in force until **30th June 2027** whereafter a new Performance Agreement, Performance Plan and Personal Development Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.
- 3.3 This Agreement will terminate on the termination of the **Employee's** contract of employment for any reason.
- 3.4 The content of this Agreement may be revised at any time during the abovementioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

4. PERFORMANCE OBJECTIVES

- 4.1 The Performance Plan (Annexure A) sets out-
- 4.1.1 the performance objectives and targets that must be met by the **Employee**; and
 - 4.1.2 the time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in Annexure A are set by the **Employer** in consultation with the **Employee** and based on the Integrated Development Plan and the Budget of the **Employer** and shall include key objectives; key performance indicators; target dates and weightings.
- 4.3 The key objectives describe the main tasks that need to be done. The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved. The target dates describe the timeframe in which the work must be achieved. The weightings show the relative importance of the key objectives to each other.
- 4.4 The **Employee's** performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the **Employer's** Integrated Development Plan.

5. PERFORMANCE MANAGEMENT SYSTEM

- 5.1 The **Employee** agrees to participate in the performance management system that the **Employer** adopts or introduces for the **Employer**, management and municipal staff of the **Employer**.
- 5.2 The **Employee** accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the **Employer**, management and municipal staff to perform to the standards required.

5.3 The **Employer** will consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.

6. THE EMPLOYEE AGREES TO PARTICIPATE IN THE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM THAT THE EMPLOYER ADOPTS.

6.1 The **Employee** undertakes to actively focus towards the promotion and implementation of the KPAs (including special projects relevant to the **Employee's** responsibilities) within the local government framework.

6.2 The criteria upon which the performance of the **Employee** shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.

6.2.1 The **Employee** must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPAs) and the Core Competency Requirements (CCRs) respectively.

6.2.2 Each area of assessment will be weighted and will contribute a specific part to the total score.

6.2.3 KPAs covering the main areas of work will account for 80% and CCRs will account for 20% of the final assessment.

6.3 The **Employee's** assessment will be based on his/ her performance in terms of the outputs/ outcomes (performance indicators) identified as per attached Performance Plan (Annexure A), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the weightings agreed to between the **Employer** and **Employee**:

Key Performance Areas (KPA's): 80%		Weighting
Basic Service Delivery		8
Municipal Transformation and Institutional Development		55
Local Economic Development (LED)		8
Financial Viability and Management		12
Good Governance and Public Participation		17
Total		100%

6.4 The CCRs will make up the other 20% of the **Employee's** assessment score.

LEADING COMPETENCIES		WEIGHT
01	Strategic Direction and Leadership	8.37%
02	People Management	8.37%
03	Program and Project Management	8.37%
04	Financial Management	8.37%
05	Change Leadership	8.37%
06	Governance Leadership	8.37%
CORE COMPETENCIES		
07	Moral Competence	8.3%

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08	Planning and Organising	8.3%
09	Analysis and Innovation	8.3%
10	Knowledge and Information Management	8.3%
11	Communication	8.29%
12	Results and Quality Focus	8.29%
TOTAL		100
WEIGHT		20%

7. EVALUATING PERFORMANCE

- 7.1 The Performance stated in 4 (4.1) above shall be the basis for evaluating performance.
- 7.2 Despite the establishment of agreed intervals for evaluation, the **Employer** may in addition review the **Employee's** performance at any stage while the contract of employment remains in force.
- 7.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within set time frames.
- 7.4 The **Employee's** performance shall be measured in terms of contributions to the goals and strategies set out in the **Employer's** IDP.
- 7.5 The annual performance appraisal shall involve:
- 7.5.1 Assessment of the achievement of results as outlined in the performance plan:
- Each KPA shall be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
 - An indicative rating on the five-point scale should be provided for each KPA.
 - The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.
- 7.5.2 Assessment of the CCRs
- Each CCR shall be assessed according to the extent to which the specified standards have been met.
 - An indicative rating on the five-point scale should be provided for each CCR.
 - The applicable assessment rating calculator (refer to paragraph 7.5.3) must then be used to add the scores and calculate a final CCR score.
- 7.5.3 Overall rating
- An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcome of the performance appraisal.
- 7.6 The assessment of the performance of the **Employee** will be based on the following rating scale for KPA's and CCRs:

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

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7.7 For purposes of evaluating the performance of the **Employee**, an evaluation panel constituted by the following persons will be established –

7.7.1 Municipal Manager

7.7.2 Chairperson of the Audit Committee;

7.7.3 Portfolio Councillor of Executive Committee or representative who is a portfolio councillor of Executive Committee

7.7.4 Municipal Manager of another local municipality

The Manager: Human Resources shall provide secretarial services to the assessment team referred to above and Internal Audit and PMS serve as resource personnel.

8. SCHEDULE FOR PERFORMANCE REVIEWS

8.1 The performance of each **Employee** in relation to his/her performance agreement shall be reviewed on the following dates with the understanding that reviews in the first and third quarter may be verbal if performance is satisfactory:

First quarter (Municipal Manager and Director) :	July – September 2026
Second quarter (Full Panel) :	October – December 2026
Third quarter (Municipal Manager and Director) :	January – March 2027
Fourth quarter (Full Panel) :	April – June 2027

8.2 The **Employer** shall keep a record of the mid-year review and annual assessment meetings.

8.3 Performance feedback shall be based on the **Employer's** assessment of the **Employee's** performance.

8.4 The **Employer** will be entitled to review and make reasonable changes to the provisions of Annexure "A" from time to time for operational reasons. The **Employee** will be fully consulted before any such change is made.

8.5 The **Employer** may amend the provisions of Annexure A whenever the performance management system is adopted, implemented and/or amended as the case may be. In that case the **Employee** will be fully consulted before any such change is made.

9. DEVELOPMENTAL REQUIREMENTS

The Personal Development Plan (PDP) for addressing developmental gaps is attached as Annexure B.

10. OBLIGATIONS OF THE EMPLOYER

10.1 The **Employer** shall –

10.1.1 create an enabling environment to facilitate effective performance by the **Employee**;

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- 10.1.2 provide access to skills development and capacity building opportunities;
- 10.1.3 work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**;
- 10.1.4 on the request of the **Employee** delegate such powers reasonably required by the **Employee** to enable him/ her to meet the performance objectives and targets established in terms of this Agreement; and
- 10.1.5 make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist him/ her to meet the performance objectives and targets established in terms of this Agreement.

11. CONSULTATION

- 11.1 The **Employer** agrees to consult the **Employee** timeously where the exercising of the powers will have amongst others –
 - 11.1.1 a direct effect on the performance of any of the **Employee's** functions;
 - 11.1.2 commit the **Employee** to implement or to give effect to a decision made by the **Employer**; and
 - 11.1.3 a substantial financial effect on the **Employer**.
- 11.2 The **Employer** agrees to inform the **Employee** of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 11.1 as soon as is practicable to enable the **Employee** to take any necessary action without delay.

12. MANAGEMENT OF EVALUATION OUTCOMES

- 12.1 The evaluation of the **Employee's** performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.
- 12.2 A performance bonus of 5% to 14% of the inclusive annual remuneration package may be paid to the **Employee** in recognition of outstanding performance. . In determining the performance bonus the relevant percentage is based on the overall rating, calculated by using the applicable assessment rating calculator; provided that-
 - 12.2.1 a score of 130% to 149% is awarded a performance bonus ranging from 5% to 9%; and
 - 12.2.2 a score of 150% and above is awarded a performance bonus ranging 10% to 14%
- 12.3 The **Employee** will be eligible for progression to the next higher remuneration package, within the relevant remuneration band, after completion of at least twelve months (12) service at the current remuneration package on 30 June (end of financial year) subject to a fully effective assessment.
- 12.4 In the case of unacceptable performance, the **Employer** shall –
 - 12.4.1 provide systematic remedial or developmental support to assist the **Employee** to improve his or her performance; and
 - 12.4.2 after appropriate performance counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the **Employer** may consider steps to terminate

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the contract of employment of the **Employee** on grounds of unfitness or incapacity to carry out his or her duties.

PERFORMANCE PLAN

1. PURPOSE

The Performance Plan defines the Council's expectations of the Director's Performance Agreement and Section 57 (5) of the Municipal Systems Act, which provides that performance objectives and targets shall be based on the Key Performance Areas and Indicators as set in the Ndlambe Local Municipality Integrated Development Plan (IDP) and as reviewed annually.

2. KEY RESPONSIBILITIES

The following objectives of local government will inform the Municipal Manager's performance against set performance indicators

- a. Provide democratic and accountable government for local communities
- b. Ensure the provision of services to communities in a sustainable manner
- c. Promote social and economic development
- d. Promote a safe and healthy environment
- e. Encourage the involvement of communities and community-based organisations in matters of local government

3. KEY PERFORMANCE AREAS

The following Key Performance Areas (KPA's) as outlined in the Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, 2006, inform the strategic objectives in the table below:

- a. Spatial Planning
- b. Basic Service Delivery
- c. Municipal Institutional Development and Transformation
- d. Local Economic Development
- e. Municipal Financial Viability and Management
- f. Good Governance and Public Participation

Details of the Performance Plan are contained in Annexure A of this contract.

4. DISPUTE RESOLUTION

- 4.1 Any disputes about the nature of the employee's performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/or salary increment in the agreement, must be mediated by the MEC responsible for Local Government in the Province of the Eastern Cape within thirty (30) days of receipt of a formal dispute from the employee, whose decision shall be final and binding on both parties.

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- 4.2 Any disputes about the outcome of the employee's performance evaluation, must be mediated by the MEC responsible for Local Government in the Province of the Eastern Cape, within thirty (30) days of receipt of a formal dispute from the employee, whose decision shall be final and binding on both parties.

5. GENERAL

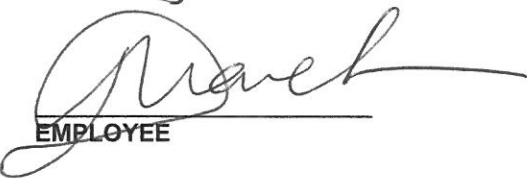
- 5.1 The contents of this agreement and the outcome of any review conducted in terms of Annexure A may be made available to the public by the **Employer**.

- 5.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his/ her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.

Thus done and signed at Port Alfred on this the 9 day of July 2026.

AS WITNESSES:

1. 


EMPLOYEE

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Thus done and signed at Port Alfred on this the 9 day of July 2026.

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MUNICIPAL MANAGER

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ANNEXURE A
PERFORMANCE PLAN

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ANNEXURE B
PERSONAL DEVELOPMENT PLAN

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NDLAMBE LOCAL MUNICIPALITY DIRECTOR: CORPORATE SERVICES' SCORECARD 2026/2027 FINANCIAL YEAR											
Department	Key Performance Area	Strategic Objective	Key Performance Indicator (KPI)	Weighting	Baseline 2025/2026 (April)	Annual Targets				Means of Verification	
						2026/2027	Quarter 1	Quarter 2	Quarter 3		Quarter 4
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities.	15. Staff Vacancy Rate	4	Target is only due for reporting in June 2026	10%	N/A	N/A	N/A	10%	Lead Schedule Positions advertised, Appointment letters issued, Calculation of the staff vacancy rate, Approved Institutional Organogram
Corporate Services	KPA 6: Good Governance and Public Participation	Maintain financial sustainability through effective revenue, expenditure, and compliance management.	29. Percentage of councillors and officials who have declared their financial interests	2	100%	100%	100%	N/A	100%	N/A	Lead Schedule Completed and signed Declaration forms
Corporate Services	KPA 2: Basic Services Delivery	Maintenance of Municipal buildings, offices and halls	93. Number of repairs conducted on municipal buildings	8	New Indicator	45	10	15	15	5	Lead Schedule Repairs and Maintenance Report, Job Cards
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Promote inclusive development and community participation through economic facilitation, stakeholder engagement, and mainstreaming of vulnerable groups	95. Number of schools benefiting from the School Assistance programme.	8	16	14	3	2	6	3	Lead Schedule Reports (Including supporting documents such as Payment Requisitions Proof of Delivery to schools, Request letters)
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Facilitate library and community facility programmes on behalf of District and Provincial mandates	96. Number of business plans submitted to other spheres of government and/ or private entities for service delivery projects	3	1	1 DSRAC	1 DSRAC	N/A	N/A	N/A	Lead Schedule Copy of Business Plans, Proof of Submission (Emails/ Confirmation of Receipt)
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	97. Number of NLM Organograms updated	3	1	1	N/A	N/A	N/A	1	Lead Schedule NLM Organogram Council Resolution
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	98. Turnaround time to issue notices to internal departments on the availability of a vacancy within a specific department.	6	7.8 Working Days	8 Working Days	8 Working Days	8 Working Days	8 Working Days	8 Working Days	Lead Schedule Internal Notice Proof of issue of internal notice
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	99. Percentage of vacant posts filled within 3 months (internal positions)	6	90.30%	60%	60%	60%	60%	60%	Lead Schedule Positions advertised, Appointment letters issued, Appointment and Termination Register
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	100. Number of HR policies reviewed.	6	8	6	N/A	N/A	3	3	Lead Schedule HR Policies Council Resolutions

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Department	Key Performance Area	Strategic Objective	Key Performance Indicator (KPI)	Weighting	Baseline 2025/2026 (April)	Annual Targets				Means of Verification	
						2026/2027	Quarter 1	Quarter 2	Quarter 3		Quarter 4
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	103. Number of engagements held with organised labour	6	New Indicator	4	1	1	1	1	Lead Schedule Attendance Registers Minutes of meetings
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Build community trust through communication, public participation and responsiveness to complaints and queries from the public	105. Turnaround for re-directing of official complaints to the relevant department through the municipal complaint management system	5	New Indicator	5 working days	5 working days	5 working days	5 working days	5 working days	Lead Schedule Complaints Register, Email and WhatsApp Complaints Screenshots, Proof of Submission to other department, Progress Report
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Promote inclusive development and community participation through economic facilitation, stakeholder engagement, and mainstreaming of vulnerable groups	106. Turnaround time for conducting follow ups by Corporate Services on each complaint directed to the relevant department through the municipal complaint management system	6	0.59	3 working days	3 working days	3 working days	3 working days	3 working days	Lead Schedule Email to the relevant departments (1. Informing Departments; 2. Follow-up)
Corporate Services	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	108. Number of departmental sessions held to discuss implementation of Resolution Matrices (Council, Exco, MPAC, APC, Risk, Management Committee Resolutions)	6	New Indicator	12	3	3	3	3	Lead Schedule Attendance Register Resolution Matrices
Corporate Services	KPA 4: Local Economic Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	109. Number of external bursaries and corporate support services to awarded	8	40	40	N/A	N/A	40	N/A	Lead Schedule Requisitions Proof of payments Letters to the recipients Bursary Recipient Schedule
Corporate Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management	110. Number of deviations non compliant with SCM Regulations leading to irregular expenditure	6	0	0	0	0	0	0	Lead Schedule Deviation Register Irregular Expenditure Report from SCM
Corporate Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management	111. Percentage of Repairs and Maintenance budget spent (Corporate Services)	6	44%	95%	30%	65%	85%	95%	Lead Schedule Monthly budget actuals for expenditure, Section 71 Report
Corporate Services	KPA 6: Good Governance and Public Participation	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	113. Number of employee records uploaded on the digital system - Owio	6	New Indicator (262 employees have already been uploaded)	230 (230 of 492)	N/A	60	N/A	170	Lead Schedule Employee Listing Print Screenshot of captured employees
Corporate Services	KPA 6: Good Governance and Public Participation	Ensure integrated planning, performance, risk, and audit systems that enable accountable governance and effective service delivery.	114. Number of performance agreements entered into between the Senior Manager and Managers (CS) signed by 31st August 2026.	5	2	2	2	N/A	N/A	N/A	Lead Schedule Signed Performance Agreements

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*Topic	*Skill required / Performance Gap	Outcome Expected (What will I achieve)	Status	*Completion Date (Deadline)	Priority	Name of Manager	Mode of Delivery	Suggested Training/ Learning	Work opportunity created to practice Skill Development Area	Suggested Time Frame	Support Person	Competency
Project Management	Project Manager	Implement, coordinate and evaluate project within Corporate Services	Ongoing	31-Jul-26	Normal	Adv Rolly Dumezwani	Self-study	Training on Project Management by Rhodes or any other recognised institution	Increase capacity of management projects in an adequate manner	3-6 Months	MM and service provider	Project Management
Financial Management for non-finance Managers	Financial Management	To be able to facilitate budget process and monitor spending trends	Ongoing	31-Jul-26	High	Adv Rolly Dumezwani	Self-study	Short course	Accurate budgeting for the department	5 days a month	MM and service provider	Financial Management
Human Resource Development	Corporate Governance	Enable me to pursue the passion of adding value to Ndlambe Municipality	Ongoing	30-Jun-26	High	Adv Rolly Dumezwani	Self-study	Masters programme of Labour Law / Human Resources Management / Honours programme (Unisa/NMU)	Make difference / positive impact to the municipality	2 years Theory	MM and the institution of higher learning	Human Resource
Policy / by-laws development	Policy Development	To be able to develop policies and by-laws in line with relevant legislation	Ongoing	31-Jul-27	Medium	Adv Rolly Dumezwani	Self-study	Training / Workshop on Policy Development	Review and develop institutional policies for implementation	3 months to 1 year between any reasonable time	MM and service provider	Development of Policy
Counseling expertise		Control emotions of employees	Ongoing	31-Jul-26	High	Adv Rolly Dumezwani	Self-study	Counseling	Provide employee wellness to employee where necessary	6 months to 2 years	MM and service provider	Counseling
Human Resources and Policy Development	Human Resource	Revising new understanding and updates on HR	Ongoing	31-Jul-26	High	Adv Rolly Dumezwani	Self-study	HR Degree	Improve on new mechanisms	3 years	MM and the institution of higher learning	Human Resource

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NDLAMBE LOCAL MUNICIPALITY



PERFORMANCE AGREEMENT AND PERFORMANCE PLAN of Director Financial Management

FINANCIAL YEAR: 1 JULY 2026 – 30 JUNE 2027

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PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN:

THE NDLAMBE LOCAL MUNICIPALITY,

AS REPRESENTED BY THE MUNICIPAL MANAGER,

AND

THE DIRECTOR: FINANCIAL MANAGEMENT

FOR THE

FINANCIAL YEAR: 01 JULY 2026 – 30 JUNE 2027

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PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The Ndlambe Local Municipality herein represented by **Adv. Rolly Dumezweni** in his capacity as Municipal Manager (hereinafter referred to as the **Employer**) **Mr Mlungisi Michael Klaas**, **Director: Financial Management** of the Ndlambe Local Municipality (hereinafter referred to as the **Employee**).

WHEREBY IT IS AGREED AS FOLLOWS:

1. INTRODUCTION

- 1.1 The **Employer** has entered into a contract of employment with the **Employee** in terms of section 57(1)(a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The **Employer** and the **Employee** are hereinafter referred to as "the Parties".
- 1.2 Section 57(1)(b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance Agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the **Employee** to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

2. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to –

- 2.1 comply with the provisions of Section 57(1) (b), (4A), (4B) and (5) of the Systems Act as well as the Contract of Employment entered into between the parties;
- 2.2 specify objectives and targets established for the **Employee** and to communicate to the **Employee** the **Employer's** expectations of the **Employee's** performance expectations and accountabilities;
- 2.3 specify accountabilities as set out in the Performance Plan (Annexure A);
- 2.4 monitor and measure performance against set targeted outputs;
- 2.5 use the Performance Agreement and Performance Plan as the basis for assessing the suitability of the **Employee** for permanent employment and/or to assess whether the **Employee** has met the performance expectations applicable to his/her job;
- 2.6 appropriately reward the **Employee** in accordance with the **Employer's** performance management policy in the event of outstanding performance; and
- 2.7 give effect to the **Employer's** commitment to a performance-orientated relationship with the **Employee** in attaining equitable and improved service delivery.

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3. COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the **1st July 2026** and will remain in force until **30th June 2027** whereafter a new Performance Agreement, Performance Plan and Personal Development Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.
- 3.3 This Agreement will terminate on the termination of the **Employee's** contract of employment for any reason.
- 3.4 The content of this Agreement may be revised at any time during the abovementioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

4. PERFORMANCE OBJECTIVES

- 4.1 The Performance Plan (Annexure A) sets out-
- 4.1.1 the performance objectives and targets that must be met by the **Employee**; and
- 4.1.2 the time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in Annexure A are set by the **Employer** in consultation with the **Employee** and based on the Integrated Development Plan and the Budget of the **Employer** and shall include key objectives; key performance indicators; target dates and weightings.
- 4.3 The key objectives describe the main tasks that need to be done. The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved. The target dates describe the timeframe in which the work must be achieved. The weightings show the relative importance of the key objectives to each other.
- 4.4 The **Employee's** performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the **Employer's** Integrated Development Plan.

5. PERFORMANCE MANAGEMENT SYSTEM

- 5.1 The **Employee** agrees to participate in the performance management system that the **Employer** adopts or introduces for the **Employer**, management and municipal staff of the **Employer**.
- 5.2 The **Employee** accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the **Employer**, management and municipal staff to perform to the standards required.

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5.3 The **Employer** will consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.

6. THE EMPLOYEE AGREES TO PARTICIPATE IN THE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM THAT THE EMPLOYER ADOPTS.

6.1 The **Employee** undertakes to actively focus towards the promotion and implementation of the KPAs (including special projects relevant to the **Employee's** responsibilities) within the local government framework.

6.2 The criteria upon which the performance of the **Employee** shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.

6.2.1 The **Employee** must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPAs) and the Core Competency Requirements (CCRs) respectively.

6.2.2 Each area of assessment will be weighted and will contribute a specific part to the total score.

6.2.3 KPAs covering the main areas of work will account for 80% and CCRs will account for 20% of the final assessment.

6.3 The **Employee's** assessment will be based on his/ her performance in terms of the outputs/ outcomes (performance indicators) identified as per attached Performance Plan (Annexure A), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the weightings agreed to between the **Employer** and **Employee**:

Key Performance Areas (KPA's): 80%		Weighting
Municipal Institutional Development and Transformation		10
Local Economic Development (LED)		5
Financial Viability and Management		80
Good Governance and Public Participation		5
Total		100%

6.4 The CCRs will make up the other 20% of the **Employee's** assessment score.

LEADING COMPETENCIES		WEIGHT
01	Strategic Direction and Leadership	7.75%
02	People Management	7.25%
03	Program and Project Management	7.50%
04	Financial Management	8.25%
05	Change Leadership	7.25%
06	Governance Leadership	7.00%
CORE COMPETENCIES		
07	Moral Competence	9.55%
08	Planning and Organising	9.00%

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09	Analysis and Innovation	9.80%
10	Knowledge and Information Management	8.55%
11	Communication	9.10%
12	Results and Quality Focus	9.00%
TOTAL		100
WEIGHT		20%

7. EVALUATING PERFORMANCE

7.1 The Performance stated in 4 (4.1) above shall be the basis for evaluating performance.

7.2 Despite the establishment of agreed intervals for evaluation, the **Employer** may in addition review the **Employee's** performance at any stage while the contract of employment remains in force.

7.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within set time frames.

7.4 The **Employee's** performance shall be measured in terms of contributions to the goals and strategies set out in the **Employer's** IDP.

7.5 The annual performance appraisal shall involve:

7.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) Each KPA shall be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
- (b) An indicative rating on the five-point scale should be provided for each KPA.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.

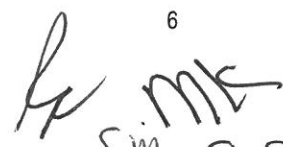
7.5.2 Assessment of the CCRs

- (a) Each CCR shall be assessed according to the extent to which the specified standards have been met.
- (b) An indicative rating on the five-point scale should be provided for each CCR.
- (c) The applicable assessment rating calculator (refer to paragraph 7.5.3) must then be used to add the scores and calculate a final CCR score.

7.5.3 Overall rating

An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcome of the performance appraisal.

7.6 The assessment of the performance of the **Employee** will be based on the following rating scale for KPA's and CCRs:

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

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7.7 For purposes of evaluating the performance of the **Employee**, an evaluation panel constituted by the following persons will be established –

7.7.1 Municipal Manager

7.7.2 Chairperson of the Audit Committee;

7.7.3 Portfolio Councillor of Executive Committee or representative who is a portfolio councillor of Executive Committee

7.7.4 Municipal Manager of another local municipality

The Manager: Human Resources shall provide secretarial services to the assessment team referred to above and Internal Audit and PMS serve as resource personnel.

8. SCHEDULE FOR PERFORMANCE REVIEWS

8.1 The performance of each **Employee** in relation to his/her performance agreement shall be reviewed on the following dates with the understanding that reviews in the first and third quarter may be verbal if performance is satisfactory:

First quarter (Municipal Manager and Director) :	July – September 2026
Second quarter (Full Panel) :	October – December 2026
Third quarter (Municipal Manager and Director) :	January – March 2027
Fourth quarter (Full Panel) :	April – June 2027

8.2 The **Employer** shall keep a record of the mid-year review and annual assessment meetings.

8.3 Performance feedback shall be based on the **Employer's** assessment of the **Employee's** performance.

8.4 The **Employer** will be entitled to review and make reasonable changes to the provisions of Annexure "A" from time to time for operational reasons. The **Employee** will be fully consulted before any such change is made.

8.5 The **Employer** may amend the provisions of Annexure A whenever the performance management system is adopted, implemented and/or amended as the case may be. In that case the **Employee** will be fully consulted before any such change is made.

9. DEVELOPMENTAL REQUIREMENTS

The Personal Development Plan (PDP) for addressing developmental gaps is attached as Annexure B.

10. OBLIGATIONS OF THE EMPLOYER

10.1 The **Employer** shall –

10.1.1 create an enabling environment to facilitate effective performance by the **Employee**;

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- 10.1.2 provide access to skills development and capacity building opportunities;
- 10.1.3 work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**;
- 10.1.4 on the request of the **Employee** delegate such powers reasonably required by the **Employee** to enable him/ her to meet the performance objectives and targets established in terms of this Agreement; and
- 10.1.5 make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist him/ her to meet the performance objectives and targets established in terms of this Agreement.

11. CONSULTATION

- 11.1 The **Employer** agrees to consult the **Employee** timeously where the exercising of the powers will have amongst others –
 - 11.1.1 a direct effect on the performance of any of the **Employee**'s functions;
 - 11.1.2 commit the **Employee** to implement or to give effect to a decision made by the **Employer**; and
 - 11.1.3 a substantial financial effect on the **Employer**.
- 11.2 The **Employer** agrees to inform the **Employee** of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 11.1 as soon as is practicable to enable the **Employee** to take any necessary action without delay.

12. MANAGEMENT OF EVALUATION OUTCOMES

- 12.1 The evaluation of the **Employee**'s performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.
- 12.2 A performance bonus of 5% to 14% of the inclusive annual remuneration package may be paid to the **Employee** in recognition of outstanding performance. . In determining the performance bonus the relevant percentage is based on the overall rating, calculated by using the applicable assessment rating calculator; provided that-
 - 12.2.1 a score of 130% to 149% is awarded a performance bonus ranging from 5% to 9%; and
 - 12.2.2 a score of 150% and above is awarded a performance bonus ranging 10% to 14%
- 12.3 The **Employee** will be eligible for progression to the next higher remuneration package, within the relevant remuneration band, after completion of at least twelve months (12) service at the current remuneration package on 30 June (end of financial year) subject to a fully effective assessment.
- 12.4 In the case of unacceptable performance, the **Employer** shall –
 - 12.4.1 provide systematic remedial or developmental support to assist the **Employee** to improve his or her performance; and
 - 12.4.2 after appropriate performance counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the **Employer** may consider steps to terminate

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the contract of employment of the **Employee** on grounds of unfitness or incapacity to carry out his or her duties.

PERFORMANCE PLAN

1. PURPOSE

The Performance Plan defines the Council's expectations of the Director's Performance Agreement and Section 57 (5) of the Municipal Systems Act, which provides that performance objectives and targets shall be based on the Key Performance Areas and Indicators as set in the Ndlambe Local Municipality Integrated Development Plan (IDP) and as reviewed annually.

2. KEY RESPONSIBILITIES

The following objectives of local government will inform the Municipal Manager's performance against set performance indicators

- a. Provide democratic and accountable government for local communities
- b. Ensure the provision of services to communities in a sustainable manner
- c. Promote social and economic development
- d. Promote a safe and healthy environment
- e. Encourage the involvement of communities and community-based organisations in matters of local government

3. KEY PERFORMANCE AREAS

The following Key Performance Areas (KPA's) as outlined in the Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, 2006, inform the strategic objectives in the table below:

- a. Spatial Planning
- b. Basic Service Delivery
- c. Municipal Institutional Development and Transformation
- d. Local Economic Development
- e. Municipal Financial Viability and Management
- f. Good Governance and Public Participation

Details of the Performance Plan are contained in Annexure A of this contract.

4. DISPUTE RESOLUTION

- 4.1 Any disputes about the nature of the employee's performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/or salary increment in the agreement, must be mediated by the MEC responsible for Local Government in the Province of the Eastern Cape within thirty (30) days of receipt of a formal dispute from the employee, whose decision shall be final and binding on both parties.

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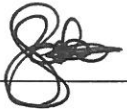
- 4.2 Any disputes about the outcome of the employee's performance evaluation, must be mediated by the MEC responsible for Local Government in the Province of the Eastern Cape, within thirty (30) days of receipt of a formal dispute from the employee, whose decision shall be final and binding on both parties.

5. GENERAL

- 5.1 The contents of this agreement and the outcome of any review conducted in terms of Annexure A may be made available to the public by the **Employer**.
- 5.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his/ her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.

Thus done and signed at Port Alfred on this the 9 day of July 2026.

AS WITNESSES:

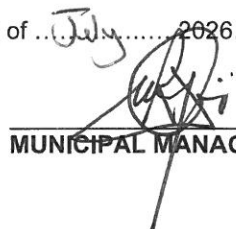
1.  _____


EMPLOYEE

2.  _____

Thus done and signed at Port Alfred on this the 9 day of July 2026.

1.  _____


MUNICIPAL MANAGER

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ANNEXURE A
PERFORMANCE PLAN

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NDLAMBE LOCAL MUNICIPALITY CHIEF FINANCIAL OFFICER SCORECARD 2026/2027 FINANCIAL YEAR											
Department	Key Performance Area	Strategic Objective	Key Performance Indicator (KPI)	Weighting	Baseline 2025/ 2026 (April)	Annual Targets				Means of Verification	
						2026/2027	Quarter 1	Quarter 2	Quarter 3		Quarter 4
Financial Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management.	18. Percentage Collection Rate	10	79.58%	79%	73%	84%	79%	81%	Lead Schedule, Collection Rate Report
Financial Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management.	19. Cash/ Cost Coverage Ratio (Excluding Unspent Conditional Grants)	5	0.03:1	1 month	1 month	1 month	1 month	1 month	Lead Schedule Financial Viability Report, Cashflow statement, Section 71 Report (Table C4 and C6)
Financial Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management.	20. Percentage reduction of Irregular Expenditure incurred 2025/2026 in comparison to prior year 2024/2025 amount incurred (pre-writes)	10	New Indicator	33.3% (of Irregular as per Audited AFS)	N/A	33.3% (of Irregular as per Audited AFS)	N/A	N/A	Lead Schedule Audited Annual Financial Statements, Quarterly Report
Financial Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management.	21. Percentage of Rand-value of incurred Fruitless and Wasteful expenditure recovered in the current year	10	New Indicator	86.00%	N/A	N/A	N/A	86%	Lead Schedule, Full Year Fruitless and Wasteful Expenditure Register
Financial Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management.	22. Percentage reduction of Unauthorised Expenditure incurred 2025/2026 in comparison to prior year 2024/2025 amount incurred	10	New Indicator	10.00%	N/A	N/A	5.00%	10%	Lead Schedule, Full Year Unauthorised Expenditure Register, Budget
Financial Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management.	24. Current Ratio	5	1.30:1	1.02	1.11	1.06	1.18	1.02	Lead Schedule Monthly actuals, Section 71 Report (Table C6) Debtors Age Analysis, Bank Reconciliation, Investment Register, Creditor's Age Analysis
Financial Services	KPA 3: Municipal Transformation and Institutional Development	Strengthen institutional capacity and corporate support services to enable delivery on Ndlambe Top 4 development priorities	62. Number of departmental sessions held to discuss implementation of Resolution Matrices (Council, Exco, MPAC, APC, Risk Committee, Management Resolutions)	10	New Indicator	12	3	3	3	3	Lead Schedule Attendance Register Resolution Matrices
Financial Services	KPA 4: Local Economic Development	Promote local economic development through strategic initiatives, positioning Ndlambe as a potential logistics and trade hub.	63. Number of jobs created in line with the EPWP Policy (FS)	5	45	44	8	12	12	12	Lead Schedule EPWP Report (Including supporting documents such as Employment contracts, Appointment Letters, Time Sheets, etc.)

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Department	Key Performance Area	Strategic Objective	Key Performance Indicator (KPI)	Weighting	Baseline 2025/2026 (April)	Annual Targets					Means of Verification
						2026/2027	Quarter 1	Quarter 2	Quarter 3	Quarter 4	
Financial Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management	64. Turnaround time for approval of funded institutional annual budget by Council (30 June 2027)	10	Target is only due for reporting in June 2026	30 Days	N/A	N/A	N/A	30 Days	Lead Schedule Council Resolution
Financial Services	KPA 5: Financial Viability and Management	Maintain financial sustainability through effective revenue, expenditure, and compliance management	65. Number of deviations non compliant with SCM Regulations leading to irregular expenditure (FS)	10	2	0	0	0	0	0	Lead Schedule Irregular Expenditure Report, Deviations Register, Budget Actuals
Financial Services	KPA 5: Financial Viability and Management	Maintain Financial Sustainability through Effective Revenue, Expenditure and Compliance Management	66. Submission of Annual Financial Statements (2025/2026) to Auditor General of South Africa by 31st August 2026	10	1	1	1	N/A	N/A	N/A	Lead Schedule Proof of submission (AG Acknowledgement of Receipt)
Financial Services	KPA 6: Good Governance and Public Participation	Ensure integrated planning, performance, risk, and audit systems that enable accountable governance and effective service delivery.	75. Number of performance agreements entered into between the Senior Manager and Managers (FS) signed by 31st August 2026.	5	5	1	1	N/A	N/A	N/A	Lead Schedule Signed Performance Agreement

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ANNEXURE B
PERSONAL DEVELOPMENT PLAN

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*Topic	*Skill required / Performance Gap	Outcome Expected (What will I achieve)	Status	*Completion Date (Deadline)	Priority	Name of Manager	Mode of Delivery	Suggested Training/ Learning	Suggested timeframe	Work opportunity created to practice Skill Development Area	Support Person	Competency
Performance Management	Appraise the performance of my deputies / Managers / assistance	Deputies/Managers and assistants will be able to complete their scorecards and will be in a position to monitor their performance	Ongoing	To be completed by May 2027	Normal	Adv Rolly Dumezweni	Coaching - Internal Expert	Sessions to be held with performance service provider/manager	To be completed by May 2027	All managers reporting to me will be appraised on their performance areas	Performance Manager/Service provider	Performance Management
Financial Management	Sound financial management	To be fully capacitated with all GRAP requirements	Ongoing	To be completed by 30 June 2027	High	Adv Rolly Dumezweni	Training/Workshop	GRAP training courses by institutions that are GRAP experts and e-learning registration	To be completed by 30 June 2027	To have GRAP compliant financial statements and a clean audit report	Treasury e-learning/National School of Government	Financial Reporting
Good Governance	Practice good governance and financial ethics	To have everybody procuring goods making use of centralised supply chain processes	Ongoing	To be completed by 30 June 2027	High	Adv Rolly Dumezweni	Allocation to specific project	Resourcing department with key personnel, delegation of duties and development of staff in SOPs	To be completed by 30 June 2027	Preparation of procurement plan, costing templates, creation of a commodity database	Munsoft / Treasury / CIGFARO	Governance Leadership
Financial Performance Reporting	Financial performance and reporting	KPI POE Development	Ongoing	To be completed by 30 June 2027	High	Adv Rolly Dumezweni	Excel Model Development	Identify key variables and data source	To be completed by 30 June 2027	Monthly budget statement extraction (Financial system development and grading)	Munsoft and BTO Manager	Financial Reporting
Strategic Skills	Acquire advanced strategic and operational skills	To enhance strategic decisions for advancement of the institution given the municipal dynamic operating environment	Ongoing	To be completed by 30 June 2027	High	Adv Rolly Dumezweni	Self-study/Research and adoption of best practices by other LM's	Register for a generalist academic qualification	To be completed by 30 June 2027	I will be better equipped to deal with strategic issues and align the institution's operations to the dynamic environmental challenges	Workshop and academic institutions would be critical in acquiring the necessary knowledge	Strategic Capability and Leadership
Risk and Change Management	Risk and change management in finance	To be able to strategise around risks, identify risks, rate risks, develop plans to mitigate risks, scan operating environment and identify required changes to ensure continuity	Ongoing	To be completed by May 2027	High	Adv Rolly Dumezweni	Action Assist Risk Module / Self-study/COGTA, Treasury and CIGFARO trainings	Engage various service providers providing revenue protection solutions to mitigate diminishing municipal revenue and remote operations monitoring equipment	To be completed by May 2027	To be able to manage finance risks and move away from crisis management and also financial risks within other departments	Action Assist, Internal Auditor / Provincial Treasury and CIGFARO	Integrated Risk Register Management (IRM)
Project Management	Verifications	To be able to identify all households qualifying for indigent subsidy and be able to identify decrease households in the indigent register and all state organs/employees bidding in municipal projects	Ongoing	To be completed by 30 June 2027	High	Adv Rolly Dumezweni	Procurement of a System and Training	Training by a system vendor on how to operate the system to go to the desired outcome	To be completed by 30 June 2027	Indigent households registration, visiting deceased households to identify new beneficiaries, uploading company directors/member to determine their employers	System vendor support team	Verification
Customer Care and Stakeholder Engagement	How to operate the system using the Customer Care Module	Record complaints and respond to ratepayers	Ongoing	To be completed by 30 April 2027	Normal	Adv Rolly Dumezweni	Training	Training on the use of the module on Owio	To be completed by 30 April 2027	Engaging with public through various platforms on budget process, valuation issues and general enquiries by stakeholders/ratepayers	Service provider Owio team	Combined Assurance
MSCOA	mscoa	To be able to fully implement the Mscoa SCH Module by 2027 and use at least 3 registers of our system	Ongoing	To be completed by 30 June 2027	Normal	Adv Rolly Dumezweni	Training	Munsoft Training unit and software developers	To be completed by 30 June 2027	To be able to fully implement Mscoa	System Vendor	Budgeting
Auditing and Audit Assurance	Auditing, audit assurance and use of AFS review tool	To achieve unqualified Audit Opinion	Ongoing	To be completed by 30 June 2027	High	Adv Rolly Dumezweni	AFS review tool	Sessions to be held with the internal auditor and training sessions to be held with external service provider to discuss all audit aspects	To be completed by 30 June 2027	Development of analytical skills, knowledge of municipal ability and limitations, GRAP reporting, UJF management, contracts management and reporting	A combination, Treasury and external service providers / internal audits	Combined Assurance

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Financial Management	Municipal Finance Management Programme (MFMP) Training	To ensure compliance with statutory requirements of the MFMA and Municipal Regulations on Minimum Competency levels	Ongoing	To be completed by 30 June 2027	High	Adv Rolly Dumezweni	Training by external service provider	Currently enrolled with Tourismgate for completion of outstanding 5 unit standards	To be completed by 30 June 2027	Advanced understanding of the MFMA, GRAP, SCM regulations and public sector risk management	Service provider - Tourismgate Business Development Consulting	Certificate of Competency
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