

KINDLY NOTE:

**THESE ITEMS SERVED AT THE
SPECIAL MAYCO MEETING
ON 2018-03-22 AND WERE
RECOMMENDED TO COUNCIL**

**16TH COUNCIL MEETING:
2018-03-28**

A G E N D A
16TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2018-03-28
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7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: (ALD G VAN DEVENTER (MS))
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7.1	COMMUNITY DEVELOPMENT AND COMMUNITY SERVICES: (PC: CLLR AR FRAZENBURG)
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NONE

7.2	CORPORATE AND STRATEGIC SERVICES: (PC: CLLR E GROENEWALD (MS))
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7.2.1	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
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Collaborator No:

File No

3/P/7

IDP KPA Ref No:

Good Governance

Meeting Date:

22 March 2018 and 28 March 2018

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To submit a proposed amended System of Delegations for adoption by Council which will replace the out-dated existing System of Delegations.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

In terms of section 59 of the Local Government: Municipal Systems Act, 32/2000, a Municipal Council must develop a System of Delegations that will maximize administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with such system, may:

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's 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.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to Note the existing System of Delegations.

The Delegations has now been revised and a new format was used in an attempt to link legislation and the different authorities to whom delegation are made. A workshop with Councillors took place on 13 February 2018. The changes as discussed at the workshop are included in the attached document.

5. RECOMMENDATIONS

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.2.1

RESOLVED

That it be recommended to Council:

- (a) that Council adopts the attached revised System of Delegations as set out in **APPENDIX 2** as the primary source of the delegations from 1 April 2018;
- (b) that Council takes note that bylaws or policies that are in the process of being revised and that are not included in the delegations will be taken up in the delegations administratively after the approval of the amended bylaw or policy and the current delegations attached to those bylaws and policies remain in effect till such time that it is revised; and
- (c) that all political office bearers, political structures, the Municipal Manager, Directors, Senior Managers, Managers, Heads of Departments and all other identified officials be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

6. DISCUSSION / CONTENTS

6.1. Background

In terms of section 59 of the Local Government: Municipal Systems Act, 32/2000, a Municipal Council must develop a System of Delegations that will maximize administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with such system.

6.2. Discussion

In terms of Section 59(2)(f), such System of Delegations must be reviewed when a new Council is elected.

The Local Government elections took place on 3 August 2016 and a System of Delegations was tabled at the first Council meeting on 15 August 2016. The recommendation to adopt the delegations was not approved and the Speaker ruled that Council NOTED the existing System of Delegations. The last time that the delegations were reviewed was in 2015.

In terms of section 59 of the Local Government: Municipal Systems Act, 32/2000, a Municipal Council must develop a System of Delegations that will maximize administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with such system, may:

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the

Municipality's 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.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to Note the existing System of Delegations.

The Delegations have now been revised and a new format was used in an attempt to link legislation and the different authorities to whom delegation are made in order to make it more user friendly.

The Directors all made their inputs in regard to their functional fields. To comply with the legal directive of maximizing administrative and operational efficiency, a high degree of sub-delegations to Directors, Managers, Heads of departments and other senior employees are provided for. Although every effort was made to ensure that the new proposed system of delegations is accurate and incorporates the delegations, it may be that certain minor administrative overlaps and omissions can be identified. There are policies and bylaws that are currently under review and those have not been included in the System of Delegations as they are out-dated and it would mean that the System of Delegations has to be reviewed every time the new policy or Bylaw is approved. It is therefore recommended that when a new policy or Bylaw is approved the delegations are approved with it and then administratively added to the System of Delegations.

A workshop with Councillors took place on 13 February 2018. The changes as discussed at the workshop are included in the attached document.

6.3. Financial Implications

As per the approved budget.

6.4. Legal Implications

Compliance with Section 59(1) of the Systems Act and various other legislative measures as listed in the definitions and interpretations contained in part 1 of the System of Delegations.

6.5. Staff Implications

If any additional staff has to be appointed permanently it will only be done within the framework of a Council approved structure and with the necessary budgetary provisions.

6.6. Previous / Relevant Council Resolutions:

Council resolution dated 15 August 2016 that contains the Speaker's ruling.

6.7. Risk Implications

Delegations must maximize administrative and operational efficiency and provide for adequate checks and balances.

6.8 Comments from Senior Management:

The item was discussed at the Directors' meeting and the workshop and Directors' inputs are contained in the report.

6.8.1 Chief Financial Officer:

Agree with the recommendations.

6.8.2 Municipal Manager:

Agree with the recommendations

ANNEXURES

Appendix 1 - Council resolution dated 15 August 2016.

Appendix 2 – System of Delegations (Distributed under Separate Cover)

FOR FURTHER DETAILS CONTACT:

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DIRECTORATE	Corporate and Strategic Services
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REPORT DATE	19 March 2018

ANNEXURE 1

6.8 ADOPTION OF SYSTEM OF DELEGATIONS

<i>File number</i>	: 3/P/7
<i>Report by</i>	: Acting Municipal Manager
<i>Compiled by</i>	: Director: Strategic & Corporate Services
<i>Delegated Authority</i>	: Council

1. LEGAL FRAMEWORK**1.1 System of Delegation**

In terms of Section 59 of the Local Government: Municipal Systems Act, Act 32/2000, a municipal council must develop a system of delegations that will maximize administrative and operation efficiency and provide for adequate checks and balances, and, in accordance with such 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 IDP, to any of the municipality's 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.

A copy of Council's current approved System of Delegations is **distributed under separate cover as an APPENDIX.**

1.2 Review of Delegations

In terms of Section 59(2)(f), such System of Delegations must be reviewed when a new Council is elected.

In terms of Section 65, whenever it becomes necessary in terms of Section 59(2)(f)(supra) to review a municipality's delegations, the Municipal Manager must submit to Council:-

- (a) a report on the existing delegations issued in terms of section 59; and
- (b) recommendations on any changes to the existing delegations which the Municipal Manager may consider necessary.

If the municipality has an Executive Committee or Executive Mayor, the Municipal Manager must submit such report and any recommendations to the Council through the Executive Committee or Executive Mayor.

RECOMMENDED

that Council adopts the existing System of Delegations.

(ACTING MUNICIPAL MANAGER TO ACTION)

MINUTES

FIRST MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY2016-08-15

1st COUNCIL MEETING: 2016-08-15: ITEM 6.8

the Speaker **RULED**

that Council **NOTES** the existing System of Delegations.

(ACTING MUNICIPAL MANAGER TO ACTION)

7.2.2	MFMA SECTION 116(3) – PROPOSAL TO AMEND THE CURRENT ICT CONTRACTS FOR SOFTWARE LICENCE AND SUPPORT AGREEMENTS FOR A PERIOD OF TWELVE MONTHS, EFFECTIVE FROM 01 JULY 2018 TO 30 JUNE 2019
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Collaborator No:

File number

Files 13/5 and 6/4/1

IDP KPA Ref No:

Good Governance

Meeting Date:

22 March 2018 and 28 March 2018

1. SUBJECT: MFMA SECTION 116(3) – PROPOSAL TO AMEND THE CURRENT ICT CONTRACTS FOR SOFTWARE LICENCE AND SUPPORT AGREEMENTS FOR A PERIOD OF THIRTY SIX MONTHS, EFFECTIVE FROM 01 JULY 2018 TO 30 JUNE 2021

2. PURPOSE

To obtain Council's approval on the proposed amendment of all the ICT contracts terminating on the 30 June 2018 for a period of 3 years (36 Months) effective 1 July 2018 – 30 June 2021. Council may terminate any of the contracts on a 6 months' notice period during this period. The changes may be affected in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA). To inform Council that the investigation in regard to research and assess alternative ERP solutions has not been conducted in this financial year as a decision first needs to be taken in regard to the financial system. The assessment will be done and the outcome reported to Council as soon as the decision about the financial system has been taken.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

This report aims to provide the necessary information and motivation on the proposed amendment of the current ICT Contracts as listed in paragraph 6, ending 30 JUNE 2018, in terms of the enabling provisions of section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA). The intention will be published in newspapers and the public invited to make input before Council make a decision whether to consent to the amendment of the contracts.

All the current ICT contracts were previously amended in 2016 through a Section 116 (3) process in order to accommodate the mSCOA implementation and the investigation in regard to an assessment on ERP solutions for the Municipality. The Finance department is in constant contact with the owners of the Financial System (SAMRAS) to ensure that the system developments are of such a nature that it can deal with mSCOA in full before a final decision is made on the continuation with SAMRAS as the financial system or not.

When an information system is bought the long term impact is that the Municipality will be using that system for a period longer than the normal 3 of 5 years that is set for new tender processes. An information system is the intellectual property of a company and no other company can provide the support or licencing for that information system. The dynamic nature of Information and Communications Technology, as well as investments made in business systems warrant a continuous re-assessment of investments and system functionalities to ensure that

value for money is achieved at all times. The long term impact of investments made in business systems and services warrants that the Stellenbosch Municipality continually re-assess its investment strategies to ensure on-going alignment with the deployment of business systems in line with mSCOA business processes. A final decision on whether the Municipality will replace the current financial system needs to be made first to enable the Municipality to determine the starting point for the ERP assessment.

If there is a decision that the financial system should be changed a comprehensive process will have to follow to tender and adjudicate the acquisition of a new system and Treasury plays a watchdog role in this process to ensure that the system that is procured is of the standard required. Should the Municipality decide to buy a new financial system it would make sense to assess the costs of one comprehensive system to replace the current systems listed in paragraph 6. Should the Municipality decide not to acquire a new financial system the assessment would be how do we ensure integration of existing systems with SAMRAS where integration is an issue or what new systems should be acquired to integrate with SAMRAS.

Various improvements have been made to ensure that systems integrate and where new support contracts are negotiated that the interests of the Municipality is protected. No new systems may be acquired by directorates unless it was debated at the ICT steering committee to ensure integration with current systems. Specifications are written to ensure that systems can integrate and that functionality is not duplicated.

5. RECOMMENDATIONS

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.2.2

RESOLVED

That it be recommended to Council:

- (a) that Council takes note of the reasons tabled for the proposed amendments of all the current ICT contracts for ICT-related systems and services for a period of thirty six (36) months, effective from 1 July 2018 to 30 June 2021 with the proviso that the Municipality may cancel any of the systems with a six month notice period during this time;
- (b) that Council takes note that the municipality will advertise its intention to amend all ICT system related contracts that end on 30 June 2018 to extend such contracts for a period of thirty six months (36), for public input and that any public comment will be considered before a final decision is made; and
- (c) that Council approves that sufficient funding on the operational budget vote for the Software Licensing UKey: 20170608982691 is approved, to finance the extension and renewal of all the current ICT systems and services for the financial year of 2018/2019. Budget provisions will be made on a yearly basis depending on the process going forward.

6. DISCUSSION / CONTENTS

6.1 Background

Section 116(3) of the MFMA provides as follows: “(a) the reasons for the proposed amendment have been tabled in the council of the municipality or, in the case of a municipal entity, in the council of its parent municipality; and (b) the local

community- (i) has been given reasonable notice of the intention to amend the contract or agreement; and (ii) has been invited to submit representations to the municipality or municipal entity.”

The municipality should ideally have a single business system with a single database and workflow. Considerations to introduce such a strategy for business systems should however always be assessed carefully against initial investment costs for such ventures, as well as the potential risks if the anticipated operational efficiencies and return on investments are not realized.

Migration strategies for local government institutions must remain aligned with architectures and technologies of selected manufacturers as well as trusted relationships with selected service providers. Investments made by local government institutions in business system architectures and trusted relationships with service providers are seen as long term investments which cannot readily be changed without exposing the municipality to continuity and contingency risks.

When an information system is bought the long term impact is that the Municipality will be using that system for a period longer than the normal 3 of 5 years that is set for new tender processes. An information system is the intellectual property of a company and no other company can provide the support or licencing for that information system. The dynamic nature of Information and Communications Technology, as well as investments made in business systems warrant a continuous re-assessment of investments and system functionalities to ensure that value for money is achieved at all times. The long term impact of investments made in business systems and services warrants that the Stellenbosch Municipality continually re-assess its investment strategies to ensure on-going alignment with the deployment of business systems in line with mSCOA business processes. A final decision on whether the Municipality will replace the current financial system needs to be made first to enable the Municipality to determine the starting point for the ERP assessment.

The portfolio of ICT contracts terminating on 30 June 2018 for which a section 116(3) process must be followed are depicted on the table below:

Table 1 : Portfolio of ICT Contracts

Service Provider	Scope of Services
1. <i>Bytes Universal Systems</i>	Financial Services - SAMRAS is the Core Financial System for the Stellenbosch Municipality.
2. <i>PayDay</i>	Strategic and Corporate Services - HR and Payroll System for the Stellenbosch Municipality
3. <i>Business Engineering</i>	Strategic and Corporate Services - Data and Workflow System with Document Archiving Capabilities
4. <i>Ignite</i>	Strategic and Corporate Services - Performance and Compliance Management System
5. <i>IMQS</i>	Engineering Services - Support and Information System to Manage and Report on Municipal infrastructure Assets
6. <i>Avalon</i>	Strategic and Corporate Services – Data Network Management and Support Services
7. <i>ABC Services</i>	Financial Services – Valuations and Rates for the Stellenbosch Municipality
8. <i>CATS</i>	Financial Services – Water and Electricity Meter Reading for the Stellenbosch Municipality

6.2 Discussion

6.2.1 Regulatory Requirements from National Treasury

Recent statements of direction from National Government implies a more strategic approach must be introduced by all local government entities to migrate its existing portfolio of legacy ICT services and systems to a business systems architecture that will enable improved data access and reporting capabilities to all stakeholders.

MFMA Circular 57 dated 20 October 2011: MFMA Circular 57 Issued by

National Treasury states: "It is imperative that municipalities operate effectively and utilise financial applications optimally to present credible information on a timely basis for internal and external use".

The mSCOA project undertaken by National Treasury and supported by the outcomes of the Consolidated Auditor General Report (2009/2010) on Local Government include amongst others:

- 1) Research and assessment into various financial applications and related software systems in use by municipalities.
- 2) Minimal dependency on service providers, central coordination, guidance and specialist support offered in a cost-effective and efficient manner.
- 3) That guidelines be issued on minimum standards for financial systems which would minimise excessive or duplicate systems, examine critical integrated ICT solutions to maximise capabilities and achieve cost effectiveness while addressing associated maintenance costs.

It was observed that municipalities have in the past diluted the benefits of financial applications by choosing to implement certain 'components' or altering the application to meet their specific requirements or utilising an application that was not integrated with the Financial system.

6.2.2 Business Systems Alignment with Strategic Objectives

The ability to remain constantly aligned with the strategic goals and objectives of the municipality as well as the statements of direction from National Government are inhibited by two major factors:

6.2.2.1 Legacy Business Systems

Various business systems with similar functionalities are deployed in the

Municipality, that may result in on-going increases in, and payment of annual licensing fees and support fees without receiving any substantive value added services or functionalities as part of the existing agreements. Also, on-going data integration between disparate business systems results in increased complexities whilst attempting to maintain data integrity between systems.

6.2.2.2 Multiple Vendor Contracts

The day-to-day management of vendor business systems contracts remains a major challenge for all municipalities. Vendor contracts are often one sided and do not properly mitigate the potential risks, legally or otherwise, to which municipalities might be exposed to during the term of such contracts.

6.2.3 Contractual Considerations with Service Providers

It is proposed that all business system contracts terminating on 30 June 2018, be amended to remain in effect for a period of three (3) years from 1 July 2018 to 30 June 2021 for the following reasons:

- 1) To limit the administrative costs of following Supply Chain Management processes to request deviations and funding over the short term, specifically taking into account the strategic intent and requirement to be mSCOA compliant. For all such agreements with service providers, the provision is that the Stellenbosch Municipality may terminate the Agreement at any time and is bound to give at least 6 months prior notice.
- 2) To assess on the approach to be followed in the holistic approach to ensure that the strategic intent of the Municipality to integrate the similar functionalities into the core financial system can be optimized to its full potential.
- 3) To ensure that stability in the business processes remain intact whilst the Municipality decide on the financial system best suited for the Municipality and what other systems to acquire should it be necessary.
- 4) To ensure sufficient time to allow for procurement and implementation processes where new systems(s) must be acquired.

6.3 Conclusion

It remains the strategic intent of the Municipality to assimilate similar functionalities from the other business systems deployed in the municipality into the Samras Financial System or at the least build the integration of the functionalities to the Samras Financial System where it is cost effective and functionally viable and is mSCOA compliant. Due to the complexities inherent to such business system conversions and integration, a phased approach will need to be followed.

6.4 Financial Implications

This report has the following financial implications:

Service Provider	Duration (Months)	Estimated Cost (Ex Vat)
1. ABC Services	1 st 12 months	R 568 998,00
2. CAT Technologies	1 st 12 months	R 172 600,00
3. Ignite	1 st 12 months	R 300 000,00
4. Avalon Technologies	1 st 12 months	R 680 752,70
5. Business Engineering	1 st 12 months	R 670 000,00
6. Payday	1 st 12 months	R 341 033,00
7. IMQS	1 st 12 months	R 216 646,96
8. Bytes System Integration	1 st 12 months	R 1 247 840,87
Estimated Cost (Excluding 15% VAT)		R 4 197 871,53

Cost implications for the second and third year can only be established on a yearly basis as costs are influenced by inflation and other factors. The cost implications will be reported to Council on a yearly basis.

6.5 Legal Implications

Section 116 (3) of the MFMA requires the Municipality to follow a process before it may only make changes to contract(s) entered into through the Supply Chain Process. It provides for a notification to the public of the intention to make changes to the contracts, invite the public to provide comments and consider the input, if any, before a final decision on the changes to the contracts are made. The recommendations of the item comply with the requirements.

6.6 Staff Implications

No additional staff is needed to implement the recommendations.

6.7 Previous / Relevant Council Resolutions:

The Council approved the extension of ICT contracts through section 116(3) to accommodate the implementation of the mSCOA project on 23 November 2016.

6.8 Risk Implications

The recommendations of this item manage the risks associated with the ICT contracts coming to an end on 30 June 2018. Should changes not be made to the contracts to allow for the continuation of the contracts the Municipality will not have the necessary systems to ensure optimal functioning.

6.9 Comments from Senior Management:

The item was discussed at the Director's meeting and Directors' inputs are contained in the report.

6.9.1 Chief Financial Officer:

Finance supports the three year extension with 6 months' notice option.

Orders must be issued for only a year at a time or 6 months later on depending on the system way forward

6.9.2 Municipal Manager:

Agree with the recommendations

ANNEXURES:

Appendix 1: Council resolution dated 23 November 2016.

Appendix 2: Public Notice

NAME	A M C de Beer
POSITION	Director: Corporate and Strategic Services
DIRECTORATE	Corporate and Strategic Services
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REPORT DATE	19 March 2018

ANNEXURE 1

7.2.2	BUSINESS CASE FOR RESEARCH AND ASSESSMENT OF AN ALTERNATIVE ICT ENTERPRISE RESOURCE PLAN SOLUTION (ERP)
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1. PURPOSE OF REPORT

To provide recommendations to Council on the outcome of the research and assessment that was conducted by Zimele Technologies for an alternative Enterprise Resource Planning (ERP) solution in compliance with National Treasury system requirements.

2. BACKGROUND

An Enterprise Resource Planning (ERP) system is an application that replaces many standalone systems of individual departments – such as finance, budget, procurement, customer billing, project accounting, grants management, payroll and human resource management. It integrates the functions into a single, automated system that runs off a single database.

On the 30 March 2016, Council took a strategic resolution to extend all ICT contracts for only six (6) months pending research and assessment of alternative ERP solution in compliance with National Treasury requirements.

Subsequently, Zimele was appointed through the proper SCM tender process to conduct the research and assessment of an alternative ERP solution and produce a business case for Council approval and all ICT contracts were approved for 6 months from (1 July 2016 – 31 December 2016).

4TH COUNCIL MEETING: 2016-11-23: ITEM 7.2.2**RESOLVED** (majority vote)

- (a) that the new central government regulation e.g. the Municipal Standard Charter of Accounts (mSCOA) that has also recommended that the Stellenbosch Municipality relook the efficiency and effectiveness of the current ICT systems in order to comply with the regulations, **be noted**;
- (b) that Council approves that the Accounting Officer proceed in terms of the process plan to investigate an ERP solution for the municipality and that he does that in alignment with the letter from Provincial Treasury, Western Cape Government, dated 2016-10-26, attached hereto as **APPENDIX 2**.
- (c) that Council takes note that the Accounting Officer will provide, as a baseline, a comparative analysis with a proposed project plan and implementation timelines from at least 3 municipalities of similar size that have implemented an ERP system and subsequently report on progress made in the procurement of an ERP system by the 30 June 2017;
- (d) that Council amends all current ICT contracts through Section 116 (3) for 18 months (starting from the 1 January 2017 to 30 June 2018) to ensure mSCOA compliance by 1 July 2017, whilst testing the market for an ERP system, and work towards a go-live and roll-out of the said system by 1 July 2018; and

- (e) that Council reprioritizes the existing ICT budget allocation to provide funding for the new ERP system.

The following Councillors requested that their votes of dissent be minuted:

Councillors GM Bakubaku-Vos (Ms); FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); LM Maqeba; RS Nalumango (Ms); N Sinkinya (Ms) and P Sitshoti (Ms).

Meeting: Ref No:	4 th Council: 2016-11-23 4/5/8/4	Submitted by Directorate: Author: Referred from:	Strategic & Corp Services B Mkaza Mayco: 2016-11-16
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ANNEXURE 2



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

AMENDMENTS TO LICENSE AND SUPPORT CONTRACTS FOR ICT RELATED SYSTEMS AND SERVICES

ADVERTISED IN: MUNICIPAL NOTICE BOARD, MUNICIPAL WEBSITE, EIKESTAD NUUS, CAPE ARGUS, BURGER

DATE PUBLISHED: **NOTICE NO :**

In terms of the Municipal Finance Management Act, Act 56 of 2003, Section 116(3)(b), notice is hereby given of the proposed amendment of the contract below:

CONTRACT NO:	DESCRIPTION	REASON FOR AMENDMENT
DEPARTMENT:	STRATEGIC & CORPORATE SERVICES	
INFORMATION & COMMUNICATION TECHNOLOGY SERVICES	<ul style="list-style-type: none"> • ABC (Evaluations & Rates) • AVALON (Network Management) • Business Engineering (Collaborator) • Bytes Universal (SAMRAS) • CATS (Meter Reading) • IGNITE (Performance Management) • IMQS (Infrastructure & Assets) • PAYDAY (HR & Payroll) 	<p>With the implementation of mSCOA, Stellenbosch Municipality would like to reassess the functional viability and cost effectiveness to integrate the various business application systems into a Single Integrated Business Application System (ERP) that is mSCOA complaint.</p> <p>In order to do this, the current ICT Contracts are to be extended by 36 months (starting 1 July 2018 – ending 30 June 2021)</p>

1. The public is hereby invited to submit written presentations to the municipality for the extension of all ICT systems from 1 July 2018 – 30 June 2021.
2. Any person, who cannot write, may come to the municipality, where the staff member of the municipality, named below, will assist that person to transcribe that person's comments or representations, during office hours.
3. Comments and supporting documents may be placed in a sealed envelope and externally endorsed with "**RESPONSE TO NOTICE OF AMENDMENTS TO CONTRACTS FOR LICENSE AND SUPPORT AGREEMENTS FOR ICT RELATED SYSTEMS AND SERVICES**". , and be deposited in the Tender Box, at the office of the, **The Supply Chain Management Unit, Stellenbosch Municipality, 1st Floor, Room no.121, Plein Street, Stellenbosch**, or by post, addressed to: **The Municipal Manager, Stellenbosch Municipality, PO Box 17, Stellenbosch, 7599**, not later than the closing date and time.

CLOSING DATE:		AT THE TIME:	12H00
ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:		ANY ENQUIRIES REGARDING THE COMMENT PROCEDURE MAY BE DIRECTED TO:	
Section:	Information & Communication Technology Services	Section:	Supply Chain Management
Contact Person:	Mr. B Mkaza	Contact Person:	Mr. D Jacobs
Tel:	E-mail enquiries only	Tel:	E-mail enquiries only
Email:	brian.mkaza@stellenbosch.gov.za	Email:	<Dalleel.Jacobs@stellenbosch.gov.za
Authorized by:	MUNICIPAL MANAGER	MUNICIPAL MANAGER	GERALDINE METTLER

7.2.3	TABLING OF DRAFT REVIEW OF THE FOURTH GENERATION IDP (2017/18 – 2021/2022)
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Collaborator No:

File No

9/1/2/4/2017-2018 – 2021-2022

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

22/03/2018

1. SUBJECT:

TABLING OF DRAFT REVIEW OF THE FOURTH GENERATION IDP (2017/18 – 2021/2022)

2 PURPOSE

To provide an opportunity to consider the first Draft Review of the Fourth Generation IDP (2017 – 2022).

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL.

In terms of Section 34 of the Local Government: Municipal Systems Act 32 of 2000 prescribes that the municipal council:–

“(a) must review its integrated development plan-

(i) annually in accordance with an assessment of its performance measurements in terms of section 41; and

(ii) to the extent that changing circumstances so demand”.

4. RECOMMENDATIONS

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.2.3

RESOLVED

That it be recommended to Council:

- (a) that the draft First Review of the Fourth Generation IDP (2017/18 – 2021/2022) for Stellenbosch Municipality be tabled in terms of section 34 of the Municipal Systems Act No 32 of 2000 for the purposes of obtaining public inputs and comments;
- (b) that the draft First Review of the Fourth Generation IDP (2017/18 – 2021/2022) be advertised for public inputs and comments during April 2018;
- (c) that the draft First Review of the Fourth Generation IDP (2017/18 – 2021/2022) be submitted to the Department of Local Government, Provincial Treasury, National Treasury and the Cape Winelands District Municipality;
- (d) that the draft First Review of the Fourth Generation IDP (2017/18 – 2021/2022) be submitted to Council before the end of May 2018 for final approval; and

- (e) that the proposed SDF amendments in the IDP be taken through an intensive public participation process.

5 DISCUSSION / CONTENTS

5.1 Background

In terms of the provisions of Local Government: Municipal Systems Act of 2000, each Council must, within the prescribed period after the start of its elected term, adopt a single, inclusive, strategic plan for the development. The Fourth Generation IDP was adopted by the new council on 31 May 2017 for the period 2017/18 – 2021/2022.

The first draft review of the Fourth Generation IDP (2017/18 – 2021/2022) will be tabled in council on 28 March 2018. The proposed SDF amendments in the IDP be taken through an intensive public participation process.

5.2 Discussion

A Process Plan and Time Schedule were approved by Council in August 2017 for the compilation of the draft Review of the Fourth Generation IDP (2017/18 – 2021/2022).

The following processes were followed:

DATE	ACTION(S)
August 2017	<ul style="list-style-type: none"> Approval of IDP/Budget/SDF Process Plan and Time Schedule.
September - November 2017	<ul style="list-style-type: none"> Mayco and Top Management Engagements were held on the broad focus of the IDP. Engagements focused on establishing a shared understanding, and agreement on the purpose, focus and public participation process to be followed in compiling the IDP. Community meetings were held in all 22 wards, focusing on the feedback and prioritization of needs.
December 2017	<ul style="list-style-type: none"> Extensive administrative engagements were held to obtain inputs and refine goals, focus areas, and objectives in preparation of IDP/Budget compilation and SDBIP inputs. Performance Analysis; Financial Analysis; and Organizational (Gap) Analysis were conducted.
January - February 2018	<ul style="list-style-type: none"> Mayco and top management confirmed goals and focus areas and provided direction on predetermined objectives. Ward Plan update meetings were held to confirm the priorities per ward.
March 2018	<ul style="list-style-type: none"> Mayco and Council to consider the draft IDP and Budget.

The following actions will contribute to the finalisation of the First Review of the Fourth Generation IDP (2017/18 – 2021/2022):

DATE	ACTION(S)
April 2018	<ul style="list-style-type: none"> Public consultation on the draft IDP, Budget and SDF in the form of community meetings. SDF, IDP and Budget Alignment
May 2018	<ul style="list-style-type: none"> Submission to IDP/Budget Steering Committee Meeting to consider IDP and Budget Submission of final IDP to Mayco and Council for adoption.
June 2018	<ul style="list-style-type: none"> Submit final IDP to Provincial Government Approval of SDBIP by the Executive Mayor within 28 days after adoption of the IDP and Budget

The following table outlines the changes that were effected in the 1st Review of the Fourth Generation IDP (2017/18 – 2021/2022):

CHAPTER	REVIEW
Foreword of the Mayor	<ul style="list-style-type: none"> The Forward of the Mayor changed to take into account changes in the social, political and economic conditions
Overview of the Municipal Manager	<ul style="list-style-type: none"> Overview of the Municipal Manager changed to take into account changes in the social, political and economic conditions
Chapter 1 Introduction	<ul style="list-style-type: none"> Second year process was updated with the latest dates.
Chapter 2	<ul style="list-style-type: none"> The State of the Greater Stellenbosch Area has been updated with the latest statistics The Socio Economic Conditions has been updated taking into consideration changes in the social, political and economic conditions.
Chapter 3	<ul style="list-style-type: none"> Spatial Development Framework for the Greater Stellenbosch Area
Chapter 4	<ul style="list-style-type: none"> The Macro structure changed due to the Organisational Redesign that was approved in Council in September 2017. The Audit Committee table changed to take into account the filling of vacant posts in the committee.
Chapter 5	<ul style="list-style-type: none"> The District policy direction was updated
Chapter 6	<ul style="list-style-type: none"> Public Participation Engagements was updated to highlight the greater emphasis placed on community engagements The priorities table has been revised to reflect the changes in priorities as identified by the community.
Chapter 7	<ul style="list-style-type: none"> The following sector plans has been updated: <ul style="list-style-type: none"> Integrated Zoning Scheme Tangible Heritage Inventory and Management Integrated Human Settlement Plan Integrated Waste Management Plan Disaster Management Plan Community Development Strategy Central Integrated Transport Plan Spatial Development Framework
Chapter 8	<ul style="list-style-type: none"> The Financial Plan Draft Budget updates IDP and capital budget alignment
Chapter 9	<ul style="list-style-type: none"> The Top Layer Service Delivery and Budget Implementation Plan (SDBIP) was updated.

After tabling of the First Review of the Fourth Generation IDP (2017/18 – 2021/2022) by MAYCO and Council, the draft IDP will be published for public comment and submissions. The final document will be submitted to Council for approval by the end of May 2018 in line with the regulatory prescripts.

5.3 Financial Implications

The IDP and the Budget have been aligned, taking into account ward priorities and public needs identified through the public participation engagements outlined above.

5.4 Legal Implications

The recommendations in this report comply with Council's policies and all applicable legislation.

5.5 Staff Implications

This report has no staff implications to the Municipality.

5.6 Previous / Relevant Council Resolutions:

The adoption of the Fourth Generation Integrated Development Plant that was approved in the Council meeting on 31 May 2017.

5.7 Risk Implications

This report has no risk implications for the Municipality.

5.8 Comments from Senior Management:**5.8.1 Director: Infrastructure Services**

NOTED

5.8.2 Director: Planning and Economic Development

NOTED

5.8.3 Director: Community and Protection Services:

NOTED

5.8.4 Director: Corporate Services:

NOTED

5.8.5 Director: Financial Services:

No comments received

5.8.6 Municipal Manager:

NOTED

ANNEXURES: (UNDER SEPARATE COVER)

Annexure A: Draft Review of the Fourth Generation IDP (2017/18 – 2021/2022).

7.2.4	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON THE ANNUAL REPORT 2016/17
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Collaborator No:

File No

3/5/3/5

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

22 March 2018

1. **SUBJECT:**
MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON THE ANNUAL REPORT 2016/17

2. **PURPOSE**

The purpose of the report is:

- (i) to enable the MPAC/Oversight Committee to execute its oversight responsibility in considering the Stellenbosch Municipality's Annual Report for 2016/17 as required in terms of Section 129(1) of the MFMA, Act 56 of 2003; and
- (ii) to recommend to Council on the approval of the Annual Report 2016/17 **(distributed under separate cover as APPENDIX 1)**.

3. **DELEGATED AUTHORITY**

FOR DECISION BY MUNICIPAL COUNCIL.

In terms of Section 129 (1) of the Municipal Finance Management Act (MFMA), (Act No 56 of 2003) *"The council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of section 127, adopt an oversight report containing the council's comments on the annual report, which must include a statement whether the council-*

- (a) *has approved the annual report with or without reservations;*
- (b) *has rejected the annual report; or*
- (c) *has referred the annual report back for revision of those components that can be revised."*

4. **EXECUTIVE SUMMARY**

The draft Annual Report for the 2016/17 financial year was referred by Council to the MPAC which will fulfil the functions of the Oversight Committee. The appointment and mandate of the MPAC/Oversight Committee were informed by the MFMA Circular 32 of 2006.

A high level of objectivity was displayed with the contributions of committee members as well as the two co-opted members of the Committee. The Committee was required to read through the entire document prior to the sitting. At the sitting the entire Draft Annual Report was scrutinised, per chapter, over a period of 7 days of scheduled meetings.

5. RECOMMENDATIONS**SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.2.4****RESOLVED****That it be recommended to Council:**

- (a) that the Council, having fully considered the Annual Report of the Municipality and representations thereon, adopts the Oversight Report 2016/17; and
- (b) that Council approves the Annual Report 2016/17 without reservations.

6. DISCUSSION**6.1 Background**

The issues emanating from the discussions on the various chapters of the Annual Report were captured and filtered through for responses by the administrative leadership. The comprehensive questionnaire with the corresponding responses provided by the Administration is attached as **APPENDIX 2**.

Adverts were placed in the local media and municipal website and hard copies were delivered to libraries and ward offices. No written or verbal responses were received from the public upon the closing date of 22 February 2018.

The MPAC Oversight Report, inclusive of the recommended remedial actions, is attached as **APPENDIX 3**.

Attendance registers of MPAC/Oversight Meetings as scheduled are attached as **APPENDIX 4**.

6.2 Legal Implications

The recommendations in this report comply with Council's policies and all applicable legislation.

6.3 Previous / Relevant Council Resolutions:

The 15th Council Meeting of the Council of Stellenbosch Municipality dated 24 January 2018.

ANNEXURES:

- Annual Report 2016/17 (Appendix 1) **(under separate cover)**;
- Comprehensive questionnaire (Appendix 2);
- MPAC/Oversight Report (Appendix 3);
- Attendance registers of the MPAC/Oversight Meetings (Appendix 4)

ANNEXURE 2

Annual report 16/17

Chapter 1

Matter arising from the Chapter		Dept.	Response
	<i>Pages as numbered in the Annual report</i>		
7	Where anything placed on the water crisis?		Refer to page 7 – the MM and Mayors summary
7	Throughout this process we have relied on public participation to guide us in how to best address their needs, but it remains a challenge to motivate foster public to partake involvement.		Noted - Rectified
12	Has the vision changed and table d at Council. How much impact has it made on the vision and mission		Yes it changed slightly but it is wider than addressing not only a vision and mission
12	Was it (vision) consulted with the community?		Vision came from the process in the 2016 and the inauguration with the new Council
18	Demographic – the breakdown is relatively broken down. I am a bit worried about the growth of the town. Can the MM have a look into the growth of the town		We are bound by the statistics from StatsSA. The municipality has started a process with StatsSA since the students are not being taken into account.
18	Annual Financial Statements, and is free of material errors		Noted - Rectified
18	IT needs to be unpacked to more detail to allowed the identification of the strategic risks		Noted - Rectified
14	Ward 9 – Misprint – figures to be rechecked	822	Noted - 822 - Confirmed correct as per 2011 census.
14	Mjandana street is required in the description of ward 14		Noted- Rectified
14	Groendal to move to ward 2		Noted - Rectified
17	Reduction of refuse removal why less than -1.5%		The statistic are provided by the Western Cape Government province having in mind the growth of the Municipal area
18	Population by gender must be only gender		Noted - Rectified
19	The availability of adequate education facilities such as schools, FET colleges and schools equipped with libraries and media centres could affect academic outcomes positively. Add a sentence to give the role of the Municipality		Noted
24	Table 7 – How was the 2.8% calculated? The biggest source of energy for lighting purposes in Stellenbosch municipal area in 2016 was electricity. However, “2.8 per cent” of households make use of	Provincial Government	<i>Province gave clarity via Nadia Rinquest:</i> the total number of households for Stellenbosch is 52 374. Under the Electricity sources, you will see a figure of 1 467 for ‘Other sources’ of electricity. The 2.8% is calculated at 1467/52374 x100. There is no way to determine how many of the households are strictly using solar power vs other means from this data set unfortunately.

Matter arising from the Chapter		Dept.	Response																																													
	other sources of energy, i.e. sources which they do not pay for, generators, Solar home systems, battery, and no access to electricity.																																															
25	Alarming, a total of 988 households (1.9 per cent of total households) within Stellenbosch still have to make use of other sanitation services i.e. to toilet facilities other than flushed and chemical (i.e. pit latrine, ecological toilets, bucket toilets or none).		There are no bucket systems in households controlled by the municipality. Municipality however have no control over provision of access on farms.																																													
36	All citizens' rights to access to healthcare services are directly affected by the number and spread of facilities within their geographical reach. South Africa's healthcare system is geared in such a way that people have to move from primary, with a referral system, to secondary and tertiary levels.		Remove the word "to" - Noted- Rectified																																													
37	The number of 41 clinics. How does it tie up with the 47 clinics?		<table border="1"> <thead> <tr> <th>Number of PHC clinics - fixed</th> <th>Number of PHC clinics - non-fixed (mobiles)</th> <th>Number of PHC clinics - non-fixed (Satellites)</th> <th>Community Health Centres</th> <th>Community Day Centres</th> <th>Total number of PHC facilities (Fixed Clinics, CHCs and CDCs)</th> </tr> </thead> <tbody> <tr> <td>Breede Valley M</td> <td>6</td> <td>5</td> <td>4</td> <td>0</td> <td>1</td> </tr> <tr> <td>Drakenstein M</td> <td>13</td> <td>6</td> <td>0</td> <td>0</td> <td>3</td> </tr> <tr> <td>Langeberg M</td> <td>7</td> <td>6</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Stellenbosch M</td> <td>7</td> <td>5</td> <td>2</td> <td>0</td> <td>1</td> </tr> <tr> <td>Witzenberg M</td> <td>8</td> <td>6</td> <td>0</td> <td>0</td> <td>1</td> </tr> <tr> <td>Sub-total</td> <td>41</td> <td>28</td> <td>6</td> <td>0</td> <td>6</td> </tr> </tbody> </table>				Number of PHC clinics - fixed	Number of PHC clinics - non-fixed (mobiles)	Number of PHC clinics - non-fixed (Satellites)	Community Health Centres	Community Day Centres	Total number of PHC facilities (Fixed Clinics, CHCs and CDCs)	Breede Valley M	6	5	4	0	1	Drakenstein M	13	6	0	0	3	Langeberg M	7	6	0	0	0	Stellenbosch M	7	5	2	0	1	Witzenberg M	8	6	0	0	1	Sub-total	41	28	6	0	6
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39	How are the projects such as planting of trees and Moloks being sustained as a highlight? I can also see that the Bill and Belinda Gates foundation are mentioned	Engineering Community Services	The planting of trees is a highlight since it works against the climate change. Trees releases more Oxygen into the air.																																													
39	Why is the fillings of engineering posts a highlight?		MM-The posts were filled to improve service delivery																																													
40	Credit is given by Cllr Johnson for the 100% MIG expenditure		Noted																																													

Matter arising from the Chapter	Dept.	Response																																																																				
41	Langrug survey "rows "to be merged	Noted - Rectified																																																																				
42	Kayamandi (193 top structure) "Basic service delivery highlight - Construction of 167 houses"167 houses – Are they done and people are living in it?	<p>193 top structures were planned for 2016/17, but only 167 houses was completed in 2016/17.</p> <p>A comprehensive report was received of damages of houses in the Jamestown area.</p> <p>The following erven were inspected by</p> <table border="1" data-bbox="1137 363 2040 997"> <thead> <tr> <th colspan="2" data-bbox="1137 363 1592 427">The General Auditors & BSP Consulting Engineers</th> <th colspan="2" data-bbox="1592 363 2040 427">Jamestown EXTRA Units Inspected by BSP Consulting Engineers</th> </tr> <tr> <th colspan="2" data-bbox="1137 427 1592 459">Erf Numbers</th> <th colspan="2" data-bbox="1592 427 2040 459">Erf Numbers</th> </tr> </thead> <tbody> <tr> <td data-bbox="1137 459 1240 496">981</td> <td data-bbox="1240 459 1592 496"></td> <td data-bbox="1592 459 1695 496">1000</td> <td data-bbox="1695 459 2040 496">984</td> </tr> <tr> <td data-bbox="1137 496 1240 533">1001</td> <td data-bbox="1240 496 1592 533"></td> <td data-bbox="1592 496 1695 533">1002</td> <td data-bbox="1695 496 2040 533">985</td> </tr> <tr> <td data-bbox="1137 533 1240 569">1019</td> <td data-bbox="1240 533 1592 569"></td> <td data-bbox="1592 533 1695 569">1003</td> <td data-bbox="1695 533 2040 569">986</td> </tr> <tr> <td data-bbox="1137 569 1240 606">1035</td> <td data-bbox="1240 569 1592 606"></td> <td data-bbox="1592 569 1695 606">1004</td> <td data-bbox="1695 569 2040 606">987</td> </tr> <tr> <td data-bbox="1137 606 1240 643">1056</td> <td data-bbox="1240 606 1592 643"></td> <td data-bbox="1592 606 1695 643">1005</td> <td data-bbox="1695 606 2040 643">992</td> </tr> <tr> <td data-bbox="1137 643 1240 679">1075</td> <td data-bbox="1240 643 1592 679"></td> <td data-bbox="1592 643 1695 679">1012</td> <td data-bbox="1695 643 2040 679">992</td> </tr> <tr> <td data-bbox="1137 679 1240 716">1118</td> <td data-bbox="1240 679 1592 716"></td> <td data-bbox="1592 679 1695 716">1019</td> <td data-bbox="1695 679 2040 716">1066</td> </tr> <tr> <td data-bbox="1137 716 1240 753">1120</td> <td data-bbox="1240 716 1592 753"></td> <td data-bbox="1592 716 1695 753">1020</td> <td data-bbox="1695 716 2040 753">1067</td> </tr> <tr> <td data-bbox="1137 753 1240 790">1126</td> <td data-bbox="1240 753 1592 790"></td> <td data-bbox="1592 753 1695 790">1032</td> <td data-bbox="1695 753 2040 790">1074</td> </tr> <tr> <td data-bbox="1137 790 1240 826">1131</td> <td data-bbox="1240 790 1592 826"></td> <td data-bbox="1592 790 1695 826">1033</td> <td data-bbox="1695 790 2040 826">1076</td> </tr> <tr> <td></td> <td></td> <td data-bbox="1592 826 1695 863">1034</td> <td data-bbox="1695 826 2040 863">1077</td> </tr> <tr> <td></td> <td></td> <td data-bbox="1592 863 1695 900">1038</td> <td data-bbox="1695 863 2040 900">973</td> </tr> <tr> <td></td> <td></td> <td data-bbox="1592 900 1695 936">1039</td> <td data-bbox="1695 900 2040 936">974</td> </tr> <tr> <td></td> <td></td> <td data-bbox="1592 936 1695 973">1042</td> <td data-bbox="1695 936 2040 973">1056</td> </tr> <tr> <td></td> <td></td> <td data-bbox="1592 973 1695 997">1043</td> <td data-bbox="1695 973 2040 997">1057</td> </tr> </tbody> </table>	The General Auditors & BSP Consulting Engineers		Jamestown EXTRA Units Inspected by BSP Consulting Engineers		Erf Numbers		Erf Numbers		981		1000	984	1001		1002	985	1019		1003	986	1035		1004	987	1056		1005	992	1075		1012	992	1118		1019	1066	1120		1020	1067	1126		1032	1074	1131		1033	1076			1034	1077			1038	973			1039	974			1042	1056			1043	1057
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42	The Chairperson, Cllr. WF Pieterse wants to thank the Mayor for the investment in the youth since they are our future.	Noted																																																																				
41	Can we get information on the detail of the Mayoral bursaries and can we address internships	Community Development	<p>The Youth Skills Development Programme is an annual programme and forms the basis of Stellenbosch Municipality's contribution to the annual Youth Day celebrations.</p> <p>The programme was done through formal FQ processes in the 16/17 financial year, but with the new SCM processes has been changed to a tender.</p> <p>For each round of intakes in this programme an advertisement is placed in</p>																																																																			

Matter arising from the Chapter	Dept.	Response
		<p>the local newspapers and it is also communicated through notices at libraries, ward offices and the ward councillors. The service provider do the selection of participants according to the minimum requirements per course and select the best candidates through an application, interviewing and testing process.</p> <p>We are happy to report that all but one of the youth who completed the Table Attendant Course were able to obtain employment in the hospitality industry.</p>
42	Rerwording of Teamwork; Supervision; Franschoek	Noted - Rectified
42	Why are some of the vehicles branded " Vehicles "Provincial Government Western Cape"	<p>Community Protection</p> <p>Due to a shortage of vehicle fleet the municipality has signed a SLA with GMT for the hiring of vehicles from Western Cape Government at a very competitive rate.</p> <p>Has the shortage of vehicles at Stellenbosch been addressed? What is the correct situation of cars that are not used on a daily basis?</p> <p>The municipality look at the needs identified to avoid fruitless expenditure. Vehicles that are not used on a daily basis will be combined in a fleet. Departments will then have to book vehicles when needed.</p>
44	EPWP need to be capital letters	Noted - Rectified
44	These are the total Proportion of Households with access to Basic Services	These are StatsSA totals for the past. Place a reference that the info comes from StatsSA.
45	Debt coverage (total operating revenue - operating grants received): debt service payments due within the year. In 2015/16 it was 64.13. "Debt coverage is in 2016/17 = to 4.95" Why the huge gap?	<p>Finance</p> <p>The correct debt coverage for 2016/2017 is 41.29</p> <p>Calculation: $(1,519,122,990 - 216,896,062) / 31,535,190 = 41.29$</p>
45	<p>The Regional Bulk Infrastructure Grant (RBIG) grant. No Municipal Systems Improvement Grant (MSIG) for the 2016/17 financial year. It has been mentioned on page 45 that we have not receive reduction in grants:</p> <p>What were the loss in Rands (R) for not receiving/limited receiving the following grants</p> <ul style="list-style-type: none"> Regional Bulk Infrastructure Grant 	<p>Finance</p> <p>During 2015/16 the MSIG was R930,000. From 2016/17 no MSIG was awarded to municipalities.</p> <p>The RBIG reduced, because the RBIG was awarded for the extension of the Stellenbosch Waste Water Works and this multi-year project is nearly completed. A larger portion of the grant for this project was utilized during the previous year.</p>

Matter arising from the Chapter	Dept.	Response
	(RBIG) grant = <ul style="list-style-type: none"> • Municipal Systems Improvement Grant (MSIG) 	
45	Revenue Leakage – clarify	<p>Refers to income that cannot be received ie. Water leakages in pipes. An integrated revenue enhancement approach is followed to combat leakages.</p> <p>We installed the new water-meter management device system at the new houses of human settlements. They regulate the amount of water usage by the homeowners</p> <p>We have installed the following devices at:</p> <ul style="list-style-type: none"> • Jamestown 162 devices; and • Kayamandi 167 devices <p>Municipality is in the process of installing water demand management meters, however, it is very costly. Most water leakages are deemed to happen on the side of the property.</p> <p>Municipality is in the process of doing an audit to check if meters are being by-passed. Water worriers will also be going around town to check for water transgressors.</p>
46	F should be changed to (G) and then must be (i)	Noted - Rectified
46	R000 should be removed	Noted - Rectified
46	All the tables should have numbers	Noted - Rectified
46	Employee cost is below the national norm of between 35% to 40%, representing a positive outcome, Repairs and maintenance are below the norm, which indicates that expenditure on repairs and maintenance would have to be increased in future budgets to properly maintain Council's assets. Finance charges are 14% lower than the norm of 15%, this can be attributed mainly to our ability to fund our capital programmes to some extent from our own sources (CRR) and not external finance. What is the norm?	Finance to recheck statement
		Norm for Own Funded Capital Expenditure (Internally Generated Funds/CRR) to Total Capital Expenditure: No norm is proposed at this time. The funding mix for capital expenditure is dependent on the municipal policy and ability to raise revenue from different sources. Increased capacity for internally generated funding is required in some circumstances, which could also improve the balance in funding sources.
50	Graphs needs a heading and number.	Noted - Rectified

Matter arising from the Chapter		Dept.	Response
50	Word spelling - vehicles		Noted - Rectified
51	Recycling survey – to be rechecked for a word version	Solid Waste	Only available in survey format
58	Remove graph on the page.		Noted - Rectified

Chapter 2

Matter arising from the Chapter		Department	Response
62	85.08% is an improvement of 79.74%		Noted
65	WF Pietersen to be notes as Full time MPAC Chairperson		Noted - Rectified
71	Recheck Councillors names	Committee Services	The information contained in the Annual Report is correct. Blanc statements should not be accepted. If information on a specific councillor is incorrect it should be pointed out per incorrect fact.
75	Youth sport and Culture – Confirmation is required if it is 5 items or 5 reports that has been tabled.	Council support	Reports are tabled as an annexure to an item that is on the Council agenda. So it is both – 5 items and 5 reports.
90	N Bhayibhile must be Tolabisa	Councillor	Noted - Rectified
94	Check sentence - The annually budgets for the reimbursement of out-of-pocket expenses for members of ward committees in respect of their participation in ward committees subject to certain criteria as approved by Council on 20 June 2012 and revised by Council on 28 October 2015.	Council support	The sentence should be corrected in the final document: The annual budget for the reimbursement of out-of-pocket expenses for members of ward committees, in respect of their participation in ward committees, was approved by Council on 20 June 2012 and revised by Council on 28 October 2015. To qualify for reimbursement certain criteria, as contained in the policy, must be met.
94	There are 9 wards who did not have public meetings. Thirteen (13) wards had public meetings. Why did only 5 wards provide minutes to the Speaker	Council support	The correction that should be made is as follows: Thirteen (13) wards did not have public meetings. Fourteen wards did have public meetings, but not all provided their minutes to the administration. The ward administrators were capacitated as they were new appointments to address the issue of minutes of ward committee meetings.
95	Ward 14 did have public meeting but it is not indicated. Kindly confirm	Council support	The information is correctly indicated in the annual report Ward 14 did not have a public meeting in the period under review (January to June 2017). Should the councillor have proof of the public meeting the minutes was not submitted to administration. Should it be provided with a

			reason why it was not provided before the information will be corrected.	
95	Can the risk be added in percentage		We can arrange the colour grids	
98	Critical must be in red Table 98		Noted - Rectified	
85	Table 76 Winnifred must be Willhelmina		Noted - Rectified	
105	Quarterly Key Control Reviews must be ticked and needs to be a tick only		Noted - Rectified	
109	B/SM 01/17/ B/SM 10/17/ B/SM14/17 – Can we have a list of all the suppliers related to the tenders	Supply Chain Management	81/17	Civils 2000
			56/17	WF Construction
			01/17	Actom
				Conlog
				Industrial poles and masts
				Landis & Gyr
				Park Boulevard
				Powercom
				PPS
				Zonart
				Aberdare
				Power process systems
				Actom
			10/17	Amandla Civils
				AMS Civils
				ATN Group
				Black on Civils
				Carpe Diem Civils
				Funda Civils

			JDK Civils																																																																	
			Martin and East																																																																	
			Nammic Western Cape																																																																	
			NDG Construction																																																																	
			ROK Civils																																																																	
			Victory Ticket 695																																																																	
		14/17	Traffic management technologies																																																																	
110	Eight (8) objections – what is the status of the objections	Supply Chain Management	<table border="1"> <thead> <tr> <th>Qty</th> <th>Date</th> <th>Bid number</th> <th>Company complained</th> <th>Date sent to Legal</th> <th>Response date from Legal</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>26.07.2016</td> <td>BSM105 16</td> <td>Carbon Reduction</td> <td>27.07.2016</td> <td>23.09.2016</td> </tr> <tr> <td rowspan="2">2</td> <td>20.09.2016</td> <td>BSM06 17</td> <td>CBD cleaning</td> <td>21.09.2016</td> <td>13.10.2016</td> </tr> <tr> <td>27.09.2016</td> <td>BSM06 17</td> <td>Infonetix</td> <td>21.09.2016</td> <td>14.10.2016</td> </tr> <tr> <td>3</td> <td>14.12.2016</td> <td>BSM7 17</td> <td>Nexus Forensic Services</td> <td>03.01.2017</td> <td>13.01.2017</td> </tr> <tr> <td>4</td> <td>13.02.2017</td> <td>BSM10 17</td> <td>Road and Storm water</td> <td>13.02.2017</td> <td>27.02.2017</td> </tr> <tr> <td>5</td> <td>20.02.2017</td> <td>BSM04 17</td> <td>Traffic signals</td> <td>20.02.2017</td> <td>27.02.2017</td> </tr> <tr> <td>6</td> <td>05.05.2017</td> <td>BSM60/17</td> <td>Demographic survey</td> <td>05.05.2017</td> <td>19.07.2017</td> </tr> <tr> <td>7</td> <td>26.06.2017</td> <td>BSM43 17</td> <td>Tracking services</td> <td>26.06.2017</td> <td>28.06.2017</td> </tr> <tr> <td rowspan="2">8</td> <td>27.06.2017</td> <td>BSM75 17</td> <td>Banking Standard Bank</td> <td>10.07.2017</td> <td>02.08.2017</td> </tr> <tr> <td>11.07.2017</td> <td>BSM75 17</td> <td>Banking ABSA</td> <td>11.07.2017</td> <td>24.07.2017</td> </tr> </tbody> </table>	Qty	Date	Bid number	Company complained	Date sent to Legal	Response date from Legal	1	26.07.2016	BSM105 16	Carbon Reduction	27.07.2016	23.09.2016	2	20.09.2016	BSM06 17	CBD cleaning	21.09.2016	13.10.2016	27.09.2016	BSM06 17	Infonetix	21.09.2016	14.10.2016	3	14.12.2016	BSM7 17	Nexus Forensic Services	03.01.2017	13.01.2017	4	13.02.2017	BSM10 17	Road and Storm water	13.02.2017	27.02.2017	5	20.02.2017	BSM04 17	Traffic signals	20.02.2017	27.02.2017	6	05.05.2017	BSM60/17	Demographic survey	05.05.2017	19.07.2017	7	26.06.2017	BSM43 17	Tracking services	26.06.2017	28.06.2017	8	27.06.2017	BSM75 17	Banking Standard Bank	10.07.2017	02.08.2017	11.07.2017	BSM75 17	Banking ABSA	11.07.2017	24.07.2017	
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111	Table 113 - Why is there an increase from 26 to 54 in the second row but the two last columns indicates a minus – 61.76% and -51.86%	Supply Chain Management	This must be corrected The -51.86% must change to +107.77%																																																																	
115	Customer satisfaction surveys – is this the same as community satisfaction survey.		Yes, it is the same																																																																	

Chapter 3

	Matter arising from the Chapter	Department	Response
119	Highlights of the top 5 projects of the municipality		Top five projects are accounted on p110.
120	Individual Performance		Word to be removed – Noted - Rectified
120	DATE to be added under item 7.2.2		Sentence reconstructed
122	Almost met and KPI's met – description clarity required.		The calculation is made by the server. The KPI per strategic objectives calculates to 100% per strategic
123	TL 2 the description will be adjusted in the 2017/18 financial year		During the audit testing the Auditor General requested that the Actual be adjust to address their finding on the term “formal residential properties”
123	Provide free basic water in terms of the equitable share requirements to indigent account holders		It is for indigent householders for 10 kilolitres
124	CP3 – To be added in the definitions of the Annual report		Capital prioritisation programme
125	TL 34 – Taps installed Will the new houses have the new water saving taps		The taps installed was audited by the AG. Proof is available
125	TL 31 - Service sites for low cost housing development by 30 June 2017. How many was installed for ward 15	New Housing	As indicated in the Annual Report no sites were serviced. Only top-structures were built in the period under review. MPAC plans to visit this site.
126	TL 14 - The percentage of a municipality's payroll budget actually spent on implementing its workplace skills plan by 30 June 2017 ((Total Actual Training Expenditure/ Total annual payroll Budget)x100		Must be 0.94% - Noted - Rectified
129	TL – 29 - Achieve an average payment percentage of 93% by 30 June 2017 (Gross Debtors Closing Balance + billed revenue - Gross Debtors Opening Balance - Bad Debts Written Off)/Billed revenue) x 100 – “Clarify if the must be +(plus) or –(minus) bad debtors	Budget	It is minus bad debts written off. <i>Correct Formula</i> Gross Debtors Opening Balance + Billed Revenue – Gross Debtors Closing Balance - Bad Debts Written Off) / Billed Revenue x 100 Noted Corrected
129	TL – 12 Number of FTE's created by 30 June 2017 through in terms of Expended Public Works Programme Quarterly reports submitted to a Committee of Council /Mayco/Portfolio Chairperson on the process of land use applications within the Prescribed/legislated periods. Why is there a big difference between the Annual Target and the actuals achieved or has the target been set to low?	LED	The targets are calculated in line with the EPWP Grant received by the municipality. In the 16/17 financial year the total EPWP grant was R 1 758 000 and the target was 287 FTE'S (947 working opportunities. The discrepancy between the actuals achieved and the target was because the municipality overachieved by achieving 611 FTE's(1 439 working opportunities
129	TL – 36 Complete S78.3 study of service delivery options on Solid		Previous financial year 2015/16

	Waste and submit report to Portfolio Committee by 31 March		
136	Amounts columns in 136		New Kpi in 2017/18
153	TL 1 Number of Full Time Equivalent's created through the Expanded Public Works Programme by June 2018		Calculation must be a percentage 106%
154	TL 10 - Develop 2 informal trading sites by June 2018. Kindly specify the two wards numbers where these sites will be established.	LED	Cloetesville and Kayamandi. But due to a grant funding from National Department of Small Business Development it is envisaged that, Ida's Valley and Franschoek will also be completed in this financial year.
154	TL 14 - Develop and Implement the Urban Development Strategy and submit it to Council by June 2018		New Kpi in 2017/18
156	Where in ward 4 will the cameras be installed during the 17/18 financial year.	Law Enforcement	The current budget was utilized to complete the LPR camera project to equip all entrances/ exits to Stellenbosch and Franschoek. A LPR camera will be erected close to the intersection of R45. R310 at Groot Drakenstein. All other needs will have to be addressed in 2018/19 financial year subject to availability of funds.
163	TL 55 - Achieve an average payment percentage of 93% by 30 June annually (Gross Debtors Closing Balance + billed revenue - Gross Debtors Opening Balance - Bad Debts Written Off)/Billed revenue) x 100	Budget	It's minus bad debts written off. Correct Formula Gross Debtors Opening Balance + Billed Revenue – Gross Debtors Closing Balance - Bad Debts Written Off) / Billed Revenue x 100
163	TL 85 - Submission of IDP/Budget/SDF time schedule (process plan) to Council by 31 August annually		Noted for the new financial year
164	Page break to be removed		
166	The system layout is illustrated on p167.		Change "in Fig 3.6.1." to "on p167"
167	During the 2016/17 financial year, the municipality recorded 21.8% non-revenue water.		This is water for our own use that is not billed for watering sport fields.
167	Is water loss and non-revenue water the same?	Water Services	No it is not the same. Please look at table on the last page for a detailed explanation.
167	Move the table upwards		Noted - Rectified
168	If this is referred to it needs to be added with a graph: <ul style="list-style-type: none"> • The Water Master Plan, • Drought Response Plan, • Water Services Audit Report; and • The Pipe Replacement Study and Model 		Add a bullet to the last word on the list - Noted – Rectified
168	Is there a water plan and by-law?		Yes
169	We have 21.7% non-revenue water and	Water Services	21.8%

	21.8% on page 167. What is the correct percentage?		
168	The word "the" to be removed		Noted - Rectified
169	Replace the word "sector" with category		Noted - Rectified
170	Graph 8 – Age distribution to be renamed to be renamed to Monthly water consumption.		Noted - Rectified
171	Water savings is a 20% savings and later 22%. What were the correct water saving level at 30 June 2017?	Water Services	22% water saving
172	Vacancies refers to the totals in the organisation as per category. Put in organisational vacancies to give clarity to the vacancies		Noted
176	Is there a report for the water meters audit? If yes please submit a copy. R5 million	Water Services	I have received the audit documents which is currently 14 documents
179	Electricity – service level is 79.67 and 16 86.7		For 2016/17 the service level is at 86.7%
180	What are we doing to the availability of switchgear since it is imported? How can we improve forward planning and capital budget spending?	Electricity	<p>We have now gone out on a tender which is a multiyear tender (three years). So that means we will have a supplier for a period of three years, that's our forward planning strategy. This however cannot take away the issue of the equipment being an import, as long as it is within the requirements from National Treasury) as far as the portion of it being local content, which they expressed in % form.</p> <p>The economic stimulation that would enable the companies to open factories in South Africa, is unfortunately something that cannot be influenced nor controlled by this Department.</p>
182	We need to praise the Mayor with the refuse collected. Are it measured in the waste disposal and refuse collection.		Noted
205	Housing construction. Can a house owner select a service plot or a complete house upon application for housing?	New Housing	The type of housing project that the applicant applies for will determine if the beneficiary could only select a service site or a service site and top-structure. Phase 1 of the Jamestown project was approved with Top-structures (houses).
216	Is there a list of evictions that took place during 2016/17?	Housing Administration	There were 2 evictions that were finalised in the 2016/2017 financial year. The Department was also successful in recovering rental premises at 2 Reservoir Street, Franschhoek and 22 Bellerive Flats, Stellenbosch.
216	During the quarter under review the following draft Policy was submitted to the Municipal Manager: -		(add a bullet - Draft Staff Rental Housing Policy
222	In the graph the "Quarterly" evictions needs to be removed since the majority refers to annual evictions. Kindly provide an update graph.		Remove the word "quarterly" – Noted - Rectified

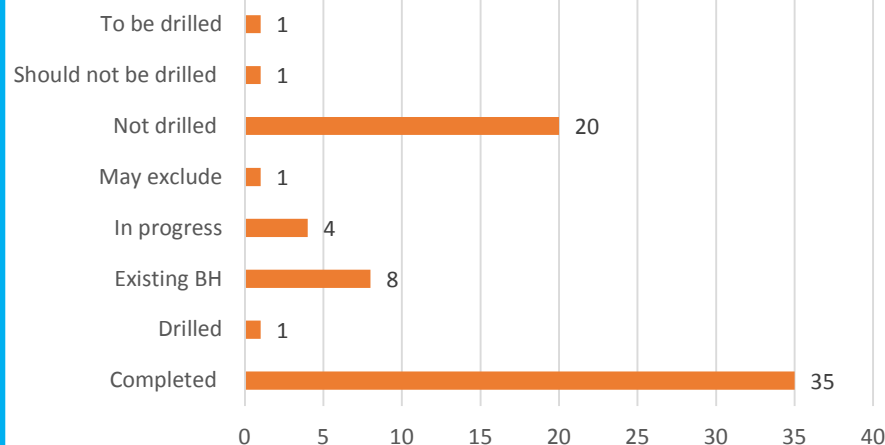
226	What the disposal cost for the Municipality during the 2016/17 year?	Property Management	No cost to the municipality, as the buyers are responsible for transfer costs.
230	What roads were rehabilitated in Klapmuts?		Top of page 234.
231	Add “w” to the word two intersections		Noted rectified
231	Strategies were developed for car sharing-, public transport- and non-motorised transport solutions. The software was developed for ride-sharing and Capitec considers the implementation of their own public transport system for their employees commuting from outside of Stellenbosch		Check for repetition
239	WC024 Spatial Development Framework. Updates were done on the SDF.		The original plan stands with the two updates. The Committee must take note that updates were made to the SDF
241	Construction Skills Training – Provide a list of the citizens that benefitted through these programmes.	Community Development	<ul style="list-style-type: none"> • Adriaanse, Dirran Duran • Cornelson, Carlo Colin • Engelbrecht, Ridwin • Fredericks, Convery Rodreques • Mndwetywa, Mpumezo • Muller, Austen Enrico • Petersen, Bevan Micheal • Silwana, Phakamisa • Spondo, Masivuye • Stevens, Jade-Lee Zerikin Bruce • Wildeman, Tashville James • Zacharek, Marco Sheldon <p>Additional information/detail will be submitted on Monday (Areas where they stay)</p> <p>Participants were selected on the basis that they were to provide proof of residents. All the participants are confirmed to be citizens from Stellenbosch</p>
241	What can be done to improve “Better interaction with from private sector to participate in Local Economic Development initiatives?”	LED	More structured engagements with the different sectors would increase the interaction Already the Mayor Meets Business interactions brought about an increased interaction between the municipality and the private sector
243	Cleaning of streets ward 14 – Was the money ward or EPWP money?	LED	Funding from the ward.
244	What is Mooiwater phase 3, and Housing Admin Kayamandi – where are the people from?	LED	This is an EPWP project where local people from the community are used to upgrade the road from gravel to permanent asphalt surfaced road. Citizens from the area who are registered from the area are used.
247	Correct wording “one-on-one”		Add “e” – Noted - Rectified

248	What is the financial split between the municipality and the library since it is an agency services for the Klapmuts area	Library Services	The book budget as well as staff salaries are paid via the libraries conditional grant monies. The municipality will have to address the issue of an operational budget in 2018/19 budget.
248	“Adam small festival “		take out the word “the”
251	The totals of burials needs to be re-checks against 15/16	Community Services	<p>STELLENBOSCH BEGRAFNISSIE 01 JULIE’15-30 JUNIE’16 478</p> <p>PNIEL BEGRAFNISSIE 01 JULIE’15-30 JUNIE’16 33</p> <p>FRANSCHHOEK BEGRAFNISSIE 01 JULIE’15-30 JUNIE’16 93</p> <p>2016/17 = 604</p>

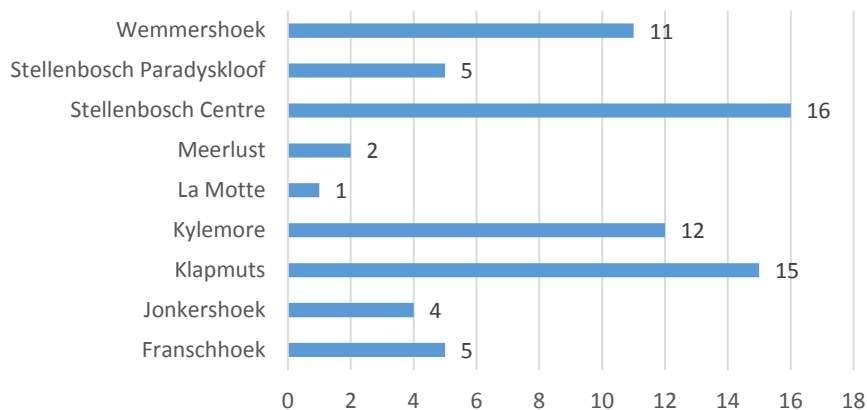
259 What is the income from the Traffic services Traffic Services To be provided in the AFS

266	How many boreholes were sunk on Stellenbosch sports grounds	Water Services	<table border="1"> <thead> <tr> <th>Name</th> <th>Location</th> <th>Status</th> <th>Name</th> <th>Location</th> <th>Status</th> </tr> </thead> <tbody> <tr><td>FH_ExBH_1</td><td>Franschhoek</td><td>Not drilled</td><td>Cloetesville BH</td><td>Stellenbosch Centre</td><td>Existing BH</td></tr> <tr><td>FH_ExBH_2</td><td>Franschhoek</td><td>Not drilled</td><td>Die Braak BH</td><td>Stellenbosch Centre</td><td>Existing BH</td></tr> <tr><td>FH_ExBH_3</td><td>Franschhoek</td><td>Not drilled</td><td>Doornbosch BH</td><td>Stellenbosch Centre</td><td>Existing BH</td></tr> <tr><td>FH_ExBH_Horizontal1</td><td>Franschhoek</td><td>Not drilled</td><td>Kayamandi BH</td><td>Stellenbosch Centre</td><td>Existing BH</td></tr> <tr><td>FH_ExBH_Inclined_1</td><td>Franschhoek</td><td>Not drilled</td><td>STB_Centre_ExBH_1</td><td>Stellenbosch Centre</td><td>In progress</td></tr> <tr><td>JH_ExBH_1</td><td>Jonkershoek</td><td>Not drilled</td><td>STB_Centre_ExBH_10</td><td>Stellenbosch Centre</td><td>Not drilled</td></tr> <tr><td>JH_ExBH_2</td><td>Jonkershoek</td><td>Not drilled</td><td>STB_Centre_ExBH_11</td><td>Stellenbosch Centre</td><td>Not drilled</td></tr> <tr><td>JH_ExBH_3</td><td>Jonkershoek</td><td>May exclude</td><td>STB_Centre_ExBH_12</td><td>Stellenbosch Centre</td><td>Not drilled</td></tr> <tr><td>JH_ExBH_4</td><td>Jonkershoek</td><td>Not drilled</td><td>STB_Centre_ExBH_2</td><td>Stellenbosch Centre</td><td>Completed</td></tr> <tr><td>KM_ExBH_1</td><td>Klapmuts</td><td>Completed</td><td>STB_Centre_ExBH_3</td><td>Stellenbosch Centre</td><td>Completed</td></tr> <tr><td>KM_ExBH_10</td><td>Klapmuts</td><td>Completed</td><td>STB_Centre_ExBH_4</td><td>Stellenbosch Centre</td><td>Not drilled</td></tr> <tr><td>KM_ExBH_11</td><td>Klapmuts</td><td>Completed</td><td>STB_Centre_ExBH_5</td><td>Stellenbosch Centre</td><td>Not drilled</td></tr> <tr><td>KM_ExBH_12</td><td>Klapmuts</td><td>Completed</td><td>STB_Centre_ExBH_7</td><td>Stellenbosch Centre</td><td>Not drilled</td></tr> <tr><td>KM_ExBH_13</td><td>Klapmuts</td><td>Drilled</td><td>STB_Centre_ExBH_8</td><td>Stellenbosch Centre</td><td>Completed</td></tr> <tr><td>KM_ExBH_14</td><td>Klapmuts</td><td>To be drilled</td><td>STB_Centre_ExBH_9</td><td>Stellenbosch Centre</td><td>Completed</td></tr> <tr><td>KM_ExBH_2</td><td>Klapmuts</td><td>Completed</td><td>Van der Stel BH</td><td>Stellenbosch Centre</td><td>Existing BH</td></tr> <tr><td>KM_ExBH_3</td><td>Klapmuts</td><td>Completed</td><td>Drill_Site_Horizontal</td><td>Stellenbosch Paradyskloof</td><td>Not drilled</td></tr> <tr><td>KM_ExBH_4</td><td>Klapmuts</td><td>Completed</td><td>STB_PDK_ExBH_1</td><td>Stellenbosch</td><td>Not drilled</td></tr> </tbody> </table>	Name	Location	Status	Name	Location	Status	FH_ExBH_1	Franschhoek	Not drilled	Cloetesville BH	Stellenbosch Centre	Existing BH	FH_ExBH_2	Franschhoek	Not drilled	Die Braak BH	Stellenbosch Centre	Existing BH	FH_ExBH_3	Franschhoek	Not drilled	Doornbosch BH	Stellenbosch Centre	Existing BH	FH_ExBH_Horizontal1	Franschhoek	Not drilled	Kayamandi BH	Stellenbosch Centre	Existing BH	FH_ExBH_Inclined_1	Franschhoek	Not drilled	STB_Centre_ExBH_1	Stellenbosch Centre	In progress	JH_ExBH_1	Jonkershoek	Not drilled	STB_Centre_ExBH_10	Stellenbosch Centre	Not drilled	JH_ExBH_2	Jonkershoek	Not drilled	STB_Centre_ExBH_11	Stellenbosch Centre	Not drilled	JH_ExBH_3	Jonkershoek	May exclude	STB_Centre_ExBH_12	Stellenbosch Centre	Not drilled	JH_ExBH_4	Jonkershoek	Not drilled	STB_Centre_ExBH_2	Stellenbosch Centre	Completed	KM_ExBH_1	Klapmuts	Completed	STB_Centre_ExBH_3	Stellenbosch Centre	Completed	KM_ExBH_10	Klapmuts	Completed	STB_Centre_ExBH_4	Stellenbosch Centre	Not drilled	KM_ExBH_11	Klapmuts	Completed	STB_Centre_ExBH_5	Stellenbosch Centre	Not drilled	KM_ExBH_12	Klapmuts	Completed	STB_Centre_ExBH_7	Stellenbosch Centre	Not drilled	KM_ExBH_13	Klapmuts	Drilled	STB_Centre_ExBH_8	Stellenbosch Centre	Completed	KM_ExBH_14	Klapmuts	To be drilled	STB_Centre_ExBH_9	Stellenbosch Centre	Completed	KM_ExBH_2	Klapmuts	Completed	Van der Stel BH	Stellenbosch Centre	Existing BH	KM_ExBH_3	Klapmuts	Completed	Drill_Site_Horizontal	Stellenbosch Paradyskloof	Not drilled	KM_ExBH_4	Klapmuts	Completed	STB_PDK_ExBH_1	Stellenbosch	Not drilled
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Count of boreholes by Status



Count of boreholes by Location



				Paradyskloof	
KM_ExBH_5	Klapmuts	Completed	STB_PDK_ExBH_2	Stellenbosch Paradyskloof	Completed
KM_ExBH_6	Klapmuts	Completed	STB_PDK_ExBH_3	Stellenbosch Paradyskloof	Completed
KM_ExBH_7	Klapmuts	Should not be drilled	STB_PDK_ExBH_4	Stellenbosch Paradyskloof	Completed
KM_ExBH_8	Klapmuts	Completed	WH_ExBH_1	Wemmershoek	Completed
KM_ExBH_9	Klapmuts	Completed	WH_ExBH_2	Wemmershoek	Completed
Old_Klapmuts borehole	Klapmuts	Completed	WH_ExBH_3	Wemmershoek	Completed
KLM_ExBH_1	Kylemore	Completed	WH_ExBH_4	Wemmershoek	Completed
KLM_EXBH_1H	Kylemore	Completed	WH_ExBH_5	Wemmershoek	Not drilled
KLM_ExBH_2	Kylemore	Completed	WH_ExBH_6	Wemmershoek	Completed
KLM_EXBH_2H	Kylemore	In progress	WH_P_Bh1	Wemmershoek	Completed
KLM_ExBH_3	Kylemore	Completed	WH_P_Bh2	Wemmershoek	Completed
KLM_ExBH_4	Kylemore	Not drilled	WH_P_Bh3	Wemmershoek	Completed
KLM_ExBH_5	Kylemore	Completed	WH_P_BH4	Wemmershoek	In progress
KLM_ExBH_6	Kylemore	Completed	WH_Redrill_BH_1	Wemmershoek	Completed
KLM_ExBH_7	Kylemore	Not drilled			
Kylemore_BH2 (Reservoir)	Kylemore	Existing BH			
Kylemore_BH3 (Jackson Street)	Kylemore	Existing BH			
Pniel_Spring_BH	Kylemore	Existing BH			
LM_EXBH_1	La Motte	in progress			
ML_ExBH_1	Meerlust	Completed			
ML_ExBH_2	Meerlust	Not drilled			

267	Identify all the Service providers who did the upgrade of the halls.	Community Services	<p>This was done by Community Services.</p> <p><i>Maintenance Assessment Report was done by Sbi Properties</i></p> <ul style="list-style-type: none"> • Stellenbosch Town Hall • Eikestad Hall • Pniel Millenium Hall • La Motte Hall • Wemmershoek Hall • Groendal Hall • Franschoek Town Hall <p>NKY Construction did the <i>Maintenance Assessment Report</i></p>
269	What is the challenge with the “Rolling out/implementation of biometric system to all user departments”	Human Resources	The challenge is that we need to procure more of the devices. In last year’s budget there weren’t sufficient funding. It will be procured in 2017/18 FY.
272	What is the status of employee overtime?		

273	Why is this a highlight - Appointment of a legal panel to deal with the legal issues of the municipality? It needs to be clarified	Legal Services	This item I specifically indicated is incorrect and I corrected the legal input in an email before the draft was published. This is an old reference that was not taken out by legal services. It must be removed from the final document.
274	Clarification needs to be given for the low figure of 91 cases during June in comparison to the Month of May.	Municipal Court	The amount of court cases are not the same monthly for various reasons - it fluctuates. Less cases was placed on the Court Role from the traffic department. Municipality is in the process of retraining staff to ensure that the notices are completed accurately.

Chapter 4

Matter arising from the Chapter		Department	Response
276	The number of people from employment equity target groups employed in the three highest levels of management in compliance with a municipality's approved employment equity plan	Human Resources	Noted – Correct as per national Key performance indicator directives
276	The percentage of a municipality's budget actually spent on implementing its workplace skills plan	Human Resources	Noted – Correct as per national Key performance indicators directives
276	Is the total of employees referred to 1144 officials at 30 June 2017 correct?	Human Resources	Yes the total is excluding Councillors
276	4.3.1 Employment Equity	Delete heading – Noted and rectified	Noted
277	2016/17 - calculation of Africans needs to be rechecked		Noted
277	Table 75 – missing totals		Noted
277	Table 76 – 1108 and the inclusion	Check figures	
278	Table 77 – 1182	Check figures	
280	The injury rate shows a decrease for the 2016/17 financial year from 136 employees to 130 employees in the 2015/16	Change the years to correct the response.	Noted Rectified
281	Have the policies and plans work shopped with the staff?		Policies are work shopped via the Local Labour Forum
281	Is enough done to prevent injuries in the workplace?	Human Resources	Officials are trained. If there is an incident it is investigated and prevention mechanisms are put in place. Due to current processes no serious incidents were recorded in the year under review
283	Table 84 - Plant and machine operators and assemblers totals are marked as Zero. Is it	Human Resources	The machine operators is correct.

	correct?		
283	Table 85 needs a heading		The table spans over pages 283 and 284
	Learnerships – Please make available more ways to improve the use of Learnerships.		The Learnerships is only for staff
284	Table 86 - 407 801		Noted rectified
284	Table 86 - More needs to be done to use the funds from the Seta and the Municipality	Noted	
286	Table 89 – We are not complying with the use of repairs and maintenance. We need administration to look at repairs and maintenance. The list of deviations is big but it is under control.	Finance	The CFO agrees on the low expenditure on repairs and maintenance in infrastructure. The Municipality does not have a plan to take in account the status of the plan to optimise the control of assets. Asset management is currently a challenge. The amount of expenditure is low. We need to look at an asset management plan. <i>Can we get an outline for an asset management plan?</i> Plan provided.
288	Table 90 - Our budgeting is on par. Thanking the CFO. The concern is the operating is done at 143 361 000. Is shows repairs and maintenance was not done properly.	Noted	
288	Table 91 - Revenue by Vote: Personnel Expenditure		Must read revenue by Vote. Noted - Rectified
288	Table 91 – The Budget was adjusted upwards from 63 582. Spending is a concern since only. What was the reasons for underspending?	New Housing	<p>What were the reasons for under spending?</p> <ol style="list-style-type: none"> 1. Misalignment of financial years; 2. Appeal: Idas Valley project; 3. Appeal: Klapmuts project; 4. Special application for funding. <p>1. <u>Misalignment of financial years</u></p> <p>When taking into account the spending pattern of the Human Settlements Department at the Municipality cognisance must be given to the fact that two different financial years must be managed:</p> <p>Provincial financial year from 1 April – 31 March;</p> <p>Municipal financial year from 1 July – 30 June.</p> <p>2. <u>Appeal: Ida’s Valley project</u></p>

			<p>The abutting land owner appealed against the approval in terms of LUPA and the rehabilitation of the river. This appeal was referred to DEADP to respond to the appellant's comments. The finalization of the appeal delayed the project by more than a year. This delay significantly contributed to the under spending.</p> <p>3. <u>Appeal: Klapmuts project</u></p> <p>The abutting land owner appealed against the approval in terms of LUPA. The finalization of the appeal delayed the project by months. This delay significantly contributed to the under spending.</p> <p>4. <u>Special application of financial years</u></p> <p>The Municipality applied for funding during the Municipal financial year (...). The Municipality can only commence with its implementation strategy (SCM processes etc) upon receipt of an approval letter. The approval letter was only issued in March 2017 and the transfer of funds occurred at the end of the provincial financial year. In order to bring the funds onto the budget, an adjustment's budget process had to be followed. The latter process increased the funding available to the Directorate Human Settlements and Property Management with ±R18 million, which had to spent in a three (3) month period from April to June 2017.</p>
289	Table 92 - Revenue collection performance everything pulls through to the AFS. Interest earned was done well. The downwards actual is a worry. It might be due to debt which have been written off and taken out of the system. It is interesting to view the fines had an impairment in the previous year. Licences and permits is a half than the previous year. What is done to improve the status of the latter?		Licenses are dealt with the prescripts of the law. Regular reminders are sent out to defaulters. Roads users are followed up on during traffic roadblocks to verify the status of driven vehicles.
289	Table 89 - Agency services. Are the calculations correct?	Budget	There is no agency services in Table 89. However the agency services amount in Table 92 is correct.
290	Table 93 – Rename Operational Services Performance: Personnel Expenditure		Noted Rectified
290	Table 93 - Why are there so much overspending for HR	Human Resources	Ms De Beer: there was an under provision. Budget was under incorrect votes but it was rectified.
290	Table 93 - Why are there so much overspending for ICT	Information Technology	Ms De Beer: there was an under provision. Budget was under incorrect votes but it was rectified.
291	Table- 94 - Water Services is underspent. Our water loss is 21%. We need to fix our water losses. How can it be fixed?	Water Services	<ol style="list-style-type: none"> 1. Spending on maintenance is demand driven and difficult to predict. 2. Personnel shortage to do preventative maintenance. 3. The 21% is not water losses it is unaccounted for water. The norm is 25% - we are below the expected norm. Our real losses is 9.7%.

291	Sanitation is underspent. Please explain why?	Water Services	<p>1. Spending on maintenance is demand driven and difficult to predict.</p> <p>2. Personnel shortage to do preventative maintenance.</p>
291	Electricity is underspent. Please explain why?	Electricity	The electrical Services Department is confident that 90% expenditure on Capital projects and 70% expenditure on operational projects will be realized by the end of the financial year.
292	Housing expenditure is under spent? Please explain why?	New Housing	The housing projects at Klapmuts and Idas Valley were delayed due to an appeals by the respective abutting neighbours against the approval in terms of the LUPA.
294	LED is underspent by Half. Why?	LED	<p>According to our records the LED Department underspent by 15%. The two single biggest items for the above was:</p> <p>Rental Vehicles vote : Reason – Efforts were made as far as possible to make use of municipal vehicles from other departments</p> <p>Consultancy Fees: Reason: Increased use of internal staff to develop and formulate strategic documents</p>
295	Table 104 - Traffic services. Were there a spike in the income generated?	Traffic	Yes, Spike of fines income will be due to the introduction of additional payment methods such as 3 rd party payments, EFT payments, J175 summonses and the ANPR bus.
296	Table 107 – The income from the SPORT GROUNDS, PARKS AND SWIMMING POOLS. What is in place to improve income from these assets?	Community Services	<p>Sport Councils uses the sport facilities as a source of income. With the lease agreements in place, sport councils have an annual rental fee payable as approved by Council.</p> <p>The swimming pool generates good income as it reaches capacity on weekends and on hot days.</p>
296	Table 108 – COMMUNITY HALLS AND THUSONG CENTRES What is in place to address the Repairs and Maintenance of halls spending?	Community Services	A comprehensive investigation was done on all all maintenance work that needs to be done at all the halls. This information was compiled in a document that was discussed with Mr Piet Smit, Manager: Properties and his team, to determine the way forward. (Property Management is responsible for maintaining the halls and facilities). It was decided at the meeting that the two departments will liaise on a more regular basis to address maintenance and repair works and to update the information.
298	Table 113 - PROPERTY MANAGEMENT. What is the steps with the improvement of revenue for Council?	Property Management	If you look at the actual income of 2015/16(R3,671M) vs. the actual income of 2016/17(7,792M) it shows an actual increase of 112%.The budget of R16,253M was not realistic.
298	We need to make an effort to obtain land for the building of houses. The land that is leased must be audited to determine if it is used effectively	Property Management	This is already a Top layer KPI which reads as follows “Audit of all municipal leased properties (excluding rental stock) by March 2018”

	against the agreement with the Municipality. There is an option to obtain some of these land for gap housing. We need to have more property ready to allow for the building houses.																	
299	Table 144 - Did MSCOA a influence the spending under "other"	Budget	The municipality started with the preparation work for the implementation of mSCOA in the 2016/2017 financial year. mSCOA did not affect the classification of operational expenditure items in the 2016/2017 financial year. mSCOA was implemented on 01 July 2017 and will impact the classification of transactions in the 2017/2018 financial year.															
300	Reliance to grants must be corrected		Noted															
302	Table 118 - 91 422 859.00		Noted - Rectified															
302	Table 119 - Why is the ratios down? Budget		<p>The increased capital expenditure in June 2017 resulted in an increase in creditors at year end. This resulted in an increase in the "Payables from exchange transactions" under "current liabilities" on the Statement of Financial Position.</p> <p>The increase in Current Liabilities resulted in the ratio decreasing from 2015/2016 to 2016/2017.</p> $\text{Current Ratio Formula} = \frac{\text{Current Assets}}{\text{Current Liabilities}}$ <p><i>If current liabilities increases with a higher % than current assets, the ratio will decrease</i></p> <table border="1"> <thead> <tr> <th></th> <th>2016/17</th> <th>2015/16</th> <th>% Increase</th> <th>R Increase</th> </tr> </thead> <tbody> <tr> <td>Current Assets</td> <td>946,771,752</td> <td>882,513,554</td> <td>7%</td> <td>64,258,198</td> </tr> <tr> <td>Current Liabilities</td> <td>445,838,464</td> <td>321,226,819</td> <td>39%</td> <td>124,611,645</td> </tr> </tbody> </table>		2016/17	2015/16	% Increase	R Increase	Current Assets	946,771,752	882,513,554	7%	64,258,198	Current Liabilities	445,838,464	321,226,819	39%	124,611,645
	2016/17	2015/16	% Increase	R Increase														
Current Assets	946,771,752	882,513,554	7%	64,258,198														
Current Liabilities	445,838,464	321,226,819	39%	124,611,645														

Current Ratio	2.1	2.7		
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The decrease in the current ratio is a result of current liabilities increasing with 39% (R124 611 645) while the current assets increased with only 7% (64 258 198).

Breakdown of current liabilities

	2016/2017	2015/2016	% Increase	R Increase
Payables from exchange transactions	282,087,477	201,960,281	40%	80,127,19
Unspent conditional grant and receipts	88,493,433	45,953,244	93%	42,540,18
Other current liabilities	75,257,554	73,313,294	3%	1,944,26
	445,838,464	321,226,819		

Payables from exchange transactions

The increase relates to an increase in accruals (creditors). Accruals (Creditors) are raised for work done up to June 2017, but only invoices and paid after June 2017. For example capital expenditure and bulk purchases (Electricity - Eskom and Water - CoCT). The increase in capital expenditure contributed to the increase in accruals. An estimated R 95 374 322 capital accruals were raised for 2016/2017.

Unspent conditional grant and receipts

An additional allocation of R17 850 000 that was gazetted on 30 March 2017 contributed to the increase in Unspent conditional grant and receipts. The total unspent Human Settlements Grant amounted to R 25 542 062.

	Grant		
303	Table 120 – 18.09%		Noted - Rectified
306	Housing capital is underspending is a great concern		See previous response from Housing on p288
307	304 – 307 – Is the MIG under Capital or what is it being called?		P307 – it is being spent 100% The question should have been: with reference to the income source there is no wording of the word 'MIG' mentioned.
308	Table 128 – is the calculations for cash flow in the table correct.	Budget	Yes. The calculation in table 128 is correct.
309	Table 129 - Gross Outstanding Debtors per Service – concern is with bad debt.	Budget	<p>The following process are in place as on 8 January 2018:</p> <ul style="list-style-type: none"> On 9 January 2018 we issued 1st notices to 9 437 citizens who did not pay on the 8th of January. The total of the outstanding accounts were - R118 046 357.54. These notices has a waiting period of two weeks to allow citizens to make the necessary arrangements with the Municipality. On 24 January 2018 we issued 232 disconnected notices (R4 208 520.31 with regard to prepaid electricity and 774 notices (R4 552 061.88) for conventional electrical meter consumers . The mentioned consumers will have their power disconnected if arrangements are not done well in advance. It is important to note that electricity cannot be disconnected where we do not supply it. The only way to manage that is via Water control devices We have an amount of 3 011 accounts at our internal legal advisors for revenue collection. This amount sits currently at R58 814 541.10. We have 516 settlement agreements in place wrt handovers of outstanding accounts to the value of R9 794 333.58. <p>We are placing constant pressure on defaulters to secure income and prevent a negative effect on service delivery.</p>

Report of the Auditor-general to the Western Cape Provincial Parliament and the council on the Stellenbosch Municipality

Matter arising from the Chapter		
2	Uncertainty relating to the future outcome of exceptional litigation 8. With reference to note 50 to the financial statements, the	Municipal Manager are requested to provide surety on this risks at hand.

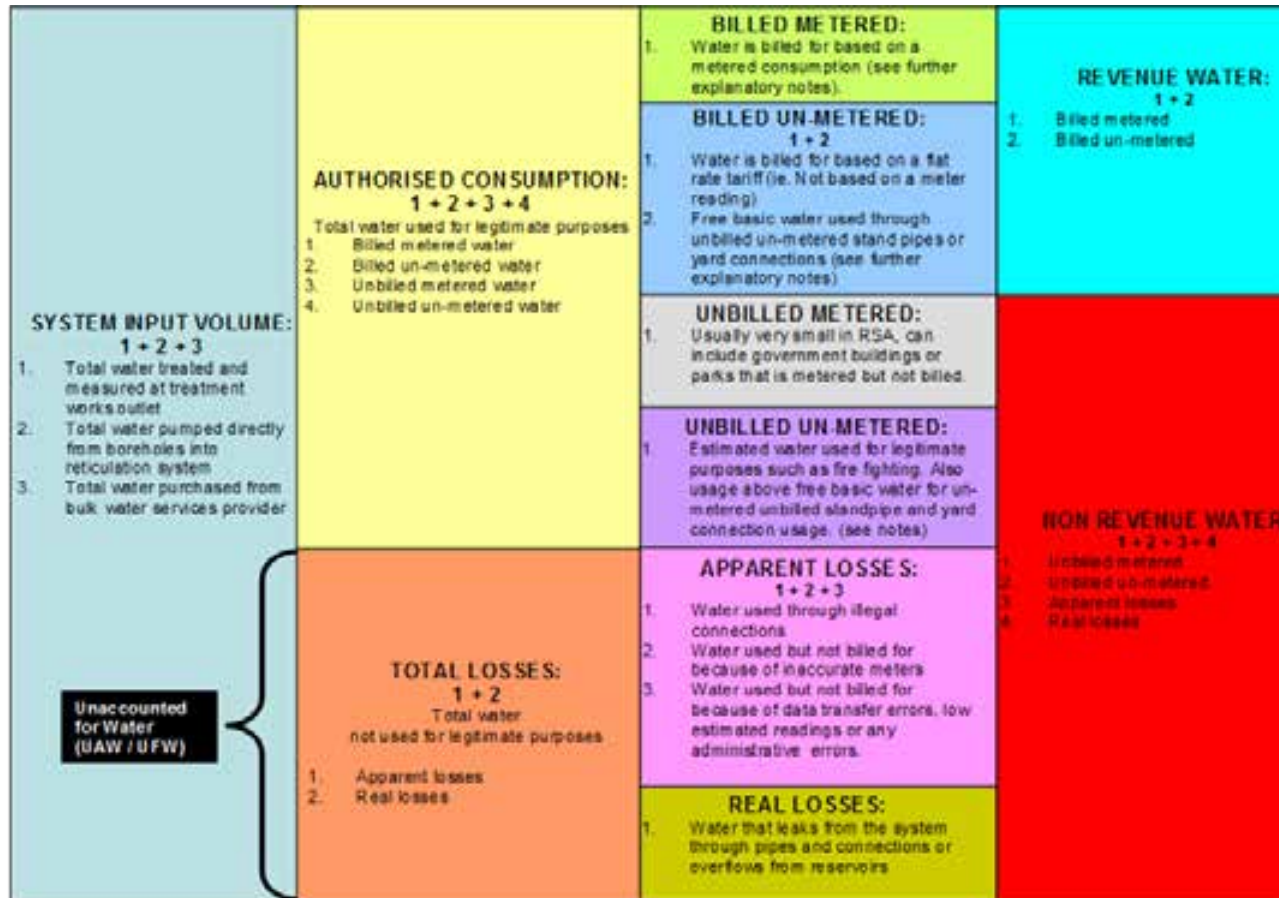
	municipality is at risk regarding the payment of claims relating to contractual disputes from third parties. The ultimate outcomes of these matters cannot presently be determined and no provision for any liability that may result has been made in the financial statements. Is there really anything that we need to worry about?		
2	Material impairments is not a problem but we need to keep our eye on it.		noted
2	Material underspending of the budget at 142.9 million is a concern		noted
4	the reported performance information what can be done to prevent the said faults since it can next year influence the outcome of the Audit	Informal settlements	<p>The Department revisited the manner in which the information is collected and accordingly reported. To this effect, the Department has implemented a recording / reporting system that is premised on a method of cross checking. It is now a requirement from the Department that a completion certificate must be submitted by the contractor to the Department prior to submission of the final invoice. The Department's representative in Collaboration with the service provider inspects the product (toilets and taps) for quality and compliance with the plans for the specific structure. If both parties are in agreement the completion certificate is signed by them. The completion certificate which indicates the number of structures (toilets and taps) is then submitted with the final invoice. The completion certificate is submitted to the Municipal Ignite System as proof of the provision of the required structures. A hard copy of the completion certificate as well as photographic documentation is kept on file at the user Department's office.</p> <p>Furthermore, all duplicated elements which could have contributed to the misrepresentation of the performance information, has now been removed from the Ignite System.</p>
5	Statements of Financial position referred to note 3 on page 53 of the AFS is a continuation which is a mixture and will vary.		There is an improvement of spending through the oversight of the MPAC. The controls with MSCOA and the 8 month financial report is a big test to see how we are looking at the interim Financial statements with its audit file.
115	Municipal Councillors Pension Fund		The topic continues on the next page. The AFS continues on a next page and also includes on the next page the main reference number.

Management report of Stellenbosch Municipality for the 2016/17 financial year

Matter arising from the Management Report		
17	Number 6 on table. Contract management is a high risk area and it needs to be in place.	A process is in place with a legal advisor appointed in August 2017. Managers are

	We thank the departments for the answers and what has been done.	

Reference to Page 167 water loss vs. non-revenue water



ANNEXURE 3



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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

MPAC/Oversight report

2016/17

Financial year



MPAC/Oversight visit Jamestown housing



MPAC/Oversight visit Devon Valley WWTW R400 million project



MPAC/Oversight visit Kayamandi housing project



MPAC/Oversight visit service delivery at Enkanini informal settlement

CONTENT

1	INTRODUCTION.....	2
2	LEGAL FRAMEWORK.....	2
3	BACKGROUND.....	3
4	APPOINTMENT AND MANDATE OF THE MPAC/OVERSIGHT COMMITTEE.....	3
5	METHODOLOGY.....	4
6	RECOMMENDATIONS BY THE OVERSIGHT COMMITTEE.....	5
7	CONCLUSION.....	6

1 INTRODUCTION

This document constitutes the MPAC/Oversight Report on the 2016/17 Annual Report of the Stellenbosch Municipality which has been compiled in terms of Section 129 of the Local Government Municipal Finance Management Act, Act 56 of 2003 (MFMA) read in conjunction with:

- MFMA Circular 11 - Annual Reporting Guidelines - 14 January 2005
- MFMA Circular 32 - The Oversight Report
- MFMA Circular 18 - New Accounting Standards - 23 June 2005
- MFMA Circular 28 - Budget Content and Format - 12 December 2005

2 LEGAL FRAMEWORK

The MPAC/Oversight Report is compiled in accordance with the following:

➤ **LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003):**

1. Sections 121 (1) of the Municipal Finance Management Act, Act 56 of 2003 (MFMA) requires every municipality to prepare an Annual Report. The municipal council must deal with this report within nine months of the end of the financial year (31 January).
2. Section 127 (2) (a) (i) (ii) of the MFMA requires the accounting officer to make the annual report public and invite the local community to submit representations in connection with the annual report following the tabling thereof.
3. Section 127 (2) (b) of the MFMA requires that the tabled annual report must be submitted to the Auditor General, Provincial Treasury and the Provincial Department of Local Government.
4. Section 129 (1) requires the municipal council to adopt an oversight report by no later than 31 March containing the councils comments on the annual report which must include a statement whether the council;
 - a) has approved the annual report with or without reservations;
 - b) has rejected the annual report; or
 - c) has referred the annual report back for revision of those components that can be revised."

➤ **LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, ACT 32 OF 2000:**

1. Section 46 of the Municipal Systems Act requires every municipality to prepare a performance report for each financial year which reflects the performance of the municipality and each of its external service providers during the financial year, as measured against predetermined targets as well as the performance of the previous year. The annual performance report must form part of the municipality's annual report.

3 BACKGROUND

Stellenbosch Municipality tabled its Draft Annual Report on 30 January 2018. The Annual Report was submitted to the relevant authorities and made public on 31 January 2018 and the closing date for submissions was 28 February 2018. Advertisements were placed in the Boland Gazette on the 30 January 2018 in all three languages. No written submissions were received from the public. An evaluation report was received from the Provincial Government: Department of Local Government indicating that the Annual report should contain the guidelines of Circular 63 as addendums.

4 APPOINTMENT AND MANDATE OF THE MPAC/OVERSIGHT

MFMA Circular 32 of 2006 prescribes the Oversight Process and the establishment of an Oversight Committee. The Municipal Council appointed its MPAC to fulfil the role of an Oversight Committee and make a recommendation to council in terms of Section 79 of the Local Government: Municipal Structures Act, Act 117 of 1998 at the 15th Council meeting of Stellenbosch Municipality on the 24th February 2018 as follows:

- “1. *That the Stellenbosch Municipal MPAC/Oversight Committee be constituted as follows:*
 - (a) (i) *Councillor WF Pietersen;*
 - (ii) *Councillor MC Johnson;*
 - (iii) *Councillor NS Louw;*
 - (vi) *Councillor N Olayi;*
 - (viii) *Councillor N Mananga-Gugushe*
2. *The members co-opted for the Oversight Committee (MPAC) are Alderman JC Anthony and Ms. Mariaan Roos.*
3. *Councillor WF Pietersen served as Chairperson of the Oversight Committee;*
4. *That the functions of the Oversight Committee be as follows:*
 - (a) *that Council confirm the Council resolution of 16 February 2017 where MPAC was given the Terms of Reference to fulfil the role as Oversight Committee when considering the Annual Report to undertake a detailed analysis and review of the Municipality’s Annual Report;*
 - (b) *that Council refer the draft Annual Report to the MPAC/Oversight Committee to consider the Draft Annual Report and make recommendations to Council as contemplated in Section 129(1) of the MFMA;*
 - (b) *to consider inputs from the Council, Management; Portfolio Committees, Ward Committees and the public on the Municipality’s Annual Reports;*

- (c) to consider inputs from the Municipality's Audit Committee and Performance Audit Committee as well as the Auditor General on the Municipality's Annual Reports;
- (d) to draft the MPAC/Oversight Report based on the Municipality's draft Annual Report.
5. That the MPAC/Oversight Committee complete its work as contained in the Compilation item of the MPAC/Oversight Committee, including a planning sitting and a sitting to present the MPAC/Oversight Report to Council;
6. That the Oversight Committee be permitted to co-opt advisory members should this be necessary; and

5 METHODOLOGY

The Oversight Committee conducted the Oversight Process over 9 sittings between 31 January 2018 and 17 of March 2018 and the process will be concluded with a presentation to the Municipal Council on 28 March 2018.

The meeting schedule was as follows:

MEETING	SECTION	DATE	Time
1	Orientation session facilitated by Dr. Len Mortimer with all MPAC Oversight Members	31 January 2018	15:00 – 16:30
2	Chapter 1 and 2	06 February 2018	12:00 – 16:00
3	Chapter 3 and 4	08 February 2018	12:00 – 16:00
4	Chapter 5 and Chapter 6 (Auditor General Report)	15 February 2018	12:00 – 16:00
5	Preparation for the Discussion with Directors and the Municipal Manager	20 February 2018	09:00 – 12:45
6	Discussions with Directorates on Questions and answers	23 February 2018	09:00 – 11:17
7	Public Hearing – No Submissions received. Preparation of the Draft MPAC Oversight report	26 February 2018	09:00 – 12:00
8	MPAC Oversight - Site visit to service delivery areas as discussed within the draft Annual report	27 February 2018	09:30 – 13:00
9	Final drafting of the MPAC/Oversight Report	8 March 2017	12:00 – 16:00

The 2016/17 Annual Report was compiled to align to the new format prescribed by National Treasury MFMA Circular 11. For ease of reference the structure of the Stellenbosch Municipality Annual Report is given below:

- Foreword by the Executive Mayor
- Foreword by the Municipal Manager
- Chapter 1: Municipal Overview and Executive Summary
- Chapter 2: Governance
- Chapter 3: Service Delivery Performance
- Chapter 4: Organisational Development Performance
- Chapter 5: Financial Performance
- Chapter 6: Annual Financial Statements and Report of the Auditor General

During the Oversight Process, the Oversight Committee made recommendations on the improvement of the Draft Annual Report 2016/17 which entailed minor corrections and additional information that would make the Draft Annual Report reader friendly. These improvements were made to the extent that information was available.

The Oversight Committee also made specific recommendations on issues contained in the Draft Annual Report which should be addressed by the Municipal Council. These recommendations are dealt with chapter by chapter as mentioned in paragraph 5 below.

6 RECOMMENDATIONS BY THE OVERSIGHT COMMITTEE

That the matters in the following table be:

- *adopted by Council as an action plan*

Question /Observation by MPAC		Page	Recommendations/Actions
All directorates	Repairs and Maintenance budget of various departments is underspent at -48.59% for the organisation	302	Every directorate must introduce a maintenance plan to secure the optimal functioning of assets. Progress against the budgets will provide clarity on the strategy.
Office of the Speaker	Ward Committee public meetings that did not take place	94 - 96	Performance driven measures needs to be introduced to improve consultation with the community on a regular basis
Human Settlements	Underspending of the capital budget – which is of great concern	124	Greater capital spending needs to be enforced with the implementation of the annual Demand Management Plan (DMP)
Community and Protection Services	Fleet management is considered as a risk	105	Development of a fleet and maintenance plan to safeguard the assets of council as a collective strategy
Finance	Outstanding debt	304	Efforts should be introduced to decrease the outstanding debt
All directorates	Legal litigation is a concern although it is under control	AFS page 2	A strategy is required to proactively address legal litigation
All directorates	Contract Management	AFS page 17	Current efforts to manage contractors should be maintained and further enhanced
Administration	The Curatorship of the Councillors pension fund is of great concern	AFS page 113	That the curatorship be addressed as a matter of urgency

7 CONCLUSION

The Committee would like to commend the Municipality on its performance and praise the Executive Mayor, Councillors, Municipal Manager, Directors and administrative staff, especially for:

- the achievement of a clean audit outcome;
- the administration for expenses which is above the norm;
- no fruitless and wasteful expenditure (Note 54);

- 100% Municipal Infrastructure Grant (MIG) spending;
- the decrease in grant spending and highlighting the stability and strength to be self-sufficient;
- resolution of shortcomings highlighted by the Auditor General; and
- good water security having in mind the current budget

I would like to thank the members of the MPAC/Oversight Committee and all officials who participated in the 2016/17 Oversight Process. The process was successful and enabled the Committee to identify areas that requires improvement and maintenance of a clean audit

The MPAC/Oversight committee is extremely thankful to observe the existence of cooperation within the ranks of the administration of Stellenbosch Municipality.

I am of the opinion and in consultation every member of the MPAC/Oversight committee that the 2016/17 Annual Report accurately reflects the performance of the Stellenbosch Municipality for the year under review and recommend that the Council approve the 2016/17 Annual Report without reservations.



Cllr. WF. Pietersen
Chairperson: MPAC/ Oversight Committee

Date: 8 March 2017

ANNEXURE 4



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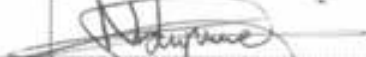
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT



ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2018-02-06	TIME: 12:00	VENUE: STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.
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<u>MEMBERS</u>	<u>SIGNATURE</u>
CIlr WF PIETERSEN (CHAIRPERSON)	
CIlr MC JOHNSON	
CIlr NS LOUW	
CIlr N MANANGA-GUGUSHE (Ms)	
CIlr N OLAYI	

CO-OPTED MEMBERS:

<u>NAME</u>	<u>SIGNATURE</u>
JC ANTHONY	
M ROOS (Ms)	

end 16:00

SENIOR OFFICIALS:

<u>NAME</u>		<u>SIGNATURE</u>
MUNICIPAL MANAGER	G METTLER (Ms)	
CHIEF FINANCIAL OFFICER	M WÜST	Apologies.
DIRECTOR: STRATEGIC & CORPORATE SERVICES	A DE BEER (Ms)	"
DIRECTOR: COMMUNITY & PROTECTION SERVICES	G ESAU	"
DIRECTOR: HUMAN SETTLEMENTS & PROPERTY MANAGEMENT	T MFEYA	"
Acting DIRECTOR: PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT	B DE LA BAT	"
DIRECTOR: ENGINEERING SERVICES	D LOUW	"
CHIEF AUDIT EXECUTIVE	F HOOSAIN	"
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)	
SENIOR LEGAL ADVISOR	E RHODA (Ms)	_____
Acting MANAGER: HUMAN RESOURCES		_____
MANAGER: IDP/PM	G SALIE (Ms)	
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO	



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ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2018-02-08	TIME: 12:00	VENUE: STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.
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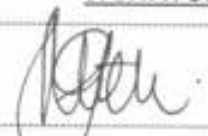


<u>MEMBERS</u>	<u>SIGNATURE</u>
Clr WF PIETERSEN (CHAIRPERSON)	
Clr MC JOHNSON	
Clr NS LOUW	APOLOGY
Clr N MANANGA-GUGUSHE (Ms)	
Clr N OLAYI	APOLOGY

CO-OPTED MEMBERS:

<u>NAME</u>	<u>SIGNATURE</u>
JC ANTHONY	
M ROOS (Ms)	

End 16:00

SENIOR OFFICIALS:

<u>NAME</u>		<u>SIGNATURE</u>
MUNICIPAL MANAGER	G METTLER (Ms)	
CHIEF FINANCIAL OFFICER	M WÜST	Apologies
DIRECTOR: STRATEGIC & CORPORATE SERVICES	A DE BEER (Ms)	v
DIRECTOR: COMMUNITY & PROTECTION SERVICES	G ESAU	v
DIRECTOR: HUMAN SETTLEMENTS & PROPERTY MANAGEMENT	T MFEYA	//
Acting DIRECTOR: PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT	B DE LA BAT	v
DIRECTOR: ENGINEERING SERVICES	D LOUW	//
CHIEF AUDIT EXECUTIVE	F HOOSAIN	
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)	//
SENIOR LEGAL ADVISOR	E RHODA (Ms)	
Acting MANAGER: HUMAN RESOURCES		
MANAGER: IDP/PM	G SALIE (Ms)	Apologies
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO	



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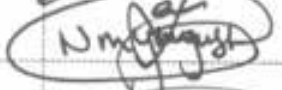
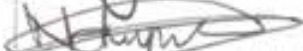
ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT



DATE: 2018-02-15

TIME: 12:00

VENUE: STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.

<u>MEMBERS</u>	<u>SIGNATURE</u>
Clr WF PIETERSEN (CHAIRPERSON)	
Clr MC JOHNSON	
Clr NS LOUW	
Clr N MANANGA-GUGUSHE (Ms)	
Clr N OLAYI	

CO-OPTED MEMBERS:

<u>NAME</u>	<u>SIGNATURE</u>
JC ANTHONY	
M ROOS (Ms)	

end 16:00

SENIOR OFFICIALS:

<u>NAME</u>		<u>SIGNATURE</u>
MUNICIPAL MANAGER	G METTLER (Ms)	Apologies, off sick.
CHIEF FINANCIAL OFFICER <i>Acting MM.</i>	M WÜST	<i>MWüst</i>
DIRECTOR: STRATEGIC & CORPORATE SERVICES	A DE BEER (Ms)	APOLOGY
DIRECTOR: COMMUNITY & PROTECTION SERVICES	G ESAU	"
DIRECTOR: HUMAN SETTLEMENTS & PROPERTY MANAGEMENT	T MFEYA	"
Acting DIRECTOR: PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT	B DE LA BAT	"
DIRECTOR: ENGINEERING SERVICES	D LOUW	"
CHIEF AUDIT EXECUTIVE	F HOOSAIN	"
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)	<i>S de Visser</i>
Acting MANAGER: HUMAN RESOURCES		<hr/>
MANAGER: IDP/PM	G SALIE (Ms)	<i>G Salie</i>
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO	<i>U Cupido</i>



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ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2018-02-20 TIME: 09:00 VENUE: STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.

<u>MEMBERS</u>	<u>SIGNATURE</u>
Clr WF PIETERSEN (CHAIRPERSON)	
Clr MC JOHNSON	
Clr NS LOUW	
Clr N MANANGA-GUGUSHE (Ms)	
Clr N OLAYI	

CO-OPTED MEMBERS:

<u>NAME</u>	<u>SIGNATURE</u>
JC ANTHONY	
M ROOS (Ms)	

end. 12:45

SENIOR OFFICIALS:

<u>NAME</u>		<u>SIGNATURE</u>
MUNICIPAL MANAGER	G METTLER (Ms)	<i>Apology</i>
CHIEF FINANCIAL OFFICER	M WÜST	"
DIRECTOR: STRATEGIC & CORPORATE SERVICES	A DE BEER (Ms)	"
DIRECTOR: COMMUNITY & PROTECTION SERVICES	G ESAU	"
DIRECTOR: HUMAN SETTLEMENTS & PROPERTY MANAGEMENT	T MFEYA	"
Acting DIRECTOR: PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT	B DE LA BAT	"
DIRECTOR: ENGINEERING SERVICES	D LOUW	"
CHIEF AUDIT EXECUTIVE	F HOOSAIN	"
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)	<i>Apology</i>
Acting MANAGER: HUMAN RESOURCES		<hr/>
MANAGER: IDP/PM	G SALIE (Ms)	<i>G Salie</i>
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO	<i>U Cupido</i>



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ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2018-02-23	TIME: 09:00	VENUE: STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.
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<u>MEMBERS</u>	<u>SIGNATURE</u>
Clr WF PIETERSEN (CHAIRPERSON)	
Clr MC JOHNSON	
Clr NS LOUW	
Clr N MANANGA-GUGUSHE (Ms)	
Clr N OLAYI	

CO-OPTED MEMBERS:

<u>NAME</u>	<u>SIGNATURE</u>
JC ANTHONY	
M ROOS (Ms)	

end 11:17

SENIOR OFFICIALS:

<u>NAME</u>		<u>SIGNATURE</u>
MUNICIPAL MANAGER	G METTLER (Ms)	Apology
Acting MIV CHIEF FINANCIAL OFFICER	M WÜST	M. Wüst
DIRECTOR: STRATEGIC & CORPORATE SERVICES	A DE BEER (Ms)	A. De Beer
DIRECTOR: COMMUNITY & PROTECTION SERVICES	G ESAU	G. Esau
DIRECTOR: HUMAN SETTLEMENTS & PROPERTY MANAGEMENT	T MFEYA	T. Mfeya
Acting DIRECTOR: PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT	B DE LA BAT	B. De la Bat
DIRECTOR: ENGINEERING SERVICES	D LOUW	D. Louw
CHIEF AUDIT EXECUTIVE	F HOOSAIN	Apology
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)	
Acting MANAGER: HUMAN RESOURCES		
MANAGER: IDP/PM	G SALIE (Ms)	
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO	Apology
PORT FOLIO CHAIR	I. H. S. P. M.	I. H. S. P. M.
SALIE PETERS		S. Peters
Cllr. Esther Greenwald	Mayco	Esther Greenwald



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ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2018-02-26	TIME: 09:00	VENUE: STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.
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<u>MEMBERS</u>	<u>SIGNATURE</u>
CIlr WF PIETERSEN (CHAIRPERSON)	
CIlr MC JOHNSON	
CIlr NS LOUW	
CIlr N MANANGA-GUGUSHE (Ms)	
CIlr N OLAYI	

CO-OPTED MEMBERS:

<u>NAME</u>	<u>SIGNATURE</u>
JC ANTHONY	
M ROOS (Ms)	
S. de Visser	

end

11:59

SENIOR OFFICIALS:

<u>NAME</u>		<u>SIGNATURE</u>
MUNICIPAL MANAGER	G METTLER (Ms)	
CHIEF FINANCIAL OFFICER	M WÜST	
DIRECTOR: STRATEGIC & CORPORATE SERVICES	A DE BEER (Ms)	
DIRECTOR: COMMUNITY & PROTECTION SERVICES	G ESAU	
DIRECTOR: HUMAN SETTLEMENTS & PROPERTY MANAGEMENT	T MFEYA	
Acting DIRECTOR: PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT	B DE LA BAT	
DIRECTOR: ENGINEERING SERVICES	D LOUW	
CHIEF AUDIT EXECUTIVE	F HOOSAIN	
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)	
Acting MANAGER: HUMAN RESOURCES		
MANAGER: IDP/PM	G SALIE (Ms)	
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO	



ATTENDANCE REGISTER

MPAC Oversight

Date: 27 Februarie 2018

Start 09.30

NAME & SURNAME	ADRESS	EMAIL ADDRESS	CELL PHONE NUMBER	SIGNATURE
Norantula Gushie	Aos Georgebl st	Norantula.gushie@stellenbosch.gov.za	0762300751	
Mabela Johnson	42 Koofst. Prinsl	mabela.johnson@stellenbosch.gov.za	0839833351	
JC Anthony	Mercurius R. Kloof	jc-anthony@stellenbosch.gov.za	0823816601	
UO Cupido	IDP / PM 3	uolinda.cupido@stellenbosch.gov.za	0817177070	
W. P. K. van der Merwe	HANSTRAAT 9 IV		0828968422	
N.S. Louw			0833771854	

End 13:00



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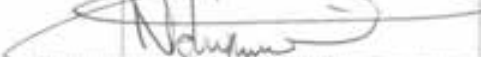
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ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2018-03-08	TIME: 12:00	VENUE: STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.
-------------------------	--------------------	---





<u>MEMBERS</u>	<u>SIGNATURE</u>
Cllr WF PIETERSEN (CHAIRPERSON)	
Cllr MC JOHNSON	
Cllr NS LOUW	
Cllr N MANANGA-GUGUSHE (Ms)	
Cllr N OLAYI	

CO-OPTED MEMBERS:

<u>NAME</u>	<u>SIGNATURE</u>
JC ANTHONY	
M ROOS (Ms)	

finish 13:10

SENIOR OFFICIALS:

<u>NAME</u>		<u>SIGNATURE</u>
MUNICIPAL MANAGER	G METTLER (Ms)	
CHIEF FINANCIAL OFFICER	M WÜST	Apologies
DIRECTOR: STRATEGIC & CORPORATE SERVICES	A DE BEER (Ms)	/'
DIRECTOR: COMMUNITY & PROTECTION SERVICES	G ESAU	''
DIRECTOR: HUMAN SETTLEMENTS & PROPERTY MANAGEMENT	T MFEYA	!!
Acting DIRECTOR: PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT	B DE LA BAT	''
DIRECTOR: ENGINEERING SERVICES	D LOUW	''
CHIEF AUDIT EXECUTIVE	F HOOSAIN	''
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)	
Acting MANAGER: HUMAN RESOURCES		
MANAGER: IDP/PM	G SALIE (Ms)	Apologies
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO	
AUDITOR - General SA	L. NDZAMELA	

7.3	ECONOMIC DEVELOPMENT AND PLANNING: (PC: ALD JP SERDYN (MS))
-----	--

7.3.1	APPOINTMENT OF A STRATEGIC ADVISORY COMMITTEE: POLICY ON THE MANAGEMENT OF MUNICIPAL AGRICULTURAL LAND
-------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

NKPA 4

22 March 2018

1. SUBJECT:

APPOINTMENT OF A STRATEGIC ADVISORY COMMITTEE: POLICY ON THE MANAGEMENT OF MUNICIPAL AGRICULTURAL LAND

2. PURPOSE

To obtain Council's approval to appoint an Advisory Committee as a requirement of the approved Policy for the Management of Agricultural Land as published in the Western Cape Provincial Gazette, 27 March 2017.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The item seeks council approval for the proposed members (government departments and relevant stakeholders) of the Strategic Advisory Committee as contained in the Policy for the Management of Agricultural Land which was published in the Provincial Gazette on 27 March 2017. The aforementioned approval will be the final step in the process to establish a mechanism to make vacant municipal agricultural land through leasing available to prospective small farmers.

5. RECOMMENDATIONS

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.3.3

RESOLVED

That it be recommended to Council:

- (a) that Council confirms the positions from the respective organisations to be members of the Strategic Advisory Committee and Operational Committee as proposed in the table below and that the Manager LED initiate the process of convening the first committee meeting before end of May 2018;

Strategic Advisory Committee

Organisation	Position	Contact Details
Stellenbosch Municipality	Chairperson: Director: Community and Protection Services	021 808 8437
Stellenbosch Municipality	Director: Planning and Economic Development	021 808 8667
Stellenbosch Municipality	Director: Integrated Human Settlements and Property	021 808 8493
Stellenbosch Municipality	Director: Strategic and Corporate Services	021 808 8018
Stellenbosch Municipality	Legal Services	021 808 8018
Stellenbosch Municipality	Manager: LED	021 808 8179
Stellenbosch Municipality	Snr LED Officer: Rural Development	021 808 8173
Stellenbosch Agricultural Society	General Manager	021 886 4867
Department of Agriculture	Acting Chief Director: Farmer Support and Development	021-8085103
Department of Rural Development and Land Reform	Deputy Director	079 880 9320
Land Bank	Provincial Manager Commercial Development Banking Division Western Cape	021 974 2200 / 082 339 1626
Stellenbosch University	Professor and Chairman of the Department Agricultural Economics	021 808 4899
Department of Water Affairs	Deputy Director	021 941 6000
Winelands Water Board	CEO	021 887 6487
CASIDRA	CEO	021 863 5000

Operational Committee

Organisation	Position
Stellenbosch Municipality	Manager: LED
Stellenbosch Municipality	Manager: Municipal Property
Stellenbosch Municipality	Senior Legal Advisor
Stellenbosch Municipality	Environmental Manager
Stellenbosch Municipality	Senior LED Officer: Rural Development

- (b) that the following vacant municipal agricultural land be advertised to be utilised by farmers in line with the policy on the Management of Municipal Agricultural Land as advertised in the Government Gazette on 27 March 2017 (**ANNEXURE B**).

	PROPERTY DESCRIPTION	SIZE	TOTAL (HA)	WATER
1	165/1A	10.5 ha no water	10.5	
2	279BN	25.3 ha no water	25.3	
3	502 AM	8.56 ha 3 ha water	8.56	3
4	502 AP	7 ha 2 ha water	7	2
5	502 AU	8.9 ha no water	8.9	
6	502 AW	6 ha no water	6	
7	502 BFN	15.5 ha 6 ha c/water	15.5	6
8	502 V	21.6 ha 8 ha water	21.6	8
9	619/1	26 ha no water	26	
10	502 BH PORTION 17&18	5 ha 3 ha water	5	3
11	502M	5.1 ha 3 ha water	5.1	3
12	502V	21.6 ha 8 ha water	21.6	8
13	502W	9 ha 3 ha water	9	3
	TOTAL		175,41 ha	

6. DISCUSSION / CONTENTS**6.1 Background**

The vision of the third generation Integrated Development Plan (IDP) indicates that Stellenbosch strives to be the “Valley for Opportunities “and to create a place for “Dignified Living”. Agriculture has been identified as one of the key economic sectors through which economic growth and job creation can be achieved.

Council approved a Draft Policy on the Management of Stellenbosch’s Immovable Property (Council Meeting of 02/09/2014) on condition that a policy is developed for the management of municipal agricultural land.

The Draft Policy was advertised 12 April – 6 May 2016 for public comments. Comments was received and compiled which served at the Formal Mayoral Committee meeting on the 10th of June 2016. Council adopted the Policy on the Management of Municipal Agricultural Land on the 42nd Council meeting, 15 June 2016 (**ANNEXURE A**).

6.2 Discussion

In terms of the adopted Policy on the Management of Municipal Agricultural the proposed composition (clause 4.6.1) and function of the Advisory Committee are detailed. The composition (clause 4.3.2) and function (clause 5.2.2.1) of the Operational Committee (clause 4.6.1) are also contained in the policy. (**ANNEXURE B**).

Council must confirm the appointment of to the persons holding the positions (as proposed in the policy) in their respective organisations as members of the Strategic Advisory Committee and the Operational Committee as set out below.

Strategic Advisory Committee

Organisation	Position	Contact Details
Stellenbosch Municipality	Chairperson: Director: Community and Protection Services	021 808 8437
Stellenbosch Municipality	Director: Planning and Economic Development	021 808 8667
Stellenbosch Municipality	Director: Integrated Human Settlements and Property	021 808 8493
Stellenbosch Municipality	Director: Strategic and Corporate Services	021 808 8018
Stellenbosch Municipality	Legal Services	021 808 8018
Stellenbosch Municipality	Manager: LED	021 808 8179
Stellenbosch Municipality	Snr LED Officer: Rural Development	021 808 8173
Stellenbosch Agricultural Society	General Manager	021 886 4867
Department of Agriculture	Acting Chief Director: Farmer Support and Development	021-8085103
Department of Rural Development and Land Reform	Deputy Director	079 880 9320
Land Bank	Provincial Manager Commercial Development Banking Division Western Cape	021 974 2200 / 082 339 1626
Stellenbosch University	Professor and Chairman of the Department Agricultural Economics	021 808 4899
Department of Water Affairs	Deputy Director	021 941 6000
Winelands Water Board	CEO	021 887 6487
CASIDRA	CEO	021 863 5000

Operational Committee

Organisation	Position
Stellenbosch Municipality	Manager: LED
Stellenbosch Municipality	Manager: Municipal Property
Stellenbosch Municipality	Senior Legal Advisor
Stellenbosch Municipality	Environmental Manager
Stellenbosch Municipality	Senior LED Officer: Rural Development

Pending the appointment of the Strategic Advisory Committee for Land Management, applications for land and projects cannot be evaluated, considered and implemented. Amongst others this Committee may investigate the functional use of land in terms of lease agreements and make recommendations to Council on termination or cession thereof.

Currently the Municipality has 207 hectares of vacant agricultural land that can be utilised for the implementation of small farmer projects. A database has been created where small farmers can register to apply for municipal agricultural land. This process has commenced in June 2017 and currently there are numerous potential small farmers that have registered and are waiting for the municipality to advertise the vacant agricultural properties.

The individual business proposals will be received once the vacant properties have been advertised. The registration process is in line with the National Department of Rural Development and Land Reform to ensure that the processes are aligned and that projects will financially benefit once approved by the Strategic Advisory Committee.

Terms of reference for the Strategic Advisory Committee enclosed as **ANNEXURE C**.

6.3 Financial Implications

There are no financial implications should the recommendations as set out in the report be accepted.

7. Legal Implications

The recommendations in this report comply with Council's policies and all applicable legislation. Refer to **ANNEXURE D**.

7.1 Staff Implications

This report has no staff implications to the Municipality.

7.2 Previous / Relevant Council Resolutions:

None

7.3 Risk Implications

This report has no risk implications for the Municipality.

7.4 Comments from Senior Management:**7.4.1 Director: Infrastructure Services**

No comments requested

7.4.2 Director: Planning and Economic Development

Agree with the recommendations

7.4.3 Director: Community and Protection Services:

No comments requested

7.4.4 Director: Strategic and Corporate Services:

No comments requested

7.4.5 Director Human Settlements and Property Management

No comments requested

7.4.6 Chief Financial Officer:

No comments requested

7.4.7 Municipal Manager:

Agree with the recommendations

ANNEXURES

Annexure A: Council decision: adopted the Policy on the Management of Municipal Agricultural Land on the 42nd Council meeting, 15 June 2016

Annexure B: Policy on the Management of Municipal Agricultural Land

Annexure C: Terms of reference

Annexure D: Legal implications

ANNEXURE A

7.6 DRAFT POLICY FOR THE MANAGEMENT OF MUNICIPAL AGRICULTURAL LAND*File number* : 7/P/2*Compiled by* : *Manager: Local Economic Development**Report by* : *Director: Planning and Economic Development**Delegated Authority* : *Council****Strategic Intent of Item***

<i>Preferred investment destination</i>	X
<i>Greenest municipality</i>	
<i>Safest valley</i>	
<i>Dignified Living</i>	X
<i>Good Governance</i>	

1. PURPOSE OF REPORT

To obtain approval from Council for the Draft Policy for the Management of Municipal Agricultural Land which will govern the management and allocation of municipal agricultural land based on the principles of sustainable development and with the intent of promoting socio-economic transformation in the agricultural sector.

2. BACKGROUND

The vision of the third generation Integrated Development Plan (IDP) indicates that Stellenbosch strives to be the "Preferred Investment Destination" and to create a place for "Dignified Living". Agriculture has been identified as one of the key economic sectors through which economic growth and job creation can be achieved.

Last year, Council approved the Draft Policy on the Management of Stellenbosch Municipality's Immovable Property (COUNCIL MEETING: 2014-09-02) on condition that a policy is developed for the management of municipal agricultural land.

To this end, an Ad-Hoc Committee was established comprising of representation from all political parties to devise recommendations on the way forward for the management of municipal agricultural land. Consequently, the Ad-Hoc Committee in collaboration with the administration (Property and LED Department) undertook to work together to implement the Council decision.

The purpose of this item is therefore to solicit comments from the Mayoral Committee regarding the policy for the management of municipal agricultural land and provide recommendations for the way forward.

3. DISCUSSION

In May 2014 the Draft Policy on Immovable Property was tabled and approved by Council. The decision was taken by Council that parallel to the process dealing with Immovable Property (overarching policy), an Agricultural /Land Reform Policy should be developed. The overarching policy was advertised for public comments which were incorporated into the draft for final approval from Council. However, the overarching policy will only be approved if it includes an Agricultural Land Reform Policy.

To this end, the Property Management and LED Department decided to work collaboratively on the development of the agricultural policy with the Ad-Hoc Committee providing strategic input including critical issues which need to be taken into consideration and playing an oversight role. In execution of the Council decision, the two departments agreed on the scope of work to be undertaken. It was decided that because of the complexity of such a policy, it would be better if such a policy is developed by competent, experienced service providers. To this end, at the same time in which the Ad-Hoc Committee was established, the administration appointed a group of experienced service providers through the supply chain management process to undertake the development of the policy.

Upon an extensive consultation process with the Ad-Hoc Committee, organised agriculture, government representatives and small farmers, a draft policy was developed based on the scope of work provided. In honouring the scope of work and given the complexity of such a contentious issue, drafting this policy was no easy task. However, the policy provides a balanced approach to guide the municipality in executing its responsibility to manage its property (agricultural land) in a manner that ensures that it achieves the overall developmental objectives of Council.

4. INPUTS BY OTHER DEPARTMENTS / COMMENTS BY RELEVANT DEPARTMENTS

The draft policy was circulated to the relevant departments (Property, Legal, Spatial Planning, Land Use Management, Community Services, Financial Services, Transport and Traffic Services) for comments on 20 October 2015. Since then numerous meetings and consultations occurred, leading to the Draft Policy being tabled herewith. No objections to the submission of this item were received.

The Draft Policy submitted herewith was also vetted by specialists from the University of Stellenbosch in keeping with the MOU and they made a significant contribution in preparing a workable policy.

Subsequent to the resolution as contemplated above, the comments of legal services was obtained and captured whereafter the policy was published for public comments (**APPENDIX 1**).

Thereafter the comments by the public and further inputs of the Manager Property Management were considered by the Municipal Manager, the Director Corporate Services and the Director Planning & Economic Development and where comments were appropriate,

applicable and relevant to the draft Policy for the Management of Municipal Agricultural Land were amended accordingly. (APPENDIX 2)

5. CONCLUSION

The Municipality can be pro-active in making land available for the purposes of land reform and ensuring that Council's objectives as the preferred investment destination is achieved through related socio-economic transformation.

RECOMMENDED

- (a) that the Draft Policy for the Management of Municipal Agricultural Land be adopted as Council's Policy for the Management of Municipal Agricultural Land; and
- (b) that the said Policy be published for public notice as Council's Policy.

(DIRECTOR: PLANNING AND ECONOMIC
DEVELOPMENT TO ACTION)

MAYORAL COMMITTEE MEETING: 2016-06-10: ITEM 6.1.1

RECOMMENDED BY THE EXECUTIVE MAYOR

- (a) that the Draft Policy for the Management of Municipal Agricultural Land be adopted as Council's Policy for the Management of Municipal Agricultural Land; and
- (b) that the said Policy be published for public notice as Council's Policy.

(DIRECTOR: PLANNING AND ECONOMIC
DEVELOPMENT TO ACTION)

42ND COUNCIL MEETING: 2016-06-15: ITEM 7.6

During deliberations on the matter, the DA requested a caucus which the Speaker allowed.

After the meeting resumed, it was

RESOLVED (majority vote)

- (a) that the Draft Policy for the Management of Municipal Agricultural Land be adopted as Council's Policy for the Management of Municipal Agricultural Land; and

(b) that the said Policy be published for public notice as Council's Policy.

Councillor F Adams requested that it be minuted that he supports the item with reservations.

The following Councillors requested that their votes of dissent be minuted:

Councillors DA Hendrickse and M Wanana.

(DIRECTOR: PLANNING AND ECONOMIC
DEVELOPMENT TO ACTION)

ANNEXURE B



Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

**Provincial Gazette
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LOCAL AUTHORITY

Stellenbosch Municipality: Policy for Management of Municipal
Agricultural Land 2



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**THE STELLENBOSCH MUNICIPALITY: POLICY FOR
MANAGEMENT OF MUNICIPAL AGRICULTURAL
LAND, PUBLISHED UNDER NOTICE 54490 IN
PROVINCIAL GAZETTE 7744 ON 13 MARCH 2017 IS
HEREBY WITHDRAWN, AS IT WAS PUBLISHED
ERRONEOUSLY**

**POLICY FOR THE MANAGEMENT OF
MUNICIPAL AGRICULTURAL LAND**

STELLENBOSCH MUNICIPALITY

2016

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DEFINITIONS

"acquire" in relation to land includes, but is not limited to acquisition by purchasing, expropriation, exchange, donation or leasing, or as a result of the conclusion of any form of land availability agreement, and 'acquisition' has a corresponding meaning;

"Agricultural Land" means all land not used zoned or developed for urban purposes.

"Asset" means a tangible resource capable of ownership;

"Basic municipal service" means a municipal service that is necessary to ensure an acceptable and reasonable quality of life and, if not provided, would endanger public health, safety or the environment;

"Capital assets" in terms of this policy, means land and other immovable capital assets which vests in the Municipality;

"Constitution" means the Constitution of the Republic of South Africa, Act 108 of 1996;

"Contract" means a deed of alienation under which land is sold against payment by the purchaser to, or to any person on behalf of the seller,

"Lease Agreement" meaning a written agreement specifying the rights and duties pertaining to the exclusive use of property for a continuous period of time (30) thirty calendar days or longer, and which sets forth the terms and conditions the use of the property an outright Sales Agreement.

"Council" means the Council of the Stellenbosch Municipality as envisaged in chapter 3 of the Municipal Structures Act (Act No. 117 of 1998).

"Disposal" in relation to a capital asset, includes-

- (a) The demolition, dismantling or destruction of the capital asset; or
- (b) Any other process applied to a capital asset which results in loss of ownership of the capital asset otherwise than by way of transfer of ownership;

"Exempted capital asset" means a capital asset which is exempted by section (14)(6) or section 90(6) of the MFMA, as more fully dealt with in Chapter 5 of the MATR that is, an asset that is needed for the provisions of basic municipal services.

"Fair market value" in relation to a capital asset, means the value at which a knowledgeable willing buyer and a knowledgeable willing seller would sell the capital asset in an arm's length transaction;

"Granting of rights to use, control or manage" means where the granting of such rights do not amount to the transfer or permanent disposal of an asset, for example when a right is acquired through a leasing, letting or hiring out arrangement;

"HDI - Historically Disadvantaged Individual" is defined as meaning: "a South African citizen who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act 110 of 1983) or the Constitution of the Republic of South Africa, 1993 (Act 200 of 1993); and/or who is a female, and/or who has a disability, provided that a person who obtained South African citizenship on or after the coming into effect of the interim Constitution, is deemed not to be an HDI"

"Integrated Development Plan (IDP)" means the Integrated Development Plan of the Municipality as envisaged in section 25 of the Municipal Systems Act (Act No. 32 of 2000);

"LED Strategy" means the Local Economic Development Strategy of the Municipality;

"long term" means a period of longer than ten (10) years;

"local agenda 21" principles of sustainable development and environmental preservation;

"MATA" means the Municipal Asset Transfer Regulations promulgated in terms of the MFMA and published in the Government Gazette No 31346 of 22 August 2008.

"MFMA" means the Local Government Municipal Finance Management Act (Act No. 56 of 2003);

"Municipality" means the Stellenbosch Municipality as envisaged in chapter 1 of the Municipal Structures Act;

"Municipal Manager" means the Municipal Manager of the Municipality as envisaged in section 82 of the Municipal Structures Act;

"Supply Chain Management Policy" means the Supply Chain Management Policy of the Municipality as contemplated in chapter 11 of the MFMA and the Supply Chain Management Regulations (No. 27636 of 30 May 2005);

"Transfer" in relation to a capital or subsidiary asset, means transfer of ownership in the asset as a result of a sale or other transaction. This Policy must be read with the Supply Chain Management Policy of the Stellenbosch Municipality and the Municipal Asset Transfer Regulations (R878 in GG No. 31346 of 22 August 2008) issued in terms of the MFMA.

ACRONYMS

CASP	Comprehensive Agricultural Support Programme
HDI	Historically Disadvantaged Individuals
IDP	Integrated Development Plan
LED	Local Economic Development
MATR	Municipal Asset Transfer Regulations
MFMA	Municipal Financial Management Act
NDP	National Development Plan
PACA	Participatory Appraisal of Competitive Advantage
SCM	Supply Chain Management
SDF	Spatial Development Framework

1 THE CURRENT SITUATION

1.1 Introduction

For all South Africans, irrespective of colour or creed, land is an emotive issue. Throughout our history one of the biggest bones of contention has been the right to ownership and use of land. Discriminatory practices in the past, a land reform programme that has not succeeded in transferring significant quantities of urban or rural land since 1994, a wide range of demographic pressures and the fact that most agricultural land is still in the hands of commercial, mostly white, farmers puts pressure on the country's socio-economic systems, and Stellenbosch municipal area is not immune to these pressures. History is replete with examples of what can happen when these pressures are not addressed.

Stellenbosch municipal area and its towns have a very colourful past whose history plays a particularly important role in giving the area the ambience and character which makes it one of the outstanding tourist attractions in South Africa.

For this reason, it is imperative that the Stellenbosch Municipality have a comprehensive, fair and sustainable policy and implementation strategy for agricultural land reform.

Although land reform is a national competence, the Municipality has a duty to assist with land reform initiatives, but even more importantly, because the Municipality is the largest owner of agricultural land it has a duty to formulate and implement land reform within the bounds of its own competencies and capacity. This is a challenging and formidable task given that the greater portion of this land is held under long term leases that do not do justice to the guiding principles of economic optimization of agricultural land and fair and equitable distribution of what should be available.

Farming in the Stellenbosch Municipal area is heavily skewed towards viticulture. There is of course a close link between wine farming, the beautiful landscape, consisting of both the cultivated grapevines and the natural fynbos, and the tourist experience that the town and its surrounds offer.

As important as wine farming is, however, it is equally important to maximise the potential of the scarce but high quality agricultural land to ensure that appropriate land is set aside for tourism, the retention and conservation of the historical treasures that lie within the borders of the Municipality, and conservation, as these are also integral components of the Stellenbosch experience. The economic development of the area depends on the sensible use of its land resources.

In managing its agricultural land portfolio, a policy for the management of municipal agricultural land based on the principles of sustainability, equality, efficiency, fairness and good governance is required. It is widely acknowledged that policies that facilitate access to land play a significant role in reducing poverty and income inequality. As Stellenbosch Municipality owns large tracts of high value agricultural land, it is evident that it should become involved in the process of land reform.

However, there is very little of this land available since approximately 80% is currently under long term lease agreements. Furthermore, in the absence of a clear policy framework, the process for accessing municipal agricultural land has been very cumbersome in the past.

For this reason, Stellenbosch Municipality, through its Local Economic Development and Property Management Departments has embarked on a process of developing a policy and implementation strategy for the management of municipal agricultural land based on sustainability principles as part of its contribution to sustainable development.

1.2 The historical context

Stellenbosch is arguably one of the most beautiful parts of the country and its climate is conducive to excellent agriculture production. The municipal area comprises of the towns of Stellenbosch, Franschhoek, Priel, Klipmuts and some other smaller hamlets, and the rural hinterland between these settlements. Whilst its economy is primarily built on the financial and business services sectors, the area boasts a vibrant tourism industry. The Winelands are a major tourist draw card and are also well-known for the close linkages to the manufacturing and services sectors.

The area is also home to a vibrant education sector, including a leading world renowned university, and hosts a range of innovation industries, as well as the headquarters of major multinational and national companies.

The municipal area comprises 600 square kilometres with a population of 165,000 people. Some two thirds of agricultural production consists of wine grapes, followed by vegetables and eggs. Most of the arable land is used for the production of wine, and only a small proportion of the region's food is produced locally.

Whilst significant investments have been made in the farming sector, not all are related to productive uses of the land. This has led to fertile land being rendered unproductive, and this in turn has diminished employment opportunities for low skilled workers. The unemployment rate of 26% together with the steady rate of urbanisation adds to the pressure of the availability of jobs in the area.

Stellenbosch municipality is one of the municipalities in the country with the most municipal land under its control; however, due to the agriculture potential of farm land, most of the arable land has been leased to established farmers on long term lease contracts.

The capital investment required for developing and using the land required these long term leases to allow leasees the opportunity to redeem the large investments in water and other infrastructure.

To this end, 80% of the 1,300 ha of municipal land has been taken up by established farmers whilst another 10% is being farmed by new entrants (small farmers) in various widely spread out locations. All other available land is to be made available to be leased to HDf's.

Properties, especially agricultural land (commonage) provide an enormous opportunity for Council to achieve its strategic objectives. Therefore this policy provides for the implementation of a process of identifying agricultural land which is currently available as well as land under long term lease which is not being optimally used and which is aligned to the Spatial Development Framework, LED strategy, the IDP and the objects of local government as set out in the Constitution.

2 SCOPE AND PURPOSE OF THE POLICY

2.1 Scope of the policy

The sound management of the Municipality's agricultural land resources is crucial if it is to be conserved for future generations. The scope of this policy is to set out decision-making guidelines for the management of municipal agricultural land with due regard to the relevant national, provincial and local policy and legislative provisions that govern land ownership, access to land and land use. Furthermore, the aim of the policy is to provide for the core principles, mechanisms, processes and procedures that are necessary to enable the Municipality to manage and administer municipal agricultural land, of which Council is the custodian.

In this regard, the policy allows for social and sustainable economic development and encourages the involvement of individuals, communities and community organizations and regulates the management and use of municipal agricultural land. It is, however, important that land disposal is treated on its own merits although alternative methods of disposal, not specifically mentioned in this policy, may be used where appropriate, subject to obtaining proper authority.

2.2 Purpose of the Policy

The purpose of the policy is to:

- 2.2.1 Provide a policy framework for the management of the Council's capital assets with specific reference to municipal agricultural land .
- 2.2.2 Promote the acquisition and use of municipal agricultural land mainly through leasehold preferably by historically disadvantaged individuals as envisaged in section 25(5) of the Constitution.
- 2.2.3 Regulate the use, acquisition and disposal of municipal agricultural land in accordance with the applicable regulations.
- 2.2.4 Ensure that municipal agricultural land held by it, which is not envisaged for or already used for public purposes and/or in the public's interest, be dealt with in a manner that will ensure the greatest benefit to the Council and the community.

- 2.2.5 Ensure current long term lease agreements pertaining to agricultural land are periodically revisited, especially where land is not currently being optimally used and provide for the necessary procedure for the disposal or awarding of rights of such land in terms of the applicable regulations.
- 2.2.6 Ensure fairness, equity, transparency, cost effectiveness and competitiveness.
- 2.2.7 Ensure speedy availability of land to qualifying residents.
- 2.2.8 Provide for a standard process to be followed for the application and allocation of municipal agricultural land in line with the Municipal Financial Management Act (MFMA) and the MATR.
- 2.2.9 Provide for the institutional arrangements for the management and administration of municipal agricultural land and guide the establishment of an intergovernmental and public/private sector body to monitor implementation and provide support.
- 2.2.10 Discourage the direct sale of municipal agricultural land. In this regard, the Council may dispose of land or other immovable capital assets only once it is satisfied that such an asset is not needed to provide the minimum level of basic municipal service and that it has considered fair market value for the asset and the economic and community value to be received in exchange for the asset, in accordance with section 14(2) of the MFMA and Council has complied with subsections (1) to (6) thereof. However, the above must be done with the greatest circumspection as it is imperative to keep a balance between righting the wrongs of the past with the conservation of the Municipality's greatest cultural and economic asset - its historical treasures that gives the town its special ambience.

3 ALIGNMENT OF THE POLICY: THE NDP AND LEGISLATION

It is important that initiatives such as this are aligned with current government development policies and the realities of the market place. To this end the National Development Plan (NDP) proposals on employment in agriculture and on land reform are presented first. This is followed by a review of the relevant legislation that impacts on the management of agricultural land in Stellenbosch.

3.1 Alignment with the National Development Plan

Chapter 6 of the National Development Plan (NDP) recognizes that the end result of more than a century of racially discriminatory practices, policies and laws regarding access to, and ownership of land in South Africa is a profound inequality, basically between commercial farmers, who are still mostly white, and small scale, often subsistence and sometimes emerging, mostly black farmers. While the exact patterns of land access differ between the provinces, this strong dualism is still the most important characteristic of South Africa's rural areas.

As a result, the NDP identifies strategies to end the dualism in South African agriculture, which distorts the spatial organisation of the country's rural areas and makes access to markets for smaller scale producers all but impossible. The Chapter addresses three sets of strategies:

- a) Rural development and food security,
- b) Employment creation in agriculture and related upstream and downstream industries, and
- c) Land reform. The last of these three is of direct interest to this policy document.

Land reform, as proposed in the NDP, is a three step process that addresses some of the realities of land reform in South Africa as defined in the National Development Plan (NDP).

Step 1:

is to convene an area-based Land Committee with representation by all interest groups such as Department s and agents of the State, farmer organizations, financial institutions including the Land Bank. The first task of this area-based initiative is to decide on a short and long term vision for land reform in their area of jurisdiction: for example, do they want only small-scale farmers, do they want to encourage the production of any particular crop or livestock enterprise, can they identify agro-processing opportunities that are suited to their area, etc.? This vision will guide their selection of prospective farmers, as is shown below. Importantly, the District Committee also considers what farmer support services, from hard infrastructure to farmer support, is required in their area of jurisdiction in order to secure the success of their vision of land reform, and starts to negotiate its provision with the relevant stakeholders. Importantly, the NDP argues that successful land reform requires that the appropriate farmer support services (access to rights in land and to supply chains such as export licences; access to input and produce markets, the appropriate physical and institutional infrastructure, access to inclusive financial services and to research and extension services, et c.) should be in place *ex ante*. Without farmer support services, land

reform will fail. *Ex post* provision of services such as those produced via CASP and RECAP are invariably too little and too late, and are not a substitute for the real thing.

Step 2

is where the Committee identifies 20 per cent of the privately owned commercial farm land in their area of jurisdiction that is available for land reform. In the short term (the first year or so) this will most likely be state land, municipal commons, land already purchased for land reform but not settled, farms that are under severe financial stress and commercial farmers willing to offer land for sale, while in the longer term (around five years), other farms will be identified. The Committee then sets criteria for tenders for the beneficial use of the targeted farm land, and invites tenders that meet these criteria. It is important that this should be a transparent process, with well-reasoned criteria. The criteria could include factors such as the age and formal educational status of the prospective beneficiary, their farming experience, the presence of a mentor, the 'fit' between their business plan and the vision of the District Committee, etc. The successful tenders will immediately be put on a professionally managed performance monitoring system that will be in place for at least the first three years of their new venture.

Step 3:

would usually commence with a scheme to purchase land for land reform. However, in the Stellenbosch case, the land will stay in the possession of the Municipality, at least in the medium run. For this reason, the scheme will commence with the free provision, for the first three years, of farming requisites (seed, fertilizer, agro-chemicals, fuel, maintenance and repairs, packaging, etc.), working capital (machines, equipment, animals, buildings, etc.) and land rental once the successful beneficiaries are identified. To this end current commercial farmers can be partnered with the new farmers, and the Municipality can coordinate with the Provincial Department of Agriculture for access to CASP funding as well as other government agencies where support is already given. It is important, however, to note that the Municipality has no jurisdiction over land reform, and cannot be expected to finance this aspect of the scheme - it can at best voluntarily coordinate the provision of support. Next, if the farmer fails the performance appraisal in the third year, they lose their preferential access to the land. In the case that she or he passes this test, the Municipality is free to increase the length of the lease immediately, or in increments, and phases a market rate of rental in over four years at 25 per cent increments per year. In year 4 (i.e. after 7 years in total) the Municipality may, if it deems this to be in the best interests of the Stellenbosch community, sell the land to the beneficiary, who, under the NDP proposals, will have recourse to the Land Bank for financing of the mortgage. This means that the new farmer will now either pay a normal market rental in the event that the land remains under leasehold or a normal market premium in the event that title is conferred. From this point onwards (i.e. after seven years), the new farmer may exercise all the rights of ownership of the lease or the title deed that accrue to any farmer within the framework of Stellenbosch Municipality policies - they may sell, buy or hire additional land, etc. Finally, the NDP also provides detailed guidelines on how the new farmers can leverage their participation in the programme to access financing in a manner that allows them a fair chance of becoming successful.

Note that the NOP is in many respects not prescriptive and is encouraging of local initiatives to address local problems. In particular, the NOP proposals encourage experimentation with:

- 3.1.1 The criteria by which success in land reform should be measured, whether this be the number of hectares transferred, the number of beneficiaries assisted, the reduction in income inequality in the area, etc. This is something that should form part of the vision for land reform, as discussed under Step 1.
- 3.1.2 The sequence of land reform implementation: In particular, it does not prescribe that a representative, area-based land committee be set up prior to the implementation process. This would especially be the case where the democratically elected local government authority takes the lead. It also does not prescribe that step 1 should precede step 2, etc.
- 3.1.3 Who should participate in the land committee?
- 3.1.4 How the Committee is to arrive at a longer term vision for land reform in its area of jurisdiction, and what that vision should look like.
- 3.1.5 What farmer support services are required, who should provide them, and how should they be provided: as long as they are planned for ex ante, and actually implemented.
- 3.1.6 The nature and origin of land targeted for early implementation of the vision for land reform. In this case, it is municipal land that is not currently encumbered or that will become so in the near future. This could, in other words, form the vanguard of a wider land reform program in the Stellenbosch Municipal area.
- 3.1.7 The criteria by which beneficiaries will be selected: The NOP is, however, prescriptive about performance monitoring of the beneficiaries and about how access for them should be financed (see Steps 2 and 3) in order to improve the prospects of success.

3.2 Relevant legislation

The legislative framework for the management of the Stellenbosch municipal property is contained and governed in a number of laws, including but not limited to:

- The Local Government: Municipal Finance Management Act 2003, Act 56 of 2003 (MFMA), in particular section 14, which deals with disposal of capital assets;
- The Local Government : Municipal Asset Transfer Regulations, 2008 (M ATR), which governs
 - o The transfer and disposal of capital assets by municipalities and municipal entities; and
 - o The granting by municipalities and municipal entities of rights to lease, use, control or manage capital assets;
- Any other applicable legislation, regulations and policies that may govern the disposal, letting or transfer of ownership of municipal land and related activities that are not in contradiction with the primary legislation referred to above.

Further relevant pieces of legislation governing property management include the following:

- Broad Based Black Economic Empowerment Act (Act No. 53 of 2003);
- Constitution of the Republic of South Africa, 1996;
- Extension of Security of Tenure Act (Act No. 62 of 1997);
- Local Government : Municipal Structures Act (Act No. 117 of 1998);
- Local Government: Municipal Systems Act (Act No. 32 of 2000);
- Preferential Procurement Policy Framework Act (Act No. 5 of 2000);
- Property Rates Act (Act No. 6 of 2004);
- Land Reform: Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993).

4 THE IMPLEMENTATION PLAN

4.1 Guiding principles

The following principles will guide the implementation of this Policy:

- 4.1.1 Promote social integration, provide redress to the Council's existing spatial inequalities, build strong and dignified communities and provide adequate infrastructure for easier access to places of work.
- 4.1.2 Optimizing property, in particular municipal agricultural land as a sustainable resource to provide better economic growth and improve agricultural diversity with regard to value adding to fresh produce.
- 4.1.3 Promote land reform by fundamentally changing unequal land ownership patterns through optimization and redistribution of long term leased land, especially that which is lying fallow.
- 4.1.4 Use property as a catalyst for economic development by establishment of agriculture beneficiation nodes.
- 4.1.5 Acquisition of additional municipal agricultural land to further the Municipality's strategic objectives.
- 4.1.6 No rights or usage of municipal owned land shall be sublet or ceded to a third party without the prior written approval of the municipality.
- 4.1.7 Under no circumstances should any mining of land, excavation of soil for selling purposes or any permanent damage to land be allowed.
- 4.1.8 No new buildings shall be permitted on leased municipal land whether long term or not unless with specific agreement of the Council and then for a use and in a style that complements the environment.
- 4.1.9 Utilization of land and other immovable assets is guided by the Municipality's Integrated Development Plan (IDP), the Spatial Development Framework and the Local Economic Development Strategy
- 4.1.10 Create an enabling environment to users of the land to participate meaningfully in agricultural activities to:
 - 4.1.10.1 Promote entrepreneurship
 - 4.1.10.2 Contribute to food production and economic opportunities
 - 4.1.10.3 Leverage the expertise and markets of existing commercial farmers to assist emerging farmers through partnerships and/or shareholding especially new entrants.

4.2 Bill of Rights - Equality

Fundamental human rights are entrenched in Chapter 2, sections 7 to 39, of the 1996 Constitution. *The Bill of Rights is a cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom. The state must respect, protect, promote and fulfil the rights in the Bill of Rights.*

Rural development is a central pillar of the struggle against unemployment, poverty and inequality. High levels of rural poverty and inequality inhibit the growth of the economy and undermine any efforts to ensure that growth is more equitably shared amongst citizens.

Although agriculture is not a local government mandate, Council has a developmental role to play in facilitating and advancing rural development to bring about sustainable change in the socio-economic situation of the area and to support economic growth. This developmental role is further emphasized in sections 152 and 153 of the South African Constitution.

The objects of Local Government in particular are set out in section 152 of the Constitution, which reads thus:

"(1) the objects of local government are-

- (a) to provide democratic and accountable government for local communities;*
- (b) to ensure the provision of services to communities in a sustainable manner;*
- (c) to promote social and economic development*
- (d) to promote safe and healthy environment and;*
- (e) to encourage the involvement of communities and community;*
- (f) Organization in the matters of local government.*

(2) A municipality must strive with its financial and administrative capacity to achieve the objectives as set out in this sub-section.

(3) The Constitution further determines that local government shall have the developmental duties as set out in section 153 that reads as follows:

'A municipality must-

- (4) Structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community; and*
- (5) Participate in national and provincial development programs."*

A reformist policy, particularly incorporating previous disadvantaged groups, is to be implemented in line with the above objectives prescribed for local governments. This policy must at all times include the fair distribution of the land with particular reference to optimal production and allocation to suitable qualifying beneficiaries.

Considering the fact that the bulk of Stellenbosch municipal agricultural land has already been allocated in long term leases, there is limited agricultural land available which can be gainfully applied. A further hindrance is the availability of water without which agricultural land is virtually worthless as far as viticulture and fresh produce is concerned.

It is therefore incumbent on the administration of the Municipality to ensure that the limited land currently available is optimized for the benefit of the community as a whole without taking away from the historical heritage which ensures economic progress.

4.3 Sustainable development

Implicit in the concept of sustainable development is the requirement that a broader view of the Stellenbosch economy is always at the forefront of the process; the town and surrounds are highly dependent on the historical heritage and tourism and agriculture which are the main sources of job creation.

Sustainability in this instance implies the use of land to feed urban residents and to provide for additional economic value, but not to harm the aesthetic appearance and ambience of the countryside which is the attraction for tourism income.

Due regard for the scarcity of water and prudent use of other resources together with the application of innovative new methods of farming lies at the bottom of these efforts.

Recognition should be given to the wealth of farming experience on the one hand but a lack of business acumen on the other which should direct any training efforts towards access to markets and proper planning for the longer term. It is also essential that new farmers pool their resources to obtain maximum value for their produce.

As the right Partner can add immeasurable value to particularly HDI beneficiaries it is incumbent on the Operational Committee to facilitate, where possible, that such a Partner is introduced and that the required steps is followed to ensure that an equitable arrangement is reached with the HDI not forfeiting more than 49% of the shares.

4.4 Council powers

The Council is permitted to:

- 4.4.1 Reserve and manage immovable property in its ownership for municipal purposes in a manner that supports its strategic objectives and permit such property to be enclosed and cultivated.
- 4.4.2 Reserve and manage immovable property in its ownership for municipal purposes aligned with operational needs.

- 4.4.3 Acquire immovable property and rights in property by way of private treaty, cession, donation and expropriation to support its strategic objectives.
- 4.4.4 Alienate immovable property and rights in property by way of direct sale, public tender, auction and donation.
- 4.4.5 Let immovable property in its ownership on a long term or short term basis by way of direct negotiation or public tender.
- 4.4.6 Acquire, use or dispose of any capital assets owned by the Municipality, unless it is precluded from so doing by law or the conditions under which such immovable assets were acquired by the Municipality.

4.5 Guidelines for land allocation

The Policy prescribes the following guidelines to be followed by Council for the allocation and management of municipal agricultural land within the framework of compliance with the applicable legislation and regulations:

- 4.5.1 In a bid for municipal agricultural land, where bidders are equally competitive, preference will be given to HDI's.
- 4.5.2 In this event cognisance should be taken of Chapter 7 of the Draft policy on the Management of Municipal Immoveable property that deals with "preference points".
- 4.5.3 Special affirmative measures towards HDI's may be applied by the Municipality to ensure fairness in the disposal process of agricultural land in accordance with the Preferential Procurement Regulations.
- 4.5.4 Ensure the protection or advancement of persons, or categories of persons, disadvantaged by previous unfair discrimination.
- 4.5.5 Market forces will always be the point of departure in any land or property transaction and this must be recognised and acknowledged.
- 4.5.6 Preference will be given to bids that support economic development initiatives on a macro scale, including tourism initiatives.

- 4.5.7 May enter into Public Private Partnership agreements but only in accordance with the provisions of Section 120 of the MFMA.
- 4.5.8 Aim to redress past land ownership patterns to reflect the population demographics of the Municipality.
- 4.5.9 Council reserves the right not to dispose of any portion of land.
- 4.5.10 Compliance with the Local Agenda 21 principles of sustainable development and environmental preservation.
- 4.5.11 Council will respect all current ownership and other vested rights to property.

Current long term lease agreements pertaining to agricultural land should be revisited, especially where land is not currently being optimally used, with the aim of achieving socio-economic development, providing access to land for eligible emerging farmers and in fulfilling council's strategic objectives. Local Economic Development should therefore on a continuous basis verify that land allocated on long term leaseholds to established farmers, industry and other bodies is used for the purpose for which it was allocated on a regular basis.

4.6 Institutional & Governance Structure

While the details can be worked out when appropriate, the institutional structuring for the implementation of this draft policy will consist of the following :



Figure 1: Institutional & Governance Structure

4.6.1 Compilation of a Strategic Advisory Committee:

It is suggested that a Committee be established to play a key role in municipal agricultural land administration and management in line with the applicable legislation as explained in section 3. The committee should ideally comprise of:

- The Municipal Manager (or assigned)
- Director: Planning and Economic Development (including officials from LED),
- Director: Integrated Human Settlements and Property Management (including officials from Property Management)
- Senior Legal Advisors of Legal Department;
- Western Cape Department of Agriculture;
- Department of Water Affairs
- Winelands Water Board
- Stellenbosch University
- Department of Rural Development and Land Reform
- Special Purpose Vehicle
- Organised stakeholders with formalised relationships, e.g. Agricultural Society
- Any other relevant stakeholder as approved by the Municipal Manager

Guided by the Policy principles as stated earlier, the responsibilities of the Strategic Advisory Committee are varied and include the following:

- Providing strategic land access management and information to Council (among others)
- Changing the existing land ownership patterns whilst respecting and upholding current property rights. This should be undertaken by terminating current leases where municipal agricultural land is not currently being used optimally;
- Ensure the productive and sustainable use of land to attain both household and food security as well as increase agricultural output;
- Provide sound and competent advisory service regarding municipal agricultural land allocations and matters of access;
- Identify where to acquire land from and identify eligible occupants based on specified criteria
- Ensure compliance with the relevant strategic plans, policies and legislation.
- Ensure equitable balance between interests of the public.
- Ensure that inter-departmental and inter-sectorial cooperation and alignment takes place;
- Ensure alignment with National Development Plan, Municipal Integrated Development Plan, Municipal Spatial Development Framework and other relevant development plans;
- Supporting the formulation and implementation of limitations on land holdings and monitor ownership patterns in the Stellenbosch Municipal area;

Coordinate the municipal agricultural land allocation system to ensure the success of implementing this policy;

4.6.2 Compilation of an Operational Committee

Guided by the Policy principles as stated earlier, the responsibilities of the Operational Committee are varied and include providing land administration and information to the Strategic Advisory Committee. It is recommended that the following departments form part of the Operational Committee:

- Property Management
- Local Economic Development
- Legal Services
- Environmental Management

The functions of this Committee will be to:

- Facilitate partnerships between established and emerging farmers, industry and government to facilitate investment, sustainability and efficiency of farming enterprises.
- Coordinate local support services.
- Receive and review land applications and/or proposals in terms of principles and specified criteria as set out in this policy and the applicable legislation.
- Maintain a database or register of land inventory and conduct a land audit periodically.

4.7 Criteria to obtain access to land

Rural development and land reform are not municipal functions per se; however, rural development has a spatial dimension and is implemented in municipal spaces. Therefore, the role of local government cannot be overemphasized.

As the custodian to relatively large tracts of land, Stellenbosch can make a meaningful contribution to Government's efforts to correct disparities in land use as a result of policies of a previous dispensation. The Municipality has a core responsibility to acquire and avail land, in the first instance, for its own use for purposes of developing and maintaining municipal infrastructure, promoting service delivery and for facilitating social and economic development and spatial integration.

The Municipality has a further responsibility in terms of acquiring, managing, developing and releasing its land and other immovable assets and rights on behalf of its residents and ratepayers. In this regard, the key consideration is that the best interests of the Municipality (and thus its residents) should be paramount in all land transactions that the Municipality enters into.

Beneficiaries will be selected from lists compiled from advertising in all the printed media in Stellenbosch. The advertisements will specify the size and type of land available and for which type of farming or land use the land is earmarked. Applicants for land lease must complete a set of documents obtainable from LED which will specify inter alia:

- What documents should be attached to the application (ID's etc.)
- Type of application (Cooperative, Trust or individual Farmer)

- Farming category: Community gardens; emerging farmers; commercial farmers

- Agricultural beneficiation: Development or use of existing or agreed infrastructure for value adding by refinement, bottling, packaging, processing, etc.

- A business plan covering:
 - Proposed business model
 - Production viability
 - Market access
 - Financial Viability
 - Support Services
 - Financial model

- Further criteria as occasioned by the needs of the specific project, which may include, where appropriate:
 - A residential requirement (e.g. must have been a resident of Stellenbosch for a period of 10 years or more);
 - Experience in farming and/or business management at an appropriate level;
 - A means test income requirement:
 - Monthly cash flow or banking statements
 - Assets owned without encumbrance
 - Assets available but encumbered
 - Partnership and cooperation with a mentor if required;
 - Attendance of human development opportunities as prescribed;
 - Compliance with the policies of the Municipality and other applicable legislation and with the rules and regulations as set out by the Municipality from time to time.

- The criteria and process to be determined by the Municipal Manager and may vary on project to project basis based on the following principles:
 - Must be a South African citizen
 - Must be an adult.
 - Must be of a previous disadvantaged group
 - Must at least have been a permanent resident of Stellenbosch Municipal Area (minimum 5 years) on a sliding scale.
 - Must have a proven agriculture track record weighted by the fact that such a person have been employed in an overseeing capacity.

- Supply chain guidelines to be followed.

4.8 Exclusions

Land allocation will exclusively be made available for agricultural purposes and beneficiation of locally produced products. Due to the fact that the historical character and rural ambiance is important to maintain the status quo of Stellenbosch as destination of choice which is responsible for an important part of the local economy, all efforts must be made to conserve the natural environment. Unless by special decision of the Municipal Council, no agricultural land will be made available for industrial, residential, special nodal developments or any such developments that may take away from the charisma of the District or reduce farmland as a resource

- No permanent land rights for inefficient land users. Therefore continuous review, evaluation and increased productivity checks will be put in place;
- Immediate exclusion for any fraudulent activities by beneficiaries in application, during process or after allocation resulting in disqualification and prohibition of future participation (of the beneficiary or beneficiary group);
- Ensure land access only to capable, skilled, hardworking groups without farming activities in other regions of South Africa or internationally;
- Discourage speculative and unproductive land use.
- Save with prior approval, the municipal agricultural land may only be used for the purpose for which occupation was granted and purposes regularised by the relevant zoning schemes.

4.9 Process to acquire land or rights on agricultural land

The disposal of agricultural land and the awarding of rights in agricultural land will be dealt with in terms of this policy and the applicable legislation.

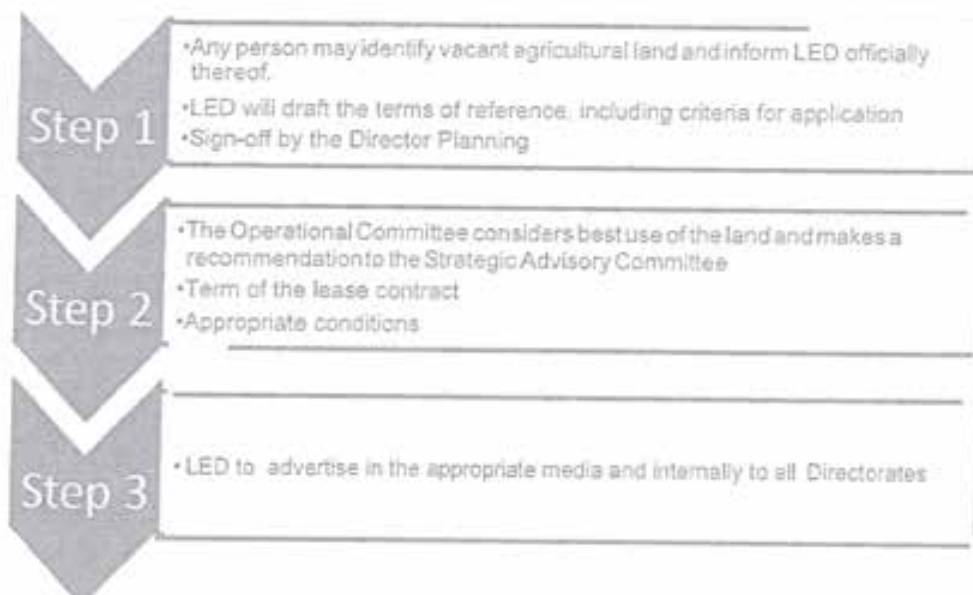




Figure 2: Process to acquire land or rights on agricultural land

4.10 Monitoring and evaluation

The municipality does not have the capacity to monitor and evaluate the progress of agricultural land and the farming practices in general. It is therefore imperative that Partners / Mentors must be found to assist in the process to not only mentor a new generation farmers but also take up the responsibility to oversee proper farming processes that is in the best interest of Stellenbosch.

It will however be in the best interest of Stellenbosch municipality to have its own database of Partners/ Mentors and therefore LED will set a process in motion to identify willing and able persons, with expertise not only in agriculture, but also in other aspects (e.g. beneficiation) relating to farming enterprises.

4.11 Policy Review process

- o This Policy shall come into effect on the date of the Council resolution;
- o This Policy may be reviewed annually and when required by way of Council resolution.

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6 ANNEXURE A: Municipal land under leasehold

6.1 Land currently under long term leasehold

Property description	Size	Lessee	Contract Period
29	40 ha, no water	Vacant	
165/1	0,14 ha, no water	Vacant	
165/A	10,5 ha, no water	Vacant	
183	1,56ha, no water	Vacant	
183A	35,54 ha, 12,0 ha water	W.S Smit Boerdery (Edms) Bpk	01/04/1994-31/ 03/2044
183B	11 ha, 3 ha water	W.S Smit Boerdery (Edms) Bpk	01/04/1994-31/ 03/2044
183C	8,5 ha, 2 ha water	W.S Smit Boerdery (Edms) Bpk	01/04/1994-31/03/2044
183D	24 ha, 8 ha water	Joretha Boerdery	01/04/1994-31/03/2044
183E	21,84 ha, 7 ha water	Devon Valley Boerdery (Edms) Bpk	01/04/1994-31/03/2044
183F	8,13ha, 3 ha water	Devon Valley Boerdery (Edms) Bpk	01/04/1994- 31/03/2044
183G	0,43 ha, No water.	Devon Valley Boerdery (Edms) Bpk	01/04/1994- 31/ 03/2044
183/23	20,5 ha, 5 ha water	W.S Smit Boerdery (Edms) Bpk	01/04/1994- 31/ 03/2044
203/2A	4,36 ha, 2 ha water	Devon Valley Boerdery (Edms) Bpk	01/04/1994- 31/03/2044
279A	6,6 ha, 5 ha water	Asara Properties (Pty) Ltd	01/04/1994-31/03/2044
2795N	25,3 ha, no water	Vacant	
279D	5 ha, no water	Vacant	
295/3 Remainder Erf 376 Remainder Erf 9190	70,4 ha, 10ha water	Stellenbosch Golf Club	20/12/ 1994- 31/03/2041
352/2	0,297 ha, no water	Okkie Jooste Kampterrein	24/03/1934-23/ 03/2033
352/2 other	174,6 ha, no water	NTO	24/ 03/1934-23/03/ 2033
368/2	3,5 ha, no water	Vacant	
368/C	3,5 ha, no water	Vacant	
369F	6,5 ha, 2,5ha water	Paradyskloof Boerdery (Edms) Bpk	01/04/1991-31/03/2041
369P	60,5 ha, 25ha water	KWV (Pty) Ltd	01/04/1991-31/ 03/2041
369T	1,2 ha, no water	Paradyskloof Tennis Club	21/ 06/1999-20/06/2041
369U	0,31ha, 0,1 ha water	Paradyskloof Boerdery (Edms) Bpk	01/ 04/1991-31/03/2041
369V	2,84 ha, 0,9ha water	Paradyskloof Boerdery (Edms) Bpk	01/04/ 1991-31/03/2041
369W	38,1ha, 11,4 ha water	Paradyskloof Boerdery (Edms) Bpk	01/04 / 1991-31/03/2041
377A	9,42 ha, no water	Vacant	
377B	16,27 ha, no water	Goedvertrouw (Kirsten)	01/04/2007-31/03/2032
377C	36 ha, 10 ha water (Originally 39,4ha see erf 9190)	J.P Roux & Son	01/09/1999-31/03/2041
Lease Area 2 of over Rem Erf 9190 (Originally part of 377 C)	3,4 ha, no water	J.P Roux & Son	01/09/1999-31/03/2041

Lease area 1 over Ram Farm 377 (Originally	16,2241 ha, 12 ha water	Blaauwklippen Agricultural Estate	01/09/1999-31/03/2041
Portion 13 of 491/1	11,36 ha, 5 ha water	Spier Holdings (Pty) Ltd (Newshelf 31 (Pty) Ltd	01/04/1999-31/03/2041
502AA	11,1ha, 6 ha water	Spier Holdings (Pty) Ltd (Newshelf 31 (Pty) Ltd	01/04/1999-31/03/2041
502AB	17,5 ha, 9 ha water	Spier Holdings (Pty) Ltd (Newshelf 31 (Pty) Ltd	01/04/1999-31/03/2041
502AC	3,5 ha, 1 ha water	Roulou Boerdery Trust	01/04/1999-31/03/2041
502AD	8 ha, 3 ha water	Roulou Boerdery Trust	01/04/1999-31/03/2041
502AE	27,4 ha, 8 ha water	Roulou Boerdery Trust	01/04/1999-31/03/2041
502AF	14,1 ha, 4 ha water	Roulou Boerdery Trust	01/04/1999-31/03/2041
502AG	13,3 ha, 4 ha water	Roulou Boerdery Trust	01/04/1999-31/03/2041
502AH	7,2 ha, 2 ha water	Roulou Boerdery Trust	01/04/1999-31/03/2041
502AJ	10,7 ha, 3 ha water	Roulou Boerdery Trust	01/04/1999-31/03/2041
502AK	22,5 ha, 8 ha water	Poker Hill Vineyards (Pty) Ltd	01/04/1999-31/03/2041
502AL	13,5 ha, 4 ha water	Poker Hill Vineyards (Pty) Ltd	01/04/1999-31/03/2041
502AM	8,56 ha, 3 ha water	Vacant	
502AN	28,5 ha, 9 ha water	Paul Roos Boerdery (Edms) Bpk	
502AP	7 ha, 2 ha water	Vacant	
502AQ	8 ha, 3 ha water	Paul Roos Boerdery (Edms) Bpk	
502AR	4 ha, 1 ha water	Paul Roos Boerdery (Edms) Bpk	
502AS	26,5 ha, no water	H. W Gebers	
502AU	8,9ha, no water	Vacant	
205AW	6 ha, no water	Vacant	
502AX	6,96 ha, 2,3 ha water	R Myburgh Boerdery	01/04/1991-31/03/2041
502AY	4,28 ha, 1,3 ha water	H.C Myburgh Boerdery	01/04/1991-31/03/2041
50288	18,64 ha, 6 ha water	Roulou Boerdery Trust	01/04/1991-31/03/2041
5028C	6,5 ha, 2,5 ha water	H.C Myburgh Boerdery	01/04/1991-31/03/2041
50260	6,5 ha, 3 ha water	Roulou Boerdery Trust	01/04/1991-31/03/2041
5028E	11 ha, 4 ha water	Roulou Boerdery Trust	01/04/1991-31/03/2041
5028FN	16,6 ha, 6 ha water	Vacant	
5028H	66,6 ha, 26 ha water	Organic Small Farm Holding Trust	01/04/1991-31/03/2041
505BJ	5,9 ha, 3 ha water	Limberlost Berry Farm	01/04/1991-31/03/2041
5028K	72 ha, 22 ha water	Roulou Boerdery Trust	01/04/1991-31/03/2041
5028L	12 ha, 4 ha water	Med-Prop cc	01/04/1991-31/03/2041
5028M	5,35 ha, 1 ha water	Vacant	
502E	15,5 ha, 5,2 ha water	Gelie Hanekom Trust	01/04/1991-31/03/2041
502L	25,2 ha, 2 ha water	Stellenbosch Vliegryd Maatskappy	01/04/1991-31/03/2021
502M	5,1 ha, 3 ha water	Higgs Trust (Pty) Ltd	01/04/2002-31/03/2041
502N	4,2 ha, 1,5 ha water	Stellenbosch District Riding Club	01/04/1991-31/03/2021
502R	28,8 Ha, 8 ha water	Roulou Boerdery Trust	01/04/1991-31/03/2041
502S	23,6 ha, 7,9 ha water	Gelie Hanekom Trust	01/04/1991-31/03/2041
502T	11,3 ha, 3,6 ha water	Gelie Hanekom Trust	01/04/1991-31/03/2041
502V	21,8 ha, 8 ha water	Vacant	
502W	9 ha, 3 ha water	Gelie Hanekom Trust	01/04/1991-31/03/2041
502X	7,8 ha, 2 ha water .6855ha - sub-leased	Die Groothoek Trust Sub-lease of 6855 ha to Stellenbosch Restaurant CC	01/04/1991-31/03/2041
527A	2 ha, 1ha water	G.J.C Norval	

527E	14,78 ha, 7 ha water	Blaauwklippen Agricultural Estate	01/09/1999-31/03/2041
527F	53,5 ha, 8 ha water	Redlex 421(Edms) Bpk	01/04/1991- 31/ 03/ 2041
527J	28,3 ha, 9 ha water	Nietbegin Boerdery	01/04/1991- 31/ 03/ 2041
528A	20,3 ha, 2 ha water	Mountain Breeze Caravan Park cc	01/ 04/1991-31/03/2021
529A	51,7 ha, 25 ha water	P.G Du Toit Boerdery	01/ 04/ 1991- 31/ 03/2041
529B	17,4 ha, 9 ha water	Redlex 421 (Edms) Bpk	01/04/ 1991- 31/03/2041
619/1	26 ha c/water	Vacant	
1024/1 Franschoek	43,7 ha, no water	Franschoek Trust	11/ 06/ 2012
1135 /1	127,2 ha, no water	Theewater Bavaria	20/ 08/ 2032
Lease area 1 over Rem Erf 9150 (Originally 377F)	6,415 ha, no water	Blaauwklippen Agricultural Estate	01/09/1999-31/03/2041
Total leased	1416,79ha		
Total vacant	268,34 ha		
Total	1703,13 ha		

6.2 Current vacant land

Property Description	Size	Total	Water
29(25)	40 ha No water	40	
165/1A	10,5 ha No water	10,5	
165/1B	0,14 ha No water	0,14	
2798N	25,3 ha No water	25,3	
366/2	20ha	20	
366/C	3,5 ha No water	3,5	
377A	9,42 ha No water	9,42	
502AM	6,56 ha 3 ha water	6,56	3
502AP	7 ha 2 ha water	7	2
502AU	6,9 ha No water	6,9	
502AW	6 ha No water	6	
502BFN	15,5 ha 6 ha c/water	15,5	6
502BM	5,35 ha 1 ha water	5,35	1
502V	21,6 8 ha water	21,6	8
619/1	26 ha c/water	26	
Total		207,77 Ha	20 Ha

6.3 Stellenbosch municipal land under Empowerment projects

Farm Number	Size (approximate)	Owner	Water available
377c	36 Ha	Eerste Oorkant Boerdery	10 ha water
2/9190	3.4 Ha	Eerste Oorkant Boerdery	No water
502AX	TBC	TBC	TBC
502AY	TBC	TBC	TBC
5028C	TBC	TBC	TBC
502BH	65 Ha	Organic Small Farm Holding Trust	26ha water
502BL	12 Ha	Medi Prop	4ha water
502M	5.1 Ha (60%)	Higgs Trust (Pty) Ltd J de Munk	3 ha water
527F	53.5 Ha (51%)	Redlex 421 (Edms) Bpk	8ha water
529B	17.4 Ha (51%)	Redlex 421 (Edms) Bpk	9ha water
Total	212.16 Ha		

ANNEXURE C

STRATEGIC ADVISORY COMMITTEE: MANAGEMENT OF
MUNICIPAL AGRICULTURAL LAND - STELLENBOSCH
MUNICIPALITY

Terms of Reference

1. Goal

- 1.1. To assist the Stellenbosch Municipality in its efforts to identify, review, discuss and make recommendations to Council on agricultural and agricultural related issues.

2. Mandate

- 2.1. The Stellenbosch Municipality Agricultural Land Advisory Committee is a volunteer advisory committee established by the Municipality of Stellenbosch in accordance with these Terms of Reference. Committee members are bound by these Terms of Reference and are ultimately responsible to the Stellenbosch Municipality Council.

3. Scope of Committee Activities

- 3.1. The scope of the Municipality Agricultural Land Advisory Committee shall include activities such as:
- a) To assist the Municipality in the implementation of its agricultural goals, objectives and policies;
 - b) Provide advice, comments and recommendations on issues and concerns of farmers and agricultural organizations;
 - c) Identify key issues of concern for farmers which can be addressed by municipal government;
 - d) Provide advice, comments and recommendations on alternative solutions, approaches, plans or studies dealing with agriculture and related rural issues which are within the responsibilities and financial capabilities of the Municipality;
 - e) Monitor and report on changes within the agricultural industry including agricultural land inventory;
 - f) Identify and implement programs which encourage public awareness, land stewardship and education of agricultural and rural issues;
 - g) Inform individuals, groups and businesses of the Municipality's agricultural goals, objectives and policies;
 - h) Provide advice, comments and recommendations as requested by the Stellenbosch Municipal Council on miscellaneous matters as they arise; and

- i) Consult with other community groups and committees on issues of mutual interest.

4. Committee Composition

- 4.1. The Stellenbosch Agricultural Advisory Committee shall consist of 14 members from various interest group, agencies or organizations as envisaged in the *Stellenbosch Municipality's Policy for the Management of Municipal Agricultural Land*, published under notice 54490 in the Provincial Gazette 7744 on 17 March 2017. These voluntary members will be appointed by Council for a term of 5 (5) years to coincide with the term of Council. A majority of the membership ten (10) shall constitute a quorum.
- 4.2. Members of the Committee are appointed as voluntary representatives of a particular or as members at large, as follows:

Organisation	Position	Proxy
Stellenbosch Municipality	Municipal Manager	Director/Manager
Stellenbosch Municipality	Director: Planning and Economic Development	Manager
Stellenbosch Municipality	Director Integrated Human Settlements	Manager
Stellenbosch Municipality	Vacant	Manager
Stellenbosch Municipality	Legal Advisor (Stellenbosch Municipality)	Manager
Stellenbosch Municipality	Widmark Moses	Delegate
Stellenbosch Municipality	Melissa Nel	Delegate
Stellenbosch Agricultural Society	Angelika van der Merwe	Delegate
Department of Agriculture	Mogale Sebopetsa	Delegate
Department of Rural Development and Land Reform	Vanessa Frantz	Delegate
Land Bank	Noko Masipa	Delegate
Stellenbosch University	Nick Vink	Delegate
Department of Water Affairs	Derril Daniels	Delegate
Winelands Water Board	Quinton Brynard	Delegate

- 4.3. The members shall possess expertise, experience and a willingness to devote the necessary time to the Committee. Members will be selected to provide an appropriate representation of various farming interests

- 4.4. The Municipal Manager or her secondi will be the Chair and a Vice-chair shall be appointed by the Committee and must be a member of the Committee.
- 4.5. A recording secretary shall be the duty of the Local Economic Development Department. Duties of the recording secretary shall include the taking of meeting minutes, and providing these minutes to the Municipal Manager for Council's information.

5. Meetings and Reporting

- 5.1. The Agricultural Advisory Committee shall determine the location and frequency of meetings. Committee members, if absent for three consecutive meetings without reason being given at least 24 hours in advance of the meeting, shall be considered to have lost interest in the Committee and will be informed of his or her being removed from the Committee. If any member is dropped from the Committee, or resigns from the Committee, the Municipal Manager shall be informed, and a new member shall be appointed by Council.
- 5.2. The Committee, by resolution or through its Chair, may invite any individual, interest group agency or staff to appear at a meeting as a delegation or to submit or present information that will assist the Committee in carrying out its mandate.
- 5.3. The Committee will be required to meet once every three months according to pre-determined dates as set out by Council.

6. Communicating with the Municipality

- 6.1. Minutes of the Committee shall be submitted by the recording secretary to the Director Planning and Development for inclusion in the Council agenda for information.
- 6.2. Recommendations from the Committee shall be submitted to the Director Planning and Development for inclusion in the Council agenda for direction.
- 6.3. The Council representative shall be the liaison person between the Committee and Municipal staff.

ANNEXURE D

Melissa Nel

From: Karien van der Berg <karien@rufusdercksen.co.za>
Sent: 17 March 2017 03:53 PM
To: Melissa Nel; Widmark Moses
Cc: claudia@rufusdercksen.co.za
Subject: [EX] APPOINTMENT OF ADVISORY COMMITTEE AND OPERATIONAL COMMITTEE FOR IMPLEMENTATION OF MANAGEMENT OF MUNICIPAL AGRICULTURAL LAND POLICY

Dear Melissa, Widmark

1. We confirm your instruction that the authors of the policy used the term committee merely for its general meaning describing a group of people appointed for a specific function and not with a specific statutory meaning in mind.
2. Furthermore, the Council has already approved the appointment of the committees as part of the policy with the adoption of the policy on 15 June 2016.
3. Accordingly there are no considerations of a legal nature relevant at this point given the above.

Kind regards,

Karien van der Berg

Rufus Dercksen Attorneys

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Assisted by: K. Hanekom B.A. LL.B.; K. van der Berg B.Proc. LL.B.; N. Müller LL.B.

Candidate Attorney: C. van Coler LL.B.; I. Burger LL.B.

CONFIDENTIALITY NOTICE

7.3.2	TABLING OF DRAFT REVIEW OF THE SPATIAL DEVELOPMENT FRAMEWORK 2018
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Collaborator No: *9/1/2/4/2017-2018 – 2021-2022*
 IDP KPA Ref No: *Valley of Possibility*
 Meeting Date: *22/03/2018*

1. SUBJECT:

TABLING OF DRAFT REVIEW OF THE SPATIAL DEVELOPMENT FRAMEWORK 2018

2. PURPOSE

To provide an opportunity to consider this document (**ANNEXURE under separate cover**) as the annual review of the Stellenbosch Municipality's Spatial Development Framework (SDF) and the spatial planning input to the 2018/19 review of the municipal Integrated Development Plan review (IDP).

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL.

Section 20(2) of SPLUMA and section 26 of the Municipal Systems Act require that the MSDF must be prepared as part of the IDP.

The Sec 12(1) sets out the general provisions that are applicable to the preparation of the SDF including (amongst other considerations):

- Contribute to a coherent, planned approach to spatial development in the national, provincial and municipal spheres.
- Provide clear and accessible information to the public and private sector and provide direction for investment purposes.
- Include previously disadvantaged areas, areas under traditional leadership, rural areas, informal settlements, slums and land holdings of state-owned enterprises and government agencies and address their inclusion and integration into the spatial, economic, social and environmental objectives of the relevant sphere.
- Address historical spatial imbalances in development.
- Identify the long-term risks of spatial patterns of growth and development and the policies and strategies necessary to mitigate those risks.
- Provide direction for strategic developments, infrastructure investment, promote efficient, sustainable and planned investments by all sectors and indicate priority areas for investment in land development.
- Promote a rational and predictable land development environment to create trust and stimulate investment.
- Take cognizance of any environmental management instrument adopted by the relevant environmental management authority.

Chapter 2 of SPLUMA further sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land, to which municipality are also required to adhere. These principles include spatial justice, spatial sustainability, efficiency, spatial resilience and good administration.

4. RECOMMENDATIONS

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.3.4

RESOLVED

That it be recommended to Council:

- (a) that Council considers and accepts this document (**ANNEXURE under separate cover**) as the first review of the Spatial Development Framework, as prescribed by SPLUMA;
- (b) that Council notes this as the strategic component of the SDF and as the focus of work to be completed during the 2018/19 business year to complete a full five-year review of the SDF; and
- (c) that Council note that legal prescripts in Chapter 4 of the Systems Act, including public participation, will be adhered to

5. DISCUSSION / CONTENTS

5.1 Background

Since approval of the SDF in 2013 and 2017, SDF related work has focused on:

- (a) Development of scenarios of land demand to inform the development of a preferred 20-year growth strategy, development path, and nodal development concepts. This work culminated in status quo and draft Urban Development Strategy (UDS) documents during 2017.
- (b) An analysis and synthesis of the rural areas of Stellenbosch Municipality with a view to prepare a Rural Area Plan (RAP).
- (c) A Draft Heritage Inventory of large-scale landscape areas in the rural domain of the municipality informing proposed heritage areas (complementing previous inventory work completed for urban areas).
- (d) Area-based planning investigations for parts of the municipality, notably Stellenbosch town, Klapmuts, the area north of Kayamandi, and Paradyskloof.

5.2 Discussion

There are three key issues with existing SDF work.

- (a) The first is that the approved SDF required more detailed work on the spatial planning of rural areas of the municipality, including agricultural areas and areas of landscape, cultural, scenic, and heritage value. Without this input, the SDF arguably had an “urban” bias. This work is nearing completion and can inform a more comprehensive, integrated SDF.

-
- (b) The second issue is that there has been inadequate alignment between the SDF and other sector plans. In this regard, transport planning is critical. Considerable progress has been made over the last year developing a strategy for sustainable transport planning, infrastructure provision, and management in Stellenbosch. This work should be fully integrated with the SDF.
- (c) The third is that the significance of the implementation framework for the SDF has possibly been underestimated. Instead of doggedly working to align services and the private sector around the chosen spatial strategy and direction – working out what needs to be done, by whom, and by when – there have been instances where the direction established over years is questioned, and associated work to start analysis afresh.

In addressing these challenges, the SDF has two tasks. The first relates to how activities should be organized and accommodated in space to best address challenges. The second is to guide how other sectors, services, or functional areas, should adjust their focus and work to support the recommended organization and accommodation of activities in space.

5.3 Financial Implications

Financial provision has been made as part he operating budget of the Directorate Planning and Development.

5.4 Legal Implications

To achieve full compliance with SPLUMA, LUPA and the Municipal Stellenbosch Planning By-Law.

5.5 Staff Implications

This report has no staff implications to the Municipality.

5.6 Previous / Relevant Council Resolutions:

As part of the Council resolutions dated 31 May 2017 it was noted that the public participation process around the finalisation of the new generation municipal SDF is on-going and that the SDF will be finalised in May 2018.

5.7 Risk Implications

This report has no risk implications for the Municipality.

6. Comments from Senior Management:

6.1 Director: Infrastructure Services

NOTED

6.2 Director: Planning and Economic Development

NOTED

6.3 Director: Community and Protection Services:

NOTED

6.4 Director: Corporate Services:

NOTED

6.8.5 Director: Financial Services:

No comments received

6.8.6 Municipal Manager:

NOTED

ANNEXURE (UNDER SEPARATE COVER)

Annexure 1: Review of the Spatial Development Framework and Spatial Development Framework input to the Integrated Development Plan Review (2018/19).

7.4	FINANCIAL SERVICES: (PC: CLLR S PETERS)
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7.4.1	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF) 2018/19-2020/21
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Collaborator No: **8/1**
 BUDGET KPA Ref No: **Good Governance and Compliance**
 Meeting Date: **28 March 2018**

1. SUBJECT:

MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2018/2019-2020/2021

2. PURPOSE

The purpose of this report is as follows:

- a) The Executive Mayor to table the Medium Term Revenue and Expenditure Framework (inclusive of property rates charges and taxes, tariffs and service charges), annexures and proposed amendments to the budget related policies and other policies to Council for approval in terms of Section 16(2) of the Municipal Finance Management Act, (Act 56 of 2003).
- b) That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the tune of R 340 million of which over the MTREF R160 million will be required in year 1, R100 million in year 2 and R80 million in year 3 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirms draft approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.

3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

Attached as **APPENDIX 1** is an executive summary by the Accounting Officer.

5. RECOMMENDATIONS

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.4.1

RESOLVED

That it be recommended to Council:

- (a) that the Draft High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved for public release;
- (b) that the Draft Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved for public release;

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- (c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved for public release;
 - (d) that the three year Capital Budget for 2018/2019, 2019/2020 and 2020/2021, as set out in **APPENDIX 1 – PART 2 – SECTION N**, be approved for public release;
 - (e) that the proposed draft rates on properties in WCO24, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in **APPENDIX 3**, be approved for public release;
 - (f) that the proposed amendments to existing budget related policies and other policies as set out in **APPENDICES 4 - 29**, be approved for public release;
 - (g) that Council specifically note and consider the need to take up an external loan, needed for investment in income generating infrastructure to the tune of R340 million of which R160 million will be required in year 1, R100 million in year 2 and R80 million in year 3 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary) and confirm approval of same;
 - (h) that Council specifically take note of the fact that the proposed electricity charges and tariff structure is subject to NERSA approval that could change materially; and
 - (i) that Council takes note of MFMA circulars 89 and 91 that was published to guide the MTREF for 2018/2019 to 2020/2021 as well as the Draft Cost Containment Regulations as set out in APPENDICES 30 – 32.

6. DISCUSSION / CONTENTS

6.1 Background/ Legislative Framework

Section 16 of the MFMA states that:

- (1) The council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year.
- (2) In order for a municipality to comply with subsection (1), the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.

Furthermore, section 17 of the MFMA states that:

- (1) An annual budget of a municipality must be a schedule in the prescribed format-
 - a) setting out realistically anticipated revenue for the budget year from each revenue source;
 - b) appropriating expenditure for the budget year under the different votes of the municipality;

-
- c) setting out indicative revenue per revenue source and projected expenditure by vote for the two financial years following the budget year;
 - d) setting out-
 - i. estimated revenue and expenditure by vote for the current year;
 - ii. actual revenue and expenditure by vote for the financial year preceding the current year.

6.2 Discussion

The 2017 Medium Term Budget Policy Statement (MTBPS) by the Minister of Finance highlighted the fact that improving the country's economic growth in the period ahead remains the biggest challenge. This undoubtedly reiterates the sentiments expressed in 2016's annual budget circular, which stated clearly that the South African economic outlook is bleak. The macro projections of National Treasury clearly indicates that unless appropriate financial decisions are taken, the per capita income will continue to deteriorate. South African Gross Domestic Product growth for 2017 was forecasted at 1.3 per cent at the time of the 2017/2018 budget and were revised down to 0.7 per cent. Growth were expected to improve to 1.9 per cent by the 2020 according to the MTBPS . Slow economic growth, recession, ratings downgrades and heightened concerns with regards to governance and sustainability of key state-owned companies were in the forefront during 2017. South Africa has experienced a period of prolonged economic weakness which in return diminishes private investment.

The 2018 Budget review published by National Treasury notes that since the publication of the Medium Term Budget Policy Statement (MTBPS) regardless of the aforementioned challenges the country's economic growth outlook has improved as a result of strong growth in the primary sector of the economy, especially in agriculture, as well as recovery in the investor sentiment and business confidence. The growth outlook is thus higher than predicted in 2017's Medium Term Budget policy Statement (MTBPS) with a anticipated growth of 0.7 per cent, it has been revised upward to 1 per cent. Growth remained stagnant at less than 2 per cent and the unemployment rate remains high at 26.7 per cent. The GDP growth rate is forecasted at 1.5 per cent during 2018, 1.8 per cent during 2019 and 2.1 per cent during 2020.

In his budget speech on 21 February 2018, the Minister of Finance emphasised the importance of using the budget as a mechanism to accelerate economic transformation and the importance of ensuring that the budget is utilised as a platform for renewal, inclusive growth and job creation. The Minister further highlighted that spending should be directed to the most pressing national priorities, i.e. educating the youth (internships, etc), protecting the vulnerable (various safety initiatives) and investing in enablers of inclusive economic growth. The broad principles that flow from the National Development Plan were also touched on and the Minister emphasised that the National Budget is guided by the NDP as it is a budget that promotes inclusive growth, it emphasises partnerships among the various stakeholders in our economy , it makes investments in education and infrastructure a priority, it supports and encourages employment creation and it contributes to building a developmental and capable state.

The Budget of 2018 maps a path out of economic stagnation, anticipating a steady increase in economic growth, which in turn will create a path to prosperity for the South African people, and improve the nation's finances over time. In essence the budget presents a roadmap to maintaining the integrity of the public finances, while also protecting social services. It is based on the idea of an inclusive social contract, encompassing equitable burden of tax and progressive programme of expenditure. It also relies on institutions that operate on good governance and a public ethic that values honesty, transparency and fairness.

As part of Government's transformation action agenda, the following programmes are a priority:

- Dignified living;
- Improved access to services and economic participation across all racial lines;
- Creating an environment for small businesses to thrive, which in turn will stimulate economic growth and increase job opportunities;
- Energised and inclusive growth and job creation;
- Increased investment and development.

The National key priorities below, directly aligned to the National Development Plan, the Constitution and the Freedom Charter, which are the cornerstones for South Africa's economic development, remain priorities for the municipality. These priorities are ultimately aimed at addressing the challenges of poverty, inequality and unemployment. Implementation of radical socio-economic transformation is therefore key in achieving these priorities.

- **Infrastructure development** and investment plays a pivotal role in improving the economy, creating jobs, empowering small businesses and providing services to the people. Municipalities are encouraged to invest in upgrading of municipal roads, building waste water treatment works, installation of electricity networks, power stations, upgrading of sewer systems, building water reservoirs and other infrastructure. With the population growth that Stellenbosch municipality has, especially in informal settlements, infrastructure needs to be upgraded to meet the demands of the communities. This also has a linkage in reduction of unemployment. Similar to 2016/17 and 17/18 financial years, the municipality's capital budget is huge.
- **Implementation of National Minimum Wage:** One of the demands of the freedom charter. The introduction of the minimum wage was made possible by the determination of all social partners to reduce wage inequality, while still maintaining economic growth and employment creation. This will improve the living conditions of households across the country.
- **Building safer communities for all:** Efforts to tackle crime must be intensified.
- Adhering to the principles of Batho Pele-“ Putting people first”.
- **Sustainable Job Creation:** One of the biggest challenges South Africa is confronted with is lack of job creation, which remains a national and

provincial priority, as highlighted in the State of the Nation Address delivered by the President. One of the most pressing challenges is youth employment, which are currently at the centre of the economic agenda. With the low scaling economy, it is a challenge for jobs to be created as the two have a direct relationship. Thus, it is paramount for municipalities to continue to undertake joint planning with their communities and respective business sectors that drive the local economy to create opportunities, especially for young people to be exposed to the work world through various initiatives such as internships, apprenticeships, mentorships, entrepreneurship, etc. Municipalities should explore opportunities to mainstream labour intensive approaches to delivering services. As a means to combat unemployment, the municipality would employ the following measures:

- Full participation in the Expanded Public Works Programme;
 - Providing support to small businesses, which will create employment in the medium to long term;
 - Establishment of Informal Traders;
 - Promoting Internships and in-service training opportunities;
 - Filling of vacancies within the municipality; and
 - Developing partnerships with academic institutions for training opportunities.
- **A revised capacity building initiative, aligned to Back to Basics strategy**, where the main focus will be on improving service delivery, accountability and financial management. It is always important that local government be effective and efficient, and this will be measured by its ability to perform the basic mandate of service delivery. The “Back to Basics” programme was launched to promote good governance and effective administration through cutting wastage, spending public funds prudently, hiring competent staff, and ensuring transparency and accountability in local government.

The President of South Africa, in his State of the Nation Address (SONA), on 16 February 2018 conceded that unemployment remains a national challenge and that job creation remains at the centre of the national agenda of 2018. The following focus areas were highlighted during SONA, which will be used as instruments to reignite growth so that the economy can create much-needed jobs:

- Industrialisation underpinned by transformation
- National Minimum Wage (one of the demands of the Freedom Charter) to ensure greater coherence and consistency in the implementation of economic policy
- Mining and beneficiation
- Youth Development and Employment through the implementation of various initiatives
- Agriculture and related initiatives
- Water Conservation Initiatives
- Encourage significant new investments and promoting greater investment in key manufacturing sectors
- Infrastructure Investment
- SMMEs
- Tourism
- Developing capabilities in science, technology and innovation towards digital industrial revolution

Various programmes and initiatives will be established and the existing one's improved upon to ensure effective implementation of the strategic priorities.

Curtailing non-core expenditure has always been emphasized by National Treasury. In order to maintain a funded budget, municipalities need to not only focus on tariff increases, but also focus on how to eliminate expenditure that is unnecessary. The initial cost containment measures were introduced through a MFMA Circular. Building on the MFMA Circular, National Treasury and other stakeholders drafted regulations that will promote the cost containment measures introduced in a number of spending areas. The Draft Municipal Cost Containment Regulations were published on 16 February 2018. The implementation of cost containment measures is important as it will assist municipalities to reprioritise expenditure and to free up resources targeted towards service delivery. It will also be used to eliminate wastage of public resources on non-service delivery items. The main object of the draft Regulations is to ensure that the resources of municipalities are used in an effective, efficient and economical manner (regulation 2).

The regulations are as follow:

- Regulation 1: contains the definition of terms used in the regulations;
- Regulation 4: deals with establishment of cost containment policies and also consequence management aspects for non-adherence to the regulations;
- Regulations 4 to 13 contain the actual cost containment measures to be implemented by the municipalities and municipal entities. These measures includes, principles around the appointment of consultants, procurement of vehicles for political office-bearer, travel and subsistence allowance, domestic accommodation, credit cards, sponsorship, events and catering, conferences, meetings and study tours and other related expenditure items.
- Regulation 5: Provides framework for disclosure of actual cost savings;
- Regulation 6: Contains the short title and the commencement date of regulations.

In essence these draft Regulations propose to provide a framework that is consistent with the provisions of the MFMA. The effective implementation of the regulations aims to ensure that municipalities and municipal entities achieve value for money in utilising public resources to deliver effective municipal services. The Regulation is intended to become effective from 01 July 2018.

The National Budget places emphasis on municipalities to ensure that expenditure is allocated in an efficient manner, that management is enhanced and that cutting of waste occur. The 2018 Budget allocates resources to core social and economic priorities while containing aggregate expenditure growth. Spending plans give effect to priorities of the National Development Plan and the Medium Term Strategic Framework.

Municipalities are encouraged by National Treasury to keep increases in property rates, tariffs for trading services and charges for other municipal own revenue sources within the parameters of the country's inflation rate. Furthermore, it is recommended that municipalities adopt a tariff setting methodology that achieves an appropriate balance between the interests of

poor households and other customers while ensuring financial sustainability of the municipality. In light of the current drought being experienced across large parts of the country, and to mitigate the need for water tariff increases, it is important that municipalities put in place appropriate strategies to limit water losses to acceptable levels.

The severe drought conditions were also a discussion point in the Minister's speech. Currently these conditions is affecting a large part of the country and emphasis were placed on water conservation and the implementation of water savings initiatives/ techniques. The prevailing drought makes it difficult for municipalities to improve revenue generation, especially when providing water. Municipalities must therefore ensure that water used by its own operations is charged to the relevant service, and not simply attributed to water losses. Demand management, infrastructure maintenance, loss management, meter reading and tariff setting in respect of water services is becoming increasingly necessary as the country faces water shortages. The approach to tariff setting should consider all these factors and strive to achieve an equitable balance.

Municipalities should consider the following facts during tariff setting process, namely, the costs of bulk purchases and the fluctuation in the seasonal cost thereof; the consumption patterns to enable better demand planning and management; and in the event that municipalities have been under recovering costs, embark on a process to correct their tariff structures over a reasonable time period so that cost reflective tariffs are achieved, which in turn will result in financial sustainability. It is important that municipalities ensure that the tariffs charged are able to cover for the cost of bulk purchases, ongoing operations and provision for future infrastructure.

The implementation of mSCOA requires systems integration of several sub-systems. In order for the municipality to maximise its revenue generation of the revenue base the municipality must ensure that certain internal controls are in place. One where the systems have the capability to compare the valuation roll data to that of the billing system. This will allow the municipality to determine where the municipality may be compromising its revenue generation in respect of property rates. Municipalities are required to reconcile their valuation roll data, billing system and the deeds office information.

It is anticipated that as a result of economic landscape and weak tariff setting, municipalities are under pressure to generate revenue. Therefore municipalities are required to focus on the following during the compilation of the 2018/2019 MTREF budgets:

- Ensuring value for money through the procurement process;
- Improving the effectiveness of revenue management processes and procedures;
- Paying special attention to cost containment measures by controlling, amongst other things, unnecessary spending on nice-to-have items and non-essential activities;
- The affordability of providing free basic services to all households; and
- Curbing consumption of water and electricity by the indigents to ensure that they do not exceed their allocation.

The following economic challenges will continue to exert pressure on municipal revenue generation and collection levels:

- Continued policy uncertainty and deterioration in finances of state-owned entities;
- The drought, which poses a risk to agriculture and tourism, which in return may threaten jobs as well as economic growth.

The effects of slow growth and economic challenges experienced these past years, still have an impact and continue to place pressure on the finances of the average consumer (levels of disposable income and savings). This typically results in greater difficulty for the municipality with regards to the revenue collection, which have a direct affect on the municipality's ability to provide effective and efficient services, but also to budget accurately for service delivery over the short to medium term. It is as a result of above economic challenges that a more conservative approach is advised for revenue projections. Municipalities affected by the drought should thus consider its impact on revenue generation. The municipalities will also have to improve their efforts to limit non-priority spending and implement stringent cost-containment measures.

It is anticipated that the cost of providing municipal services will increase faster than the transfers from national government. Resource scarcity will most likely increase the cost of bulk purchases in respect of water and electricity beyond the country's inflationary targets. Provision of free basic services in the case of poorer households must be carefully considered and, where some municipalities have opted to provide this benefit to all households, this may not be financially sustainable in the long-term. It is of utmost importance that a municipality should re-evaluate, where appropriate, the costs and benefits of universal or targeted provision of free basic services subsidies, in order to protect their delivery to poor households in particular.

The provision of these subsidies should at no point remove resources from programmes that will expand access to infrastructure services for presently un-served households.

In instances where municipalities do not have an adequate revenue base and where they face a combination of challenges such as resource scarcity, high unemployment and slower than average economic growth, an aggressive approach to curbing non-core spending and improving operational efficiencies is strongly advised. The national budget focuses on fiscal consolidation. This means that we as municipalities must ensure that we do not borrow beyond our ability to repay and we do not spend money we do not have, until we ignite growth and generate revenue, we have to be tough of ourselves.

The application of sound financial management principles for the compilation of the Stellenbosch's financial plan is essential and critical to ensure that the municipality remains financially viable and that municipal services are provided sustainably, economically and equitably to all communities. As a result of excellent financial discipline, the Stellenbosch Municipality has taken the theme of "Driving efficiencies- doing more with less", to heart. The municipality not only maintained its healthy financial position, but improved its already outstanding liquidity position.

The municipality's business and service delivery priorities were reviewed as part of this year's planning, through the Integrated Development Plan (IDP), and the annual budget process. Funds were shifted from low to high priority programmes so as to maintain sound financial stewardship. A critical review

were also undertaken on non-core and 'nice to have' items with regards to expenditure. The municipality has embarked on developing a revenue enhancement strategy to optimize revenue, including the collection of debt owed by consumers. Furthermore, the municipality has undertaken various customer care initiatives to ensure the municipality truly involves all citizens in the process of ensuring a people lead government.

The main challenges experienced during the compilation of the 2018/19 MTREF can be summarized as follows:

- The on-going difficulties in the national and local economy;
- Aging infrastructure;
- The need to reprioritise projects and expenditure within the existing resource envelope given the cash flow realities and declining cash position of the municipality;
- The increased cost of bulk water and electricity, which is placing upward pressure on service tariffs to residents. Continuous high tariff increases are not sustainable - as there will be point where services will no-longer be affordable;
- Wage increases for municipal staff that continue to exceed consumer inflation, as well as the need to fill critical vacancies;
- Reductions in allocations of National and Provincial grants due to a worsening fiscal outlook; and
- Limited resources to deal with all key priorities.

The following budget principles and guidelines directly informed the compilation of the 2018/19 MTREF:

- Integrated Development Plan was used to inform the measurable objectives, targets and backlog eradication goals;
- Tariff and property rate increases should be as affordable as possible and should ideally not exceed inflation as measured by the CPI, except where there are price increases in the inputs of services that are beyond the control of the municipality. However, tariffs need to remain or move towards being cost reflective, and should take into account the need to address infrastructure backlogs;
- National, provincial and local priorities;
- Headline inflation forecasts; and
- Funding choices and modelling.

The Integrated Development Plan (IDP) were used as a guiding strategic document to inform the budget compilation. The challenge however is still to deliver services more efficiently and effectively with the tight financial envelope.

Stellenbosch municipality's revenue strategy was based on the following fundamentals:

-
- Tariff policies of the municipality
 - Economic outlook and development for Stellenbosch and surrounding areas
 - National Treasury's guidelines and macroeconomic policy
 - National, Provincial and Regional fiscal growth rates
 - Electricity tariffs as approved by National Electricity Regulator of South Africa (NERSA)

The financial resources to fund the Operational Budget will and must consist of realistically anticipated revenue generated from property taxes, service charges and other income. The municipality were mindful of the estimated headline inflation for 2018/2019 of around 5.3 per cent, forming the basis of the extensive income modelling exercise, but also taking into account the principles of economical services that are cost reflective, trading services generating surpluses, the effect of escalating salary costs and bulk purchases.

The total budget quantum for the 2018/2019 year is R2 222 368 369 of which R1 702 727 618 (77%), is allocated to the operating budget and R519 640 751 (23%) to capital investment.

Budget documentation in line with the budget and reporting regulations is attached as **APPENDIX 1 – PART 1**. The report serves as an overview of the budget as a whole, budget assumptions used to compile the budget, funding sources used to fund the capital budget, different income categories to fund priorities of the municipalities, as well as the different expenditure items, including non-cash items.

DRAFT CAPITAL BUDGET 2018/2019 – 2020/2021

The draft capital budget is infrastructure orientated and addresses the huge backlog and urgent need to upgrade/refurbish Council's infrastructure as addressed by the different master plans. It is directed by the IDP (Integrated Development Plan) and the needs of the community. It's also aligned to the strategic priority in the State of the Nation Address of Infrastructure investment and the "back to basics" approach. Council's attention is however drawn to the fact that not all needs identified by the community can realistically be funded by the municipality.

The main capital projects that the municipality will be investing in, which constitute more than 62% of the capital budget, include:

- New Plankenburg Main Outfall Sewer;
- Extension of waste water treatment works in Stellenbosch and Klapmuts;
- Bulk Sewer Outfall: Jamestown;
- Idas Valley Merriman Outfall Sewer;
- Upgrade of WWTW: Pniel & Decommissioning of Franschoek;
- Bulk Water Supply Pipe Reservoir: Johannesburg / Kylemore / Pniel;
- Bulk water supply: Klapmuts;

-
- Water Treatment Works: Paradyskloof;
 - Relocation/ Upgrading main water supply line;
 - Idas Valley (9445) IRDP/ FLISP (Housing Project);
 - Klapmuts: Erf 2181 (298 serviced sites) (Housing Project);
 - Basic Improvements: Langrug;
 - Longlands Vlottenburg: Housing Internal Services;
 - Electricity Network: Pniel;
 - Upgrade Transformers- Stellenbosch;
 - New 66kV substation- Dwars Rivier;
 - Power line move from landfill site;
 - Purchasing of Land; and
 - Hydraulic Ladder Fire Truck.

The detailed draft capital budgets for 2018/2019, 2019/2020 and 2020/2021 are attached as **APPENDIX 1**.

DRAFT OPERATING BUDGET 2018/2019 – 2020/2021

The basis of the operating budget is aligned to the principle of total potential income (less income forgone as an expense where applicable) from all our services as well as a projection of total direct income. The extent, to which tariffs and levies are proposed to increase, is in the main influenced by:

- The increase in bulk purchases (water and electricity)
- Employee related costs, as per SALGBC wage agreement
- Councillor remuneration, as per SALGA upper limits
- Service delivery challenges
- Repairs and maintenance
- Operational projects impacting job creation and economic development
- Contractual commitments
- Day to day operational costs (fuel & oil, telephones, bank costs, etc)
- Finance costs, influenced by level of borrowing

Taking all of these issues into consideration and to ensure the sustainability of our operations from realistically anticipated income flows, the following tariff and property tax increases are proposed for 2018/2019:

Electricity	7.30%
Sanitation	9.00%
Refuse removal	9.00%
Water	15.00%
Rates	5.70%

The impact of the proposed tariff increases on the monthly services account for the various consumer categories is summarized in **APPENDIX 2**.

HIGH LEVEL CAPITAL AND OPERATING BUDGET FOR 2018/2019 – 2020/2021

The draft high level budget depicting the total budget is attached as **APPENDIX 1 – PART 1 – SECTION C**.

TARIFFS

Council's attention is further drawn to the fact that the Tariff List attached as **APPENDIX 3** includes Sundry Tariffs as a basket of services and charges, i.e. Land Use Management Fees, Development contributions, Technical Charges, etc. In this regard, the proposed tariff list must be consulted for the detail.

BUDGET RELATED POLICIES & BY-LAWS

The following budget related policies were revised:

Rates Policy (**Appendix 4**)

Tariff Policy (**Appendix 5**)

Special Ratings Area Policy (**Appendix 6**)

Supply Chain Management Policy (**Appendix 7**)

Indigent Policy (**Appendix 8**)

Credit Control and Debt Collection Policy (**Appendix 9**)

Irrecoverable Debt Policy (**Appendix 10**)

Grants-In-Aid Policy (**Appendix 11**)

Development Charges Policy (**Appendix 12**)

Virementation Policy (**Appendix 13**)

Cash Management and Investment Policy (**Appendix 14**)

Petty Cash Policy (**Appendix 15**)

Inventory Management Policy (**Appendix 16**)

Performance Management Policy (**Appendix 17**)

Changes include the following:

Policy/ By-law	Summarized Nature of change
Property Rates Policy	<p>Principle changes were made to the following sections within the policy.</p> <ol style="list-style-type: none"> 3. GUIDING PRINCIPLES 4. DEFINITIONS <ul style="list-style-type: none"> "Exclusion" "Exemption" "Reduction" "Rebate" "agricultural Activities" "bona fide farmer" "business and commercial property" "Conservation Area" "industrial property" "Open Space" "SARS" "residential purposes" 5. IMPOSITION OF RATES 6. CATEGORIES 7. APPLICATION OF RATING 8. RELIEF MEASURES 9. LIABILITY FOR AND PAYMENT OF RATES 10. QUANTIFICATION OF COSTS TO MUNICIPALITY AND BENEFITS TO COMMUNITY 11. OBJECTION AND APPEALS 12. CLEARANCE CERTIFICATES 13. ADJUSTMENTS OF RATES PRIOR TO SUPPLEMENTARY VALUATION 14. GENERAL
Tariff Policy	<p>Schools and churches or any other user as determined by the relevant Director will as a miscellaneous case.</p> <p>Additional sundry tariff inserted</p> <p>(c) Building Clause references:</p> <p>(i) Obligations pertaining to Building Clauses as per the development agreements or contracts will be dealt with according to the contract obligations.</p>
Special Ratings Area Policy	No principle changes, only cosmetic changes effected.
Supply Chain Management Policy	The policy was aligned with the specimen policy issued by National Treasury.
Indigent Policy	<p>Qualifying income amended with Government grants as received by dependent minors will be ignored and not be added as a financial contribution towards the household income.</p> <p>Free basic services for water for all formal households have reduced from to 6kl from 10kl</p> <p>Additional Allocation of subsidies included</p> <p>Indigence subsidies will not be considered or granted if the municipal valuation of the property of said indigent consumer or indigent applicant exceeds R1 000 000 (one million Rand).</p> <p>Amended the wording from rates rebate to rates relief</p>
Credit control & Debt collection Policy	<p>A bank guarantee in a form acceptable to the Municipality's Chief Financial Officer will be considered as an alternative to the payment of consumer deposits.</p> <p>Bank guarantees will be utilised to proactively mitigate the potential of unnecessary credit risk exposure to Council.</p> <p>administration fee and/or collection fee will be charged on overdue accounts will not apply to the accounts of <u>unemployed</u> registered indigent consumers.</p> <p>Arrangements have been amended with the following:</p> <p>(b) The Municipality may enter into an arrangement with a tenant or occupier of a</p>

Policy/ By-law	Summarized Nature of change
	<p>property which is linked to an account in arrears, on proviso that:</p> <ul style="list-style-type: none"> (i) a written affidavit is received which certifies that the registered owner of said property, at which such tenant or occupier resides; is: <ul style="list-style-type: none"> untraceable; not contactable; of unknown whereabouts; or not co-operating with said tenant or occupier. (ii) such tenant or occupier has substantiated the ability to pay and the right to occupation stating the rental due and the time period of such occupation and providing the last known address of the registered owner; (iii) such tenant or occupier undertakes to advise the registered owner, at the first reasonable opportunity, of the current situation and further agrees to obtain the consent of the registered owner to condone the process as described in this paragraph 3 (b); and (iv) where applicable, such tenant or occupier provides comprehensive details of the non-co-operation of the registered owner. <p>Further actions have been amended with the following:</p> <p>The Municipality may attach the rental income in whole or in part from a tenant or occupier of a property which is left unpaid by the owner thereof, provided that Section 115 of the Local Government: Municipal Systems Act, (Act 32 of 2000) are adhered to.</p> <p>Accounts in Dispute in respect of water or electricity consumption be disputed, the concerned consumer must at minimum pay the average amount of the previous 12 (twelve) month's accounts.</p> <p>All other Municipal services or rates disputed will be dealt with at the discretion of the Municipality.</p> <p>Once the Municipality has exhausted all reasonable and practicable debt recovery measures and, in an effort to recover outstanding debt, the Municipal Manager will have sole discretion to approve the litigation process for the disposal of the movable and/or immovable assets of defaulting owners/debtors/consumers by means of a Sale in Execution order.</p> <p>Payments of Accounts – general have been amended with the following: Payment prioritisation of payments received will be allocated in the following order:</p> <ul style="list-style-type: none"> (i) Penalties. (ii) Municipal Rates. (iii) Special Rating Area Levies. (iv) Sewerage. (v) Refuse. (vi) Rentals. (vii) Sundries. (viii) Water. (ix) Electricity.
Irrecoverable Debt Policy	No principle changes, only cosmetic changes effected.
Grants in Aid Policy	<p>Should an applicant wish to submit a Category B application, but would want to be considered for a Category A application in the event that the Category B application is declined, this must be clearly stated in the covering letter and supporting documents MUST be submitted for both types of applications.</p> <p>Applications for Category B must include a schedule of annual costs for a three year period, business plan and audited financial statements.</p>
Development Charges Policy	<p>OTHER PRINCIPLES TO BE APPLIED</p> <p>In the case of 2nd dwellings, cottages, flats, rooms being added to existing dwellings, or rooms in existing dwellings being converted for guest accommodation, DC's should be</p>

Policy/ By-law	Summarized Nature of change
	applied where the number of bedrooms on the erf exceeds five, and for the usage in excess of that. DC's will be applied based on the impact on services by the increase in land use right and/or intensification of land use leading to increased demand, irrespective of the geographical location of the development. For example, the traffic generated by a development located along a provincial road, will ultimately end up on the Municipality's road network that link to the provincial roads. The same applies to the additional stormwater run-off that ends up in downstream municipal networks and river courses, increase in demand and the bulk supply of water, and sewer and solid waste disposal.
Virement Policy	Expenditure categories were updated
Cash Management and Investment Policy	No principle changes, only cosmetic changes effected.
Petty Cash Policy	A petty cash float cannot be used for - Deliberately avoiding normal procurement procedures as per Supply Chain Management Policies
Inventory Management Policy	No principle changes, only cosmetic changes effected.

Unchanged Policies and By-Laws

Special Ratings By-law (**Appendix 18**)

Rates By-law (**Appendix 19**)

Travel and Subsistency Policy (**Appendix 20**)

Asset Management Policy (**Appendix 21**)

Budget Implementation and Monitoring Policy (**Appendix 22**)

Accounting Policy (**Appendix 23**)

Borrowing, Funds and Reserves Policy (**Appendix 24**)

Financing of External Bodies performing municipal functions Policy (**Appendix 25**)

Liquidity Policy (**Appendix 26**)

Preferential Procurement Policy (**Appendix 27**)

Tariff By-law (**Appendix 28**)

SCM Policy for Standard for Infrastructure Procurement and Delivery Management (**Appendix 29**)

OTHER SUPPORTING DOCUMENTATION

The additional information as prescribed by the budget and reporting regulations are attached as **APPENDIX 1 – PART 2 – SECTION P**.

6.3 Financial Implications

Financial impact already discussed above.

6.4. External Loan for 2018/2019

That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the tune of R 340 million of which over the MTREF R160 million will be required in year 1, R100 million in year 2 and R80 million in year 3 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary).

6.5 Legal Implications

The item at my disposal is compliant with the relevant legislative framework.

6.6 Staff Implications**6.7 Previous / Relevant Council Resolutions:****6.8 Risk Implications**

None

6.9 Comments from Senior Management:**6.9.1 Director: Infrastructure Services**

Noted

6.9.2 Director: Planning and Economic Development

Noted

6.9.3 Director: Community and Protection Services:

Noted

6.9.4 Director: Strategic and Corporate Services:

Noted

6.9.5 Director Human Settlements and Property Management

Noted

6.9.6 Chief Financial Officer:

Noted

6.9.7 Municipal Manager:

Noted

7.4.2	PROPOSED WRITE-OFF OF DISPUTED DEBT OF THE STELLENBOSCH GOLF CLUB
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Collaborator No: 575458

IDP KPA Ref No:

Meeting Date: 22 March 2018 and 28 March 2018

1. SUBJECT: PROPOSED WRITE-OFF OF DISPUTED DEBT OF THE STELLENBOSCH GOLF CLUB

2. PURPOSE

To request Council's approval for the writing-off of disputed debt which amounts to R1 357 464.41, and any interest/journals that may be levied after the date of this report.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

The Stellenbosch Golf Club raised a dispute on property rates being charged.

The Notarial Lease Agreement ("NLA") specify the parties to Arbitration proceedings, but the parties agreed that a less formal approach be considered and approached in an attempt to resolve the matter as specified in the NLA under dispute resolution.

As a result, both parties opted for Mediation as first instance, failing where after the formal Arbitration route is to be followed.

A full arbitration process may hold various cost and loss in revenue risks and lost opportunity.

Such Mediation was then held on the 12th of March 2018. During the Mediation, a proposed Agreement was drafted, attached and marked **ANNEXURE "1"**, for Councils' perusal and resolution.

5. RECOMMENDATION

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.4.1

RESOLVED

That it be recommended to Council:

- (a) that Council approves the outcome of the Mediation, resulting in the write-off of the arrears of R1 357 464.41 upon a cash receipt of R800 000 together with an undertaking to make provision for and to spend an amount of no less than R300 000 per year over a period of 10 years for developmental projects for previously disadvantaged persons, and that proof of this be submitted to Council within 30 days after the close of their financial year. Failure to comply will make this agreement null and void.

OR

- (b) that Council resolves to continue with Arbitration proceedings, despite having considered all risk factors, implications and potential adverse effect it accompanies and that the Mediation proposal be submitted as part of the arbitration process.

6. DISCUSSION / CONTENTS

6.1 Background

Paragraph 1 of the Stellenbosch Municipality Irrecoverable Debt Policy reads as follows:

“Before any debt, owed to the municipality for any reason whatsoever will be considered for writing off, all applicable actions as contained in the approved Credit Control and Debt Collection Policy of Stellenbosch Municipality must have been executed / implemented. However, in special cases where the requirements in terms of the municipality’s Credit Control and Debt Collection Policy were impossible / impractical to implement, the administration must motivate such write-off.”

The outstanding debt of the Stellenbosch Golf Club, as at 13 March 2018, amounts to R2 157 464, 41.

In terms of clause 4.6 of the Notarial Lease Agreement (“NLA”), the Stellenbosch Golf Club is responsible for the payment of property rates and service charges, together with a nominal annual rental levy of R100.00, subject to annual escalation.

The outstanding debt started accumulating since the 2012/13 financial year, when the new Valuation Roll for the financial period 2012/13 to 2016/17 were implemented and enforced, resulting in an excessive increase in respect of property rates charges due and payable.

Along with the above increase in property rates charges, came the enforcement of market related rental charges.

As a result of the above, the Golf Club then, during the beginning of 2012, disputed the substantial increase in property rates charges, together with the excessive upwards rental charges levied, resulting to the ceasing of payments until the pending dispute are to be resolved internally.

With the dispute carrying on for years, came the new Valuation for the financial period 2017/18 to 2020/21, which resulted in an even further increase of property rates payable.

After objection submitted and appeals heard, the Valuation decreased immensely having a direct impact on the property rates charged and levied going forward.

Being in Agreement with the above outcome, the Golf Club will pay both Property Rates and Rental charges for the 2017/2018 financial period, leaving a balance outstanding for property rates charges disputed for the 2012/13 to 2016/17 financial period plus interest thereon.

6.2 Discussion

In order to finalise the outstanding matter, the MAYCO of 11 October 2017 resolved that the matter be referred to Arbitration.

After it became clear that both parties could not resolve the matter internally and having regard to the Mayco's resolution, it was agreed that clause 23 of the NLA be invoked, namely proceeding with Arbitration.

However, despite the NLA binding the parties to Arbitration proceedings, the parties agreed that a less formal approach be considered and approached in an attempt to resolve the matter as specified in the NLA under dispute resolution.

As a result, both parties opted for Mediation as first instance, failing where after the formal Arbitration route is to be followed.

Such Mediation was then held on the 12th of March 2018. During the Mediation, a proposed Agreement was drafted, attached and marked Annexure "A", for Councils' perusal and resolution.

Although Mayco resolute that the matter be referred to Arbitration, the following factors and risk implications must be taken in consideration in favouring of Mediation outcome:

- i) Enforcement of Mediation Agreement will bring closure, finality and certainty to a long outstanding disputed account after consultation with an independent, impartial and non-biased third party;
- ii) The favourable proposed outcome of an informal, cost effective Mediation route followed by an Agreement in comparison to a strict, formal, time consuming and binding Arbitration route followed with abundant risk and cost implications;
- iii) Having regard to the fact that rebates were given to the Golf Club in the past up until 2012, where after it was ceased without reason, leaving the Golf Club with an excessive increase in property rates charges due and payable;
- iv) Substantive increase of Annual Rental charges during 2011/12 financial period which the Golf Club did not anticipate to run together with excessive increase in the property rates charges.
- v) Despite a binding contract in place regulating the Annual Rental charges currently levied, the Golf Club going accord and shows its commitment by paying annual rental charges so levied;
- vi) Having regard to outcome of Independent Valuator and Appeal Board in respect of downwards adjustment of Property Valuation, having a direct substantial effect on the excessive decrease in property rates due and payable by the Golf Club;
- vii) Having regard that the Golf Club is a Non-Profit Organisation that aims to promote, advance and encourage the game of golf for the greater community and previous disadvantage individuals; has about 1300 members with over 100 people earning a living from the Golf Club and to which more than half the golf rounds are sold to tourists and visitors.

- viii) Property rates levied and charged on the Golf Club is well above the norm at other Municipal golf courses.

6.3 Financial Implications

Write-off of debt of R1 357 464.41 upon cash receipt of R800 000.00 from the Stellenbosch Golf Club.

The mediation process was substantially less expense than what an arbitration process would cost.

6.4 Legal Implications

The writing-off of the outstanding debt is in compliance with the Stellenbosch Irrecoverable Debt Policy and is also aligned with good Accounting Practice.

Special note must be taken of the fact that if the Mediation Agreement is not to be accepted by Council, a greater part of the claim will become prescribed by the 7th of October 2018 if Arbitration proceedings are not to commence immediately.

Furthermore, after due consideration of all the legal facts connected to Councils' claim herein, Council must guard against the fact that not only can judgment be obtained against them, but also that excessive legal costs can accompany such claim, with the possibility of a punitive cost order, if Arbitration proceedings is unsuccessful.

The above combined will most likely place Council in a less fortunate position than the Mediation would result in.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

MAYCO of 11 October 2017.

6.7 Risk Implications

Irrecoverable debt.

6.8 Comments from Senior Management:

Director: Corporate and Strategic Services recommended to proceed with mediation first based on the NLA specification of a less formal process and then an arbitration process if agreement cannot be obtained through mediation.

6.8.1 Chief Financial Officer:

Compiled the Item.

6.8.2 Director: Corporate and Strategic Service:

Recommended that Mediation proceedings be opted for at first instance on the NLA specification of a less formal process, followed by an Arbitration process if agreement cannot be obtained through mediation proceedings.

6.8.2 Municipal Manager:

Agree with the recommendations

ANNEXURES

Appendix 1: Proposed Agreement

FOR FURTHER DETAILS CONTACT:

NAME	M Wüst
POSITION	Chief Financial Officer
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Marius.wust@stellenbosch.org.za
REPORT DATE	19 March 2018

ANNEXURE 1

Annexure 1

MEDIATION AGREEMENT

STELLENBOSCH MUNICIPALITY (THE MUNICIPALITY)

AND

STELLENBOSCH GOLF CLUB (THE GOLF CLUB)

THE MUNICIPALITY AND THE GOLF CLUB RECORD THAT AFTER A MEDIATION HELD AT STELLENBOSCH ON 12TH MARCH 2018 WITH ADVOCATE ALAN NELSON SC AS THEIR MEDIATOR THEY HAVE AGREED AS FOLLOWS:

1. FUTURE RENTAL, RATES AND TAXES

The Golf Club undertakes that it will in future and as from the date of signature of this agreement timeously pay the applicable rental, property rates and taxes due by it to the Municipality and which liabilities are currently determined at a total amount of R225 940 for 2017/18.

2. ARREAR RENTAL, RATES AND TAXES

In full and final settlement of its obligations to the Municipality under this head, the Golf Club hereby undertakes:

2.1 to pay an amount of R800 000 to the Municipality in cash upon the signature of this agreement

and

2.2 For the next ten years, to make provision for and to expend an amount of no less than R300 000 per annum (the expenditure) for developmental projects for previously disadvantaged persons, including

- a. the development of golf for school children

and

- b. subsidizing membership fees of previously disadvantaged persons.

2.3 The expenditure shall in each of the aforementioned years be recorded in the Golf Club's annual financial statements and open for inspection by the Municipality.

7.4.3	AMENDMENT TO THE CURRENT CONTRACT OF HCB PROPERTY VALUATIONS FOR THE RENDERING OF ALL INTERIM VALUATIONS TILL THE END OF THE GENERAL VALUATION CYCLE PERIOD ENDING 30 JUNE 2021
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Collaborator No: 575589
 File no 6/1/4
 IDP KPA Ref No: Good Governance
 Meeting Date: 22 March 2018 and 28 March 2018

1. SUBJECT: AMENDMENT TO THE CURRENT CONTRACT OF HCB PROPERTY VALUATIONS FOR THE RENDERING OF ALL INTERIM VALUATIONS TILL THE END OF THE GENERAL VALUATION CYCLE PERIOD ENDING 30 JUNE 2021

2. PURPOSE

To obtain approval from Council to follow the process stipulated in Section 116(3) of the MFMA in order to amend the current contract of HCB Property Valuations till the end of the General Valuation Cycle period ending 30 June 2021, for the rendering of all interim valuations.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

This report aims to provide the necessary information and motivation on the proposed amendment of the current valuation contract as listed in paragraph 6, ending 30 JUNE 2018, in terms of the enabling provisions of section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA), to enable Council to make an informed decision whether to consent to the amendment of the contracts.

The valuation contract was previously amended in 2016 through a Section 116 (3) process in order to accommodate the mSCOA implementation and the investigation in regard to an assessment on ERP solutions for the Municipality. The dynamic nature of valuations, as well as investments made in business systems warrant a continuous re-assessment of investments and system functionalities to ensure that value for money is achieved at all times. The long term impact of investments made in business systems and services warrants that the Stellenbosch Municipality continually re-assess its investment strategies to ensure on-going alignment with the deployment of business systems in line with mSCOA business processes. A final decision on whether the Municipality will replace the current financial system needs to be made first to enable the Municipality to determine the starting point for the assessment.

5. RECOMMENDATION**SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.4.3****RESOLVED****That it be recommended to Council:**

that Council approves the extension of the current contract for HCB Property Valuations, to complete all supplementary valuations after 30 June 2018 till 30 June 2021, for the current General Valuation period, after duly following the process as stipulated in Section 116(3) of the MFMA.

6. DISCUSSION / CONTENTS

Section 116(3) of the MFMA reads as follows:

“A contract or agreement procured through the SCM policy of the municipality may be amended by the parties but only after:

1. the reasons for the proposed amendment have been tabled in council of the municipality or in the case of a municipal entity in the council of the of its parent municipality AND
2. the local community (a) has been given reasonable notice of the intention to amend the contract or agreement AND

(b) has been invited to submit representations to the municipality or municipal entity“

It is hereby requested to extend the original appointment of HCB Property Valuations to accompany the rendering of all the supplementary valuations up and until the next General Valuation which will come into effect from 01 July 2021. The same procedure has been followed with the appointment of the previous valuer. The tasks conducted by the contractor represent a natural continuation of previous work carried out by the contractor. Given the proposed extension, the fees as included in the current Tender B/SM 68/15 (as already requested during the bid process) will remain unchanged for the interim valuations. This will result in a non-increase in tariffs for the proposed rendering of the applicable service to Stellenbosch Municipality.

The Council will benefit as follows:

Simplifying Budgetary process

Non-interruption in the continuous process which will ensure quality and level of service currently being rendered as well as consistent valuation processes

Mitigating Risks (Cost, Time, etc.)

The appointment will be in line with the period of validity of the General Valuation undertaken by municipalities, being 4 years for Stellenbosch Municipality, before implementing the next General Valuation Roll.

6.1 Background

Section 116(3) of the MFMA provides as follows: “(a) the reasons for the proposed amendment have been tabled in the council of the municipality or, in the case of a municipal entity, in the council of its parent municipality; and (b) the local

community- (i) has been given reasonable notice of the intention to amend the contract or agreement; and (ii) has been invited to submit representations to the municipality or municipal entity."

6.2 **Conclusion**

It remains the strategic intent of the Municipality to assimilate similar functionalities from the other business systems deployed in the municipality into the Samras Financial System or at the least build the integration of the functionalities to the Samras Financial System where it is cost effective and functionally viable and is mSCOA compliant. Due to the complexities inherent to such business system conversions and integration, a phased approach will need to be followed. Priorities and time-lines to do the conversions and integration will be dependent on business needs and available funding over the next 12 months.

6.3 **Financial Implications**

This report has the following financial implications:

Amending the current contract with HCB Property Valuations will in all likelihood ensure substantial savings for the municipality as the tariffs for the supplementary valuations for the periods as indicated in this report are not increasing.

The necessary expenditure for supplementary valuations are annually sufficient budgeted under the relevant vote of the Valuation Section

6.4 **Legal Implications**

Section 116(3) of the MFMA reads as follows:

"A contract or agreement procured through the SCM policy of the municipality may be amended by the parties but only after:

1. *the reasons for the proposed amendment have been tabled in council of the municipality or in the case of a municipal entity in the council of the of its parent municipality AND*
2. *the local community*
 - (a) has been given reasonable notice of the intention to amend the contract or agreement AND*
 - (b) has been invited to submit representations to the municipality or municipal entity"*

It is hereby requested to extend the original appointment of HCB Property Valuations to accompany the rendering of all the supplementary valuations up and until the next General Valuation which will come into effect from 01 July 2021. The same procedure has been followed with the appointment of the previous valuer. The tasks conducted by the contractor represent a natural continuation of previous work carried out by the contractor. Given the proposed extension, the fees as included in the current Tender B/SM 68/15 (as already requested during the bid process) will remain unchanged for the interim valuations. This will result in a non-increase in tariffs for the proposed rendering of the applicable service to Stellenbosch Municipality. The Council will benefit as follows:

- Simplifying Budgetary process
- Non-interruption in the continuous process which will ensure quality and level of service currently being rendered as well as consistent valuation processes
- Mitigating Risks (Cost, Time, etc.)

The appointment will be in line with the period of validity of the General Valuation undertaken by municipalities, being 4 years for Stellenbosch Municipality, before implementing the next General Valuation Roll.

6.5 **Staff Implications**

None.

6.6 **Previous / Relevant Council Resolutions:**

The Council approved the extension of HCB Valuations through section 116(3) to accommodate the implementation of the mSCOA project on 23 November 2016.

6.7 **Risk Implications**

The recommendations of this item manage the risks associated with the Valuations contract coming to an end on 30 June 2018. Should changes not be made to the contract to allow for another year of service the Municipality will not have the necessary systems to ensure optimal functioning.

6.8 **Comments from Senior Management:**

The item was discussed at the Director's meeting and Directors' inputs are contained in the report.

6.9 **Chief Financial Officer:**

Agree with the recommendations

6.9.1 **Municipal Manager:**

Agree with the recommendations

FOR FURTHER DETAILS CONTACT:

NAME	Andre Treurnich
POSITION	<i>Manager Treasury Office</i>
DIRECTORATE	<i>Financial Services</i>
CONTACT NUMBERS	<i>021 808 8016</i>
E-MAIL ADDRESS	<i>Andre.treurnich@stellenbosch.org.za</i>
REPORT DATE	<i>19 March 2018</i>

7.5	HUMAN SETTLEMENTS: (PC: CLLR PW BISCOUBE)
7.5.1	PROPOSED EXCHANGE OF LAND A PORTION OF FARM 183 (CLOSED STREET) FOR A PORTION OF FARM 183/7: WOODMILL DEVELOPMENT PROJECT

Collaborator No: **566798**
 IDP KPA Ref No:
 Meeting Date: **22 March 2018**

1. SUBJECT:

PROPOSED EXCHANGE OF LAND A PORTION OF FARM 183 (CLOSED STREET) FOR A PORTION OF FARM 183/7: WOODMILL DEVELOPMENT PROJECT

2. PURPOSE

To obtain Council's approval for the exchange of certain portions of land, each measuring $\pm 5560\text{m}^2$ in size, to allow for the re-alignment of the Devon Valley Road, following the recent approval of the proposed Woodmill Development .

3. DELEGATED AUTHORITY

As there are no delegations in place authorising the exchange of land, the Municipal Council must decide on the matter.

4. EXECUTIVE SUMMARY

At the commencement of the planning process for the redevelopment of the Woodmill Area, the Provincial Roads Engineer insisted that the Devon Valley Road (located on Farm 183) be realigned as to ensure an intersection with the current access road to Distell. When the land-use application was approved, it was made subject to the successful exchange of land. The Director: Planning and Economic Development, however, did not have the delegated authority to approve the actual exchange of land.

5. RECOMMENDATIONS

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.5.1

RESOLVED

That it be recommended to Council:

- (a) that the portion of land, indicated as Portion A on Fig 4, measuring $\pm 5560\text{m}^2$, being a portion of Farm 183, be identified as land not needed to provide the minimum level of basic municipal service;
- (b) that Council approves, in principle, the exchange of Portion A for a portion of Farm 183/17, indicated as Portion B on Fig 4, measuring $\pm 5560\text{m}^2$, in order to meet the requirements of the Provincial Roads Engineer, i.e. that the Devon Valley Road be aligned as to ensure an intersection with the current access road to Distell, on condition that:-

-
- (i) the Developer be responsible for all associated costs, such as the rezoning and subdivision, transfer cost, etc.; and
 - (ii) Portion A be consolidated with Farm 183/57
 - (c) that seeing that a public competitive process is not being followed, Council's intention to enter into an exchange of land agreement, be advertised for public comments/inputs;
 - (d) that, in the meantime, a valuer be appointed to determine the fair market value of the two portions of land; and
 - (e) that, following the public participation process, the matter be considered by Council.

6. DISCUSSION / CONTENTS

6.1 Background

During 2015 TV3 Architects and Town Planner submitted a land use planning application on behalf of their client, Lurand Investments (Pty) Ltd, to establish a mixed use of development rights on the old Woodmill site.

On 15 April 2016 the Provincial Roads Engineer (Provincial Department of Transport and Public Works), having considered a Traffic Impact Assessment compiled by ICE (Pty) Ltd, indicated that he would support the application, but only on receipt of an agreement, in terms whereof, *inter alia*:

- a) The Devon Valley Road intersection with the Adam Tas Road be relocated as to ensure an alignment with the Distell access; and
- b) The Developer and the Municipality negotiate a land swop as to ensure implementation of (a).

The land use planning application, including:-

- a) the subdivision of Farm 183 (Municipal Land) into a Remainder and a Portion A;
- b) the public road closure and alienation of Portion A (in exchange for Portion B); and
- c) the consolidation of Portion A with the abutting Farm 183/57 was eventually approved by Stellenbosch Municipality on 06 December 2016, subject to a number of conditions.

In order to finalise the road closure and exchange of the land parcels, TV 3 Architects and Town Planners, on behalf of the Developer, has now submitted a formal request for the exchange of land, to be considered by Council.

6.2 Discussion

6.2.1 Location and context

The properties are situated on the R310, as shown on Fig 1 – 4 below.



Fig 1: Location and context



Fig 2: Position of sites

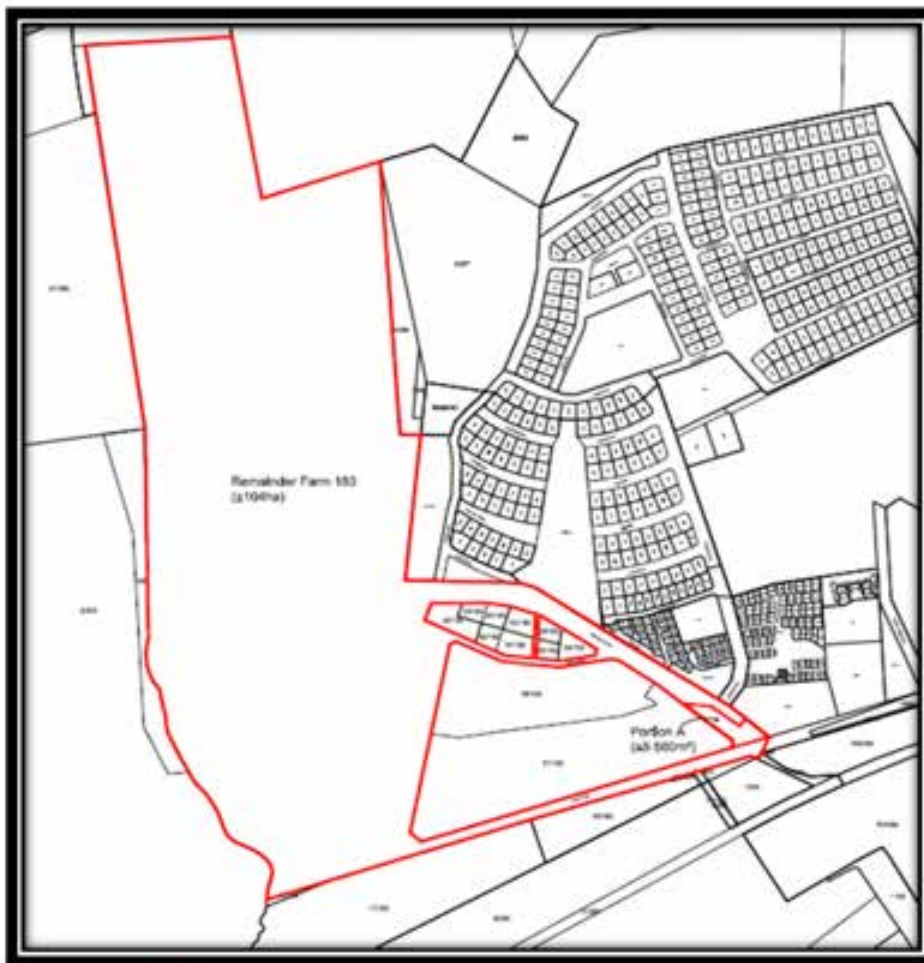


Fig 3: Farm 183

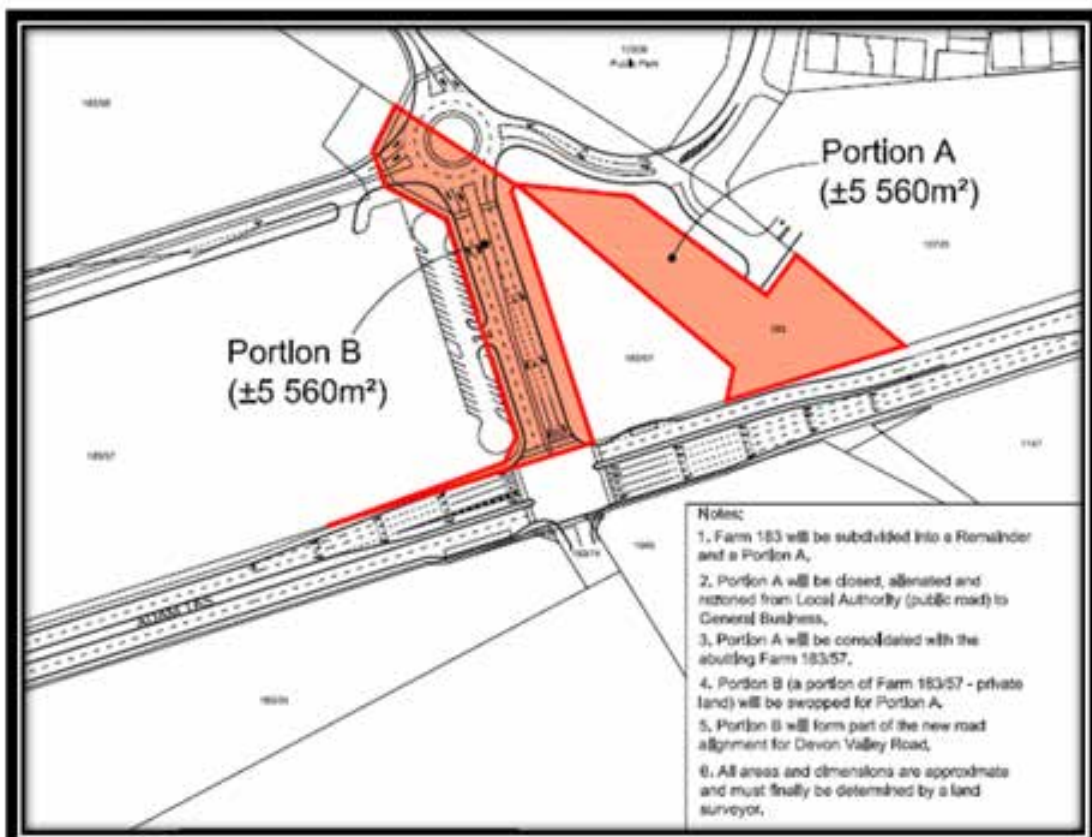


Fig 4: Portions A and B

6.2.2 Ownership

Portion A, measuring approximately 5560m² in extent, being a portion of Farm 183, vests with Stellenbosch Municipality by virtue of Title Deed STF8-15/1908.

Portion B, measuring approximately 5560m² in extent, being a portion of Farm 183/57, currently vests with Lurand Investment (Pty) Ltd by virtue of Title Deed T965/2015.

6.2.3 Zoning

Portion A has been closed as a public street and has been rezoned for General Business.

Portion B has been rezoned to Public Street.

6.3 Financial Implications

There are no financial implications to the municipality, as all costs will be for the account of the Developer.

6.4 Legal Implications

6.4.1 **Municipal Finance Management Act, No 56/2007**

In terms of section 14 of the MFMA,

- (1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.
- (2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after municipal council, in a meeting open to the public-
 - a) Has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and
 - b) Has considered the fair market value* of the asset and the economic and community value to be received in exchange for the asset.

*In the circumstances under discussion the fair market value of the two portions of land to be exchange are the same, as the land parcels are equal in size. The economic value to the municipality is huge, taken into account the size of the proposed development and the positive impact it will have on the economy of the town.

6.4.2 **Asset Transfer Regulations (1998)**

In terms of Regulation 5 of the ATR:-

- (1) A municipality may transfer or dispose of a non-exempted capital asset only after-
 - a) the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2) and (b) of the Act; and
 - b) the Municipal council-

- (i) has made the determinations required by Section 14(2) and (b) and
- (ii) has as a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.

(2) Subregulation (1)(a) must be complied with only if the capital asset proposed to be transferred or disposed of is a high value *capital asset.

**"high value", in relation to a capital asset of a municipality or municipal entity, means that the fair market value of the capital asset exceeds R50m. The property under discussion, measuring only 5560m² in extent, does not fall into the category of a high value property, i.e. the prescribed public participation process is therefore not required.

6.4.3 Supply Chain Management Policy

In terms of paragraph 5.2.4 all matters relating to the alienation of immovable assets shall be dealt with in terms of the Asset Transfer Regulation, 2008.

Further, in terms of par. 5.25 the statutory powers of Stellenbosch Council in respect of the alienation of immovable property/section 14 of the MFMA) are **reserved** to be exercised by Council, i.e. no delegation.

It is therefore clear from the above that the recommendations contained in this report comply with Council's policies and other applicable legislation.

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:

As indicated above, when considering the land use application, approval has already been given for:-

- a) The closure of the public street (Portion A);
- b) The rezoning thereof to General Business, with the view of consolidating it with Farm 183/57; and
- c) The disposal of Portion A on an exchange basis.

*The Director Planning & Economic Development, however, did not have the delegated authority (see par. 6.4.3 *supra*) to make a decision regarding the disposal of Council owned land. For this purpose, Council must make a decision in this regard.

6.7 Risk Implications

This report has no risk implications for the Municipality.

6.8 Comments from Senior Management:

6.8.1 Director: Infrastructure Services

Agree with the recommendations.

6.8.2 Director: Planning and Economic Development

This directorate supports the proposed land exchange and the relevant land use planning approvals for the future use of the land have already been granted. The land swap will facilitate the improvement of the transport networks

and facilitate efficient land use and land development on either side of the Stellenbosch Arterial.

6.8.3 Director: Strategic and Corporate Services:

Agree with the recommendations.

6.8.4 Chief Financial Officer:

Agree with the recommendations.

6.8.5 Legal Services:

Agree with the recommendations.

ANNEXURES

- Annexure A: Application for exchange of land
- Annexure B: Letter of approval: LUPO Application
- Annexure C: Letter from Provincial Roads Engineer
- Annexure D: Windeed printout: Farm 183
- Annexure E: Windeed printout: Farm 183/57

FOR FURTHER DETAILS CONTACT:

NAME	<i>Piet Smit</i>
POSITION	<i>Manager Property Management</i>
DIRECTORATE	<i>Human Settlement & Property Management</i>
CONTACT NUMBERS	<i>021-8088189</i>
E-MAIL ADDRESS	<i>Piet.Smit@stellenbosch.gov.za</i>
REPORT DATE	<i>2017-10-05</i>

ANNEXURE 1



ARCHITECTS AND TOWN PLANNERS
 ARCHITECTEN EN STADTEPANNERS

Our Reference: 3184-P

26 September 2017

Head: Property Management
 Stellenbosch Municipality
 Town House
 7600 STELLENBOSCH

87 DORP STREET
 FIRST FLOOR
 LA GRANT TOWER
 OFFICE BUILDING
 STELLENBOSCH 7600
 TEL +27 21 881 3800
 FAX +27 21 882 8525
 EMAIL info@tv3.co.za

Attention: Mr. Piet Smit

Sir

RE: THE WOODMILL: FARMS 183/57 AND 183/58, STELLENBOSCH

1. We refer to your meeting (on 26 September 2017) with the undersigned and Messrs. Jan van Rensburg (TV3) and Chris Kruis (Steinhoff) regarding the abovementioned Woodmill development project.
2. In 2015 we submitted a land use planning application to establish additional development rights for the proposed Woodmill mixed land use development. As part of the land use planning application, application was also made for:
 - The subdivision of (municipal) Farm 183 into a *Remainder* and a *Portion A*.
 - The public road closure and alienation of *Portion A*.
 - The rezoning of *Portion A* from Local Authority (public road) to General Business; and
 - The consolidation of *Portion A* with the abutting Farm 183/57, Stellenbosch.

A copy of the subdivision plan (Plan 9) is attached hereto.

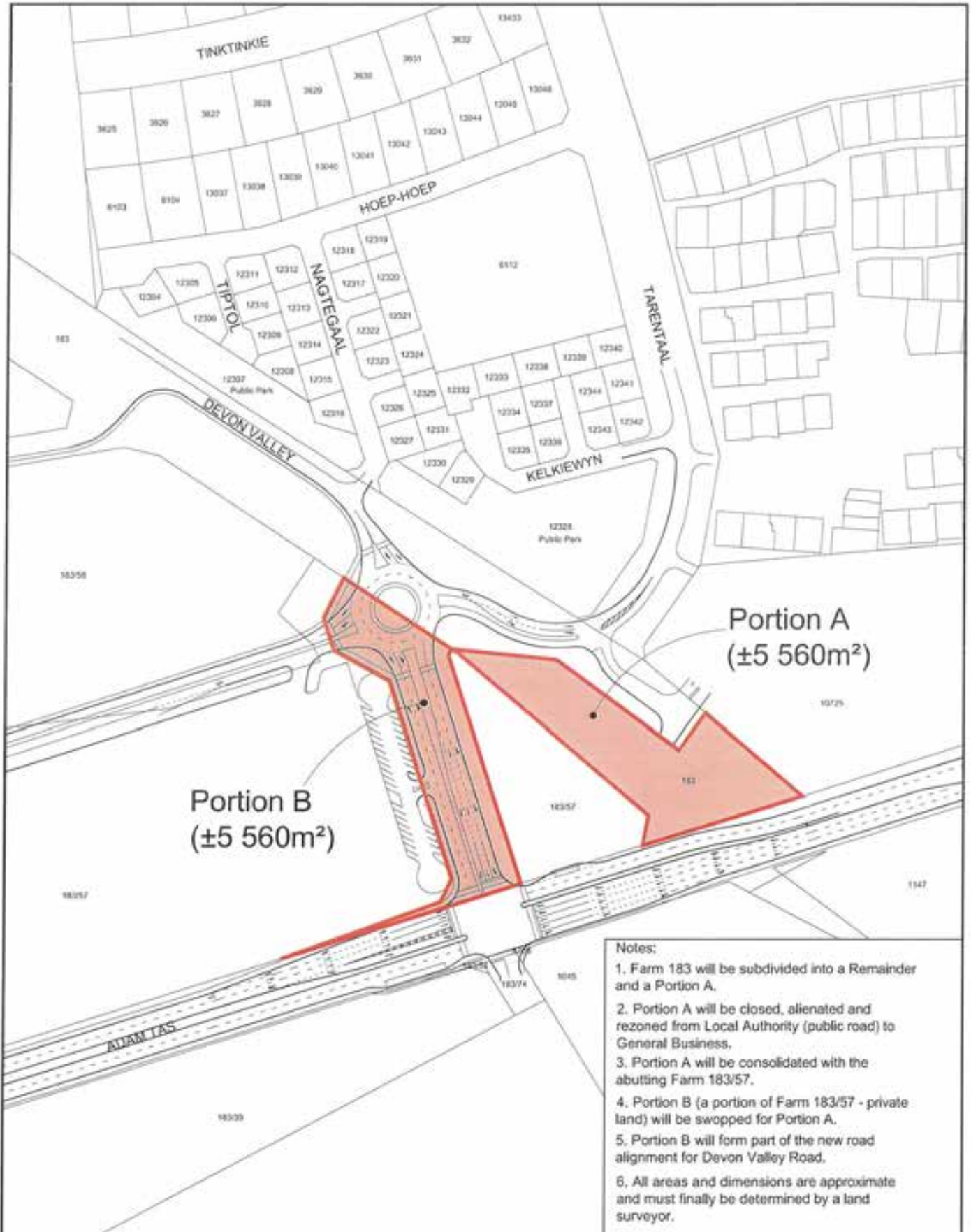
TV3 PROJECTS (PTP) LTD • REGISTRATION NO: 2006/015278/07
 DIRECTORS: JH van Rensburg | S de Waard | JG van der Merwe | N de Vries | ER van der Merwe | HM de Waard
 ASSOCIATES: S de Waard | DR de Waard | CR de Waard | W de Waard | JH de Waard

3. At the commencement of the planning process we were informed by the Provincial Roads Engineer that with the proposed Woodmill mixed land use development a portion of the Devon Valley Road (located on Farm 183) will have to be realigned over Farm 183/57. Consequently a land swap was proposed - i.e. to swap a portion of Farm 183/57 (that will now become public road) for the portion of the Devon Valley Road that will be closed due to the road's realignment. A copy of the land swap plan (Plan 8) is attached hereto.
4. The land use planning application – including the subdivision, road closure, alienation, rezoning and consolidation of *Portion A* – was eventually approved by the Stellenbosch Municipality. A copy of their letter of approval (dated 6 December 2016) is attached hereto.
5. In order to finalise the road closure and alienation process – based on a land swap proposal of equal size and value – we respectfully request that you submit this application to you Council for their final approval.
6. Please feel free to contact the undersigned if you have any queries or require any additional information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'CH', with a long horizontal flourish extending to the right.




CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD



Portion B
(±5 560m²)

Portion A
(±5 560m²)

- Notes:
1. Farm 183 will be subdivided into a Remainder and a Portion A.
 2. Portion A will be closed, alienated and rezoned from Local Authority (public road) to General Business.
 3. Portion A will be consolidated with the abutting Farm 183/57.
 4. Portion B (a portion of Farm 183/57 - private land) will be swapped for Portion A.
 5. Portion B will form part of the new road alignment for Devon Valley Road.
 6. All areas and dimensions are approximate and must finally be determined by a land surveyor.

Drawn: CH	Date: 20 APR 2016	 Scale: 1:2 500 (A4) 	 First Floor • La Gratitude Office Building 97 Dorp Street • Stellenbosch 7600 tel (021) 861 3600 fax (021) 862 6025 e-mail: info@tv3.co.za web: www.tv3.co.za
Drawing: LAND SWOP PLAN			
Project: FARMS 183 AND 183/57, STELLENBOSCH			
Client: LURAND INV (PTY) LTD			
		Plan No: 8	Project No: 3184-P

ANNEXURE 2



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITEIT • UMASIPALA • MUNICIPALITY

INNOVATION CAPITAL • ISIXEKO ESIZA NENGLUQU • INNOVASIESTAD

Enquiries	R Fooy / B Mdoda
Your ref	-
Our ref	Farm 183/57, Stellenbosch
Application No	LU/4355
Date	2016-12-06
Telephone	021-808 8680 / 8690
Fax	021-886 6899

REGISTERED MAIL

TV3 Architects and Planners
1st Floor, La Gratitude Office Building
97 Dorp Street
Stellenbosch
7600

Sir

APPLICATION FOR REZONING, SUBDIVISION, SPECIAL DEVELOPMENT, PRECINCT PLAN, ROAD CLOSURE AND ALIENATION OF FARMS 183/57 AND 183/58, STELLENBOSCH DIVISION

Your application in the above regard, refers.

The Director: Planning and Economic Development on 30 November 2016, in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (No. 15 of 1985) and the Stellenbosch Zoning Scheme Regulations (1996), read with Section 42 thereof and the relevant Zoning Scheme regulations, **approved conditionally** the following:

- The consolidation of Farm 183/57 with Farm 183/58 Stellenbosch;
- The rezoning of the consolidated unregistered site to Subdivisional Area;
- The subdivision thereof into four portions consisting of public road, private open space / road, general business, general residential, general industrial and educational institution zonings;
- Consent for a special development for a hotel, liquor store, pub / tavern, gathering place, motor showroom and warehouse;
- Approval of the Precinct Plan;
- The subdivision of Farm 183 into a Remainder and Portion A;
- The closure and alienation of Portion A;
- The rezoning of Portion A from Local Authority (public road) to General Business;
- The consolidation of Portion A with the abutting Farm 183/57, Stellenbosch.

This **conditional approval** is indicated in the attached **Appendix 2** and is subject to the conditions signed by the Director Planning and Economic Development as attached hereto, which conditions must be complied with prior to subdivision clearance being granted for the transfer of any portion and/or registration of a Certificate of Registered Title.

Kindly note, this subdivision approval will lapse unless all conditions of approval have been complied with and separate registration of at least one erf therein is effected in the Deeds Registry within 5 years of Council's final notification letter, which is to follow in due course. Should it be required, any application for extension of validity of the subdivision approval should be lodged well in advance of lapsing of this approval.



- Kindly note that the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act, No 103 of 1977 and that building work may therefore only commence once such plans are formally passed.

Kindly also note, you are advised in terms of Section 5 of the Promotion of Administrative Justice Act, No 3 of 2000 that you are entitled to request in writing reasons for the above decision.

Kindly be advised that you may appeal to the Municipal Manager against the above Council decision (including any conditions imposed in case of approval) by giving written notice of such appeal in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000 ("MSA"), and/or the internal appeal process approved by Council at its meeting held on 29 October 2014. In terms of the aforesaid Council decision, an applicant or objector aggrieved by a decision of Council in respect of an application in terms of the Ordinance, Zoning Scheme Regulations or applicable By-Law, may appeal against such decision to the Municipal Manager, by giving written notice of such appeal.

A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as payment of the appeal fee to the amount of R1500,00, should be directed to and received by the Municipal Manager, Stellenbosch Municipality, P O Box 17, Stellenbosch, 7599, or if hand delivered, to the Advice office, Land Use Management, Ground floor, municipal building, Plein Street, Stellenbosch, or faxed to fax number 021 886 6899 within 21 days of the date of registration at the Post Office of this notification letter (with such registration day not included in the appeal period), provided where the last day for lodging an appeal falls either on a Saturday, Sunday or public holiday, it shall be deemed to be the next working day thereafter. Where this letter is collected by hand, the above appeal period will be similarly calculated from the next day after collection. Failure to comply with the above requirements may result in the appeal being ruled invalid by the Appeal Authority. **Kindly be advised that no appeal will be accepted via email.**

Notwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted in the normal manner, as only the above decision can be appealed at this stage.

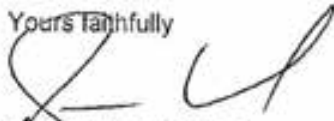
Kindly be advised that objectors (if any) are granted a simultaneous right of appeal in terms of the internal appeal process approved by Council at its meeting held on 29 October 2014.

Please note, appellants are not permitted to canvass the Municipal Manager or members of Council before or after the matter is heard.

Important note: Rights of appeal in terms of Section 44(1)(a), (b), (c) or (d) of the Land Use Planning Ordinance, No 15 of 1985 no longer exist, as such an appeal to the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape has been declared unconstitutional by the Constitutional Court in its unanimous judgment* on 4 April 2014, as such matters fall within the exclusive functions of a municipality in terms of the Constitution.

Kindly note the above Council decision is suspended and may therefore not be acted on until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



DURRÉ LOMBAARD
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

* In *Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v The Habitat Council and Others; Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v City of Cape Town and Others* [2014] ZACC 9 (Case No. CC117/13).



STELLENBOSCH
 STELLENBOSCH • PNEL • FRANSCHHOEK
 MUNISIPALITEIT • UMANTSIKALA • MUNICIPALITY



THE DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT HEREBY MAKES THE FOLLOWING DECISION UNDER DELEGATED AUTHORITY:

That the application made in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (No. 15 of 1985) and the Stellenbosch Zoning Scheme Regulations (1996), for:

- The consolidation of Farm 183/57 with Farm 183/58 Stellenbosch;
- The rezoning of the consolidated unregistered site to Subdivisional Area;
- The subdivision thereof into four portions consisting of public road, private open space / road, general business, general residential, general industrial and educational institution zonings;
- Consent for a special development for a hotel, liquor store, pub / tavern, gathering place, motor showroom and warehouse;
- Approval of the Precinct Plan;

As indicated in **Appendix 2.**

That the application made in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (No. 15 of 1985) for:

- The subdivision of Farm 183 into a Remainder and Portion A.
- The closure and alienation of Portion A.
- The rezoning of Portion A from Local Authority (public road) to General Business.
- The consolidation of Portion A with the abutting Farm 183/57, Stellenbosch.

As indicated in **Appendix 2.**

The consolidation of Portion A with the abutting Farm 183/57, Stellenbosch.

As indicated in **Appendix 2.**

APPROVED	APPROVED CONDITIONALLY	x	APPROVED IN PART	REFUSED
----------	---------------------------	---	---------------------	---------



the application made in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (No. 15 of 1985) and the Stellenbosch Zoning Scheme Regulations (1996).

SIGNATURE: _____

DATE: 30/11/2016

DUPRÉ LOMBAARD

DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

CONDITIONALLY APPROVED

Conditions imposed in terms of Section 42 of the Land Use Planning Ordinance, 1985 (No. 15 of 1985):

- 1) That a site development plan (SDP) which clearly indicates the phasing of the development in relation to the upgrading of the external infrastructure, which includes roads and non-motorised transport infrastructure. The SDP will be considered by the Director: Planning and Economic Development in consultation with the Directors: Engineering Services, Community and Protection Services and Integrated Human Settlements and Property and will only be approved once agreement is reached on the integration of the development with the upgrading of the external services;
- 2) The subdivision into four portions can only be acted upon once approval of the SDP referred to in paragraph 1) above has been finalized;
- 3) Consent for a special development for a hotel, liquor store, pub / tavern, gathering place, motor showroom and warehouse can only be acted upon once approval of the SDP referred to in paragraph 1) above has been finalized;
- 4) Approval of the Precinct Plan is granted unconditionally as basis for the consideration of the SDP but it is not approved as the sole indicator of development and/or infrastructure development to occur externally to improve integration of the proposed development with the surrounding area and infrastructure;
- 5) The subdivision of Farm 183 into a Remainder and **Portion A** can only be decided act upon once approval of the SDP referred to in paragraph 1) above has been finalized;
- 6) The closure and alienation of **Portion A** (public road) can only be acted upon once approval of the SDP referred to in paragraph 1) above has been finalized;
- 7) The rezoning of **Portion A** from Local Authority (public road) to General Business can only be acted upon once approval of the SDP referred to in paragraph 1) above has been finalized;



- 8) The consolidation of Portion A with the abutting Farm 183/57, Stellenbosch can only be acted upon once approval of the SDP referred to in paragraph 1) above has been finalized;
- 9) The SDP and expanded Precinct Plan shall form the basis for entering into a development charges agreement between the developer and the Municipality, wherein all aspects of external services upgrading and financing must be addressed and in which agreement must be concluded prior to final approval of the SDP in implementation of the approvals granted herein;
- 10) All conditions imposed by other authorities and attached in **Appendix 6**;
- 11) That the conditions as set out by the Directorate Engineering Services in their memorandum dated 20 June 2016 be complied with as attached in Appendix 5 of this report;
- 12) The approval applies only to the application under consideration shall not be construed as authority to depart from any other legal prescriptions, Bylaws or Regulations of requirements of Council;
- 13) That the applicant submits an electronic copy (shp, dwg, dxf) or A4 hard copy of the SG approved diagram for each portion created, as approved by the SG with the Site Development plan;
- 14) That the following information must be indicated on the diagram:
 - Newly allocated Erf Numbers
 - Co-ordinates
 - Survey Dimensions
 - All servitude
- 15) That a detailed Site Development Plan must be submitted and approved by the Director: Planning and Economic Development for each precinct prior to a building plan being submitted for consideration and approval;
- 16) That all public places and public streets be transferred to the Municipality and that all cost for the surveying and transfer of public land will be for the account of the developer;
- 17) That the building plans not differ substantially from the approved precinct site development plan;
- 18) That the contractor negotiate with the Engineers Department with regard to the disposal of the excess soil which is to be removed from the subject property prior to any site preparation and building work being undertaken;



- 19) That a detailed landscaping plan form part of the site development plan submitted for each precinct. That the tree and plant sizes be indicated on the landscaping plan and that the landscaping be undertaken and completed prior to an occupation certificate being issued for the relevant building;
- 20) That the developer employs at least 40% of local workforce during the construction phase and 50% of local workforce in the operational phase of the development. The Developer will provide the Local Economic Development Department with employment information and skills needed in a format to be agreed upon between the developer and the Local Economic Development Department. That a register be kept and updated in this regard and be provided to the Local Economic Development Department on a quarterly basis in a format to be agreed upon between the developer and the Local Economic Development Department.

REASON/S FOR DECISION:

Basis of refusal of applications and particulars applicable at granting thereof

In terms of Section 36 (1) & (2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) (Chapter V: General Provisions), land use applications shall be refused solely on the basis of a lack of desirability of the contemplated utilization of land concerned, or on the basis of its effect on existing rights concerned (except any alleged right to protection against trade competition).

The lack of desirability on the basis of the effect on existing rights is not evident and no such significant / substantial objections were submitted by any local residents / property owners.

Subsection (2) states that where a land use application is not refused by virtue of the matters referred to in subsection (1), regard shall be had, in considering relevant particulars, to only the safety and welfare of the members of the community concerned, the preservation of the natural and developed environment concerned or the effect of the application on existing rights concerned (with the exception of any alleged right to protection against trade competition).

The proposed development is not shown to have any significant negative effect on the safety and welfare of the members of the community. In fact, members of the community supported the proposal in view of its positive effects in the local area. The proposed development is not shown to have any significant negative effect on the natural or developed environment and it is arguable that the exercising and development of the existing rights (industrial) might have such neatige effects.

Other reasons

One of the main arguments against the development in the item above is the impact on the roads infrastructure and lack of support from the roads authorities.

The consistency argument of the Stellenbosch MSDF based on residential densification and public transport is not relevant to the proposed land use. By adding an additional major attraction to the town centre, an already congested area would probably be further congested. Thus, the location of the proposed development on a major arterial alongside a residential area which does not contain any significant retail, office or high density residential opportunities could create



Densification and redevelopment within the CBD area of Stellenbosch as argued in the item does not solve the problem of public transport between Stellenbosch and the origins of the daily commuters in the short or medium term. It would probably contribute to pedestrianisation and internal public transport system development, but the inter-nodal / urban area flows will remain a major cause of congestion for a significant period and thus detract from the redevelopment potential of the Stellenbosch CBD.

Papegaaiberg is one of the least dense residential neighbourhoods in Stellenbosch and it offers significant potential for densification within the urban edge. Its residents need to drive into town for retail and other regular activities, contributing to the peak period congestion, as no such opportunities exist within walking distance. The proposed development is argued to cause a change in the character of the area wherein it is located and it is indeed the case based on experience of similar developments in the Cape Metropolitan Area. The proposed development might thus be a catalyst for densification and further mixed use developments in Papegaaiberg, including creation of the threshold population to justify development of a school on the existing vacant school site in the neighbourhood.

The specialist studies undertaken separately by the Municipality and the applicant (Lightstone and Urban Econ) come to the same conclusion, namely that there is sufficient market demand and a need for a major retail development in Stellenbosch. The difference of opinion in the two studies is in relation to the location of the proposed development, which aspect has been addressed above. What is clear from the Urban Econ study (Appendix 7) is that *"the wholesale and retail trade sector is the second largest contributing sector to the Stellenbosch Municipal economy and have created the largest number of jobs between 2003 and 2013"*. The report further highlights the need to grow the residential market, which in turn brings additional demand for retail activities, which is reflected in Chapter 4 of the report. The study also has bearing on reaching agreement on the phasing of the development through consideration of the site development plan and development agreement.

It is noted herein that the Lightstone report, commissioned by the applicant was not properly considered in the analysis leading to the item and neither is it attached as an appendix. It does however form part of the record of the application.

Reference to the 2001 policy on retail development is irrelevant to the argument as subsequent approvals departed from it (Stellenbosch Square, Welgevonden) and the approved 2013 SDF replaced it.

ANNEXURE 3



ROAD NETWORK MANAGEMENT
 Email: Grace.Swanepoel@westerncape.gov.za
 Tel: +27 21 483 4649
 Rm 335, 9 Dorp Street, Cape Town, 8001
 PO Box 2603, Cape Town, 8000

183/57

REFERENCE: 13/3/5/1-25/164 (Job 18835)
 ENQUIRIES: Ms GD Swanepoel
 DATE: 15 April 2016

The Municipal Manager
 Stellenbosch Municipality
 PO Box 17
STELLENBOSCH
 7599



Attention: Mr R Fooy/Ms H Deacon

Dear Sir/Madam

FARMS 183/57 AND 183/58, STELLENBOSCH DIVISION: APPLICATION FOR REZONING, SUBDIVISION AND SPECIAL DEVELOPMENT

1. The following refer:
 - 1.1 Your letter Farm 512/6, Stellenbosch dated 21 January 2016 and
 - 1.2 Traffic Impact Assessment undertaken by ICE (Pty) Ltd dated September 2015.
2. The subject properties are \pm 3km from Stellenbosch Town centre and are located north of Main Road 177 (Adam Tas Road) and between Vredenburg and Devon Valley Road.
3. This application is for the following:
 - 3.1 Consolidation of Farms 183/57 and 183/58;
 - 3.2 Rezoning of the consolidated unit from General Industrial to Subdivisional Area for public road, private open space, private road, general business, general residential, general industrial and educational institution purposes;
 - 3.3 Subdivision of the property into four portions;
 - 3.4 Application for special development for a hotel, motor showroom and warehouse, and to use portions of the proposed buildings for a liquor store, pub/lavern and gathering place;

- 3.5 Approval of precinct plans;
- 3.6 Subdivision of the property into Remainder and Portion A ($\pm 8840\text{m}^2$);
- 3.7 Closure and alienation of the unregistered Portion A, a portion of public road;
- 3.8 Rezoning of Portion A from Local Authority to General Business;
- 3.9 Consolidation of the rezoned Portion A with Farm 183/57, Stellenbosch Division.
4. The TIA recommends the following in respect of matters that affect this Branch:
 - 4.1 The Vredenburg Road and Devon Valley Road intersections with Adam Tas Road be relocated as per plan No. ICE/S/884RL1 and constructed as such;
 - 4.2 The Baden Powell Drive/Polkadraai/Adam Tas Road intersection be improved in order to provide two right turn lanes;
 - 4.3 The Adam Tas/Oude Libertas Street intersection be upgraded as per plan No ICE/S/1097/P01;
 - 4.4 Dorp Street be dualled as per plan No. ICE/S/1054/P02B;
 - 4.5 Alexander Street be relocated to align with the R44/Adam Tas intersection and that it be improved as per plan No ICE/S/1054/P03A;
 - 4.6 The R44/Merriman intersection be upgraded as per the plan No. ICE/S/1054/P04;
 - 4.7 The developer and the municipality negotiate a land swap in respect of the Vredenburg Road and Devon Valley Road (Divisional Road 1069) intersections;
 - 4.8 Public Transport embayments be provided along Adam Tas Road;
 - 4.9 The Roads Authorities (Western Cape Government and Municipality) seriously consider the further planning and implementation of the western bypass to Stellenbosch;
 - 4.10 The responsibility for the road improvements be as follows:
 - 4.10.1 Realignment of Vredenburg and Devon Valley Road and improvements to Adam Tas in the vicinity of the project is for the account of the developer of the Woodmill precinct;
 - 4.10.2 The Baden Powell/Polkadraai/Adam Tas upgrade be undertaken by the Provincial Government of the Western Cape;
 - 4.10.3 Adam Tas/Oude Libertas as part of the possible Distell offices;

- 4.10.4 Dualling of Dorp Street as part of the Remgro Precinct project;
- 4.10.5 The Municipality be responsible for improvements to R44/Merriman intersection and R44/Adam Tas/Alexander Road intersection.
5. This Branch has the following concerns:
 - 5.1 In respect of the proposed Devon Valley Road intersection with Adam Tas Road, it is noted that the left turn lane is subject to traffic light control. Traffic will flow better out of the development if it designed as a slip lane with an acceleration lane.
 - 5.2 The proposed left in-left out is not supported due to its proximity to the traffic light at Adam Tas/Vredenburg Road, the expected volume of traffic and the proposed public transport embayment. A supported location is midway between the intersections of Adam Tas/Vredenburg Road and Adam Tas / Devon Valley Road.
 - 5.3 With respect to funding of infrastructure the following is acceptable to this Branch:
 - 5.3.1 The developer of the Woodmill precinct is completely responsible for the following:
 - 5.3.2 Upgrading of the Adam Tas/Vredenburg intersection;
 - 5.3.3 Upgrading of the Adam Tas/Devon Valley Road intersection
 - 5.3.4 Upgrading of the Baden Powell/Polkadraai/Adam Tas Road intersection;
 - 5.4 The municipality should establish the impact of the Distell project and Remgro project in relation to the Woodmill project and apportion the cost of the proposed road improvements at Adam Tas/Oude Libertas, Dualling of Dorp Street, R44/Merriman intersection and R44/Adam Tas/Alexander Road to the various developers.
6. In respect of the realignment of Devon Valley Road (Divisional Road 1069), the Applicant and the Municipality can contact Mr Pieter J Pienaar (021 483 2105) of this Branch to establish due process.
7. The TIA recommendation relating to the possible construction of a bypass must be seen in context. It is impossible to construct such a road in the medium term and this comment does not make sense in the context of this application.
8. At this stage this Branch objects to the application in terms of the Land Use Planning Ordinance, No 15 of 1985.

9. It may review its comments on receipt of an apportionment agreement, supported by an implementation and financial plan, for the improvements listed in paragraph 5.4.

Yours faithfully



ML WATTERS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

ANNEXURE 4

Deeds Office Property

FARM 183, 183, 0 (REMAINING EXTENT) (CAPE TOWN)

GENERAL INFORMATION

Deeds Office CAPE TOWN
 Date Requested 2017/10/03 09:44
 Information Source DEEDS OFFICE
 Reference -



PROPERTY INFORMATION

Property Type FARM
 Farm Name FARM 183
 Farm Number 183
 Portion Number 0 (REMAINING EXTENT)
 Local Authority STELLENBOSCH MUN
 Registration Division STELLENBOSCH RD
 Province WESTERN CAPE
 Diagram Deed STF8-15/1908
 Extent 291.3792H
 Previous Description -
 LPI Code C06700000000018300000

OWNER INFORMATION

Owner 1 of 1

Company Type LOCAL AUTHORITY
 Name MUN STELLENBOSCH
 Registration Number
 Title Deed STF8-15/1908
 Registration Date 1908/06/22
 Purchase Price (R) -
 Purchase Date -
 Share
 Microfilm Reference 2003 0196 4362
 Multiple Properties NO
 Multiple Owners NO

ENDORSEMENTS (3)

#	Document	Institution	Amount (R)	Microfilm
1	K530/2011S	-	UNKNOWN	
2	K865/2000S	-	UNKNOWN	2000 0623 3285
3	VA2947/2011	MUN STELLENBOSCH	UNKNOWN	

HISTORIC DOCUMENTS

No documents to display

DISCLAIMER

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ANNEXURE 5

WinDeed Database Deeds Office Property

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FARM 183, 183, 57 (REMAINING EXTENT) (CAPE TOWN)

GENERAL INFORMATION

Date Requested 2017/10/03 09:45
Deeds Office CAPE TOWN
Information Source WINDEED DATABASE
Reference -

**PROPERTY INFORMATION**

Property Type FARM
Farm Name FARM 183
Farm Number 183
Portion Number 57 (REMAINING EXTENT)
Local Authority STELLENBOSCH MUN
Registration Division STELLENBOSCH RD
Province WESTERN CAPE
Diagram Deed T70463/1991
Extent 10.4911H
Previous Description -
LPI Code C06700000000018300057

OWNER INFORMATION

Owner 1 of 1

Type COMPANY
Name LURAND INV PTY LTD
ID / Reg. Number 196200428607
Title Deed T965/2015
Registration Date 2015/01/16
Purchase Price (R) 176,700,000
Purchase Date 2014/05/23
Share 0.00
Microfilm -
Multiple Properties NO
Multiple Owners NO

ENDORSEMENTS (2)

#	Document	Institution	Amount (R)	Microfilm
1	K1007/1991S	-	UNKNOWN	1991 1891 1439
2	FROM ST RD 183/11,18	3/15	UNKNOWN	-

HISTORIC DOCUMENTS (7)

#	Document	Owner	Amount (R)	Microfilm
1	T58113/2001	CAPE SAWMILLS PROP PTY LTD	31,600,000	2004 0616 3586
2	B39799/2001	FIRSTRAND BANK LTD	8,000,000	2002 0589 3044
3	T43101/1999	MONDI LTD	14,800,000	2001 0518 5227
4	T70463/1991	BRUPLY SAWMILLS LTD	UNKNOWN	1999 0333 1961
5	VA3029/2004	-	UNKNOWN	2004 0616 3575
6	T2031/2014	AIRTON TIMBERS PTY LTD	81,200,000	-
7	B24932/2014	LURAND INV PTY LTD	30,000,000	-

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7.6	INFRASTRUCTURE: (PC: CLLR J DE VILLIERS)
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NONE

7.7	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: CLLR N JINDELA)
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7.7.1	FUTURE USAGE OF BRÜMMER PARK
-------	-------------------------------------

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Strategic Focus Area 2

22 March 2018

1. SUBJECT:

FUTURE USAGE OF BRÜMMER PARK

2. PURPOSE

To Inform Council regarding the comments received from the public after a public participation process was followed and to seek permission to go ahead with the upgrading of Brümmer Park, as recommended by the majority of the comments received.

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

As per council resolution of the Council Meeting dated 25 October 2017, a public participation process needs to determine the future use of Brümmer Park. All comments were due 20 January 2018. Comments received from the public were summarized and a decision will then be taken by Council to determine the future use of the aforementioned park.

5. RECOMMENDATIONS

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.7.1

RESOLVED

That it be recommended to Council:

- (a) that Brümmer Park be upgraded to such an extent that cyclists and hikers can use the entire park;
- (b) that the Stellenbosch Trail Fund be requested to upgrade the footpath by widening it at certain sections so that it can be used by both cyclists and hikers;

-
- (c) that the picnic area be upgraded to the satisfaction of the Senior Manager Community Services (Parks);
 - (d) that the existing sign boards be replaced with sign boards indicating all the new rules applicable to the park;
 - (e) that welcoming sign boards be erected at both entrances; and
 - (f) that security be improved to the standards prescribed by the Director Community Services.

6. DISCUSSION / CONTENTS

6.1 Background

At the Council meeting dated 25 October 2017 the following decision was taken:

“That the Directorate commences with a public participation process to determine the future use of Brümmer Park.”

6.2 Discussion

An advert was placed in the local newspapers, asking the input from residents on the possible best use of Brümmer Park. **ANNEXURE A** is an example of the advert. The closing date for comments was 20 January 2018.

A total of 17 comments were received from the public. All comments received are compiled in **ANNEXURE B**.

The following is a summary of comments received. (Comments that were made by more than one resident will only be mentioned once):

- (i) The current footpath is very narrow and need to be widened so that an elderly person can walk side by side with somebody else for support;
- (ii) Brümmer Park is a normal Public Open Space and that it should therefore be managed as such. The public should be allowed easy access, all barricades and obstacles removed, and paths improved to facilitate easy access to pedestrians, cyclists, prams and wheel chairs;
- (iii) Control and law-enforcement in the area should further vest with municipal officials;
- (iv) More users of the park will result in a safer park due to the fact that this element will no longer use the park as an escape route. Support more hikers;
- (v) The statement that there is friction between hikers and cyclist are untrue. Hikers with dogs have been requested to put their dogs on a leash,;
- (vi) Hikers and cyclists on the same route will not work;
- (vii) Cyclists use the route through the park to get to the mountain road. In the past they used the alternative route with the same exit, namely Zwaanswyk and Bosch-en-Dal (a 100m further);

-
- (viii) The Chairperson of STF confirms that the current route is not safe for cyclist and hikers;
 - (ix) The open grass area must be upgraded with the placement of rubbish bins, cement benches, play equipment such as swings;
 - (x) Improvement of the foot path through the grass area;
 - (xi) A welcoming sign board at the park's entrance;
 - (xii) All barriers must be removed and STF must be requested to help with the widen of the road at the western entrance;
 - (xiii) Brümmer Park reverts to its intended use as a Public Open Space without interference from local residents to the detriment of the public;
 - (xiv) Adjoining residents should however retain their privilege of direct entry into the park from their properties;
 - (xv) Request by Stellenbosch Cycling to use the park for casual cycling, without victimization and threats;
 - (xvi) Entrance for wheelchairs, prams and cyclists;
 - (xvii) Construction of a cycling track that will keep cyclist away from the grass area and that calm the speed of cyclists;
 - (xviii) Request for the installation of a turnstile, where the grass area starts;
 - (xix) Placing of bicycles racks were cyclist can chain their bicycles;
 - (xx) Is commented that an Environmental Impact Assessment can be triggered if the usage allowed in the park is changed, due to the biodiversity of the area;
 - (xxi) Construction of a circle route for cyclists at the eastern side where entering is at The Hangbrug and exit at Boschendallaan;
 - (xxii) The area must be accessible to all residents and that the public, including access by foot, bicycle, wheelchair, pram, strollers and horseback;
 - (xxiii) That Stellenbosch prohibit any further development of the gardens by the neighbouring residents;
 - (xxiv) Dogs should be permitted in the park without being required to be on a leash;
 - (xxv) Access should be made easy at both the eastern and western ends of the park;
 - (xxvi) The open areas must be upgraded with the placement of cement seating, dustbins and play equipment;
 - (xxvii) The current footpath must be further developed over the grass area;

-
- (xxviii) A welcoming board must be erected indicating that is a municipal park that is maintained by the residents;
 - (xxix) Cyclists must push their bicycles through the park;
 - (xxx) Another low water bridge can be constructed at the top of Koloniesland, close to the Meulstroom in late;
 - (xxxi) Construction of braai facilities on the open area, away from the residents;
 - (xxxii) Provide mobile toilets on the days that people are picnicking;
 - (xxxiii) Must stop with the locking of the gate;
 - (xxxiv) Against the construction of a fence to fence of the grass area with the rest of the park;
 - (xxxv) Other residents feel that a fence must be constructed;
 - (xxxvi) Currently the sign boards are confusing. This must be corrected;
 - (xxxvii) Residents from Karindal must have a direct entrance to the park at the bottom Boschendallaan;
 - (xxxviii) A separate cycling track must be constructed through the park;
 - (xxxix) A separate cycling track which only allow for cycling to ride through very slowly;
 - (xl) A comment that it would be impossible to have a play park on the bigger section, with cyclist cycling through the play park;
 - (xli) The security of the area will be negatively influence if cyclist is allowed through the park. Other negative elements will start using the park if cyclist is allowed through the park;
 - (xlii) All obstructions must be removed;
 - (xliii) Stellenbosch Trail fund must be requested to help with the designing of a separate path for cyclists; and
 - (xliv) A public statement must be made that Brümmer Park is a public open space, for the use of all residents.

The most important question that needs to be answered is what the opinion on allowing cycling through Brümmer Park is. It was clear that the majority of the residents were of the opinion that cyclists must be able to ride through Brümmer Park. However, the current footpath is not safe for both cycling and hiking.

Dr Richard De Villiers from Stellenbosch Trail Fund (STF) was requested to do an investigation to determine whether the layout of a separate cycling path is possible. This cycling track must be constructed in such a way that cyclists can only cruise through pathway.

The recommendations received were discussed with the Executive Mayor. She requested that an email be sent out to all the residents, informing them of the comments received from the majority of the respondents and that they must indicate which of the four options they support. (See **ANNEXURE C**).

Four respondents responded to this mail. Three of the respondents suggested that the current foot path be widened to accommodate cyclists and hikers on the same path.

Further investigation was done by the STF and it was established that it is possible to widen the current footpath to accommodate both cyclists and hikers.

The department is of the opinion that this solution is the best possible solution to address the issue of a cycling path through Brümmer Park. The advantages of this proposal are:

1. Cyclists and hikers can use the whole park in harmony.
2. Reduce the possibility of injuries cause by cyclist to hikers.
3. Minimum impact on the plants planted by the adjacent house owners.
4. Address the recommendations by the majority of respondents.

6.2.1 Summary of discussion

The Directorate acknowledges the effort and funding that was used to develop a portion of the park into a beautiful garden by some of the adjacent residents, despite the fact that this beautification was done without a formal request and approval by Council. However, there is a request from other residents that the park must be open to the public for cycling as well.

The municipality must strive to satisfy all its residents. Taken all the attached documentation in account it will be very difficult to satisfy all the parties involved. Therefore a solution must be found to meet all the parties in the middle.

From the above information and the attached documents and comments from the different respondents the following is clear:

- (a) The majority of respondents wants Brümmer Park be open to cyclists.
- (b) Residents have formalized a part of the park for gardening purposes, without a formal approval by the municipality.
- (c) Brümmer Park is zoned as a Public Open Space.
- (d) If cycling is allowed, the cycling route will have to be formalized and redesigned in such a way that the safety of all the users is ensured.
- (e) All current sign boards will have to be updated / amended and replaced with sign boards with the correct information.
- (f) Upgrading of current footpath.

- (g) Removal of all wooden barriers.
- (h) Install welcoming sign boards.
- (i) Upgrade of the picnic site.
- (j) Remove illegal dumping next to the river.
- (k) Improve security.

Other comments received stated that any development triggers a formal impact study, as stipulated by the National Environmental Management Act, 107 of 1998 (NEMA), see Environmental Impact Assessment (EIA) Regulations.

This statement was investigated and it was found that in terms of NEMA, an impact study is only necessary when a listed activity as indicated in EIA is triggered. No activity is triggered.

6.3 Financial Implications

There will be costs involved to upgrade the park and to formalize the foot path and cycling track. An amount is available on the ward funding to upgrade Brümmer Park.

6.4 Legal Implications

None

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

Council approved.

6.7 Risk Implications

None

6.8 COMMENTS FROM SENIOR MANAGEMENT:

6.8.1 Director: Infrastructure Services

Supports the item.

6.8.2 Director: Planning and Economic Development

Supports the item.

6.8.3 Director: Community and Protection Services:

Supports the item.

6.8.4 Director: Strategic and Corporate Services:

Supports the item.

6.8.5 Director Human Settlements and Property Management

Supports the item.

6.8.6 Chief Financial Officer:

Supports the item.

6.8.7 Municipal Manager:

Supports the item.

ANNEXURES

Annexure A: Advert: Brümmer Park Public Participation Process

Annexure B: Comments received from public

Annexure C: Email: Bümmerpark Voorstelle (as per request from Executive Mayor)

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe
POSITION	<i>Manager: Community Services</i>
DIRECTORATE	<i>Community and Protection Services</i>
CONTACT NUMBERS	<i>021 808 8161</i>
E-MAIL ADDRESS	<i>albert.vandermerwe@stellenbosch.gov.za</i>
REPORT DATE	



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT
Department: Community Services
Departement: Gemeenskapsdienste

ANNEXURE A:

Advert: Brümmer Park Public Participation Process



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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

PUBLIC PARTICIPATION: BRÜMMER PARK

Notice is herewith given of a public participation process that will be embarked on by Stellenbosch Municipality to find the best use for the public open space called Brümmer Park.

All interested and affected parties are invited to submit written proposals to the Manager: Community Services on or not later than the 20th of January 2018 or to Tazmynn.Linders@stellenbosch.gov.za

Submissions can also be hand delivered at 123 Merriman Street, Stellenbosch 7600 (Community Services Offices).

For any enquiries or information in this regard please contact Albert van der Merwe at (021)808 8161/8160 during between 08:00-13:30 on weekdays (Monday to Fridays).



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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

PUBLIEKE DEELNAME PROSES: BRÜMMER PARK

Kennis word hiermee gegee van 'n publieke deelname proses deur Stellenbosch Munisipaliteit oor die beste gebruik vir die publieke openbare ruimte, genoem Brümmer Park.

Belanghebbende en/of geaffekteerde partye is welkom om enige kommentaar, navrae of kwessies skriftelik in te dien, voor of op 20 Januarie 2018 aan die Bestuurder: Gemeenskapsdienste of Tazmynn.Linders@stellenbosch.gov.za

Kommentare kan ook per hand afgelewer word by Merrimanlaan 123, Stellenbosch, 7600 (Kantore van Gemeenskapsdienste).
Vir enige navrae of inligting in hierdie verband, kan Mnr Albert van der Merwe gekontak word by (021) 808 8161/8160 tussen 08:00 - 13:30, weksdae (Maandae - Vrydae).



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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT
Department: Community Services
Departement: Gemeenskapsdienste

ANNEXURE B:

Comments received from public



1 December 2017

Mr. Albert van der Merwe
Manager: Environment Sport and Facilities
Stellenbosch Municipality
123 Merriman avenue
Stellenbosch
7600

RE: FUTURE USE OF BRÜMMERPARK

Dear Sir,

I hereby wish to submit my proposal regarding Brümmerpark as part of the public participation process regarding the future use of Brümmerpark.

I grew up in Karindal and along with all the children of the neighbourhood, made very good use of Brümmerpark. I therefor have strong sentiments attached to this part of our town. I still go there with my own children to this day.

I would like to refer to the current definitions of "**Municipal Open Spaces**" to clarify the terms:

Public Open Space

Public open space means a park, public garden, square, sports field, children's playground, amusement park, place of recreation or any similar amenity, the access to which is not limited or controlled.

Normal Development: Public Open Space

Special Development: None

No building or structure shall be erected or use practiced except such as is compatible with "public open space" as defined.



Private Open Space

Private open space means land reserved for purposes of sport, playing, resting or other forms of recreation, the access to which is controlled by an authorized body.

Normal Development: *Private Open Space and any development of which the Council may approve which is directly related to private open space.*

Special Development: *None*

No building or structure shall be erected or use practiced except such as is compatible with "public open space" as defined.

I propose that Brümmerpark be a "**Public Open Space**" subject to the normal municipal regulations which govern such areas.

The general public should be allowed easy access by:

foot,

bicycle,

wheelchair,

pram,

strollers

and horseback.

Access to should be made easy at both the eastern and western ends of the park. All existing barricades (wooden poles) should be removed to allow unhindered access.

I recommend that the Stellenbosch Trail Fund, as current custodians of the Public Open areas along the Eerste river, be given the mandate to upgrade the current path to enable easy access and to come up with a solution to make it safe for all users.

I propose that the Stellenbosch Municipality prohibit any further development of the gardens by the neighbouring residents, as I believe that the gardeners have introduced plants and trees which do not naturally occur along the river. The presence of these cultivated gardens also caused the neighbouring residents to claim the area for themselves and stick stickers on municipal boards, which for instance, prohibit bicycles and ball sports. The cultivated gardens have encroached on the available open space. During the last 30 years, the Stellenbosch community has systematically been deprived of a safe space for children to play with balls and bicycles etc. The creation of Public Open Spaces is specifically intended for use by the general public, as it contributes to a healthy community where people can play and interact.



Dogs should also be allowed without being required to be on a leash.

I don't support overly regulated Public Open Spaces. In my experience, the Stellenbosch community who use the Public Open Spaces along the Eerste river, are considerate and responsible users. People who have problematic, unsocial dogs, normally have them on a leash. Those who have friendly sociable dogs, walk them off a leash. Problems seldom occur. Cyclists, horse riders and walkers in most cases consider and respect other users on the trails. This kind of behaviour should be encouraged, as it attracts more people to these areas, which raises the safety for all.

I think that Koloniesland is a good example of an ideal Open Space and the endeavours of the Stellenbosch Trail Fund has made a wonderful contribution to the Stellenbosch community. Extending the Koloniesland concept along the Eerste river makes sense and will bring consistency and clarity to all users.

Thank you for the opportunity to submit a proposal and participate in the process of determining the future use of Brümmerpark.

Yours faithfully,

Johann Reinecke

Meerlustlaan 7
Karindal
Stellenbosch
Tel 021 887 9024 of 072 607 0432
18 Januarie 2018

Bestuurder: Gemeenskapsdienste
Vir aandag: mnr Albert van der Merwe
Stellenbosch Munisipaliteit
Stellenbosch

Beste Albert

Brummerpark publieke deelname kommentaar

In reaksie op die advertensie/versoek in Eikestadnuus (van 14 Desember 2017) vir publieke deelname m.b.t. Brummerpark se gebruik, wil ek graag die volgende bydrae lewer:

- As inwoner van Karindal het ek baie waardering vir die natuurtuin, paadjies en grasperk wat in Brummerpark deur aangrensende inwoners geskep en onderhou word.
- Weens die pragtige omgewing, is die park gewild onder studente en veral Karindal/ Mostertdsdrif inwoners (en hul honde), met groot getalle mense wat daaglik (veral tussen 16h30 en 19h30) daardeur stap. As daar oor "beste gebruik" van die park besluit moet word, moet voetgangers se regte baie hoog gestel word.
- Alhoewel die aangrensende inwoners op geen "regte" kan aanspraak nie, moet hulle ook geken word wanneer daar oor "beste gebruik" besluit word. Die park se karakter het baie te doen met wat hulle daar geskep het, asook die amper totale afwesigheid van mure tussen hulle tuine en dié van die park. Net soos ek daarvan hou om die sypaadjie voor my woonhuis (munisipale grond) netjies in stand te hou (en dit mag doen), sien ek nie fout daarmee dat hulle die munisipale grond agter hul huise in 'n parktuin te omskep het nie.
- Die bestaande parkreëls, soos op die munisipale kennisgewingsbord by Brummerspark se ingang aangedui (insluitend die "geen fietryers", "geen motorfietse" en "geen perde" wat onlangs deur iemand verwyder is), is na my mening almal billik, om 'n veilige staproete vir voetgangers te verseker. Dit is egter nie vir my duidelik wie hierdie reëls moet toepas nie. Die kameras, wat blykbaar binnekort daar geplaas gaan word, sal egter as 'n belangrike afskrikmiddel vir oortreders van parkreëls (en vandale) dien.
- Die vandalisering van munisipale kennisgewings by Brummerpark gedurende 2017 deur lede van Stellenbosch Fietsry, soos in Eikestadnuus rapporteer, was ontstellende leesstof. Hulle besef duidelik nie dat voetgangers wel geregtig is op die veilige gebruik van hierdie voetslaanpad nie.

- Die oop grasperk gedeelte van Brummerpark kan deur die munisipaliteit opgradeer word deur die plaas van sementbankies en vullisdromme, asook klimrame en swaie vir kinders. Die verlenging van die gekompakteerde voetpad vanuit die natuurtuin oor die grasperk sal ook baie welkom wees, want die grasperk word in die wintermaande deur die baie voetgangers uitgeloop.
- 'n "Verwelkomingsbord" by Brummerpark se ingang behoort opgerig te word, wat dit duidelik maak dat hierdie 'n openbare rivierbank/park is waar munisipale reëls en regulasies geld, maar wat goedgeunstiglik deur privaat individue in stand gehou word.

Ek ondersteun Stellenbosch Fietsry ten volle met hulle pogings om meer fietsrypaaie aan Stellenboschers beskikbaar te stel, maar nie as dit beteken dat voetgangers van hul veilige staproetes ontnem word nie (soos hulle aandring by Brummerspark). Die volgende kan oorweeg word vir fietsryers:

- As sosiale fietsryers wel deur Brummerspark wil beweeg, moet hul fietse daardeur gestoot word, net soos wat hulle behoort te doen op enige sypaadje in die dorp. Vir die "sportfietsryers", wat waarskynlik nie van hulle fietse sal wil afklim nie, is daar 'n maklike ompad (om Brummerpark) deur van Zwaanswykweg gebruik te maak.
- 'n Laagwater "brug" vir fietsryers, soortgelyk aan dié langs die hangbrug, kan oor die Eersterivier gebou word aan die bokant van Koloniesland, naby die meulstroom se inlaat. Dit sal die gewilde koloniesland fietspad laat aansluit by die net so gewilde Coetzenburg/Stellenboschberg fietspaaie.

Die uwe



Dr Gerhard Giliomee

- Upgrade of picnic site
- " " Footpath
- Stoot van fietse.
- Construct another bridge for close to meulstroom for those not active cyclist. (high speed).

P E CLAASSEN SS(SA)

B Sc, B Ing(Siviel), M(S&S), D Phil

**STADSBEPLANNER
STREEKBEPLANNER**Rowanstraat 42
7600 STELLENBOSCHTel 021 883-2956
Sel 083 532 0181
E-pos pcc@adept.co.za
Verw.

6 Januarie 2018

Die Bestuurder
Gemeenskapsdienste
Munisipaliteit Stellenbosch
7600 Stellenbosch
(Aandag: Tazmynn Linders)

Geagte Me Linders

PUBLIEKE DEELNAME: BRUMMERPARK

As inwoner van Stellenbosch wat die afgelope 50 jaar dikwels in Brummerpark stap, reageer ek graag op u uitnodiging vir voorstelle oor die gebruik van dié Park.

Dit is 'n besonder mooi park, veral weens die moeite en werk wat van die aangrensende eienaars oor dekades daar ingesit het, wat ek baie waardeer. Die variasie in voorkoms maak dit ook 'n aangename ondervinding om daar deur te stap: die grasperk langs Thibaultstraat met uitsig op die Eersterivier; die arboretum; die groen grasperk in die middel tot by Otterkuil; en die wilde natuurlike stroom-op deel tot by die hangbrug en drif. Van die tuine van die aangrensende huise is geïntegreer met die park wat die aangename atmosfeer verhoog.

Oënskynlik lyk dit of daar min "verkeerd" is met die park, maar as 'n mens na detail kyk, is daar aspekte wat kan verbeter. Veral die bestuur van die stroom-op deel van die park (naaste aan die hangbrug) is verwarrend en daar is te veel versperrings en te min geriewe. Dit is nie duidelik wat die doel van die Munisipaliteit met die "piekniekterrein" is nie.

Ek bespreek onder ses aspekte wat aandag behoort te kry:

- * Die oënskynlike inkamping van dele van die park deur aangrensende eienaars.
- * Die geriewe vir piekniekgangers in die stroomop deel van die park, naby aan die hangbrug.
- * Die onlangse voorstel dat die park met 'n nuwe heining in twee verdeel moet word.
- * Verwarrende kennisgewingborde.
- * Gebrek aan direkte toegang, veral vir inwoners van Karindal.
- * Die toelaat van fietse op die park, al dan nie.

1 INKAMPING VAN MUNISIPALE EIENDOM

Die Munisipaliteit moet streng optree teen eienaars wat aan die Park grens wat, oënskynlik, hulle grensheinings opgerig het om groot dele van die park by hul erwe in te sluit.

Daar moet onmiddellik opgetree word want daar is altyd die moontlikheid dat sodanige eienaars later die grond sal eis onder die Wet op Verjaring (Wet 68 van 1969). Daar was al sprake in die verlede van sulke eise langs hierdie park. Dit wil sê, as dit nie alreeds ge-eis is nie?

2 PIEKNIK-GERIEWE

Vir 'n paar dae in die jaar is die omgewing net stroomaf van die hangbrug gewild vir piekniekgangers, meestal net op warm dae in die somer, op Sondag en vakansiedae.

Dit will egter voorkom of die Munisipaliteit dit soms baie moeilik maak vir piekniekgangers om by die "piekniekterrein" te kan kom.

Daar is soms uitermate streng toesig by die versperring en hek in die grondpad wat van Boschendallaan na die drif lei. Daar is soms tot vier amptenare wat motors deursoek. Die hek is ook meestal gesluit. Besoekers parkeer dan noord-wes van die versperring en stap met die grondpad na die rivier – 200 meter verder.

Op die hek is 'n kennisgewing wat lui (sien foto onder):

"Please keep this gate LOCKED at all times!! By Order"

Wie die "Order" gegee het, is nie duidelik nie. Het die Munisipaliteit die "Order" gegee?

Die kennisgewing is teenstrydig met die ander kennisgewings wat aandui dat die Park elke dag oop is van 8h00 to 20h00.



Vir verskeie dae in die onlangse vakansietyd was die hek egter oop, en daar was geen toesig nie. Maar op 1 Januarie was die hek gesluit. Daar was twee munisipale veiligheidsbeamptes in 'n motor naby die hek. Hulle deel my toe mee dat dit 'n fout was dat die hek oop was op ander dae. Hulle sê die hek moet altyd gesluit wees, want dit is wat "hulle" wil hê.

Die sluit van die hek is heelwaarskynlik onwettig omdat dit die publiek weerhou van toegang tot 'n publieke pad, dit is, die grondpad wat na die drif en hangbrug lei.

'n Jaar gelede het 'n veiligheids wag van die Munisipaliteit piekniekgangers beveel om hulle tente af te slaan – daar was een of twee klein tente om koelte te verskaf. Op my vraag hoekom mense nie 'n tent mak opslaan nie, was sy antwoord: "Tente is die begin van plakkery."

Al wat dus duidelik is, is dat daar groot onduidelikheid is.

As dit die beleid van die Munisipaliteit is om piekniekgangers daar weg te hou, dan moet daar so 'n besluit deur die Stadsraad geneem word. As die Stadsraad besluit mense mag nie daar piekniek nie, dan moet die redes vir die besluit duidelik uitgespel word.

My aanbeveling is dat die Park oop moet wees vir piekniek. Enige moontlike “negatiewe” effekte van piekniek op die park (indien enige), kan tot 'n minimum beperk word deur die volgende stappe te neem:

- * Aan daardie kant van Brummerpark, dit is die stroom-op kant, moet die ingang vir voetgangers naby aan die hangbrug wees, soos dit wel tans is.
Dit is 'n lang afstand van dié ingang na die naaste huis in Karindal (280 m). Piekniekgangers sal dus geneig wees om ver van die woonhuise te piekniek.
- * **Bou 'n aantal braaiplekke** in daardie omgewing, naby die ingang, op veilige plekke, sodat die piekniekgangers wettig vuur kan maak om te braai.
- * Voorsien mobiele toilette op die dae wat mense daar kom piekniek. (Dit is wel in die verlede soms gedoen.) Dit moet mobiele toilette wees, want permanente toilette lei altyd tot onaangename omstandighede omdat daar vir 95% van die tyd geen toesig is nie.
- * Stuur Maandagoggend 'n span in om die rommel op te tel.
- * Die sluit van die hek by die versperring moet gestaak word, of, as dit wel gesluit word, moet dit net van 20h00 tot 8h00 wees – dit is die tyd wat die Park vir die publiek gesluit is, volgens die kennisgewings.

3 VERDELING VAN DIE PARK MET 'N HEINING

Daar was onlangs sprake dat 'n heining tussen die natuurlike deel en die groen grasperk deel opgerig gaan word (min of meer in die omgewing van die vloedwal). Sodanige afkamping sal verkeerd wees. Eerstens sal dit geen positiewe doel dien nie – daar is geen rede daarvoor nie. Die park het tans 'n mooi natuurlike, esteties aantreklike vloei van een deel na die ander. Toegang tot die park is reeds uiters beperk.

Die ander rede waarom dit verkeerd sou wees, gaan oor grondeise deur aangrensende eienaars wat in die verlede al opgeduik het. Die moontlikheid van verjaring is ook al genoem deur van die aangrensende eienaars.

'n Heining kan die moontlikheid van sodanige eise in die toekoms versterk.

4 VERWARRENDE KENNISGEWINGBORDE

Daar is verwarrende kennisgewingborde, veral aan die stroom-op kant van Brummerpark en langs die grond toegangspad vanaf Boschendallaan na die drif by die hangbrug.

By die versperring in die toegangspad wat na die drif lei, waar die hek dikwels gesluit word, is 'n baie verwarrende kennisgewingbord – sien foto onder op p.4. Eerstens verwys die kennisgewing op die bord na “Eersterivier Park.” Ek weet nie of dit 'n ander naam vir Brummerpark is nie?

Die bord verbied fietse om op daardie deel van die grond toegangspad te ry. Hoekom?

**KENNISGEWING BY VERSPERRING IN TOEGANGSPAD
(Drif in agtergrond, links)**



By die ingang tot Brummerpark aan die stroom-op kant, by die hangbrug (sien foto onder), is daar 'n soortgelyke verwarrende kennisgewing. Eerstens noem dit die park ook "Eersterivier Park" en tweedens verbied dit fietse in daardie deel van Brummerpark.

Wat dit so moeilik maak om te verstaan is dat fietse vir dekades lank juis wel in daardie stroomop deel, die natuurlike deel, toegelaat is. Daar is talle spesiale fietspaaie daar gebou oor die afgelope 20 jaar. Die huidige debat oor die toelaat van fietse gaan oor die stroom-af deel van Brummerpark, dit is die arboretum en groen grasperk dele. Daar was nooit beswaar teen fietse op die natuurlike stroom-op deel nie. Hoekom word fietse nou verbied?

**KENNISGEWING BY STROOM-OP INGANG NA BRUMMERPARK
BY DIE HANGBRUG**



Dit is duidelik dat daar verwarring is, en dat die verantwoordelike munisipale amptenare aandag daaraan sal moet gee. (Sien ook die aanhangsel op p.6 onder.)

5 GEBREK AAN DIREKTE TOEGANG VIR INWONERS VAN KARINDAL

'n Kenmerk van Brummerpark is die gebrek aan toegang. Inwoners van Karindal het nie direkte toegang tot die park nie – maar, dit is 'n fout in die uitleg van die woonbuurt.

Toegang word verder beperk deur die (soms) geslote hek in die gruis toegangspad na die drif.

Die Park sal effens meer toeganklik wees as daar 'n nuwe ingang gemaak word aan die onderend van Boschendallaan. Dit sal natuurlik dan ook makliker wees vir pickniekgangers om daar in te gaan. Maar dit is vir die Karindallers om daarvoor te besin.

6 TOELAAT VAN FIETSE

Ek is nie 'n fietsryer nie en ook nie 'n aangrensende inwoner nie, en daarom raak die debat oor die toelaat van fietse my nie.

Maar, as fietse wel toegelaat gaan word om in die park in te ry van Thibaultstraat se kant af, kan 'n aparte smal fietslaan aan die rivierkant van die huidige voetpad voorsien word. Daar kan plantegroei tussen die twee lane behou word om fietse en voetgangers te skei.

Fietse moet definitief nie, soos tans, verbied word in die stroomop natuurlike deel nie.

TEN SLOTTE

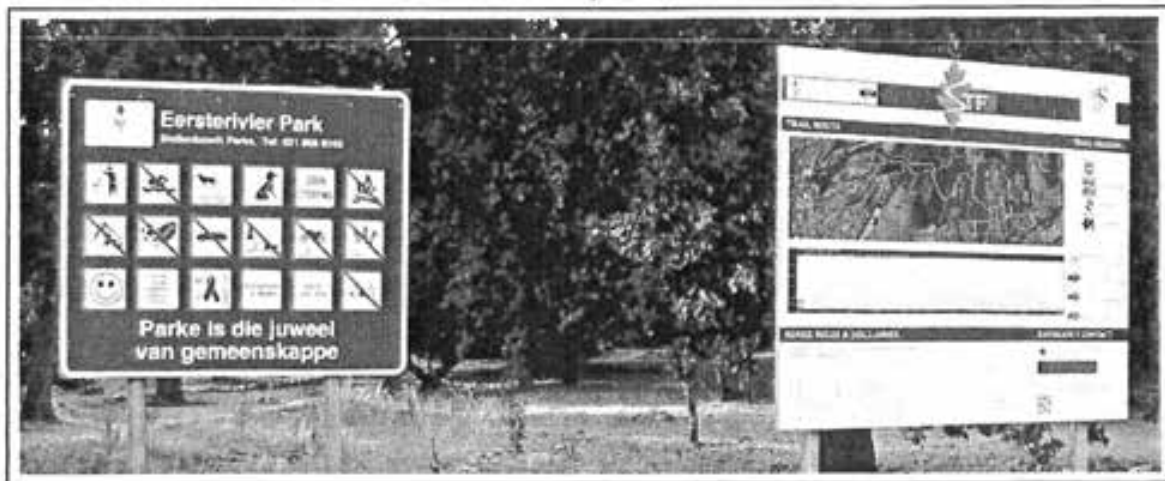
Dit is ironies dat daar op drie van die vier kennisgewingborde in groot letter staan: “**Parke is die juweel van gemeenskappe.**” Op die vierde bord staan: “**Parks – Connecting People**”. As dit die beleid van die Munisipaliteit is, moet Brummerpark oop wees vir die publiek – ook vir pickniekgangers.

Die uwe



AANHANGSEL:

VERWARRING IN BRUMMERPARK, OF IS DIT EERSTERIVIER PARK?



Daar heers verwarring in hierdie park: Die bord links verbied fietsry. Die bord regs, van die "Stellenbosch Trial Fund", moedig fietsry aan – dit is 'n fietsry klub. Die borde staan by die stroom-op ingang tot Brummerpark by die hangbrug.

Die Munisipale bord links noem dit "Eersterivier Park" wat almal ken as Brummerpark.



Bo links is 'n foto van die bord by die Thibaultstraat ingang. Dit verwys net na "Eersterivier". Die "Geen fietse" plakker is afgeskeur.

Bo regs is die bord in die middel van die Park by die vloedwal. Dit verwys ook na "Eersterivier Park". "Geen fietse" plakker ook afgeskeur.

Meerlustlaan 4

Karindal

10 Jan. 2018

Bestuurder: Gemeenskapsdienste

Vir aandag: Mnr A van der Merwe

Munisipaliteit

Stellenbosch

Geagte mnr Van der Merwe

Brummerspark : Publieke kommentaar

Eerstens moet ek diegene in u afdeling gelukwens met al die puik stap- en fietspaaie langs die Eersterivier. Daar is duidelik ruim en goeie voorsiening gemaak vir fietsryers sowel as stappers. Dit dra by tot hul lewenskwaliteit in Stellenbosch.

Daar is egter twee ander groepe wat 'n leemte ervaar in die munisipaliteit se huidige fokus langs die rivier. Daar is eerstens die seniors wat net rustig in die natuur wil verkeer en tweedens, gesinne met jong kinders wat daar veilig wil speel en piekniek hou.

Hiervoor is Brummerspark baie geskik, veral as die gras gesny word en daar sitbankies aangebring word (en daar nie fietse is wat daardeur jaag nie).

Die park grens aan die woonbuurte Mostertsdrif en Karindal. My indruk is dat die parkomgewing vir baie inwoners 'n rusige terapeutiese area is wat hulle graag so sal wil behou.

Prof JC Meyer

Ns: Ek is self `n fietsryer en stel belang om te weet wat geword het van herhaaldelike versoeke vir `n veilige parkeerplek vir fietse in die middedorp (onder toesig van Wetstoepassing).

20 Helderberg Village
Bakkerskloof Road
7130 SOMERSET WEST

2018-01-25

Mr. A van der Merwe
Manager; Environment, Sport and Facilities
Stellenbosch Municipality
7600 STELLENBOSCH

Dear Mr. van der Merwe;

BRUMMER PARK

Thank you for inviting public participation in the question of the future of Brummer Park.

My family and I lived one house away from Brummer Park from 1970 to 1983 in 4 Anreith Street, so I am well acquainted with the early beginnings of this open space.

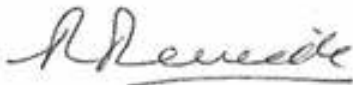
There was never any doubt that the use this space was then considered by all residents of Karindal, as a normal public space. It was completely open at both the eastern and western ends. It was grassed and I believe mown by the municipality. Little by little adjoining residents started improving the area by extending their gardens into the park. But this did not initially inconvenience the public, in fact anyone could freely use the whole of the Park for several years.

Then progressively large shrubs were planted and narrow paths with right angle turns and steps were constructed at the western entrance. This was clearly to warn off the public by making entrance difficult, especially with a pram for example. Clearly this was not done for the public good but essentially for private use of the park.

There may have been some sort of agreement between the Municipality and the adjoining residents that Brummer Park would be maintained by them in exchange for privileged use. In that case I believe that this interesting arrangement would have been the subject of discussion with their next door neighbours like myself. That never happened to my knowledge.

I ask that Brummer Park revert to its intended use as a Public Open Space without interference from local residents to the detriment of the public. Adjoining residents should however retain their privilege of direct entry into the park from their properties.

Yours faithfully.



PROF ROBERT REINECKE

30 November 2017

Mnr Albert van der Merwe

Bestuurder: Omgewing, Parke en Geriewe

Munisipaliteit Stellenbosch

Geagte mnr Van der Merwe Insake: Brümmerpark

Stellenbosch Fietsry (SF) is 'n maatskappy sonder winsbejag wat hom beywer vir die bevordering van veilige fietsry in alle gemeenskappe op Stellenbosch

Ons klem val op pendelfietsry as volhoubare oplossing vir ons dorp se verkeersprobleme en op ontspanningsfietsry met gewone fietse.

Die fietsroete langs die Eersterivier is 'n belangrike deel van die fietrypadstelsel op die dorp en word gebruik vir ontspanning en vir pendelery. Dit word ook toenemend deur toeriste gebruik. Stellenbosch Fietsry het al by verskeie geleenthede groepe soos toeriste-bloggers en ook akademiese besoekers per fiets langs die Eersterivier en deur Brümmerpark begelei.

Brümmerpark is 'n Openbare Oop Ruimte en moet as sodanig benut word.

Dit beteken dat geen private persoon die gebruikers van die Openbare Oop Ruimte mag intimideer, dreig met inhegtenisneming, boetes mag opleë of op enige manier mag verhinder om die gebied te gebruik nie.

Stellenbosch Fietsry versoek dat rustige fietsryers vrye toegang tot die gebied mag hê sonder verbodings, viktimisering of dreigemente. Die gebied is deel van die Eersterivier-fietsroete.

Ons het die hoogste waardering vir die private werk wat daar verrig is en respekteer dit. Ons wil egter vrye toegang vir fietse, rolstoel en kinderwaentjies hê aangesien dit 'n Openbare Oop Ruimte is.

Ons is baie sterk gekant teen die oprigting van draaihekke by enige ingang aangesien dit fietsryers, stootwaentjies en rolstoel uit die gebied sal hou.

Ons voorstel: Die Munisipaliteit en die Stellenbosch Trail Fund bou 'n paadjie deur die gebied wat deurgangers weghou van gras of plante wat beskadig kan word, en fietsryers se spoed kalmeer - soortgelyk aan die rivierkant van die Koloniesland-woongebed, waar fietryers en voetgangers 'n Munisipale paadjie kan deel deur 'n tuin, geskep deur inwoners, sonder enige voorvalle.

Dankie

Dawid Botha (Rdsh)

Voorsitter: Stellenbosch Fietsry

Lid NMT-werkgroep van Ingenieursdienste

Albert van der Merwe

From: GJ van der Merwe <gj.vdm@mweb.co.za>
Sent: Wednesday, 10 January 2018 21:41
To: Albert van der Merwe; Tazmynn Linders
Subject: [EX] FW: Public Participation: Brümmer Park
Attachments: Brümmer Park Willems 2017.docx

Goeiedag Mnr van der Merwe

Graag voeg ons ons stemme by die van Mnr Willems met sy brief aangeheg waarvan ons 100% saamstem en ondersteun. Ons kon dit nie beter gestel het nie! Ek kan net ook byvoeg dat die paadjie so nou is dat wanneer mens met 'n bejaarde persoon daar stap wat ondersteuning nodig het dit onmoontlik is om langs die persoon te stap. Het u al met iemand probeer stap in 'n nou paadjie, die persoon met 'n kiere in die een hand en jyself wat ingehaak moet stap aan die ander kant? Dit is baie moeilik om voor of agter so 'n persoon te stap om dieselfde ondersteuning te bied.

Vriendelike groete

Charlotte en Gottlieb van der Merwe
Jonkershoekweg 70
Stellenbosch


From: Tyl Willems [mailto:willemsstyl@gmail.com]
Sent: 10 January 2018 03:05 PM
To: albert.vandermerwe@stellenbosch.gov.za; Tazmynn.Linders@stellenbosch.gov.za
Cc: Tyl Willems ; "Hannelie Lategan ""@mta01-dc01.cm.synaq.com; mayor@stellenbosch.gov.za
Subject: Public Participation: Brümmer Park

Geagte Meneer Van der Merwe,

Ek verwys na die uitnodiging tot deelname aan 'n openbare deelname proses betreffende die toekomstige gebruik van Brümmerpark, soos ge-adverteer in die Eikestadnuus in Desember 2017. My siening en insette in die verband word hierby as aparte skrywes aangeheg.

Met vriendelike groete,

Tyl Willems
+27 82 807 3540

 Virus-free. www.avg.com

Albert van der Merwe

From: Dawid Botha <dawidbotha.za@gmail.com>
Sent: Friday, 16 February 2018 12:01
To: Albert van der Merwe
Subject: Re: [EX] Re: Voorstel Brümmerpark

DANKIE!

Ons het volle vertroue in Dr de Villiers se voorstelle en uitvoering!

DB

Op 16 Februarie 2018 11:25 het Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za> geskryf:

Geagte Mnr Botha

Hiermee ontvangserkenning van u kommentaar.

Dr de Villiers het reeds aan my genoem dat die verbreding van 'n gedeelte van die bestaande pad uitvoerbaar is. Dit is inderdaad goeie nuus. Ek beplan om saam met Schalk vd Merwe, Dr de Villiers en Adv Meiring die voorstel op terrein te bespreek.

Ek ondersteun u voorstel van 'n openbare verklaring, maar nie heeltemal met u woordkeuse nie. Die verklaring sal ook die raadsbesluit insluit, ter kennisname vir die breë gemeenskap.

Please copy me into your reply / Kopieer myself asseblief in u terugvoer!

Winners of the Arbor City Awards 2014 & 2017 Local Municipality Category



Kind regards,

Albert Van Der Merwe

Bestuurder: Gemeenskapsdienste

Manager: Community Services

Community and Protection



Services

T: +27 21 808 8165 | F: +27 21 887
7446

123 Merriman Avenue, Stellenbosch,
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http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: Dawid Botha [<mailto:dawidbotha.za@gmail.com>]

Sent: Thursday, 15 February 2018 21:12

To: hugom.truter@gmail.com; Tyl Willems; Carinus Lemmer; Richard de Villiers; Enrico Liebenberg; Johann Reinecke; Johann Reinecke; Donna Blagus; Jacques van Aswegen; Charl Cillie; Gawie Groenewald; Cycle Holden Marshall; Patricia Botha; Albert van der Merwe

Subject: [EX] Re: Voorstel Brümmerpark

Mnr Albert van der Merwe

Hoof: Gemeenskapsdienste

Munisipaliteit Stellenbosch

Geagte mnr Van der Merwe

Na 'n ter plaatse ondersoek deur 'n paar belangstellendes met dr Richard de Villiers op 13 Februarie wil ons as Stellenbosch Fietsry graag die volgende voorstel:

Dat die bestaande pad deur die tuingedeelte van Brümmerpark verbreed word - volgens dr De Villiers is dit heel moontlik sonder skade aan die tuin.

By die grasperkgedeelte kan die pad swenk na die rivier se kant van die grasperk. Daarna kan die pad verdeel met een gedeelte laer af langs die rivier.

Ons stem saam met dr De Villiers dat dit nie nodig is dat daar oral twee paaie moet wees nie, maar dat drawwers, stappers en fietsryers grotendeels een gekalmeerde gedeelde pad kan gebruik.

Die opsie om 'n pad voor die huise te laat verbyloop is beslis onaanvaarbaar. Die park moet so min as moontlik geskend word met paaie.

Houtversperrings moet verwyder word.

Ons stem glad nie saam dat enige draaihekke in Brümmerpark opgerig moet nie.

Ons stem nie saam dat party aangrensende eienaars hul tuinvullis langs die rivier in Brümmerpark stort nie. Die skuldiges moet die tuinvullis verwyder en dit nie weer daar stort nie.

Ons stem dus heelteam saam met die voorstelle van dr De Villiers vir Brümmerpark.

Ons dink voorts dat daar 'n openbare verklaring moet wees dat Brümmerpark 'n verklaarde Openbare Oop Ruimte (Public Open Space) is en dat private persone nie op hul eie gesag daarvoor kan voer nie, aangesien dit munisipale grond is wat oop is vir die publiek.

Ek vertrou dat daar spoedig begin kan word met hierdie opwindende projek deur Stellenbosch Trail Fund (STF) en die Munisipaliteit en dat al die onaangenaamheid om hierdie mooi stuk rivieroewer vir almal oop te stel nou verby is.

Dawid Botha

Hugo Truter

Tyl Willems

Carinus Lemmer

--



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8 Neethling Street
Stellenbosch
7600

2017 January 07

Manager: Environment, Sport and Facilities
Stellenbosch Municipality
7600 STELLENBOSCH

Attention Mr. Albert van der Merwe,

BRÜMMER PARK: INVITATION PUBLIC PARTICIPATION

I write in response to the invitation to public participation regarding the use of Brümmer Park.

As I grew up in Stellenbosch since the early 1960's I am well acquainted with Brümmer Park and its surrounds. During my school days, the park and the Eerste River presented to me and many friends the most wonderful wild playgrounds and "adventure park". Access to the park was free and unrestricted.

However, over time and more so in the recent past, access through the western side of the park became somewhat problematic and associated with unpleasant experiences. This is because over the years some residents of adjoining private properties took initiative to develop formal gardens in the public open space and/or to extend their own gardens into the public space. It seems that some of the private gardeners think that these public/private gardens entitle them to control the area and its uses, and entitles them to restrict access to suit best the private interests of the adjoining property owners. This was achieved by making the western entrance and pathway restrictive to all but pedestrians by making it narrow, stepped and by the placement of restrictive barriers. One owner claims to have spent many thousands of Rands on the development of these gardens and that he had been appointed by the municipality as the curator of the gardens? He has as a matter of fact, stopped many a cyclist and forbid them to cycle past and has threatened to fine them? The bottom line, however, is that people and especially children should not feel alienated, anxious or intimidated when passing through or playing in the now almost "private gardens". Fortunately, no attempt to charge an entrance fee has so far been mooted. The latter meant to be said in a lighter vein, though perhaps not beyond all reality.

There is in my mind little doubt that Brümmer Park is a normal Public Open Space and that it should therefore be managed as such. The public should be allowed easy access, all barricades and obstacles removed, and paths improved to facilitate easy access to pedestrians, cyclists, prams and wheel chairs. Control and law-enforcement in the area

should further vest with municipal officials and/or the police and not with some private individuals who have a clear vested interest.

We have many sections of beautiful public paths along the river where different users share the paths amicably and with mutual respect. I can vouch for this from first hand experience. In some remote areas personal safety is often considered an issue and opening the paths to more users should certainly make them safer for all the users – safety in numbers! In this regard I cannot omit, as an example, to mention the exemplary work that is being done by the Stellenbosch Trail Fund (STF). They have opened many areas previous inaccessible and considered unsafe by the public, by building paths and by cleaning up the area and clearing it of vagrants. Many people now use these areas, previously almost considered waste lands. Safety in numbers now also definitely plays its role here.

I would further like to bring it under your attention that the Brümmer Park public access problems mentioned above were previously raised with the Municipality by myself and others, but to this day that we never received any response. Please find my earlier letters attached.

A last point that I would like to mention is that a situation with similar characteristics is developing on the public land that forms the Eerste Rivier riparian zone in the lower part of Die Boord. Some private property owners close to the river have established lawns extending from their properties down to the river on public land. There are also some other improvements to facilitate picnics and braais and even a trampoline. This as such I do not see as a problem should it be meant for use also by the public. However, indications are that orchestrated efforts are also in place to barricade and restrict public access to this area. This is a matter of great concern. This area has the potential to become part of the Eerste River green belt and path system. At the Public Participation exercise for the Eerste River Master Plan being developed by Withers Environmental Consultant, for the river section between Piet Retief Street Bridge and Distell Cricket Fields, this was mentioned more than once but oddly each time it disappeared somewhere between the cracks. Some of the owners of the properties under discussion also illegally abstract water from the Eerste River but I understand that this is being addressed by the Wynland Water Users Association.

Thank you for the opportunity afforded to be part of the decision-making process.

Kind regards,

Tyl Willems
+27 82 807 3540

PG Carstens

Otterkuildraai 3
Stellenbosch
7600
19 Januarie 2018
Tel 021 8874740
Cell no: 072 9062717

Vir Aandag: Me T Linders
Bestuurder Gemeenskapsdienste
Stellenbosch Munisipaliteit
STELLENBOSCH

Geagte me Linders

KOMMENTAAR RAKENDE BRUMMERPARK

Ons is self aangrensende inwoners van Brummer Park – Die persepsie word nou geskep (deur 'n baie klein groep) dat ons as aangrensende eienaars, die parkgedeelte wat ons al vir baie dekades tot voordeel van die breë gemeenskap instand hou, probeer annekseer! Dit is bloot net nie waar nie en die volgende feite moet in aggeneem word.

Onself is sedert 1991 eienaars van een van die aangrensende huise aan die Park. Ons ken egter die Parkie sedert die vroeg sewentigs! (daar is 5 eiendomme wat aan die park grens.). Sekerlik is die ware feite aan ons bekend. Ons voel steeds bevoorreg om hier te kan bly. Die grasperk en fynbos het sedert ons aankoms nie noemenswaardig verander nie – behalwe vir meer inheemse plantegroei, instandhouding en die feit dat plante en bome baie groter geword het. (Bome word tog geplant vir die nageslag)

Die rivier as ekologiesie sisteem het egter baie verander. Met ons intrek het ons nog Otters in die kuil gesien (hulle is mettertyd deur honde verjaag en doodgebyt). Die talle krappe en paddas was opsigtelik (die kore in die nag wonderlik) en selfs forelle is hier gevang. Die klippe was wit en sisteem gesond. Gedurende die somer maande word al die Eersterivier water bokant die Kleinplasië dam afgekeer na die Idasvallei damme. Dan word Theewaterkloofwater in die Eersterivier losgelaat en die meeste van die spesies in die rivier het uitgesterf. Dit is ramspoedige inmenging deur die mens – teenoor die gedeelte park? Sjoue laat mens worder.

Ons weet van geen oopruimte waar fietse en voetgangers gesamentlik die ruimte gebruik nie – waarom die fokus op die klein gedeelte van Brummerspark – dit is bloot omdat 1 of 2 individue 'n punt probeer bewys ten koste van die breër gemeenskap wat daaglik die gedeelte gebruik om te stap en die natuurskoon te bewonder. Kinders speel ook daar en dit sal onmoontlik wees om die park te behou as daar 'n fietspad daardeur gebou word. – Indien daar so 'n behoefte is om deur die Park te ry kan daar sekerlik ook geargumenteer word dat 'n park soos die een in Janaschstraat omskep word in 'n bergfiets tegniese oefenbaan! Dit is tog nie gewens nie.

Die smalgedeelte van Brummerpark word as veilig gesien deur voetgangers en Ma's met klein kinders juis omdat daar toesig is deur Hulseienaars. Ons het egter ookal gevalle gehad van studente meisies wat van aanvalle in die groter deel van Brummerpark na ons as eienaars ontsnap het. Fietse oor die park gaan nie net deur fietsryers gebruik word nie, maar ook deur elemente wat nie daar is om die natuurskoon te bewonder nie – die veiligheid van die omgewing gaan dus benadeel word.

- Die oorspronklike eienaars van die eiendomme het die huise gebou gedurende die middel 60's, vroeg sewentigs.
- Die Eiendomme grens aan die smal pansteelgedeelte van Brummer Park, die groter gedeelte (sien google kaart) strek tot by die welbekende hangbrug.
- Die groter gedeelte is eintlik 'n vloedvlakte en die pansteelgedeelte is met 'n wal geskei om oorstromings terug te lei na die Eersterivier. Gedurende die tydperk sedert 1991 het ons al talle oorstromings deur die groter parkgedeelte gesien.
- By die pansteel gedeelte net na die Otterkuil het die wal begin uitkalwe en het ons as inwoners die wal gestabiliseer sonder die ingenieurs se Gabion oplossings.
- Die pansteel gedeelte was inderdaad 'n gedeelte wat nie gebruikersvriendelik en selfs gevaarlik was – daar was egter nie enige fynbos teenwoordig op die gedeelte wat nou met gras beplant is nie.
- Die gras is deur aangrensende eienaars aangebring, nadat die gedeelte deureienaars gelyk gemaak is (Die munisipaliteit beplant tog ook oop ruimtes met gras) en word reeds sedert die sewentiger jare deur inwoners op eie koste instand gehou. Ons het selfs eie water gebruik om die gras mooi te laat vertoon.
- Die inheemse plante wat aanvullend tot bestaande plante op die oewer aangebring is (daar is nie van die parkruimte opgeneem nie), is deur eienaars aangekoop vanuit Kirstenbosch, deur bemiddeling van adv Abri Meiring wat oa voorsitter van die Botaniese vereniging was en Suid Afrika dikwels by oorsese blomme skoue verteenwoordig het. Die inheemse plante is nou al sodanig gevestig dat daar min aandag nodig is behalwe die uitroei van indringer plante.
- Die grasgedeelte is baie gewild onder stappers wat die bergpad stap of sommer net bietjie wil ontspan en baie komplimente oor die pragtige omgewing waardeur hul stap, gegee het. Talle buitelandse toeriste stap ook hier en ons gee graag inligting oor Stellenbosch en sy natuurlike skoonheid. (Ek eis om te dink wat sal gebeur as enigeen hier raakgery word deur fietsryers wat deur die area jaag)
- Talle toekomstige bruide (en ander) het al kom fotos neem op die gedeelte.
- Die buurt se kinders het daar goeie oefening en "opleiding" gekry met Rugby, krieket ens. Hulle is egter gewaarsku dat wanneer daar 'n oom deurstap met Langbroek en Baadjie (soms das) moet hulle kort breek vat. Die was wyle Dr Rupert wat elke dag die roete in die namiddag gestap het en dan op sy "nederige" manier oor die kinders se doen en late uitgevra het en hul attent gemaak het op die mooi omgewing. Om die oopruimte nou te skei met fietspad is kortsigtig en maak die gedeelte onbruikbaar vir ander gebruikers en veral kinders.
- Vele stappers het al aan ons deur kom klop vir drinkwater (en ander behoeftes). Hulle is altyd welkom.
- Die baie voete maak die oë meer en die area wat 'n ontsnaproete vir ongewenste elemente was, veiliger. Ons het dus geen probleem met die stappers nie.
- Die groter gedeelte van Brummerpark waar die omgewing se kinders al dikwels hul eie bane gebou het kan sekerlik ook vir fietsry aangewend word. Hierdie gedeelte is egter nie altyd veilig nie.
- Die stelling dat daar 'n geskil tussen stappers en aangrensende eienaars is, is onwaar. Daar is wel al gevra dat honde (veral aggressiewe honde) aan leibande gehou word. Na my mening 'n baie normale en billike versoek. Die kennisgewings is ook so op munisipale borde aangebring.

Die geskil indien daar is, is tussen Stappers en aangrensende eienaars aan die een kant en fietsryers aan die anderkant.

- Stappers en fietryers op dieselfde roete werk nie. Die eerste geval van 'n voetganger wat deur 'n fiets raak gery is, was juis wyle dr Rupert. Daarna is die paaltjies aangebring deur Munisipaliteit om fietsryers te ontmoedig om daar te ry. Daar is ook "geen fietsry borde" aangebring. Daarna was daar ander voorvalle waar Ma's met kinders in stootwaenties, ouer mense wat met kieries loop ens, al telkens uit die pad of raak gery is.

- Die gedeelte is nie 'n volle 100m lank nie en fietsryers is al versoek om net vir die gedeelte te stap met hul fietse.
- Ek weet van geen ander Publieke Oop Ruimte wat as fietsry roete gebruik word nie.
- Brummer Park se sonering volgens die Munisipale kaart is nie Publieke Oopruimte nie. Dit maak egter nie saak nie, voetgangers en kinders is welkom.
- Weinig Fietsryers gebruik die roete om by die Bergpad te kom. Die alternatiewe roete met dieselfde eindpunt is Zwaanswyk en Bosch-en-Dal (ongeveer 100m verder). Dit was altyd die gebruiklike roete.
- Fietsry as sport het geweldig uitgebrei en fietsry is nie net meer vir ontspanning nie maar is nou 'n gewilde sport soort.
- Die geskil met fietsryers het hierdie jaar toegeneem aangesien daar klaarblyklik 'n doelbewuste poging is om die area vir fietse te gebruik.
- So ook gebruik fietsryers nie regtig die fietspad na Jonkershoek nie omdat dit deur voetgangers gebruik word en fietsry bemoelijk.
- Daar was alreeds met die Voorsitter van Stellenbosch Trail Fund kontak gemaak en hy het bevestig dat die spesifieke area nie geskik is vir fietsry roetes nie juis vanwee die talle voetgangers.

Dit wat op die parke gebeur of gebeur het kan gemeet word aan die kriteria van volhoubaarheid (Menslike welstand? Beslis gemeet aan die gewildheid onder stappers en positiewe kommentaar- Omgewingsintegriteit? Positief, Die omgewing is verbeter en niks is weggeneem nie – Ekonomiese uitvoerbaarheid? Moontlik met die insette en bydraes van aangrensende inwoners.)

Persoonlik het ek geen probleem met fietsryers nie – intendeel ek sou graag net wou fietsry☺ - Ter staving hiervan die volgende "onnodige" inligting:

Wedrenne

- Ek het alreeds 25 Cycle Tours (Argus) gery
- Die Cape Pioneer trek (soortgelyk aan die Epic) 6 dae, 650km en 12 000m klim, gedoen
- Karoo to Coast (5 keer)
- Seweeweeks poort (5 keer)
- Wines to Whales
- Ride the Rhino
- Dr Evil Classic
- Berg & Bush, etc

Georganiseerde toere

- Baviaanskloof
- KKK (Kus Karoo Kus) 6 dae 550 km x 2
- 10 dag toer deur Portugal
- Namakwaland toer
- Ens, ens

Om van hierdie geleenthede te geniet verg volgehoue weeklikse oefening.

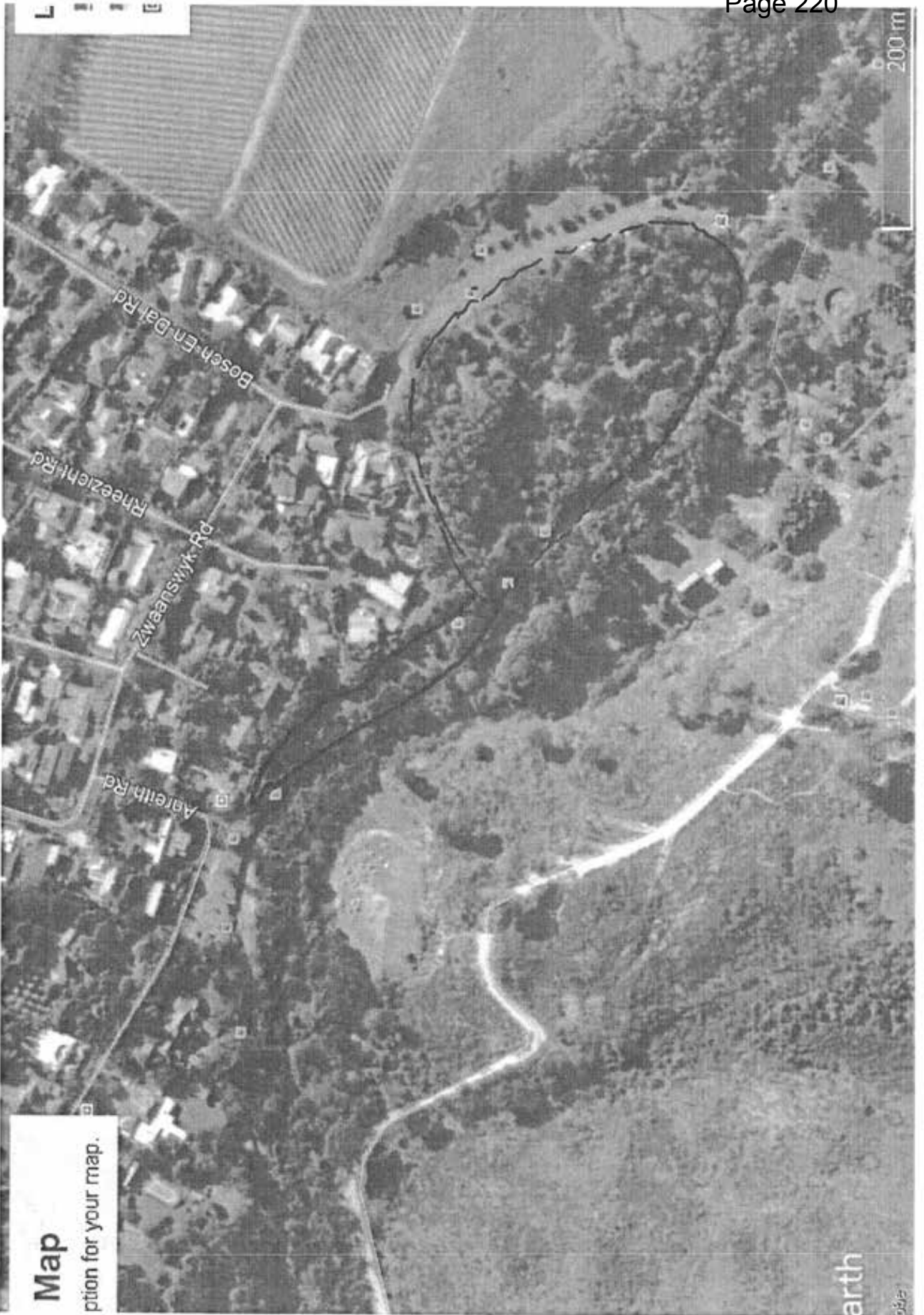
Van bostaande saam met my vrou gedoen – Fietsryers en hul behoeftes en doen en late is dus aan ons bekend. Baie van ons beste vriende is fietsryers. Ons het dus nie 'n probleem met fietsryers per sè nie, maar weet ook die druk om nou die stukkie park te gebruik is nie 'n normale fietsryer behoefte is nie. Laat die stappers en kinders hierdie deeltjie geniet. Ons sal aanhou om die parkie in goeie toestand te hou.

Ek sal ontvangs erkenning hiervan waardeer en dankie vir u moeite met die saak.

Met Vriendelike groete

A handwritten signature in black ink, appearing to read 'Deon Carstens', with a stylized flourish at the end.

Deon Carstens



Map

option for your map.

earth

00/2

Albert van der Merwe

From: Abri Meiring <abrimeiring@telkomsa.net>
Sent: Sunday, 11 February 2018 15:24
To: Albert van der Merwe
Subject: [EX] RE: Brümmerpark voorstelle

Beste Albert,

Dankie vir die onderstaande wat ek gister gesien het nadat ek vir jou 'n e-pos gestuur het oor die beloofde vergadering. Ek aanvaar dat dit steeds jou onderneming is om so 'n vergadering te belê voordat die saak nou weer na die Raad gaan. Intussen antwoord ek graag op jou e-pos en doen dit in genommerde paragrawe.

1. Op 'n persoonlike vlak wil ek net weer bevestig dat ek bereid bly om die natuurtuin-gedeelte van die park as 'n gemeenskapsbate wat oop is vir almal om te geniet, in stand te hou en te ontwikkel op die vlak van die afgelope 33 jaar – onderhewig aan die bestaande reëls. Enige wesentlike verandering van die reëls – soos die toelaat van fietsry, losloper honde, perdry, pluk van blomme, vuurmaak of alkohol gebruik sal uit die aard van die saak met al die inwoners wat die Park privaat en op eie koste onderhou, onderhandel moet word. Ek aanvaar dit is wat jy bedoel met jou vriendelike opmerking oor 'n "daadwerklike bydrae" wat nie "ongesiens verbygaan nie".

2. Ek is heeltemaal bereid om na die Stellenbosch Trail Fund se voorstelle te kyk, maar ek is verbaas om te hoor dat hulle nou dink dat 'n fietspad moontlik is omdat hulle vantevore vir my, as 'n mede "steward" vir Schalk van der Merwe se ER1 Bestuursplan, na 'n inspeksie ter plaatse, skriftelik ingelig het dat fietsry NIE moontlik/wenslik in die westelike gedeelte van die Park is nie. Hulle sou selfs 'n bordjie (waarvan 'n foto aan my gestuur is) opsit by die punt voor die grasperk om dit duidelik te maak en daar is ook so ooreengekom. Wat het nou verander? – behalwe dat die Munisipale kennisgewings op daardie punt telkens in die laaste tyd gevandaliseer is, soos jy weet.

3. Ek dink die Raad behoort te weet van die feit dat gebruikers van die Park sterk eksepsie neem met die feit dat daar, ten spyte van 'n klagte wat deur 'n konsensieuse Munisipale werknemer by die hoof van Wetstoepassing gelê is, versuim is om op te tree teen die wyd gepuliseerde vandalisme van 'n spesifieke persoon wie ook voorheen in die aanwesigheid van drie Wykskomitee-lede en direkteure van Stellenbosch Fietsry gedreig het met vandalisme van die natuurtuin. Hierdie saak geniet steeds jou aandag, maar dit moet liefers nie later as 'n verassing vir die Raad kom as daar wel stappe geneem word nie. Dit mag eenvoudig nie lyk asof hierdie soort optrede deur 'n fietsryer nou 'n invloed op jou gehad het nie – al is dit hoe vergesog.

4. Die gevoel van persoonlike veiligheid van inwoners wat aan die voetpaadjie en grasperk in die Westelike gedeelte grens, is van die allergrootste belang en dit sou nalatig wees om nie die Raad van die voortgesette vandalisme van Munisipale kennisgewings en minagting van sekuriteitswagte in te lig nie. Wetstoepassing en die sekuriteitsituasie in die algemeen, moet aandag kry en die Raad moet weet dat dit ook die aanbeveling van die Hoof-uitvoerende Beampte van die JSRA en veral die pleidooi van wagte wat op die grond diens doen, is dat toegang tot die westelike gedeelte van die Park beheer moet word – ten minste wat betref toegangstye en maklike ontsnaproetes. Die heining en "draaihek" op die punt waar ons dit voorgestel het, bly van belang en is onlangs weer bevestig. Ek is nie 'n sekuriteitskenner nie, maar ek kan sien wat die behoefte op die grond is.

5. Ons neem kennis van jou onomwonde bevinding dat indien meerdere aktiwiteite (wat jy lys) op die een paadjie toegelaat sou word, "dit 'n uiters gevaarlike situasie tot gevolg (sal) he". Dit is 'n belangrike bevinding na byna 'n jaar se ondersoek deur jousef en ons stem saam uit eerstehandse en daaglikse ondervinding oor baie jare en veral in die laaste tyd. Ons moet dus nou daarop aandrang dat die Munisipale kennisgewingborde onmiddelik herstel moet word om hierdie "uiters gevaarlike" situasie wat jy uitlig, te probeer vermy tot tyd en wyl 'n oplossing gevind is. Hierdie versoek word al vir meer as twee jaar herhaaldelik gerig (korrespondensie is op rekord) en ons moet nou ongelukkig daarop wys dat in die lig van jou bevinding, daar geen twyfel meer is nie dat die Munisipaliteit se versuim om op te tree sou neerkom op growwe nalatigheid. Die Raad moet ten volle bewus gemaak word van hierdie risiko vir publieke veiligheid en die gepaardgaande aanspreeklikheidsrisiko vir die Munisipaliteit. Persoonlik sou ek ook

voorstel dat die nuwe kennisgewingborde met geldende gebruiksreëls aanvanklik deur Wetstoepassingsbeamptes aangevul word.

6. Laastens is daar die belangrike kwessie van omgewingsbeskerming wat hier van oorheersende belang is. Jy sal onthou dat ek in my oorspronklike inset van Mei 2017 daarna verwys het dat 'n volledige omgewingsimpakstudie en -proses nodig mag wees as daar gebruiksverandering van die natuurlike omgewing is. Met die voorstelle van addisionele paadjies op die oewer wat nou op die tafel is en die waarskynlike verwydering van inheemse plante, habitatsversteuring en selfs biodiversiteitsverlies, is dit nou 'n onvermydelike (en duur) werklikheid. Soos jy weet het ons boonop hier te doen met wat die Wet (NEMBA) 'n "watercourse" noem en met "indigenous vegetation" wat meer as 10 jaar gevestig is – bo en behalwe die normale Wetsvoorskrifte en Regulasies wat van toepassing mag wees. Ek stel uit 'n professionele oogpunt voor dat die Raad hieroor regsadvies inwin. Ek plaas ook net weer op rekord dat die inheemse plante spesifiek by Kirstenbosch geselekteer is en doelbewus aangeplant is om buitengewone hoë biodiversiteit te reflekteer en gespesialiseerde habitat-areas te skep vir skaars diere en bedreigde rivierfauna (voëls en amfibieë). Daar is ook verskeie krities/hoogs-bedreigde inheemse bome wat reeds vir baie dekades gevestig is. Dit sou natuurlik onwettig (en strafbaar) wees om van hierdie bome te verwyder of te beskadig sonder spesifieke magtiging. Daar is 'n paar plante, soos bv wintergroeiende bolle wat verskuif kan word, maar selfs hier het mens te doen met uiters skaars spesies wat destyds deur IBSA geskenk is nadat dit met 'n permit verwyder is om plek te maak vir 'n nuwe pad in die Sandveld.

Ek is bereid (en dring beleefd daarop aan) om te help met die in situ identifikasie van skaars spesies om verlies te help voorkom, maar dit sal beslis nie die plek kan neem van 'n amptelike omgewingsimpak-proses nie. Ek is bv 'n leek as dit kom by insekte, molle en vlêrmuise wat hier voorkom, maar is bewus van twee hoogsbedreigde paddaspesies wat hier aangetref word in 'n uiters beperkte habitat – dit op sigself maak waarskynlik 'n volledige Omgewingsimpakstudie ingevolge NEMBA verpligtend, maar ek laat my nie nou professioneel daarvoor uit nie.

Die Raad en daarna die Wyk waar ek verkies is om die gemeenskap se belange te probeer dien as dit kom by die natuurlike omgewing, behoort volledig ingelig te word oor die omgewingsimpak voordat ENIGE onomkeerbare skade dalk aangerig word in 'n openbare Park wat al vir meer as 30 jaar ononderbroke as 'n natuurbewaringsgebied en buitelig omgewingsklaskamer bestuur word vir die gemeenskap.

Die Munisipaliteit is natuurlik vertrou met impakstudies langs die Eersterivier, sommige waarby ek betrokke was en steeds is en ek is oortuig dat die Stellenbosch Munisipaliteit sy uitstekende Environmental Management Framework (Jan '17), gestand sal doen.

Ek vertrou dat die bostaande (1 tot 6) jou noukeurige oorweging sal geniet en verneem graag hoe jy daaraan gevolg sal gee as deel van jou verslag aan die Raad en wanneer dit sal dien.

Vriendelike groete,

Adv Abri Meiring

From: Albert van der Merwe [mailto:Albert.vanderMerwe@stellenbosch.gov.za]

Sent: 9 February, 2018 9:48 AM

To: Tyl Willems (willemstyl@gmail.com) <willemstyl@gmail.com>; Richard de Villiers (richard@stellenboschtrailfund.co.za) <richard@stellenboschtrailfund.co.za>; 'holden@agmac.co.za' <holden@agmac.co.za>; 'mcc@iafrica.com' <mcc@iafrica.com>; Abri Meiring (abrimeiring@telkomsa.net) <abrimeiring@telkomsa.net>; Dawid Botha (dawidbotha.za@gmail.com) <dawidbotha.za@gmail.com>; Gerhard Giliomee (ggiliome@mweb.co.za) <ggiliome@mweb.co.za>; Hugo Truter (hugom.truter@gmail.com) <hugom.truter@gmail.com>; Piet Claassen (pec@adept.co.za) <pec@adept.co.za>; meyerjohann . (meyer.johann@gmail.com) <meyer.johann@gmail.com>; Robbie Reinecke (profrob100@gmail.com) <profrob100@gmail.com>; GJ van der Merwe (gj.vdm@mweb.co.za) <gj.vdm@mweb.co.za>; Deon Carstens (deon@annabasson.co.za) <deon@annabasson.co.za>

Cc: mm <Municipal.Manager@stellenbosch.gov.za>; Gerald Esau <Gerald.Esau@stellenbosch.gov.za>; Mayor Communication <Mayor.Communication@stellenbosch.gov.za>; Alwyn Hanekom <Alwyn.Hanekom@stellenbosch.gov.za>; Mayor Pa (Carmen Saville) <Mayor.Pa@stellenbosch.gov.za>; Tazmynn

Linders <Tazmynn.Linders@stellenbosch.gov.za>; Nazeema Mohamed <Nazeema.Mohamed@stellenbosch.gov.za>
Subject: Brümmerpark voorstelle

Geagte Inwoners

Eerstes wil ek u bedank vir u deeglike insette en voorstelle. U insette/kommentare en voorstelle is verwerk. Uit die aard van die saak was daar uiteenlopende voorstelle. Tog is dit duidelik wat die meerderheids voorstelle is.

Ek het u voorstelle met ons agbare Burgemeester bespreek en sy het my versoek om die epos aan u te stuur met die doel om u kommentaar op die algemene meerderheid voorstelle te kry en dit as deel van my verslag aan die Raad te maak.

Die meerderheids gevoel is dat die park toeganklik in sy geheel moet wees vir alle vorm van passiewe rekreasie, wat dan ook passiewe fietsry insluit. Die huidige pad is nie geskik vir alle vorms van passiewe rekreasie soos stappers, drawwers, inwoners met stootwaens en honde, asook passiewe fietsry nie. Intendeel indien al die aktiwiteite op die een pad toegelaat sou word sal dit 'n uiters gevaarlike situasie tot gevolg hê. Die gevoel is dus dat 'n aparte fietsrypad deur Brümmerpark gebou moet word, maar die uitleg moet van so 'n aard wees dat hoë spoed fietsry nie moontlik is nie.

Die harde werk en insette van die aanliggende inwoners, wat betref aanplant, verfraaiing en onderhoud is 'n groot aanwys vir die park en gemeenskap. Die daadwerkilke bydrae gaan geensins ongesiens verby nie. Enige konstruksie voorstelle moet gepaardgaan met inaggenome van die groot bydrae.

Met die feite inag geneem het ek verlede Vrydag met Dr De Villiers en Mnr Holden Marshall van STF vergader om die uitvoerbaarheid van die voorstelle met betrekking tot 'n aparte fietsrypad te bespreek. Volgens hulle bestaan die moontlikheid om nog 'n pad op 'n moontlike twee plekke deur die westelike area te bou. Uit die aard van die saak het beide liggings elkeen sy eie voor en nadele, asook konstruksie uitdagings.

Die moontlike opsies sluit in:

1. Om die bestaande pad as 'n fietsrypad te gebruik, en dan 'n
2. voetpad so na as moontlik aan die oewer van die rivier te bou of om 'n
3. voetpad teen die eienaars se eiendomme te bou (**ons drie se gevoel is die opsie is nie gewens nie**)
4. 'n Ander opsie is om die bestaande pad as voetpad te behou en dan 'n fietsrypad so na as moontlik aan die oewer te bou.

Uit die aard van die saak word u ander voorstelle betreffende die piekniekterrien, kennisgewingborde, sekuriteit en algemene opgradering van die park nie geignoreer nie en sal dit deel vorm van die verslag aan die Raad. Die doel van die kommunikasie is egter om meer detail voorstelle te kry oor bogenoemde opsies.

U word versoek om verdere kommentare per e-pos op die moontlike opsies te lewer. Dr. de Villiers en mnr Marshall het aangedui dat die STF met graagte hul kundigheid en tyd sal aanbied vir hulp met die uitleg en konstruksie van 'n nuwe pad.

Ek versoek u vir u insette teen Vrydag 16 Februarie 2018.

Ek wil u nogmaals bedank vir u tyd. Ek is oortuig dat ons nader is aan 'n volhoubare oplossing en dat ons binne die afsienbare tyd die vrug van ons arbeid sal ervaar.

(Weens beperkte tyd stuur ek vir u die e-pos slegs in Afrikaans, maar ek het geen probleem om die e-pos vir u in Engels te vertaal indien u so sou versoek nie.)

Please copy me into your reply / Kopleer myself asseblief in u terugvoer!

Winners of the Arbor City Awards 2014 & 2017 Local Municipality Category



Kind regards,

Albert Van Der Merwe

Bestuurder: Gemeenskapsdienste

Manager: Community Services

**Community and Protection
Services**



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BRUMMERPARK AS GEMEENSKAPSBATE

Soos versoek, gee ek graag 'n samevatting van die geskiedenis en verlangde uitkoms ten opsigte van die privaat ontwikkelde en instandgehoude westelike gedeelte van Brummerpark. Ek kan net van die periode vanaf Oktober 1985 getuig, maar ek doen dit op die basis van intensiewe en ononderbroke betrokkenheid oor 'n tydperk van 32 jaar en wel op 'n feitlik daaglikse basis. Die konteks vir die samevatting is om die Munisipale reëls waaronder die Park ontwikkel is en in stand gehou word uit te spel ten einde wrywing of selfs vandalisme in die kiem te smoor. Die vertrekpunt is uiteraard dat Munisipale reëls en gepaardgaande toepaslike wetstoepassing noodsaaklik is vir die volhoubare bestuur van hierdie gemeenskapsbate – veral ook omdat dit op eie koste deur die oewereienaars onderhou word sonder enige impak op die Munisipale begroting.

GESKIEDENIS

Bale kortliks saamgevat, het die oewereienaars op eie inisiatief besluit om die Park wat in 'n verwaarloosde toestand was te verfraai. Weens my betrokkenheid by die Botaniese vereniging en Kirstenbosch het ek gevoel dat die fokus op die hervestiging van inheemse plantegroei behoort te wees. Geselekteerde bome en struik is feitlik jaarliks daarna op die plantverkoping in Maart by Kirstenbosch deur my aangekoop en in oorleg met die ander oewereienaars aangeplant. Binne 'n kort tyd was daar 'n lushof aan die ontwikkel waarvoor die gemeenskap wat daagliks hier verbygestap het, groot waardering uitgespreek het. Ek het 'n meer formele voetpaadjie uitgelê en die grasperk is deur die betrokke oewereienaars in 'n perfekte toestand gehou.

Die Munisipaliteit het van dié ontwikkelings kennis geneem en daar is positiewe stappe geneem soos om duidelike kennisgewingborde op te sit oor die pluk van blomme, los honde, drankgebruik, vuurmaak ens. Daar is ook in die vroeë 90's deur die Munisipaliteit besluit dat die paadjie slegs vir voetgangers is en 'n lae houtheining en kennisgewingbord is ingevolge 'n Raadsbesluit opgesit (nadat daar 'n insident was wat ernstige aanspreeklikheidsgevolge kon hê). Hierdie ou kennisgewingbord is sowat tien jaar gelede met 'n nuwe een vervang wat addisionele reëls oor dwelms en drankgebruik op gehad het. Daar was ook 'n verbod op motorvoertuie bygevoeg wat natuurlik nie sin uitgemaak het nie. Ek het dit onder die aandag van die Stadsbestuurder (Adv Linde) gebring en daar is besluit dat daar eerder kentekens oor fietsry en perdry op die bord moet wees om die "Pedestrians Only"-reël verder toe te lig. Die nodige plakkers is met volle toestemming van die Munisipaliteit daar aangebring in dieselfde formaat as die ander reëls.

Die reëls in Brummerpark het nooit enige probleme veroorsaak nie totdat daar sowat 'n jaar gelede (nadat 'n verwarrende "kennisgewingbord" by die hangbrug opgesit is) vandalisme van veral die geen fietsry kentekens op die Munisipale kennisgewingborde kop uitgesteek het. Daar is egter ruimte vir verbetering en ek maak 'n paar voorstelle hieronder.

Die privaat onderhoud van die onderste gedeelte van die Park is oor die jare voortgesit en uitgebrei. Onderhoud behels gereelde instandhouding van die paadjie en grasperk, vervanging van dooie plante, snoei van struik en bolle, nuwe aanplantings en die versorging van bome waarvan sommige reeds 30 jaar gelede geplant is, asook die daaglikse takies soos die optel van hondemis en rommel. Werkers en tuindienste word ook gebruik en, net om 'n idee te gee, behels dit 'n halwe dag per week in my geval teen R800 p.m. Uitgawes aan plante, besproeiingstoerusting, ens was nog altyd privaat befonds. As mens 'n (vervangings)waarde hierop moet plaas, sal dit, net in my geval, minstens R2000 per maand wees – oor die afgelope 32 jaar. Persoonlike tyd en arbeid word as 'n bydrae tot die gemeenskap beskou.

Dit was altyd en is steeds vir my van groot belang dat 'n inisiatief van hierdie aard BINNE die Munisipale beleidsraamwerk is en bly. Dit is waarom Munisipale aksies soos die Rivier Rehabilitasie Projek (in die tyd van Mnr Haasbroek), die "Adopt-a-River"-program (Mnr Esau), die "River Restoration Project" in 2012-2014 (Bergstan) en die huidige "Stewardship"bestuursplan (Schalk van der Merwe), daadwerklik met tyd en (miskien) kundigheid ondersteun is oor die jare. Dit is ook die rede waarom die Munisipale amptenary deurgaans positief was en van tyd tot tyd op ons versoek gehelp het met take soos die afsaag en verwydering van dooie/gevaarlike bome, vullisverwydering en gruis vir die paadjie.

Die sekuriteitsituasie in die Park was op 'n stadium baie problematies (dronkenskap, ontbloting en diefstal van selfone), maar sedert 2003 het Stellenbosch Wag se gereelde voet- en fietspatrolies 'n enorme verskil gemaak en vandag word die situasie goed deur die JSRA in samewerking met die oewereienaars bestuur. Daar was ook reeds besprekings oor veiligheidskameras.

Die huidige oewereienaars, (In party gevalle 'n tweede geslag) is heeltemaal bereid om met die privaat onderhoud van die Park voort te gaan, met dien verstande dat die betrokke gedeelte van die Park steeds volgens die reëls waaronder dit as 'n natuurontspanningsarea vir die gemeenskap gevestig is, deur die Munisipaliteit ondersteun sal word soos tans.

UITKOMS VERLANG

Die eerste prioriteit op hierdie stadium is om te verseker dat die Munisipale kennisgewingborde in die park duidelik en sinvol is om die volhoubare gebruik van die natuurlike bates van die Park vir die toekoms te verseker en ook om onnodige wrywing van die laaste paar maande te voorkom. Die onderste gedeelte van Brummerpark (wat eintlik maar 'n klein gedeelte is) is eenvoudig nie geskik vir fietsryers of loslopende honde nie en hoewel dit nog altyd die reëls op die borde was, is daar tans doelbewuste verbreking van die reëls deur 'n baie klein groepie mense wat 'n punt wil maak. Daar word selfs deur 'n spesifieke persoon gedreig dat die vandalisme van die kennisgewingborde sal voortgaan totdat daar nie meer beperkings op fietsryers is nie. Dit is natuurlik totaal onhoudbaar. Laat ek dadelik byvoeg dat die Stellenbosch Trail Fund reeds verlede jaar bevestig het dat die onderste gedeelte van die Park nie veilig of geskik is vir fietse nie. Ek noem dit omdat dit juis die STF se groot inligtingsbord by die hangbrug is wat die verwarring by fietsryers veroorsaak het omdat hulle (dalk verstaanbaar) gedink het dat dit die pad na die nuwe Koloniesland fietspad is. Die ander oorsaak was dat die nuwe groot Munisipale kennisgewingborde wat onlangs net eenvoudig in die boonste gedeelte van Brummerpark verskyn het, glad nie eers na voetgangers, fietse ens verwys het nie. Dit moes later herhaaldelik met plakkers deur die Munisipaliteit aangepas word, maar dit word nou gereeld gevandaliseer. Dit is 'n ongesonde situasie wat betref geloofwaardige wetstoepassing, maar ons voorstel hieronder behoort dit te ondervang.

In die lig van die feit dat fietsry 'n baie meer prominente rol speel op Stellenbosch as in die verlede, word daar voorgestel dat die boonste (oostelike) gedeelte van Brummerpark vir fietsry toeganklik gemaak word deur 'n fietspad aan te lê vanaf die hangbrug/drif, deur die grootste deel van die park en dan uit by die bestaande hek na Boschendallaan. Dit sal nie baie kos nie en daar word voorgestel dat die Stellenbosch Trail Fund hierby betrek word. Dit sal ook die grootste deel van die park, wat ruimte vir voetgangers en fietse het, vir fietsryers (en perde?) beskikbaar maak sonder negatiewe impak. Die bestaande kennisgewingborde kan verminder, verklein en aangepas word om vir dinge soos alkoholmisbruik, vuurmaak, ens voorsiening te maak.

Ten einde die onderste (westelike) gedeelte van die Park, as 'n natuurontspanningsarea te behou en deur privaat-inisiatief vir die gemeenskap uit te bou en te onderhou, word daar voorgestel dat 'n draaihek by die oostelike grens van hierdie gedeelte van die Park (waar die grasperk begin uit die rigting van die hangbrug) opgerig word. Hierdie voorstel is reeds 'n jaar gelede as 'n inset tot die Bestuursplan vir ER1 gemaak. Daar sal 'n koste verbonde wees aan so 'n heining en draaihek, maar die punt waar dit

voorgestel word is baie nou tussen die Eersterivier en die naasliggende woonerf. Dit is ook op die punt waar die STF reeds verlede jaar besluit het om hulle "No cycling beyond this Point"-bordjie op te sit. Dit behoort dus vir (redelike) fietsryers aanvaarbaar te wees omdat die gevaar en potensiële verwarring wat destyds deur hulle self geïdentifiseer is, steeds geld. 'n Draaihek op hierdie punt sal ook 'n uiters belangrike sekuriteitsfunksie vervul – in die geval van 'n voortvluggende misdadiger uit die Park – soos wat in die onlangse verlede geblyk het. Die voorstel van 'n draaihek is juis deur wagte van die JSRA genoem en is persoonlik deur my met die Hoofbestuurder van die JSRA (Me Hattingh) bespreek, wie saamgestem het.

Die Thibaultstraat ingang van die Park bly net so toeganklik soos altyd, maar dit sal waardeur word as die starre kennisgewingbord vervang word met iets soos ; " Welkom. Hierdie Park word privaat instandgehou slegs vir voetgangers. Honde moet asseblief aan 'n lelband wees. Die pluk van blomme of skade aan plante word verbied. Geniet die Biodiversiteit van Stellenbosch!" Die ou houtheining behoort meer toeganklik gemaak te word vir rystoele en veral vir babastootwaentjies as die kennisgewingbord baie duidelik is oor geen fietse. Fietsrakke vir fietsryers wat in die Park wil gaan stap, kan dalk oorweeg word by die kennisgewingbord waar fietsryers tans hulle fietse vasketting.

Ten slotte wys ek graag daarop dat Brummerpark deel is van een van die geïdentifiseerde prioriteite van Wyk 07 vir 2017 . Dit sou dus sinvol wees om fondse wat beskikbaar mag wees te allokeer vir 'n wen-wen uitkoms wat die hele gemeenskap sal dien sonder om enige bestaande regte van enige gebruiker weg te neem, maar om inderdaad ook meer regte aan fietsryers te gee. Dit behoort ook die onlangse wrywing uit te skakel.

As 'n voetnoot wil ek net uit 'n regsoogpunt op rekord plaas dat gebruiksverandering van hierdie gevestigde hoë biodiversiteitsarea ulteraad 'n volledige omgewingsimpakstudie en publieke deelname sal behels. Dit sal waarskynlik ook moet kennis neem van Heritage WC se vereistes, maar ek het nie daarop ingegaan nie. Ek het ook nie na enige aanspreeklikheidsrisiko's verwys nie omdat ek aanvaar dat die Munisipaliteit daarmee vertrou is.

Adv Abri Meiring

31 Mei 2017

15 Januarie 2018

Bestuurder: Omgewing, parke en geriewe
Stellenbosch Munisipaliteit
7600 STELLENBOSCH

Vir aandag mnr. Albert van der Merwe

Brümmerspark: Publieke deelname-proses

Dankie vir die geleentheid om kommentaar te kan lewer oor die gebruik van die Openbare Ruimte Brümmerspark.

Ek was van 1983 tot 2003 woonagtig in Meerlustlaan, Karindal. In daardie jare was daar vrye toegang tot Brümmerspark en het ek gereeld met my kinders en honde daar gaan stap tot by die hangbrug asook fiets gery in die park. Sedertdien 2003 bly ek in Simonswyk en stap en ry ek nog gereeld fiets in die park.

Dit was eers in die laaste dekade of wat dat toegang na die westelike gedeelte van die park via Thibaulstraat al meer deur versperrings soos paaltjies en 'n smaller paadjie moeiliker geraak het, vir veral fietsryers, stootwaentjies en rolstoele. Een inwoner langs die park, wat vir 'n private tuin op die rivieroewer verantwoordelik is, het mettertyd fietsryers onwelkom laat voel, asook jong gesinne voorgekeer en selfs perderuiters.

Hierdie onhoudbare situasie kan nie langer voortduur nie. Brümmerspark is 'n openbare ruimte wat onbelemmerd NMT-toegang vir die publiek moet bied. Geen private persoon mag mense dreig of intimideer nie.

My voorstel is dat alle versperrings verwyder word en dat die Stellenbosch Trail Fund, onder leiding van dr. Richard de Villiers, die paadjie by die westelike ingang aanpas en verbreed, soos in die geval van die STF-paadjies in Koloniesland, waar daar ook openbare tuine is, vir gedeelde gebruik vir fietsryers en voetgangers, en waar stappers en ryers mekaar respekteer.

Sedert Koloniesland onder leiding van die STF skoon gemaak is van indringerplante en netjiese paadjies aangelê is, is die gebied ook veiliger omdat

dit gereeld deur al meer mense besoek word. Uit 'n veiligheidsoogpunt sal inwoners en eienaars van huise langs Brümmerspark baat vind by meer besoekers.

Neem asseblief ook in ag dat Brümmerspark deel uitmaak van die Eersterivier stap- en fietsroete, en ek verwys hier spesifiek na die Stellenbosch Fietsrykaart uitgebring deur Stellenbosch Fietsry MSW, wat gereeld bloggers en toeriste langs hierdie pragtige roete vergesel per fiets.

Vriendelike groete
Hugo Truter
Reygerlaan 5
Simonswyk

From: Richard de Villiers [mailto:richard@stellenboschtrailfund.co.za]

Sent: Wednesday, 14 February 2018 10:59

To: Albert van der Merwe

Cc: Holden Marshall; Schalk Van der Merwe; Nazeema Mohamed; Alwyn Hanekom

Subject: Re: [EX] Brummerpark

Beste Albert, Nazeema, Schalk en Holden

1. Slegs die bestaande paadjie sal effens verbreed moet word, dus geen impakstudie sal benodig word nie.
2. Die huidige houtobstruksie kan verwyder word.
3. Die Stellenbosch Trail Fund is bereid om die hele projek te doen, soortgelyk aan wat ons by Koloniesland gedoen het (met ander kleiner paadjies na die rivier, plus ook om 'n mini-pump track (soos in Dalsig wat die STF gebou het) te bou vir kinders. Ons sal dit als kan doen vir die R200 000.00 wyksfondsbedrag.
4. Indien moontlik, sal ons graag die STF bewoording van padreëls ook op die borde wil laat aanbring (dit werk elders baie goed) sodat almal verstaan dat ander " trail users" mekaar moet respekteer, dat die paadjies vir die gebruik is vir stappers, drawwers en fietsryers) , dat die paadjies skoon van vullis gehou moet word , ens.
5. Sal goed kan werk as die Munisipaliteit kan help met rivierklip en kleigrond aanry (dis tog ook makliik verkrygbaar waar daar gewerk word).

Groete Richard

Albert van der Merwe

From: Richard de Villiers <richard@stellenboschtrailfund.co.za>
Sent: Tuesday, 28 November 2017 17:40
To: Tazmynn Linders
Cc: Albert van der Merwe
Subject: [EX] Brümmer Park public open space
Attachments: richard Signature.png; ATT00001.txt; Annual Review 2016.pdf; STF Newsletter October 2016.pdf; Newsletter Apr17.pdf; Newsletter Oct17.pdf

Dear Ms. Linders

We have been asked to comment on the proposed use of Brümmer Park.

We as the Stellenbosch Trail Fund feel that the park should be open to all members of the public and that a controlled path that is for the use of cycling , walking and jogging be for all to use.

A suitable multi-use trail along the river is what we suggest.

We have been involved with a similar project at Koloniesland, where all trail users show respect for others, with no untoward events.

We also encourage use of the aprk for children to play ball sports as well as for families to have quiet picnics.

Good control by Law Enforcement should occur and alcohol use (which is not allowed) should be controlled / laws enforced by the relevant authorities.

Please see our newsletter which shows more about Koloniesland and the trails along the river.

Regards

Albert van der Merwe

From: Kara Combrinck <kara@hlulekapartners.co.za>
Sent: Monday, 11 December 2017 13:32
To: Albert van der Merwe
Subject: [EX] BRÜMMERPARK - proposal

Dear Mr Van der Merwe

We understand that the municipality is investigating the future use of Brümmerpark.

I grew up in the Karindal and now live in Van der Stel street. We often go to the Hangbrug with our kids and dogs and have been accosted a number of times by one of the residents of the Brümmerpark area. This has been a highly unpleasant experience, especially for the children who are now scared to use that area. The admonishment from this individual is always backed up by him reasoning that he is merely the appointed "curator" (I dare say self-appointed?) of the area and has no choice but to rebuke all and sundry who go through that area (kids on bikes, mothers with prams, families who picnic there or swim in the river, dogs without leashes, even well-behaved ones, etc, etc). Our distinct impression has been that this gentleman has tried over a numbers of years (decades in fact!) to claim this area for private use rather than administering it for the benefit of the neighbourhood.

We would support the area being a "Public Open Space" accessible to all residents and the public, including access by foot, bicycle, wheelchair, pram, strollers and horseback. The work that has been done in Koloniesland serves as an excellent example of how such public areas can be upgraded and made available for use by all without fear or intimidation. All existing barricades (wooden poles) should be removed to allow unhindered access. It would seem sensible to request the Stellenbosch Trail Fund to be in charge of and to upgrade the area and current path to enable easy access and safe use by all users. A broader path would also allow users to run, walk and ride bicycles there simultaneously, much like in Koloniesland.

We propose further that the Stellenbosch Municipality prohibit any further development of the gardens by the neighbouring residents. Whilst the residents must be commended for personally taking care of the gardens, these cultivated gardens not only appear out of sync with the natural indigenous vegetation occurring next to the river but also encroach on the open space available to users. A semi-private park seems to have been created and users have deliberately been made to feel unwelcome. The more open and accessible the area, the more users would be attracted and, by implication, the more safe the environment would become for all of the users and residents. The creation of Public Open Spaces is specifically intended for use by the general public, as it contributes to a healthy community where adults, children and their pets can play and interact.

We also support that dogs should also be permitted in the area without being required to be on a leash. In Cape Town many such areas have been created that allow residents a safe recreational space where their dogs can walk and play. De Waal park is an excellent example of where dogs roam free without incidents. We believe that most users of our mountains and natural parks are reasonable and considerate to other users and a relaxed and not overly regulated approach will do far more to engender a sense of community than the current scenario.

We appreciate the municipality looking into this matter and look forward to enjoying a more neighbourly and happy community space!

Thank you for the opportunity to submit a proposal and participate in the process of determining the future use of Brümmerpark.

Yours sincerely

Carl and Kara Combrinck
Van der Stel street
Stellenbosch

HLULEKA PARTNERS

First Floor | Oude Bank Building | Cnr Bird & Church streets | Stellenbosch | 7600

Tel: 083 647 7643

kara@hlulekapartners.co.za

Please consider the environment before printing

From: Jordaan Attorneys [mailto:jordaang@law.co.za]

Sent: 04 December 2017 01:35 PM

To: Tazmynn Linders

Subject: [EX] Brummer Park

I wish to react to the invitation to comment on the best use for Brummer Park.

Firstly I wish to record my deep disgust with the way that certain owners adjacent to Brummer park had been allowed to take quasi ownership of the park for more than a decade, thereby robbing the Stellenbosch Public of enjoying the benefit of this public space. This had been done under the eyes of the local authority, and it professed to have been done with the authority of the Stellenbosch Municipality, who had for many years refrained from taking any steps to rectify the misrepresentation and/or had allowed this fraud to continue.

Access to this area is still restricted via a privately erected, unlawful barricade, thereby perpetuating the limitation of access to the park. It should summarily be removed by the Municipality.

As far as the requested suggestions for use is concerned, I am of the opinion that the park does not require, or is not entitled to be limited in its use other than those already applicable to open spaces along the river. My suggestion therefor is to open up the area, and to have the public enjoy it, subject to the ordinary regulations and restrictions applicable to the public. (Simple as that... Why the debate??)

For too long had the Municipality turned a blind eye to the fraudulent misuse of the park by its adjacent property owners.

Regards,

Gerrit Jordaan

AKTEBESORGERS CONVEYANCERS

in assosiasie met/in association with Smit & Viljoen Prokureurs

Kantoor 205, 2de Vloer De Jonker Sentrum / Office 205, 2nd Floor De Jonker Centre, Morkelstraat / Morkel Street, Mostertsdrift, Stellenbosch, 7600

Posbus 1157 / P.O. Box 1157 Stellenbosch 7599

Tel: (021) 883 8040 Faks/Fax: (086) 579 5727

E-pos/mail: jordaang@law.co.za

jordaandeeds@law.co.za

Att:
Manager: Community Services
Stellenbosch municipality
19 January 2018

BRÜMMER PARK

With reference to the Stellenbosch Municipality's request (Eikestad News advertisement refers) for public participation to formulate guidelines for future use of Brümmer Park, I wish to submit the following.

1. Submission substantiation

I have been a Stellenbosch resident for most of the past 50 years, for more than half of these living in Rozendal, a short distance to the park. We visit the park on a regular basis when we walk our dogs.

Further, I do have a special interest in the well-being and development of the greater Ward 7 area, substantiated by my participation in a number of public service institutions. These include the Stellenbosch CPF (previous), the steering committee for the establishment of the Jonkershoek SRA and as ward committee member on Councillor Alwyn Hanekom's ward, Ward 7.

I believe that this experience gives me valuable insight into the needs and wants of our residents, those of Ward 7 in particular, as well as the Stellenbosch public at large.

2. Background

The minutes of the Council of Stellenbosch Municipality (2017-10-25) provide a fair synopsis of the situation. Two points in these minutes, however, warrant comment:

- 1) There is no "community dispute" and no "growing friction" regarding the current use of the park. At best a few people would like to have a bicycle lane through the developed garden section - the vast majority is satisfied with the status quo.
- 2) Advocate Meiring with the help of some neighbours did not only develop the park but they have and still are responsible for the upkeep of the park - having invested their time as well as thousands of Rand.

3. Bicycle access vs recreational walking and picknicking

In the report of the Directorate: Planning and Development it correctly states that "Biking is becoming a major recreational activity..." The clearing of vast areas next to the Eerste River and other areas around Stellenbosch by *private initiative* is admirable. The Koloniesland park area is an excellent example.

However, fact is - the garden section of Brümmer Park has no easy link to any existing bicycle lanes. The one from Koloniesland stops dead at the "leisloot" from the Eerste River and the link via the "hangbrug" to Jonkershoek runs past it.

I believe that I speak for the silent majority - the walkers and the picknickers - when I recommend that the developed garden section of Brümmer Park should *not* have a bicycle lane.

4. Recommendation

- a) Keep the *private initiative maintained* garden section of Brümmer Park as it is at the moment. Not only is it in the best interest of our residents, the upkeep is done for the citizens without any taxpayer money.
- b) Support the development of bicycle lanes in the rest of the park.
- c) Erect signs that clearly spell out public usage rules and restrictions.

Submission by:

Jan Coetzee

4 Hendrik Bergh Street, Rozendal, Stellenbosch
071 2022 127
jandcoetzee@gmail.com

Albert van der Merwe

From: Charl Cillie <charl.cillie@gmail.com>
Sent: Friday, 16 February 2018 08:32
To: Dawid Botha
Cc: hugom.truter@gmail.com; Tyl Willems; Carinus Lemmer; Richard de Villiers; Enrico Liebenberg; Johann Reinecke; Johann Reinecke; Donna Blagus; Jacques van Aswegen; Gawie Groenewald; Cycle Holden Marshall; Patricia Botha; Albert van der Merwe
Subject: [EX] Re: Voorstel Brümmerpark

More almal

Rakende "draaihekke", ek wil dit 100% duidelik maak dat dit op **GEEN** stadium enigsins 'n opsie (vir wyk 7) was nie, hoe dit op die agenda gekom het is vir ons baie duister.

Dus asb, ons hoef nie weer hieroor te praat nie.

Dankie en lekker dag,
 Charl

2018-02-15 21:11 GMT+02:00 Dawid Botha <dawidbotha.za@gmail.com>:
 Mnr Albert van der Merwe
 Hoof: Gemeenskapsdienste
 Munisipaliteit Stellenbosch

Geagte mnr Van der Merwe

Na 'n ter plaatse ondersoek deur 'n paar belangstellendes met dr Richard de Villiers op 13 Februarie wil ons as Stellenbosch Fietsry graag die volgende voorstel:

Dat die bestaande pad deur die tuingedeelte van Brümmerpark verbreed word - volgens dr De Villiers is dit heel moontlik sonder skade aan die tuin.

By die grasperkgedeelte kan die pad swenk na die rivier se kant van die grasperk. Daarna kan die pad verdeel met een gedeelte laer af langs die rivier.

Ons stem saam met dr De Villiers dat dit nie nodig is dat daar oral twee paaie moet wees nie, maar dat drawwers, stappers en fietsryers grotendeels een gekalmeerde gedeelte pad kan gebruik.

Die opsie om 'n pad voor die huise te laat verbyloop is beslis onaanvaarbaar. Die park moet so min as moontlik geskend word met paaie.

Houtversperrings moet verwyder word.

Ons stem glad nie saam dat enige draaihekke in Brümmerpark opgerig moet nie.

Ons stem nie saam dat party aangrensende eienaars hul tuinvullis langs die rivier in Brümmerpark stort nie. Die skuldiges moet die tuinvullis verwyder en dit nie weer daar stort nie.

Ons stem dus heelteam saam met die voorstelle van dr De Villiers vir Brümmerpark.

Ons dink voorts dat daar 'n openbare verklaring moet wees dat Brümmerpark 'n verklaarde Openbare Oop Ruimte (Public Open Space) is en dat private persone nie op hul eie gesag daarvoor kan voer nie, aangesien dit munisipale grond is wat oop is vir die publiek.

Ek vertrou dat daar spoedig begin kan word met hierdie opwindende projek deur Stellenbosch Trail Fund (STF) en die Munisipaliteit en dat al die onaangenaamheid om hierdie mooi stuk rivieroewer vir almal oop te stel nou verby is.

Dawid Botha
Hugo Truter
Tyl Willems
Carinus Lemmer



Charl D. Cillie
Digital & IT Project Manager
082 415 7815
charl.cillie@gmail.com
za.linkedin.com/in/CharlCillie

Rowanstraat 26
Stellenbosch 7600

5 Desember 2017

Die Bestuurder
(Aandag: Tazmynn Linders)
Gemeenskapsdienste
Munisipaliteit Stellenbosch
Stellenbosch 7600

Geagte Me Linders

BRÜMMERPARK: PUBLIEKE DEELNAME

In Eikestadnuus van 30 November is 'n advertensie wat die publiek uitnooi om insette te lewer oor die beste gebruik van Brümmerpark as 'n publieke oopruimte.

Ek stap van tyd tot tyd deur die park en geniet dit baie.

Dit is egter nie vir my duidelik hoekom mense nie met fietse daardeur kan ry nie. My mening is dat dit oop moet wees vir fietsryers om deur te kan ry, van Thibaultstraat tot by die hangbrug. Dit is veral belangrik gesien in die lig van die aksent deesdae op nie-gemotoriseerde vervoer.

'n Tweede aspek wat verbeter kan word is die piekniekgeriewe aan die oostekant van die park. As mobiele toilette voorsien word sal dit voorkom dat mense die rivier vir dié doel gebruik.

Die mense wat naaste aan die park bly mag moontlik kla omdat die publiek op die park piekniek. Dit is egter so dat om langs 'n park te bly voor- en nadele het. Ek weet, want ek bly oorkant 'n park. Die voordeel is die oop ruimte, en die nadeel is dat vreemdelinge wat dit benut, soms geraas kan maak. Dit gebeur egter baie selde.

In die geval van Brümmerpark is die area waar mense gewoonlik piekniek ver van die naaste huise, en die baie bome gee ook visuele afskerming.

Die uwe





STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT
Department: Community Services
Departement: Gemeenskapsdienste

ANEXURE C:

Email: Brümmerpark Voorstelle (as per request from Executive Mayor)

Albert van der Merwe

From: Johann Reinecke <johann.reinecke@bester.co.za>
Sent: Monday, 12 February 2018 18:17
To: Albert van der Merwe
Subject: [EX] RE: Brümmerpark voorstelle

Geagte Mnr van der Merwe,

Ek wil graag my voorstelle rakende Brümmerpark se voetaadjie voorlê soos versoek:

Wat die paadjie betref, wil ek graag voorstel dat alle hindernisse wat toegang versper, verwyder of aangepas word. Spesifiek die hout pale hindernis aan die Thibault straat ingang is onwenslik. Ek glo nie dat 'n addisionele paadjie vir fietsryers nodig is nie, maar dat 'n aanpassing van die huidige paadjie die gewenste impak sal hê. Die huidige hindernis wat fietsryers se spoed breek vanaf die grasperk ingang na die westelike deel van die paadjie is baie effektief, en glo ek kan behoue bly. 'n Kennisgewing (nie te groot en onooglik nie) wat fietsryers maan om stadig te ry en op die uitkyk te wees vir kinders, troeteldiere en ander gebruikers, sal ook help om bewustheid te skep. Ek het volle vertroue in die Stellenbosch Trail Fund om op 'n koste-effektiewe oplossing te kom wat 'n minimale impak sal hê op die natuur; ek sal berus by hulle aanbevelings.

Ek glo dat die verwydering of aanpassing van die huidige hindernisse gaan nie 'n groot toename in fietsverkeer deur Brümmerpark veroorsaak nie. Indien veranderinge om Brümmerpark meer toeganklik te maak lei tot gevaar vir gebruikers kan 'n addisionele paadjie vir fietsryers dalk oorweeg word.

Ek sien daarna uit om spoedig, tasbare vordering, wat 'n einde sal bring aan hierdie onnodig uitgerekte proses, te sien materialiseer.

Groete,

Johann Reinecke

Trader

Tel: +27 (21) 809 2547
 Fax: +27 (0) 86 612 6430
 Mobile: +27 (0) 82 770 0114

From: Albert van der Merwe [mailto:Albert.vanderMerwe@stellenbosch.gov.za]
Sent: Monday, 12 February 2018 2:12 PM
To: Johann Reinecke <johann.reinecke@bester.co.za>
Subject: FW: Brümmerpark voorstelle

Geagte mnr Reinecke

Jammer dat u oorgeslaan is. Onderstaande is die e-pos wat Vrydag uitgestuur is.

Please copy me into your reply / Kopieer myself asseblief in u terugvoer!

Winners of the Arbor City Awards 2014 & 2017 Local Municipality Category



Kind regards,

Albert Van Der Merwe

Bestuurder: Gemeenskapsdienste

Manager: Community Services

**Community and Protection
Services**



T: +27 21 808 8165 | F: +27 21 887

7446

123 Merriman Avenue, Stellenbosch,

7600

www.stellenbosch.gov.za



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Geagte Inwoner

Eerstes wil ek u bedank vir u deeglike insette en voorstelle. U insette/kommentare en voorstelle is verwerk. Uit die aard van die saak was daar uiteenlopende voorstelle. Tog is dit duidelik wat die meerderheids voorstelle is.

Ek het u voorstelle met ons agbare Burgemeester bespreek en sy het my versoek om die epos aan u te stuur met die doel om u kommentaar op die algemene meerderheid voorstelle te kry en dit as deel van my verslag aan die Raad te maak.

Die meerderheids gevoel is dat die park toeganklik in sy geheel moet wees vir alle vorm van passiewe rekreasie, wat dan ook passiewe fietsry insluit. Die huidige pad is nie geskik vir alle vorms van passiewe rekreasie soos stappers, drawwers, inwoners met stootwaens en honde, asook passiewe fietsry nie. Intendeel indien al die aktiwiteite op die een pad toegelaat sou word sal dit 'n uiters gevaarlike situasie tot gevolg hê. Die gevoel is dus dat 'n aparte fietsrypad deur Brümmerpark gebou moet word, maar die uitleg moet van so 'n aard wees dat hoë spoed fietsry nie moontlik is nie.

Die harde werk en insette van die aanliggende inwoners, wat betref aanplant, verfraaiing en onderhoud is 'n groot aanwys vir die park en gemeenskap. Die daadwerkilke bydrae gaan geensins ongesiens verby nie. Enige konstruksie voorstelle moet gepaardgaan met inaggenome van die groot bydrae.

Met die feite inag geneem het ek verlede Vrydag met Dr De Villiers en Mnr Holden Marshall van STF vergader om die uitvoerbaarheid van die voorstelle met betrekking tot 'n aparte fietsrypad te bespreek. Volgens hulle bestaan die moontlikheid om nog 'n pad op 'n moontlike twee plekke deur die westelike area te bou. Uit die aard van die saak het beide liggings elkeen sy eie voor en nadele, asook konstruksie uitdagings.

Die moontlike opsies sluit in:

1. Om die bestaande pad as 'n fietsrypad te gebruik, en dan 'n
2. voetpad so na as moontlik aan die oewer van die rivier te bou of om 'n
3. voetpad teen die eienaars se eiendomme te bou **(ons drie se gevoel is die opsie is nie gewens nie)**

4. 'n Ander opsie is om die bestaande pad as voetpad te behou en dan 'n fietsrypad so na as moontlik aan die oewer te bou.

Uit die aard van die saak word u ander voorstelle betreffende die piekniekterrien, kennisgewingborde, sekuriteit en algemene opgradering van die park nie geignoreer nie en sal dit deel vorm van die verslag aan die Raad. Die doel van die kommunikasie is egter om meer detail voorstelle te kry oor bogenoemde opsies.

U word versoek om verdere kommentare per e-pos op die moontlike opsies te lewer. Dr. de Villiers en mnr Marshall het aangedui dat die STF met graagte hul kundigheid en tyd sal aanbied vir hulp met die uitleg en konstruksie van 'n nuwe pad.

Ek versoek u vir u insette teen Vrydag 16 Februarie 2018.

Ek wil u nogmaals bedank vir u tyd. Ek is oortuig dat ons nader is aan 'n volhoubare oplossing en dat ons binne die afsienbare tyd die vrug van ons arbeid sal ervaar.

(Weens beperkte tyd stuur ek vir u die e-pos slegs in Afrikaans, maar ek het geen probleem om die e-pos vir u in Engels te vertaal indien u so sou versoek nie.)

Please copy me into your reply / Kopieer myself asseblief in u terugvoer!

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Kind regards,

Albert Van Der Merwe

Bestuurder: Gemeenskapsdienste

Manager: Community Services

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Albert van der Merwe

From: Gerhard Giliomee <ggiliome@mweb.co.za>
Sent: Monday, 12 February 2018 14:05
To: Albert van der Merwe
Subject: [EX] RE: Brümmerpark voorstelle

Beste Albert

Ek ondersteun graag opsie 4, nl 'n nuwe pad vir fietsryers nader aan die rivier.

Beste wense

Gerhard Giliomee

From: Albert van der Merwe [mailto:Albert.vanderMerwe@stellenbosch.gov.za]
Sent: Friday, 09 February 2018 9:48 AM
To: Tyl Willems (willemstyl@gmail.com); Richard de Villiers (richard@stellenboschtrailfund.co.za); 'holden@agmac.co.za'; 'mcc@iafrica.com'; Abri Meiring (abrimeiring@telkomsa.net); Dawid Botha (dawidbotha.za@gmail.com); Gerhard Giliomee (ggiliome@mweb.co.za); Hugo Truter (hugom.truter@gmail.com); Piet Claassen (pec@adept.co.za); meyerjohann . (meyer.johann@gmail.com); Robbie Reinecke (profrob100@gmail.com); GJ van der Merwe (gj.vdm@mweb.co.za); Deon Carstens (deon@annabasson.co.za)
Cc: mm; Gerald Esau; Mayor Communication; Alwyn Hanekom; Mayor Pa (Carmen Saville); Tazmynn Linders; Nazeema Mohamed
Subject: Brümmerpark voorstelle

Geagte Inwoners

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Ek versoek u vir u insette teen Vrydag 16 Februarie 2018.

Ek wil u nogmaals bedank vir u tyd. Ek is oortuig dat ons nader is aan 'n volhoubare oplossing en dat ons binne die afsienbare tyd die vrug van ons arbeid sal ervaar.

(Weens beperkte tyd stuur ek vir u die e-pos slegs in Afrikaans, maar ek het geen probleem om die e-pos vir u in Engels te vertaal indien u so sou versoek nie.)

Please copy me into your reply / Kopieer myself asseblief in u terugvoer!

Winners of the Arbor City Awards 2014 & 2017 Local Municipality Category



Kind regards,

Albert Van Der Merwe

Bestuurder: Gemeenskapdienste

Manager: Community Services

**Community and Protection
Services**



T: +27 21 808 8165 | F: +27 21 887

7446

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Beste Albert;

Ek is dankbaar vir julle moeite en vasberadenheid in verband met die bevryding van Brummerspark. Ek prys ook die aanliggende inwoners aan, met my tong in die kies, vir hulle harde werk en insette, wat betref die aanplanting, verfraaiing en onderhoud as aanwinst vir die gemeenskap.

Ek gaan akkoord met die basiese beplanning; veral dat die park in sy geheel toeganklik moet wees vir alle vorms van passiewe rekreasie. Ek het nie sterk gevoelens oor 'n aparte fietspad nie want ek verwag dat fietsers teen lae spoed en met hoflikheid die toegangspad sal gebruik. Maar kom ons gee geen rede vir verwyte nie. In daardie geval hou ek van die bestaande voetpad as fietspad, maar wat reguit gemaak kan word deur die boskasies aan die oostekant, of 'n effe kronkelrige fietspad hoofsaaklik sonder ernstige boskasie vir veiligheid en dan 'n nuwe voetpad teen die oewer met mooi uitsig oor die rivier.

Ek wil ook my dankbaarheid uitspreek vir Richard de Villiers en sy medewerkers vir hulle harde en goeie werk vir die gemeenskap. Hulle laat 'n erfenis oor vir geslagte.

Groete

Robbie

Prof Robert Reinecke

20 Helderberg Village

Bakkerskloof Rd

7130 SOMERSET WEST C: +27 83 658 1383

South Africa

From: Johann Reinecke [mailto:johann.reinecke@bester.co.za]

Sent: Monday, 12 February 2018 18:17

To: Albert van der Merwe

Subject: [EX] RE: Brümmerpark voorstelle

Geagte Mnr van der Merwe,

Ek wil graag my voorstelle rakende Brümmerpark se voetaadjie voorlê soos versoek:

Wat die paadjie betref, wil ek graag voorstel dat alle hindernisse wat toegang versper, verwyder of aangepas word. Spesifiek die hout pale hindernis aan die Thibault straat ingang is onwenslik. Ek glo nie dat 'n addisionele paadjie vir fietsryers nodig is nie, maar dat 'n aanpassing van die huidige paadjie die gewenste impak sal hê. Die huidige hindernis wat fietsryers se spoed breek vanaf die grasperk ingang na die westelike deel van die paadjie is baie effektief, en glo ek kan behoue bly. 'n Kennisgewing (nie te groot en onooglik nie) wat fietsryers maan om stadig te ry en op die uitkyk te wees vir kinders, troeteldiere en ander gebruikers, sal ook help om bewustheid te skep. Ek het volle vertroue in die Stellenbosch Trail Fund om op 'n koste-effektiewe oplossing te kom wat 'n minimale impak sal hê op die natuur; ek sal berus by hulle aanbevelings.

Ek glo dat die verwydering of aanpassing van die huidige hindernisse gaan nie 'n groot toename in fietsverkeer deur Brümmerpark veroorsaak nie. Indien veranderinge om Brümmerpark meer toeganklik te maak lei tot gevaar vir gebruikers kan 'n addisionele paadjie vir fietsryers dalk oorweeg word.

Ek sien daarna uit om spoedig, tasbare vordering, wat 'n einde sal bring aan hierdie onnodig uitgerekte proses, te sien materialiseer.

Groete,

Johann Reinecke

Trader

Tel: +27 (21) 809 2547

Fax: +27 (0) 86 612 6430

Mobile: +27 (0) 82 770 0114

From: Dawid Botha [mailto:dawidbotha.za@gmail.com]

Sent: Thursday, 15 February 2018 21:12

To: hugom.truter@gmail.com; Tyl Willems; Carinus Lemmer; Richard de Villiers; Enrico Liebenberg; Johann Reinecke; Johann Reinecke; Donna Blagus; Jacques van Aswegen; Charl Cillie; Gawie Groenewald; Cycle Holden Marshall; Patricia Botha; Albert van der Merwe

Subject: [EX] Re: Voorstel Brümmerpark

Mnr Albert van der Merwe

Hoof: Gemeenskapsdienste

Munisipaliteit Stellenbosch

Geagte mnr Van der Merwe

Na 'n ter plaatse ondersoek deur 'n paar belangstellendes met dr Richard de Villiers op 13 Februarie wil ons as Stellenbosch Fietsry graag die volgende voorstel:

Dat die bestaande pad deur die tuingedeelte van Brümmerpark verbreed word - volgens dr De Villiers is dit heel moontlik sonder skade aan die tuin. By die grasperkgedeelte kan die pad swenk na die rivier se kant van die grasperk. Daarna kan die pad verdeel met een gedeelte laer af langs die rivier. Ons stem saam met dr De Villiers dat dit nie nodig is dat daar oral twee paaie moet wees nie, maar dat drawwers, stappers en fietsryers grotendeels een gekalmeerde gedeelte pad kan gebruik. Die opsie om 'n pad voor die huise te laat verbyloop is beslis onaanvaarbaar. Die park moet so min as moontlik geskend word met paaie. Houtversperrings moet verwyder word. Ons stem glad nie saam dat enige draaihekke in Brümmerpark opgerig moet nie. Ons stem nie saam dat party aangrensende eienaars hul tuinvullis langs die rivier in Brümmerpark stort nie. Die skuldiges moet die tuinvullis verwyder en dit nie weer daar stort nie. Ons stem dus heelteam saam met die voorstelle van dr De Villiers vir Brümmerpark. Ons dink voorts dat daar 'n openbare verklaring moet wees dat Brümmerpark 'n verklaarde Openbare Oop Ruimte (Public Open Space) is en dat private persone nie op hul eie gesag daarvoor kan voer nie, aangesien dit munisipale grond is wat oop is vir die publiek. Ek vertrou dat daar spoedig begin kan word met hierdie opwindende projek deur Stellenbosch Trail Fund (STF) en die Munisipaliteit en dat al die onaangenaamheid om hierdie mooi stuk rivieroewer vir almal oop te stel nou verby is.

Dawid Botha

Hugo Truter

Tyl Willems

Carinus Lemmer

7.8	PROTECTION SERVICES: (PC: CLLR Q SMIT)
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7.8.1	DISASTER SECTOR PLAN
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Collaborator No:

IDP KPA Ref No:

Meeting Date: 22 March 2018

1. SUBJECT:

DISASTER SECTOR PLAN

2. PURPOSE

To gain Council approval for the Disaster Sector Plan (**ANNEXURE A**) which will be included into the Integrated Development Plan (IDP) of the Greater Stellenbosch.

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL.

4. EXECUTIVE SUMMARY

The Disaster Act 57 of 2002 lays down institutional and coordination mechanism for effective Disaster Management at the provincial, district and local levels. As mandated by this Act, the municipality of Stellenbosch created a platform for institutional arrangements which includes all Directorates headed by the Municipal Manager.

All directorates must design plans in the execution of their duties to provide basic services in such a manner that it mitigates risk, strengthens disaster preparedness and emergency response.

The Disaster Sector Plan provides a framework and direction to Council to:

- a) Understand the local disasters in the WC024
- b) Strengthen disaster risk governance and to manage the associate risk in all wards.
- c) Investing in disaster risk reduction for resilience
- d) Enhancing disaster preparedness for effective response and to “Build Back Better” in recover, rehabilitation and reconstruction.

The intent of the Disaster Sector Plan is to identify, minimise, eliminate and direct responses with the necessary resources to address the known risks identified in the Greater Stellenbosch.

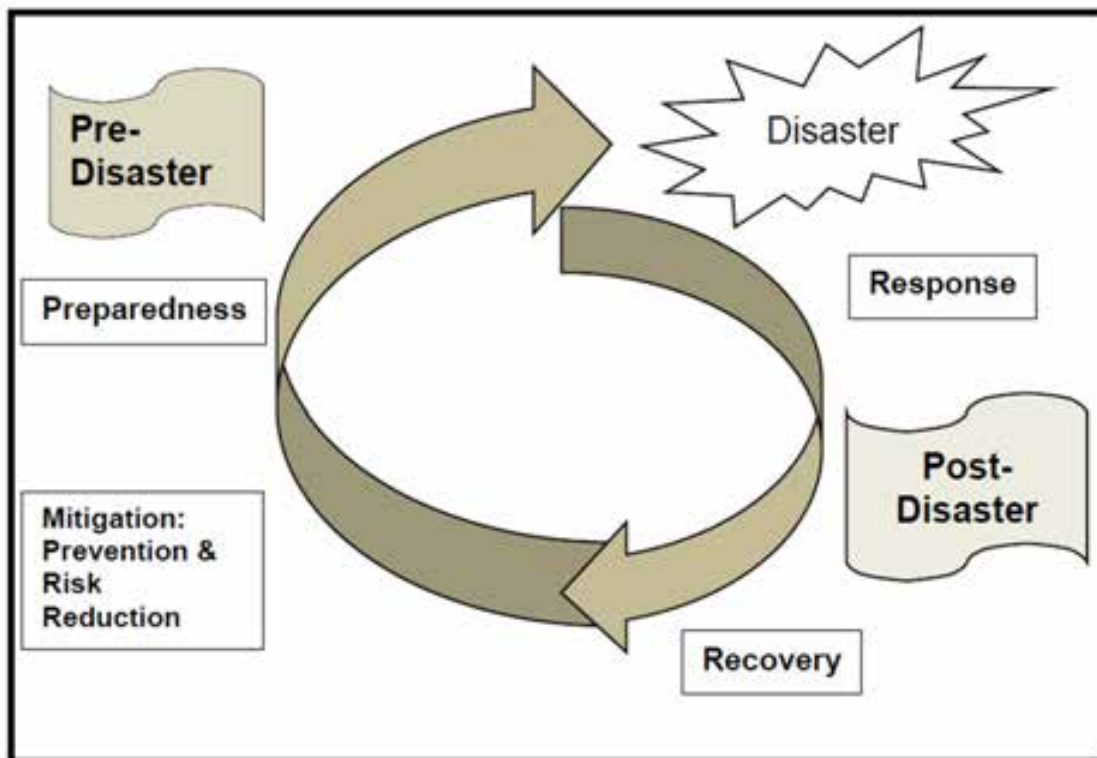


Figure 1-1: Disaster management cycle

5. RECOMMENDATION

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.8.1

RESOLVED

That it be recommended to Council:

that the draft Disaster Sector Plan be approved.

6. DISCUSSION / CONTENTS

6.1 Background

This document has been compiled to assist the Municipality with the compilation of the Disaster Management Chapter in the Municipal 5 year Integrated Development Plan (IDP). Annual reviews of the IDP should reflect on the progress made on the institutional arrangements, risk reduction objection and projects, risk assessment updates as well as any changes made to the disaster management preparedness, response and contingency plans.

Annually, Council approves a Disaster Sector Management plans which lays down the broad outline of how Stellenbosch Municipality manages disasters; it describes specific authorities and lays down practices for managing catastrophic natural disasters and other severe incidents. The Plan is always in effect, and elements can be implemented as needed on a flexible, scalable basis in all phases of disaster management i.e. Preparedness, Mitigation and Response.

The Sector Plan is a —live document, which implies that it will continue to evolve in alignment with the changing dynamics of frequency and intensity of disasters and practices used in managing disasters. This plan is the outcome of extensive consultation among Stakeholders and policymakers at all levels and will be updated every year or as often as required, and definitely, after every major incident. The plan belongs to the Community of the Greater Stellenbosch.

6.2 **Discussion**

The plan addresses specifically the needs / responsibilities of Council, who have a responsibility to provide effective disaster mitigation, preparedness and response system in the Greater Stellenbosch.

The review and maintenance of the plan is a dynamic process of updating the plan on a periodic basis. The back-bone of maintaining the plan is carrying out trainings, awareness, drills and exercises and updating the plan based on the lesson learnt which consists of identifying the gaps and putting in place a system to fill the same. The Disaster Management unit focuses on evacuation drills on major shopping centers, government institutions e.g. schools, universities and places of mass occupation. Awareness and training in the informal settlements takes form in the fire and flood awareness. Some of the pro-active measures introduced and envisaged by the Disaster Management unit are the following:

- a) Appointment of a service provider to conduct a ward-based risk assessment in all wards in the Greater Stellenbosch,
- b) Mapping of informal areas previously affected by fires,
- c) Procurement of smoke detector alarms, and
- d) GIS data collection of residents in informal areas.

6.3 **Financial Implications**

The total envisaged projects amounts to R480 000 of which R160 000 is requested under capital and R320 000 under operational funding.

6.4 **Legal Implications**

The recommendations in this report comply with Council's policies and all applicable legislation.

6.5 **Staff Implications**

This report has no staff implications to the Municipality.

6.6 **Previous / Relevant Council Resolutions:**

None

6.7 **Risk Implications**

This report has no risk implications for the Municipality.

6.8 Comments from Senior Management:**6.8.1 Director: Infrastructure Services**

Supports the item.

6.8.2 Director: Planning and Economic Development

Supports the item.

6.8.3 Director: Community and Protection Services:

Supports the item.

6.8.4 Director: Strategic and Corporate Services:

Supports the item.

6.8.5 Director Human Settlements and Property Management

Supports the item.

6.8.6 Chief Financial Officer:

Supports the item.

6.8.7 Municipal Manager:

Supports the item.

ANNEXURES**Annexure A: DISASTER SECTOR PLAN****FOR FURTHER DETAILS CONTACT:**

NAME	Wayne Smith
POSITION	Chief Fire Officer
DIRECTORATE	Community and Protection services
CONTACT NUMBERS	8771
E-MAIL ADDRESS	wayne.smith@ Stellenbosch.gov.za
REPORT DATE	

ANNEXURE 1

CHAPTER SIX:

6.10 DISASTER MANAGEMENT PLAN

1. Introduction

The Disaster Management Act 57 of 2002, the Municipal Systems Act (Act 108 of 1996), The Constitution of the Republic of South Africa (Act 108 of 1996), The Municipal Structures Act (117 of 1998), The Fire Brigade Services Act of 1999, The National Health Act 2003 forms the legislative basis upon which disaster management and related matters are dealt with. This mandate places a significant responsibility of the Department's role within Local Government.

Legislative mandate

The Constitution of the Republic of South Africa places a legal obligation on the Government of South Africa to ensure the health (personal and environment) and safety of its citizens.

In terms of *Section 41(1) (b) of the Constitution*, all spheres of Government are required to "secure the well-being of the people of the Republic". *Section 152(1) (d)* also requires that local government "ensure a safe and healthy environment". *Section 26(g) of the Municipal Systems Act* as well as *Sections 52 and 53 of the DM Act* compels each municipal entity to develop a disaster risk management plan as part of and an integrated part of their Integrated Development Plans.

It is therefore imperative to realise that *Disaster Management is the primary responsibility of Stellenbosch Municipality* as this collaborative process involves all spheres on the political and administrative levels, which include all sectors of society, NGOs and CBO's, hence the slogan "*Disaster Management is everybody's business*";

2. Institutional capacity

The Disaster Management organogram of the municipality is as follow:



The permanent staff is augmented annually with 5 EPWP workers

Despite the serious shortcomings this unit co-ordinates relief efforts and brings normality back to communities throughout the jurisdiction. Disaster Management contributes immensely to various subject matters. With the knowledge the unit is encouraged and inspired to new heights in reducing disaster risks and building resilience among the broader communities it serves.

The Municipality must review and make provision for the urgent upgrading of the Disaster Management Department and bring in it line with the needs of our fledgling and progressive democracy, wherein our communities within the WCO24 deserve the constitutional right to a safe and healthy environment.

Nodal points

The Department is assigned the task of directing and facilitating the Disaster Management process. Each Municipal Department within the Municipality must assign a person/s or section within the department to be the nodal point for disaster risk management activities. Nodal points will be empowered and supported by their departments to establish, manage, and participate in departmental planning.

3. Advisory Forum

3.1 District Advisory Forum

Cape Winelands District Municipality has a well-oiled Municipal Disaster Management Advisory Forum in place as prescribed by section 51 of the DM Act where the B-municipalities engage on a quarterly basis. In addition the B's participating in the Bi-annual Advisory forum where various external entities partake.

3.2 Municipal Disaster Management Consultative Forum (MDMCAF)

In terms of Part 3: Powers and Duties of municipalities and municipal entities (*Section 51 (1)*), there is no mandatory requisite for a Local Municipality to establish a Municipal DM Consultative Forum.

Stellenbosch Municipality has established the necessary institutional arrangements to give effect to the principles of co-operative governance, integrated and co-ordinated Disaster Management participation at local level.

Various stakeholders attended the meeting of 21 April 2017 where various entities were able to:

- give advice and make recommendations on disaster-related issues and disaster risk management.
- contribute to disaster risk management planning and co-ordination.
- establish joint standards of practice.
- implement response management systems.

Although experiences has proven that the interest of internal role-players is lacking, the Municipality aims to strengthen ties with all stakeholders, including the private sector, NGOs, technical experts, communities, traditional leaders and volunteers for their active participation.

A disaster policy was drafted that will be presented to Council for approval soon.

The municipality acknowledge the need to coordinate major events and incidents from a centralized control centre and are moving steadfastly in making it a reality. The planning of the centre is almost done after which the structural alterations will commence. This will create the ideal platform for the Joint Operating Committee (JOC) from where it can conduct its business.

4. Risk assessment

Current hazards identified which posed a risk on the WCO24

1.	Drought
2.	Fire – Veld & Runaway Fires
3.	Dam Wall Failure: Idas Valley
4.	Floods
5.	Chemical spills: Hazmat incidents
6.	Explosive storage: (fuel, gas)
7.	Environmental pollution: (air, water, ground contamination, pesticides)
8.	IT – Failure of system: Access to info
9.	Infrastructure Decay : No / dysfunctional infrastructure / service delivery (sewerage, toilets, grey water, electricity)
10.	Transport incidents (road, railway accidents)
11.	Rock Falls
12.	Aircraft accidents
13.	Seismic: Earthquakes
14.	Erosion
15.	Communicable disease: (H1N1 Influenza (Swine Flu)
16.	Insufficient hydrants
17.	Power failure
18.	Strikes / Social conflict
19.	Climate change: (high/strong winds, severe heat/cold)
20.	Poverty
21.	Chlorine stations
22.	Structural decay
23.	Population density – informal areas
24.	Crime
25.	Substance abuse
26.	High Winds

Introduction of an All Ward based risk assessment:

Tender: (BSM49/17)

AW Management Consulting is currently conducting an all ward based risk assessment for the municipality. The project commenced in July 2017 and should be concluded by June 2018 and the outcome of the assessment will be instrumental in re-prioritizing the prevailing risk profile as reflected in the main disaster plan.

5. Risk Reduction

The department put a lot of emphasis on disaster risk reduction and therefore leaves no stone unturned to make the annual International Risk Reduction Day commemoration a memorable event. The 2017 event was hosted in Klapmuts with the theme “Home Safe Home”

The key elements of the 2017 programme included:

- targeting communities at greatest risk from fire (people with disabilities, elderly etc.),
- partnering with local municipality and fire departments,
- developing strong collaborations with individuals and community organisations,
- using local coordinators (e.g. ward councillors),
- employing local youth to install the fire alarms through the Expanded Public Works Programme,
- conducting door-to-door visits (e.g. using a home visitation programme),
- combining the smoke alarm installations with fire safety education,
- providing incentives and recognition for staff and volunteers, and
- monitoring and evaluating the programme (site visits, surveys, data collection).

By analyzing vulnerabilities and current response capacity, Stellenbosch Municipality could more effectively plan and respond to emergencies. As a result build safer, more resilient communities by implementing municipal policy development and risk reduction interventions and strategies, providing some final reflections.

Smoke alarm

A formal quotation was approved for the acquisition of 300 smoke alarms. These alarms will now form part of the fire kit which will be handed out to those in the informal settlements and those living in backyards.

Drought/water scarcity

A drought plan for Stellenbosch municipality was developed to mitigate against the prevailing water scarcity that is currently being experienced in the Western Cape. In a collaborative effort all departments of the municipality are creating awareness via the following media

- SmS
- Bulk Email release
- Local newspaper release
- Message alert printed on the utility bill
- Awareness programmes
- Weather Forecast via TV

Though efforts are made to visit and reach about 157 educational institutions, the main concern remains with people's attitude towards the consumption and usage of water. Disaster Management and Disaster Management Volunteers EPWP embarked on a scheduled programme for Water Wise Awareness, Fire Safety and Emergency Number.

Other risk reduction strategies:

Provide an advocacy platform for all through the Municipal Advisory Forum	All governments, Disaster Management practitioners, NGOs, civil society groups, businesses, academic and scientific institutions, and other interested groups will be able to demonstrate support, highlight achievements and challenges in so doing with a particular focus on life-saving measures.
Provide innovate thinking to achieve goals	Apply innovative approaches to disaster risk reduction through effective strategies to enable communities to be more resilient, should an occurrence/disaster strike.
Develop community participation programmes	Provide community level awareness raising through education, training and involvement to building a professional level cadre at all levels. Change community norms and values, which are often tied to risk and protective factors and in turn create a wider base of support for changing behaviour.
Develop multi-disciplinary relationships	Engage and reinforce through increased partnership and expanded risk reduction networks

6. Recovery & Rehabilitation

Each disaster presents emergency services with the opportunity to review, improve and learn from our experiences. It also provides the opportunity for the various departments and stake holders to work together as partners, and provide the opportunity where improvements could be made and how to further consolidate partnerships.

It also provide provision to deal with preparedness and early warnings, disaster assessment, integrated response and recovery plans, relief measures, rehabilitation and reconstruction process and monitoring of incidents and significant events, disaster review and reports.

Formal agreements exist regarding the Action Performance indicator matters related to business continuity and human resource management in order to ensure limited duplication.

7. Information Management and communication

Early Warning systems and information dissemination currently in use and are:

- Landline
- Mobile
- PA System
- Loud haling
- Bulk SmS system
- Telemetry System
- Radio trunking
- Siren
- GIS

8. Training, education and awareness

Awareness programs and the creation of widespread understanding about disaster reduction have always been crucial elements in risk management strategies. The Disaster Management Department has through its on-going community outreach programmes cemented its roots amongst various communities, especially the vulnerable.

On-going programs

Flood Response	Recruit and training groups in vulnerable areas to be on alert and avail themselves to assist DM during an occurrence/disaster/programmes.
Signage	Provide Information Safety Signage at Critical Points i.e. assembly points, emergency contact numbers.
Safety Programmes at Schools/ ECD Centres / Old Age Home/ Religious Fraternities, other	Develop sustainable programs to disseminating information on risk avoidance, hazards and their effects and disaster prevention activities.
Fire Safety	Engage with informal trade and owners of Spaza shops in combatting fires which could occur at their premises.
Streets outreach	These activities include canvassing, setting up information tables, or distributing information or supplies By introducing sporting codes as part of the outreach provide coalition between emergency services and the target audience
Youth outreach	Based on the principle "We teach a child, we reach a household" has become the norm in Stellenbosch and is an effective way to transfer knowledge and empower the young, fragile, disabled and vulnerable.

9. Projects/ Funding requested

The following Projects have been identified for consideration during the IDP and Budgetary Process.

Project	Amount	Capex	Opex
Updated disaster plan	R200 000		200000
Public Awareness & Training	R20 000		20 000
Gazebo	R20 000	20000	
Trailer (Mobile) transportation of material	R15 000	15000	
Burners (LPG) and tri-pods	R20 000	20000	
Training (First Aid)	R10 000		10000
Mascot used during awareness	R20 000	20000	
Awareness: Fold up tables	R3 000	3000	
Awareness: Camping chairs	R2 000	2000	
Fire Readiness Campaign – wrist bands display emergency number	R20 000		20000
Winter Readiness Campaign – Winter Warm Blanket Drive, Reflector bands for scholars (rural)	R20 000		20000
Annual International Disaster Risk Reduction Day (13 October 2018)	R30 000		30000
Annual Disability Awareness Month Campaign (3 November till 3 December)	R20 000		20000
Water tankers	R80 000	80000	
Total	480 000	160000	320000

7.8.2	PROGRESS REPORT ON THE INSTALLATION OF SMOKE ALARM DETECTORS PROJECT
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

22 March 2018

1. SUBJECT**PROGRESS REPORT ON THE INSTALLATION OF SMOKE ALARM DETECTORS PROJECT****2. PURPOSE**

To provide feedback with the progress made on the installation of the smoke alarms.

3. DELEGATED AUTHORITY

For information.

4. EXECUTIVE SUMMARY

The main functions of a fire service is reflected in Schedule 1 of the Fire Services act, act 99 of 1987. With the inception of the smoke alarm project the department wanted to show intent to provide the best possible fire protection under the same act to those living in informal structures with the aim of preventing the outbreak or spread of a fire and protecting lives and property against fire. It is believe and proven that early detection of a fire can minimise losses, minimise damages to property and operational costs of responding units. At the 14th Council meeting held on 29 November, Council did note the proposed implementation outline of Disaster management and Informal Housing and our aim with this follow up is to further keep Council abreast of the continuous strides made by the department with the installation project.

5. RECOMMENDATION**SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 5.8.2****RESOLVED**

That it be recommended to Council:

that the feedback report be noted.

6. DISCUSSION / CONTENTS**6.1 Background**

To inform Council of the new innovative and proactive initiative to reduce the outbreak of fires in especially informal structures which served before Council on 29 November 2017. It was then resolved that that Council approves the joint implementation proposal of Disaster Management and Informal Human Settlements; and that the pledge of 1000 smoke detectors from Provincial government be noted, of which only 500 was received thus far.

6.2 Discussion

On 15 December 2017 an order (**ANNEXURE A**) for 300 smoke alarms was placed with Chubb fire. Due to a delay in shipment the smoke detectors have not arrived yet, and could as such not been issued. Upon receipt of these detectors it will made as a component part of the emergency fire kit.

The department are in constant liaison with the service provider who indicated delivery within two weeks. Once the smoke detector alarms are installed in the informal dwellings they will be mapped on GIS system of the municipality.

Currently the department procured two handheld GIS devices that still require software programming and a cost estimate of R96 115,68 (**Annexure B**) was obtained from the appointed service provider, ESRI-GIS, for the procurement of a geographical and spatial information management system. The municipality entered into an Enterprise Licence and support agreement for a period of three years with Esri- GIS on 20 April 2015. The mapping of all the detectors will immediately commence after the devices are programmed.

Klapmuts was chosen as the pilot site for the installation of smoke alarms in backyard structures and to date a number of 431 detectors has been installed. The table below depicts the department's findings during periodical inspections and visits to the locations.

	Findings	Quantity
1.	Alarm allegedly reported as stolen	2
2.	Allegedly reported as never have alarm installed	5
3.	Completely removed and returned	1
4.	Faulty/need to be replaced	6
5.	House/address that couldn't be found	27
6.	No number/address	14
7.	No people during the time of visit/inspection	24
8.	Person/people moved from the yard/address	6
9.	Person not known to the address	6
10.	Replaced alarms	6
11.	Fine with no problem	334

6.3 Financial Implications

An amount of R 96 115.68 is needed for the software programming as per approved ELA with Esri-Gis.

6.4 Legal Implications

Legal framework: The Constitution of the republic of South Africa, act 108 of 1996 Local government Systems act, act 32 of 2000 Fire Service act, act 99 of 1987. The recommendations in this report comply with Council's policies and all applicable legislation.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

At the 14th Council meeting held on 29 November it was then resolved that that Council approves the joint implementation proposal of Disaster Management and Informal Human Settlements; and that the pledge of 1000 smoke detectors from Provincial government be noted.

6.7 Risk Implications

None

6.8 Comments from Senior Management:**6.8.1 Director: Infrastructure Services**

None required.

6.8.2 Director: Planning and Economic Development

None required.

6.8.3 Director: Community and Protection Services:

Supports the report.

6.8.4 Director: Strategic and Corporate Services:

None required.

6.8.5 Director Human Settlements and Property Management

None required.

6.8.6 Chief Financial Officer:

None required.

6.8.7 Municipal Manager:

None required.

ANNEXURES

Annexure A: Purchase order placed: Smoke detectors

Annexure B: Qoute: Esri-GIS

FOR FURTHER DETAILS CONTACT:

NAME	<i>Wayne Smith</i>
POSITION	<i>Manager: Fire Services and Disaster management</i>
DIRECTORATE	<i>Community and Protection Services</i>
CONTACT NUMBERS	<i>Ext 8771</i>
E-MAIL ADDRESS	<i>wayne.smith@ Stellenbosch.gov.za</i>
REPORT DATE	<i>22 February 2018</i>

ANNEXURE 1



Stellenbosch

**AMPTELIKE BESTELLING
OFFICIAL ORDER**

Stellenbosch

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

 17, STELLENBOSCH
 021 808-852
 021 808-886

BESTEL NR.

3

DATUM

09/01

CHUBB FIRE AND SECURITY SA (PT)
PO BOX 112
PAARDEN EILAND

7420

 KREDITEUR NR.
CREDITORS NO.

013629

KONTAK PERSOON / CONTACT PERSON

LIZELLE DE KOKER

Requisition No. 1038336

REKUISISIE REQUISITIONLINE	L/VN LINE	VOORRAAD NR. STOCK NO.	BESKRYWING / DESCRIPTION	POS NR. / VOTE NO.	HOEVEELHEID QUANTITY	PRYSE SONDER BTW PRICES WITHOUT VAT	BTW/VAT
			FQ FOR SUPPLY AND DELIVE RY OF PHOTOELECTRIC SMOKE DETECTORS		300	50581.58	5766
						7081.42	

NAMENS / FOR:

 STADSRAAD
TOWN COUNCIL
STELLENBOSCH

 HANDTEKENING
SIGNATURE

 TOTAAL
TOTAL

5766

ANNEXURE 2



Company	Stellenbosch Municipality – Fire Department		
Attention	Mr Wayne Smith		
Telephone	021 808 8111	Date	12 January 2018
Fax		E-mail	pvanjaarsveld@esri-southafrica.com
E-mail	wayne.smith@stellenbosch.gov.za	Fax	021 422 4620
Reference	SM_12012018_PS_FIR	No of Pages	2
Subject	Quote for Fire Incident Report and Web Viewer		

Mr Smith

With reference to our discussion on the 17th of January 2018, please find below the quotation for the creation of a Fire Incident Report (FIR) solution that will allow fire marshals to capture fire incident directly into the centralised geodatabase. The FIR capture form is then support by a custom designed web viewer for template reporting and printing capability.

The process will involve the following:

- Design the database to ensure that the ability to include attachments is enabled i.e. to link photographs
- Set up the mobile component using Collector for ArcGIS or Survey 123 to capture new FIR with correct data and photos
- Identify the spatial reporting requirements
- Develop the Spatial FIR Solution including spatial reports
- Deploy and Test Spatial FIR Solution
- Train the users to use the Spatial FIR Solution and to use the GPS devices to capture facilities

FIR Project Costs:

Item	Product Description	Qty	Unit Price	TOTAL
Esri SA Professional Services				
1	Design the database to ensure that the ability to include attachments is enabled i.e. to link photographs	16	R 726.00	R 11 616.00
2	Set up the mobile component using Collector for ArcGIS or Survey 123	8	R 726.00	R 5 808.00
3	Identify the spatial reporting requirements	16	R 726.00	R 11 616.00
4	Develop the Spatial FIR Solution including spatial reports	56	R 726.00	R 40 656.00
5	Deploy and Test Spatial FIR Solution	16	R 726.00	R 11 616.00
6	Train the users to use the Spatial FIR Solution (4 to 10 people)	1	R 3 000.00	R 3 000.00
Sub Total				R 84 312.00
VAT				R 11 803.68
TOTAL				R 96 115.68

Note:

- To implement the above project on site at Stellenbosch Municipality, various Esri License will be required. The necessary licenses are included in the Capped ELA that came into effect on the 1st July 2015 and runs for a 3 year period.


- Collector for ArcGIS and Survey 123 are free Esri mobile applications, however they require either either ArcGIS on Line of Portal for ArcGIS that Stellenbosch Municipality has access to via the ELA.

TERMS AND CONDITIONS

- All prices quoted are **excluding VAT**, unless otherwise indicated
- Prices are fixed for 30 days
- Delivery: To be confirmed on date of order
- Bank Details:
Standard Bank, Midrand
Branch Code: 00.11.55.00
Account No.: 201130041

I trust that you will find the above in order and look forward to assisting Stellenbosch Municipality with the implementation of an Esri location platform that will benefit the organization as a whole.

Kind Regards,



Pieter van Jaarsveld

Senior Account Manager : Western Region

8.	REPORTS SUBMITTED BY THE MUNICIPAL MANAGER
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8.1	RECRUITMENT AND SELECTION PROCESS OF THE DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT AND CHIEF FINANCIAL OFFICER
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance and Compliance

28 March 2018

1. RECRUITMENT AND SELECTION PROCESS OF THE DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT AND CHIEF FINANCIAL OFFICER

2. PURPOSE OF REPORT

To obtain Council approval for the commencement of the recruitment and selection process of the Director: Planning and Economic Development as well as the Chief Financial Officer.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The position of Director Planning and Economic Development became vacant on 24 January 2018 when the Council approved the voluntary resignation of Mr Dupre Lombaard. The contract period of Mr Marius Wüst, Chief Financial Officer, comes to an end 30 September 2018.

5. RECOMMENDATIONS

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 6.1

RESOLVED

That it be recommended to Council:

- (a) that Council approve the recruitment and selection processes of the Director Planning and Economic Development and Chief Financial Officer;
- (b) that Council approve the selection panel for the Director Planning and Economic Development as set out in the Government Gazette 37245 : Local Government Regulations on Appointment and Conditions of Employment of Senior Managers –
 - The Municipal Manager;
 - Executive Mayor and/or the Deputy Mayor
 - A member of the Mayoral Committee or councillor who is the portfolio chair
 - At least one person who is not a councillor or staff member, and who has expertise or experience in the area

-
- (c) that Council approve the selection panel for the Chief Financial Officer as:
- The Municipal Manager;
 - Executive Mayor and/or Deputy Mayor
 - A member of the Mayoral Committee or councillor who is the portfolio chair
 - At least one person who is not a councillor or staff member, and who has expertise or experience in the area; and
- (d) that an independent external consultant be appointed to assist with the recruitment and selection process in line with abovementioned Regulations;
- (e) that Council approves that Mr Bernabe de la Bat act for a further period of three (3) months with the approval of the MEC as provided for in section 56 of the Structures Act.

6 DISCUSSION / CONTENTS

6.1 Background

The position of Director Planning and Local Economic Development (LED) became vacant on 24 January 2018 when the Council approved the voluntary resignation of Mr Dupre Lombaard. The contract period of Mr Marius Wüst, Chief Financial Officer, comes to an end 30 September 2018.

6.2 Discussion

The Municipality is currently undergoing an Organisational redesign process. The process is currently in the placement process phase.

With the current vacancy of the Director: Planning and LED critical backlogs are being experienced with the approval of relevant processes as well as the delegations of the Authorised Official as per SPLUMA delegations. Numerous big projects of the Municipality are currently at a standstill due to the capacity constraints.

The filling of the vacancy is critical for the implementation and roll-out of the Spatial Development Framework that is currently underway.

The contract of the current Chief Financial Officer (CFO) becomes vacant at 30 September 2018. To ensure proper planning the process of the recruitment and selection of the CFO has to commence as soon as possible. The filling of this post is critical for the Budget process that is commencing during the 1st quarter of the new financial year.

Recruitment and selection processes can take up to 3 to 6 months to finalise and it is for this reason that we want to start with the CFO process.

In the High Court Judgement between Solomzi Xuma and Engcobo Local Municipal and others, the judge held that the Municipal Council; and or municipal manager may not renew a contract of S56 senior manager. Due process must be followed as per legislation and relevant regulation.

It is with abovementioned challenges in mind that the Municipal Manager herewith requests the urgent advertisement of the abovementioned posts, and not to wait for the conclusion of the placement process.

During the amendment of the Municipal Systems Act (MSA) S57 dealing with the employment contracts for municipal managers and managers directly accountable to municipal managers, the section dealing with the employment period for the managers accountable to the municipal manager was deleted.

Section 56 of the MSA (7) states that “A person appointed in a permanent capacity as a manager directly accountable to the municipal manager when this section takes effect, must be regarded as having been appointed in accordance with this section.”

Chapter 3 of the Regulations on the Appointment and Conditions of Employment of Senior Managers Section, 2014, 8 (1) states that :

No person may be appointed as a senior manager on a fixed term contract on a permanent basis or on probation, to any post on the approved staff establishment of a municipality, unless he or she –

- (a) *Is a South African citizen or permanent resident; and*
- (b) *Possesses the relevant competencies, qualifications, experience, and knowledge set out in **ANNEXURES A and B** to these regulations.*

It is with the abovementioned legislative prescripts in mind that it is recommended that the appointment period for the Director Planning and Economic Development and the Chief Financial Officer be advertised for a period not in excess of 10 years. This will ensure the much needed stability in the two Directorates.

To ensure transparency in the recruitment and selection process, it is further recommended that a recruitment and selection agency be appointed to assist with the process in line with the Regulation on the appointment and conditions of employment of Senior Managers.

6.3 Financial Implications

The posts are budgeted for.

6.4 Legal Implications

The applicable regulations are the Regulations on the appointment and conditions of employment of Senior Managers were gazetted on 17 January 2014. (Gazette No. 37245 dated 17 January 2014).

In terms of the regulations the recruitment, selection and appointment of Senior Manager will be discussed as stipulated in Chapter 3 of the Regulations.

In terms of Section 7.1 when the post of a senior manager becomes vacant, or is due to become vacant, the municipal manager, in the case of a manager directly accountable to the municipal manager, must, upon receipt of official notification that the post of a senior manager will become vacant, obtain approval from the municipal council for the filling of such post in its next council meeting or as soon as it is reasonably possible to do so.

In terms of Section 7.2 a vacant senior manager post may not be filled, unless:

- (a) approval to fill the post has been granted by the municipal council; and
- (b) the post has been budgeted for.

In terms of Section 8 no person may be appointed as a senior manager on a fixed term contract, on a permanent basis or on probation, to any post on the approved staff establishment of a municipality, unless he or she-

- (c) Is a South African citizen or permanent resident; and
- (d) Possesses the relevant competencies, qualifications, experience and knowledge set out in in the regulations.

An appointment may not take effect before the first day of the month following the month during which the municipal council approved the appointment.

In terms of Section 10 the municipal manager must, within 14 days of receipt of the approval referred to in regulation 7, ensure that the vacant post is advertised.

- A vacant senior manager post must be advertised in a newspaper circulating nationally and in the province where the municipality is located.
- An advertisement for a vacant senior manager post must specify the:
 - (a) Job title;
 - (b) Term of appointment;
 - (c) Place to be stationed;
 - (d) Annual total remuneration package;
 - (e) Competency requirements of the post, including minimum qualifications and experience required;
 - (f) Core functions;
 - (g) Need for signing of an employment contract, a performance agreement and disclosure of financial interest;
 - (h) The need to undergo security vetting;
 - (i) Contact person;
 - (j) Address where applications must be sent or delivered; and
 - (k) Closing date which must be minimum 14 days from the date the advertisement appears in the newspaper and not more than 30 days after such date.

Cognisance must be taken of Section 12 which makes provision for the manner in which the selection panel must be constituted. Section 12(1) provides that:

“A municipal Council must appoint a selection panel to make recommendations for the appointment of candidates to vacant senior manager posts.

Section 12(2) provides that in deciding who to appoint to a selection panel, the following considerations must inform the decision:

- (a) The nature of the post;
- (b) The gender balance of the panel; and
- (c) The skills, expertise, experience and availability of the persons to be involved.

Section 12 (3) provides that the selection panel for the appointment of a municipal manager must consist of at least three and not more than five members, constituted as follows :

- (a) The mayor, who will be the chairperson, or his or her delegate;
- (b) A councillor designated by the municipal council; and
- (c) At least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post.

Furthermore Section 12(5) provides that a panel member must disclose any interest or relationship with shortlisted candidates during the shortlisting process and that such a panel member Section 12(6) a panel member must recuse himself or herself from the selection panel if-

- (a) His or her spouse, partner, close family member or close friend has been shortlisted for the post;
- (b) The panel member has some form of indebtedness to a short-listed candidate or *vice versa*; or
- (c) He or she has any other conflict of interest.

The Regulations dictates in terms of section 7 that a panel member and staff member must sign a declaration of confidentiality to avert the disclosure of information to unauthorised persons.

The Regulations provides for strict time frames which must be adhered to with regard to the Screening of Candidates in terms of section 14 as well as the Interviewing process in terms of section 15. Due regard must be given to Section 17 which deals with the Resolution of the municipal council on appointment of senior managers and reporting as well as the re-employment of dismissed persons in terms of section 18.

6.5 Staff Implications

Vacant S56 Senior Managers

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

N/A

6.8 Comments from Senior Management:

None

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Municipal Manager</i>
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	mm@stellenbosch.gov.za
REPORT DATE	February 2018

8.2	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY: JANUARY 2018 – FEBRUARY 2018
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance and Compliance

28 March 2018

1. DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY: JANUARY 2018 – FEBRUARY 2018

2. PURPOSE OF REPORT

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period 3 January 2018 until 28 February 2018, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period 3 January 2018 until 28 February 2018, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

5. RECOMMENDATION

SPECIAL MAYORAL COMMITTEE MEETING: 2018-03-22: ITEM 6.2

RESOLVED

That it be recommended to Council:

that Council takes note of the decisions taken, for the period 02 January 201 until 28 February 2018, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler
- Director Strategic and Corporate Services – Ms A de Beer
- Director Engineering Services – Mr Deon Louw
- Director Community and Protection Services – Mr G Esau
- Chief Financial Officer – Mr M Wüst
- Director Integrated Human Settlements and Property Management – Mr T Mfeya
- Director Planning and Economic Development – Mr B de la Bat

6. DISCUSSION / CONTENTS**6.1 DISCUSSION**

In view of the legislative stipulations, attached as **APPENDIX 1** is a summary of unique decisions taken by each Directorate. The report is for noting purposes.

Please note that these delegations only indicate the delegations exercised that were delegated by Council to the various Senior Managers.

6.2 LEGAL IMPLICATIONS

Section 63 of the Local Government Municipal Systems Act 32 of 2000 reads as follows:

"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."

6.3 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

N/A

6.8 Comments from Senior Management:

None

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8025
E-MAIL ADDRESS	mm@stellenbosch.gov.za
REPORT DATE	February 2018

DELEGATIONS EXERCISED FOR PERIOD JANUARY 2018

MUNICIPAL MANAGER : G METTLER

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
2	643	Human Settlement	Appointment of Temp Staff	2.1.18	2.1.18	Signed
	623	Human Settlement	Travel claim	2.1.18	2.1.18	Signed
	648	Human Settlement	Standby : Informal Settlements	2.1.18	2.1.18	Signed
4	645	HR	Study Leave – R Pietersen	4 Jan 2018	4 Jan 2018	Approved
9		LUPO	Appeal – Erf 9445, Stellenbosch	9 Jan 2018	9 Jan 2018	Approved
10	648	HR	Overtime and Standby : Informal Settlements	10 Jan 18	10 Jan 18	Approved
	648	HR	Overtime and Standby : Law Enforcement	10 Jan 18	10 Jan 18	Approved
		Eng	Dec 18 and Jan DOE Business Plan report	10 Jan 18	10 Jan 18	Approved

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	5	Legal	MOA – WC Dept PT and Stellenbosch Mun – R255 000 mSCOA implementation	10 Jan 18	10 Jan 18	Approved
	623	HR	Travel approval – M Wust PT mSCOA vendor engagement	10 Jan 18	10 Jan 18	Approved
	506	Property Man	Deed of Sale – Jamestown Housing Project Erf 1132	10 Jan 18	10 Jan 18	Approved
11	561	Water Services	Public notice ito S84 of Municipal water services bylaw – Intro of Level 6 water restrictions	11 Jan 18	11 Jan 18	Signed
	648	HR	Standby and Overtime – Disaster Management – Feb 18	11 Jan 18	11 Jan 18	Signed
	645	HR	Family responsibility leave approval – F Hoosain – 11/1 – 16/1	11 Jan 18	11 Jan 18	Signed
12	643	HR	Acting appointment – J Wells – 2 Jan 18- 15 Jan 18	12 Jan 18	12 Jan 18	Approved
	648	HR	Standby Feb 2018 – Traffic Services	12 Jan 18	12 Jan 18	Approved
15	8	Legal	Delegations – Dec D Louw	15 Jan 18	15 Jan 18	Signed
	667	Performance	Removal of KPI D731 – Replacement of Patrol Vehicles	15 Jan 18	15 Jan 18	Signed
		HR	EE Report 2017 reporting period	15 Jan 18	15 Jan 18	Signed
		MFMA	Monthly budget monitoring report	15 Jan 18	15 Jan 18	Signed

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	270	SCM regs	Deviation – Repairs to Electrical fence at Klapmuts Pump station	16 Jan 18	16 Jan 18	Signed, at reduced cost as per CFO note. Investigation into this practise to be concluded with clear consequence management.
16	623	HR	Travel approval – M Wust Johan van Wyk CCMA Case Cape Town	16 Jan 18	16 Jan 18	Approved
	5	Legal	Addendum to existing SLA for EasyPay, to include receipting of traffic fines in line with tender 14/17	16 Jan 18	16 Jan 18	Approved
		HR	G Esau – Attendance register	16 Jan 18	16 Jan 18	Signed
	8	Legal	Delegations – Gerald Esau – December 2017	16 Jan 18	16 Jan 18	Signed
17		HR	Application for Bursary to cover studies ito Skills Gap	16 Jan 18	16 Jan 18	Signed – approved in terms of the policy provision in the Bursary Policy. Annalene to confirm the process as outlined in the Bursary Policy.

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	645	HR	Transport Allowance : Gakeema Salie	17 Jan 18	17 Jan 18	Approved
19	645	HR	D Lombaard Sick leave – 16 Jan – 18 Jan 2018	19 Jan 18	19 Jan 18	Approved
		HR	Attendance register : JG Louw December 2017	19 Jan 18	19 Jan 18	Signed
	623	HR	Attendance : Grap Trainig 29 – 31 Jan 2018 – M Wust	19 Jan 18	19 Jan 18	Signed
	643	HR	Termination Agreement : D Lombaard	19 Jan 18	19 Jan 18	Signed
	643	HR	Notice of retrenchment : Johan van Wyk	19 Jan 18	19 Jan 18	Signed
	264	SCM	S32 – Conlog Pty Ltd and Landis & Gyr – Electrical Single and Three Phase Prepaid Meters	19 Jan 18	19 Jan 18	Signed
	270	SCM regs	Supply and Delivery of Disinfection chemicals for a contract period ending 30 June 2020 B/SM 26/18 – BAC Minutes	19 Jan 18	19 Jan 18	Signed
	270	SCM	Deviation 27/18 : Additional software licences for managed engine activity directory self-service desk plus – R491 601	19 Jan 18	19 Jan 18	Signed
		Fin	Delegations of duties for uploading of data reports to NT	19 Jan 18	19 Jan 18	Signed
	645	HR	Sick leave approval – 16-18 Jan 2018	19 Jan 18	19 Jan 18	Signed

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
23		MFMA	Mayoral fund application – Kayamandi – R 5000 - LATE SAMKELO CUKUTHU			
24		Council	Feedback on Waiver Applications for Municipal Manager and Director Engineering Services	24 Jan 18	24 Jan 18	Noted by Council
		Council	Feedback on Waiver reported to Council – Directors Strategic and Corporate and Engineering services			Noted by Council
		HR	Appointment contract – Annalene de Beer – Director Strategic and Corporate Services (10 year term)	April 2017	April 2017	Signed
		HR	Appointment contract – Deon Louw – Director Engineering Services (contract until retirement)	April 2017	April 2017	Signed
	645	HR	Leave H Lategan : 1 Feb 18 – 2 Feb 18	31 Jan 2018	31 Jan 2018	Signed
	6432	HR	Acting Allowance Funeka Mayembana – 11 Jan 18 – 26 Jan 18	31 Jan 2018	31 Jan 2018	Signed
			EEDSM 26 Jan Quarterly report	31 Jan 2018	31 Jan 2018	Signed
	5	Legal	MOU Kayamandi Corridor by SA Social security agency	31 Jan 2018	31 Jan 2018	Signed, tariff to be in line with tariff book. CFO to check

DELEGATIONS EXERCISED FOR PERIOD FEBRUARY 2018

MUNICIPAL MANAGER : G METTLER

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
1		HR	N Zwane – AMEU Exco meeting – Namibia 13-14 March 2018 – international	1 Feb 18	1 Feb 18	Approved
5		HR	Attendance register: Deon Louw	5 Feb 18	5 Feb 18	Signed
	667	Performance Management	SDBIP report December 2017	5 Feb 18	5 Feb 18	Signed
6	270	SCM regs	Variation order : B/SM 68/16 – Construction of Multi purpose centre Klapmuts – BAC R2.5mil variation	6 Feb 18	6 Feb 18	Signed
	270	SCM regs	BAC – Supply and Delivery of Electrical Material to Beltana – for contract period ending 30 June 2018	6 Feb 18	6 Feb 18	Signed
7	270	SCM regs	Variation order – Compilation and maintenance of valuation roll and supplementary rolls for WC024 HCB Valuers– extended to R 3 630 550. B/SM 68/15	7 Feb	7 Feb 18	Signed
			Application for Membership fees – M Wust – Registered Chartered Accountant	7 Feb	7 Feb 18	Signed
	623	HR	Travel – M Wust - Salga	7 Feb	7 Feb 18	Signed

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
		HR	Amendment of reporting lines – Planning and LED	7 Feb	7 Feb 18	Signed
8	8	Legal	Delegations G Esau – January 2018	8 Feb	8 Feb 18	Signed
	645	HR	Overtime and Standby – Fire and Disaster Services March 2018	8 Feb	8 Feb 18	Signed
		HR	Time and Attendance A de Beer January 2018	8 Feb	8 Feb 18	Signed
9	495	Property	Deed of Sale, Klapmuts Koelpark Housing Project – Erf 3363			
			Delegations D Louw – January 2018	9 Feb	9 Feb 18	Signed
	645	HR	Cellphone Allowance – Roscoe Bergstedt	9 Feb	9 Feb 18	Signed
	270	SCM regs	Deviation – Emergency Repairs – UniePark Reservoir, Stellenbosch – R83 740	9 Feb	9 Feb 18	Signed, Satisfied that value for money was received. Service was critical to protect our water resources in the drought situation.
12	648	HR	Acting Allowance – R Wenn – PA to the MM	12 Feb 18	12 Feb 18	Signed

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
15	648	HR	Acting Allowance – Bernabe de La bat – Acting Director Planning and LED – 22 Jan 2018 - until further notice	15 Feb 18	15 Feb 18	Approved by Acting MM (M Wust)
	623	HR	Travel approval Shireen de Visser – IDP Managers forum 8 Feb 2018	15 Feb 18	15 Feb 18	Signed
16	645	HR	Cellphone Application Form : K Mculu; J Robyn; N Siyengele	16 Feb 18	16 Feb 189	Signed
	270	SCM	Ratification – New Neon Lighting R336 932	16 Feb 18	16 Feb 189	Approved, MM comment Given the fact that funding was made available late and planning could not be done in time as the light still need to be manufactured. Funding should be made available with the Budget to allow for adequate planning expenditure approved; value for money received.

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
16		Legal	Re-imburement : Transfer of erf 718 to Seventh Day Adventist Church – R4337	16 Feb 18	16 Feb 18	Signed. Item to council requested. I Will support the recommendation. Please also include in item the reason for the delay considering that it was sold in 1996.
		MFMA	SARS – Transfer duty Form	16 Feb 18	16 Feb 18	Signed
		HR	Leave Application – R Pietersen	16 Feb 18	16 Feb 18	Approved
19	5	Legal	Lease Agreement – Vlottenburg Primary School – Ward Committee	19 Feb 18	19 Feb 18	Signed
	495	Legal	Power of Attorney : Registration of servitude for W Kruger Attorneys Jamestown Housing Project	19 Feb 18	19 Feb 18	Signed
		HR	Annual Leave : A de Beer	19 Feb 18	19 Feb 18	Signed
		HR	Travel Claim : R Ghani – Mid Year Performance Review attendance – 5 and 13 Feb 18	19 Feb 18	19 Feb 18	Signed
20	5	Legal	MOA – Dept LG and Stellenbosch – Public Participation Training G Salie	20 Feb 18	20 Feb 18	Signed

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	5	Legal	Transfer Payment Agreement – Dpt Transport and Public Works and Stellenbosch Mun – Non-motorised Transport Infrastructure	20 Feb 18	20 Feb 18	Signed
21		HR	Cellphone allowance agreement– R Swartbooi	21 Feb 18	21 Feb 18	Signed
	270	SCM regs	Ratification – Topshell – R5643	21 Feb 18	21 Feb 18	Signed, given the sensitivity of the situation and the fact that normal SCM processes could not be followed this ratification is approved. Sensitivity relates to a threatening protest action should structure be removed, structure was already in place. Value for money received.
	5	Legal	Contact – Lease Agreement –De Novo Ward Office	21 Feb 18	21 Feb 18	Signed
		HR	Travel claim – Speaker and Chief Whip – Speaker and Whip Forum Tulbagh	21 Feb 18	21 Feb 18	Signed, S&T to be paid, provided that SALGA do not pay S&T.
		MFMA	Finance Man Capacity Building Grant Bi Annual Report	21 Feb 18	21 Feb 18	Signed

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	270	SCM Regs	Deviation : Continuation of Royal Haskoning DHV as consultants for extension of WEmmershoek WWTW and associated Pipelines – R1 861 974	21 Feb 18	21 Feb 18	Signed, please check the threshold to see if it falls with the ambit of s116 (3) if extension of contract above 20% of contract value
	270	SCM regs	Ratification – The Business Zone – Trading as 1001 Solutions – R21 587	21 Feb 18	21 Feb 18	Signed
		HR	Cell phone agreement – T Mfeya	21 Feb 18	21 Feb 18	Signed
	643	HR	Approval of Advertisement – Senior Land Use Inspector	21 Feb 18	21 Feb 18	Signed
	643	HR	Approval of Advertisement – Land Use Inspector	21 Feb 18	21 Feb 18	Signed
23		Property	Addendum for Kayamandi , Watergang : 332 Temporary Housing Units	21 Feb 18	21 Feb 18	Signed
26		SCM	Construction of basic engineering services Erf 2175 Enkanini B/SM 30/18	26 Feb 18	26 Feb 18	Signed
		HR	Assistance with legal rep for S Matinise (traffic services) case 1998/3/2015	26 Feb 18	26 Feb 18	Signed
	923	HR	Gerald Esau – Library Training 15-16 March	26 Feb 18	26 Feb 18	Signed
28		Performance Management	Mid-year performance Evaluation results – Wust, Mfeya, Esau, Louw	28 Feb 18	28 Feb 18	Signed

Date	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
		Performance Management	Annual performance evaluation results – Wust, Mfeya, Esau, Lombaard	28 Feb 18	28 Feb 18	Signed
	623	HR	Permission to leave WC024 – Faiz Hoosain – Robertson CAE Forum	28 Feb 18	28 Feb 18	Signed
	5	Legal	Business Plan Feb 2018 to Dept of Energy	28 Feb 18	28 Feb 18	Signed
			Payment of Audit Committee Chair – Performance Evaluations 5 and 13 Feb 2018	28 Feb 18	28 Feb 18	Signed
		Perf Regs	Performance Agreement – S de Visser	28 Feb 18	28 Feb 18	Signed
			SDBIP report Jan 2018	28 Feb 18	28 Feb 18	Signed

DELEGATIONS EXERCISED FOR PERIOD: JANUARY 2018
DIRECTORATE: STRATEGIC AND CORPORATE SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
3	645.	HR	Overtime pre-approval for: Adri, Fundiswa and Albert	2/1/2018	3/1/2018	Approved Request
5	645.	HR	Overtime pre-approval of Lynette and Albert (November 2017)	5/1/2018	5/1/2018	Approved Request
	643	HR	Fixed term contract for Petunia Christians	-	5/1/2018	Approved Request
15	645 (I)	HR	Timesheets for: Madre Carinus and Taahirah Daniels for December 2017	11/1/2018	15/1/2018	Approved Request
	645 (I)	HR	Timesheets for Gaynor (December 2018)	12/1/2018	15/1/2018	Approved Request
	645 (I)	HR	Timesheets: D Muller, C Saville, C Wesso, M Haasbroek, F Le Roux and T Gosa	12/1/2018	15/1/2018	Approved Request
	645 (I)	HR	Timesheets: E Morris, R Pearce, G Viljoen, K November, S Zass, C van Rooyen, J Giliomee, S Smit, M Michaels, S Mafenyanga, O Tolobisa, B Lesaoana, V Maramnco, Y Lamberts, H Sauls, B Foster, J Williams, J February, N Williams, N Ceasar, C Michaels, S Arendse	13/1/2018	15/1/2018	Approved Request

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
24		HR	Travel Claim – Mr M Roodman	18/1/2017	24/1/2018	Approved Request
26	645.	HR	Overtime pre-approval for Brandon Moses	24/1/2018	26/1/2018	Approved Request
	643.	HR	Fixed term contract for Nonzukiso Hermanus	24/1/2018	26/1/2018	Approved Request

DELEGATIONS EXERCISED FOR PERIOD: FEBRUARY 2018
DIRECTORATE: STRATEGIC AND CORPORATE SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
1	643.	HR	Addendums for extensions on contracts for : T Stone, A Williams, M Carinus, T Daniels, M Thebe, A Julies, M Fritz, B Nxusani, L Solomon, D Saaiers, G Jones, K Pietersen, M Booyesen	31/1/2018	1/2/2018	Approved Resolved
	643.	HR	Fixed term contract for J Coetzee	31/1/2018	1/2/2018	Approved Resolved
2	643.	HR	Fixed term contracts for: M Ndabambi, S Morris, M Morris, A Nyman, R Tyatyeka C Bailey, G Carelse	31/1/2018	2/2/2018	Approved Resolved

7	645.	HR	Overtime pre-approvals for: N Puteni, A Ndoda, A Hensen, A Hartogh, C Muller, R van Niekerk, A Stone, L Jafta, Fundiswa M and Andiswa N	31/1/2018	7/2/2018	Approved Resolved
	645.	HR	Overtime pre-approvals for: E Williams, A Korkie, D Williams, P Lejaha	31/1/2018	7/2/2018	Approved Resolved
8		Labour Relations	Memo – Constituency Meetings from 12 – 16 February 2018	7/2/2018	8/2/2018	Approved Resolved
12	643.	Engineering Services	Fixed term contract F Koegelenberg	8/2/2018	12/2/2018	Approved Resolved
	645.	Committee Services	Overtime pre-approvals for January 2018: A Madiba and Ms Makomazi	9/2/2018	12/2/2018	Approved Resolved
14	211 (d) INV	Communication department	Invoices: ➤ Swarm digital – R475.24 ➤ Swarm digital – R1 824.05	9/2/2018	14/2/2018	Approved Resolved
	211 (d) INV	IDP Department	Invoices: ➤ Polarama Wholesalers – R1 871.60 ➤ Inkwenkwezi – R1600.00	9/2/018	14/2/2018	Approved Resolved
DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	643.	HR	Fixed term contracts for: B Mapetshana and B Bloem	9/2/2018	14/2/2018	Approved Resolved
	645 (l)	HR	Timesheets for: C Saville, D Muller, F Le Roux, M Haasbroek, T Gosa an C Wesso	9/2/2018	14/2/2018	Approved Resolved

	643.	HR	Fixed term contract – E Swartz	9/2/2018	14/2/2018	Approved Resolved
19	643.	HR	Fixed term contracts for: N Heckrath, M Mgikijeka, K Fourie, C Coetzee, C Mcako	16/2/2018	19/2/2018	Approved Resolved
	645 (l)	HR	Timesheets for: E Morris, R Pearce, G Viljoen, K November, S Zass, C van Rooyen, J Giliomee, S Smit, M Michaels, S Mafenyanga, O Tolobisa, B Lesaoana, V Maramnco, Y Lamberts, H Sauls, B Foster, J Williams, N Williams, N Ceasar, C Michaels, S Arendse	16/2/2018	19/2/2018	Approved Resolved
DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	623.	IDP Department	Travel Claim – Provincial Thusong programme forum: 1 and 2 March 2018: the Dunes Plettenberg Bay for Gakiema Salie	16/2/2018	19/2/2018	Approved Resolved

DELEGATIONS EXERCISED FOR PERIOD: JANUARY 2018

DIRECTORATE: ENGINEERING SERVICES

Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
601	Transport, Roads & Stormwater	<p>Application for road closures:</p> <p>Road closure for Elberthaweg, Die Boord on 19 January 2018 for a Street braai</p>		15 January 2018	Approved
5	Legal	<p>FIXED TERM CONTRACTS</p> <p>ACTING HEAD METERING: ELECTRICAL SERVICES</p> <p>ACT MANAGER ELECTRICAL SERVICES</p> <p>TECHNICIAN: DEVELOPMENT SERVICES</p> <p>SUPERVISOR KLAPMUTS: SWM</p> <p>FOREMAN DISPOSAL: SWM</p> <p>ACT FILING CLERK</p> <p>TECHNICIAN: TRS</p>			<p style="text-align: center;">Approved until 31/01/18</p> <p style="text-align: center;">Approved until 31/01/18</p> <p style="text-align: center;">Approved until 31/01/18</p> <p style="text-align: center;">Approved until 31/01/18</p> <p style="text-align: center;">Approved until 31/01/18</p>

		<p>ACT SENIOR CLERK</p> <p>PROJECT MANAGER WATER</p> <p>INTERN: ELEC</p> <p>DIGGER LOADER OPERATOR: SWM</p> <p>PROJECT MANAGER SUPPORT</p> <p>PROJECT MANAGER: INFRASTRUCTURE</p> <p>IMPLEMENTATION</p> <p>SERVICES AGREEMENT</p> <p>Agreement between Stb Municipality and Surrey Holmels (Pty) Ltd</p>			<p>Approved until 31/01/18</p> <p>Approved until 31/01/18</p> <p>Approved until 31/01/18</p> <p>Approved until 30/06/18</p> <p>Approved until 31/01/18</p> <p>Approved until 31/01/18</p> <p>Approved until 30/06/18</p> <p>Approved until 31/01/2019</p> <p>Approved</p>
561	Water Services	<p>Water restrictions exemption:</p> <p>0 - applications approved</p> <p>0 - applications not approved</p> <p>80 - applications pending</p> <p>Water restrictions transgressions:</p>			<p>Approved</p> <p>Not approved</p> <p>Pending</p>

		<p>28 - reported and notices served by Law Enforcement</p> <p>Borehole registration applications:</p> <p>37 - Residential</p> <p>2 - Commercial</p> <p>0 - Public Buildings</p> <p>10 - Grey water</p> <p>3 - Applications to drill</p>			<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
570	Electricity	<p>Electricity Supply By-law</p> <p>Advertised in Gazette and Eikestad Nuus</p>		<p>17/08/2017</p> <p>& 15/08/2017</p>	<p>Approved</p>

DELEGATIONS EXERCISED FOR PERIOD: FEBRUARY 2018

DIRECTORATE: ENGINEERING SERVICES

Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
601	Transport, Roads & Stormwater	Application for road closures: ROAD CLOSURE VENSTERS: 02 FEB 2018 ROAD CLOSURE LELIE STREET: 8-10 FEB 2018 ROAD CLOSURE: THE COLOUR RUN EVENT: 17 FEB 2018			Approved Approved Approved
5	Legal	FIXED TERM CONTRACTS ACTING HEAD METERING: ELECTRICAL SERVICES ACT MANAGER ELECTRICAL SERVICES CAD OPERATOR: DEVELOPMENT SERVICES SUPERVISOR KLAPMUTS: SWM FOREMAN DISPOSAL: SWM ACT FILING CLERK			Approved until 16/02/18 Approved until 30/04/18 Approved until 30/04/18 Approved until 30/04/18

		<p>TECHNICIAN: TRS</p> <p>ACT SENIOR CLERK</p> <p>PROJECT MANAGER WATER</p> <p>INTERN: ELEC</p> <p>DIGGER LOADER OPERATOR: SWM</p> <p>TECHNICIAN: ROADS & STORMWATER</p> <p>ACT DRIVER AREA CLEANING</p> <p>SERVICES AGREEMENT</p> <p>Agreement between Stb Municipality and Powertech System Integrations (Pty) Ltd</p> <p>Rates quotation drought response – potable water augmentation boreholes – mechanical works</p>		<p>08/02/2018</p> <p>06/02/2018</p>	<p>Approved until 30/04/18</p> <p>Approved until 30/04/18</p> <p>Approved until 30/04/18</p> <p>Approved until 30/04/18</p> <p>Approved until 30/06/18</p> <p>Approved until 30/06/18</p> <p>Approved until 30/04/18</p> <p>Approved until 30/04/18</p> <p>Approved until 30/04/18</p> <p>Approved</p> <p>Approved</p>
561	Water Services	<p>Water restrictions exemption:</p> <p>27 applications approved</p>			Approved

		<p>0 application not approved</p> <p>111 applications pending</p> <p>Water restrictions transgressions:</p> <p>30 reported and notices served by Law Enforcement</p> <p>Borehole registrations:</p> <p>Residential: 27 Applications</p> <p>Commercial: 2 Applications</p> <p>Public Buildings: 1 Applications</p> <p>Grey water: 6 Applications</p> <p>Interruption in the water supply: Market Street, Stb</p> <p>Interruption in the water supply: Victoria Street, Stb</p> <p>Interruption in the water supply: Skool Street, Jamestown</p> <p>Interruption in the water supply: Parfaite Street, Jamestown</p>		<p>06/02/2018</p> <p>20/02/2018</p> <p>19/02/2018</p> <p>16/02/2018</p>	<p>Not approved</p> <p>Pending</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
569	Electrical Eng Services	<p>Electrical meters</p> <p>Reviewing/upgrading of municipal electrical meters</p>		15/02/2018	Approved

551	Engineering General	MUNICIPAL NOTICE: Refuse removal schedule for Easter 2018		28/02/2018	Approved
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DELEGATIONS EXERCISED FOR PERIOD: JANUARY 2018
DIRECTORATE: COMMUNITY AND PROTECTION SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
16	643	HR	Assistant Supt: Trees	16/01/2018	16/01/2018	Approved
			Discount: Late Booysen	16/01/2018	16/01/2018	Approved
17	643	HR	Attendance Register: J Wells (December 2017)	17/01/2018	17/01/2018	Approved
		SCM	Specifications : Emergency Food Provision	17/01/2018	17/01/2018	Approved
18	643	HR	Attendance Register: Albert v/d Merwe (December 2017)	18/01/2018	18/01/2018	Approved
	643	HR	Attendance Register: Leanne Pedro (December 2017)	18/01/2018	18/01/2018	Approved
		Finance	Memo: Payment of honorarium (Mr M James)	18/01/2018	18/01/2018	Approved
		ICT	3G Access Request form & Request for ICT resources : F Oosthuizen	18/01/2018	18/01/2018	Approved

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	643	HR	Non-renewal of fixed term contracts: Area Cleaning Franschoek (75)	18/01/2018	18/01/2018	Approved
	643	HR	Extension of fixed term contracts: Area Cleaning Franschoek (33)	18/01/2018	18/01/2018	Approved
19	643 (g)	HR	Memo: Acting allowance: Isaac Jason (1-29 December 2017)	19/01/2018	23/01/2018	Approved
23	179	S65(1)of MFMA	Hall deposit refund: Henry David Williams	23/01/2018	23/01/2018	Approved
	735	S(2) (4) (a) Act 205/1993 Municipal By-Law	Protest march gathering application: EFF Stellenbosch	24/01/2018	24/01/2018	Approved
	179	S65(1)of MFMA	Hall deposit refund: Lucinda Skippers	24/01/2018	24/01/2018	Approved

		Finance	Memo: Refund – Tandisiwe Maklikhla	24/01/2018	24/01/2018	Approved
23	643	HR	Extension of EPWP contract: Halls & Cemeteries	24/01/2018	24/01/2018	Approved
	645	HR	Memo: Late submissions of Pre-approvals Parks, Rivers (Franschhoek)	24/01/2018	24/01/2018	Approved
	643	HR	Extension of EPWP contracts: T Khati, M Ntshwanti, M Ndibongo	24/01/2018	24/01/2018	Approved
	643	HR	New EPWP contracts: Johan Bosman, David Michells, Wilson Abrahams	24/01/2018	24/01/2018	Approved
	643	HR	Funding of examiner of driving licences posts	24/01/2018	24/01/2018	Approved
16		SCM	Amendment SLA B/SM 14/17	16/01/2018	25/01/2018	Supported
24	643	HR	Request to evaluate posts – Law Enforcement Officers	24/01/2018	25/01/2018	Supported

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
31	643 (g)	HR	Acting- K Alberts (Dec – Jan)	31/01/2018	31/01/2018	Approved
	645 Basic Cond. Employment Act	Finance	Standby & Overtime: W Smith	31/01/2018	31/01/2018	Approved

DELEGATIONS EXERCISED FOR PERIOD: FEBRUARY 2018
DIRECTORATE: COMMUNITY AND PROTECTION SERVICES

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
6	646	HR	Application for bursary to cover cost ito public accountability studies – F Kruywagen	06/02/2018	07/02/2018	Supported
		Finance	Memo: Capital Project Ward 11	06/02/2018	07/02/2018	Approved

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
			Delegations: G Esau – January 2018	06/02/2018	07/02/2018	
	643	HR	Attendance and Overtime – Kevin Alkaster	06/02/2018	07/02/2018	Approved
	643	HR	Memo: Non submission of leave document (Lizaan Hendricks)	06/02/2018	07/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime & Pre-approvals & Standby – Cemeteries	06/02/2018	07/02/2018	Approved
	179	S65(1)of MFMA	Hall deposit refunds: Andisiwe Sipika, Cyril Jacobus Hadie , Paul William Biscombe, Shezaad Mukaddam, Luckhoff SSS, Zamar the Band, Marlise Adams, Deon Bloemberg, Ervin Papier, Wanderes Junior rugbyklub	06/02/2018	07/02/2018	Approved
	111	S59 (1) of Systems Act	Conditional grant – Libraries	06/02/2018	09/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime Pre-approval – Fire Services (Feb 2018)	06/02/2018	09/02/2018	Approved

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	645	Basic Conditions of Employment Act	Overtime Pre-approvals – Law Enforcement (Feb 2018)	06/02/2018	09/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime Pre-approvals – Urban Forestry (Feb 2018)	06/02/2018	09/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime Pre-approvals – Nature Conservations (Feb 2018)	06/02/2018	09/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime Pre-approvals – Ornamental Horticulture (Feb 2018)	06/02/2018	09/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime Pre-approvals – Halls (Feb 2018)	06/02/2018	09/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime Pre-approvals – Sports & Facilities (Feb 2018)	06/02/2018	09/02/2018	Approved

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	645	Basic Conditions of Employment Act	Overtime Pre-approvals – Parks	06/02/2018	09/02/2018	Approved
	645	Basic Conditions of Employment Act	Standby – Workshop (Feb 2018)	06/02/2018	09/02/2018	Approved
	645	Basic Conditions of Employment Act	Resigning of pre-approval for January 2018 – Urban Forestry	06/02/2018	09/02/2018	Approved
	643 (g)	HR	Acting – Isaac Jason (December 2017)	06/02/2018	09/02/2018	Approved
	643 (g)	HR	Acting- Andre Gabriels – 21 Dec 2017 – 26 January 2018	06/02/2018	09/02/2018	Approved
	643 (g)	HR	Acting – J Floors (15 Jan – 2 February 2018)	06/02/2018	09/02/2018	Approved
		Finance	Memo – Non-payment of A van Vollenhoven	06/02/2018	09/02/2018	Approved
	179	S65(1)of MFMA	Hall Deposit refund – Luchoff SSS	06/02/2018	09/02/2018	Approved
	643	HR	Contracts – B Malumbazo-Mapetshana B CJ Bloem	06/02/2018	09/02/2018	Approved

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	643	HR	Approval of advertisement – Senior examiner of vehicles / Management Representative	06/02/2018	09/02/2018	Approved
	646	HR	Fire Arm training – Traffic Services	06/02/2018	09/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime Pre-approval – Law Enforcement (Feb 2018)	06/02/2018	09/02/2018	Approved
	643	HR	Approval of advertisement – Operator Parks & Rivers Franschhoek	06/02/2018	09/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime Pre-approvals – Parks, Rivers Franschhoek	06/02/2018	09/02/2018	Approved
	646	HR	Training nominations – Sport, Parks, Halls, Cemeteries	06/02/2018	09/02/2018	Approved
	646	HR	Training nominations – Libraries	06/02/2018	09/02/2018	Approved
	646	HR	Training nominations – Urban Greening	06/02/2018	09/02/2018	Approved
	643 (g)	HR	Memo: Late submission of acting allowances: Community Services	06/02/2018	13/02/2018	Approved
	8	Legal	Delegations: N Langenhoven (January 2018)	06/02/2018	13/02/2018	Approved
	643	HR	Termination of contract: Reagan Parsons	06/02/2018	13/02/2018	Approved

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	643	HR	Attendance Register – Albert v/d Merwe (January 2018)	06/02/2018	13/02/2018	Approved
	643	HR	Attendance Register – Witness Nyengane (January 2018)	06/02/2018	13/02/2018	Approved
	643	HR	Attendance Register – Leanne Pedro (January 2018)	06/02/2018	13/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime Pre-Approvals – Traffic (February 2018)	06/02/2018	13/02/2018	Approved
14	179	S65(1) of MFMA	Hall deposit refund: Fundiswa Ntsondwa, WC Mahoney	15/02/2018	15/02/2018	Approved
16	735	S(2) (4) (a) Act 205/1993 Municipal By-Law	Protest march application: Awareness and celebratory March	16/02/2018	16/02/2018	Approved
	735	S(2) (4) (a) Act 205/1993 Municipal By-Law	Protest march application: History of town March	16/02/2018	16/02/2018	Approved
	735	S(2) (4) (a) Act 205/1993 Municipal By-Law	Protest march application: Tennantville picketing	16/02/2018	16/02/2018	Approved
	735	S(2) (4) (a) Act 205/1993 Municipal By-Law	Protest march application: Tennantville picketing against housing and land	16/02/2018	16/02/2018	Approved

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
20	645	Basic Conditions of Employment Act	Memo: Re-singing of pre-approval for Ms J Davidson for December 2017	20/02/2018	20/02/2018	Approved
	643	HR	Appointment of general worker: Parks	20/02/2018	20/02/2018	Approved
21	735	S(2) (4) (a) Act 205/1993 Municipal By-Law	Proposed fine list for contravention of in terms of Stellenbosch Municipality by-law PN 7830	21/02/2018	21/02/2018	Approved
	735	S(2) (4) (a) Act 205/1993 Municipal By-Law	Proposed fine list for contravention of in terms of Stellenbosch Municipality by-law PN7830	21/02/2018	21/02/2018	Approved
	735	S(2) (4) (a) Act 205/1993 Municipal By-Law	Application: Woman on farms protest march and picketing	21/02/2018	21/02/2018	Approved
22	111	S59 (1) of Systems Act	Conditional grant – January 2018	22/02/2018	22/02/2018	Approved
	643	HR	EPWP contract: MJ George	22/02/2018	22/02/2018	Approved
	645	Basic Conditions of Employment Act	Memo: Incorrect sick leave application – DG Arendse	22/02/2018	22/02/2018	Approved

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
		Finance	Memo: Reimbursement – A van der Merwe	22/02/2018	22/02/2018	Approved
		Finance	Memo: Payment of honorarium: Mr M James	22/02/2018	22/02/2018	Approved
		SCM	Specifications: Blower mower, gearbox, shaft and gearbox, cut no bags & frames	22/02/2018	22/02/2018	Approved
		SCM	Specifications: Uniform & Protective Clothing	22/02/2018	22/02/2018	Approved
	139	Finance	Veriment: Uniform & Protective Clothing	22/02/2018	22/02/2018	Approved
		Finance	Memo: Deviation – Langrug Fire Disaster	22/02/2018	22/02/2018	Approved
27	643	HR	Extension of existing EPWP contract: Halls & Cemeteries – U Cornelius	27/02/2018	27/02/2018	Approved
26	643	HR	Approval of applications: Traffic wardens	26/02/2018	27/02/2018	Approved
	645	Basic Conditions of Employment Act	Leave applications: K Patrick, W Nyengane	27/02/2018	27/02/2018	Approved
	645	Basic Conditions of Employment Act	Memo: Resiging of pre-approval – J Davidson (Dec 2017)	27/02/2018	27/02/2018	Approved

DATE	Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	643	HR	Extension of EPWP contracts: General workers – T, Khati, M Ndibongo, M Ntshwanti	27/02/2018	27/02/2018	Approved
	643	HR	Memo: New EPWP employees + contracts – Z Mlenze, L Francis, J August, A Solomons, N Halmanisi, T Jarsen, F Ludicks, J Leibrandt, M Wanza, , J Smith	27/02/2018	27/02/2018	Approved
	5	Legal	Lease Agreements – Jamestown, Groendal, Kylemore, La Motte, Raithby, Pniel, lanquedoc	27/02/2018	27/02/2018	Approved
	645	Basic Conditions of Employment Act	Pre-approvals – Law Enforcement (March 2018)	27/02/2018	27/02/2018	Approved
	139	Finance	Veriment: Sport Special Equipment (R30 000.00)	27/02/2018	27/02/2018	Approved
	643	HR	EPWP contract: Eva Meyer	27/02/2018	27/02/2018	Approved
	643	HR	Extension of fixed term contract: Admin Assistant Parks (L Hendricks)	27/02/2018	27/02/2018	Approved
	645	Basic Conditions of Employment Act	Overtime Pre-approvals – Cemeteries	27/02/2018	27/02/2018	Approved
		SCM	Memo: Urgent procurement- Langrug Fire Disaster	27/02/2018	27/02/2018	Approved

DELEGATIONS EXERCISED FOR PERIOD JANUARY 2018

FINANCIAL SERVICES: MR MARIUS WÜST

Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
643	HR	Overtime pre approval – Income, Salary office & Budget	12/01/2018	12/01/2018	Approved
	MFMA	Monthly verification forms	12/01/2018	12/01/2018	Approved
643	HR	Approve various temporary appointments within Finance Directorate in conjunction with DSCS	18/01/2018	18/01/2018	Approved
643	HR	Approving payments for Acting Allowances –Income & Budget Office sections	05/01/2018	05/01/2018	Approved
212		B/SM 26/18 Supply And Delivery Of Disinfection Chemicals, For A Contract Period Ending 30 June 2020	19/01/2018	19/01/2018	Approved
212		B/SM 38/18 Appointment Of Service Providers To Provide Training For Electrical M0 – M6 Modular Training; And Perform Basic Welding/Joining Of Metals For A Period Ending 30 June 2020 As Required By Stellenbosch Municipality	19/01/2018	19/01/2018	Approved
		B/SM 29/18 Appointment Of A Service Provider To Conduct External Audits On Wc024 Waste Facilities	19/01/2018	19/01/2018	Approved
211	SCM	SCM Letters approved Tenderer's	19/01/2018	19/01/2018	Approved

		B/SM 27/18 Annual Electrical Labour Tender	26/01/2018	26/01/2018	Approved
		B/SM 48/18 Supply And Deliver Of New 4x2 Combination Jet Machine Truck	26/01/2018	26/01/2018	Approved
211	SCM	SCM Letters approved Tenderer's	26/01/2018	26/01/2018	Approved

DELEGATIONS EXERCISED FOR PERIOD FEBRUARY 2018

FINANCIAL SERVICES: MR MARIUS WÜST

Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
212	SCM	B/SM 50/18 Appointment Of A Service Provider For The Provision Food For Emergency Situations For A Period Ending 30 June 2020	02/02/2018	02/02/2018	Approved
212	SCM	B/SM 28/18 Supply And Delivery Of Electrical Material To Beltana Stores, Stellenbosch Municipality	06/02/2018	06/02/2018	Approved
211	SCM	Approved SCM tenderer's letters			Approved
212	SCM	B/SM 23/18 Appointment Of An Architect For The Re-Design And Extension Of The Traffic In Stellenbosch: Erf 6659	06/02/2018	06/02/2018	Approved

Delegation	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
212	SCM	B/SM 31/18 Appointment of Service Providers For The Impoundment Of Vehicles	02/02/2018	02/02/2018	Approved
613	HR	Overtime pre approval's Income, Salary & Budget Office	06/02/2018	06/02/2018	Approved
211	SCM	Approved SCM tenderer's letters	06/02/2018	06/02/2018	Approved
212	SCM	B/SM 52/18 The Supply And Delivery Of Wireless Hardware Equipment	08/02/2018	08/02/2018	
211	SCM	Approved SCM tenderer's letters	08/02/2018	08/02/2018	Approved
212	SCM	B/SM 30/18 Construction Of Basic Engineering Services (Civil & Electrical Services) For Erf 2175, Enkanini	23/02/2018	23/02/2018	Approved
153	CRDC	Approval of debt write off – Various	20/02/2018	20/02/2018	Approved
212	SCM	B/SM 44/18 The Building Of Ablution Facilities At Lanquedoc Sportground, Lanquedoc	23/02/2018	23/08/2018	Approved
212	SCM	B/SM 56/18 Supply And Delivery Of A Trailer Mounted Access Platform	23/02/2018	23/02/2018	Approved
212	SCM	B/SM 57/18 Supply And Installation Of Fencing At The Reserviors	23/02/2018	23/02/2018	Approved
153	CRDC	Approval of debt write off – Various	28/02/2018	28/02/2018	Approved

DELEGATIONS EXERCISED FOR PERIOD JANUARY 2018
INTEGRATED HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT

DATE	Delegation	Category	Report Subject & Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
15		SPLUMA	Exemption Certificate in terms of the Stellenbosch Municipal Land use Planning by-law, 2015.	15 January 2018	15 January 2018	Approved
	101	Lupo	Application for Departure: Farm 65/15, Stellenbosch Division	15 January 2018	15 January 2018	Approved
	101	Lupo	Application for Departure: Farm 214/15, Stellenbosch Division	15 January 2018	15 January 2018	Approved
	643	HR	EPWP Contract – Eltino Antonie	15 January 2018	15 January 2018	Approved
25	358	LUPO	Application for approval of the Constitution of the Simonsberg Home Owners Association.	25 January 2018	25 January 2018	Approved
	358	LUPO	Application for approval of the Constitution of the Koelenbosch Country Estate Property Owners Association.	25 January 2018	25 January 2018	
	367	Land Use Management	Application for the Removal of a Restrictive Title Deed Conditions and a Permanent Departure: erf 5659, 72 Rokewood Street, Die Boord, Stellenbosch.	25 January 2018	25 January 2018	

DATE	Delegation	Category	Report Subject & Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	358	LUPO	Application for Approval of Constitutions and Architectural and Landscape Architecture Framework on erf 179, Devonvale Golf and Wine Estate.	25 January 2018	25 January 2018	
17			To issue certificates of compliance applicable to the following properties: Farm 425/1 Koelpark Erf 82 Koelenhof Farm 748/30 Paarl Farm 1015/2 Paarl Farm 1769 Paarl	17 January 2018	17 January 2018	Approved
10	537	Property Man	Special Power of Attorney: Notarial Tie Agreement	10 January 2018	10 January 2018	Approved

DELEGATIONS EXERCISED FOR PERIOD FEBRUARY 2018
INTEGRATED HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT

DATE	Delegation	Category	Report Subject & Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
5	101	Lupo	Application for Departure: erf 2670, Stellenbosch.	05 February 2018	05 February 2018	Approved
	101	Lupo	Application for Departure: Farm 214/15, Stellenbosch Division.	05 February 2018	05 February 2018	Approved
	101	Lupo	Application for Departure: Farm 65/14, Stellenbosch Division.	05 February 2018	05 February 2018	Approved
	101	Lupo	Application for Rezoning, Temporary Departure & Departure on erf 8336, Stellenbosch.	05 February 2018	05 February 2018	Approved
			Exemption Certificate in terms of the Stellenbosch Municipal Land Use Planning By Law, 2015.	05 February 2018	05 February 2018	
	101	Lupo	Application for Departure: erf 84, Shaw Street, Raithby.	05 February 2018	05 February 2018	
			Application for Consent Use: Portion 3 of Farm 218.	05 February 2018	05 February 2018	

DATE	Delegation	Category	Report Subject & Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
	101	Lupo	Application for Departure & Special Dev on erf 7971.	05 February 2018	06 February 2018	Approved
6			Notice of renewal various lease agreement Cell C Del no. 538	06 February 2018	06 February 2018	Approved
8	101	Lupo	Application for Departure: erf 4773.	08 February 2018	08 February 2018	
	101	Lupo	Application for Departure: Farm no. 124/10	08 February 2018	08 February 2018	
14	101	Lupo	Application for Departure: erf 12397, 82 Waaierpalm Str. Cloetesville.	14 February 2018	14 February 2018	
			Application for Permission required in terms of condition of approval: erf 3437, Franschoek.	14 February 2018	14 February 2018	
22	101	Lupo	Application for Rezoning, consolidation & a permanent departure: erf 9118 & 9119.	22 February 2018	22 February 2018	
			Application for consolidation erven 2112, 2113, 2114, 2115, 3380 Klapmuts.	22 February 2018	22 February 2018	
27			The application is made in terms of section 15 (2) (0) of the Stellenbosch Municipality Land Use Planning By-Law promulgated by notice no. 354/2015 dated 20 October 2015 for the	27 February 2018	27 February 2018	

			Subdivision of erf 3246 Stellenbosch into two equal portions of 496 sqm.			
			The application is made in terms of section 15 (2) (0) of the Stellenbosch Municipality Land Use Planning By-Law promulgated by notice no. 354/2015 dated 20 October 2015 for a consent use as contemplated in terms of section 10.2.3 of the Stellenbosch Zoning Scheme Regulations erf 3526			

DELEGATIONS EXERCISED FOR PERIOD JANUARY 2018

PLANNING AND LED

Date	Delegation	Authorised official	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
11/01/2018	643	Acting Director: PED (HDednam)	Based on staff establishment in terms of Section 67 of Systems Act	(f) Acting Appointment	11/01/2018	11/01/2018	Approved
22/01/2018 – 31/01/2018	5	Acting Director: PED (BdlBat)	Various legal provisions and the Law of Contract AND Basic Common Law Principles AND S 59 (1) of Systems Act	EPWP: Contract of Employment	22/01/2018 – 31/01/2018	22/01/2018 – 31/01/2018	Signed
22/01/2018 – 31/01/2018	5	Acting Director: PED (BdlBat)	Various legal provisions and the Law of Contract AND Basic Common Law Principles AND S 59 (1) of Systems Act	EPWP: Letters of Termination	22/01/2018 – 31/01/2018	22/01/2018 - 31/01/2018	Signed
24/01/2018	5	Acting Director: PED (BdlBat)	Various legal provisions and the Law of Contract AND Basic Common Law Principles AND S 59 (1) of Systems Act	EPWP: Extension of existing EPWP Contracts	24/01/2018	24/01/2018	Signed
30/01/2018	5	Acting Director :PED (BdlBat)	Various legal provisions and the Law of Contract AND Basic Common Law rinciples AND S 59 (1) of Systems Act	EPWP: Quarterly Report	30/01/2018	30/01/2018	Supported

Date	Delegation	Authorised official	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
22/01/2018 - 29/01/2018	645	Acting Director: PED (BdlBat)	Basic Conditions of employment	Leave, Leave in lieu of overtime	22/01/2018 - 29/01/2018	22/01/2018 - 29/01/2018	Approved
25/01/2018	648	Acting Director: PED (BdlBat)	By-law and Policy	(l) Re-imburement for use of an employee's own car on official business	25/01/2018	25/01/2018	Approved
LETTER APPROVALS							
	Item 7.3.3 Council Meeting 2017-07-26	Acting Director: PED (BdlBat)	Category 2 applications for consent of the municipality for any land use purpose or departure or deviation in terms of a land use scheme or existing scheme which does not constitute a land development application	To consider applications in terms of section 15 (2) (b) of the Land Use Planning By-Law, October 2015 for a building line relaxation on a street boundary and/ or a common boundary on the following properties:			
11/01/2018				Erf 571 Franschoek	11/01/2018	11/01/2018	Approved
18/12/2017				Farm 1310 Stellenbosch	18/12/2017	29/01/2018	Approved

DELEGATIONS EXERCISED FOR PERIOD FEBRUARY 2018

PLANNING AND LED

Date	Delegation	Authorised official	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
01/02/2018	643	Acting Director: PED (HDednam)	Based on staff establishment in terms of Section 67 of Systems Act	(f) Acting Appointment	02/02/2018	02/02/2018	Approved
21/02/2018	643	Acting Director: PED (HDednam)	Based on staff establishment in terms of Section 67 of Systems Act	(b) To advertise and filling of vacancies for staff	21/02/2018	27/02/2018	Supported
01/02/2018 – 28/02/2018	5	Acting Director: PED (BdlBat)	Various legal provisions and the Law of Contract AND Basic Common Law Principles AND S 59 (1) of Systems Act	EPWP: Contract of Employment	01/02/2018 – 28/02/2018	01/02/2018 – 28/02/2018	Signed
01/02/2018 – 28/02/2018	5	Acting Director: PED (BdlBat)	Various legal provisions and the Law of Contract AND Basic Common Law Principles AND S 59 (1) of Systems Act	EPWP: Letters of Termination	01/02/2018 – 28/02/2018	01/02/2018 – 28/02/2018	Signed
01/02/2018 – 28/02/2018	5	Acting Director: PED (BdlBat)	Various legal provisions and the Law of Contract AND Basic Common Law Principles AND S 59 (1) of Systems Act	EPWP: Extension of existing EPWP Contracts	01/02/2018 – 28/02/2018	01/02/2018 – 28/02/2018	Signed

Date	Delegation	Authorised official	Category	Report Subject and Recommendations	Date Received	Date Resolved	Resolution and Comments (if any)
13/02/2018	5	Acting Director :PED (BdlBat)	Various legal provisions and the Law of Contract AND Basic Common Law Principles AND S 59 (1) of Systems Act	EPWP: Revised Business Pan	13/02/2018	13/02/2018	Supported
02/02/2018 – 08/02/2018	645	Acting Director: PED (BdlBat)	Basic Conditions of employment	Leave, Leave in lieu of overtime	02/02/2018 – 08/02/2018	02/02/2018 – 08/02/2018	Approved
02/02/2018 – 26/02/2018	648	Acting Director: PED (BdlBat)	By-law and Policy	(l) Re-imbusement for use of an employee's own car on official business	02/02/2018 – 26/02/2018	02/02/2018 – 26/02/2018	Approved

LETTER APPROVALS

	Item 7.3.3 Council Meeting 2017-07-26	Acting Director: B de la Bat	Category 2 applications for consent of the municipality for any land use purpose or departure or deviation in terms of a land use scheme or existing scheme which does not constitute a land development application	To consider applications in terms of section 15 (2) (b) of the Land Use Planning By-Law, October 2015 for a building line relaxation on a street boundary and/ or a common boundary on the following properties:			
05/02/2018				Erf 84 Raithby	05/02/2018	06/02/2018	Approved
05/02/2018				Farm 525, 525/1, 525/2, 525/3, 525/4, 525/6, 525/7, 525/9, 525/10, 525/11, 570/1 Stellenbosch	05/02/2018	06/02/2018	Approved

05/02/2018				Farm 214/15 Stellenbosch	05/02/2018	06/02/2018	Approved
05/02/2018				Erf 2670 Stellenbosch	05/02/2018	06/02/2018	Approved
08/02/2018				Erf 4773 Stellenbosch	08/02/2018	13/02/2018	Approved
08/02/2018				Erf 124/10 Stellenbosch	08/02/2018	12/02/2018	Approved
14/02/2018				Erf 12397 Stellenbosch	14/02/2018	15/02/2018	Approved
13/02/2018				Erf 3473 Franschhoek	13/02/2018	16/02/2018	Approved
22/02/2018				Erf 9118 + 9119 Stellenbosch	22/02/2018	22/02/2018	Approved