



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2019-03-22

NOTICE OF THE 25TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY WEDNESDAY, 2019-03-27 AT 10:00

TO The Speaker, Cllr WC Petersen (Ms) [Chairperson]
The Executive Mayor, Ald G Van Deventer (Ms)
The Deputy Executive Mayor, Cllr N Jindela

COUNCILLORS	F Adams	MC Johnson
	FJ Badenhorst	DD Joubert
	GN Bakubaku-Vos (Ms)	N Mananga-Gugushe (Ms)
	FT Bangani-Menziwa (Ms)	C Manuel
	Ald PW Biscombe	NE Mcombring (Ms)
	G Cele (Ms)	XL Mdemka (Ms)
	PR Crawley (Ms)	RS Nalumango (Ms)
	A Crombie (Ms)	N Olayi
	JN De Villiers	MD Oliphant
	R Du Toit (Ms)	SA Peters
	A Florence	MM Pietersen
	AR Frazenburg	WF Pietersen
	E Fredericks (Ms)	SR Schäfer
	T Gosa	Ald JP Serdyn (Ms)
	E Groenewald (Ms)	N Sinkinya (Ms)
	JG Hamilton	P Sitshoti (Ms)
	AJ Hanekom	Q Smit
	DA Hendrickse	LL Stander
	JK Hendriks	E Vermeulen (Ms)
	LK Horsband (Ms)	

Notice is hereby given in terms of Section 29, read with Section 18(2) of the *Local Government: Municipal Structures Act, 117 of 1998*, as amended, that the **25TH MEETING** of the **COUNCIL** of **STELLENBOSCH MUNICIPALITY** will be held in the **COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH** on **WEDNESDAY, 2019-03-27** at **10:00** to consider the items on the Agenda.

SPEAKER
WC PETERSEN (MS)

A G E N D A
25TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2019-03-27

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4.	CONFIRMATION OF MINUTES: 2019-02-27 (3/4/1/5)

4.1 The minutes of the 24th Council Meeting: 2019-02-27 is attached as **APPENDIX 1**.

FOR CONFIRMATION

APPENDIX 1



STELLENBOSCH

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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2019-02-27

MINUTES

24TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-02-27 AT 10:00

Detailed account of the meeting proceedings is available on audio recording, which is obtainable from The Municipal Manager's Office per Request for Information (RFI)

MINUTES
24TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2019-02-27

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MINUTES OF THE 24TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2019-02-27 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

PRESENT The Speaker, Cllr WC Petersen (Ms) [Chairperson]
The Executive Mayor, Ald G Van Deventer (Ms)
The Deputy Executive Mayor, Cllr N Jindela

COUNCILLORS

F Adams (until 14:00)	MC Johnson
FJ Badenhorst	DD Joubert
Ald PW Biscombe	C Manuel
G Cele (Ms)	NE Mcombring (Ms)
PR Crawley (Ms)	XL Mdemka (Ms)
A Crombie (Ms)	N Olayi
JN De Villiers	MD Oliphant
R Du Toit (Ms)	SA Peters
A Florence	MM Pietersen (until 15:00)
AR Frazenburg	WF Pietersen
E Fredericks (Ms)	SR Schäfer
T Gosa	Ald JP Serdyn (Ms)
E Groenewald (Ms)	P Sitshoti (Ms) (until 12:00)
JG Hamilton	Q Smit
DA Hendrickse	LL Stander
JK Hendriks	

Officials: Municipal Manager (Ms G Mettler)
Director: Corporate Services (Ms A De Beer)
Director: Infrastructure Services (D Louw)
Director: Planning and Economic Development (T Mfeya)
Acting Chief Financial Officer (K Carolus)
Acting Director: Community and Protection Services (A vd Merwe)
Chief Audit Executive (F Hoosain)
Senior Manager: Governance (Ms S De Visser)
Manager: Secretariat (EJ Potts)
Senior Administration Officer (T Samuels (Ms))
Committee Clerk (N Mbali (Ms))
Interpreter (J Tyatyeka)

1.	OPENING AND WELCOME
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The Speaker, Cllr WC Petersen (Ms) welcomed all present at the 24th Council meeting. She informed the meeting that, although this meeting is not on the proposed Schedule of meetings of Council, she as the Speaker, has the prerogative, as provided for in the Rules of Order, to call additional-, urgent- or special Council meetings over and above the proposed scheduled meetings (see Council resolution 8.2.1 (c) dated 2018-11-28.).

Cllr F Adams raised a Point of Order, requesting a reason/purpose of this meeting, because he is of the view that some Councillors were deprived of an opportunity to submit Motions and Questions timeously, while other Councillors were not deprived this opportunity. The Speaker requested Cllr F Adams to submit his concerns or follow-up questions in writing, and she will respond in writing. Cllr F Adams requested that it be minuted that he is not satisfied with the Speaker's explanation for the purpose / reason for this meeting as well as the fact that Councillors were deprived from submitting Motions and Questions timeously for this meeting.

On a statement which the Speaker made, Cllr DA Hendrickse requested that it be minuted that he never received a response on his email on why Councillors were not given an opportunity to submit Motions and Questions and on how Ald PW Biscoombe knew that there will be a Council meeting on 2019-02-27, because he submitted his Motions on 2019-02-12, exactly 10 working days prior to the cut-off date for the 24th Council meeting, but a notice of the 24th Council meeting was only sent out to Councillors on 2019-02-15. The Speaker will respond in writing.

2.	COMMUNICATIONS
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2.1	MAYORAL ADDRESS
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“Goeiedag, Good morning, Molweni, As salaam Al-aikum

- Wil vandag begin deur baie dankie te sê aan al die brandweerspanne wat vir meer as 'n week gespoek het met die brand in die berge naby Franschhoek.
- Die brandspanne het ongelooflik hard baklei teen die vuur om seker te maak dat daar geen lewensverlies of die verlies van eiendomme was nie.
- Sekere areas was op 'n stadium ontruim, maar goeie strategie en harde werk het gesorg dat almal veilig was.
- Ek wil namens die Raad baie dankie sê aan die inwoners van Franschhoek wat so goed saam gewerk het met die brandspanne, en hulle ook versorg het met water en ander basiese behoeftes.
- Wees asseblief paraat en meld brande onmiddellik aan.
- Indien u rook of vuur gewaar bel asseblief die brandweer 021 808 8888 or 021 808 8890 of bel die provinsiale noodnommer vir brande 112.
- Inwoners moet asseblief ook versigtig wees moet oop vure, sigaret stompies, vuurhoutjies en selfs glasstukke, wat 'n brand tot gevolg kan hê.
- I am happy to announce that tomorrow, we are continuing our efforts to give residents ownership of their properties.
- In Mooiwater, Franschhoek, we will be handing out 135 title deeds to residents.
- These deeds are for a project completed in 2011.

- Since we took office in 2016, we have made a concerted effort to clear the backlog of outstanding title deeds. This 135 title deeds, is part of the backlog we are clearing.
- 96 Deeds remain for this project and will soon be available to give to the beneficiaries.
- Nog goeie nuus is dat op Vrydag, 15 Februarie, die Pniel Elektrisiteitsnetwerk uiteindelik oorgedra is aan Stellenbosch Munisipaliteit!
- Ons het die geleentheid behoorlik gevier saam met die inwoners van Pniel en Hollandse Molen wat almal hierby gaan baatvind.
- Die eerste gesprekke rondom die oorname vanaf Drakenstein het reeds in 2008 begin
- Mnr Deon Louw is reeds van die begin af, in verskillende posisies hierby betrokke
- Dit beteken dat al hul dienste nou deur ons verskaf gaan word, en dat die inwoners nie meer twee rekeninge van twee munisipaliteite gaan kry nie
- Gaan ook bietjie finansiële voordele vir hul inhou vir die inwoners en gaan dienslewering en onderhoud vergemaklik
- Aan die begin van my termyn het ek onderneem dat ons die oorname suksesvol afgehandel en ons het dit nou gedoen!
- Vrydag begin die jaarlikse Universiteit van Stellenbosch Woordfees
- Hierdie kunstefees het 'n hoogtepunt geword in die sosiale kalender van die dorp en gedurende die fees is ons gasheer vir duisende toeriste en besoekers.
- Ek wil almal aanmoedig om die fees te ondersteun.
- Daar is verskeie produksies en programme en selfs verskeie gratis praatjies wat u kan bywoon.
- Verwelkom ook asseblief ons besoekers met ons kenmerkende gasvryheid.
- Hierdie fees dra jaarliks by tot 'n deeglike ekonomiese inspuiting vir ons dorp en help met werkskepping.
- Die pas afgelope Saterdag het ek die Adam Small fees in Pniel bygewoon.
- Dit bly vir my 'n besondere geleentheid en dit groei elke jaar van krag tot krag.
- Vanjaar is die derde jaar wat die fees aangebied is en hulle kon onder meer spog met nasionaal bekende sprekers soos advokaat Thuli Madonsela en die direkteur van Kunste Kaap, Marlene Le Roux, as ook plaaslike bekendes wat hul insig en kennis gedeel het.
- Hierdie is 'n unieke kultuurfees wat gehou word ter herinnering van Adam Small; bekende skrywer, digter en aktivis wat sy oorsprong in die Boland gehad het.
- Ek sien uit om te sien hoe hierdie unieke geleentheid aanhou groei en opwindende diskoers in ons land help skep oor kwessies wat ons almal raak.
- A reminder to our residents, we are still on level 2 water restrictions.
- Although we are in a better position than last year, the water situation still remains critical and we encourage residents to continue to make every effort to save water.

Thank You”.

2.2	COMMUNICATION BY THE SPEAKER
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1. “Can we rise and observe a moment of silence remembering those who passed on and especially pray for the next of kin who mourns the passing of their loved ones and get our thoughts together for the Council meeting.
2. I would also like to extend my thanks to the emergency services during the fires especially in Franschhoek and surrounding areas. It is a very dangerous job they occupy, but they serve with a passion, and our thoughts are always with them.

3. The following Councillors celebrated and will be celebrating their birthdays during February:
- | | |
|--------------------------|---------------|
| Cllr M Oliphant | – 4 February |
| Speaker Cllr WC Petersen | – 8 February |
| Cllr A Hanekom | – 21 February |
| Cllr DD Joubert | – 22 February |
4. Ward Councillors are reminded about the Ward Committee Summit to be held on Thursday, 14 March 2019 at 18:00 in the Stellenbosch Town Hall. It is imperative to attend the Summit. Ward Councillors are also urged to attend this important event.
5. Ward Councillors are encouraged to follow-up on the implementation of their ward allocation projects for the current financial year as the time is running out for the spending of the funds. You are also reminded that tomorrow is the cut-off date for submission of your 2019-2020 ward allocation.
6. If any Councillors need computer training, kindly submit your name to Mr Nicky Ceasar, by not later than Monday, 4 March 2019. The Office of the Speaker will engage with the Administration to arrange training in this regard.
7. Councillor MB De Wet tendered his resignation as Councillor of this Municipality, and a by-election will be held on 2019-04-10.
- Thank you.”

2.3**COMMUNICATION BY THE MUNICIPAL MANAGER**

- On behalf of Council, the Municipal Manager, Ms G Mettler, congratulated the Speaker, Cllr WC Petersen who celebrated her 60th birthday on 2019-02-08.
- She extended a word of thanks to the Fire Department who helped with the recent fires in Franschhoek, and requested the Acting Director: Community and Protection Services, to convey the appreciation and gratitude to the officials concerned for their hard work and long hours that went into combatting the fires. That was inter-governmental relations truly at work, and stresses the importance of service level agreements with the various municipalities and the importance of assisting each other in times of disasters. Loss of lives and property were prevented.
- The provincial dam levels are still collectively on 54% and the Municipal Manager requested residents to use water sparingly. Due to the bad condition of the grass on The Braak, waste water will be used during the evenings to improve the state of the grass.
- It recently came to the Municipal Manager's attention that the Developer in the Idas Valley Housing Project, ASLA, was marketing the GAP housing outside of the Idas Valley area. The Municipal Manager sent an email to the Developer, requesting them to cease that activity (**APPENDIX 1**: letter from the Municipal Manager, dated 2019-02-14 as well as the response from ASLA dated 2019-02-19). After being informed about conflicting whatsapp messages doing the rounds in the community, a meeting was held between the Municipality and the Developer, ASLA on 2019-02-25, where the municipality's stance in this regard was again emphasized and that any communication re the GAP housing should be done in consultation and via the municipality, to ensure the correct information reaches the community. It was decided that an open marketing day will be held, which the municipality, together with the Developer, will oversee to ensure that the criteria which were previously agreed on with the Committee that was established in 2008, with the relevant Ward Councillors, are followed.

3.	OFFICIAL NOTICES
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3.1	DISCLOSURE OF INTEREST
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The following Councillors requested to be excused when the following items are dealt with:

Ald G Van Deventer – Item 10.1
 Cllr WC Petersen (Ms) – Item 10.2
 Cllr S Peters – Item 10.2

3.2	APPLICATIONS FOR LEAVE OF ABSENCE	(3/4/1/6)
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3.2.1 The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

Cllr FT Bangani-Menziwa (Ms) – 27 February 2019
 Cllr GN Bakubaku-Vos (Ms) – 27 February 2019
 Cllr A Hanekom – 27 February 2019
 Cllr LK Horsband (Ms) – 27 February 2019
 Cllr M Mananga-Gugushe (Ms) – 27 February 2019
 Cllr RS Nalumango (Ms) – 27 February 2019
 Cllr N Sinkinya (Ms) – 27 February 2019
 Cllr E Vermeulen (Ms) – 27 February 2019

3.2.2 Permission was granted to Councillors P Sitshoti (Ms) and MM Pietersen to leave the meeting earlier (at 12:00 and 15:00 respectively).

4.	CONFIRMATION OF MINUTES:	(3/4/1/5)
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4.1	CONFIRMATION OF MINUTES: 2019-01-30	(3/4/1/5)
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The minutes of the 23rd Council Meeting: 2019-01-30, were **confirmed as correct, subject to the inclusion of the e-mail correspondence which was read into the record by the Executive Mayor (Item 9.3.1, page 73).**

5.	STATUTORY MATTERS	(3/4/1/4)
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NONE

6.	REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS COUNCIL MEETINGS
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ITEM	Pg	INPUT	MM'S RESPONSE
<p><u>Cllr DA Hendrickse:</u></p> <p>Report on outstanding resolutions In-Committee</p>		Requested that the outstanding resolutions be included on the In-Committee Agendas as was previously done.	Noted.
<p><u>Cllrs DA Hendrickse & P Sitshoti (Ms)</u></p> <p>7.6.2 SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARD TO PUBLIC TRANSPORT</p> <p>4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.2</p>	84	Item is 22% complete since 2016 and comment reads that a report will be tabled at the February 2019 Council meeting; however no report was included on the Agenda.	MM responded that various legislative processes need to be followed which cannot be bypassed. This takes time, because it still has to go through the Provincial Departments. These processes are not within the municipality's control. This item was submitted for the Feb 2019 Council meeting, but MM as Accounting Officer was not satisfied with the quality and returned it to the Department for refinement.

NOTED

The concerns raised and the feedback report on Outstanding Resolutions.

APPENDIX



STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Your ref:
Our ref: 17/4/4/22/1 & 17/4/4/22/2

2019-02-14

The Managing Director
Asla Magwebu (Pty) Ltd
25 Conradie Crescent
ASLA Park
STRAND
7130

Attention: Mr P Blaauw

Dear Sir/Madam

RE: MARKETING OF IDAS VALLEY HOUSING DEVELOPMENT

Above mentioned matter and the meeting held on 13 February 2019 with the Director: Planning and Economic Development (Mr Tabiso Mfeya) and Senior officials from his directorate as well as representatives from ASLA Magwebu (Pty) Ltd at the Municipality, refers.

The Land Availability Agreement that was signed between the parties concluded that preference must be given to residents of Idas Valley residents during the marketing process. During the meeting it became evident, that contracts has been signed with residents outside Idas Valley.

It is imperative to note that ASLA Magwebu (Pty) Ltd committed during a meeting held on 19 April 2017 with the senior management of the Municipality, that the bonded houses (GAP houses) constructed in Idas Valley will be to give first time home owners the opportunity to enter the housing market. The project is specifically aimed for residents of Idas Valley.

To this end, marketing outside Idas Valley must cease immediately and the applicants from outside Idas Valley must be informed that their applications has been placed on hold. Only after the marketing campaign has ended and proof presented that the Idas Valley area has been exhausted the administration will undertake to take an item to Council in order for marketing to continue to areas outside Idas Valley.

Yours faithfully

.....
Geraldine Mettler
Municipal Manager

Stellenbosch/IdasV/105-2019

18 February 2019

The Municipal Manger
Stellenbosch Municipality
P O Box 17
STELLENBOSCH
7599

Attention: Mrs Geraldine Mettler

Dear Mam

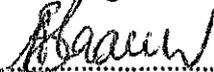
MARKETING OF IDAS VALLEY HOUSING DEVELOPMENT

Receipt of your letter dated 14 February 2019 is acknowledged. ASLA Magwebu (Pty) Ltd recognises the particular preferences that has been agreed as part of the implementation of the project. Current initiatives are in support of these preferences and will continue to recognise such in as far as practically possible. Please note that no active marketing outside Idas Valley is taking place, however people do speak about the project and as such there is interest from people that may reside outside of Idas Valley.

The marketing campaign within Idas Valley will proceed as discussed at the meeting referred to on 13 February 2019. Please note that we will evaluate all prospective purchasers and proceed with their vetting process regardless of area of residence. It will be recorded though that sales to non-Idas residents will only proceed once the priority period has ceased. Though we are sensitive to any potential Council processes I must bring to your attention that there is a contractual commitment with the building contractor according to which continuity in construction must be achieved. Therefore should sales to Idas Valley residents decline it will be required to proceed with families from the Non-Idas Valley list. We do trust that this practical consideration can be aligned with the process described in your letter.

Please be assured of our continued commitment to the Idas Valley project and its objectives.

Kind Regards



PIERRE BLAAUW

For and on behalf of:

ASLA MAGWEBU (PTY) LTD

7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: (ALD G VAN DEVENTER (MS))
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7.1	COMMUNITY AND PROTECTION SERVICES: (PC : CLLR J DE VILLIERS)
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NONE

7.2	CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)
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7.2.1	PROPOSED EXCHANGE OF LAND: DISPOSAL OF ERF 1523 TO THE SEVENTH DAY ADVENTIST CHURCH IN EXCHANGE FOR ERF 718, KAYAMANDI
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

13 February 2019

1. **SUBJECT: PROPOSED EXCHANGE OF LAND: DISPOSAL OF ERF 1523 TO THE SEVENTH DAY ADVENTIST CHURCH IN EXCHANGE FOR ERF 718, KAYAMANDI**

2. **PURPOSE**

To authorise the exchange of Erf 1523 for Erf 718, Kayamandi to the Seventh Day Adventist Church.

3. **DELEGATED AUTHORITY**

The Municipal Council must consider the matter.

4. **EXECUTIVE SUMMARY**

Following the allocation of Erf 718 to the Seventh Day Adventist Church in 1997, they paid the sales price of R11 286.00 in full during 2002.

Before the property could be transferred to them, it became evident that the Municipal Clinic Building (now a Provincial clinic) was encroaching onto Erf 718.

Following a request by the Provincial Government of the Western Cape to acquire Erf 718, in order for them to enlarge the current building, the Seventh Day Adventist Church was approach to accept an alternative site (Erf 1523, Kayamandi).

They have now confirmed in writing that they will accept the exchange of land, subject to certain conditions. Council must now decide on the matter.

24TH COUNCIL MEETING: 2019-02-27: ITEM 7.2.1**RESOLVED** (nem con)

- (a) that Erf 1523 be identified as land not needed to provide the minimum level of Municipal Services;
- (b) that Council in principle approves the exchange of Erf 718 for Erf 1523 at equal value;
- (c) that Council's intention to do the exchange of land be advertised for public inputs/objections/alternative proposals;
- (d) that the item be brought back to Council following the public notice period, to make a final decision in this regard; and
- (e) that Council notes the concerns indicated in the letter of the Seventh Day Adventist Church, and that Council commits to fencing the substation and attempt to find alternative land for the play park.

FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	Manager: Property Management
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@ Stellenbosch.gov.za
REPORT DATE	2018-03-23

7.2.2	POSSIBLE DISPOSAL OF ERF 111, KAYAMANDI, TO THE UNITED REFORMED CHURCH IN SOUTHERN AFRICA (URCSA): CONSIDERATION OF PUBLIC INPUTS AND DETERMINATION OF MARKET VALUE
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Organisational Transformation

13 February 2019

1. SUBJECT: POSSIBLE DISPOSAL OF ERF 111, KAYAMANDI, TO THE UNITED REFORMED CHURCH IN SOUTHERN AFRICA (URCSA): CONSIDERATION OF PUBLIC INPUTS AND DETERMINATION OF MARKET VALUE

2. PURPOSE

To make a final determination on the disposal of erf 111, Kayamandi to URCSA.

3. DELEGATED AUTHORITY

Council must therefore consider the matter.

4. EXECUTIVE SUMMARY

Following an in principle decision by Council to dispose of erf 111, Kayamandi to URCSA on a private treaty basis, Council's intention so to act was published for public inputs. No such inputs and or objections were received.

A valuation report has also been received subsequent to the Council resolution to donate the property to URCSA valuating the property at R133 250.00 Council make take a decision to dispose of land for an amount less than fair market value for the reasons contained in regulation 13(2) of the Asset Transfer Regulations. If Council would have disposed of the land for a church organisation in terms of policy it will have considered a value of as low as 10 % of the market value. In this instance, Council resolved that due to the long history of use by the church and the fact that it is used for, inter alia, social care purposes for the broader community in Kayamandi will benefit and that it can be donated.

Council must now make a final determination with regards to the disposal of erf 111, Kayamandi.

24TH COUNCIL MEETING: 2019-02-27: ITEM 7.2.2

RESOLVED (majority vote with abstention)

- (a) that it be noted that no public inputs/objections have been received following the public notice period;
- (b) that it be noted that the property's fair market value has been valued at R133 250.00;
- (c) that Council approves of the disposal of erf 111, Kayamandi, to The United Reformed Church in Southern Africa (URCSA) at no cost, subject to the following conditions:
 - (i) that a reversionary clause be inserted in the title deed of the property, indicating that the property may only be used for religious/social care purposes, and that it cannot be sold without the prior written approval of Stellenbosch Municipality;

-
- (ii) that The United Reformed Church in Southern Africa (URCSA) be responsible for all costs related to the transfer of the property to their name;
- (d) that the Municipal Manager be authorised to sign all documents necessary to effect the transfer of the property to The United Reformed Church in Southern Africa (URCSA); and
- (e) that Council considered the market value of the property and the property is donated due to the long history of use by the church and the fact that it is used for, inter alia, social care purposes for the broader community in Kayamandi. The local community would therefore be better served if the erf is transferred at less than its fair market value, as opposed to a transfer of the asset at fair market value.

FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	Manager: Property Management
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@Stellenbosch.gov.za
REPORT DATE	2019-01-30

7.2.3	IDENTIFICATION OF POSSIBLE TRUST LAND IN PNIEL: WAY FORWARD
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Organisational Transformation

13 February 2019

1. SUBJECT: IDENTIFICATION OF POSSIBLE TRUST LAND IN PNIEL: WAY FORWARD

2. PURPOSE

To report on the public participation process followed and to consider any further input to the minister, if any.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Following a Notice by the Minister for Rural Development and Land Reform in terms of Section 9 (1) (a) of the Transformation of Certain Rural Areas Act, No 94 of 1998 (TCRA), a copy of which is attached as **APPENDIX 1**, a letter was addressed to the Minister, setting out a Process Plan and some background information on the identified portions of land, a copy of which is attached as **APPENDIX 2**.

This was followed by a report to Council on 2017-01-25, recommending a way forward. Having considered the report, Council resolved as follows:

RESOLVED (nem con)

- (a) *that the content of the notice of the Minister, be noted;*
- (b) *that the process plan as set out in par. 3.1.5, submitted to the Minister, be endorsed;*
- (c) *that the Municipal Manager be authorised to attend to the public participation process as set out in paragraph 3.1.5;*
- (d) *that the proposed allocations, as set out in paragraph 3.1.4, be supported in principle; and*
- (e) *that, following the public participation process, a progress report be submitted to Council to deal with the submissions received as a consequence of the public participation process, whereupon final recommendations will be made to the Minister regarding the allocation/transfer of so-called Section 3 Trust land”.*

A copy of the agenda item that served before Council is attached as **APPENDIX 3**.

Following the above resolution, the public participation process approved by Council was implemented. The inputs received from the public were sent to the Minister. A consultant contacted Mr Smit at the end of 2018 to indicate that they have been appointed by the Minister and the inputs received in the public participation process were given to the consultant again. We had no further feedback from the Minister's Office since.

24TH COUNCIL MEETING: 2019-02-27: ITEM 7.2.3**NOTED**

the progress to date and considers further recommendations/comments, if any, to the Minister.

FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	Manager: Property Management
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@stellenbosch.gov.za
REPORT DATE	2018-03-12

7.2.4	AMENDMENTS TO 2017 ORGANISATIONAL STRUCTURE
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Collaborator No:

IDP SFA Ref No: 5 – Good Governance and Compliance

Meeting Date: 13 and 27 February 2019

1. SUBJECT: AMENDMENTS TO 2017 ORGANISATIONAL STRUCTURE

2. PURPOSE

To obtain the approval of Council on the amendments to the 2017 organisational structure.

3. DELEGATED AUTHORITY

For decision by municipal council

4. EXECUTIVE SUMMARY

Section 66 of the Local Government Systems Act, 32 of 2000 as amended, requires the Municipal Manager to develop a staff establishment and submit it for Council approval. The Local Government Regulations on the Appointment and Conditions of Service of Senior Managers, GN 21 published on 17 January 2014) requires a Municipal Manager to within 12 months after the election of a new Council review the staff structure. Council approved a new staff structure on 25 October 2017. A structure is a living document and must on a regular basis be reviewed to ensure it stays relevant. No amendments to the Macro structure is proposed. The changes proposed to the micro structure is indicated on the pages of the approved structure for easy reference.

The principles used to make amendments were as follows:

- We did not deal with name changes of posts as a rule. The names of posts will be determined through the evaluation process;
- Posts were not put on the structure to accommodate employees in the pool, but to accommodate functions that were not addressed in the structure approved in 2017 and is necessary for service delivery;
- If there are vacant posts on the structure additional posts should not be added before vacancies are filled;
- One-on-one reporting lines are not a good practice and were discouraged. A span of 4 – 7 is not regarded as too broad;
- Productivity of employees should be monitored to ensure that 8 hours are worked on a daily basis
- Interchangeable posts are promoted to ensure that duplications are eliminated

A consultation process with SAMWU and IMATU took place within the Restructuring Sub-committee during January 2019 where every change was discussed. It was agreed that a special meeting of the Local Labour Forum will be arranged in February to discuss the feedback from the Restructuring Sub- committee. The meeting took place on 14 February 2019 and it was resolved as follows:

“That it be recommended to Council

- (a) *that the proposed micro structures changes(as depicted in ANNEXURES A1 and A2) be noted and supported for adoption and implementation.*

- (b) *that the filling of the new and vacant positions on the proposed amended organisational structure be phased in. For this purpose, top management has identified critical posts for filling whilst other vacancies will be budgeted for yearly.*
- (c) *That the post names be used as temporary names until the evaluation process determines final post designations.*
- (d) *That affected employees will continue with current functions until assigned to a post on the amended structure.*
- (e) *That any affected employees be dealt with in terms of the current Placement Policy after the approval of the amendments.”*

Placements that will take place will use the same principles that are contained in the existing Placement Policy approved on 25 October 2017.

24TH COUNCIL MEETING: 2019-02-27: ITEM 7.2.4

RESOLVED (majority vote with abstentions)

- (a) that the proposed micro structures changes (as depicted in **ANNEXURES A1 and A2**) be adopted for implementation;
- (b) that the filling of the new and vacant positions on the proposed amended organisational structure be phased in. For this purpose, top management has identified critical posts for filling whilst other vacancies will be budgeted for yearly;
- (c) that the post names be used as temporary names until the evaluation process determines final post designations; and
- (d) that affected employees will continue with current functions until assigned to a post on the amended structure.

Cllr DA Hendrickse requested that his voted of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 – 808 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.org.za
REPORT DATE	12 February 2019

7.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]
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NONE

7.4	HUMAN SETTLEMENTS: [CLLR N JINDELA]
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NONE

7.5	INFRASTRUCTURE: [CLLR J DE VILLIERS]
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NONE

7.6	PARKS, OPEN SPACES AND ENVIRONMENT: [PC: CLLR N JINDELA]
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7.6.1	PROPOSAL FOR THE IMPLEMENTATION OF THE REVISED PARKS BY-LAW RELATING TO PLANTATIONS, PLAY PARK, GARDENS, RECREATION FACILITIES, NATURE RESERVES AND PUBLIC OPEN SPACES
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

D 435

23 January 2019

1. SUBJECT: PROPOSAL FOR THE IMPLEMENTATION OF THE REVISED PARKS BY-LAW RELATING TO PLANTATIONS, PLAY PARK, GARDENS, RECREATION FACILITIES, NATURE RESERVES AND PUBLIC OPEN SPACES

2. PURPOSE

To inform Council about:

- 2.1 a revised By-law relating to plantations, play parks, gardens, recreation, facilities, nature reserves and public open spaces.
- 2.2 the admission of persons, animals and vehicles to public parks, to provide for the use and enjoyment of public parks, to determine conduct that will not be permitted within public parks, and to provide for the matters incidental therefor.
- 2.3 the way in which the Greater Stellenbosch Municipality controls, manages and develops parks and public open spaces, in an environmentally sustainable way and is in the long-term interest of the whole community of the WC024, including future generations; and which clearly defines the rights and obligations of the public in relation to parks and public open spaces.

2.4 the achievement of a safe and peaceful environment; and

2.5 procedures, methods and practices to regulate the use and management of public amenities.

3. DELEGATED AUTHORITY

COUNCIL

4. EXECUTIVE SUMMARY

The By-law (**ANNEXURE B**) was revised and served before the Standing Committee

The following decision was taken:

(a) *That it be recommended to Council that the attached revised Parks By-law, be approved.*

The By-law was advertised for public comments. No comments were received.

24TH COUNCIL MEETING: 2019-02-27: ITEM 7.6.1

RESOLVED (nem con)

that this matter be referred back to the Administration for refinement, whereafter same be resubmitted at the next Council meeting.

FOR FURTHER DETAILS CONTACT:

NAME	Schalk van der Merwe
POSITION	Environmental Planner
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8679
E-MAIL ADDRESS	schalk.vandermerwe@ Stellenbosch.gov.za
REPORT DATE	08 January 2019

7.7	PLANNING AND ECONOMIC DEVELOPMENT: [PC: CLLR E GROENEWALD (MS)]
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NONE

7.8	RURAL MANAGEMENT AND TOURISM: [PC: CLLR S PETERS]
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NONE

7.9	YOUTH, SPORTS AND CULTURE: [PC: M PIETERSEN]
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NONE

7.10	REPORTS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

8.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
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8.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
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NONE

8.2	OFFICE OF THE MUNICIPAL MANAGER
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8.2.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JANUARY 2019
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Collaborator No: 8/1
BUDGET KPA Ref No: Good Governance and Compliance
Meeting Date: 27 February 2019

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JANUARY 2019

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2018/2019 to report the deviations to Council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2018/2019) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during January 2019.

24TH COUNCIL MEETING: 2019-02-27: ITEM 8.2.1

NOTED

the deviations as listed for the month of January 2019.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	ACTING CFO
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Kevin.Carolus@stellenbosch.gov.za
REPORT DATE	07 FEBRUARY 2019

8.2.2	EXTENSION OF TERM OF OFFICE FOR STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL (MPT) MEMBERS APPOINTED IN TERMS OF SECTION 37 THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (SPLUMA) (ACT NO. 16 OF 2013) (HEREIN REFERRED TO AS THE "ACT")
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Collaborator No: 631102
File nr: (1/1/1/40)
IDP KPA Ref No: D535
Meeting Date: 27 February 2019

1. SUBJECT: EXTENSION OF TERM OF OFFICE FOR STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL (MPT) MEMBERS APPOINTED IN TERMS OF SECTION 37 THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (SPLUMA) (ACT NO. 16 OF 2013) (HEREIN REFERRED TO AS THE "ACT")

2. PURPOSE

To obtain Council's approval to extend the period for the members to serve on the MPT for another four months to 1 July 2019.

3. DELEGATED AUTHORITY

COUNCIL

In terms of the Stellenbosch Municipality Land Use Planning By-law 2015; the Spatial Planning Land Use Management Act No 16 of 2013 [SPLUMA] and the Western Cape Land Use Planning Act No 3 of 2014 [LUPA] as well as regulations governing these pieces of legislation (SPLUMA/LUPA).

4. EXECUTIVE SUMMARY

In terms of Section 35 of SPLUMA (2013) all municipalities are required to establish a Municipal Planning Tribunal to consider and decide on land use applications made in terms of the Stellenbosch Municipality Land Use Planning By-law (2015).

In terms of Section 37(1) of the Act, the term of office for members of a Municipal Planning Tribunal (MPT) is five years or such shorter period as the Municipal Council may determine. Council resolved, per item 8.6 on 27 June 2015, that the term of office for the current Stellenbosch MPT shall be a period of three years which period comes to an end on 1 March 2019. See minutes attached as **ANNEXURE A**.

Seeing that the MPT's term will be expiring on the 1st of March 2019, permission is sought to extend the period to 30 June 2019. This will assist in the effective functioning of the existing MPT up to the end of the existing financial year. It will give the administration enough time to undertake the process to establish a new MPT for Stellenbosch Municipality with effect from 1 July 2019, for the new financial year 2019/20.

24TH COUNCIL MEETING: 2019-02-27: ITEM 8.2.2

Councillor F Adams requested that it be minuted that DNCA rejects the request to extend the Term of Office of the current Municipal Planning Tribunal, because this is a case of bad planning, for which there is no justification.

RESOLVED (majority vote with abstention)

that Council extends the Term of Office of the current Municipal Planning Tribunal for a further period of four months commencing on the 1st of March 2019. Accordingly, the term of office for the following MPT members expires on 1 July 2019:

External members:

1. Adv M Mdludlu -Chairperson
2. Ms C Smart – Deputy Chairperson
3. Mr JP de Wet- External member
4. Dr R Pool-Stanvliet - External member
5. Mr C Rabie – External member

Internal members:

1. Mr B de la Bat - Manager: Spatial Planning, Heritage and Environment
2. Mr M Williams - Senior Legal Advisor
3. Mr S van der Merwe – Environmental Planner
4. Mr D Louw – Director: Infrastructure Services

Technical Advisor:

1. Mr K Munro – Department of Environmental Affairs and Development Facilitation

Cllr F Adams requested that his vote of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Hedre Dednam
POSITION	Land Use Manager
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	hedre.dednam@stellnbosch.gov.za
REPORT DATE	14 January 2019

8.2.3	CONFIRMATION OF APPOINTED AUTHORISED EMPLOYEE IN TERMS OF THE STELLENBOSCH LAND USE PLANNING BY-LAW, OCTOBER 2015
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Collaborator No: 631092
File nr: (1/1/1/40)
IDP KPA Ref No: D535
Meeting Date: 27 February 2019

1. SUBJECT: CONFIRMATION OF APPOINTED AUTHORISED EMPLOYEE IN TERMS OF THE STELLENBOSCH LAND USE PLANNING BY-LAW, OCTOBER 2015

2. PURPOSE

To obtain Council's approval to confirm that the Authorised Employee in terms of Section 68(a) of the Land Use Planning By-law (2015) will now be filled by the position of the Director: Planning and Economic Development.

3. DELEGATED AUTHORITY

COUNCIL

In terms of the Stellenbosch Municipality Land Use Planning By-law 2015; the Spatial Planning Land Use Management Act No 16 of 2013 [SPLUMA] and the Western Cape Land Use Planning Act No 3 of 2014 [LUPA] as well as regulations governing these pieces of legislation (SPLUMA/LUPA).

4. EXECUTIVE SUMMARY

In terms of Section 35 of SPLUMA (2013) all municipalities are required to establish a Municipal Planning Tribunal to consider and decide on land use applications made in terms of the Land Use Planning By-law (2015). In some instances Council may adopt categories of applications and appoint an official in the municipality to consider and decide certain land use applications in line with categories approved by Council.

The Director Human Settlements was appointed as the Authorised Employee in terms of Section 68(a) of the Land Use Planning By-law (2015) in order to consider and decide on Land Use applications made in terms of the By-law (2015) read with Council's approved categorisation of applications. See Resolution in terms of Item by the Executive Mayor dated 19 December 2017, attached as **ANNEXURE D**.

Council approved a new organisational structure where the Directorate Human Settlements merge with the Directorate Planning and Economic Development. See Resolution 7.2.3, dated 25 October 2017 attached as **ANNEXURE E**. In the meantime the Director Planning and Economic Development resigned and the Director Human Settlements acted in the position. See the Resolution in terms of Item by the Executive Mayor, dated 19 December 2017, attached as **ANNEXURE D**.

However, the approved organisational structure was to be implemented on the 1st of July 2018 which by implication means that the functions of Authorised Employee now vests with the Director: Planning and Economic Development.

See Letter from the Municipal Manager, dated 16 July 2018, attached as **ANNEXURE F**.

Therefore, Council's approval is needed to confirm that the Authorised Employee in terms of Section 68(a) of the Land Use Planning By-law (2015) will now be filled by the position of the Director Planning and Economic Development.

24TH COUNCIL MEETING: 2019-02-27: ITEM 8.2.3**RESOLVED** (majority vote with abstentions)

- (a) that Council takes cognisance of the Resolution in terms of Item by the Executive Mayor, dated 19 December 2017, attached as **ANNEXURE D**; and
- (b) that Council revokes the Resolution of Item by the Executive Mayor, dated 19 December 2017 and replace the Authorised Employee from the Director: Informal Settlements, Housing and Property Management to the Director: Planning and Economic Development to consider and decide on land use applications made in terms of Section 15 of the Land Use Planning By-law (2015) as per approved Categorisation of applications as per Item 7.3.3 of Council Meeting dated 26 July 2017.

FOR FURTHER DETAILS CONTACT:

NAME	Hedre Dednam
POSITION	Land Use Manager
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	hedre.dednam@stellnbosch.gov.za
REPORT DATE	26 September 2018

8.2.4	DISCOUNTING OF RENOVATIONS AND REPAIRS COSTS OF THE ECONOMIC DEVELOPMENT HUBS AGAINST THE RENTAL INCOME
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Collaborator No:

File nr: 7/4/2/2/1 x 7/4/2/2/1

IDP KPA Ref No:

Meeting Date: 27 February 2019

1. SUBJECT: DISCOUNTING OF RENOVATIONS AND REPAIRS COSTS OF THE ECONOMIC DEVELOPMENT HUBS AGAINST THE RENTAL INCOME

2. PURPOSE

To request for approval to discount the value of renovations and repairs of the newly awarded economic development hubs against the rental income of the successful applicants.

3. DELEGATED AUTHORITY

COUNCIL.

In terms of Section 14 of the Municipal Financial Management Act(MFMA) , Regulation 34(1) of the Asset Transfer Regulation and the System of Delegations adopted by Council on 2015-06-01 the Executive Mayor has the powers to grant rights to use, control or manage a fixed capital asset up to an annual contract value not exceeding R 5 000 000.00.

4. EXECUTIVE SUMMARY

The item seeks to request approval to discount renovations against rental income of the newly awarded Local Economic Development Hubs in order to expedite the occupancy of these buildings. The buildings are currently vacant and in a dilapidated condition due to constant vandalism.

24TH COUNCIL MEETING: 2019-02-27: ITEM 8.2.4

RESOLVED (majority vote)

that Council approves the rental discounts for renovations and repairs to municipal properties as follows:

Erf	Organisation	Total Discount
6487 & 6488	Ranyaka Transformation	R1 818 156.00
228	Hugenote Fine Chocolates	R1 303 115.00

FOR FURTHER DETAILS CONTACT:

NAME	WIDMARK MOSES
POSITION	MANAGER: LED & TOURISM
DIRECTORATE	PLANNING AND ECONOMIC DEVELOPMENT
CONTACT NUMBERS	021 808 8974 / 082 879 8490
E-MAIL ADDRESS	Widmark.Moses@stellenbosch.gov.za
REPORT DATE	8 February 2019

8.2.5	ADVERTISING OF DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) FOR WC024
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Collaborator No: 631131
File No: 9/1/2/4/2017-2018 – 2021-2022
IDP KPA Ref No: Valley of Possibility
Meeting Date: 2019-02-27

1. SUBJECT: ADVERTISING THE DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK FOR PUBLIC COMMENT AND INPUT

2. PURPOSE

To request consent from Council to commence with consultation on the Draft Municipal Spatial Development Framework for a period of 60 days.

3. DELEGATED AUTHORITY

COUNCIL.

In terms of section 6(4) of the Stellenbosch Municipal Land Use Planning By-law, 2015 read together with Section 20(3) of the Spatial Planning and Land Use Planning Act, No 16 of 2013 (SPLUMA) Council must give permission for the draft Municipal Spatial Development Framework to be advertised for public input.

Council has the delegation (LUP 5) “to consider and adopt reports on and all drafts of the municipal spatial development frameworks, and to approve publication thereof for public comment.”

4. EXECUTIVE SUMMARY

The purpose of the item is to request permission from Council to advertise the draft Municipal Spatial Development Framework (MSDF) in terms of the Stellenbosch Municipal Land Use Planning By-law, 2015 and Section 20(3) of the Spatial Planning and Land Use Planning Act, No 16 of 2013 (SPLUMA) in order to proceed with public participation. The final MSDF must serve before Council on 30 May 2019 for approval and inclusion in the 2019/20 Integrated Development Plan (IDP).

24TH COUNCIL MEETING: 2019-02-27: ITEM 8.2.5

RESOLVED (majority vote with abstentions)

- (a) that Council notes the Draft Municipal Spatial Development Framework attached as **ANNEXURE 1**;
- (b) that Council gives consent that the public participation process as prescribed by the Spatial Planning and Land Use Management Act, Act 16 of 2013 and the Stellenbosch Municipality Land Use Planning By-Law, 2015 proceed without delay; and

- (c) that the final draft Municipal Spatial Development Framework be submitted for consideration with the Integrated Development Plan no later than the Council meeting in May 2019.

Councillors F Adams and DA Hendrickse requested that their votes of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Bernabe De La Bat
POSITION	Manager: Spatial Planning, Heritage and Environment
DIRECTORATE	PLANNING AND ECONOMIC DEVELOPMENT
CONTACT NUMBERS	021-8088653
E-MAIL ADDRESS	Bernabe.DeLaBat@stellenbosch.gov.za
REPORT DATE	February 2019

8.2.6	APPLICATION TO RELAX DEED OF SALE CONDITION: ANTI-SPECULATION CLAUSE: ERF 9194, TECHNOPARK
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good governance

27 February 2019

1. SUBJECT: APPLICATION TO RELAX DEED OF SALE CONDITION: ANTI-SPECULATION CLAUSE: ERF 9194, TECHNOPARK

2. PURPOSE

To consider the offer received from ENS Africa Attorneys, on behalf of Elsabe Daneel Properties (Pty) Ltd, in relation to erf 9194, Techopark, following Council's decision not to approve the request for the relaxation of the anti-speculation clause, i.e. to enforce the buy-back clause.

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

Following Council's decision to enforce the buy-back clause in relation to erf 9194, due to non-performance by the owner (duty to develop within a prescribed period), a written offer has been received from the owner indicating that they are willing to sell the property to Stellenbosch Municipality for R19M. Our own valuator has valued the property at R15M (Excluding of VAT).

Further correspondence has now been received regarding the writing back of the amount levied for punitive rates, as well as a request to reconsider the relaxation of the deed of sale condition.

24TH COUNCIL MEETING: 2019-02-27: ITEM 8.2.6

RESOLVED (majority vote with abstention)

- (a) that Council resolves to buy back the property as per the Municipal evaluation and that this property be earmarked for empowerment of local black entrepreneurs within the Stellenbosch municipal area;
- (b) that Council makes provision for the purchase of the property within 2019/2020 budget; and
- (c) that the Municipal Manager be mandated to investigate and report back to Council at the March 2019 Council meeting as to whether outstanding municipal debt should be recovered.

Councillor DA Hendrickse requested that his vote of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	PIET SMIT
POSITION	MANAGER: PROPERTY MANAGEMENT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-8088750
E-MAIL ADDRESS	Piet.smit@stellenbosch.gov.za
REPORT DATE	2019-02-20

9.	MATTERS FOR NOTIFICATION
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9.1	REPORT BY THE EXECUTIVE MAYOR
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NONE

9.2	REPORT BY THE SPEAKER
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NONE

9.3	REPORT BY THE MUNICIPAL MANAGER
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NONE

10.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
10.1	MOTION BY CLLR F ADAMS: VOTE OF NO CONFIDENCE AGAINST THE EXECUTIVE MAYOR, ALD G VAN DEVENTER (MS)

24TH COUNCIL MEETING: 2019-02-27: ITEM 10.1

It is noted that the Seconder of the Motion, Cllr DA Hendrickse, had withdrawn his seconding of the Motion, hence in terms of Rule 20.1 of Council's Rules of Order By-Law, the Speaker

RULED

that this matter not be dealt with.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i>Municipal.Manager@stellenbosch.gov.za</i>
REPORT DATE	<i>27 February 2019</i>

10.2	MOTION BY CLLR F ADAMS: VOTE OF NO CONFIDENCE AGAINST THE SPEAKER, CLLR WC PETERSEN (MS)
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24TH COUNCIL MEETING: 2019-02-27: ITEM 10.2

It is noted that the Secunder of the Motion, Cllr DA Hendrickse, had withdrawn his seconding of the Motion, hence in terms of Rule 20.1 of Council's Rules of Order By-Law, the Speaker

RULED

that this matter not be dealt with.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	Municipal.Manager@Stellenbosch.gov.za
REPORT DATE	27 February 2019

10.3	MOTION BY ALDERMAN PW BISCOMBE: APPOINTMENT OF INDEPENDENT INVESTIGATOR
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24TH COUNCIL MEETING: 2019-02-27: ITEM 10.3

The Speaker allowed Alderman PW Biscombe to put his Motion, duly seconded.

After the Motion was motivated, the Speaker allowed debate on the matter.

The matter was put to vote, yielding a result of 31 for and 2 against.

RESOLVED (majority vote)

- (a) that Council authorizes the Municipal Manager to appoint an independent investigator in terms of the supply chain management process and Council Policies;
- (b) that the Municipal Manager mandate the independent investigator to investigate in terms of Schedule 1, Section 10 and Schedule 2, Section 6 of the Municipal Systems Act, 32 of 2000; and
- (c) that Council consider the findings in accordance with Section 14, and Schedule 2 Section 14A of the Municipal Systems Act 32 of 2000 (154-162).

Cllrs F Adams and DA Hendrickse requested that their votes of dissent be minuted.

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>021 808-8025</i>
E-MAIL ADDRESS	<i>Municipal.Manager@ Stellenbosch.gov.za</i>
REPORT DATE	<i>27 February 2019</i>

10.4	MOTION BY ALDERMAN PW BISCOMBE: DISCIPLINARY COMMITTEE TO INVESTIGATE ALLEGATIONS AGAINST CLLR F ADAMS
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[The Speaker changed the order of business, so that items 13.2.1- 13.2.3 were dealt with before item 10.4.]

24TH COUNCIL MEETING: 2019-02-27: ITEM 10.4

The Speaker allowed Alderman PW Biscombe to put his Motion, duly seconded.

After the Motion was motivated, the Speaker allowed debate on the matter.

During debate on the matter, the Speaker ordered Cllr F Adams to leave the Chamber (at 14:00) for violating Council's Rules of Order By-Law. The Executive Mayor requested that it be noted that Cllr F Adams continued to make personal remarks and disrespecting the Speaker as he left the Council Chamber. The Speaker responded that disciplinary action in this regard will be taken against the Councillor in terms of Rule 27.1 of Council's Rules of Order By-Law.

After further debate on the matter, Cllr DA Hendrickse requested that it be minuted that this Motion is not in terms of the Policy adopted by Council and is not legally compliant.

The DA requested a caucus, which the Speaker allowed. When the meeting resumed, the Deputy Executive Mayor moved a procedural Motion in terms of Rule 31.1.2, whereupon the Speaker

RULED

that the meeting (and this matter) be adjourned and reconvened at a time to be determined by the Speaker.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler (Ms)
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	021 808-8025
E-MAIL ADDRESS	<i>Municipal.Manager@stellenbosch.gov.za</i>
REPORT DATE	27 February 2019

11.	CONSIDERATION OF URGENT MOTIONS
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NONE

12.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

13.	CONSIDERATION OF REPORTS
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13.1	REPORTS SUBMITTED BY THE SPEAKER
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NONE

13.2	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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13.2.1	RECONSTITUTION OF SECTION 80 COMMITTEES
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

27 February 2019

1. SUBJECT: RECONSTITUTION OF SECTION 80 COMMITTEES

2. PURPOSE OF REPORT

To rescind the Council decision of 31 October 2018 in order to reconstitute the Section 80 Portfolio Committees.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

The Municipal Structures Act provides for committees to assist the executive committee or Executive Mayor. At its meeting of 16 February 2017, and subsequently on 31 October 2018, Council approved the establishment of the portfolio committees as envisaged in Section 80 of the Municipal Structures Act.

The Executive Mayor has, in terms of Section 60 of the Municipal Structures Act 117 of 1998, reshuffled her Mayoral Committee members, effective from 1 November 2018. This led to a change in the Councillors that served as Chairpersons of the Section 80 Committees as well as the portfolios which they represent, and the introduction of two new S80 Committees.

The recent resignation of Cllr M de Wet, [APPENDIX A] as well as consideration given toward a more effective functioning of the S80 Committee system, necessitate the reconstitution of the Sec 80 Committees.

24TH COUNCIL MEETING: 2019-02-27: ITEM 13.2.1

RESOLVED (nem con)

- (a) that Council rescinds the resolution of 31 October 2018, except in so far as the Terms of Reference for the various S80 Committees which remain [APPENDIX B]; and
- (b) that Council approves the establishment of the following Section 80 Committees and its composition, with the names of Councillors as follows:

COMMUNITY AND PROTECTION SERVICES

- | | | |
|----|-----------------------------------|-------|
| 1. | Cllr JN de Villiers (Chairperson) | [DA] |
| 2. | Cllr C Manuel | [DA] |
| 3. | Cllr JK Hendriks | [DA] |
| 4. | Cllr N Olayi | [DA] |
| 5. | Cllr P Sitshoti (Ms) | [ANC] |
| 6. | Cllr LL Stander | [ANC] |

CORPORATE SERVICES

- | | | |
|----|----------------------------------|-------|
| 1. | Cllr AR Frazenburg (Chairperson) | [DA] |
| 2. | Cllr R du Toit (Ms) | [DA] |
| 3. | Cllr R Badenhorst | [DA] |
| 4. | Cllr FT Bangani-Menziwa (Ms) | [ANC] |

PLANNING AND ECONOMIC DEVELOPMENT

- | | | |
|----|--------------------------------------|-------|
| 1. | Cllr E Groenewald (Ms) (Chairperson) | [DA] |
| 2. | Cllr T Gosa | [DA] |
| 3. | Cllr A Hanekom | [DA] |
| 4. | Cllr R Badenhorst | [DA] |
| 5. | Cllr RS Nalumango | [ANC] |

FINANCIAL SERVICES

- | | | |
|----|-----------------------------------|-------|
| 1. | Cllr P Crawley (Ms) (Chairperson) | [DA] |
| 2. | Cllr J Hamilton | [DA] |
| 3. | Cllr A Florence | [DA] |
| 4. | Cllr R Nalumango (Ms) | [ANC] |
| 5. | Cllr M Oliphant | [ANC] |

HUMAN SETTLEMENTS

- | | | |
|----|------------------------------|--------|
| 1. | Cllr N Jindela (Chairperson) | [DA] |
| 2. | Cllr A Crombie (Ms) | [DA] |
| 3. | Cllr DD Joubert | [DA] |
| 4. | Cllr G Cele (Ms) | [ACDP] |
| 5. | Cllr LK Horsband (Ms) | [EFF] |

INFRASTRUCTURE

1. Cllr Q Smit (Chairperson) [DA]
2. Ald J Serdyn (Ms) [DA]
3. Cllr NE Mcombring (Ms) [DA]
4. Cllr A Hanekom [DA]
5. Cllr G Bakubaku-Vos [ANC]

PARKS, OPEN SPACES AND ENVIRONMENT

1. Cllr X Mdemka (Ms) (Chairperson) [DA]
2. Ald J Serdyn (Ms) [DA]
3. Cllr E Vermeulen (Ms) [DA]
4. Cllr F Adams [DNCA]

RURAL MANAGEMENT AND TOURISM

1. Cllr S Peters (Chairperson) [DA]
2. Cllr A Crombie (Ms) [DA]
3. Cllr JK Hendriks [DA]
4. Cllr L Horsband (Ms) [EFF]

YOUTH, SPORT AND CULTURE

1. Cllr M Pietersen (Chairperson) [DA]
2. Cllr R du Toit (Ms) [DA]
3. Cllr E Vermeulen (Ms) [DA]
4. Cllr N Sinkinya (Ms) [ANC]
5. Cllr DA Hendrickse [EFF]

FOR FURTHER DETAILS CONTACT:

NAME	Donovan Muller
POSITION	Office Manager
DIRECTORATE	Council
CONTACT NUMBERS	021 808 8314
E-MAIL ADDRESS	Donovan.Muller@ Stellenbosch.gov.za
REPORT DATE	2019-02-14

13.2.2	RE-ESTABLISHMENT OF A DISCIPLINARY COMMITTEE
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Collaborator No:**IDP KPA Ref No:**

Good governance and Compliance

Meeting Date:

27 February 2019

1. SUBJECT: RE-ESTABLISHMENT OF A DISCIPLINARY COMMITTEE**2. PURPOSE OF REPORT**

To consider the re-establishment of committees to assist the municipal council and Executive Mayor in the effective and efficient performance and exercise of their respective functions and powers and matters pertaining thereto.

3. DELEGATED AUTHORITY

MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

The resignation of Councillor de Wet, (**ANNEXURE 1**) has led to a vacancy as Chairperson of the Disciplinary Committee, and therefore necessitates the consideration for the re-establishment of a Disciplinary Committee.

24TH COUNCIL MEETING: 2019-02-27: ITEM 13.2.2

Cllr Q Smit placed it on record that Cllr DA Hendrickse must present to Council the evidence he has that he (Cllr Q Smit) gave false evidence in a Disciplinary Hearing, and requested the Speaker to investigate Cllr Hendrickse's allegations. The Speaker placed it on record that Cllr DA Hendrickse wrote an email to the Speaker regarding this allegation, and requested him to provide Council with proof of these allegations. Cllr DA Hendrickse responded that he will submit the proof to the Speaker.

The Executive Mayor called a Point of Order in terms of Rule 27.2, requesting Cllr Hendrickse to withdraw his allegations against Cllr Q Smit, until he provided proof and followed procedure. The Speaker requested Cllr Hendrickse to withdraw his allegations, which Cllr Hendrickse did.

RESOLVED (majority vote with abstentions)

- (a) that Council approves the re-establishment of a Disciplinary Committee in accordance with Section 79 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);
- (b) that the composition of the Disciplinary Committee be a total of 5 members of which the DA has 3 members and the Opposition has 2 members;
- (c) that Council appoints the following councillors to serve on the Disciplinary Committee

DA (3): Cllr Q Smit
Cllr E Groenewald
Cllr A Frazenburg

Opposition (2): Cllr LL Stander (ANC)
Cllr N Sinkinya (ANC)

-
- (d) that Council appoints Councillor Quintin Smit as Chairperson for the Disciplinary Committee; and
- (e) that it be noted that the delegation of power to the respective Section 79 committee will be included in the System of Delegations.

Councillor DA Hendrickse requested that his vote of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Donovan Muller
POSITION	Office Manager
DIRECTORATE	Executive Mayor
CONTACT NUMBERS	021 808 8314
E-MAIL ADDRESS	donovan.muller@stellenbosch.gov.za
REPORT DATE	27 February 2019

13.2.3	RE-ESTABLISHMENT OF A MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)
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Collaborator No:**IDP KPA Ref No:**

Good governance and Compliance

Meeting Date:

27 February 2019

1. SUBJECT: RE-ESTABLISHMENT OF A MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

2. PURPOSE OF REPORT

To consider the re-establishment of committees to assist the municipal council in the effective and efficient performance and exercise of their respective functions and powers and matters pertaining thereto.

3. DELEGATED AUTHORITY

MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

With the resignation of Councillor Stefan Louw and subsequently the resignation of Councillor Marnes de Wet, it is necessary to reconstitute the Municipal Public Accounts Committee (MPAC).

Council is obliged to reconsider the appointment of committees provided for in legislation applicable to local government; the term of reference of each committee; the composition of such committees and the election of members of such committees and matters in connection therewith.

Council, at its Urgent Council meeting: 2017-02-16 resolved on the establishment of a Municipal Public Accounts Committee (MPAC) in accordance with Section 79 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).

24TH COUNCIL MEETING: 2019-02-27: ITEM 13.2.3

RESOLVED (majority vote with abstentions)

- (a) that Council approves the re-establishment of a Municipal Public Accounts Committee (MPAC) in accordance with Section 79 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);
- (b) that the composition of the Municipal Public Accounts Committee (MPAC) be a total of 5 members of which the DA has 3 members and the Opposition has 2 members;
- (c) that Council appoints the following councillors to serve on the Municipal Public Accounts Committee (MPAC):

DA (3): Cllr MC Johnson
 Cllr SR Schäfer
 Cllr E Fredericks

Opposition (2): Cllr N Mananga -Gugushe (ANC)
Cllr WF Pietersen (PMD) (Chairperson)

- (d) that it be noted that the delegation of power to the respective Section 79 committee will be included in the System of Delegations.

Councillor DA Hendrickse requested that his vote of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Donovan Muller
POSITION	Office Manager
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8314
E-MAIL ADDRESS	donovan.muller@stellenbosch.gov.za
REPORT DATE	27 February 2019

14.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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NONE

The meeting adjourned at 15:45.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**

5.	STATUTORY MATTERS	(3/4/1/4)
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NONE

6.	REPORT/S BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS TAKEN AT PREVIOUS COUNCIL MEETINGS
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The report by the Municipal Manager re outstanding resolutions taken at previous meetings of Council is attached as **APPENDIX 1**.

FOR INFORMATION

APPENDIX 1

Council Meeting		Resolution	Resolution Date	Date Closed	Task Status	Allocated To	% Feedback	Feedback Comment
394114	Investigation with regards to the various residential properties in Mont Rochelle Nature Reserve	<p>7.6 INVESTIGATION WITH REGARD TO THE VARIOUS RESIDENTIAL PROPERTIES IN MONT ROCHELLE NATURE RESERVE</p> <p>35TH COUNCIL MEETING: 2015-10-28: ITEM 7.6</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council rescind its resolution taken at the meeting dated, 2014-01-16, with regard to Item 7.2;</p> <p>(b) that the funds allocated to be spent on conducting the proposed investigation rather be spent on consolidating the 46 unsold erven with Mont Rochelle Nature Reserve and negotiating with the owners of the 14 sold (but undeveloped) erven (the priority being erven 342, 307, 314, 322, 355, 336, located in a visually sensitive area north-eastern slope of "Du Toits Kop" facing the Franschhoek valley) regarding the possibility to exchange current erven within Mont Rochelle Nature Reserve with erven in a more suitable area (suitable in terms of environmental, visual and service delivery perspective); and</p> <p>(c) that any other feasible alternative that can limit the impact on the nature reserve that might be identified in the process be considered.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; JA Davids; DA Hendrickse; S Jooste (Ms); C Moses (Ms); P Mntumi (Ms); RS Nalumango (Ms); P Sitshoti (Ms); AT van der Walt and M Wanana.</p> <p>(DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT TO ACTION)</p>	2015-10-28		IN PROGRESS	SCHALKV	95.00	A site visit was undertaken on 26 October 2018. Internal meetings were held. In the process of formulating an implementation plan.
478903	SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARDS TO PUBLIC	<p>7.6.2 SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARD TO PUBLIC TRANSPORT</p> <p>4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.2</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council approves the proposal that an assessment of the municipality's capacity be done to determine its ability to provide the proposed public transport service through an internal mechanism and that the recommendation of the assessment be submitted to Council for consideration and decision;</p>	2016-11-23		IN PROGRESS	ROSCOE B	22.00	Item will be tabled at May 2019 Council meeting

		<p>(b) that, should the above assessment recommend the use of an external mechanism for the provision of the public transport service, a feasibility study be conducted for the provision of the service through an external mechanism.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; DA Hendrickse and LK Horsband (Ms).</p>						
478901	THE THIRD GENERATION INTEGRATED WASTE MANAGEMENT PLAN (IWMP) FOR STELLENBOSCH MUNICIPALITY	<p>7.6.4 THE THIRD GENERATION INTEGRATED WASTE MANAGEMENT PLAN (IWMP) FOR STELLENBOSCH MUNICIPALITY</p> <p>4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.4</p> <p>RESOLVED (nem con)</p> <p>(a) that the attached Draft 3rd Generation IWMP be supported by Council for approval in principle; and</p> <p>(b) that the proposed Draft 3rd Generation IWMP be duly advertised for public comment until the end of February 2017, and be re-submitted together with any comments / objections by D:EA&DP and the public, for final approval and adoption by Council.</p>	2016-11-23		IN PROGRESS	SALIEMH	91.00	<p>Green Cape to provide costing to municipality to complete and finalize report</p> <p>Green Cape provided a quotation and the procurement process will commence</p>
508896.	REPORT ON THE ESTABLISHMENT OF WARD COMMITTEES	<p>13.1.1 REPORT ON THE ESTABLISHMENT OF WARD COMMITTEES</p> <p>7TH COUNCIL MEETING: 2017-03-29: ITEM 13.1.1</p> <p>RESOLVED</p> <p>(a) that the completion of the ward committee elections, be noted;</p> <p>(b) that the current Policy and Procedures for Ward Committees be revised taking into consideration, amongst other, the geographical model implemented whereafter same be submitted to Council for consideration;</p> <p>(c) that a deviation from the Policy be allowed only in respect of the co-option of members as stipulated in clause 15(2) and clause 15 (3) of the Policy and as stipulated in recommendations D, i, ii, iii and iv.</p> <p>(d) that the Administration be commissioned to perform the following activities in respect of co-opting members within a ward where vacancies do exist:</p> <p>(i) Advertisements and or pamphlets must be prepared inviting</p>	2017-03-29		IN PROGRESS	NICKYC	80.00	Policy reviewed to be tabled at a Council Meeting before June 2019

		<p>nominations for members to be co-opted to serve on the ward committee representing the applicable geographical area/s.</p> <p>(ii) invitations for nominations per geographical area should also be placed on the municipal website;</p> <p>(iii) that elections be held in those wards where more than one nomination for a vacancy/ies within the ward was received; and</p> <p>(iv) that this process of co-option be finalised by end of May 2017 whereafter a report in this regard be submitted to Council.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; DA Hendrickse and LK Horsband. (ACTING DIR: STRAT & CORP TO ACTION)</p>						
513321	THE FUTURE USE AND MAINTENANCE OF COUNCIL HERITAGE BUILDINGS	<p>7.3.1 THE FUTURE USE AND MAINTENANCE OF COUNCIL HERITAGE BUILDINGS</p> <p>8TH COUNCIL MEETING: 2017-04-26: ITEM 7.3.1</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council supports the establishment of a "heritage portfolio" that can be managed independently from other assets and that the Municipal Manager be mandated to identify all council owned properties to be placed in the heritage portfolio;</p> <p>(b) that the Rhenish complex including Voorgelegen and the Transvalia complex of apartments (Transvalia, Tinetta, Bosmanhuis en Alma) be agreed to be categorised as category A assets;</p> <p>(c) that in terms of Section 14(2)(a) of the MFMA, the properties listed in paragraph 3.4 (table 2) marked as Category A properties, be identified as properties not needed to provide the minimum level of basic municipal services;</p> <p>(d) that, in terms of Regulation 34(3) of the ATR, the Municipal Manager be authorized to conduct the prescribed public participation process, as envisaged in Regulation 35 of the ATR, with the view of awarding long term rights in relation to the Category A properties;</p> <p>(e) that, for the purpose of disposal, two independent valuers be appointed to determine the fair market value and fair market rental of the properties listed</p>	2017-04-26		IN PROGRESS	PIETS	30.00	Information statement completed. To be submitted to Council in April 2019 for approval before publication.

		<p>in Categories A and B;</p> <p>(f) that, following the public participation process, a report be tabled before Council to consider in principle, the awarding of long term rights in the relevant properties, whereafter a public competitive disposal process be followed; and</p> <p>(g) that, with regard to the properties listed as Category B and C, the Municipal Manager be mandated to investigate the best way of disposing of or managing these assets, including feasibility studies on the possible disposal/awarding of long term rights and/or outsourcing of the maintenance function and that a progress report be tabled before Council within 6 months from the date of approval of the recommendation.</p> <p>Councillor F Adams requested that his vote of dissent be minuted.</p> <p>(DIRECTOR: PLANNING AND ECON DEV TO ACTION)</p>						
514994	Stellenbosch Municipality: Extension of Burial Space	<p>7.3.2 STELLENBOSCH MUNICIPALITY: EXTENSION OF BURIAL SPACE</p> <p>8TH COUNCIL MEETING: 2017-04-26: ITEM 7.3.2</p> <p>RESOLVED (nem con)</p> <p>(a) that Council amends its 27th Meeting of the Council of Stellenbosch (25 February 2015) resolution by adding (b)(x) to include any alternative land in the same area which could feasibly be used as a site to be investigated as a solution to the critical need for burial space within Stellenbosch Municipality;</p> <p>(b) that Council supports the acquisition of the required authorization for the proposed establishment of regional cemeteries (for burial need within WC024) at Farm Culcatta No. 29 and the Remainder of Farm Louw's Bos No. 502 as well as the proposed establishment of a regional cemetery at Farm De Novo No. 727/10 and Portion 1 of 'Farm Meer Lust No 1006 should the process of acquiring the necessary approval from the Department of Transport and Public Works be acquired;</p> <p>(c) that the possible creation of a garden of remembrance as alternative to a traditional land site also be investigated; and</p> <p>(d) that Council authorises the Municipal Manager to proceed with acquiring the necessary approvals for the establishment of the above cemeteries.</p> <p>(DIRECTOR: PLANNING & ECON DEV TO ACTION)</p>	2017-04-26		IN PROGRESS	SCHALKV	60.00	Environmental Impact Assessment (EIA) proceeding on 2 sites, Louw's Bos and Culcatta Bos. Pre-application documentation for Environmental Authorization for both sites has been submitted to DEADP. Excepting a decision from the DEADP on both by July 2019 (Culcatta) and November 2019 (Louw's Bos)
539732	Street People Policy	<p>7.1.2 STREET PEOPLE POLICY</p> <p>11TH COUNCIL MEETING: 2017-08-30: ITEM 7.1.2</p>	2017-08-30		IN PROGRESS	MICHELLEB	90.00	Approved at Section 80. Item recommended to serve at Council. To be

		<p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council approve the draft policy on Street People (as amended) in principle to provide a framework for the Department Community Development to start consultation with civil society on a collaborative approach to dealing with people living on the street;</p> <p>(b) that the draft Policy on Street People go out for public participation, which include consultation with civil society; and</p> <p>(c) that all inputs and comments received from the public participation- and consultation process be first considered by Council before a final decision is made on the approval of the Street People Policy for implementation.</p> <p>(DIRECTOR: PLAN & ECON DEV TO ACTION)</p>						submitted to the next MayCo and Council meeting.
543945	<p>IDENTIFYING OF MUNICIPAL AGRICULTURAL LAND FOR IMPLEMENTATION OF FARMER PRODUCTION SUPPORT UNIT (FPSU) - 9/2/1/1/3</p>	<p>7.3.2 IDENTIFYING OF MUNICIPAL AGRICULTURAL LAND FOR IMPLEMENTATION OF FARMER PRODUCTION SUPPORT UNIT (FPSU)</p> <p>12TH COUNCIL: 2017-09-27: ITEM 7.3.2</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council support and approve the implementation of a Farmer Production Support Unit (FPSU) within the WCO24;</p> <p>(b) that Council support and approve the following two sites as identified for the purpose of a Farmer Production Support Unit (FPSU) in accordance with the Policy of the Management of Agricultural Land:</p> <ul style="list-style-type: none"> • Lease portion BH1 of Farm 502, Stellenbosch; and • Lease portion BH2 of Farm 502 Stellenbosch. <p>(c) that the Local Economic Development Department be mandated to undertake all required land use management applications and processes, which include, amongst others rezoning, registration of lease area and departures for the relevant area to accommodate a Farmer Production Support Unit (FPSU) as the current zoning is for agricultural purposes only, given sufficient funding and budget made available by the National Department of Rural Development and Land Reform (NDRDLR); and</p> <p>(d) that the National Department of Rural Development and Land Reform (NDRDLR) draft a MOU between the Stellenbosch Municipality as land owner and the National Department of Rural Development and Land Reform (NDRDLR) on the roles and responsibilities of the different role players for the Council to consider, prior to any lease agreement be entered into or change in land use process commences.</p>	2017-09-27		IN PROGRESS	WIDMARKM	95.00	Awaiting draft MOU from National Department of Rural Development and Land Reform.

		<p>Cllrs DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</p> <p>Councillor F Adams requested that it be minuted that he supports the item with reservations.</p> <p>(DIRECTOR: PLAN & ECON DEV TO ACTION)</p>						
543953	SOLID WASTE UPGRADE REPORT	<p>7.6.2 SOLID WASTE UPGRADE REPORT</p> <p>12TH COUNCIL: 2017-09-27: ITEM 7.6.2</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that a Section 78 process be launched and that an internal waste disposal service delivery increase be investigated through the Section 78(1) approach; and</p> <p>(b) that a formal report be submitted to Council as required by Section 78(2), which will indicate the best way of rendering internal waste disposal by landfill and any recommendations to a possible external method of waste disposal landfill.</p> <p>(DIRECTOR: ENGINEERING SERVICES TO ACTION)</p>	2017-09-27		IN PROGRESS	SALIEMH	75.00	Awaiting financial information from Finance for review. Completion May 2019.
543966	PARKING UPGRADE REPORT	<p>7.6.1 PARKING UPGRADE REPORT</p> <p>12TH COUNCIL: 2017-09-27: ITEM 7.6.1</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that a Section 78 process be launched and that an internal parking service delivery increase be investigated through the Section 78(1) approach;</p> <p>(b) that parking service delivery increase be based on the towns of:</p> <ul style="list-style-type: none"> i) Stellenbosch ii) Klapmuts, and iii) Franschhoek; and <p>(c) that a formal report be submitted to Council as required by Section 78(2), which will indicate the best way of rendering internal parking and any recommendations to a possible external method of rendering parking services.</p> <p>(DIRECTOR: ENGINEERING SERVICES TO ACTION)</p>	2017-09-27		IN PROGRESS	JOHANF	90.00	Item will be tabled at May 2019 Council meeting

546882	Motion WC Petersen - Proposed development of erven 412 and 284, Groendal, Franschhoek	<p>10.2 MOTION BY COUNCILLOR WC PIETERSEN (MS): PROPOSED DEVELOPMENT OF ERVEN 412 AND 284, GROENDAL, FRANSCHHOEK</p> <p>12TH COUNCIL MEETING: 2017-09-27: ITEM 10.2</p> <p>The Speaker allowed Cllr WC Petersen (Ms) put her Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter.</p> <p>The matter was put to the vote, yielding a result of all in favour.</p> <p>RESOLVED (nem con)</p> <p>that an item be prepared for Council's consideration regarding the development of Erf 412 (high density housing) and retirement resort Erf 284 with or without frail care facility.</p> <p>(OFFICE OF THE MM TO ACTION)</p>	2017-09-27		IN PROGRESS	LESTERVS	10.00	<p>In the process of ascertaining what kind of subsidies, if any would be payable on a project of this nature.</p> <p>Once this information is available a report will be submitted to Council.</p>
559586	DEVELOPMENT OF ZONE O AND THE HOUSING ALLOCATION CRITERIA FOR THE PHASE 2B AND 2C (277 SITES), WATERGANG, KAYAMANDI	<p>7.5.2 DEVELOPMENT OF ZONE O AND THE HOUSING ALLOCATION CRITERIA FOR THE PHASE 2B AND 2C (277 SITES), WATERGANG, KAYAMANDI</p> <p>14TH COUNCIL MEETING: 2017-11-29: ITEM 7.5.2</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the block approach/method be implemented in Zone O (upper part next to Thubelisha) to effectively address the provision of new housing opportunities i.e. servicing of sites and construction of high density residential units;</p> <p>(b) that beneficiaries that were not allocated houses on the bottom part (access road) be allocated a site or Temporary Relocation Area units once (a) has been achieved and if there is any space available;</p> <p>(c) that, within the block approach non-qualifiers that earn R3 501 to R7 000 per month be allocated serviced sites in accordance with the Finance Linked Individual Subsidy Programme (FLISP);</p> <p>(d) that, within the block approach non-qualifiers (as prescribed by housing policy guidelines) that earn between R7 001 to R15 000 per month be allocated a serviced site at a cost equal to the amount as approved by Provincial Department of Human Settlement (PDoHS) for a serviced site in the project (Watergang Phase 2, Kayamandi);</p> <p>(e) that ±40 beneficiaries from Enkanini that are on the road reserve be allocated temporary housing units to enable the Municipality to implement the erf 2175 pilot project (i.e. electrification, sanitation, water);</p>	2017-11-29		IN PROGRESS	TABISOM	60.00	<p>The contractor is on-site and the project is progressing accordingly. The newly designed units were erected and the affected families moved into the units. Their informal structures were demolished when they were relocated. Progress in accordance with the construction programme. Project to be completed by end June 2019.</p>

		<p>(f) that Temporary Relocation Area 1 residents who were not allocated units in 2005, that does not qualify for a housing subsidy also be allocated sites (±20 beneficiaries);</p> <p>(g) that the 10m road reserve be waived and the 8m road reserve be approved in order to create more housing opportunities;</p> <p>(h) that 10% of the Temporary Relocation Areas be reserved for emergency cases in accordance with Council's Emergency Housing Assistance Policy (EHAP);</p> <p>(i) that once the above process has been completed and should plots still be available in the Temporary Relocation Areas (TRA), beneficiaries are identified from Zone N that can be allocated sites in the TRA (only from the group that was placed there by the Municipality); and</p> <p>(j) that the parking requirements be amended from one (1) parking per housing unit to 0,6 average per housing unit.</p> <p>(DIR: HUMAN SETTLEMENTS TO ACTION)</p>						
559624	STELLENBOSCH MUNICIPALITY PROBLEM PROPERTIES DRAFT BY- LAW, AUGUST 2017	<p>8.3.3 STELLENBOSCH MUNICIPALITY PROBLEM PROPERTIES DRAFT BY-LAW, AUGUST 2017</p> <p>14TH COUNCIL MEETING: 2017-11-29: ITEM 8.3.3 RESOLVED (nem con)</p> <p>(a) that the draft By-law on Problem Properties for Stellenbosch Municipality, August 2017, be approved, in principle;</p> <p>(b) that the draft By-law on Problem Properties for Stellenbosch Municipality, August 2017, be advertised for public comment for 90 days where after same be resubmitted to Council for final consideration and subsequent approval; and</p> <p>(c) that the reference to the properties referred to in the agenda item under point 4 be removed from the item.</p> <p>(DIR: PLANNING & ECON DEV TO ACTION)</p>	2017-11-29		IN PROGRESS	HEDRED	70.00	The draft item still to be internally circulated for comments. Seeing that only one public comment was received, it will also be circulated to ward committees and other interest groups.
559653	KAYAMANDI: LAND FOR RELOCATION OF SURPLUS HOUSEHOLDS	<p>8.3.2 KAYAMANDI: LAND FOR RELOCATION OF SURPLUS HOUSEHOLDS</p> <p>14TH COUNCIL MEETING: 2017-11-29: ITEM 8.3.2 RESOLVED (majority vote)</p>	2017-11-29		IN PROGRESS	TABISOM	50.00	Engagements have started with owners of land abutting Kayamandi. A report has been

		that the Municipal Manager be authorised to investigate / negotiate the acquisition of land, which may include land swaps, land purchase and /or the early termination of lease agreements on Council-owned property in the area (lease areas), to be approved by Council before implementation. (DIR: HUMAN SETTLEMENTS TO ACTION)						submitted to Council in Committee that dealt with the matter.
559971	PROPOSED DISPOSAL (THROUGH A LAND AVAILABILITY AGREEMENT) OF MUNICIPAL LAND, A PORTION OF PORTION 4 OF FARM NO 527 AND A PORTION OF THE REMAINDER OF FARM 527, BOTH LOCATED IN JAMESTOWN, STELLENBOSCH AND THE APPOINTMENT OF A TURNKEY DEVELOPER IN ORDER TO FACILITATE THE DELIVERY OF STATE SUBSIDIZED HOUSING UNITS, SERVICED SITES FOR AFFORDABLE HOUSING UNITS, GAP HOUSING UNITS AND HIGH INCOME HOUSING UNITS	14TH COUNCIL MEETING: 2017-11-29: ITEM 7.5.1 RESOLVED (majority vote with abstentions) (a) that the land parcels listed in paragraph 1.(i) and indicated in Figure 12 be identified as land not needed by Stellenbosch Municipality to provide the minimum level of services; and (b) that the Municipal Manager be authorized to initiate a Call for Proposals process with minimum requirements as determined through preliminary investigations to be completed by the administration. Cllrs DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted. (DIR: HUMAN SETTLEMENTS TO ACTION)	2017-11-29		IN PROGRESS	TABISOM	90.00	The tender was evaluated by a multi-disciplinary team and the Bid Evaluation report was submitted to BEC during January 2019. Stage 2 of the tender is currently being compiled.
582815	STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW 2018-2021)	7.5.2 STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW 2018-2021) 16TH COUNCIL MEETING: 2018-03-28: ITEM 7.5.2 RESOLVED (nem con) (a) that the projects as reflected in the table below be supported in accordance with the appropriate funding and relevant provincial approvals (see attached ANNEXURE 1) as well as available bulk infrastructure capacity: PROJECT NAME HOUSING PROGRAM PROJECT PHASE NO OF SITES OF UNITS 1. Stellenbosch Ida's Valley (±166/±265 services) IRDP/FLISP Await approval (LUPA) 265	2018-03-28		IN PROGRESS	TABISOM	50.00	a) Noted. b) A services provider has been appointed to do the necessary pre-feasibility studies for La Motte. c) Noted. d) Noted.

		<p>2. Klapmuts (Phase 4 Of 2053:15) ±298 services & TRA IRDP Construction 298</p> <p>3. La Rochelle, Klapmuts (±80 sites) IRDP/FLISP Planning</p> <p>4. Longlands, Vlottenburg (±144 Services and units) IRDP Contractual matters to be finalised 144</p> <p>5. Stellenbosch Jamestown (Phases 2) (±133 sites) IRDP Planning Phase 2</p> <p>6. Erf 7001 and other possible sites for mix-used development in Cloetesville IRDP/FLISP Proposal Call</p> <p>7. Kayamandi: Zone O (±711 services) & Watergang (±277 services) UISP / ISSP Planning</p> <p>8. Kayamandi Enkanini Enhanced Services (±1 300 sites) UISP / ISSP Planning (LUPA & EIA)</p> <p>9. Kayamandi Enkanini (Pilot project) UISP / ISSP Construction (Electricity and upgrading of toilets) 300 electricity connections and 20 additional communal toilets</p> <p>10. Kayamandi Town Centre Regeneration (±700 units) UISP/ Institutional Planning</p> <p>11. Northern Extension (Phase 1), Stellenbosch IRDP/FLISP Land acquisition and planning</p> <p>12. Kylemore (±171 services & ±171 units) IRDP Await transfer of land</p> <p>13. Franschhoek Langrug Enhanced Services (±1 200 services) UISP Planning and feasibility study for decanting site</p> <p>14. Stellenbosch La Motte Old Forest Station (±430 services & ±430 units) IRDP/FLISP Await planning approval</p> <p>15. Meerlust, Franschhoek (±200 services & ±200 units) IRDP Planning</p> <p>16. De Novo (±374 sites) Project managed by PDoHS IRDP / Institutional Planning</p> <p>TOTAL 707</p> <p>Note: IRDP – Integrated Residential Development Programme FLISP – Finance Linked Individual Subsidy Programme UISP – Upgrading of Informal Settlement Programme ISSP – Informal Settlements Support Programme LUPA – Land Use Planning Act EIA – Environmental Impact Assessment</p> <p>(b) that the projects in the table below, be supported in principle and submitted to Provincial Department of Human Settlements for funding to commence with pre-feasibility studies;</p> <table border="1"> <thead> <tr> <th>PROJECT NO</th> <th>PROJECT NAME</th> <th>HOUSING PROGRAM</th> <th>PROJECT PHASE</th> <th>NO OF SITES OF UNITS</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>La Motte, Franschhoek</td> <td>IRDP/FLISP</td> <td>Pre-planning</td> <td>phase</td> </tr> <tr> <td>2.</td> <td>Erf 2, La Motte</td> <td>IRDP</td> <td>Pre-planning</td> <td>phase</td> </tr> <tr> <td>3.</td> <td>Drodyke</td> <td>IRDP</td> <td>Pre-planning</td> <td>phase</td> </tr> </tbody> </table>	PROJECT NO	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES OF UNITS	1.	La Motte, Franschhoek	IRDP/FLISP	Pre-planning	phase	2.	Erf 2, La Motte	IRDP	Pre-planning	phase	3.	Drodyke	IRDP	Pre-planning	phase						
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		<p>4. Botmaskop (±1 500 opportunities) Social Housing / IRDP Pre-planning phase</p> <p>5. Stellenbosch Transit Orientated Development complex precinct (±3 500 opportunities) IRDP Pre-planning phase</p> <p>(c) that after the completion of the pre-feasibility studies of these projects as listed in (b) above, a report be submitted to Council for consideration; and</p> <p>(d) that the housing pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation.</p>						
582818	SECTION 78(2) REPORT FOR THE EXPANSION OF THE SOLID WASTE LANDFILL SITE	<p>7.6.1 SECTION 78(2) REPORT FOR THE EXPANSION OF THE SOLID WASTE LANDFILL SITE</p> <p>16TH COUNCIL MEETING: 2018-03-28: ITEM 7.6.1</p> <p>RESOLVED (nem con)</p> <p>(a) that this report be noted;</p> <p>(b) that Council notes the report on the Devon Valley Solid Waste Landfill site and the plans to expand this site through the request to Eskom to move high voltage circuitry in order to open space for the expansion of the current Landfill site;</p> <p>(c) that Council accepts that all the requirements of Section 78(1) in terms of investigating the feasibility of expanding the current landfill site have been satisfactorily attended to;</p> <p>(d) that Council, in terms of the Municipal Systems Act, Act 32 of 200, as amended, Section 78(2), accepts the scenario to continue with the planning and implementation of the internal mechanism of expanding the current landfill site to the area south west of the current site;</p> <p>(e) that the Director: Infrastructure Services be tasked to negotiate a process of moving the Eskom 66kV lines to a position away from the current landfill site and expansion site thereof;</p> <p>(f) that any Town Planning-, Environmental-, licensing and any other legislative requirement be adhered to; and</p> <p>(g) that a report indicating accurate costing, licensing and other related matters be submitted to Council once they are known, at which time Council will consider a final approval of the expansion of this landfill site.</p>	2018-03-28		IN PROGRESS	DLOUW	70.00	Payment to Eskom done in October 2018. Consultants to be appointed off roster to commence with environmental processes, and appointment of engineering consultant for design and planning of new cells.
582813	APPOINTMENT OF A STRATEGIC ADVISORY	7.3.1 APPOINTMENT OF A STRATEGIC ADVISORY COMMITTEE: POLICY ON THE MANAGEMENT OF MUNICIPAL AGRICULTURAL LAND	2018-03-28		IN PROGRESS	WIDMARKM	50.00	Meeting to be held with Advisory Body.

<p>COMMITTEE: POLICY ON THE MANAGEMENT OF MUNICIPAL AGRICULTURAL LAND</p>	<p>16TH COUNCIL MEETING: 2018-03-28: ITEM 7.3.1 RESOLVED (nem con)</p> <p>(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;</p> <table border="1"> <thead> <tr> <th>Strategic Advisory Committee Organisation</th> <th>Position</th> <th>Contact</th> <th>Details</th> </tr> </thead> <tbody> <tr> <td>Stellenbosch Municipality Services</td> <td>Chairperson: Director</td> <td>Community and Protection 021 808</td> <td>8437</td> </tr> <tr> <td>Stellenbosch Municipality</td> <td>Director: Planning and Economic Development</td> <td>021 808</td> <td>8667</td> </tr> <tr> <td>Stellenbosch Municipality</td> <td>Director: Integrated Human Settlements and Property</td> <td>021 808</td> <td>8493</td> </tr> <tr> <td>Stellenbosch Municipality</td> <td>Director: Strategic and Corporate Services</td> <td>021 808</td> <td>8018</td> </tr> <tr> <td>Stellenbosch Municipality</td> <td>Legal Services</td> <td>021 808</td> <td>8018</td> </tr> <tr> <td>Stellenbosch Municipality</td> <td>Manager: LED</td> <td>021 808</td> <td>8179</td> </tr> <tr> <td>Stellenbosch Municipality</td> <td>Snr LED Officer: Rural Development</td> <td>021 808</td> <td>8173</td> </tr> <tr> <td>Stellenbosch Agricultural Society</td> <td>General Manager</td> <td>021 886</td> <td>4867</td> </tr> <tr> <td>Department of Agriculture and Rural Development</td> <td>Acting Chief Director: Farmer Support and Development</td> <td>021-8085103</td> <td></td> </tr> <tr> <td>Department of Rural Development and Land Reform</td> <td>Deputy Director</td> <td>079 880 9320</td> <td></td> </tr> <tr> <td>Land Bank</td> <td>Provincial Manager Commercial Development Banking Division Western Cape</td> <td>021 974 2200 / 082 339</td> <td>1626</td> </tr> <tr> <td>Stellenbosch University</td> <td>Professor and Chairman of the Department Agricultural Economics</td> <td>021 808</td> <td>4899</td> </tr> <tr> <td>Department of Water Affairs and Winelands</td> <td>Deputy Director</td> <td>021 941</td> <td>6000</td> </tr> <tr> <td>CASIDRA</td> <td>Water Board CEO</td> <td>021 887</td> <td>6487</td> </tr> <tr> <td></td> <td>CEO</td> <td>021 863</td> <td>5000</td> </tr> </tbody> </table> <p>Operational Committee</p> <table border="1"> <thead> <tr> <th>Organisation</th> <th>Municipality</th> <th>Position</th> </tr> </thead> <tbody> <tr> <td>Stellenbosch Municipality</td> <td>Manager: LED</td> <td>Property</td> </tr> <tr> <td>Stellenbosch Municipality</td> <td>Manager: Municipal</td> <td>Advisor</td> </tr> <tr> <td>Stellenbosch Municipality</td> <td>Senior Legal</td> <td>Manager</td> </tr> <tr> <td>Stellenbosch Municipality</td> <td>Environmental</td> <td></td> </tr> <tr> <td>Stellenbosch Municipality</td> <td>Senior LED Officer: Rural Development</td> <td></td> </tr> </tbody> </table> <p>(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</p>	Strategic Advisory Committee Organisation	Position	Contact	Details	Stellenbosch Municipality Services	Chairperson: Director	Community and Protection 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 and Rural Development	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 and Winelands	Deputy Director	021 941	6000	CASIDRA	Water Board CEO	021 887	6487		CEO	021 863	5000	Organisation	Municipality	Position	Stellenbosch Municipality	Manager: LED	Property	Stellenbosch Municipality	Manager: Municipal	Advisor	Stellenbosch Municipality	Senior Legal	Manager	Stellenbosch Municipality	Environmental		Stellenbosch Municipality	Senior LED Officer: Rural Development								
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582874	<p>FUTURE UTILIZATION OF EX-KLEINE LIBERTAS THEATRE SITE: CONSIDERATION OF INPUTS RECEIVED</p>	<p>8.4.2 FUTURE UTILIZATION OF EX-KLEINE LIBERTAS THEATRE SITE: CONSIDERATION OF INPUTS RECEIVED</p> <p>16TH COUNCIL MEETING: 2018-03-28: ITEM 8.4.2 RESOLVED (nem con)</p> <p>a) that Council takes note of the large number of inputs/comment received; and</p> <p>b) that a multi-purpose building be planned and after erection of building council call for proposals from the Stellenbosch Community for its utilization in line with our strategic objectives.</p>	2018-03-28		IN PROGRESS	ANNALENEDB/PSMIT	20.00	Information session with prospective architects was held on 19-03-2019.																																																																										
601661	<p>PROPOSED CEEDING OF LONG TERM LEASE AGREEMENTS: LEASE FARMS 502AX, AY AND BC: HELDERVALLEY FARMING ASSOCIATION</p>	<p>7.5.3 PROPOSED CEEDING OF LONG TERM LEASE AGREEMENTS: LEASE FARMS 502AX, AY AND BC: HELDERVALLEY FARMING ASSOCIATION</p> <p>18TH COUNCIL MEETING: 2018-07-25: ITEM 7.5.3 RESOLVED (nem con)</p> <p>that this item be withdrawn for further refinement.</p>	2018-07-25		IN PROGRESS	ANNALENEDB	80.00	Official notice soliciting public input/objections has been compiled and will be published in the next 2 weeks.																																																																										

601662	RESERVIST POLICY	<p>7.8.1 RESERVIST POLICY</p> <p>18TH COUNCIL MEETING: 2018-07-25: ITEM 7.8.1</p> <p>RESOLVED (majority vote)</p> <p>that the draft Reservist Policy be supported and same be re-submitted to Council for adoption.</p>	2018-07-25		IN PROGRESS	GARYB	30.00	<p>Applications received and screening of the applicants has been done, awaiting confirmation from Insurance section before volunteer programme can be fully implemented.</p> <p>Policy in process of rolling out the practical implication of the policy.</p> <p>Still waiting on Insurer.</p>
601650	THE AWARDING OF RIGHTS TO THE LOCAL ECONOMIC HUBS	<p>7.3.1 THE AWARDING OF RIGHTS TO THE LOCAL ECONOMIC HUBS</p> <p>18TH COUNCIL MEETING: 2018-07-25: ITEM 7.3.1</p> <p>RESLOVED (majority vote)</p> <p>(a) that Council adopts the recommendation to award the leases of the Local Economic Development Hubs to the entities that scored the highest points for each property, as follows: Property Applicant</p> <ol style="list-style-type: none"> 1. The Old Clinic Building (Erven 6487 & 6488) Ranyaka 2. Triangle Building (Erf 228) Hugernote Fine Chocolates 3. Mooiwater Building (Erf 2253) ABC Empowerment (Profiles attached Appendix 2) <p>(b) that once Council approves and awards the leasing rights to the highest scoring applicant, the Director Corporate Services be mandated to draft and sign lease agreements with the successful applicants;</p> <p>(c) that the contract must make provision for termination on non-performance in terms of the agreement;</p> <p>(d) that the contract be awarded for a period of 9 years and 11 months; and</p> <p>(e) that the awarding of rights of the Old Agricultural Hall to the Stellenbosch Craft Alive and Stellenbosch Trail Fund be awarded, conditional to the settlement of the outstanding legal dispute.</p>	2018-07-25		IN PROGRESS	TABISOM	90.00	<p>Lease agreements with applicants to sign off.</p>

		Councillor F Adams requested that it be minuted that he supports the item, with reservations.						
601711	PROPOSED RENEWAL OF VARIOUS LEASE AGREEMENTS	7.5.4 PROPOSED RENEWAL OF VARIOUS LEASE AGREEMENTS 18TH COUNCIL MEETING: 2018-07-25: ITEM 7.5.4 RESOLVED (nem con) that this item be withdrawn for further refinement.	2018-07-25		IN PROGRESS	ADMIN	20.00	New agenda items compiled and submitted to DCS for approval..
612597	Draft 2 NORTHERN EXTENTION LAND FOR RELOCATION OF SURPLUS HOUSEHOLDS, KAYAMANDI PROGRESS - STATUS REPORT 20.09.2018	8.2.3 NORTHERN EXTENSION / LAND FOR RELOCATION OF SURPLUS HOUSEHOLDS, KAYAMANDI: PROGRESS / STATUS REPORT 20 TH COUNCIL MEETING: 2018-09-26: ITEM 8.2.3 During deliberations on the matter, the Speaker ordered Cllr F Adams to leave the chambers (at 11:20) for violating Rule 27 of the Rules of Order By-law. RESOLVED (majority vote with 7 abstentions) (a) that the progress to date (lack thereof), be noted; (b) that the Municipal Manager be authorised to further investigate the options as set out in paragraph 6.2.2 and to enter into preliminary discussions / negotiations with the relevant stakeholders, with the view of finding solutions for the future development of the Northern Extension; (c) that the Municipal Manager reports back on progress within 3 months; and (d) that no definitive agreement(s) be concluded without Council's approval.	2018-09-26		IN PROGRESS	TABISOM	90.00	A progress report served before Council (In-Committee) in January 2019.
612851	PROPOSED EXCHANGE OF LAND: A PORTION OF REMAINDER FARM 387, STELLENBOSCH FOR A PORTION OF LEASE AREA 377A: VREDENHEIM (PTY) LTD	7.2.3 PROPOSED EXCHANGE OF LAND: A PORTION OF REMAINDER FARM 387, STELLENBOSCH FOR A PORTION OF LEASE AREA 377A: VREDENHEIM (PTY) LTD 20TH COUNCIL MEETING: 2018-09-26: ITEM 7.2.3 RESOLVED (nem con) (a) that Council cannot at this stage resolve that the land requested in the exchange of land agreement is not needed for the provision of basic municipal services as required in terms of section 14 of the MFMA;	2018-09-26		IN PROGRESS	AKHONAZ	90.00	Contract signed by both parties. Transferring attorney appointed to attend to the transfer, once the subdivision has been attended to.

		<p>(b) that Council, for the reason contained in (a) above, does not approve the agreement to exchange municipal land in exchange for the land needed for the securing of access route for the development of Longlands;</p> <p>(c) that the owner be informed that Council is not willing to exchange land and that, should parties not be able to reach agreement on the sale of the property, the process in section 25 of the Constitution will have to be invoked; and</p> <p>(d) that, should Ms Bezuidenhout not be willing to sell the land at a fair value, the Municipal Manager be authorised to follow the provisions of section 25 of the Constitution read with section 9(3) of the Housing Act (Act 107/1997) and read with Section 1,6,18-23 of the Expropriation Act (Act no 63 of 1975).</p>						
616959	MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM	<p>7.5.5 MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM</p> <p>21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.5</p> <p>RESOLVED (nem con)</p> <p>(a) that Council approves that the administration embarks on a process of updating data on the old Housing Waiting List;</p> <p>(b) that all updated information be imported into the Municipal Housing Demand Database; and</p> <p>(c) that, when the above process has been concluded, the Municipal Housing Demand Database becomes the only reference point and source of information in determining the municipality's housing backlog and the profile of applicants.</p>	2018-10-31		IN PROGRESS	ROTANDAS	30.00	<p>Service provider appointed to develop an online Housing Database System and Mobile App. The "Go Live" Date is ending March 2019.</p> <p>Concurrent to this, is the development of a plan to update the Housing Demand Database.</p>
616965	PROPOSED DISPOSAL OF THREE CHURCH/CRECHE SITES IN MOOIWATER, FRANSCHHOEK	<p>7.2.2 PROPOSED DISPOSAL OF THREE CHURCH/CRECHE SITES IN MOOIWATER, FRANSCHHOEK</p> <p>21ST COUNCIL MEETING: 2018-10-31: ITEM 7.2.2</p> <p>RESOLVED (nem con)</p> <p>(a) that erven 3192, 3019 and 3111 be identified as land not needed to provide the minimum level of basic municipal services, i.e. that it can be disposed of;</p> <p>(b) that Council considers a public participation process for wards 1 and 2 to indicate what uses they would want on these properties before Council takes a decision on an in principle process to dispose of the properties;</p> <p>(c) that the Municipal Manager be authorised to follow a public participation process by requesting the residents of wards 1 and 2 to provide inputs on the</p>	2018-10-31		IN PROGRESS	ADMIN	50.00	Agenda item compiled and submitted to DCS for approval.

		<p>type of uses they would want the properties to be used for;</p> <p>(d) that the public participation process be advertised in a local newspaper and communicated by the ward Councillors, and that it run for a period of 21 days from date of advertising; and</p> <p>(e) that the item be re-submitted to Council after the public participation process.</p>						
616964	POSTER BY-LAW	<p>7.6.2 POSTER BY-LAW RELATING TO OUTDOOR ADVERTISING AND SIGNAGE</p> <p>21ST COUNCIL MEETING: 2018-10-31: ITEM 7.6.2</p> <p>RESOLVED (nem con)</p> <p>(a) that the report be accepted;</p> <p>(b) that the Draft By-Law Relating to Outdoor Advertising and Signage, attached as ANNEXURE 1, be accepted as the copy of the By-Law to be used in a Public Participation process;</p> <p>(c) that the Draft By-Law relating to Outdoor Advertising and Signage be duly advertised for the purpose of a public participation process until the end of January 2019; and</p> <p>(d) that, upon the completion of the public participation process, the Draft By-Law together with any comments/objections by the public be resubmitted to Council for final approval and adoption.</p>	2018-10-31		IN PROGRESS	DLOUW	75.00	Comments received. Item to serve at next Council meeting (May 2019)
616954	CONDONATION OF QUALIFYING CRITERIA: SALE OF UNDEVELOPED ERVEN IN KAYAMANDI	<p>7.2.3 CONDONATION OF QUALIFYING CRITERIA: SALE OF UNDEVELOPED ERVEN IN KAYAMANDI</p> <p>21ST COUNCIL MEETING: 2018-10-31: ITEM 7.2.3</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council resolves not to condone the criteria set out in the tender documentation published on 12 November 2016; and</p> <p>(b) that Council resolves that the following criteria be used in the new tender process, i.e.</p> <p>i) Beneficiary must be a resident of Kayamandi for a minimum period of ten</p>	2018-10-31		IN PROGRESS	PSMIT	20.00	Tender document compiled and submitted to DCS for recommendation.

		<p>(10) years;</p> <p>ii) If younger than 40 years (at date of closing tender), then the beneficiary must be married or have a legal dependent staying with him/her;</p> <p>ii) May not have received any form of financial assistance/subsidy from the State in obtaining a house/serviced site previously;</p> <p>iii) May not currently own any other fixed asset;</p> <p>iv) Must be a South African citizen;</p> <p>v) Must be a first time home owner; and</p> <p>vi) that a pre-emptive clause be inserted in the title deed of the property that the property be developed within 2 years and not be sold within 5 years of registration.</p>						
616956	DRAFT PARADYSKLOOF NATURE AREA: ENVIRONMENTAL MANAGEMENT PLAN	<p>7.7.1 DRAFT PARADYSKLOOF NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN</p> <p>21ST COUNCIL MEETING: 2018-10-31: ITEM 7.7.1</p> <p>RESOLVED (nem con)</p> <p>(a) that the Paradyskloof Nature Area Environmental Management Plan be duly advertised for the purpose of a public participation process until the end of January 2019; and</p> <p>(b) that the inputs received during the above public participation process be worked into a final draft Paradyskloof Nature Area Environmental Management Plan to be presented to Council for approval.</p>	2018-10-31		IN PROGRESS	GARYB	50.00	An Item with the final EMP will probably circulate during the course of next week 25 March 2019.
621645	UTILISATION OF A PORTION OF THE WEMMERSHOEK COMMUNITY HALL AS AN EARLY CHILDHOOD DEVELOPMENT FACILITY (ECD CENTRE)	<p>7.2.3 UTILISATION OF A PORTION OF THE WEMMERSHOEK COMMUNITY HALL AS AN EARLY CHILDHOOD DEVELOPMENT FACILITY (ECD CENTRE)</p> <p>22ND COUNCIL MEETING: 2018-11-28: ITEM 7.2.3</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council notes that a tender call for proposal was advertised and dealt with through the Supply Chain Process;</p> <p>(b) that Council now proceed with the lease based on the proposal received;</p> <p>(c) that, should Council accept the proposal, an agreement be entered into with Mr Goosen that stipulates that the property may only be used for the purposes of an ECD centre; and</p>	2018-11-28		IN PROGRESS	ANNALENE	90.00	Applicant informed of outcome await signed agreement.

		(d) that the Municipal Manager be authorised to sign all documents necessary to effect the lease agreement.						
629578	REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2018/19	<p>7.10.2 REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2018/19</p> <p>23RD COUNCIL MEETING: 2019-01-23: ITEM 7.10.2</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the Revised TL SDBIP 2018/19 be approved;</p> <p>(b) that the Revised TL SDBIP 2018/19 be published on the Municipal Website;</p> <p>(c) that the Revised TL SDBIP 2018/19 be submitted to:</p> <p>(i) Internal Audit Unit (for notification);</p> <p>(ii) Department of Local Government: Western Cape;</p> <p>(iii) Provincial Treasury: Western Cape;</p> <p>(iv) Auditor General of South Africa; and</p> <p>(v) National Treasury.</p> <p>Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</p>	2019-01-30		IN PROGRESS	RAZEEMAHA	80.00	Published on the Municipal Website
629583	SHARED SERVICE AGREEMENT WITH SURROUNDING MUNICIPALITIES TO RENDER SUPPORT AND ASSISTANCE FOR CERTAIN SERVICES	<p>7.1.1 SHARED SERVICE AGREEMENT WITH SURROUNDING MUNICIPALITIES TO RENDER SUPPORT AND ASSISTANCE FOR CERTAIN SERVICES</p> <p>23RD COUNCIL MEETING: 2019-01-30: ITEM 7.1.1</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the proposed draft agreement be considered and approved by Council;</p> <p>(b) that the Municipal Manager be authorized to sign the agreement on behalf of Council;</p> <p>(c) that the Director: Community and Protection Services be represented on the Committee as per clause 9 of the agreement.</p> <p>The following Councillors requested that their votes of dissent be minuted: Councillors GN Bakubaku-Vos (Ms); FT Bangani-Menziwa (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and</p>	2019-01-30		IN PROGRESS	NLANGENHOVEN / LEANNEP	80.00	The Directorate is busy preparing the final document for signature by the Municipal Manager

		LL	Stander.						
633513	POSSIBLE DISPOSAL OF ERF 111, KAYAMANDI TO THE UNITED REFORMED CHURCH IN SOUTHERN AFRICA (URCSA): CONSIDERATION OF PUBLIC INPUTS AND DETERMINATION OF MARKET VALUE	7.2.2 POSSIBLE DISPOSAL OF ERF 111, KAYAMANDI, TO THE UNITED REFORMED CHURCH IN SOUTHERN AFRICA (URCSA): CONSIDERATION OF PUBLIC INPUTS AND DETERMINATION OF MARKET VALUE 24TH COUNCIL MEETING: 2019-02-27: ITEM 7.2.2 RESOLVED (majority vote with abstention) (a) that it be noted that no public inputs/objections have been received following the public notice period; (b) that it be noted that the property's fair market value has been valued at R133 250.00; (c) that Council approves of the disposal of erf 111, Kayamandi, to The United Reformed Church in Southern Africa (URCSA) at no cost, subject to the following conditions: (i) that a reversionary clause be inserted in the title deed of the property, indicating that the property may only be used for religious/social care purposes, and that it cannot be sold without the prior written approval of Stellenbosch Municipality; (ii) that The United Reformed Church in Southern Africa (URCSA) be responsible for all costs related to the transfer of the property to their name; (d) that the Municipal Manager be authorised to sign all documents necessary to effect the transfer of the property to The United Reformed Church in Southern Africa (URCSA); and (e) that Council considered the market value of the property and the property is donated due to the long history of use by the church and the fact that it is used for, inter alia, social care purposes for the broader community in Kayamandi. The local community would therefore be better served if the erf is transferred at less than its fair market value, as opposed to a transfer of the asset at fair market value.	2019-02-27		IN PROGRESS	ANNALEND	95	Applicant informed of outcome await signed Sales Agreement.	
621772	PROPOSED SERVICE DELIVERY IN JONKERSHOEK	7.2.4 PROPOSED SERVICE DELIVERY IN JONKERSHOEK 22ND COUNCIL MEETING: 2018-11-28: ITEM 7.2.4 RESOLVED (majority vote with abstentions) (a) that the Power of Attorney from the National Department of Public Works, authorising Stellenbosch Municipality to commence with service delivery in	2018-11-28		IN PROGRESS	ANNALEND	30.00	Meeting was scheduled during December 2018 with representatives of Informal Settlements and Engineering Services to discuss	

		<p>Jonkershoek, be noted;</p> <p>(b) that the Administration be authorised to render interim municipal services in the Mixed Use Precinct in Jonkershoek on a cost recovery basis from the users who receive the services, except to those households that qualify for free basic services in terms of the Municipality's Indigent Policy;</p> <p>(c) that the Administration be authorised to provide/upgrade Access to Basic Services (Communal services) in informal areas, free of charge;</p> <p>(d) that the Director: Planning and Economic Development be requested to commission a feasibility study with the view of identifying a possible site(s) for possible township establishment, taking into account the Draft SDF for Jonkershoek, but also taking into account the positioning of bulk infrastructure and access to the site(s);</p> <p>(e) that the National Department of Public Works be requested to transfer the land to Stellenbosch Municipality;</p> <p>(f) that the National Department of Public Works be requested to transfer the land on which the office space previously used by Cape Nature, either by way of acquisition or by way of a Lease Agreement, to the Municipality;</p> <p>(g) that, the Director: Infrastructure Services be requested to compile a status quo report regarding the availability of bulk infrastructure but also indicating the cost of possible interim upgrading of such bulk infrastructure;</p> <p>(h) that the Director: Planning & Economic Development be requested to finalise the SDF for Jonkershoek in terms of the SPLUMA Act 16 of 2013;</p> <p>(i) that the Municipal Manager be authorised to conclude an agreement(s) with the relevant authorities to ensure that Stellenbosch Municipality is in a position to do law enforcement in the Jonkershoek Valley, with specific reference to the prevention of further unauthorised structures being constructed/erected;</p> <p>(j) that a progress report be tabled to Council within 6 months, including an environmental impact report and indicating progress that has been made regarding the provision of services; and</p> <p>(k) that, in the mean-time, all expenditure be incurred within the existing, approved budget.</p> <p>The following Councillors requested that it be minuted that they abstained from voting on the matter:</p> <p>Cllrs F Adams; DA Hendrickse and LK Horsband (Ms).</p>					<p>implementation of Council resolutions. The National Department of Public Works was requested the use of the office space. A meeting in this regards is scheduled for 29 January 2019.03.14</p> <p>Interdepartmental team to deal with process further.</p>
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634249	<p>MOTION BY ALDERMAN PW BISCOMBE: APPOINTMENT OF INDEPENDENT INVESTIGATOR</p>	<p>10.3 MOTION BY ALDERMAN PW BISCOMBE: APPOINTMENT OF INDEPENDENT INVESTIGATOR</p> <p>24TH COUNCIL MEETING: 2019-02-27: ITEM 10.3</p> <p>The Speaker allowed Alderman PW Biscombe to put his Motion, duly seconded.</p> <p>After the Motion was motivated, the Speaker allowed debate on the matter.</p> <p>The matter was put to vote, yielding a result of 31 for and 2 against.</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council authorizes the Municipal Manager to appoint an independent investigator in terms of the supply chain management process and Council Policies;</p> <p>(b) that the Municipal Manager mandate the independent investigator to investigate in terms of Schedule 1, Section 10 and Schedule 2, Section 6 of the Municipal Systems Act, 32 of 2000; and</p> <p>(c) that Council consider the findings in accordance with Section 14, and Schedule 2 Section 14A of the Municipal Systems Act 32 of 2000 (154-162).</p> <p>Cllrs F Adams and DA Hendrickse requested that their votes of dissent be minuted.</p>	2019-02-27		IN PROGRESS	NOMIET		<p>Postponed to a meeting to be determined by the Speaker.</p>
633536	<p>PROPOSED EXCHANGE OF LAND: DISPOSAL OF ERF 15323 TO THE SEVENTH DAY ADVENTIST CHURCH IN EXCHANGE FOR ERF 718, KAYAMANDI</p>	<p>7.2.1 PROPOSED EXCHANGE OF LAND: DISPOSAL OF ERF 1523 TO THE SEVENTH DAY ADVENTIST CHURCH IN EXCHANGE FOR ERF 718, KAYAMANDI</p> <p>24TH COUNCIL MEETING: 2019-02-27: ITEM 7.2.1</p> <p>RESOLVED (nem con)</p> <p>(a) that Erf 1523 be identified as land not needed to provide the minimum level of Municipal Services;</p> <p>(b) that Council in principle approves the exchange of Erf 718 for Erf 1523 at equal value;</p> <p>(c) that Council's intention to do the exchange of land be advertised for public inputs/objections/alternative proposals;</p> <p>(d) that the item be brought back to Council following the public notice period, to make a final decision in this regard; and</p>	2019-02-27		IN PROGRESS	ANNALENE		<p>Official notice for public inputs was compiled and will be published in the next 2 weeks.</p>

		(e) that Council notes the concerns indicated in the letter of the Seventh Day Adventist Church, and that Council commits to fencing the substation and attempt to find alternative land for the play park.						
633551	ADVERTISING OF DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) FOR WC024	<p>8.2.5 ADVERTISING OF DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) FOR WC024</p> <p>24TH COUNCIL MEETING: 2019-02-27: ITEM 8.2.5</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council notes the Draft Municipal Spatial Development Framework attached as ANNEXURE 1;</p> <p>(b) that Council gives consent that the public participation process as prescribed by the Spatial Planning and Land Use Management Act, Act 16 of 2013 and the Stellenbosch Municipality Land Use Planning By-Law, 2015 proceed without delay; and</p> <p>(c) that the final draft Municipal Spatial Development Framework be submitted for consideration with the Integrated Development Plan no later than the Council meeting in May 2019. Councillors F Adams and DA Hendrickse requested that their votes of dissent be minuted.</p>	2019-02-27		IN PROGRESS	TABISOM	70.00	Advertisement published for MSDF, due for comments 08 May 2019.
634097	APPLICATION TO RELAX DEED OF SALE CONDITION: ANTI-SPECULATION CLAUSE: ERF 9194, TECHNOPARK	<p>8.2.6 APPLICATION TO RELAX DEED OF SALE CONDITION: ANTI-SPECULATION CLAUSE: ERF 9194, TECHNOPARK</p> <p>24TH COUNCIL MEETING: 2019-02-27: ITEM 8.2.6</p> <p>RESOLVED (majority vote with abstention)</p> <p>(a) that Council resolves to buy back the property as per the Municipal evaluation and that this property be earmarked for empowerment of local black entrepreneurs within the Stellenbosch municipal area;</p> <p>(b) that Council makes provision for the purchase of the property within 2019/2020 budget; and</p> <p>(c) that the Municipal Manager be mandated to investigate and report back to Council at the March 2019 Council meeting as to whether outstanding municipal debt should be recovered.</p> <p>Councillor DA Hendrickse requested that his vote of dissent be minuted.</p>	2019-02-27		IN PROGRESS	ANNALENE		Applicant informed of the outcome await feedback.

7.	CONSIDERATION OF ITEMS BY THE EXECUTIVE MAYOR: (ALD G VAN DEVENTER (MS))
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7.1	COMMUNITY AND PROTECTION SERVICES: (PC : CLLR J DE VILLIERS)
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NONE

7.2	CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)
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7.2.1	APPLICATION TO LEASE UNIT 1 OF BOSMANSHUIS (PART OF THE DORP STREET FLATS UNITS) TO THE INDEPENDENT ELECTORAL COMMISSION (IEC)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

13 March and 27 March 2019

1. SUBJECT: APPLICATION TO LEASE UNIT 1 OF BOSMANSHUIS (PART OF THE DORP STREET FLATS UNITS) TO THE IEC

2. PURPOSE

To obtain approval from Council to conclude a lease agreement with the Independent Electoral Commission (IEC) in relation to unit 1 of Bosmanshuis situated on a portion of erf 1134, Stellenbosch.

3. DELEGATED AUTHORITY

Council must consider the item.

4. EXECUTIVE SUMMARY

An application to lease the premises from Stellenbosch Municipality was received from the IEC. They originally indicated their interest in an office in the Town Hall, but that office is needed for the Municipality's own operations. One of the Dorp Street flats was identified as a possible option. The premises that were identified for possible leasing by the IEC are Unit 1 in Bosmanshuis. The IEC inspected the premises and is happy that it will fulfil their needs. The IEC is a chapter 9 institution. Given that the National and Provincial election takes place in May 2019, the date of occupation is proposed as 1 June 2019.

Council must consider the application, taking into account the prescripts of the Asset Transfer Regulations, read with the provisions of the Property Management Policy.

5. RECOMMENDATIONS

- (a) that Unit 1 Bosmanshuis, situated on a portion of erf 1134, as shown on Fig.2, be identified as property not required for the municipality's own use during the period for which the right is to be granted;

- (b) that approval be granted, in principle, to enter into a 1 year lease agreement with an option to renew with the IEC at a monthly rental of R 5940, being 30% of fair market rental given that the IEC is a Chapter 9 (of the Constitution) institution;
- (c) that Council's intention to enter into an agreement with the IEC be advertised for public comments/inputs;
- (d) that following the public notice period, an item be submitted to Council to make a final determination; and
- (e) that the normal rules in terms of maintenance of the inside of the building will be included in the rental agreement to be concluded.

6. DISCUSSION / CONTENTS

6.1. Background

An application was received from the IEC to conclude a lease agreement with Stellenbosch Municipality for rental of office space. They are currently in Worcester, but is looking for new office space at a more affordable rate.

The initial request was in relation to an office and some storage space at the Town Hall. That office space is however needed for our own staff and the storage space is used by people who rent the Town Hall from time to time especially when there are exhibitions. One (1) of the Dorp Street flats, situated on a portion of erf 1134, Stellenbosch, was identified as a possible alternative. The request is further to rent the space at a discounted rate. Copy of the application is attached as **APPENDIX 1**.

6.2 Discussion

6.2.1 Location and context

Unit no 1 Bosmanshuis is situated on a portion of erf 1134, as shown on Fig.1 and 2, below.

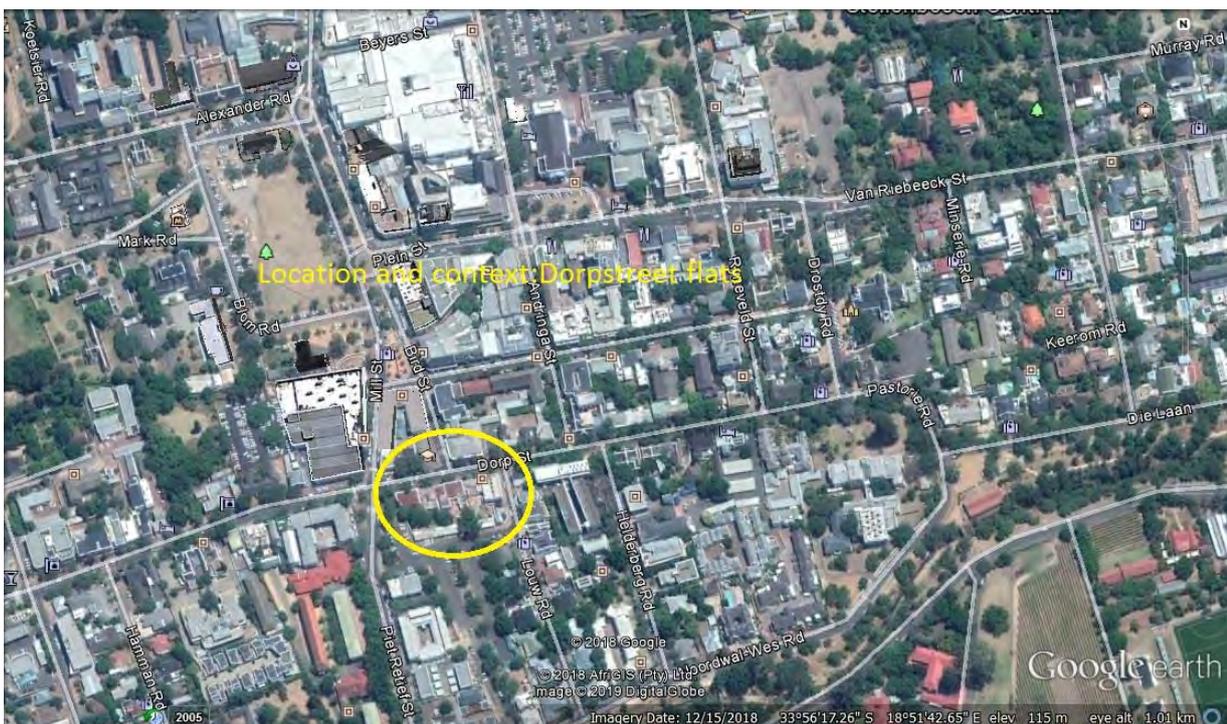


Fig.1: Location and context

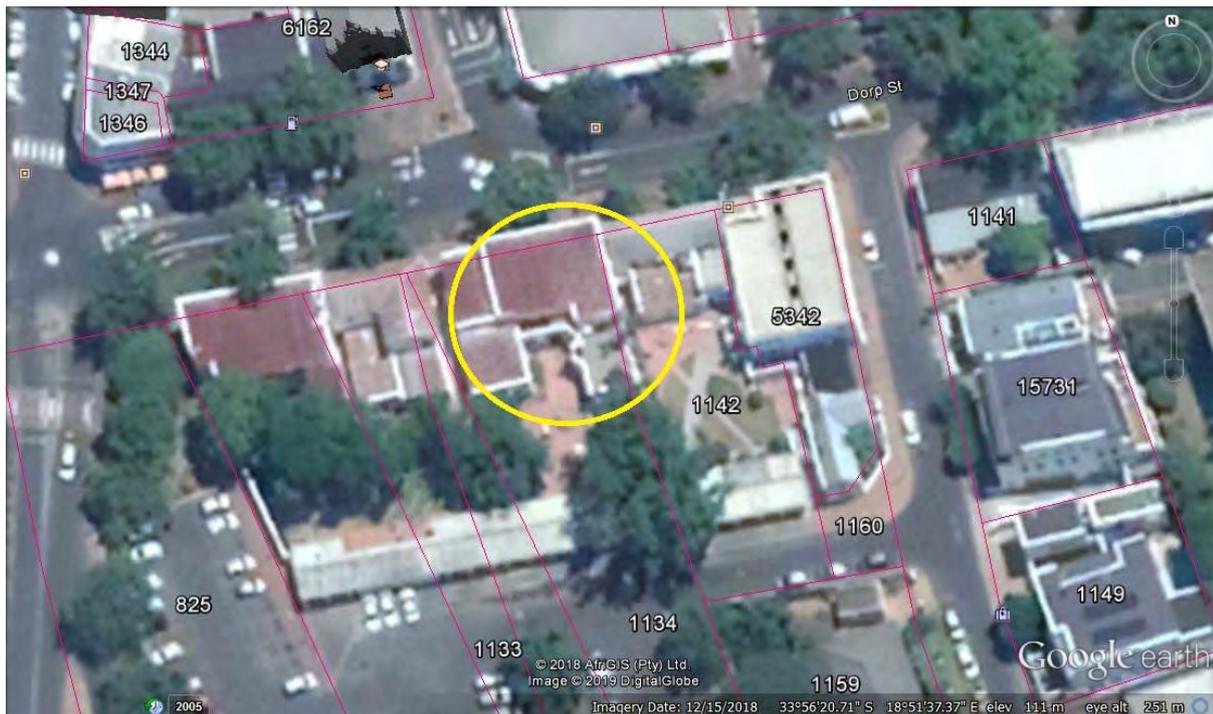


Fig. 2: Position of the flat

The unit is $\pm 110\text{m}^2$ in extent.

6.2.2 Ownership

The ownership of erf 1134 vests with Stellenbosch Municipality by virtue of Title Deed G19/1971. See Windeed record hereto attached as **APPENDIX 2**.

6.3 Financial Implications

Fair Market rental

Based on recent valuations being obtained for erven 2498 and 2499 (Animal Hospital) the fair market rental is $\pm \text{R}180/\text{m}^2$. The unit is $\pm 110\text{m}^2$ in size, which would equate to a monthly rental of R19 800.00.

The IEC specifically requested that the property be made available at a discounted rate. Taking into account that the IEC is a chapter 9 (of the Constitution) institution, it is recommended that the rental be determined at 30% of fair market rental, i.e. R 5940 per month.

6.4 Legal Implications

6.4.1 Chapter 4 of the Asset Transfer Regulations

In terms of Regulation 34(2) a municipality may grant a right to use, control or manage a capital asset, but only after:

- a) The accounting offices has in terms of regulation 35 conducted a public participation process* regarding the proposed granting of the right; and
- b) The municipal council has approved in principle that the right may be granted.

*However, sub regulation (1)(a) (public participation process) must be complied with only if-

- a) the capital asset in respect of which the proposed right is to be granted has a value in excess of R10 million; and
- b) a long term right is proposed to be granted in respect of the capital asset.

This property's value is not in excess of R10million, and therefore the public participation process may be disposed of. Given that the IEC has indicated telephonically that they have to give notice at the current offices and the elections are in May 2019, the proposed occupation date is 1 July 2019. It is therefore recommended that the intention to lease be advertised for comments or inputs. The municipal council must, when considering the **in principle approval** take into account—

- (a) whether the capital asset may be required for the municipality's own use during the period for which the right is to be granted;
- (b) the extent to which any compensation to be received for the right together with the estimated value of any improvements or enhancements to the capital asset that the private sector party or organ of state to whom the right is granted will be required to make, will result in a significant economic or financial benefit to the municipality;
- (c) the risks and rewards associated with the use, control or management of the capital asset in relation to the municipality's interests;
- (d) any comments or representations on the proposed granting of the right received from the local community and other interested persons (not applicable);
- (e) any written views and recommendations on the proposed granting of the right by the National Treasury and the relevant provincial treasury (not applicable);
- (f) the interests of any affected organ of state, the municipality's own strategic, legal and economic interests and the interests of the local community; and
- (g) compliance with the legislative regime applicable to the proposed granting of the right.

In terms of Regulation 40 an approval **in principle** in terms of regulation 34(1)(b) or 37(1)(b) that a right to use, control or manage a capital asset may be granted, may be given subject to any conditions, including conditions specifying—

- (a) the type of right that may be granted, the period for which it is to be granted and the way in which it is to be granted;
- (b) the minimum compensation to be paid for the right; and
- (c) a framework within which direct negotiations for the granting of the right must be conducted, if granting of the right is subject to direct negotiations.

Further, in terms of Regulation 41, if approval in principle has been given in terms of Regulation 34(1)(b) that a right to use, control or manage a capital asset may be granted, the relevant municipality may grant the right only in accordance with the disposal management system of the municipality, irrespective of —

- (a) the value of the asset;
- (b) the period for which the right is to be granted; or
- (c) whether the right is to be granted to a private sector party or organ of state.

The disposal management system of a municipality, however, does not apply to the granting of a right to use, control or manage a capital asset if the right to use, control or manage that capital asset is granted to another organ of state*, provided that the capital asset is determined by resolution of the council of the municipality not needed for the requirements of the municipality.

Before granting the right to use control or manage a capital asset, the municipality must be satisfied that organ of state to whom the right is to be granted can demonstrate the ability to adequately maintain and safeguard the asset.

Lastly, in terms of Regulation 45, a municipality may grant a right to use, control or manage a capital asset to an organ of state only by way of a written agreement concluded between the municipality and the organ of state to whom the right is granted.

Such an agreement must-

- (a) set out the terms and conditions on which the right is granted and;
- (b) be signed on behalf of the municipality and the organ of state to whom the right is granted.

* The IEC is a Chapter 9 Institution (of the Constitution).

6.4.2 Property Management Policy

In terms of par.221 of the Property Management Policy, immovable property may only be let at market-related rates unless the plight of the poor or the public interest demand otherwise.

In terms of par 9.2.2.1 the Municipal Council may dispense with a competitive process and may enter into a Private Treaty Agreement through direct negotiations, but only in specific circumstances, and only after having advertised Council's intention so to act.

One of the circumstances mentioned in sub-par. (e) of the policy is *"in exceptional cases where the Municipal Council is of the opinion that a public compensation would not serve a useful purpose"*.

6.5 Staff Implications

This report has no staff implications for the Municipality.

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

The risks are addressed through the recommendations in the report.

6.8 Comments from Senior Management

The Acting Director: Community and Protection Services supports the recommendations and confirms that the Town Hall is not a viable option as it is needed for municipal use.

The Municipal Manager supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-13: ITEM 7.2.1

- (a) that Unit 1 Bosmanshuis, situated on a portion of erf 1134, as shown on Fig.2, be identified as property not required for the municipality's own use during the period for which the right is to be granted;
- (b) that approval be granted, in principle, to enter into a 1 year lease agreement with an option to renew with the IEC at a monthly rental of R 9950, being 50% of fair market rental given that the IEC is a Chapter 9 (of the Constitution) institution;
- (c) that Council's intention to enter into an agreement with the IEC be advertised for public comments/inputs;
- (d) that, following the public notice period, an item be submitted to Council to make a final determination; and
- (e) that the normal rules in terms of maintenance of the inside of the building will be included in the rental agreement to be concluded.

ANNEXURES**APPENDIX 1:** Copy of the application**APPENDIX 2:** Windeed record**FOR FURTHER DETAILS CONTACT:**

NAME	PIET SMIT
POSITION	MANAGER: PROPERTY MANAGEMENT
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@stellenbosch.gov.za
REPORT DATE	2019-03-07

APPENDIX 1



SOUTH AFRICA

23 January 2019

The Facilities Manager
 Stellenbosch Municipality
 Stellenbosch

To Whom It May Concern

I am writing on behalf of the Electoral Commission to inform you that we are interested in renting the office space at Dorp Street (Flats). This is a formal application to accommodate the Electoral Commission's local WC024 local office.

We are currently in search of office space in the Stellenbosch Municipal central CBD, but cannot afford the high commercial rented space. The Electoral Commission's intention is to lease the space for a longer term period, preferably a 3-5 years.

The space as mentioned above in consultation with Mr Piet Smit was inspected in 2018; however, we could not enter into any agreement due to the monthly rental cost of R16, 800.00 which is too high.

The proposal is to rent the space at a much discounted rate, with the intention of renewal.

Thank you for your consideration. I look forward to hearing from you.

Yours in service of Democracy

Liezi Louw

Regional Supervisor

Cape Wfnelands

Tel: 023 342 8208

Email: louwi@elections.org.za

Electoral Commission

Ensuring Free and Fair Elections

Commissioners: Mr V.G. Mashinini (Chairperson) | Ms J.Y. Lova (Vice-Chairperson) | Dr N.P. Masuku | Mr M. Moepeya | Judge D. Pillay
 National Office: Election House, Riverside Office Park, 1303 Houtesi Avenue, Centurion, 0157 | P/Bag X112, Centurion, 0048
 info@elections.org.za | www.elections.org.za
 Tel (+27) 12 522 5700 | Fax (+27) 922 5794

APPENDIX 2

WinDeed Database Deeds Office Property

windeed

A LexisNexis® Product

STELLENBOSCH, 1134, 0 (REMAINING EXTENT) (CAPE TOWN)

GENERAL INFORMATION

Date Requested 2019/03/07 08:16
 Deeds Office CAPE TOWN
 Information Source WINDEED DATABASE
 Reference -

**PROPERTY INFORMATION**

Property Type ERF
 Erf Number 1134
 Portion Number 0 (REMAINING EXTENT)
 Township STELLENBOSCH
 Local Authority STELLENBOSCH MUN
 Registration Division STELLENBOSCH RD
 Province WESTERN CAPE
 Diagram Deed T404/8/810
 Extent 2.0000SQM
 Previous Description -
 LPI Code C06700220000113400000

OWNER INFORMATION**Owner 1 of 1**

Type LOCAL AUTHORITY
 Name MUN STELLENBOSCH
 ID / Reg. Number -
 Title Deed G19/1971
 Registration Date 1971/01/28
 Purchase Price (R) -
 Purchase Date -
 Share 0.00
 Microfilm 0000000000
 Multiple Properties NO
 Multiple Owners NO

ENDORSEMENTS (2)

#	Document	Institution	Amount (R)	Microfilm
1	PROCD-NAT-MONUMENT-2	4/3/975	UNKNOWN	-
2	R/E'S-1139,1145	-	UNKNOWN	-

HISTORIC DOCUMENTS

No documents to display

DISCLAIMER

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7.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]
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7.3.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2019
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Collaborator No: 633633
IDP KPA Ref No: *Good Governance and Compliance*
Meeting Date: 13 March 2019

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR FEBRUARY 2019

2. PURPOSE

To comply with Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy 2018/2019 to report the deviations to Council.

3. DELEGATED AUTHORITY

Council

FOR NOTING

4. EXECUTIVE SUMMARY

Regulation 36(2) of the Municipal Supply Chain Management Regulations and Section 36 of the Supply Chain Management Policy (2018/2019) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during February 2019.

5. RECOMMENDATION

that Council notes the deviations as listed for the month of February 2019.

6. DISCUSSION / CONTENTS

6.1 Background/Legislative Framework

The regulation applicable is as follows:

GNR.868 of 30 May 2005: Municipal Supply Chain Management Regulations

Deviation from and ratification of minor breaches of procurement processes

36. (1) A supply chain management policy may allow the accounting officer—

(a) To **dispense with the official procurement processes** established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only—

- (i) in an emergency;
- (ii) if such goods or services are produced or available from a single provider only;
- (iii) for the acquisition of special works of art or historical objects where specifications are difficult to compile;
- (iv) acquisition of animals for zoos; or

(v) in any other exceptional case where it is impractical or impossible to follow the official procurement processes; and

(b) to ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.

(2) The accounting officer must record the reasons for any deviations in terms of sub regulation (1) (a) and (b) and **report them to the next meeting of the council**, or board of directors in the case of a municipal entity, and include as a note to the annual financial statements.

6.2 Discussion

Reporting the deviations as approved by the Accounting Officer for February 2019:

The following deviations were approved with the reasons as indicated below:

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 36/19	18/02/2019	Gateway Metal Works (Pty) Ltd	The supply, delivery and installation of fencing at reservoirs in Stellenbosch WC024 area	Emergency	The contract (BSM 57/18) with the current service provider was terminated due to non-performance. The reservoirs are vandalized on a weekly basis and the sub-standard fencing as well as the recyclable metal are being stolen. To ensure a fair process the municipality sourced quotations from all bidders who initially tendered for BSM 57/18. From the 10 service providers who were approached, nine submitted quotations.	R2 068 395,18 (including VAT and 10% contingency)
D/SM 38/19	28/02/2019	Waste Mart (Pty) Ltd	Hiring of refuse compactors, as and when required.	Exceptional case and it is impractical or impossible to follow the official procurement processes.	The current service provider was terminated due to non-performance. The municipality needed to appoint a services provider to ensure continuous service delivery to the community. Subsequent to the termination of the contract, quotations were obtained from 3 reputable service providers.	R2 463 300.00 (including VAT)

6.3 Financial Implications

As per the table above.

6.4 Legal Implications

The regulation applicable is:

GNR.868 of 30 May 2005: Municipal Supply Chain Management Regulations: Deviations from and ratification of minor breaches of, procurement processes.

6.5 Staff Implications:

No staff implications

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

That the market may not be tested.

The measures in place to deal with deviations mitigate the risk to an acceptable level.

The Auditor-General also audits the deviations during the yearly audit.

6.8 Comments from Senior Management:

The item was not circulated for comment except to the Municipal Manager.

6.8.1 Municipal Manager

Supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-13: ITEM 7.3.1

that Council notes the deviations as listed for the month of February 2019 as indicated below:

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 36/19	18/02/2019	Gateway Metal Works (Pty) Ltd	The supply, delivery and installation of fencing at reservoirs in Stellenbosch WC024 area	Emergency	The contract (BSM 57/18) with the current service provider was terminated due to non-performance. The reservoirs are vandalized on a weekly basis and the sub-standard fencing as well as the recyclable metal are being stolen. To ensure a fair process the municipality sourced quotations from all bidders who initially tendered for BSM 57/18. From the 10 service providers who were approached, nine submitted quotations.	R2 068 395,18 (including VAT and 10% contingency)

D/SM 38/19	28/02/2019	Waste Mart (Pty) Ltd	Hiring of refuse compactors, as and when required.	Exceptional case and it is impractical or impossible to follow the official procurement processes.	The current service provider was terminated due to non- performance. The municipality needed to appoint a services provider to ensure continuous service delivery to the community. Subsequent to the termination of the contract, quotations were obtained from 3 reputable service providers.	R2 463 300.00 (including VAT)
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FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	ACTING CFO
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	Kevin.Carolus@stellenbosch.gov.za
REPORT DATE	05 MARCH 2019

7.3.2	TABLING OF APPLICATION FOR DBSA GRANT FUNDING FOR COMPLETED AND FURTHER WORK TO BE DONE ON THE CAPITAL EXPENDITURE FRAMEWORK (CEF)
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Collaborator No: 635118
File No: 3/4/5/2/32 X 8/1/2/6
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 18 March 2019

1. SUBJECT: TABLING OF APPLICATION FOR DBSA GRANT FUNDING FOR COMPLETED AND FURTHER WORK TO BE DONE ON THE CAPITAL EXPENDITURE FRAMEWORK (CEF)

2. PURPOSE

To obtain Council's approval for submission of Development Bank of South Africa (DBSA) Funding for work completed and further work to be done on the Capital Expenditure Framework as part of the integrated Urban Development Grant process.

3. DELEGATED AUTHORITY

MUNICIPAL COUNCIL.

No specific delegation. Council support required from DBSA as sign of commitment of work to be done.

4. EXECUTIVE SUMMARY

According to section 21(n) of the Spatial Planning and Land Use Management Act (SPLUMA), Act No. 16 of 2013, the content of a municipal spatial development framework must determine a CEF for the municipality's development programmes. This means that the CEF is informed by the Spatial Development Framework i.e. stating the spatial vision of the municipality where the CEF states the financial vision of the municipality.

The purpose of the ICMs support strategy is to help translate IUDF policy into practical programmes of action in the ICMs.

Stellenbosch Municipality is participating in the Government's Intermediate City Municipalities Programme which is designed to support the Municipality to respond to the development challenges that it is facing. The Municipality is expected to develop and submit its Capital Expenditure Framework (CEF) to the Department of Cooperative Governance and Traditional Affairs (COGTA) within agreed timelines. The Municipality, having engaged with COGTA and with the Development Bank of Southern Africa (DBSA), has requested technical and other non-lending support from the DBSA to develop its Capital Expenditure Framework ("the Project").

Accordingly, the Municipality will be obliged to enter into a Grant Agreement ("the Agreement") with the DBSA, in terms of which the DBSA will make available a grant and/or technical resources to the benefit of the Municipality for the Project. Pursuant to the Agreement, the Municipality acknowledges that the Grant Amount from the DBSA shall be used solely for the Project which is to be executed by the Professional Services Provider appointed by the Municipality, or alternatively, appointed by the DBSA for the provision of the services relating to the Project for the benefit of the Municipality.

5. RECOMMENDATIONS

- (a) that Council hereby approves/supports the DBSA Grant support and any related technical support, and supports the implementation of the Project for which it will conclude a Grant Agreement with the DBSA;
- (b) that Council duly authorises and mandates the Municipal Manager (“Accounting Officer”) to sign the Grant Agreement on its behalf, and to sign and/or dispatch all documents and notices to be signed and/or dispatched by it under or in connection with the Agreement;
- (c) that Municipal Manager provides the DBSA with the Designated and Authorised Signatories, any of whom shall represent the Municipality on the Project Steering Committee for the purposes stated in the Agreement; and
- (d) that the Municipality provides the relevant FICA documentation required by the DBSA in terms of Regulations 3, 4, 5 and 6 of FICA (the Financial Intelligence Centre Act, 38 of 2001).

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-18: ITEM 7.3.1

- (a) that Council hereby approves/supports the DBSA Grant support and any related technical support, and supports the implementation of the Project for which it will conclude a Grant Agreement with the DBSA;
- (b) that Council duly authorises and mandates the Municipal Manager (“Accounting Officer”) to sign the Grant Agreement on its behalf, and to sign and/or dispatch all documents and notices to be signed and/or dispatched by it under or in connection with the Agreement;
- (c) that Municipal Manager provides the DBSA with the Designated and Authorised Signatories, any of whom shall represent the Municipality on the Project Steering Committee for the purposes stated in the Agreement; and
- (d) that the Municipality provides the relevant FICA documentation required by the DBSA in terms of Regulations 3, 4, 5 and 6 of FICA (the Financial Intelligence Centre Act, 38 of 2001).

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	Acting Chief Financial Officer
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 – 808 8528
E-MAIL ADDRESS	Kevin.carolus@ Stellenbosch.gov.za
REPORT DATE	7 March 2019

APPENDIX 1



STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

*Our Ref: G Mettler(021-808 8025)
Office of the Municipal Manager*

**Town House Complex
Plein Street
Stellenbosch
7600**

**Development Bank of Southern Africa
1258 Lever Road, Head Way Hill
Midrand
1685**

Ref: 5/5/4/1

Attention: Mr. Khwathelani Bologo [Head: Planning Unit (PU)]
Per Emails: KhwathelaniB@dbsa.org; ThenjiweM@dbsa.org; Eduziei@dbsa.org

Dear Sir

REQUEST FOR DBSA's INFRASTRUCTURE PLANNING SUPPORT REGARDING THE DEVELOPMENT OF A CAPITAL EXPENDITURE FRAMEWORK (CEF) AS REQUIRED UNDER THE INTERMEDIATE CITY MUNICIPALITIES PROGRAMME

We refer to the discussions between the representatives of the DBSA, COGTA and Stellenbosch Municipality on the above subject matter on 29 January 2019. Stellenbosch Local Municipality hereby requests the DBSA's infrastructure planning support with respect to the development of a Capital Expenditure Framework (CEF) as required by the Intermediate City Municipalities Programme.

The Municipality is expected to submit its CEF to COGTA by the agreed deadline of 31 March 2019. Currently, from its limited resources, the Municipality has committed a total of **R842 166.59** (*thousand*) towards the development of the CEF through a Professional Services Provider. To date, the following components of the overall scope of the CEF have been completed by the Municipality:

Table 1: CEF Deliverables Completed

Deliverables	Description	Progress
Deliverable 1	Identification of Functional Areas and Priority Development Areas	✓
Deliverable 2	Profiling of Functional Areas and Priority Development Areas	✓
Deliverable 3	Alignment of Capital Investment Framework with Spatial Development Framework and key nodes	✓
Deliverable 4	Demand Quantification	✓
Deliverable 5	Development of a Long Term Financial Plan	✓
Deliverable 6	Compile Affordability Envelope	✓
Deliverable 7	Structure Programmes per functional area	✓
Deliverable 8	Compile CEF for a ten-year horizon	✓
Deliverable 9	Capital Investment Project Prioritisation	✓

In order to complete the CEF, the following outstanding components of the CEF, in the estimated amount (cost) of *R 489 670.00* (*thousand*), must be completed as soon as possible:

Table 2: CEF Deliverables Outstanding

Deliverables	Description	Progress
Outstanding Deliverable 1	Final Revision to Long Term Financial Plan	Reaching Completion
Outstanding Deliverable 2	Update Affordability Envelope – in line with Draft 2019/20 MTREF Budget	Reaching Completion
Outstanding Deliverable 3	Update Prioritisation Model in line with revised/updated baseline capture. - Including provisioned-in and forced-in projects (by virtue of priority)	Reaching Completion
Outstanding Deliverable 4	Final Alignment and calibration of capital budget based on CEF and capital budget prioritization.	Reaching Completion

Due to its limited resources, the Municipality does not have the above resources to complete the outstanding components of the CEF in house. As a result a service provides was appointed at own costs to assist with the compilation of the CEF within the tight timeframes provided.

Longer term support will be necessary to undertaken the following work which will contribute to improvements in the long-term planning and improved credibility to costing and investment estimates, especially beyond the MTREF (3 year budget cycle). The Municipality hereby requests support from the DBSA in the above mentioned amount of **R4 500 000 million** which will go towards the completion of the longer term deliverables listed below.

Table 3: Future CEF Related Deliverables

Deliverables	Description	Progress
Medium Term Deliverable 1	Land Budget and Land Identification for residential and commercial growth (medium to long term). Housing Pipeline has been developed over 10 years in collaboration with the WC Dept. of Human Settlements.	Started
Medium Term Deliverable 2	Asset Management Modelling for full ten-year horizon, fully costed, including social facility modelling.	X

Deliverables		Description	Progress
Medium Deliverable 3	Term	Revised sector plans based on functional areas identified, socio-economic profiling, land for urban development and in line spatial planning and vision.	Largely 5 yrs.
Medium Deliverable 4	Term	CEF Maintenance support for future CEF updates and project preparation, fully costed.	X
Medium Deliverable 5	Term	Extensive Backlog Studies	X
Medium Deliverable 6	Term	Master Planning beyond the 5 year norm to ensure longer term perspective to account for the CEF 10-year horizon in all master planning.	X
Medium Deliverable 7	Term	Tariff & Property Rates Modelling over 10 years.	Partial

Please find attached to this letter the detailed motivation and business case for the infrastructure planning support requested from the DBSA.

In respect of the above request, the Municipality hereby commits and undertakes that:

1. Upon the completion of the CEF, the Municipality will take full ownership of its outputs with the aim to implement the identified priority projects.
2. In particular, the municipality commits to engage, collaborate, and work with the DBSA, COGTA, relevant sector Departments and National Treasury to:
 - a) Unlock fiscal allocations e.g. MIG, RBIG, etc. by making use of the assistance of the DBSA's Project Preparation Unit (DBSA PPU) where required to prepare the relevant priority projects that will be identified in the above infrastructure plan up to the MIG registration stage.
 - b) Include the prioritized projects identified by the CEF in its Integrated Development Plan (IDP) and make the necessary future budgetary allocations towards the implementation of the projects.
 - c) Mobilize funding and other resources from the DBSA, and / or from the fiscal allocations, to take the implementation-ready priority projects identified by the infrastructure plan, and the priority projects subsequently prepared by the DBSA-PPU, to implementation (construction) stage.

The favourable consideration of the request will be highly appreciated, and the Municipality hereby requests a timely response from the DBSA.

We trust that you will find the above to be in-order.

Yours Faithfully



Ms. Geraldine Mettler
MUNICIPAL MANAGER

20/3/19

Date

LETTER OF MOTIVATION:**OUTLINE OF THE MOTIVATION AND BUSINESS CASE BY THE MUNICIPALITY FOR DBSA'S INFRASTRUCTURE PLANNING SUPPORT REGARDING THE DEVELOPMENT OF THE CAPITAL EXPENDITURE FRAMEWORK (CEF)****1. Introduction and Background**

This correspondence serves as a request for DBSA's Infrastructure Planning support regarding the development of a Capital Expenditure Framework (CEF) as required under the Intermediate City Municipalities (ICM's) Programme.

We refer to the discussions between the representatives of the DBSA, COGTA and Stellenbosch Municipality on the above subject matter on 29 January 2019. Stellenbosch Local Municipality hereby requests the DBSA's infrastructure planning support with respect to the development of a Capital Expenditure Framework (CEF) as required by the Intermediate City Municipalities Programme.

2. Problem Statement and Motivation for DBSA Support

The Municipality is expected to submit its CEF to COGTA by the agreed deadline of 31 March 2019. Currently, from its limited resources, the Municipality has committed a total of **R842 166.59** (*thousand*) towards capital planning and prioritization and the development of the CEF through a Professional Services Provider. Fortunately much work could be provided on the prioritization of capital projects with the assistance of an existing provider who has assisted with the capital planning and prioritization of projects and internal budgeting processes, which was informed by existing departmental master plans and studies. The master planning and strategies as aligned to the Integrated Developmental Plan remains the responsibility of the respective departments and project owners, but more works remains in this area, as indicated below.

By virtue of the Capital Expenditure Planning to be done over 10 years, it is now required that the planning timelines of the municipal capital projects extend to align with the CEF 10 year horizon. Fortunately many of the projects for the outer years could be identified, however, a full spectrum, especially where master plans are for 5 years, the projects needed for the outer year of the CEF is not fully known at this stage. This would include:

- Integrated Waste Management Planning – over 10 year horizon

- Electricity Master Planning – over 10 year horizon (currently over 5 years – due for revision in 2 years.)
- Asset Management and Costing and Planning – over 10 year horizon
- Repairs and Maintenance Costing and Planning – over 10 year horizon
- Traffic Engineering Planning – over 10 year horizon
- Disaster Management Planning – over 10 year horizon
- Update of Environmental Planning in line with new NEMA Legislation

Full costs of developing the CEF in the prescribed timelines will be absorbed within the municipality's limited resources. No prior budgeting was provided for this, i.e. the additional funding for the CEF had to be incorporated in the adjustment budget.

3. Existing Capacity of the Municipality

Stellenbosch Municipality has an appointed and stable Municipal Manager supported by 5 Section 56 Managers.

Table 1: Existing Municipal Capacity/Stability

Position	Name
Municipal Manager (filled)	Geraldine Mettler
*Chief Financial Officer (Acting)	Kevin Carolus
Director: Corporate Services (filled)	Annalene de Beer
Director: Infrastructure Services (filled)	Deon Louw
Director: Planning and Economic Development (filled)	Tabiso Mfeya
Director: Community and Protection Services (filled)	Gary Boshoff

*CFO Position vacant since 31 Dec 2018. Position is currently being filled – interviews stage.

At this stage no critical vacancies exist, with the exception of the CFO post, which is in the process of being filled.

4. Priority Support Required from the DBSA

The support Stellenbosch Municipality will ideally require in this regard, can be classified as immediate and medium term. The immediate support required is linked to assisting in the funding provided for the compilation of the Capital Expenditure Framework. Due to the fact that in-house capacity was not prevalent to develop a CEF, an external service provider was appointed. The full costs of developing the CEF was R734 505,00 of which *one-third*, i.e. R244 835,00 has already

been paid. In order to complete the CEF, the following outstanding components of the CEF, in the estimated amount (cost) of R 489 670.00 (thousand), must be completed as soon as possible:

Table 2: Outstanding Deliverables

Deliverables	Description	Progress
Outstanding Deliverable 1	*Final Revision to Long Term Financial Plan	Reaching Completion
Outstanding Deliverable 2	*Update Affordability Envelope – in line with Draft 2019/20 MTREF Budget	Reaching Completion
Outstanding Deliverable 3	Update Prioritisation Model in line with revised/updated baseline capture. - Including provisioned-in and forced-in projects (by virtue of priority)	Reaching Completion
Outstanding Deliverable 4	*Final Alignment and calibration of capital budget based on CEF and capital budget prioritization.	Reaching Completion
Outstanding Deliverable 5	Land Budget and Land Identification for residential and commercial growth (medium to long term).	Started
Outstanding Deliverable 6	*Asset Management Modelling for full ten-year horizon, fully costed, including social facility modelling.	Done of 5 years with estimates for outer year
Outstanding Deliverable 7	Extensive Backlog Studies	Updated study needed in line with latest statistical releases.

* The priority areas highlight in yellow above.

The Municipality require additional assistance to help with funding the outstanding components of the Capital Expenditure Framework. Support from the DBSA will greatly assist Stellenbosch Municipality to fund the completion of the CEF, which though in completion stages, was not originally budgeted for.

5. Co-funding Contribution

Due to the fact that in-house capacity was not prevalent to develop a CEF, an external service provider was appointed. The full costs of developing the CEF was R734 505,00 of which one-third, i.e. R244 835,00 has already been paid by Stellenbosch Municipality . In order to complete the CEF, the following outstanding components of the CEF, in the estimated amount (cost) of R 489 670.00 (thousand), must be completed as soon as possible

Fortunately much work could be provided on the prioritization of capital projects with the assistance of an existing provider who has assisted with the capital planning and prioritization of projects.

6. Commitments and Undertakings by the Municipality after the CEF is Completed

In respect of the above request, the Municipality hereby commits and undertakes that:

3. Upon the completion of the CEF, the Municipality will take full ownership of its outputs with the aim to implement the identified priority projects.
4. In particular, the municipality commits to engage, collaborate, and work with the DBSA, COGTA, relevant sector Departments and National Treasury to:
 - d) Unlock fiscal allocations e.g. MIG, RBIG, etc. by making use of the assistance of the DBSA's Project Preparation Unit (DBSA PPU) where required to prepare the relevant priority projects that will be identified in the above infrastructure plan up to the MIG registration stage.
 - e) Include the prioritized projects identified by the CEF in its Integrated Development Plan (IDP) and make the necessary future budgetary allocations towards the implementation of the projects.
 - f) Mobilize funding and other resources from the DBSA, and / or from the fiscal allocations, to take the implementation-ready priority projects identified by the infrastructure plan, and the priority projects subsequently prepared by the DBSA-PPU, to implementation (construction) stage.

The requirements of the CEF is quite cumbersome and requires a substantial paradigm shift, which should it be fully costed, requires more funding than currently known. Stellenbosch is doing as much as it possibly can within its limited resources and capacity constraints, and continue to

support the logic of the IUDF and will there do everything in its means to honour the IUDG requirements.

The MTREF Indicative allocation for the capital budget are indicated below, in line with the estimated revenue available:

Table 3: 2019/20 MTREF Capital Budget

DIRECTORATE	2019/2020	2020/2021	2021/2022
Municipal Manager	35 000	40 000	-
Financial Services	150 000	150 000	-
Corporate Services	32 750 000	22 650 000	13 400 000
Infrastructure Services	345 327 028	390 096 528	330 378 000
Planning and Economic Development	17 327 000	9 840 000	2 045 000
Community and Protection Services	72 404 000	33 370 000	17 175 000
Grand Total	467 993 028	456 146 528	362 998 000

7.3.3	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK: 2019/2020-2021/2022
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Collaborator No:

File No:

8/1

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

19 March 2019

1. SUBJECT: MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2019/2020-2021/2022

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 380 million of which over the MTREF R160 million will be required in year 1, R120 million in year 2 and R100 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

MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

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

5. RECOMMENDATIONS

- (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;
- (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 2019/2020, 2020/2021 and 2021/2022, 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 - 30**, be approved for public release;

-
- (g) that Council specifically notes and considers the need to take up an external loan needed for investment in income generating infrastructure to the tune of R380 million, of which R160 million will be required in year 1, R120 million in year 2 and R100 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 takes 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 93 and 94 that was published to guide the MTREF for 2019/2020 to 2021/2022 as set out in **APPENDICES 31 – 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 2018 Medium Term Budget Policy Statement (MTBPS) by the Minister of Finance highlighted the difficult choices both fiscal and economic that will be confronting the government over the next several years. The Minister further stated that given the current economic climate faced by the country, the government will be confronted with the above mentioned choices over the medium term as well. This undoubtedly reiterates the sentiments expressed in 2016's annual budget circular, which stated clearly that the South African economic outlook is bleak.

South Africa continues to confront an economic environment that are challenging as a result of slow global growth and trade tensions mounting.

The focus must be to choose a path which will lead to economic growth that will be faster and more inclusive, which will also strengthen public and private sector investment. The projected Gross Domestic Product (GDP) growth forecasted during 2018 for 2019 has been revised downwards from 1.7 per cent to 1.5 per cent. This is due to a fragile recovery in employment and investment, and a less supportive global trade environment. However growth is expected to gradually recover and improve to over 2 per cent by 2021, as confidence returns and investments gathers pace. This will be achieved through the government's efforts to reform state-owned companies and the launch of the infrastructure fund that are expected to increase growth and investment in the years ahead. To achieve higher and more inclusive growth improved state capacity as well as a comprehensive structural reform are needed to address unemployment and poverty.

The 2019 Budget review also notes that the government's budget priorities is as follow; narrow the budget deficit and stabilise the national debt-to-GDP ratio, support restructuring of the electricity sector, and reduce the immediate risks Eskom poses to the economy and the public finances and renew economic growth by strengthening private-sector investment, improving the planning and implementation of infrastructure projects, and rebuilding state institutions.

The President announced the implementation of an economic stimulus and recovery plan during September 2018 and during the 2018 MTBPS he announced the steps to implement the economic and recovery plan. The initiative will focus on the following five interventions:

- Implementing growth-enhancing economic reforms;
- Reprioritising public spending to support economic growth and job creation;
- Establishing an infrastructure funds;
- Addressing urgent matters in education and health; and
- Investing in municipal social infrastructure improvement.

The economic recovery process over the medium term will focus on increased investment in social and economic infrastructure. This will require a more increased role for the private sector and improved implementation of government's existing plans. Government has begun to implement growth enhancing reforms in line with the aforementioned economic stimulus and recovery plan. It was noted in the State of the Nation Address on 7th February 2019 that faster economic growth is required to expand employment and raise the revenue needed to support social development.

To bolster confidence and encourage private-sector investments additional steps are required to strengthen policy certainty, improve the effectiveness of infrastructure spending and rebuild public institutions.

In his budget speech on 20 February 2019, 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 reiterated the same five tasks/priorities that were addressed during the State of the Nation Address on the 7th February 2019.

The broad principles that flow from the National Development Plan were also touched on as the Minister emphasised that the National Budget 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 Minister stated in his speech that the National Budget should be viewed as a long-term vision. Challenges were highlighted by the Minister as focus areas for the future, namely, technology, sustainability, rapid urbanisation and nationalism.

The Budget of 2019 outlines a series of economic and fiscal measures to be implemented to move the economy onto a new trajectory and reduce the long-term risks to South Africa's public finances. The central economic policy goal of the government is to accelerate inclusive growth and create jobs. The main objective is to ensure sustainable finances by containing the budget deficit and stabilising public debt. The Constitution requires the national budget and related budget processes to promote values such as transparency, accountability, as well as effective management of the economy to these requirements in a difficult environment in which economic growth remains weak, public debt and debt service costs have accelerated, and governance and operational concerns are manifest across the public sector. The 2019 Budget confronts these challenges by addressing the central risks of the economy and its public finances, supporting growth-enhancing reforms and maintaining real growth in expenditure on social and economic priorities.

The Budget of 2019 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 & improving the conditions of the poor;
- 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, accelerate inclusive economic growth and increase job opportunities;
- Reconstitute a professional national intelligence capability;
- Improve the education system and develop skills;
- Step up and fight against state capture and corruption;
- Remove the constraints to inclusive growth and to pursue far greater levels of investment;
- Improve governance, strengthen leadership and restore stability in strategic entities; and
- Strengthen the capacity of the state to address the needs of the people.

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 therein 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 2017/18 and 18/19 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, entrepreneurships, 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 7th February 2019 conceded that unemployment remains a national challenge and that job creation remains at the centre of the national agenda of 2019. 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:

- SMMEs: Expanding the small business incubation programme which provides entrepreneurs with the physical space, infrastructure and shared services, access to specialised knowledge market linkages, training in the use of new technologies and access to finance.
- 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 (launch of the youth employment service through paid internships).
- Agriculture and related initiatives
- Water Conservation Initiatives
- Encourage significant new investments and promoting greater investment in key manufacturing sectors
- Provision of Infrastructure through Infrastructure Investments

- Expansion of the Tourism Sector
- Developing capabilities in science, technology and innovation towards digital industrial revolution.

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

The Western Cape Premier in her State of the Province address, on 15th February 2019, reiterated the sentiments highlighted during the State of the Nation Address and also the challenges that are faced and the initiatives that were implemented to address these challenges with regards to unemployment, education, building of safer communities, sustainable infrastructure development, land reforms, drought disaster management plans, implementation of related initiatives, provision of housing (dignified living), provision of services to the poor households, among others. The Premier highlighted the importance of finding ways to minimise unemployment by creating an environment that encourages job creation, through investment and growth and creating an environment which raises the quality of education and prepares generations for a digital future. During her address the Premier mentioned the successes achieved through the implementation of various initiatives with focus on land reform, improvement of education and creation of an environment which encourages expanding social services, building of partnerships to foster safer communities, investments in and maintenance of infrastructure and implementation of various youth development programmes which in return will boost employment opportunities. All of the above issues are of importance, however as the Premier stated, the basis of all of this is economic growth, investment and job creation. In essence little else is possible if there is no growth or job opportunities.

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.

In essence these Cost Containment 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 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 2019 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 maintain tariff increases and adopt a tariff setting methodology that achieves an appropriate balance between the interests of poor households and other customers while ensuring the financial sustainability of the municipality. Municipalities must ensure that their budget are funded from realistically anticipated revenues. This means that the municipality must refrain from assuming collection rates that are unrealistic and unattainable.

In the instance of bulk tariff increases for electricity municipalities are also encouraged to apply for electricity tariff increases that reflect the total cost of providing the service, to ensure that they are working towards achieving fully cost-reflective tariffs that will assist them to achieve financial sustainability. Drought conditions makes it challenging and difficult for some municipalities to improve their revenue generation from provision of water services. In respect of water services the following important aspects should be focused on such as improving demand management, maintenance of infrastructure, management of losses, meter reading and tariff setting. When setting the tariffs, municipalities must ensure that the tariffs charged will be able to cover for the cost of bulk purchases, ongoing operations as well as provision for any future infrastructure.

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.

As a result of the economic landscape and weak tariff setting, municipalities are under pressure to generate additional revenue. Additional revenue needs to be generated because the consumers ability to pay for services received, continues to decline, which leads to limited revenue collection. 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 impact 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. Continued policy uncertainty and the deterioration in the finances of state-owned companies are some of the main risks and challenges that can hinder the economic outlook. It is as a result of above economic challenges, alongside continued unemployment and slow growth 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.

Municipalities are required to focus on the following during the compilation of the 2019/2020 MTREF budgets:

- Improving the effectiveness of revenue management processes and procedures;
- Paying special attention to cost containment measures by, amongst other things, controlling unnecessary spending on nice-to-have items and non-essential activities as highlighted in the MFMA Circular No.82;
- Ensuring value for money through the procurement process;
- 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 municipality has taken this in consideration when drafting the budget.

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 was 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 2019/20 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 some 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 2019/20 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) was 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 2019/2020 of around 5.2 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 2019/2020 year is R2 361 408 752 of which R1 807 847 224 (77%), is allocated to the operating budget and R 553 561 528 (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 2019/2020 – 2021/2022

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 57% of the capital budget, include:

- New Plankenburg Main Outfall Sewer;
- Bulk Sewer Outfall: Jamestown;
- Ida's Valley Merriman Outfall Sewer;
- Upgrade of WWTW: Pniel & Decommissioning of Franschhoek;
- Bulk Water Supply Pipe Line & Pump stations: Franschhoek;
- Bulk water supply: Klapmuts;
- New Reservoir & Pipeline: Vlottenburg;
- Sewer pipe Replacement: Dorp Street;
- Water Conservation & Demand Management;
- Stellenbosch WC024 (MRF)- Construct;
- Expansion of landfill site (New Cells);
- Main Road Intersection Improvements;
- Ida's Valley mixed Housing Project IRDP/ FLISP;
- Klapmuts: Erf 2181 (298 serviced sites);
- Upgrading of The Steps/ Orleans Lounge;
- Purchasing of Land; and
- Hydraulic Ladder Fire Truck.

The detailed draft capital budgets for 2019/2020, 2020/2021 and 2021/2022 are attached as **APPENDIX 1**.

DRAFT OPERATING BUDGET 2019/2020 – 2021/2022

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 2019/2020:

Electricity	13.80%
Sanitation	6.00%
Refuse removal	16.50%
Water	6.50%
Rates	6.50%

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 2019/2020 – 2021/2022

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 developed:

Ward Allocation Policy (**Appendix 4**)

The following budget-related policies were revised:

Rates Policy (**Appendix 5**)

Indigent Policy (**Appendix 6**)

Special Ratings Area Policy (**Appendix 7**)

Credit Control and Debt Collection Policy (**Appendix 8**)

Irrecoverable Debt Policy (**Appendix 9**)

Petty Cash Policy (**Appendix 10**)

Travel and Subsistence Policy (**Appendix 11**)

Virementation Policy (**Appendix 12**)

Accounting Policy (**Appendix 13**)

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

Supply Chain Management Policy (**Appendix 15**)

SCM Policy for Infrastructure Procurement and Delivery Management (SIPDM) (**Appendix 16**)

Development Charges Policy (**Appendix 17**)

Unchanged Policies and By-Laws

Performance Management Policy (**Appendix 18**)
Rates By-law (**Appendix 19**)
Special Ratings By-law (**Appendix 20**)
Tariff By-law (**Appendix 21**)
Tariff Policy (**Appendix 22**)
Asset Management Policy (**Appendix 23**)
Budget Implementation and Monitoring Policy (**Appendix 24**)
Borrowing, Funds and Reserves Policy (**Appendix 25**)
Financing of External Bodies performing municipal functions Policy (**Appendix 26**)
Liquidity Policy (**Appendix 27**)
Inventory Management Policy (**Appendix 28**)
Preferential Procurement Policy (**Appendix 29**)
Grants-In-Aid Policy (**Appendix 30**)

A summary of changes to budget related policies is attached as **Appendix 33**.

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.

External Loan for 2019/2020

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 380 million of which over the MTREF R160 million will be required in year 1, R120 million in year 2 and R100 million in year 3 (refer to Section G: High Level Budget Overview and Table A1 Budget Summary).

6.4. Legal Implications**Legal Services**

The item is compliant with the relevant legislative framework.

6.5. Staff Implications

None

6.6. Previous / Relevant Council Resolutions

None

6.7. Risk Implications

None

6.8. Comments from Senior Management

The content is noted.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-18: ITEM 7.3.2**RESOLVED**

That the recommendations be accepted with the amendments on the policy and the schedule with regard to the names of the projects.

RECOMMENDATIONS

- (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;
- (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 2019/2020, 2020/2021 and 2021/2022, 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 - 30, be approved for public release;
- (g) that Council specifically notes and considers the need to take up an external loan needed for investment in income generating infrastructure to the tune of R380 million, of which R160 million will be required in year 1, R120 million in year 2 and R100 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 takes 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 93 and 94 that was published to guide the MTREF for 2019/2020 to 2021/2022 as set out in **APPENDICES 31 – 32**.

ANNEXURES

ANNEXURES ARE UNDER SEPARATE COVER

FOR FURTHER DETAILS CONTACT:

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REPORT DATE	27 March 2019

7.4	HUMAN SETTLEMENTS: [CLLR N JINDELA]
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7.4.1	STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW 2019-2022)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

13 March 2019

1. SUBJECT: STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW 2019-2022)

2. PURPOSE

To request Council to approve the Stellenbosch Municipality's Housing Pipeline (projects) for the next 3 financial years, for submission to the Provincial Department of Human Settlements (PDoHS).

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL

In terms of System of Delegations, which reads as follows:

- Item 515 (Section 2 of the Housing Act) (Page 115) – Apply the general principles as set out in Section 2, when deciding on housing projects.

4. EXECUTIVE SUMMARY

The report relates to the annual review of the Stellenbosch Municipality Housing Pipeline. This particular review relates to the period 2019 to 2022.

The report requests the support of Council for the following housing project and initiatives:

- (a) To require Council's support in principle in order to allow the new project to be submitted to the Provincial Department of Human Settlements for approval on the Housing pipeline; and
- (b) To report on the process on existing housing projects on the current approved housing pipeline.

5. RECOMMENDATIONS

- (a) that the project in the table below be supported, in principle, and be submitted to Provincial Department of Human Settlements for approval on the Housing Pipeline:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO. OF SITES	NO. OF UNITS
1.	Faure Agri-Village	IRDP/FLISP	Planning phase	480	480

- (b) that, given the location of the project, the land owner of Faure Agri-Village provide confirmation from the City of Cape Town regarding the provision of the bulk infrastructure;
- (c) that Council takes note of the progress or lack thereof on current housing projects; and
- (d) that the housing pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation.

6. DISCUSSION / CONTENTS

6.1 Background

Faure Agri-Village

This is an Agri-Village Development on land owned by Faure Agri-Village (Pty) Ltd. next to Croydon. The land size is approximately 26 Hectares and at an estimated yield of 30 units/hectare, approximately 480 opportunities will be realised. This project is specifically earmarked for farmworkers in the area.

The land is suitable for residential development and the following desk-top studies have been concluded:

- Cadastral plan;
- Geotechnical investigation;
- Notice of intent to develop have been submitted to the Department of Environmental Affairs and Development Planning as well as Heritage application (NID);
- A draft town layout has been done for discussion purposes; and
- The appointed civil engineer has prepared an Engineering Services Report and are busy with the Bulk Services availability.

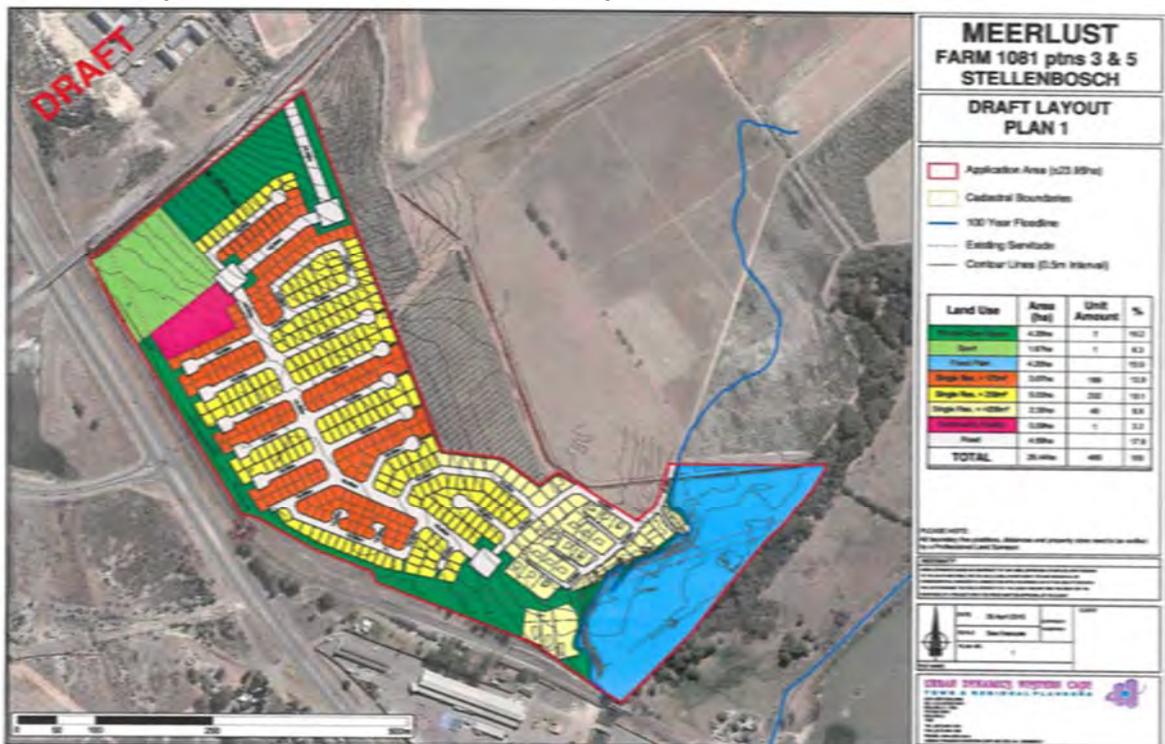


Fig. 1 possible site plan (partitioning plan)



Fig. 2 Location plan

6.2 Discussion

6.2.1 Progress on current housing projects

6.2.1.1 Kayamandi Housing

6.2.1.1.1 Watergang Housing

Contractor to build the remaining 20 units has been appointed in accordance with Supply Chain Policy, Section 32. The contractor commenced with the work in December 2017. On 22 May 2018 all 20 houses were built and they were in various stages i.e. 6 houses were already occupied and 14 houses were at roof height. Due to community unrest that took place on 22 May 2018, 14 houses were vandalized. The Municipality instructed the contractor to move off site for safety reasons. The vandalism of the units didn't stop; instead there were more damages to the units. The contractor returned to site in August 2018 to fix the houses. To date 14 houses have been completed and 6 houses are under construction, and all 6 are at roof height. The project is estimated to be complete by end of March 2019.

6.2.1.1.2 Zone O

The consultants completed the layout plan. LUPA application has been submitted for approval and the layout has been advertised for public comments.

Consultant has been appointed (Jubelie Projects) to do the engineering designs and tendering process. Tender for services will be advertised by end of April 2019.

6.2.1.1.3 332 TRA

The contractor to build the 332 temporary housing units has been appointed. Site handover was on 5 December 2017. Contractor commenced with the work on 8 January 2018, and on 22 May 90 houses were built. Due to community unrest all the houses were demolished by some of the community members.

Section 116(3) was approved for the change of scope. The contractor re-commenced with the new scope in November 2018. To date 206 units have been built and 161 handed over to beneficiaries.

The project will be complete by end of this financial year.

6.2.1.1.4 Erf 2181, Mandela City, Klapmuts

The project was initially to develop the remainder of the 219 sites that were approved by the Provincial Department of Human Settlements (PDoHS) during 2012. The Department: Informal Settlements appointed consultants for the densification of the existing sites to ±295 sites. The application for the subdivision was submitted to the Directorate: Planning and Economic Development.

The rephrasing of the project and the required funding was approved by PDoHS. The installation of services for phase 1 is at 100% completion.

During the implementation of the project, community members were dissatisfied with a number of issues and particularly the size of the temporary housing units and serviced sites. After extensive consultation and negotiation processes, many community issues were addressed; however, the Site Development Plan (SDP) had to be altered to accommodate community needs. The impact to revise phase 1 of the Site Development Plan caused a delay of about six months on site.

One of the challenges is the re-location of the families to electrified structures. Klapmuts area is supplied by Eskom and the installation of services is in process. The construction of the Alternative Building Units is at an advanced stage and Phase 1 will be completed in the current financial year.

A Section 116 (3) process was followed and the project will be implemented as per the revised SDP.

6.2.1.2 Ida's Valley Housing

6.2.1.2.1 Erf 9445

Township establishment was obtained on erf 9445 on 26 April 2018 after dealing with two appeals that were lodged against the MPT approval. The Department of Water Affairs requested a Water Use License application due to proximity of works to a degraded wetland. The final application on the basis of an acceptable off-set area as well as a sustainable rehabilitation plan has been made to Department of Water Affairs. Work commenced on the construction of gabion structures to protect the integrity of the site and prevent flooding on the site. This work was halted due to an interpretation on the delineation of the river's edge.

An application for a S24G is in process but it will not have an impact on the decision by the Department of Environmental Affairs and Development Planning. This application will not have a negative impact on the planned program from the contractor to commence with the installation of civil services. Construction started during June 2017 in order to rehabilitate the river adjacent to the development on Erf 9445.

The Department of Water Affairs recommended the water license during December 2018 to National Department of Water Affairs. Construction will commence as soon as the Water Use License has been obtained.

6.2.1.2.2 Erf 11330

The contractor did site establishment during January 2018 and the Consulting engineers finalised the drawings with the Engineering Department in order to re-route the main waterlines on the site. The Environmental Authorization was issued for Erf 11330 during December 2018 for the upgrading of Old Helshoogte Road.

The developer is currently executing bulk work and installing internal services on Erf 11330, marketed as Hillside Village.

The installations of services are at 50% completion and the construction of houses will commence during May 2019.

6.2.1.3 Jamestown Housing

An agenda item served during a Council meeting held in September 2017 for the disposal of municipal land, being a portion of Portion 4 of Farm No 527 and a portion of the Remainder of Farm No 527, located at Jamestown. The Department commenced with a procurement process to appoint a Turnkey Developer through a Call for Proposals.

The tender was compiled and advertised. Stage 1 of the evaluation process has been finalised and served at the Bid Evaluation Committee. Stage 2 of the tender process is currently being finalised.

6.2.1.4 Erf 7001 and other possible sites for mix-used development in Cloeteville

The Directorate: Planning and Economic Development identified a number of vacant and under-utilized properties within Cloeteville and a service provider was appointed to prepare a strategy to identify the best use for each of these properties.

After the completion of the feasibility report, two properties were identified for development purposes. A tender was advertised for the development of Erf 7001 and Erf 8915, Cloeteville. The tender closed on 25 February 2019 and the evaluation of the tenders are in process.

6.2.1.5 Upgrading of Informal Settlements Strategic (UISS)

The Informal Settlements department developed an Informal Settlements Upgrading Strategy (ISUS). The purpose of this strategy is to identify all the informal settlements within the Stellenbosch Municipal area and to identify possible upgrading projects within these settlements. The identified projects were then prioritised in accordance with the level of basic services that are available to the settlement.

Applications for funding for these prioritised projects were submitted to the budget office at Stellenbosch Municipality, as well as the PDoHS. The Department: Informal Settlements is currently implementing the following projects:

- (a) Enkanini pilot project;
- (b) Enkanini rezoning, consolidation and subdivision;
- (c) Langrug road project.

The Department: Informal Settlements has also submitted additional funding application (planning applications) to PDoHS for:

- (a) Enkanini interim services;
- (b) Langrug completion of the road project; and

(c) Langrug dam rehabilitation project.

6.2.2 Review and update of projects for the MTREF 2019-2022**(i) 2019/20 Financial Year**

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1.	Stellenbosch Ida's Valley (±265 services) (Erf 13300)	IRDP/BNG	Construction		89
2.	Stellenbosch Ida's Valley (±166 services) (Lindida)	FLISP	Construction	166	100
3.	Longlands, Vlottenburg (±144 Services and units)	IRDP	Construction		144
4.	Stellenbosch Jamestown (Phases 2) (±133 sites)	IRDP/FLISP	Construction	133	
5.	Erf 7001 and other possible sites for mix-used development in Cloetesville	IRDP/FLISP	Planning		
6.	Kayamandi Zone O (±711 services)	UISP	Construction	100	
7.	Kayamandi Enkanini Enhanced Services (±1 300 sites)	UISP	Planning		
8.	Kayamandi Town Centre Regeneration (±700 units)	UISP/ Institutional	Planning		
9.	Northern Extension (Phase 1), Stellenbosch	IRDP/FLISP	Planning		
10.	Kylemore (±171 services & ±171 units)	IRDP	Land transfer DoPW		
11.	Franschhoek Langrug Enhanced services (±1 200 services)	UISP	Planning and feasibility study for decanting sites		
12.	Stellenbosch LaMotte Old Forest Station (±430 services & ±430 units)	IRDP/FLISP	Planning : Land transfer DoPW		
13.	Meerlust, Franschhoek (±200 services & ±200 units)	IRDP	Planning		
14.	Rectification of existing units in Smartie Town (106 units)	CRR	Rectification		106
15.	Rectification of existing units in The Steps/Orlean lounge (161 units)	CRR	Rectification		161
16.	Social Housing: Restructuring Zones, CBD Stellenbosch		Planning-Feasibility studies		
18.	Botmaskop (±1 500 opportunities)	Social Housing / IRDP	Pre-planning		
19.	Stellenbosch Transit Orientated Development complex precinct (±3500 opportunities)	IRDP	Pre-planning		
TOTAL				399	440

* Current Provincial costing for service sites are R46 000 per erf and R120 000 per top structure.

(ii) 2020/21 Financial Year

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1.	Stellenbosch Ida's Valley (±265 services) (Erf 13300)	IRDP/FLISP	Construction		175
3.	Stellenbosch Jamestown (Phases 3) (±165 opportunities)	IRDP/FLISP	Planning		
4.	Erf 7001 and other possible sites for mix-used development in Cloetesville	IRDP/FLISP	Construction	*	
5.	Kayamandi Zone O (±711 services)	UISP	Construction	100	

6.	Kayamandi Enkanini Enhanced Services ($\pm 1\ 300$ sites)	UISP	Construction	*	
7.	Kayamandi Town Centre Regeneration (± 700 units)	UISP/ Institutional	Construction	*	
8.	Northern Extension (Phase 1), Stellenbosch	IRDP/FLISP	Planning		
9.	Kylemore (± 171 services & ± 171 units)	IRDP	Construction	100	
10.	Franschhoek Langrug Enhanced Services ($\pm 1\ 200$ services)	UISP	Construction	*	
11.	Stellenbosch LaMotte Old Forest Station (± 430 services & ± 430 units)	IRDP/FLISP	Construction	50	
12.	Meerlust, Franschhoek (± 200 services & ± 200 units)	IRDP	Construction		
13.	Social Housing: Restructuring Zones, CBD Stellenbosch		Planning		
14.	Botmaskop ($\pm 1\ 500$ opportunities)	Social Housing / IRDP	Planning		
15.	Stellenbosch Transit Orientated Development complex precinct ($\pm 3\ 500$ opportunities)	IRDP	Planning		
TOTAL				250	175

* Current Provincial costing for service sites are R46 000 per erf and R120 000 per top structure.

(iii) 2021/22 Financial Year

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1.	Stellenbosch Ida's Valley (± 265 services) (Erf 13300)	IRDP/FLISP	Construction		175
3.	Stellenbosch Jamestown (Phases 3) (± 165 opportunities)	IRDP/FLISP	Planning		
4.	Erf 7001 and other possible sites for mix-used development in Cloetesville	IRDP/FLISP	Construction	*	
5.	Kayamandi Zone O (± 711 services)	UISP	Construction	100	
6.	Kayamandi Enkanini Enhanced Services ($\pm 1\ 300$ sites)	UISP	Construction	*	
7.	Kayamandi Town Centre Regeneration (± 700 units)	UISP/ Institutional	Construction	*	
8.	Northern Extension (Phase 1), Stellenbosch	IRDP/FLISP	Planning		
9.	Kylemore (± 171 services & ± 171 units)	IRDP	Construction	100	
10.	Franschhoek Langrug Enhanced Services ($\pm 1\ 200$ services)	UISP	Construction	*	
11.	Stellenbosch LaMotte Old Forest Station (± 430 services & ± 430 units)	IRDP/FLISP	Construction	50	
12.	Meerlust, Franschhoek (± 200 services & ± 200 units)	IRDP	Construction		
13.	Social Housing: Restructuring Zones, CBD Stellenbosch		Planning		
14.	Botmaskop ($\pm 1\ 500$ opportunities)	Social Housing / IRDP	Planning		
15.	Stellenbosch Transit Orientated Development complex precinct ($\pm 3\ 500$ opportunities)	IRDP	Planning		
TOTAL				250	175

6.3 Financial Implications

This report has the following financial implications: The Housing Pipeline must reconcile with budgets and provincial approvals as well as bulk infrastructure capacity or budget.

6.4 Legal Implications

The draft item provided deals with the approved housing pipeline for Stellenbosch Municipality by the Provincial Department of Human Settlements (PDoHS).

The approval for the human settlement pipeline was already granted by the Provincial Department of Human Settlements and no legal input is required in this regard. The Municipality however, has to comply with the conditions of approval. The item is thus supported.

6.5 Staff Implications

This report has staff implications in accordance with the newly approved organogram. Project Managers will be appointed on an ad-hoc basis.

6.6 Previous / Relevant Council Resolutions:

The said Council decision below is also attached as **ANNEXURE 2**.

16TH COUNCIL MEETING: 2018-03-28: ITEM 7.5.2**RESOLVED** (nem con)

- (a) that the projects as reflected in the table below be supported in accordance with the appropriate funding and relevant provincial approvals (see attached **ANNEXURE 1**) as well as available bulk infrastructure capacity:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1.	Stellenbosch Ida's Valley (±166/±265 services)	IRDP/FLISP	Await planning approval (LUPA)	265	
2.	Klapmuts (Phase 4 Of 2053:15) ±298 services & TRA	IRDP	Construction	298	
3.	La Rochelle, Klapmuts (±80 sites)	IRDP/FLISP	Planning		
4.	Longlands, Vlotenburg (±144 Services and units)	IRDP	Contractual matters to be finalised	144	
5.	Stellenbosch Jamestown (Phases 2) (±133 sites)	IRDP	Planning Phase 2		
6.	Erf 7001 and other possible sites for mix-used development in Cloetesville	IRDP/FLISP	Proposal Call		
7.	Kayamandi: Zone O (±711 services) & Watergang (±277 services)	UISP / ISSP	Planning		
8.	Kayamandi Enkanini Enhanced Services (±1 300 sites)	UISP / ISSP	Planning (LUPA & EIA)		
9.	Kayamandi Enkanini (Pilot project)	UISP / ISSP	Construction (Electricity and upgrading of toilets) 300 electricity connections and 20 additional communal toilets		
10.	Kayamandi Town Centre Regeneration (±700 units)	UISP/ Institutional	Planning		
11.	Northern Extension (Phase 1), Stellenbosch	IRDP/FLISP	Land acquisition and planning		
12.	Kylemore (±171 services & ±171 units)	IRDP	Await transfer of land		
13.	Franschhoek Langrug Enhanced Services (±1 200 services)	UISP	Planning and feasibility study for decanting site		
14.	Stellenbosch La Motte Old Forest Station (±430 services & ±430 units)	IRDP/FLISP	Await planning approval		
15.	Meerlust, Franschhoek (±200 services & ±200 units)	IRDP	Planning		
16.	De Novo (±374 sites) Project managed by PDoHS	IRDP / Institutional	Planning		
			TOTAL	707	

Note: IRDP – Integrated Residential Development Programme
FLISP – Finance Linked Individual Subsidy Programme
UISP – Upgrading of Informal Settlement Programme
ISSP – Informal Settlements Support Programme
LUPA – Land Use Planning Act
EIA – Environmental Impact Assessment

- (b) that the projects in the table below, be supported in principle and submitted to Provincial Department of Human Settlements for funding to commence with pre-feasibility studies:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1.	La Motte, Franschoek	IRDP/FLISP	Pre-planning phase		
2.	Erf 2, La Motte (±70 services)	IRDP	Pre-planning phase		
3.	Drodyke	IRDP	Pre-planning phase		
4.	Botmaskop (±1 500 opportunities)	Social Housing / IRDP	Pre-planning phase		
5.	Stellenbosch Transit Orientated Development complex precinct (±3 500 opportunities)	IRDP	Pre-planning phase		

- (c) that after the completion of the pre-feasibility studies of these projects as listed in (b) above, a report be submitted to Council for consideration; and
- (d) that the housing pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation.

6.7 **Risk Implications**

This report has no risk implications for the Municipality.

6.8 **Comments from Senior Management:**

Senior Management supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-13: ITEM 7.4.1

- (a) that the project in the table below be supported, in principle, and be submitted to Provincial Department of Human Settlements for approval on the Housing Pipeline:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO. OF SITES	NO. OF UNITS
1.	Faure Agri-Village	IRDP/FLISP	Planning phase	480	480

- (b) that, given the location of the project, the land owner of Faure Agri-Village provide confirmation from the City of Cape Town regarding the provision of the bulk infrastructure;
- (c) that all potential beneficiaries that will benefit from the Faure Agri-Village housing project, must be registered on the Stellenbosch Municipality's housing database (waiting list);
- (d) that all potential beneficiaries as mentioned in (c) above, must be checked/verified against the provincial housing demand database for place of origin;
- (e) that Council takes note of the progress or lack thereof on current housing projects; and
- (f) that the housing pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation.

ANNEXURES

Annexure 1: Provincial Department of Human Settlements' approval

Annexure 2: Previous Council decision

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	<i>Director</i>
DIRECTORATE	<i>Director: Planning & Economic Development</i>
CONTACT NUMBERS	<i>021 808 8491</i>
E-MAIL ADDRESS	<i>tabiso.mfeya@stellenbosch.gov.za</i>
REPORT DATE	<i>6 March 2019</i>

ANNEXURE 1

3 YEAR DELIVERY PLAN Post-GAAC 1 February 2019 2019/20 - 2021/22 HSDG		PROGRAMME	Baseline March 2018		2018/2019			2019/2020			2020/2021			2021/2022		
Average Site Cost (R'000)	60	SITES	HOUSES	SITES	HOUSES	FUNDING	SITES	HOUSES	FUNDING	SITES	HOUSES	FUNDING	SITES	HOUSES	FUNDING	
Average Unit cost (R'000)	130	SERVICED	BUILT	SERVICED	BUILT	R '000	SERVICED	BUILT	R '000	SERVICED	BUILT	R '000	SERVICED	BUILT	R '000	
Stellenbosch		955	760	853	20	56 994	410	0	37 900	283	144	36 920	200	133	29 290	
Kayamandi Watergang UISP (332 TRA)	UISP				20	860										
ISSP Stellenbosch Kayamandi Town Centre (1000) UISP	UISP								1 800	50		3 000	50		3 000	
ISSP Kayamandi Zone 0 (711) UISP	UISP					2 000	100		4 000	100		6 000	100		6 000	
ISSP Kayamandi Enkanini (1300 sites) UISP	UISP					3 400										
Stellenbosch De Novo (374) IRDP	IRDP					3 400			3 000							
Stellenbosch De Novo Upgrades (74)	EEDBS					4 600			6 500							
Stellenbosch Northern Extension/ Watergang (2000) IRDP	IRDP/UISP					2 000			2 000							
Stellenbosch Idas Valley (265) IRDP	IRDP			265		8 900				100		13 000				
Stellenbosch Idas Valley (166) FLISP	FLISP			265		8 900	166		9 960							
Klapmuts (balance 298 of 1036)	IRDP	955	760	179		9 144										
Klapmuts TRA (on 298 sites Nutec structures)	IRDP					4 300										
Stellenbosch Jamestown Phase 2 (133) IRDP	IRDP					600				133	0	7 980		133	17 290	
Stellenbosch Erf 7001 Cloeteville (380) IRDP	IRDP					250						650	50		3 000	
Vlottenburg Longlands (106 incr to 144) IRDP	IRDP			144		8 640	144	0	8 640		44	4 000				
LAND PURCHASE Klapmuts Ptn 2 Farm Weltevreden 744	Land/IRDP								2 000							
Klapmuts Ptn 2 Farm Weltevreden (350) IRDP	IRDP											350				
ISSP Klapmuts La Rochelle (80 sites) UISP	UISP											140				
Stellenbosch Lamotte Old Forest Station (1000 services - 1000 units) IRDP	IRDP											1 200				
Franschhoek Langrug (1900) UISP	UISP															
Franschhoek Langrug (Interim services)	UISP															
Meerlust (200)	IRDP											600				

ANNEXURE 2

7.5.2	STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW 2018-2021)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

*28 March 2018***1. SUBJECT: STELLENBOSCH MUNICIPALITY: HOUSING PIPELINE (ANNUAL REVIEW 2018-2021)****2. PURPOSE**

To request Council to approve the Stellenbosch Municipality's Housing Pipeline (projects) for the next 3 financial years, for submission to the Provincial Department of Human Settlements (PDoHS).

3. DELEGATED AUTHORITY**FOR DECISION BY MUNICIPAL COUNCIL**

In terms of system of delegations which reads as follows:

- Item 515 (Section 2 of the Housing Act) (Page 115) – Apply the general principals set out in Section 2, when deciding on housing projects.

4. EXECUTIVE SUMMARY

The report relates to the annual review of the Stellenbosch Municipality Housing Pipeline. This particular review relates to the period 2018 to 2021.

The report requests the support of Council for the following housing projects and initiatives:

- (a) Those projects with appropriate funding and relevant provincial approvals as well as available bulk infrastructure capacity;
- (b) Those projects that require Council's support in principle in order to allow these to be submitted to the Provincial Department of Human Settlements for funding to initiate pre-feasibility studies; and
- (c) A report to be compiled and submitted to Council for consideration following the completion of pre-feasibility studies as envisaged in b) above.

16TH COUNCIL MEETING: 2018-03-28: ITEM 7.5.2**RESOLVED** (nem con)

- (a) that the projects as reflected in the table below be supported in accordance with the appropriate funding and relevant provincial approvals (see attached **ANNEXURE 1**) as well as available bulk infrastructure capacity:

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1.	Stellenbosch Ida's Valley (±166/±265 services)	IRDP/FLISP	Await planning approval (LUPA)	265	
2.	Klapmuts (Phase 4 Of 2053:15) ±298 services & TRA	IRDP	Construction	298	
3.	La Rochelle, Klapmuts (±80 sites)	IRDP/FLISP	Planning		
4.	Longlands, Vlotenburg (±144 Services and units)	IRDP	Contractual matters to be finalised	144	
5.	Stellenbosch Jamestown (Phases 2) (±133 sites)	IRDP	Planning Phase 2		
6.	Erf 7001 and other possible sites for mix-used development in Cloetesville	IRDP/FLISP	Proposal Call		
7.	Kayamandi: Zone O (±711 services) & Watergang (±277 services)	UISP / ISSP	Planning		
8.	Kayamandi Enkanini Enhanced Services (±1 300 sites)	UISP / ISSP	Planning (LUPA & EIA)		
9.	Kayamandi Enkanini (Pilot project)	UISP / ISSP	Construction (Electricity and upgrading of toilets) 300 electricity connections and 20 additional communal toilets		
10.	Kayamandi Town Centre Regeneration (±700 units)	UISP/ Institutional	Planning		
11.	Northern Extension (Phase 1), Stellenbosch	IRDP/FLISP	Land acquisition and planning		
12.	Kylemore (±171 services & ±171 units)	IRDP	Await transfer of land		
13.	Franschoek Langrug Enhanced Services (±1 200 services)	UISP	Planning and feasibility study for decanting site		
14.	Stellenbosch La Motte Old Forest Station (±430 services & ±430 units)	IRDP/FLISP	Await planning approval		
15.	Meerlust, Franschoek (±200 services & ±200 units)	IRDP	Planning		
16.	De Novo (±374 sites) Project managed by PDoHS	IRDP / Institutional	Planning		
TOTAL				707	

Note: IRDP – Integrated Residential Development Programme
 FLISP – Finance Linked Individual Subsidy Programme
 UISP – Upgrading of Informal Settlement Programme
 ISSP – Informal Settlements Support Programme
 LUPA – Land Use Planning Act
 EIA – Environmental Impact Assessment

- (b) that the projects in the table below, be supported in principle and submitted to Provincial Department of Human Settlements for funding to commence with pre-feasibility studies;

	PROJECT NAME	HOUSING PROGRAM	PROJECT PHASE	NO OF SITES	NO OF UNITS
1.	La Motte, Franschoek	IRDP/FLISP	Pre-planning phase		
2.	Erf 2, La Motte (±70 services)	IRDP	Pre-planning phase		
3.	Drodyke	IRDP	Pre-planning phase		
4.	Botmaskop (±1 500 opportunities)	Social Housing / IRDP	Pre-planning phase		
5.	Stellenbosch Transit Orientated Development complex precinct (±3 500 opportunities)	IRDP	Pre-planning phase		

-
- (c) that after the completion of the pre-feasibility studies of these projects as listed in (b) above, a report be submitted to Council for consideration; and
- (d) that the housing pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation.

FOR FURTHER DETAILS CONTACT:

NAME	Lester van Stavel
POSITION	<i>Manager: New Housing</i>
DIRECTORATE	<i>Human Settlements & Property Management</i>
CONTACT NUMBERS	021 808 8462
E-MAIL ADDRESS	<i>Lester.vanstavel@stellenbosch.gov.za</i>
REPORT DATE	

7.5	INFRASTRUCTURE: [CLLR J DE VILLIERS]
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NONE

7.6	PARKS, OPEN SPACES AND ENVIRONMENT: [PC: CLLR N JINDELA]
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NONE

7.7	PLANNING AND ECONOMIC DEVELOPMENT: [PC: CLLR E GROENEWALD (MS)]
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7.7.1	KAYAMANDI / GEORGE BLAKE INFORMAL TRADING SITE: INCREASE OF PROJECT COST
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Collaborator No: 630214
IDP KPA Ref No: 17/7/1/3
Meeting Date: 13 March 2019

1. SUBJECT: KAYAMANDI / GEORGE BLAKE INFORMAL TRADING SITE: INCREASE OF PROJECT COST

2. PURPOSE

To obtain Council's approval to obtain the necessary authorization for the intended amendment of a contract concluded with Rekha Construction. Increase the initial order (350951) Formal Tender B/SM 42/18 from R 922 779.33 to R 1 427 340 and to extend the duration of the contract. (**ANNEXURE 1**)

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Rekha Construction was awarded the tender for the construction of the George Blake Kayamandi Informal Trading site. After the contractors went on site and started excavating the area, they found services that were not identified on the municipal IMQS system.

This resulted in changes in specifications and additional costs to the entire project, i.e. materials, supervision, security, etc. These costs will exceed the allowed 20% in terms of Circular number 62/2012 (National Treasury) as mentioned in paragraph 6.4.3.

5. RECOMMENDATIONS

- (a) that Council notes in terms of MFMA Section 116(3) the reasons for the change of scope/specification of the Kayamandi/George Blake Informal Trading site project;

- (b) that the tender amount (B/SM 43/18) for the provision of Professional Services be increased from R 922 779.33 to R 1 427 340;
- (c) that Council gives reasonable notice of intention to amend the contract or agreement in terms of Section 116(3)(b)(i);
- (d) that the local community be invited to submit representations to the Municipality in terms of Section 116 (3)(b)(ii); and
- (e) that the Municipal Manager be authorized to conclude the contract or agreement after (d) above is finalized in terms of the applicable Act/Regulation.

6. DISCUSSION / CONTENT

6.1 Background

The project under discussion relates to the improvement of an area where informal trading is currently taking place along George Blake Street, situated near the Kayamandi Economic Corridor. The objective of the project is to replace existing temporary trading structures with a dedicated/formalised area. The Municipality envisages the unlocking of profitable trading possibilities for informal traders.

A budget of R 900 000 was allocated in the 2017/2018 financial year for the aforementioned project, of which 50% of the funding was sourced from the National Department of Small Business Development.

6.2 Discussion

The bid was advertised on the 17 November 2017 in "Die Burger", the Cape Argus, E-portal of the CIDB website with a 3 GB designation grading or higher and Stellenbosch Municipal website.

A compulsory site meeting was held on the 23 November 2017 at 10:00 am in the Plein Street Library Hall to give potential bidders the opportunity to acquaint themselves with the particulars of the bid.

The closing date was the 18 December 2017. The technical evaluation report was submitted to Supply Chain Management of the 7 February 2018.

The building plan was circulated to the directorates and approved by the Manager: Building Development on the 7 November 2017 (**ANNEXURE 2**).

The bid was awarded to Rekha Construction on the 2 March 2018. The appeal period ended on the 30 March 2018 and the site handover meeting took place on the 4 April 2018. Estimated project completion date was 8 July 2018. The relocation of the site necessitated changes to the specifications previously undertaken. Consequently there is a need to change the contract accordingly to include the additional costs associated with all the above.

When the contractor went on site and started excavation of the area, services were found that were not indicated on the IMQS system (**ANNEXURE 3**). The contractors contacted the user department and instruction was immediately given to stop all work on site until the issue has been resolved.

A way leave application was submitted on the 7 May 2018, whereafter it was resolved a few months later that the site should move 6 meters back. The site was surveyed once again on 1st November 2018, and the amended cost estimate/quotation was received on 7th of November 2018 for approval by Council. The relocation of the site necessitated

changes to the specifications previously undertaken. Consequently there is a need to change the contract accordingly to include the additional costs associated with all the above.

The contractor has appointed security on site and the standing cost is running. It is therefore important that a decision is made to complete the project as the contractor is not at fault in this instance.

6.3 **Financial Implications**

R 504 560.67 (43%) increase in the initial project cost, which will be viremented from savings from other LED trading site capital projects.

6.4 **Legal Implications**

6.4.1 **SCM Guide for Accounting Officer**

In terms of paragraph 5.9.5.2, of the SCM Guide for Accounting Officers a **single source selection** may be appropriate, but only if it presents a clear advantage over competition; e.g. for tasks that represent a **natural continuation** of previous work carried out by the Service Provider.

Further, in terms of paragraph 5.9.5.3 the reason for a single source selection should be recorded and approved by the Accounting Officer or his/her delegate prior to the conclusion of a contract.

6.4.2 **Municipal Finance Management Act (MFMA)**

In terms of Section 116(3) of the MFMA a contract or agreement procured through the supply chain management policy of the municipality may be amended by the parties, but only after:

- a) The reasons for the proposed amendment have been tabled in the council of the 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.

6.4.3 **Comments from Legal Services**

In order to ensure uniformity in application of the MFMA Section 116(3), the National Treasury issued MFMA Circular number 62/2012 where it is stated that contracts for construction-related goods or services may be expended or varied by 20% of the original contract value, and service providers for general goods or services may be expanded or varied by 15% of the original contract value, through internal process. Any expansion or variation in excess of the aforementioned thresholds must be reported to Council and dealt with in terms of the provision of Section 116(3) of the MFMA.

The item and recommendations are supported.

6.5 **Staff Implications**

None

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:

Senior Management supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-13: ITEM 7.7.1

- (a) that Council notes in terms of MFMA Section 116(3) the reasons for the change of scope/specification of the Kayamandi/George Blake Informal Trading site project;
- (b) that the tender amount (B/SM 43/18) for the provision of Professional Services be increased from R 922 779.33 to R 1 427 340;
- (c) that Council gives reasonable notice of intention to amend the contract or agreement in terms of Section 116(3)(b)(i);
- (d) that the local community be invited to submit representations to the Municipality in terms of Section 116 (3)(b)(ii); and
- (e) that the Municipal Manager be authorized to conclude the contract or agreement after (d) above is finalized in terms of the applicable Act/Regulation.

ANNEXURES

Annexure 1: Professional fees quotation

Annexure 2: Approved building plans

Annexure 3: IMQS map VS current

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	Director
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8491
E-MAIL ADDRESS	tabiso.mfeya@stellenbosch.gov.za
REPORT DATE	4 December 2018

ANNEXURE 1



Registration Number: 2015/160697/07

Vat number: 4290270810

5B Eiland street

Paarl

7646

Tel 021 8711950

05.12.2018

Quotation Kayamandi George Blake trading site

1	3 brick channel	0.00	62	m	R 265,00	R 16 430,00
2	Install 160 mm dia. uPVC clas 12 pipe (incl. excavation, bedding, backfill, bends, and connection to existing network with relevant couplings)	0.00	40	m	R 272,94	R 10 917,60
3	Install 160 mm dia. Gate Valve (complete with chamber)	0.00	1	No	R 7 891,82	R 7 891,82
4	Take out existing 160 mm dia. uPVC pipe (incl. valve) made provision for for exceeding meters	0.00	1	Sum	R 2 480,00	R 2 480,00
5	Take out old 110 mm sewer pipe	0.00	20	m	R 260,81	R 5 216,20
6	Install Stormwater catchpit (incl. excavation, brickwork, concrete works, grid, etc)	0.00	1	No	R 3 681,75	R 3 681,75
7	Remove watermeter chamber and precast rocla rings	0.00	3	No	R 928,70	R 2 786,10
8	Install 160mm dia. uPVC class 51 Storm water drainage pipe (incl. excavation, bedding, backfill, bends, and connection to existing network with relevant couplings)	0.00	8	m	R 189,40	R 1 515,20
9	Take down vibacrete fence	0.00	30	m	R 105,90	R 3 177,00
10	Demolish and dispose of existing standpipes (rocla rings with concrete)	0.00	3	No	R 498,73	R 1 496,19
11	Demolish and dispose of existing uPVC downpipes	0.00	3	No	R 156,40	R 469,20
12	Demolish and dispose of existing sewer manhole	0.00	1	No	R 1 380,00	R 1 380,00
13	80 mm thick Paving on external prepared soil (Paving in double zig zag interlocking precast concrete paving blocks complying with SANS 1058, with butt joints on 25mm thick river sand bed with sand swept into joints)	0.00	210	m ²	R 296,50	R 62 265,00
14	Complete installation of Type E1 concrete edging (complete with 15 MPa haunching)	0.00	30	m	R 83,90	R 2 517,00
15	Re-measurable items in bill of quantities (incl. Preliminary & General and Contingencies to be utilised only on approval by client)			Sum		R 382 337,67

R 504 560,73

Regards

Seraaj Khan

Rekha construction Pty ltd



**AMPTELIKE BESTELLING
OFFICIAL ORDER**

Stellenbosch
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

17, STELLENBOSCH 7599
☎ 021 808-8520
☎ 021 808-8688

BESTEL NR. / ORDER NO.
347250
Duplicate

DATUM / DATE
06/04/2018

REKHA CONSTRUCTION (PTY) LTD t
3 TAMBOTIE AVENUE
PAARL
WESTERN CAPE
7646

KREDITEUR NR.
CREDITORS NO. 012813

KONTAK PERSOON / CONTACT PERSON
MELISSA NEL
Requisition No. 1050129

REKWISIË REQUISITION LINE	LYN LINE	VOORRAAD NR. STOCK NO.	BESKRYWING / DESCRIPTION	POS NR. / VOTE NO.	HOEEVELHEID QUANTITY	PRYS SONDER BTW PRICES WITHOUT VAT	BTW/VAT	TOTAAL PRYS TOTAL PRICE
			B/SN 42/18 CONSTRUCTION OF GEORGE BLAKE/KAYAMANDI		1	802416.81	120362.52	922779.33

NAMENS / FOR:
STADSRAAD / TOWN COUNCIL **STELLENBOSCH**
Handtekening / Signature: *[Signature]*
11.04.2018
DEPARTEMENT / DEPARTMENT

TOTAAL
TOTAL **922779.33**



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

SUPPLY CHAIN MANAGEMENT UNIT

Enquiries: Ms G Mettler E-mail scm.appeals@stellenbosch.gov.za Ref: 6/1/1 Tel: (021) 808 8025 Fax: (021) 888 6749

As per fax: 086 551 3999

As per email: riedwaan@rekha.co.za

Attention: Redoewaan Khan

Rekha Construction (PTY) LTD

Crn Eiland & Voight Street

Paarl

7646

Dear Sir/Madam

BID: B/SM 42/18: THE CONSTRUCTION OF KAYAMANDI GEORGE BLAKE INFORMAL TRADING SITE, STELLENBOSCH.

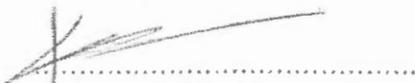
Stellenbosch Municipality has accepted your offer dated 18 December 2017, for the rendering of the above services, subjected only to the terms and conditions embodied in the Tender specifications and the general conditions of contract.

Please note this award is subject to a 14 day objection period as per SCM regulation 49 as well as to a 21 day for appeals as per Section 62 of the Municipal Structures Act against the decision made.

Please note the above provisions will run concurrently from the date of notification of the decision.

If there is any uncertainty regarding the scope of work, it should be addressed as soon as possible. Please liaise with Melissa Nel at the following number 021 808 8173.

Yours faithfully


 pp Financial Services
 Municipal Manager

02/03/2018
 Date

ANNEXURE 2

**STELLENBOSCH MUNISIPALITEIT
STELLENBOSCH MUNICIPALITY**

**KENNISGEWING VIR GOEDKEURING VAN BOUPLAN
NOTICE OF APPROVAL OF BUILDING PLAN**

Stellenbosch Municipality
C/o Piet Smit
P.O.Box 17
STELLENBOSCH
7599

07-11-2017

Bouplan nommer : BP/17/4022
Building Plan number

Vir Erfnommer : SB2174
For Erf Number

Geleê te: : Kayamandi
Situated at:

Ten opsigte van ('n) : Steel canopy and paving
In respect of (a)

IS GOEDGEKEUR OP : 07-11-2017
WAS APPROVED ON

Conditions:

BUILDING CONTROL OFFICER – RODNEY ADAMS

Certificate from the Land surveyor to be submitted for any structure built on the boundary.

ENGINEERS SERVICES – HAROLD DAVIDS

Submit way leave application. Submit service drawings for water and sewer connections.

Kommentaar:
Comments:

BUILDING CONTROL OFFICER – RODNEY ADAMS (021-8088686)

Recommended for approval subject to the following conditions:-

1. All work to be done in accordance with the National Building Regulations and standards Act 103 of 1977.
2. This approval does not exempt the owner from complying with any relevant legislation.
3. Any approval granted by this local authority in accordance with subsection (1) (a) in respect of any application shall lapse after the expiry of a period of 12 months as from the date on which it was granted unless the erection of the building in question is commenced or proceeded with within the said period or unless such local authority extended the said period at the request in writing of the applicant concerned.

MANAGER: BUILDING DEVELOPMENT

ANNEXURE 3



7.7.2	TO AUTHORISE THE MUNICIPAL MANAGER TO START THE PRESCRIBED PUBLIC PARTICIPATION PROCESS AS PER CHAPTER 4 OF THE MUNICIPAL ASSET TRANSFER REGULATIONS, WITH THE VIEW OF FOLLOWING A TENDER/CALL FOR PROPOSAL PROCESS FOR OUTSOURCING THE MANAGEMENT/USE OF THE KAYAMANDI ECONOMIC AND TOURISM CORRIDOR (KETC)
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Collaborator No: 633452
IDP KPA Ref No:
Meeting Date: 13 March 2019

1. **SUBJECT: TO AUTHORISE THE MUNICIPAL MANAGER TO START THE PRESCRIBED PUBLIC PARTICIPATION PROCESS AS PER CHAPTER 4 OF THE MUNICIPAL ASSET TRANSFER REGULATIONS, WITH THE VIEW OF FOLLOWING A TENDER / CALL FOR PROPOSAL PROCESS FOR OUTSOURCING THE MANAGEMENT / USE OF THE KAYAMANDI ECONOMIC AND TOURISM CORRIDOR (KETC)**

2. **PURPOSE**

To gain authorisation for the Municipal Manager to start the prescribed public participation process as per Chapter 4 of the Municipal Asset Transfer Regulations, with the view of following a tender/call for proposal process in outsourcing the management/use the Kayamandi Economic Tourism Corridor.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

The Kayamandi Economic and Tourism Corridor continues to be under-utilised. It is of critical importance that the Municipality finally delivers the correct strategy and operational model for the sustainable future benefit of the community.

This will include re-defining possible mixed-use outcomes, and appointing a suitably capacitated operator that will have the financial resources and operational experience to deliver a sustainable and relevant facility that serves real needs within the community. It is acknowledged that various operational reference models exist within the Western Cape, and that these are useful guides to articulating the type of outcome needed at KETC.

5. **RECOMMENDATIONS**

- (a) that Council authorises the Municipal Manager to start the Public Participation Process as per Chapter 4 of the Asset Transfer Regulations with the intention of following an appropriate process for the outsourcing and management of the Kayamandi Economic and Tourism Corridor;
- (b) that Council gives reasonable consideration to all regulations and processes required by the Municipal Policy on the Management of Immovable Property, the Asset Transfer Regulations and prescriptions of the MFMA, and then to follow the process that best ensures the correct operational outcome for the Kayamandi Economic and Tourism Corridor;
- (c) that the local community be invited to submit representations; and

- (d) that the Municipal Manager be authorized to conclude the contract or agreement after (c) above is finalized in terms of the applicable Act/Regulation.

6. DISCUSSION / CONTENT

6.1 Background

The Kayamandi Economic & Tourism Corridor, covering an area of approximately 5000m², of which an estimated 930m² has historically been considered as let-able, was built with the intention to be a civic and economic hub that would serve not only the needs of the local community, but also with the correct mix of tenants to be an attraction for tourists.

Despite having good potential, this facility has never delivered on its original intention and promise. The facility has never attracted a critical mass and mix of tenants. It hosts various administrative functions, but the varied and indeed attractive trading- and community space remains badly under-utilised.

Whilst still functional, the building is falling into disrepair, and as a consequence becomes steadily less attractive as a civic space. There are tenants who hold valid leases, but these are short term, and will therefore lapse within two years.

6.2 Discussion

The Kayamandi Economic and Tourism Corridor needs to be managed as an economic asset to ensure its on-going attraction. The Municipality does not have the necessary/requisite human resources to effectively manage the property as an economic asset.

Moreover, outsourced management and marketing will reduce the operational cost of the function. Thus, outsourcing the management is critically important to ensure asset retention.

6.3 Financial Implications

It is intended that the appointment of the correct operator will lead to significant operational cost-savings for the Municipality.

6.4 Legal Implications

Municipal Finance Management Act (No 65/2003) (MFMA)

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 the municipal council, in a meeting open to the public -
 - (a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; 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.
- (3) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain

management policy which the municipality must have and maintain in terms of section 111.

Asset Transfer Regulations (ATR)

Disposal (Chapter 2)

In terms of Regulation 5(1)(b) of the ATR a municipal Council may transfer or dispose of a non-exempted capital asset only after-

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

In terms of Regulation 11, an approval in principle may be given subject to any condition, including conditions specifying a floor price or minimum compensation for the capital asset.

Awarding of rights (Chapter 4)

In terms of Regulation 34(2) of the ATR a municipality may grant a right to use, control or manage a capital asset, but only after:

- c) The accounting offices has in terms of regulation 35 conducted a public participation process regarding the proposed granting of the right; and
- d) The municipal council has approved in principle that the right may be granted.
Sub regulation (1)(a) (public participation process) must be complied with only if-
 - a) the capital asset in respect of which the proposed right is to be granted has a value in excess of R10 million; and
 - b) a long term right is proposed to be granted in respect of the capital asset.

The municipal council must, when considering the in principle approval take into account -

- (a) whether the capital asset may be required for the municipality's own use during the period for which the right is to be granted;
- (b) the extent to which any compensation to be received for the right together with the estimated value of any improvements or enhancements to the capital asset that the private sector party or organ of state to whom the right is granted will be required to make, will result in a significant economic or financial benefit to the municipality;
- (c) the risks and rewards associated with the use, control or management of the capital asset in relation to the municipality's interests;
- (d) any comments or representations on the proposed granting of the right received from the local community and other interested persons (not applicable);
- (e) any written views and recommendations on the proposed granting of the right by the National Treasury and the relevant provincial treasury (not applicable);
- (f) the interests of any affected organ of state, the municipality's own strategic, legal and economic interests and the interests of the local community; and

- (g) compliance with the legislative regime applicable to the proposed granting of the right.

In terms of **Regulation 40** an approval in principle in terms of regulation 34(1)(b) or 37(1)(b) that a right to use, control or manage a capital asset may be granted, may be given subject to any conditions, including conditions specifying -

- (a) the type of right that may be granted, the period for which it is to be granted and the way in which it is to be granted;
- (b) the minimum compensation to be paid for the right; and
- (c) a framework within which direct negotiations for the granting of the right must be conducted, if granting of the right is subject to direct negotiations.

Further, in terms of **Regulation 41**, If approval in principle has been given in terms of regulation 34(1)(b) that a right to use, control or manage a capital asset may be granted, the relevant municipality may grant the right only in accordance with the disposal management system of the municipality, irrespective of -

- (a) the value of the asset;
- (b) the period for which the right is to be granted; or
- (c) whether the right is to be granted to a private sector party or organ of state.

Policy on the Management of Stellenbosch Municipality's immovable property (Approved by Council 29-03-2018)

The relevant and appropriate terms of the Policy to apply to the implementation of the desired outcomes, which may include:

Unsolicited proposals

Non-competitive proposals: Private Treaty Agreements

Non-viable Immovable Property

Viable Property: Deviation from a competitive process.

Further, in terms of the Supply Chain Management Policy, assets may only be disposed of/leased out by way of -

- (a) a tender process;
- (b) a call for development proposal; or
- (c) a two-stage Bidding process.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions:

12th COUNCIL MEETING: 2008-02-26: ITEM 7.9

- (a) that Council decide on reasonable grounds that the Kayamandi Economic Tourism Precinct is not needed to provide the minimum level of basic municipal services;
- (b) that the list of names for the Kayamandi Economic and Tourism Precinct Steering Committee and functions of the Committee as proposed by the Ad Hoc Committee, be endorsed and approved and that a further three persons (not Councillors) from Kayamandi be nominated by the ANC, KCA and UDM; and
- (c) that Council authorize the Municipal Manager to, based on the findings of an independent property valuator:

- (i) determine a fair market related-rental per m²;
- (ii) determine a subsidized rental per m²;
- (iii) determine the ratio between the fair market value rentals and subsidized rental rates to ensure a reasonable revenue stream from rentals based on recommendations of the Kayamandi Economic and Tourism Precinct Steering Committee;
- (iv) approve and amend the proposed retail mix as a guide to conclude rental agreements based on the recommendation of the Kayamandi Economic and Tourism Precinct Steering Committee ; and
- (v) approve the evaluation criteria for the assessment of proposals received from prospective lessees for the Kayamandi Economic Tourism Precinct.

6.7 **Risk Implications**

This report has no risk implications for the Municipality.

6.8 **Comments from Senior Management:**

Senior Management supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-13: ITEM 7.7.3

- (a) that Council authorises the Municipal Manager to start the Public Participation Process (60 days) as per Chapter 4 of the Asset Transfer Regulations with the intention of following an appropriate process for the outsourcing and management of the Kayamandi Economic and Tourism Corridor;
- (b) that Council gives reasonable consideration to all regulations and processes required by the Municipal Policy on the Management of Immovable Property, the Asset Transfer Regulations and prescriptions of the MFMA, and then to follow the process that best ensures the correct operational outcome for the Kayamandi Economic and Tourism Corridor;
- (c) that the local community be invited to submit representations; and
- (d) that the Municipal Manager be authorized to conclude the contract or agreement after (c) above is finalized in terms of the applicable Act/Regulation.

ANNEXURES

None

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	<i>Director</i>
DIRECTORATE	<i>Planning & Economic Development</i>
CONTACT NUMBERS	<i>021 808 8491</i>
E-MAIL ADDRESS	<i>tabiso.mfeya@stellenbosch.gov.za</i>
REPORT DATE	<i>1 March 2019</i>

7.7.3	PUBLIC PARTICIPATION PROCESS: FUTURE USE / UPGRADE OF THE BRAAK
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Collaborator No:

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

13 March 2019

1. SUBJECT: PUBLIC PARTICIPATION PROCESS: FUTURE USE / UPGRADE OF THE BRAAK

2. PURPOSE

To obtain Council's approval to follow a public participation process on a proposed Call for Design Proposals regarding the future use and upgrade of the Braak.

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

The item seeks Council's approval to follow a Public Participation Process on a proposed Call for Design Proposals regarding the future use of the Braak as a productive open space not excluding informal trading. It furthermore elaborates on the different steps to be followed up to the point of a Call for Design Proposals and the actual Implementation.

5. RECOMMENDATIONS

- (a) that Council authorises the Municipal Manager to follow a public participation process on the proposed process for the future use/upgrade of the Braak; and
- (b) that, following the public participation process, Council considers the inputs received before embarking on a Call for Design Proposals.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Historical use of the Braak

In days gone by the Braak was considered the town square or village green, and space of great pride, over the centuries used for social, military and sporting events.

It is surrounded by many buildings of historical significance: The Kruithuis – an old gunpowder store with two VOC canons outside; the Rhenish Church completed in 1823 as a school for slave children with brass bells nearby, and St. Mary's – a tiny Anglican Church standing since 1852.

In more colonial times, it was known as the Queen's Square, or the King's Square, depending on who occupied the throne at the time. Until the 1950s the two old canons outside the Kruithuis were rolled onto the Braak to fire a twenty-one gun salute in honour of the Monarch's birthday, but wisely, this tradition ended when one canon exploded.

Presently the Braak is also home to a number of informal traders, vendors who arrive early in the morning to set out curios, paintings, African print cloth and other ethnic trinkets, and are gone by sunset.

Home to the Festival of lights at Christmas time, the Braak is briefly home to colourful night lights which serve to deflect from the tired and worn daylight reality.

6.1.2 Current use

Currently the Braak has no specific use other than the Informal Traders on the Western side of the property, and a few ad hoc events.

6.1.3 Possible upgrade of the Braak

Over the past few years various ideas/proposals were received for a more optimal/functional use of the Braak, and this process should now be formalised in order to realise concrete and positive outcomes.

6.2. DISCUSSION

6.2.1 The Braak, with its central location in town, and its history as a town square and community space, should be actively and purposefully upgraded to fulfil its potential as a vibrant civic space that attracts tourists, townspeople, and traders alike.

Thoughtful consideration should be given to inputs from the community, and the vision of urban designers, artists, architects etc., which, taken together, have the potential to have a transformative social impact on the town centre, with anticipated economic and tourism spin-offs.

It is thus desirable to formalise a process in this regard which articulates shared objectives, financial implications and timelines to a successful end result.

It is an important open space of heritage significance and proposals should speak to how to enhance and better utilize it.

Note should be taken that the Braak is a declared Grade 1 National Heritage site and that all proposals must take cognisance of that fact and that this implies a process of approval other than through the municipality.

6.2.2 Proposed process: Call for design proposals

Ultimately the Planning and Economic Development Directorate wants to follow a Call for Design Proposal in appointing a professional urban designer/architect/ team of specialists. The following **process** is suggested:

Step 1: Council resolution, authorising a public participation process: The purpose of this process would be to request public inputs/ comments on the proposal and on the composition of an Advisory Committee to oversee the process.

Step 2: Feedback to Council on inputs/ comments received and authorisation of Call for Design Proposals process, including the composition of the Advisory Committee.

Step 3: Call for Design Proposals: During this phase prospective artists, architects urban designers and town planners, will be called upon to submit design proposals for the future use/ upgrade of the Braak, within a framework to be broadly agreed on for the optimal/ functional use of the Braak, but with a specific focus on the integration of the Informal Traders.

Step 4: Evaluation of design proposals. The design proposals will be evaluated by the Advisory Committee, comprising a team of specialists/ peer groupings to be approved by Council, following the public participation process envisaged under step 1). The Advisory Committee will decide on preferred design/proposals.

Step 5: Consideration of preferred proposals by Council and authorising of a targeted tender/ bidding process.

Step 6: Competitive bidding process

Step 7: Implementation

6.3 Financial Implications

None at this stage.

6.4 Legal Implications

The SCM Policy will be followed in the proposed bidding process envisaged under step 6 (see par. 6.2.1, above).

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

None

6.8 Comments from Senior Management

Supports the recommendations

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-13: ITEM 7.7.4

- (a) that Council authorises the Municipal Manager to follow a public participation process on the proposed future use / upgrade of the Braak; and
- (b) that, following the public participation process (90 days), Council considers the inputs received before embarking on a Call for Design Proposals.

ANNEXURES:

None

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	Director:
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021-808 8491
E-MAIL ADDRESS	Tabiso.Mfeya@stellenbosch.gov.za
REPORT DATE	2019-03-11

7.7.4	INVITATION AND CALL FOR NOMINEES FOR THE MUNICIPAL PLANNING TRIBUNAL IN TERMS OF THE PROVISIONS OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) AND THE AMENDMENT OF THE HOURLY RATE PAYABLE TO THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL
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Collaborator No:

File No:

1/1/1/40

IDP KPA Ref No:

D535

Meeting Date:

18 March 2019

1. SUBJECT: INVITATION AND CALL FOR NOMINEES FOR THE MUNICIPAL PLANNING TRIBUNAL IN TERMS OF THE PROVISIONS OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) AND THE AMENDMENT OF THE HOURLY RATE PAYABLE TO THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL

2. PURPOSE

To obtain Council's approval to invite and call for nominees suitably experienced and qualified external professionals to serve as members of the Municipal Planning Tribunal in terms of the provisions of the Stellenbosch Municipal Land Use Planning By-law (2015) (hereinafter referred to as "the By-law") and to facilitate the increase in the hourly remuneration of these members.

3. DELEGATED AUTHORITY

For decision by Council.

In terms of the Stellenbosch Municipality Land Use Planning By-law 2015; the Spatial Planning Land Use Management Act No 16 of 2013 [SPLUMA] and the Western Cape Land Use Planning Act No 3 of 2014 [LUPA], as well as regulations governing these pieces of legislation (SPLUMA/LUPA).

4. EXECUTIVE SUMMARY

In terms of Section 70(1) of Stellenbosch Municipality Land Use Planning By-law (2015), read with Section 35 (1) of SPLUMA, the Municipality must establish a Municipal Planning Tribunal to consider and decide on land use applications made in terms of the By-law.

Council resolved, as per item 8.6 on 27 May 2015, that the term of office for the current Stellenbosch MPT shall be a period of three years which period would come to an end on 1 March 2019. The aforesaid resolution also contained details in respect of the remuneration and travel expenses of the MPT members. Subsequently, Council resolved, as per item 8.6 on 25 November 2015, to appoint external Municipal Planning Tribunal members as recommended by the evaluation panel for the three year period referred to above. For the last three years since June 2015, the Municipal Planning Tribunal has been constituted and operated professionally. Council recently resolved, as per item 8.2.2 on 27 February 2019, to extend the term of office of the current Municipal Planning Tribunal for a further period of four months, until 1 July 2019.

Permission is now sought from Council to proceed with the invitation and call for nominations in terms of Section 72 (1)(b) of the By-law for suitably experienced and qualified external professionals to serve as members of the Municipal Planning Tribunal in terms of the provisions of the Stellenbosch Municipal Land Use Planning By-law (2015). This process will include, but not be limited to:

-
- (i) the publication of a notice in the various local and regional newspapers and on the Municipal website calling on nominations to serve on the Municipal Planning Tribunal;
 - (ii) the Administration assisting the Mayco to determine the terms of reference to be used as criteria for the evaluation of the nominated MPT members;
 - (iii) the Administration assisting in the establishment of an evaluation panel to evaluate the nominations for MPT members received by the Municipality, which panel will consist of all the members of the Planning Portfolio Committee and all the Directors, or their delegated officials.

In respect of the remuneration of the external MPT members, Council subsequently resolved in (b) of Item 7.3.3 of the 10th Council meeting dated 26 July 2017 to amend resolution (e)(i) of Council Item 8.6 dated 27 May 2015, to remunerate the members in line with SACPLAN professional fees (Category B) from R 300,00 to R 1000,00 per hour to a maximum remuneration equal to five hours per meeting.

In light of inflation and increases consequential thereto, it is necessary to adjust the rate at which members are paid to ensure that suitably qualified professional members are attracted or avail themselves to be nominated to serve on the MPT. It will be recommended that the hourly rate be amended according to the latest publication of the South African Council of Professional Planners (SACPLAN) increased professional fees rate. This will be to allow for the increase in the hourly remuneration rate of MPT members from R 1000,00 to a capped rate of R 1500,00 per hour to a maximum remuneration equal to five hours per meeting.

5. RECOMMENDATIONS

- (a) that Council approves the invitation and call for nominees for suitably experienced and qualified external professionals to serve as members of the Municipal Planning Tribunal in terms of the provisions of the Stellenbosch Municipal Land Use Planning By-law (2015);
- (b) that the Administration assist the Mayco to determine the terms of reference to be used as criteria for the evaluation of the nominated MPT members;
- (c) that the Administration assist in the establishment of an evaluation panel to evaluate the nominations for MPT members received by the Municipality, which panel will consist of the Chairperson of the Planning Portfolio Committee and all the Directors;
- (d) that the Administration assist the Mayco to determine the ideal number of external MPT Members, taking into account the private schedule and availability of such members to regularly attend to MPT meetings;
- (e) that the Administration assist the Mayco to determine the term of office for the MPT, taking into account the recommendations from the evaluation panel with regards to the nominations as well as Section 73(1) of Stellenbosch Municipality Land Use Planning By-law (2015) which refers to a maximum period of 5 years, or a shorter period as the Municipality may determine; and
- (f) that Council amend resolution (b) of Council Item 7.3.3 dated 26 July 2017 (10th Council meeting) in line with latest publication of the South African Council of Professional Planners (SACPLAN) increased professional fees rate (Category B) to allow for the increase in the hourly remuneration rate of MPT members from R 1000,00 to a capped rate of R 1500,00 per hour to a maximum remuneration equal to five hours per meeting.

6. DISCUSSION

6.1 Background

6.1.1 *Invitation and call for Nominees*

In terms of Section 70(1) of Stellenbosch Municipality Land Use Planning By-law (2015), read with Section 35 (1) of SPLUMA, the Municipality must establish a Municipal Planning Tribunal to consider and decide on land use applications made in terms of the By-law. In some instances Council may adopt categories of applications and appoint an official in the municipality to consider and decide on certain land use applications in line with categories approved by Council.

In terms of Section 71(1)(a)&(b) of the Stellenbosch Municipality Land Use Planning By-law (2015) the Tribunal established in terms of Section 70(1)(a) must consist of at least three employees in full-time service of the Municipality and two persons who are not employees of the Municipality or councilors. The latter may in terms of Section 71(3)(b) of the By-law be an individual in his or her own capacity, who in terms of Section 71(2) of the By-law must have knowledge and experience of land use planning or the law related thereto and be representative of a broad range of appropriate experience and expertise.

In terms of Section 72(1)(b) members of the Tribunal referred to in Section 71(1)(b) of the By-law may be appointed by Council only after the Municipality has in the case of members contemplated in 71(3)(b) by notice in a newspaper in circulation in the municipal area invited interested parties who meet the criteria to be nominated to be so appointed.

In terms of Section 73(1)(a) of the By-Law, the term of office for members of a Municipal Planning Tribunal (MPT) is five years or such shorter period as the Municipal Council may determine. Council resolved, as per item 8.6 on 27 May 2015 that the term of office for the current Stellenbosch MPT shall be a period of three years, which period would come to an end on 1 March 2019. (See minutes attached as **ANNEXURE A**). Subsequently, Council resolved, as per item 8.6 on 25 November 2015 to appoint external Municipal Planning Tribunal members as recommended by the evaluation panel for the three year period referred to above. (See minutes attached as **ANNEXURE B**).

For the last three years since June 2015, the Municipal Planning Tribunal has been constituted and operated professionally. Subsequently, Council resolved, as per item 8.2.2 on 27 February 2019 to extend the term of office of the current Municipal Planning Tribunal for a further period of four months, until 1 July 2019. (See minutes attached as **ANNEXURE C**).

Given the above, the appointment of the members of the Stellenbosch Municipal Planning Tribunal will lapse on 1 July 2019, and consideration must therefore now be given as to the way forward.

6.1.2 *Remuneration of members*

Resolution (b) of Item 7.3.3 of the 10th Council meeting dated 26 July 2017 (attached as **ANNEXURE D**) reads:

- (b) *that Council amend resolution (e)(i) of Council Item 8.6 dated 27 May 2015 in line with SACPLAN professional fees (Category B) from R300. 00 per hour to R 1 000, 00 per hour to a maximum remuneration equal to five hours per meeting. The appointed External Municipal Planning Tribunal Members meets the criteria of SACPLAN Categories B as their expertise are of private consulting firm in practice standard whom have adequate expertise and relevant experience to perform the work of a planning nature and whom can carry the direct technical responsibility for one or more specific activities;*

Furthermore, Resolution (e)(ii) of the 30th Council meeting dated 27 May 2015 reads :

(e)(ii) that the sitting members be reimbursed for travelling expenses, inclusive of travel from and back home to the sittings, at the rates approved from time to time for Councillors in the Mayoral Committee, in keeping with the relevant policy of the Municipality.

6.2 Discussion

6.2.1 *Invitation and call for Nominees*

Permission is now sought from Council to proceed with the invitation and call for nominations in terms of Section 72 (1)(b) of the By-law for suitably experienced and qualified external professionals to serve as members of the Municipal Planning Tribunal in terms of the provisions of the Stellenbosch Municipal Land Use Planning By-law (2015). This process will include, but not be limited to:

- (i) the publication of a notice (typical example of notice attached as **ANNEXURE E**) in the various local and regional newspapers and on the Municipal website calling on nominations (typical example of nomination form attached as **ANNEXURE F**) to serve on the Municipal Planning Tribunal;
- (ii) the Administration assisting the Mayco to determine the terms of reference to be used as criteria for the evaluation of the nominated MPT members;
- (iii) the Administration assisting in the establishment of an evaluation panel to evaluate the nominations for MPT members received by the Municipality, which panel will consist of all the members of the Planning Portfolio Committee and all the Directors, or their delegated officials;
- (iv) formulation of a Report for submission to Mayco and then to Council to recommend the acceptance of the nominations made by the evaluation panel for the commencement of the appointment of the Municipal Tribunal Members and the approval of the Chairperson and Deputy Chairperson;
- (v) the appointment of the successful nominees and the notification of the unsuccessful candidates;
- (vi) the acceptance of appointment by the successful nominees;
- (vii) a publication of a notice in the Provincial Gazette in terms of Section 72(11)(c).

The procedures involved in the constituting of the MPT through the invitation and call for nominations as mentioned above is a complex and extensive process prescribed in both SPLUMA and the By-law. For this purpose a schedule of procedures with a timeline has been formulated and is attached as **ANNEXURE G** to indicate the tight timeframes within which these procedures need to be executed.

It is proposed that the Mayco, assisted by the Administration, determine the terms of reference to be used as criteria for the evaluation of the nominated MPT members. Furthermore, it is proposed that the evaluation panel consist of all the members of the Planning Portfolio together with all the Directors or their delegated officials. The Administration would assist in the establishment of this panel and the arrangement required for the evaluation to occur.

6.2.2 **Remuneration of members**

It will be recommended that the hourly rate be amended according to the latest publication of the South African Council of Professional Planners (SACPLAN) increased professional fees rate (**ANNEXURE H** – Notice no. 1080 in Government Gazette No 41959 dated 5 October 2019). In terms of the previous decision of Council it was agreed that the external members of the municipal planning tribunal meet the criteria of SACPLAN Category B, although the hourly rate approved was capped at R 1000,00, whilst the published indicative hourly rate was R 1542,00.

In light of inflation and increases consequential thereto, it is necessary to adjust the rate at which members are paid to ensure that suitably qualified professional members are attracted or avail themselves to be nominated to serve on the MPT. The latest indicative hourly rate for Category B is that of R 1992,00. It is however recommended to amend the existing capped hourly rate of R 1000,00 to R 1500,00 to a maximum remuneration equal to five hours per meeting.

The travelling expenses incurred by the members of the MPT will still be dealt with in terms of the previous resolution of Council, i.e. resolution (e)(ii) of the 30th Council meeting dated 27 May 2015; which reads as follows:

(e)(ii) that the sitting members be reimbursed for travelling expenses, inclusive of travel from and back home to the sittings, at the rates approved from time to time for Councillors in the Mayoral Committee, in keeping with the relevant policy of the Municipality.

6.3 Financial Implications

The advertising costs required for the publication of the notices in the press have been budgeted for in the operational budget of 2018/2019, and sufficient funds are available. The additional operational budget required for the professional fees for external MPT members to be amended in line with SACPLAN professional fees for external consultants have been provided for in the operational budget of the 2019/2020 financial year.

6.4 Legal Implications

The recommendations as set out above are in terms of the Stellenbosch Land Use Planning By-Law, October 2015 read with SPLUMA, LUPA and subsequent previous Council resolutions.

6.5 Staff Implications

There are no staff implications should the recommendations as set out above be accepted.

6.6 Previous / Relevant Council Resolutions

The following previous Council approvals are applicable:

- ✓ Item 8.6 of Council meeting dated 27 May 2015
- ✓ Item 7.4 of Council meeting dated 25 of November 2015
- ✓ Items 7.3.3 of Council meeting dated 26 July 2017
- ✓ Item 7.3.3 of Council meeting 27 February 2019
- ✓ It should furthermore be noted that other Council resolutions were also made, however these relate to changes in the internal Tribunal members.

6.7 Risk Implications

The recommendation will reduce the risk implications with regard to the consistency of Land Use Development decisions for the Municipality. Should there be a failure to execute the procedure within the timelines stipulated, it could result in an appeal submission to the Executive Mayor in terms of Section 79(3), which reads:

- (3) An applicant may appeal in writing to the Appeal Authority in respect of the failure of the Tribunal or an authorised employee to make a decision within the period contemplated in section 57(1) and (2), any time after the expiry of the period contemplated in that section.*

6.8 Comments from Senior Management:

Senior Management supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-18: ITEM 7.7.1

- (a) that Council approves the invitation and call for nominees for suitably experienced and qualified external professionals to serve as members of the Municipal Planning Tribunal in terms of the provisions of the Stellenbosch Municipal Land Use Planning By-law (2015);
- (b) that the Administration assist the Mayco to determine the terms of reference to be used as criteria for the evaluation of the nominated MPT members;
- (c) that the Administration assist in the establishment of an evaluation panel to evaluate the nominations for MPT members received by the Municipality, which panel will consist of the Chairperson of the Planning Portfolio Committee and all the Directors;
- (d) that the Administration assist the Mayco to determine the ideal number of external MPT Members, taking into account the private schedule and availability of such members to regularly attend to MPT meetings;
- (e) that the Administration assist the Mayco to determine the term of office for the MPT, taking into account the recommendations from the evaluation panel with regards to the nominations as well as Section 73(1) of Stellenbosch Municipality Land Use Planning By-law (2015) which refers to a maximum period of 5 years, or a shorter period as the Municipality may determine; and
- (f) that Council amend resolution (b) of Council Item 7.3.3 dated 26 July 2017 (10th Council meeting) in line with latest publication of the South African Council of Professional Planners (SACPLAN) increased professional fees rate (Category B) to allow for the increase in the hourly remuneration rate of MPT members from R 1000,00 to a capped rate of R 1500,00 per hour to a maximum remuneration equal to five hours per meeting.

ANNEXURES

- Annexure A:** Item 8.6 of Council meeting dated 27 May 2015
- Annexure B:** Item 7.4 of Council meeting dated 25 November 2015
- Annexure C:** Item 8.2.2 of Council meeting dated 27 February 2019
- Annexure D:** Item 7.3.3 of Council meeting dated 26 July 2017
- Annexure E:** Typical example of advert to be published
- Annexure F:** Typical example of nomination form
- Annexure G:** Schedule of procedures and Timelines for appointment of MPT members
- Annexure H:** Notice no. 1080 in Government Gazette No 41959 dated 5 October 2019

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	Director
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8491
E-MAIL ADDRESS	tabiso.mfeya@stellenbosch.gov.za
REPORT DATE	1 March 2019

Annexure A

Item 8.6 of Council meeting 27 May 2015

30TH COUNCIL MEETING: 2015-05-27: ITEM 8.6**RESOLVED** (majority vote with 10 abstentions)

- (a) that the draft Council approve the establishment of a WC024 Municipal Planning Tribunal in terms of Section 35 of the Spatial Planning and Land Use Management Act, 16 of 2013;
- (b) that the term of office for the Municipal Planning Tribunal (MPT) be three years;
- (c) that the Municipal Manager be authorised to proceed with the processes in accordance with Section 36(1) of the SPLUMA to comply with the institutional requirements for the establishment of a WC024 Municipal Planning Tribunal (MPT);
- (d) that the MPT consists of a panel of 10 people available to sit on the MPT, seven of which are members of the public and three officials:
 - (i) that four members of the public sit at every meeting; and
 - (ii) three additional members be appointed to stand in for unavailable tribunal members.
- (e) that the MPT public members be remunerated at the following rates:
 - (i) that the four members of the public that sit at every meeting be remunerated at R300,00 per hour, with no more than 10 hours being set aside per meeting and that the rate be reconsidered annually in the budget; and
 - (ii) that the sitting members be reimbursed for travelling expenses, inclusive of travel from and back home to the sittings, at the rates approved from time to time for Councillors in the Mayoral Committee, in keeping with the relevant policy of the Municipality.
- (f) that Council approve of the municipal employees for the Tribunal, namely:
 - (i) Manager: Development Services;
 - (ii) Manager: Spatial Planning, Heritage and Environment, Directorate: Planning and Economic Development; and
 - (iii) Senior Legal Advisor
- (g) that the following categories of applications be approved:

Category 1 Applications (complex) are:

 - (i) the establishment of an integrated (mixed use) township or the extension of the boundaries of a township (urban edge);
 - (ii) the amendment of an existing scheme or land use scheme by the rezoning of land to which substantive objections were submitted;
 - (iii) the removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land to which substantive objections were submitted;

- (iv) the subdivision of any land outside the urban edge for purposes other than the provision of any service;
- (v) permanent closure of any public place;
- (vi) any consent or approval required in terms of a condition of title, a condition of establishment of a township or condition of an existing scheme or land use scheme to which substantive objections were submitted;
- (vii) any departure or use not provided for in the relevant zoning scheme;
- (viii) any application on municipal or other public land where the Municipality is the applicant; and
- (ix) Amendment of a condition of approval where the decision was taken by the Tribunal or the appeal authority.

Category 2 applications are:

- (i) the subdivision of any land inside the urban edge to which substantive objections were not submitted; *in By-law section 15.*
- (ii) the consolidation of any land; *(e)*
- (iii) the 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; *(d)*
- (iv) the removal, amendment or suspension of a restrictive title condition relating to the density of residential development on a specific erf where the residential density is regulated by a land use scheme in operation; *(f)*
- (v) the amendment of an existing scheme or land use scheme by the rezoning of land to which substantive objections were not submitted; *(a)*
- (vi) the removal, amendment or suspension of a restrictive or obsolete condition, servitude or reservation registered against the title of the land to which substantive objections were not submitted; (g) any consent or approval required in terms of a condition of title, a condition of establishment of a township or condition of an existing scheme or land use scheme to which substantive objections were not submitted; *(f)*
- (vii) extension of the validity period of an approval; *(1)*
- (viii) phasing, amendment or cancellation of a plan of subdivision or a part thereof;
- (ix) permission required in terms of a condition of approval; and
- (x) special consent for the temporary use (maximum 21 days) of land not provided for in the zoning scheme.

- (h) that the following definition be used for "substantive objection":
Substantive objections are defined by one or more of the following:
 - (i) likelihood of direct loss of property, land use rights or significant property value of the objector(s) directly affected by the application in question;
 - (ii) evidence that the proposed land development activity is in conflict with all or most of the guidelines, principles, prerequisites, and standards contained in the IDP, applicable SDF, relevant by-laws and related approved policies;
 - (iii) evidence is presented which demonstrates that the proposed land development activity or alteration has a potential for

significant adverse impacts on one or more of the following descriptors of the environment:

- ecological functioning;
- permanent nuisance and/or disturbance with effects on health and well-being of surrounding residents, occupants or property owners;
- post construction traffic patterns;
- areas of historic and/or archaeological significance;
- scenic and/or recreation values; (6) post construction infrastructure services provision.

- (i) that the Director: Planning and Economic Development be the delegated official for decision-making in Category 2 cases until the amended System of Delegations has been approved by Council;
- (j) that an elected Appeal Committee consisting of Councillors of the WC024 be designated as the Appeal Authority;
- (k) ✓ that the evaluation panel to evaluate the nominations for MPT members received by the Municipality be the Planning and Economic Development Portfolio Committee; and
- (l) ✓ that the terms of reference for the evaluation panel be determined by the Executive Mayor in consultation with the Mayoral Committee members.

Councillor F Adams requested that his vote of dissent be minuted.

**(DIRECTOR: PLANNING AND ECONOMIC
DEVELOPMENT TO ACTION)**

*. mm must publish a Notice in the
Proo Gazette of the nominated members.

Section 37 (4) Act.

Annexure B

Item 7.4 of Council meeting 25 November 2015

7.4 RECOMMENDATIONS AND FINDING REGARDING THE APPOINTMENT OF EXTERNAL MUNICIPAL PLANNING TRIBUNAL MEMBERS AS DETERMINED BY THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) AND ITS REGULATIONS

File number : 1/1/1/40

Compiled by : SPLUMA Compliance Officer

Report by : Director: Planning and Economic Development

Delegated Authority : Council

Strategic intent of item

Preferred investment destination	<input checked="" type="checkbox"/>
Greenest municipality	<input checked="" type="checkbox"/>
Safest valley	<input type="checkbox"/>
Dignified Living	<input checked="" type="checkbox"/>
Good Governance	<input checked="" type="checkbox"/>

1. PURPOSE OF REPORT

To obtain approval from Council by accepting the appointment of external Municipal Planning Tribunal members for a maximum period of three years.

2. BACKGROUND

On the 1st of July 2015 the President enacted the Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA).

On a Provincial level the Western Cape Government adopted the Land Use Planning Act, 3 of 2014 (LUPA) which will replace the Land Use Planning Ordinance No 15 of 1985 (LUPO).

Both SPLUMA and LUPA came about after recent court judgements indicated that old order legislation (LUPO etc.) was not in line with the Constitution and that National and Provincial Spheres of Government had only limited powers and functions which they could not impose on Municipalities.

In line with the new planning legislation Stellenbosch Municipality need to establish a Municipal Planning Tribunal; appoint an authorised official; adopt a municipal planning bylaw and have tariffs in place to accept and process land use applications.

As per Section 36 in SPLUMA each municipality need to appoint a Municipal Planning Tribunal consisting out of internal and external members.

In line with the above requirement, adverts were placed in various local and regional newspapers during July 2015 calling on nominations to serve on the Municipal Planning Tribunal. These adverts were placed in the following newspapers:

- Riviernuus
- Umlambo News
- Eikestad Nuus
- Paarl Post
- Cape Times
- Die Burger

In total 18 nominations were received which are attached as **APPENDIX 1**. The purpose of this report is to make recommendations to the Portfolio Planning and Economic Development Committee.

3. DISCUSSION

As seen in **APPENDIX 2** Council resolved on the 30th Council Meeting dated 27 May 2015 (Item 8.6) amongst others that:

- (a) *the draft Council approve the establishment of a WC024 Municipal Planning Tribunal in terms of Section 35 of the Spatial Planning and Land Use Management Act, 16 of 2013;*
- (b) *that the evaluation panel to evaluate the nominations for Municipal Planning Tribunal members received by the Municipality be Planning and Economic Development Portfolio Committee; and*
- (c) *that the terms of reference for the evaluation panel be determined by the Executive mayor in consultation with the Mayoral committee members.*

Both SPLUMA and LUPA are being implemented on a staggered approach once municipalities have met the minimum criteria. LUPO will be repealed at the municipality once these minimum requirements are met:

- An approved and gazetted Municipal Planning Bylaw - (adopted in August 2015) and in process of Gazetting
- Advanced in the establishment of a Municipal Planning Tribunal - (Call for nominations was advertised and nomination were received, and recommendations has taken place);
- Advanced in the establishment of delegations which includes the categorisation of applications and the appointment of an authorised official (was achieved through Council Resolution 27 May 2015);
- Have tariffs in place to receive land use applications (was completed in the approved 2015/2016 Municipal budget).

3.1 Terms of Reference for the Municipal Planning Tribunal

The Municipal Planning Tribunal will consist out of ten (10) members of which seven (7) will sit at every Municipal Planning Tribunal meeting.

The Municipal Planning Tribunal must have at least three internal official municipal members and four (4) external Municipal Planning Tribunal members with an extra three (3) members to stand in for an unavailable member.

SPLUMA Section 36(1)(b) stipulates that the external seven (7) Municipal Planning Tribunal members must have *“knowledge and experience of spatial planning, land use management and land development or law related thereto”*.

The following criteria was presented to the informal MAYCO which formed part of the Terms of Reference for the external Municipal Planning Tribunal members:

- People with knowledge of planning and related law;
- Can be a resident outside of WC024;
- Should represent the different broader geographic areas (Klapmuts/Franchhoek, Raitby/Stellenbosch Urban Areas and the agricultural areas);
- Should represent the demographic composition of residents of WC024.

3.2 Applications received

In total eighteen (18) applications were received as seen in Table 1 below (CV's of each candidate herewith attached as **APPENDIX 3**). The applicants submitted their applications in line with SPLUMA and its regulations which included the following minimum criteria:

- Application form;
- Written motivation;
- Indicate any Conflict of interest;
- Declaration;
- Comprehensive CV and
- Certified copies of qualifications and registration bodies

Table 1: Applications received to serve as External Municipal Planning Tribunal members

No	Name(s) and Surname	Highest Qualifications	Field of Expertise	Age	Gender	Race	Years of Experience
1	Michael Fraser	National Technical Certificate	Civil/Construction Engineering Drawings	60	M	C	35
2	Thumakele Gosa	MPhil: Development Planning	Development Planner	45	M	B	5
3	Adv Mandla Mdludlu	LLB	Housing & Law	61	M	B	38

4	Basil Davidson	Masters: Town & Regional Planning	Town Planner	66	M	W	30
5	Cornelia Hendrika Smart	Masters: LLM (Law)	Heritage and Law	47	F	W	20
6	Jeffrey Phil de Wet	BSc: Engineering	Civil Engineering	63	M	C	37
7	Simon Nicks	Masters: Town & Regional Planning	Town Planner Environmental Urban Design Architecture	56	M	W	30
8	Pierre Arnoldus Jurgens Smit	Masters: Town & Regional Planning	Town Planner	58	M	W	30
9	Christiaan Klopper Rabie	Masters: Town & Regional Planning	Town Planner Environmental SPLUMA / LUPA ROR & 24 G	64	M	W	38
10	Willem Morkel de Kock	Masters: Town & Regional Planning	Town Planner Professional Property Valuation	68	M	W	40
11	Dr Pieter Eduard Claasen	Doctorate, Masters TRP and Engineering	Town Planner Engineer Heritage ROR	78	M	W	40
12	Christophe Seroot	Matric	Building Inspector	45	M	C	20
13	Owen Pieters	B.Hons: Spatial Planning B-Tech Town Planning	Town Planner	36	M	C	15
14	Johannes Diederik van der Merwe	LLM and LLB	Administrative Law; land Reform; and Environmental Law	55	M	W	30
15	John Frederick David Muller	Masters: Engineering (Transport)	Engineering (Transport and Civil) Tribunal Experience	49	M	C	21
16	Dr Ruida Pool-Stanvliet	Ph.D & Masters MSc	Environment (Cape Nature / Land Use & Spatial Planning)	56	F	W	30
17	Eric Peter McDonald	BSc: Electric Engineering	Engineering (Electrical) and Project Management	61	M	W	40
18	Adv Alan David Maher	Masters:LLB	Property Law; servitudes; municipal valuations; LUMS	50	M	W	22

3.3 Recommendations of the Nominations Panel for members of the public to serve as External Members on the Municipal Planning Tribunal

The evaluation panel had its evaluation meeting on 17 September 2015 (Minutes of meeting attached as APPENDIX 4).

The evaluation committee consisted out of the following municipal representatives:

- Dupré Lombaard - Director Planning and Economic Development
- Willem Pretorius - Acting Director Engineering
- Robert Fooy - Acting Manager Land Use Management

- Mervin Williams - Senior Legal Advisor
- Bernabe De La Bat - Manager Spatial Planning, Heritage and Environment
- Jacques Jansen van Rensburg – SPLUMA Compliance Officer

3.3.1 Out of the above assessment the following External Municipal Planning Tribunal members are recommended by the panel linked to skill and years' experience as seen in table 2 below.

Table 2: Recommended External Municipal Planning Tribunal Members

Member Number	Name and Surname	Field Expertise	RACE & GENDER	YEARS EXPERIENCE
1.	Adv. Mandla Mdludu (Chair)	Advocate: Housing & Law	B / M	38
2.	Cornelia Smart (Deputy Chair)	Heritage and Law	W / F	20
3.	Thumakele Gosa	Development Planner	B / M	5
4.	JFD Muller	Engineering: Transport and Civil	C / M	21
5.	Dr Ruida Pool-Stanvliet	Environment (Cape Nature / Land Use & Spatial Planning)	W / F	30
6.	Jeffrey Phil de Wet	Civil Engineering	C / M	37
7.	Christiaan Rabie	Town Planner Environmental SPLUMA / LUPA / ROR	W / M	38

3.3.2 The following internal members on the Municipal Planning Tribunal were approved at the Council Meeting dated 27 May 2015 Item 8.6):

- Manager: Development Services, Directorate Engineering Services
- Manager: Spatial Planning, Heritage and Environment, Directorate Planning and economic development
- Senior Legal Advisor: Directorate: Strategic and Corporate Services

3.3.3 Chair and deputy Chair of the Municipal Planning Tribunal

SPLUMA Section 36 (4 a & b) reads that the Municipal Council must designate a chair and deputy chair for the Municipal Planning Tribunal.

The evaluation panel recommended that the following members be appointed as the chair and deputy chair:

- Adv. Mandla Mdludu as the Chair and
- Cornelia Smart as the Deputy Chair

The above chair and deputy chair will also need to be approved in terms of Section 36 (4a & b) of SPLUMA.

4. DETERMINATION OF THE APPEALS AUTHORITY IN TERMS OF SECTION 51 OF SPLUMA

Council must make a decision on the type of the Appeal Authority, which can be the Executive Committee or Executive Mayor of the municipality. If the municipality does not have an Executive Committee or Executive Mayor, this function may be delegated to an official or an outside body or institution authorized by Council to assume the functions of an Appeal Authority.

The 30th Council Meeting dated 27 May 2015 (Item 8.6) resolved:

(j) that an elected Appeal Committee consisting of Councillors of the WC024 be designated as the Appeal Authority.

After seeking consultation from the Western Cape Government Department of Environmental Affairs and Development Planning (DEADP) it was advised to amend resolution j from item 8.6 as it is not aligned with SPLUMA Section 52(2) (see APPENDIX 5).

Section 51(2) of SPLUMA reads: "The municipal manager must within a prescribed period submit the appeal to the executive authority of the municipality as the appeal authority which makes the "executive authority" of the municipality the appeal authority.

Internal Legal Advice obtained herewith attached as APPENDIX 6 it is recommended that, the Executive Mayor is authorised as Appeal Authority ex lege/in terms of legislation and not in terms of a delegation. (The Executive Mayor will have the right to take expert technical or legal advice when necessary). The appeal will be on procedural matters only and not on merit.

5. LEGAL IMPLICATIONS

The Legal Department supports the Item and recommendations.

6. FINANCIAL IMPLICATIONS

The Chief Financial Officer is in support of this item.

RECOMMENDED

- (a) that the nominations made by the evaluation panel for the commencement of appointment for the following external Municipal Planning Tribunal Members be accepted as:
- Adv. Mandla Mdludu
 - Ms Cornelia Smart
 - Mr Thumakele Gosa
 - Mr JFD Muller
 - Dr Ruida Pool-Stanvliet
 - Mr Jeffrey Phil de Wet
 - Mr Christiaan Rabie
- (b) that Council take cognisance that the following Internal Municipal Planning Tribunal Members will be appointed as per Council resolution (Item 8.6), dated 2015-05-27:
- Manager: Development Services, Directorate Engineering Services
 - Manager: Spatial Planning, Heritage and Environment, Directorate Planning and Economic Development
 - Senior Legal Advisor, Directorate: Strategic and Corporate Services
- (c) that Item 8.6 (j) be replaced with the Appeal Authority be the Executive Mayor. The Executive Mayor is authorised as appeal authority ex lege/in terms of legislation and not in terms of a delegation; and

- (d) that in terms of SPLUMA Section 36(4a & b), Council support and approve the recommendation for the appointment of the Chairperson, (Advocate Mandla Mdlulu) and Deputy Chairperson, (Ms Cornelia Smart).

**(DIRECTOR: PLANNING AND ECONOMIC
DEVELOPMENT TO ACTION)**

APPENDICES DISTRIBUTED UNDER SEPARATE COVER

- Appendix 1 - List of Nominations and Applications Received
- Appendix 2 - Copy of Item 8.6 (30th Council Meeting dated 27 May 2015)
- Appendix 3 - Copies of CV's of applications received to serve as External Municipal Planning Tribunal Members
- Appendix 4 - Action Minutes of Nominations Panel recommendations and vote
- Appendix 5 - Western Cape Government (DEADP) comment on the amendment of Item 8.6 (j) regarding the embellishment of the Appeal Authority.
- Appendix 6 - Comments received from Senior Legal Advisor

**PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE: 2015-11-03:
ITEM 5.1.1**

During deliberations on the matter, the ANC requested a caucus, which the Chairperson allowed.

After the meeting resumed, it was

RESOLVED (nem con)

that this matter be deferred to a Reconvened Planning and Economic Development Committee meeting to be held on Friday, 2015-11-06 at 09:00.

Note! See page 82 of the minutes of this Committee for detail of the reconvened meeting.

**(DIRECTOR: PLANNING AND ECONOMIC
DEVELOPMENT TO ACTION)**

**RECONVENED MEETING OF THE PLANNING AND ECONOMIC
DEVELOPMENT COMMITTEE: 2015-11-05: ITEM 5.1.1**

During deliberations on this matter, the Committee noted the input by the Administration that the purpose of this report be changed as indicated below.

During further debate the DA Councillors requested a caucus which was allowed.

After the meeting resumed, it was

RESOLVED (nem con)

that the purpose of the report be changed to read as follows:

1. PURPOSE OF REPORT

To obtain approval from Council by accepting the appointment of external Municipal Planning Tribunal members for a maximum period of three years.

RECOMMENDED

- (a) that the nominations made by the evaluation panel for the commencement of appointment for the following external Municipal Planning Tribunal Members be accepted by Council as:
- Adv. Mandla Mdludu
 - Ms Cornelia Smart
 - Mr Thumakele Gosa
 - Mr JFD Muller
 - Dr Ruida Pool-Stanvliet
 - Mr Jeffrey Phil de Wet
 - Mr Christiaan Rabie
- (b) that Council take cognisance that the following Internal Municipal Planning Tribunal Members will be appointed as per Council resolution (Item 8.6), dated 2015-05-27:
- Manager: Development Services, Directorate Engineering Services
 - Manager: Spatial Planning, Heritage and Environment, Directorate Planning and Economic Development
 - Senior Legal Advisor, Directorate: Strategic and Corporate Services
- (c) that Item 8.6 (j) be replaced with the Appeal Authority be the Executive Mayor. The Executive Mayor is authorised as appeal authority ex lege/in terms of legislation and not in terms of a delegation; and
- (d) that in terms of SPLUMA Section 36(4a & b), Council support and approve the recommendation for the appointment of the Chairperson, (Advocate Mandla Mdlulu) and Deputy Chairperson, (Ms Cornelia Smart).

**(DIRECTOR: PLANNING AND ECONOMIC
DEVELOPMENT TO ACTION)**

MAYORAL COMMITTEE MEETING: 2015-11-18: ITEM 5.1.5**RECOMMENDED BY THE EXECUTIVE MAYOR**

- (a) that the nominations made by the evaluation panel for the commencement of appointment for the following external Municipal Planning Tribunal Members be accepted by Council as:
- Adv. Mandla Mdludu
 - Ms Cornelia Smart
 - Mr Thumakele Gosa
 - Mr JFD Muller
 - Dr Ruida Pool-Stanvliet
 - Mr Jeffrey Phil de Wet
 - Mr Christiaan Rabie
- (b) that Council take cognisance that the following Internal Municipal Planning Tribunal Members will be appointed as per Council resolution (Item 8.6), dated 2015-05-27:
- Manager: Development Services, Directorate Engineering Services
 - Manager: Spatial Planning, Heritage and Environment, Directorate Planning and Economic Development
 - Senior Legal Advisor, Directorate: Strategic and Corporate Services
- (c) that Item 8.6 (j) be replaced with the Appeal Authority be the Executive Mayor. The Executive Mayor is authorised as appeal authority ex lege/in terms of legislation and not in terms of a delegation; and
- (d) that in terms of SPLUMA Section 36(4a & b), Council support and approve the recommendation for the appointment of the Chairperson, (Advocate Mandla Mdludu) and Deputy Chairperson, (Ms Cornelia Smart).

**(DIRECTOR: PLANNING AND ECONOMIC
DEVELOPMENT TO ACTION)**

36TH COUNCIL MEETING: 2015-11-25: ITEM 7.4**RESOLVED (nem con)**

- (a) that the nominations made by the evaluation panel for the commencement of appointment for the following external Municipal Planning Tribunal Members be accepted by Council as:
- Adv. Mandla Mdludu

-
- Ms Cornelia Smart
 - Mr Thumakele Gosa
 - Mr JFD Muller
 - Dr Ruida Pool-Stanvliet
 - Mr Jeffrey Phil de Wet
 - Mr Christiaan Rabie
- (b) that Council take cognisance that the following Internal Municipal Planning Tribunal Members will be appointed as per Council resolution (Item 8.6), dated 2015-05-27:
- Manager: Development Services, Directorate Engineering Services
 - Manager: Spatial Planning, Heritage and Environment, Directorate Planning and Economic Development
 - Senior Legal Advisor, Directorate: Strategic and Corporate Services
- (c) that Item 8.6 (j) be replaced with the Appeal Authority be the Executive Mayor. The Executive Mayor is authorised as appeal authority ex lege/in terms of legislation and not in terms of a delegation; and
- (d) that in terms of SPLUMA Section 36(4a & b), Council support and approve the recommendation for the appointment of the Chairperson, (Advocate Mandla Mdlulu) and Deputy Chairperson, (Ms Cornelia Smart).

**(DIRECTOR: PLANNING AND ECONOMIC
DEVELOPMENT TO ACTION)**

Annexure C

Item 8.2.2 of Council meeting dated 27 February 2019

8.2.2	EXTENSION OF TERM OF OFFICE FOR STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL (MPT) MEMBERS APPOINTED IN TERMS OF SECTION 37 THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (SPLUMA) (ACT NO. 16 OF 2013) (HEREIN REFERRED TO AS THE "ACT")
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Collaborator No: 631102
File nr: (1/1/1/40)
IDP KPA Ref No: D535
Meeting Date: 27 February 2019

1. SUBJECT: EXTENSION OF TERM OF OFFICE FOR STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL (MPT) MEMBERS APPOINTED IN TERMS OF SECTION 37 THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (SPLUMA) (ACT NO. 16 OF 2013) (HEREIN REFERRED TO AS THE "ACT")

2. PURPOSE

To obtain Council's approval to extend the period for the members to serve on the MPT for another four months to 1 July 2019.

3. DELEGATED AUTHORITY

COUNCIL

In terms of the Stellenbosch Municipality Land Use Planning By-law 2015; the Spatial Planning Land Use Management Act No 16 of 2013 [SPLUMA] and the Western Cape Land Use Planning Act No 3 of 2014 [LUPA] as well as regulations governing these pieces of legislation (SPLUMA/LUPA).

4. EXECUTIVE SUMMARY

In terms of Section 35 of SPLUMA (2013) all municipalities are required to establish a Municipal Planning Tribunal to consider and decide on land use applications made in terms of the Stellenbosch Municipality Land Use Planning By-law (2015).

In terms of Section 37(1) of the Act, the term of office for members of a Municipal Planning Tribunal (MPT) is five years or such shorter period as the Municipal Council may determine. Council resolved, per item 8.6 on 27 June 2015, that the term of office for the current Stellenbosch MPT shall be a period of three years which period comes to an end on 1 March 2019. See minutes attached as **ANNEXURE A**.

Seeing that the MPT's term will be expiring on the 1st of March 2019, permission is sought to extend the period to 30 June 2019. This will assist in the effective functioning of the existing MPT up to the end of the existing financial year. It will give the administration enough time to undertake the process to establish a new MPT for Stellenbosch Municipality with effect from 1 July 2019, for the new financial year 2019/20.

24TH COUNCIL MEETING: 2019-02-27: ITEM 8.2.2

Councillor F Adams requested that it be minuted that DNCA rejects the request to extend the Term of Office of the current Municipal Planning Tribunal, because there is no justification for bad planning.

RESOLVED (majority vote with 1 abstention)

that Council extends the Term of Office of the current Municipal Planning Tribunal for a further period of four months commencing on the 1st of March 2019. Accordingly, the term of office for the following MPT members expires on 1 July 2019.

External members:

1. Adv M Mdludlu -Chairperson
2. Ms C Smart – Deputy Chairperson
3. Mr JP de Wet- External member
4. Dr R Pool-Stanvliet - External member
5. Mr C Rabie – External member

Internal members:

1. Mr B de la Bat - Manager: Spatial Planning, Heritage and Environment
2. Mr M Williams - Senior Legal Advisor
3. Mr S van der Merwe – Environmental Planner
4. Mr D Louw – Director: Infrastructure Services

Technical Advisor:

1. Mr K Munro – Department of Environmental Affairs and Development Facilitation

Cllr F Adams requested that his vote of dissent be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Hedre Dednam
POSITION	Land Use Manager
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	hedre.dednam@stellnbosch.gov.za

<i>REPORT DATE</i>	14 January 2019
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Annexure D

Item 7.3.3 of Council meeting 26 July 2017

7.3.3	AMENDMENT OF THE EXISTING CATEGORISATION OF APPLICATIONS, AMOUNTS PAYABLE TO THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL AND APPOINTMENT OF AN ADDITIONAL INTERNAL MUNICIPAL PLANNING TRIBUNAL MEMBER IN TERMS OF SPATIAL PLANNING AND LAND USE MANAGEMENT ACT NO 16 OF 2013 (SPLUMA)
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1. PURPOSE OF REPORT

To motivate and seek approval from Council to amend the existing decisions (approved in Item 8.6 dated 27 May 2015). Further to propose to Council to appoint an additional Internal Municipal Tribunal Members, to amend the existing categorisation of applications and adjust the remuneration of external Municipal Tribunal member's fees in line with market value.

2. BACKGROUND

During 2015 Council authorised the establishment of a Municipal Planning Tribunal (MPT) for Stellenbosch Municipality (WC024) in line with new planning legislation which include the Spatial Planning and Land Use Management Act No 16 of 2013 (SPLUMA), the Western Cape Land Use Planning Act No 3 of 2014 (LUPA) as well as the Stellenbosch Municipal Land Use Planning By-law (2015).

Council took a series of decisions during 2015 [*Resolution 8.6 dated 27 May 2015 as APPENDIX 1*] and [*item 7.4 (36th Council Meeting dated 25 of November 2015 as APPENDIX 2*] in line with the above mentioned land use planning legislation. Amongst others Council approved the appointment of external public Municipal Planning Tribunal Members, the remuneration for external MPT members, the categorisation of applications, and the appointment of an authorised employee (the Director for Planning and Economic Development) to consider and determine certain applications in line with Council's approved categorisation.

During 2016 not one Municipal Planning Tribunal meeting was conducted, amongst others as a result of the existing categorisation of applications approved by Council.

The purpose of this item is to amend the existing categorisation of applications in terms of SPLUMA, LUPA and the Land Use Planning By-law to amend the remuneration of External Municipal Planning Tribunal Members in line with the SACPLAN professional fees and appoint additional secondi Internal Municipal Planning Tribunal members.

10TH COUNCIL MEETING: 2017-07-26: ITEM 7.3.3

RESOLVED (nem con)

- (a) that Council rescind the approved categorisation of applications as per resolutions (g) and (h) of Council Item 8.6 dated 27 May 2015 and replace it with the table below in line with Section 35 of SPLUMA:

NO	APPLICATION TYPE	COUNCIL	Category 1	Category 2
			Municipal Planning Tribunal	(AO/AE)
Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013				
1.	Approval / amendment of Spatial Development Framework	X		
2.	Approval / amendment of Zoning Scheme	X		
3.	Approval / amendment of an Overlay Zone for the zoning scheme 15(2)(j) of the Land Use By-law read with section 12 & 13 of MSA	X		
4.	Title Deed Relaxations to enable minor departure applications SPLUMA 47(2)			X
5.	Categorisation of applications	X		
Application types as per section 15 of the Stellenbosch Municipal Land Use Planning By-law (2015)				
6.	15(2)(a) Rezoning of Land		X OBJECTIONS	X NO OBJECTIONS
7.	15(2)(b) a permanent departure from the development parameters of the zoning scheme		X OBJECTIONS	X NO OBJECTIONS
8.	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;		X OBJECTIONS	X NO OBJECTIONS
9.	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;		X OBJECTIONS	X NO OBJECTIONS
10.	15(2)(e) a consolidation of land that is not exempted in terms of section 24;			X
11.	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit;		X OBJECTIONS	X NO OBJECTIONS
12.	15(2) (g) a permission required in terms of the zoning scheme ;			X
13.	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval ;			X
14.	15(2) (i) an extension of the validity period of an approval			X
15.	15(2) (j) an approval of an overlay zone as contemplated in the zoning scheme ;	X		
16.	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram ;			X
17.	15(2)(l) a permission required in terms of a condition of approval ;			X
18.	15(2)(m) a determination of a zoning ;			X
19.	15(2)(n) a closure of a public place or part thereof;		X OBJECTIONS	X NO OBJECTIONS
20.	15(2)(o) a consent use contemplated in the zoning scheme;		X OBJECTIONS	X NO OBJECTIONS
21.	15(2)(p) an occasional use of land ;			X
22.	15(2)(q) to disestablish a home owner's association			X
23.	15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;			X
24.	15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.			X

25.	15(2)(6) When the Municipality on its own initiative intends to conduct land development or an activity contemplated in subsection (2), the decision on the application must be made by the Tribunal in accordance with this Chapter and Chapter IV and no official may be authorised to make such a decision.		X	
26.	15(2)(l) Amendment of Site Development Plan			X
27.	15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines			X

Note: "OBJECTIONS" above refer only to submissions indicating objection to the proposed development / activity and not comment submitted with proposed conditions and mitigation measures.

- (b) that Council amend resolution e (ii) of Council Item 8.6 dated 27 May 2015 in line with SACPLAN professional fees (Category B) from R300. 00 per hour to R 1 000, 00 per hour to a maximum remuneration equal to five hours per meeting. The appointed External Municipal Planning Tribunal Members meets the criteria of SACPLAN Categories B as their expertise are of private consulting firm in practice standard whom have adequate expertise and relevant experience to perform the work of a planning nature and whom can carry the direct technical responsibility for one or more specific activities;
- (c) that Council amend resolution f of Council Item 8.6 dated 27 May 2015 to expand the internal members from 3 internal MPT members to 6 by appointing additional 3 secondi members whom include:
1. The Environmental Planner
 2. Head of Transport
 3. Manager: Integrated Development Planning; and
- (d) that Council authorise and delegate the Municipal Manager to appoint Internal Municipal Planning Tribunal Members fulfilling the designations in accordance with the requirements set in the Land Use Planning By-law (2015), the Land Use Planning Act (2014), and the Spatial Planning and Land Use Planning Act (2013).

Meeting:	10 th Council: 2017-07-26	Submitted by Directorate:	Planning & Economic Development
Ref no:	1/1/1/40	Author	SPLUMA Compliance Officer
Collab:		Referred from:	Mayco: 2017-07-19

Annexure E

Typical example of advert to be published



CALL FOR MUNICIPAL PLANNING TRIBUNAL (MTP) NOMINATIONS

Stellenbosch Municipality calls for nominations of public persons to be appointed as members of the Municipal Planning Tribunal.

The Stellenbosch Municipality intends to establish a Municipal Planning Tribunal in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and the Stellenbosch Municipality Land Use Planning By-law (2015). The Tribunal will be responsible for taking decisions on categories of land use and land development applications as designated by the Stellenbosch Municipality.

The Municipal Planning Tribunal will consist of members of the public and officials with knowledge and experience of spatial planning, land use management, land development or the law related thereto. Responsibilities will include preparing for meetings by reading reports, attendance and participation at meetings of the Tribunal, attending site inspections and other duties and functions provided for in legislation.

Interested individuals are invited to submit nominations for consideration as members who have knowledge, experience and/or qualifications in one or more of the aforementioned fields to be appointed to the Stellenbosch Municipal Planning Tribunal for its first term of office. Members will be appointed for a three year term, subject to terms and conditions. The Tribunal will include at least seven (7) individuals who are not Municipal employees or Councillors. It is a part time position, estimated to take 10 (ten) hours per month, with remuneration as approved by Council from time to time.

The nomination forms are available on the Stellenbosch Municipal website: www.stellenbosch.gov.za

Completed nomination forms must be accompanied by a curriculum vitae of the nominee. Any person without internet may also fax a request for the information to 021 886 6899.

Enquiries: Hedré Dednam
Email: hedre.dednam@stellenbosch.gov.za
Tel: +27 21 808 8674

The closing date for the nomination is _____. Applications must be sent to the Director: Planning and Economic Development at :

Postal Address:
PO Box 17
Stellenbosch
7599

or

Physical Address:
Plein Street
Stellenbosch
7600

or

Fax: +27 21 886 6899



OPROEP OM NOMINASIES VIR DIE MUNISIPALE BEPLANNINGSTRIBUNAAL

Stellenbosch Munisipaliteit wag nominasies in van publieke persone om aangestel te word as lede van die Munisipale Beplanningstribunaal.

Stellenbosch Munisipaliteit beoog om 'n Munisipale Beplanningstribunaal ingevolge die Wet op Ruimtelike Beplanning- en Grondgebruiksbestuur, 2013 (Wet 16 van 2013) en die Stellenbosch Munisipaliteit Verordening op Grondgebruikbeplanning (2015) tot stand te bring. Die Tribunaal sal verantwoordelik wees vir besluitneming oor verskillende kategorieë grondgebruiks- en grondontwikkelingsaansoeke soos deur die Stellenbosch Munisipaliteit aangewys.

Die Munisipale Tribunaal sal bestaan uit lede van die publiek en amptenare met kennis en ervaring van ruimtelike beplanning, grondgebruiksbestuur en grondontwikkeling wat met die tersaaklike wetgewing verband hou. Verantwoordelikhede sal insluit die lees van verslae ter voorbereiding van vergaderings, bywoning van en deelname aan vergaderings van die Tribunaal, bywoning van terreininspeksies en ander pligte waarvoor in wetgewing voorsiening gemaak word.

Belangstellendes word genooi om nominasies in te dien vir lede met kennis, ervaring en/of kwalifikasies in een of meer van die voorafgemelde velde, om sodoende vir die eerste ampstermyn van die Stellenbosch Munisipale Beplanningstribunaal aangestel te word. Lede sal aangestel word vir 'n drie jaar termyn, onderworpe aan bepalings en voorwaardes. Die Tribunaal sal ten minste (7) sewe individue, wat nie munisipale amptenare of Raadslede is nie, insluit. Dit is 'n deeltydse posisie van ongeveer tien (10) ure per maand, teen 'n vergoeding soos van tyd tot tyd deur die Raad bepaal sal word.

Die nominasievorms is beskikbaar op die Stellenbosch Munisipale webwerf by www.stellenbosch.gov.za

Volledige nominasievorms moet deur 'n curriculum vitae van die genomineerde vergesel word. Enige persoon sonder internettoegang mag ook 'n versoek vir die inligting per faks rig aan 021 886 6899.

Navrae: Hedré Dednam
E-pos: hedre.dednam@stellenbosch.gov.za
Tel: +27 21 808 8674

Die sluitingsdatum vir die nominasies is _____. Nominasies moet aan die Direkteur: Beplanning en Ekonomiese Ontwikkeling gerig word by:

Posadres :
Posbus 17
Stellenbosch
7599

of

Fisiese Adres:
Pleinstraat
Stellenbosch
7600

of

Faks: +27 21 886 6899

Annexure F
Typical example of nomination form



STELLENBOSCH MUNICIPALITY

DIRECTORATE PLANNING AND ECONOMIC DEVELOPMENT



DEPARTMENT LAND USE MANAGEMENT

PO Box 17
STELLENBOSCH
7599

Plein Street
STELLENBOSCH
7600

Tel no: (021) 808 8674 (Hedré Dednam)
Fax no: (021) 886 6899
E-mail: Hedre.dednam@stellenbosch.gov.za

NOMINATION FORM FOR APPOINTMENT AS MEMBER OF STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL

SECTION A: TO BE COMPLETED BY NOMINATOR *(Section A is not necessary in the event of self-nomination)*

1. DETAILS OF THE NOMINATOR

Full Names:		Surname:	
Identity Number:		Date Of Birth:	
Residential Address:			
			Code:
Postal Address:			
			Code:
Tel:		Cell:	
Email:			

2. NOMINATION

I,, ID, whose further particulars are provided above, hereby nominate.....as a suitable candidate to serve on the Stellenbosch Municipal Planning Tribunal to be established in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and the Stellenbosch Municipality Land Use Planning By-law (Oct 2015).

3. MOTIVATION *(An additional motivation can be attached separately if required)*

Signed at _____ on this _____ day of _____ 2019

NOMINATOR

WITNESS

SECTION B: FOR COMPLETION BY THE NOMINEE/APPLICANT

1. DETAILS OF THE NOMINEE	
Full Names:	Surname:
Identity Number:	Date Of Birth:
Residential Address:	
	Code:
Postal Address:	
	Code:
Tel:	Cell:
Email:	

2. ACCEPTANCE OF NOMINATION <i>(Only to be completed in the event of nomination)</i>
--

I,, ID, whose further particulars are provided above, hereby accept the nomination to serve on the Stellenbosch Municipal Planning tribunal to be established in terms of the Spatial Planning and Land Use Management Act, Act 16 of 2013.

3. MEMBERSHIP AND SUPPORTING DOCUMENTS <i>(Please provide the following)</i>
--

- 3.1 A comprehensive curriculum vitae indicating qualification/s and experience of spatial planning, land use, land development or the law related thereto as contemplated in section 36(1) (b) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and section 72(2)(b) & 72(3) of the Stellenbosch Municipality Land Use Planning By-law (Oct 2015).
- 3.2 Certified copies of qualifications and registration certificates indicating registration with a relevant professional body.
- 3.3 Comprehensive motivation indicating why you believe you should be appointed as a member of the Stellenbosch Municipal Planning Tribunal.

4. CONFLICT OF INTEREST

- 4.1. In terms of sections 38(3) of the Spatial Planning and Land Use Management Act, Act 16 of 2013 and sections 74.(3) & (4) of the Stellenbosch Municipality Land Use By-law (Oct 2015), a member of the Municipal Planning Tribunal-
 - 4.1.1 must make full disclosure of any conflict of interest, including any potential conflict; and
 - 4.1.2 may not attend, participate or vote in any proceedings of the Tribunal in relation to any matter in respect of which the member has conflict of interest.

5. DECLARATION

I, _____, ID..... declare that I:

- a) am available to serve on the Stellenbosch Municipal Planning Tribunal;
- b) am a citizen or permanent member of the Republic of South Africa;
- c) am not a member of Parliament, Provincial Legislature, Municipal Council or House of Traditional Leaders;
- d) am not an unrehabilitated insolvent;
- e) was never declared by a court of law to be mentally incompetent nor detained under the Mental Health Care Act, Act 17 of 2002;
- f) have never been convicted of any offence involving dishonesty;
- g) have never been removed from an office of trust on account of misconduct;
- h) have never been found guilty of misconduct, incapacity or incompetence;
- i) have disclosed all potential conflict of interests;
- j) the municipality may verify all the information provided; and
- k) will commit to and uphold the Code of Conduct for members of the Municipal Planning Tribunal.

Signed at _____ on this _____ day of _____ 2019

NOMINEE/APPLICANT

WITNESS 1

WITNESS 2

Annexure G

Schedule of procedures and Timelines for the appointment of
new MPT members

APPOINTMENT OF NEW MPT MEMBERS	
SCHEDULE OF PROCEDURES AND TIMELINES	
ACTION	DUE DATE
MARCH	
Report to Council drafted	05-Mar-19
Report to Council signed by Hedre, Tabiso, Cllr Groenewald, MM, Mayor	05-Mar-19
Closing date for submission to Mayco	06-Mar-19
Mayco meeting	13-Mar-19
Closing date for submission to Council	19-Mar-19
Council meeting	27-Mar-19
Minutes of Council issued	03-Apr-19
APRIL	
Publication of notice in the press and on website	04-Apr-19
Presentation to Informal Mayco and drafting TOR	09-Apr-19
Closing date for nominations	18-Apr-19
Candidate long list finalised	24-Apr-19
Evaluation panel	25-Apr-19
MAY	
Report recommendation complete	02-May-19
Report to Council signed by Hedre, Tabiso, Cllr Groenewald, MM, Mayor	2 May 2019 to 6 May 2019
Closing date for submission to Mayco	07-May-19
Mayco meeting	15-May-19
Closing date for submission to Council	21-May-19
Council meeting	29-May-19
JUNE	
Minutes of Council issued	05-Jun-19
Letters of appointment issued	07-Jun-19
Closing date for acceptance of appointments	21-Jun-19
Memorandum to MM to confirm MPT is in a position to commence its operation	25-Jun-19
Publication of notice in Provincial Gazette	29-Jun-19
JULY	
MPT commencement date	01-Jul-19

Annexure H

Notice no 1080 in Government Gazette No 41959 dated 5
October 2019



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

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Oktober

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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1080

05 OCTOBER 2018

**SACPLAN NO 2 OF 2018****SOUTH AFRICAN COUNCIL FOR PLANNERS****PLANNING PROFESSION ACT, 2002 (ACT 36 OF 2002)****WITHDRAWAL OF THE BOARD NOTICE 118 OF 2014.****DETERMINATION OF GUIDELINE PROFESSIONAL FEES IN TERMS OF SECTION 29 OF THE PLANNING PROFESSION ACT, 2002.**

It is hereby notified, for general information, that the South African Council for Planners has determined guideline professional fees in terms of Section 29 of the Planning Profession Act, 2002. These fees replace the fees advertised in Board Notice 118 of 2014. The provisions contained in the Schedule, which exclude value-added tax to the fee so calculated, come into effect on the date of proclamation of this notice and shall apply in respect of any stage of professional service, which is started with, on, or after the date of commencement of this Schedule.

SCHEDULE**GUIDELINE PROFESSIONAL FEES**

The guideline hourly tariff charge out rates for each of the defined categories shall be:

Category of Staff	Indicative Rate per Hour
A	R2 323.00
B	R1 992.00
C	R1 464.00
D	R1 207.00

For purposes of reference the definitions of categories A to D, are quoted below:

- (a) Category A in respect of a private consulting practice in Planning shall mean a top practitioner whose expertise and relevant experience is nationally or internationally recognised and who provides advice at a level of specialisation where such advice is recognised as that of an expert or managing director or member of a company or close corporation who, jointly and severally with other partners, co-directors or co-members, bears the risks of the business, takes full responsibility for the liabilities of such practice, where level of expertise and relevant experience is commensurate with the position, performs work of a conceptual nature in Planning and development, provides strategic guidance in planning and executing a project and / or carries responsibility for quality management pertaining to a project. He or She shall have been registered by SACPLAN as a Professional Planner in terms of the Planning Profession Act, 2002.
- (b) Category B in respect of a private consulting practice in Planning, shall mean all salaried professional staff with adequate expertise and relevant experience of performing work of a planning nature and who carry the direct technical responsibility for one or more specific activities related to a project. A person referred here shall be what is referred to in the Planning Profession Act, 2002 as a Professional Planner and shall have been registered by SACPLAN as such.
- (c) Category C in respect of a private consulting practice in Planning, shall mean all technical staff with adequate expertise and relevant experience of performing work of a planning nature. He or She shall have been registered by SACPLAN as a Technical Planner in terms of the Planning Profession Act, 2002.
- (d) Category D in respect of a private consulting practice in Planning, shall mean all other salaried professional or technical staff members who have not yet completed the 24 months post qualification experience requirement for registration with SACPLAN in terms of the Planning Profession Act, 2002. He or She will be performing work of a Planning nature under the direct supervision provided by any person contemplated in categories A and B above. He or She shall have been registered by SACPLAN as a Candidate Planner in terms of the Planning Profession Act, 2002.

MP LEWIS Pr.PlIn MRTPI

A/795/1994

CHIEF EXECUTIVE OFFICER

REGISTRAR

SOUTH AFRICAN COUNCIL FOR PLANNERS (SACPLAN)

7.8	RURAL MANAGEMENT AND TOURISM: [PC: CLLR S PETERS]
-----	---

NONE

7.9	YOUTH, SPORTS AND CULTURE: [PC: M PIETERSEN]
-----	---

NONE

7.10	REPORTS SUBMITTED BY THE MUNICIPAL MANAGER
------	--

7.10.1	TABLING OF DRAFT CAPITAL EXPENDITURE FRAMEWORK IN PREPARATION FOR INTEGRATED URBAN DEVELOPMENT GRANT
--------	--

Collaborator No:

File No:

3/4/5/2/32 X 8/1/2/6

IDP KPA Ref No:

Good Governance and Compliance

Meeting Date:

13 and 27 March 2019

1. SUBJECT: TABLING OF DRAFT CAPITAL EXPENDITURE FRAMEWORK IN PREPARATION FOR THE INTEGRATED URBAN DEVELOPMENT GRANT

2. PURPOSE

To obtain Council's approval for submission of the Draft Capital Expenditure Framework (CEF) to the National Department of Cooperative Government and Traditional Affairs (CoGTA) as part of the Integrated Urban Development Grant (2020-2030) application.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

According to Section 21(n) of the Spatial Planning and Land Use Management Act (SPLUMA), Act No. 16 of 2013, the content of a municipal spatial development framework must determine a CEF for the municipality's development programmes. This means that the CEF is informed by the Spatial Development Framework i.e. stating the spatial vision of the municipality where the CEF states the financial vision of the municipality.

The Integrated Urban Development Framework (IUDF) was approved by Cabinet in April 2016, which led to the Integrated Urban Development Grant that will be introduced in the 2019/2020 Division of Revenue Act as a Consolidated Grant for Intermediate City Municipalities (ICM's). Stellenbosch Municipality was identified as one of the municipalities to benefit from this new grant, subject to specified criteria. The purpose of the ICMs support strategy is to help translate IUDF policy into practical programmes of action in the ICMs.

The business plan for the IUDG is a three-year capital programme that is aligned with a long-term CEF (10 year plan). The Capital Expenditure Framework must be submitted to the Department of Cooperative Governance (CoGTA) as part of the formal application by 31 March 2019.

There are a number of key intentions in introducing the CEF as the basis for monitoring the IUDG, namely:

- a) To ensure that priorities identified in the Spatial Development Framework are translated into capital programmes;
- b) To promote long-term infrastructure planning;
- c) To promote infrastructure planning that is better integrated across sectors and spheres and within space; and
- d) To promote a more integrated approach to planning within municipalities that brings together technical, financial and planning expertise.

5. RECOMMENDATION

that the Draft Capital Expenditure Framework be approved for submission to the National Department of Cooperative Government and Traditional Affairs (CoGTA) by 31 March 2019.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-13: ITEM 7.10.1

that the Draft Capital Expenditure Framework be approved for submission to the National Department of Cooperative Government and Traditional Affairs (CoGTA) by 31 March 2019.

ANNEXURES

Appendix 1: Stellenbosch Municipality Capital Expenditure Framework (under separate cover)

FOR FURTHER DETAILS CONTACT:

NAME	Shireen de Visser
POSITION	Senior Manager: Governance
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8035
E-MAIL ADDRESS	shireen.devissier @stellenbosch.gov.za
REPORT DATE	6 March 2019

7.10.2	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON THE ANNUAL REPORT 2017/18
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Collaborator No: 634962
File No: 3/5/3/5
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 18 March 2019

1. SUBJECT: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) OVERSIGHT REPORT ON THE ANNUAL REPORT 2017/18

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 2017/18 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 2017/18 **(distributed under separate cover as APPENDIX 1)**.

3. DELEGATED AUTHORITY

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 has*

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

The comprehensive questionnaires with the corresponding responses provided by the Administration including supporting documents are attached as **APPENDIX 2**.

The written representation as submitted by the public is attached as **APPENDIX 3**.

The MPAC/Oversight Report, inclusive of the comments and recommended remedial actions, is attached as **APPENDIX 4**.

4. EXECUTIVE SUMMARY

The Annual Report 2017/18 was referred by Council to the MPAC, which fulfilled the functions of the Oversight Committee. The appointment and mandate of the MPAC/Oversight Committee are informed by the MFMA Circular 32 of 2006.

5. RECOMMENDATIONS

- (a) that Council, having fully considered the Annual Report 2017/18 of the Municipality and representations thereon, adopts the Oversight Report 2017/18; and
- (b) that Council approves the Annual Report 2017/18 without reservations.

6. DISCUSSION / CONTENTS**6.1 Background**

Committee members, including the two co-opted members, have read through the Annual Report 2017/18 and requested responses from the relevant Directorates to objectively assess the performance of the Administration.

6.2 Discussion

The Committee members were required to read the chapters before they were discussed. These discussions allowed for the scrutinising of the Draft Annual Report 2017/18 over a period of 7 days. The public was invited via the local media to witness these scheduled meetings.

6.3 Financial Implications

The contents of the Annual Report 2017/18, as well as the Oversight Report with its recommendations, are used to improve organisational effectiveness and service delivery.

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 for the Municipality.

6.6 Previous / Relevant Council Resolutions

Council referred the Draft Annual Report 2017/18 to MPAC to fulfil the functions of the Oversight Committee, as well as making recommendations to Council as contemplated in Section 129(1) of the MFMA at the 23rd meeting of the Council of Stellenbosch Municipality, dated 30 January 2019, Item 7.10.1.

6.7 Risk Implications

This report has no risk implications for the Municipality.

6.8 Comments from Senior Management

Senior Management supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-18: ITEM 7.10.1

- (a) that Council, having fully considered the Annual Report 2017/18 of the Municipality and representations thereon, adopts the Oversight Report 2017/18; and
- (b) that Council approves the Annual Report 2017/18 without reservations.

ANNEXURES

Appendix 1: The Annual Report 2017/18. **(under separate cover)**

Appendix 2: The comprehensive questionnaires and responses provided by the Administration, including supporting documents.

Appendix 3: The written representation as submitted by the public.

Appendix 4: The MPAC/Oversight Report 2017/18.

FOR FURTHER DETAILS CONTACT:

NAME	Gurswin Cain
POSITION	Manager: IDP and PMS
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8174
E-MAIL ADDRESS	gurswin.cain@stellenbosch.gov.za
REPORT DATE	6 March 2019

APPENDIX 2



Minutes of the meeting of the MPAC Oversight Committee held on 5th February 2019

Discussions on Chapters 1 and 2

(Meeting started at 9:00 and adjourned at 12:30)

IN ATTENDANCE:

Councillor Wilfred Pietersen (WP)

Councillor Malcolm Johnson (MJ)

Councillor Nokuthula Mananga-Gugushe (NG)

Councillor Emily Fredericks (EM)

Alderman J C Anthony (Co-opted member) (JA)

Benninghoff Giliomee (Co-opted member) (BG)

Gurswin Cain (IDP Manager) (GC)

Ulrich Cupido (PMS Officer) (UC)

APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Ndipiwe Olayi – no application for absence received

PRESENTATION AND DISCUSSIONS

The meeting is opened by the Chairperson of the MPAC who will chair the engagement. The meeting has been further opened with a prayer by Cllr. Johnson.

The MM has requested that she needs to leave to attend to urgent matter when required. This will also be the case when directors are requested to attend the MPAC/Oversight meeting.

The recommendations of the previous year is not brought to the MPAC quarterly. It is requested that it must serve timeously.

It has been discussed that members of the committee will lead the meeting with respect to the Chapters 1 and 2.

The MPAC Chairperson requested that respect needs to be considered and that the oversight needs to be constructive in moving forward.

Further support was given to Cllr. Gugushe on the well-being of her mother.

The MM confirmed that the Annual report is very comprehensive and we look forward for this Oversight process.

Cllr. Johnson requested that he will not be able to lead the discussions on Chapter 1 and 2.

A request was tabled by the MPAC Chairperson to establish the whereabouts of Cllr. Olayi. The matter will be addressed with the Speaker.

Discussions on Chapter 1 and 2 was led by Alderman JC Anthony.

Below is a list of questions/comments as posed at the meeting. Some of the responses indicated were given at the meeting, whilst the rest were acquired from the relevant departments. An agreement was reached that departments will only be called upon if responses are not adequate.

Departme nt		QUESTIONS/ COMMENTS ON CHAPTER 1 & 2	PG	Response
Foreword of the Executive Mayor	JA p17	The Executive Mayor has presented a well-structured foreword.		
	MJ p17	Cllr. Johnson wants to congratulate the Executive Mayor on her foreword. He praised her for what is written down. What has been noted is really the truth.		
	WP p17	The MPAC chairperson wants to thank the Executive Mayor for doing her best as well as for addressing the matters that are still outstanding.		
MM Foreword	JA p17	Alderman Anthony wants to thank the Municipal Manager with her unqualified audit achievement.		
Municipal Geographi cal Informatio n	JA	1.2.4.1 We must re-phrase the wording on the 3, 8 million population.	22	<i>MM - The text refers to the edge on City of Cape Town and they have a population of 3.8 million people. The first sentenced needs under heading 1.2.4.1 needs to be re-phrased.</i>
	EF	The bottom paragraph explains "rural hamlets" (small towns) with a population of 5000 citizens.	22	<i>MM - A hamlet will be an area on its own and it does not refer to a ward.</i>
Planning - Spatial Developm ent	MJ	Ward 4 – When talking of Tokara and Belair. - <i>In which ward does it fall or does the ward stop at Kylemore and Johannesburg?</i> <i>The reason for the question is because the mentioned farms does not appear in ward 5.</i>	23	<i>Tokara falls in wards 4 and 5. The buildings fall in ward 4. See Map annexure provided.</i>
Demograp hic and Socio- Economic Informatio	AJ	The age of citizens at 65+ years has doubled in 2019 to 14 376. We are not going to move in such speed growth.	30	<i>MM - The sources that we use for the social economic profile is done by Provincial Government for the purpose of the Annual report. We cannot talk about the models that</i>



Department		QUESTIONS/ COMMENTS ON CHAPTER 1 & 2	PG	Response
n				they use.
	MJ	Request for clarity – if we look at 52 374 as a population. It is families? Does it also confirm the amount of houses?	31	MM- It is a population estimate and does not confirm that all of the households have housing. Please note this comes from the Department Social Housing.
IS – Solid Waste	EF	Swopshops. What happened to the Swopshops since it was running successfully?	52	The Principal Technician that coordinated the swop shops, resigned in April 2018 and the contracts of the rest of the team of EPWP workers expired in December 2017. The Department currently does not have enough capacity to run a swop shop. Once all positions have been filled within Solid Waste Management the swop shops can continue. No timeframe available due to the restructuring of the Department.
IS – Electrification	EF	If electrification was provided in Klapmuts. Where did it occur in Klapmuts?	53	Electrification installation was provided by Eskom. The Infrastructure and Housing department does not have any record of such installations since it was done on Eskom infrastructure do not have the details of the projects.
	EF	EF - Is the abbreviation LRF or LLF	56	It must be LLF
IS – Electrification	BG	What is done to address illegal electrical connections	55	MM - This is a major problem. As soon as the wires are removed they are going up again. We try as far as possible to secure our substations. We had a young child last year who severely got burned due to the problem. We are monitoring the situation. We do not have enough manpower. It is a huge problem to monitor this challenge. Even theft of our cables, and lots of it. It takes long to address the problem due to the legal system.

Department		QUESTIONS/ COMMENTS ON CHAPTER 1 & 2	PG	Response																																				
Finance – Budget		1.2.7.7 Grants operational and capital. How does it happen that the actual (first row of table) is 210 534 572 and the adjustments budget is 242 448. At the end the calculation is only 263 858. Is there a calculation error or must we accept it as it is? The actuals if I read income, provides a new amount of actuals. Is the actuals correct?		<table border="1"> <thead> <tr> <th>Details</th> <th>Original budget</th> <th>Adjustment Budget</th> <th>Actual</th> </tr> </thead> <tbody> <tr> <td colspan="4" style="text-align: center;">R</td> </tr> <tr> <td colspan="4" style="text-align: center;">Income</td> </tr> <tr> <td>Grants(Operating and Capital)</td> <td>188 479</td> <td>242 448</td> <td>210 534 572</td> </tr> <tr> <td>Taxes, Levies and Tariffs</td> <td>1 087 416</td> <td>1 154 418</td> <td>1 171 990</td> </tr> <tr> <td>Other</td> <td>212 187</td> <td>219 185</td> <td>228 094</td> </tr> <tr> <td>Sub-Total</td> <td>1 488 083</td> <td>1 616 052</td> <td>1 610 340</td> </tr> <tr> <td>Less Expenditure</td> <td>1 486 676</td> <td>1 575 255</td> <td>1 346 761</td> </tr> <tr> <td>Net surplus/(deficit)</td> <td>1 407</td> <td>40 797</td> <td>263 858</td> </tr> </tbody> </table> <p><i>Response: The Actual has been rounded off to the nearest thousand. The actual sum is based on 210 535 which then comes to the correct surplus of 263 858. It is thus only the 210 534 572 which is reflected in the correct format</i></p>	Details	Original budget	Adjustment Budget	Actual	R				Income				Grants(Operating and Capital)	188 479	242 448	210 534 572	Taxes, Levies and Tariffs	1 087 416	1 154 418	1 171 990	Other	212 187	219 185	228 094	Sub-Total	1 488 083	1 616 052	1 610 340	Less Expenditure	1 486 676	1 575 255	1 346 761	Net surplus/(deficit)	1 407	40 797	263 858
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CS - ICT	EF	What is meant by – “ICT structure does not align to best practices and thus cannot be agile enough to support the municipality”. Lack of system integration”. What is put into place to address the current situation?	60	MM – We are using communication whether it is sms or Whatsapp, internet, emails and the website. The structure was reviewed in an extensive process. It has been a tedious process to restructuring via the unions and the LLF. The process took longer than anticipated. We are nearly done and over 99% of the staff will be accommodated. The placement will be addressed.																																				
Corporate Services - HR	EF	Staff capacity - Staff shortages could impact on service delivery performance. What is done to address staff capacity?	60	We make sure that the ICT will be addressed. Our data centre will be upgraded and we have processes.																																				
MM - Communication		Communication / Municipal website – What are we doing too sure that citizens get the communication as mentioned on these platforms	60																																					
IS – Roads Department	EF	R4 million was given to the non-motorised transport. Clarity is required to the services that were installed in Klapmuts.	80	This was a special project - See the Non-motorised transport report.																																				
CS – Council support/ Speakers Offices	EF	Ward Committees – Does all the wards have a full complement of ward committee members?	95	Page 85 – 95 confirms the ward committee members per ward																																				
CS – Council support/ Speakers Offices	EF	I see that in certain wards, there are no community meetings held per ward? Is every Councillor required to host two community meetings per financial year?	95 -100.																																					



Departme nt		QUESTIONS/ COMMENTS ON CHAPTER 1 & 2	PG	Response				
CS – Council support/ Speakers Offices	WP	Can we have access to the attendance registers for the meetings held on: - Ward 1 - 29 June; - Ward 3 - 27 March, and 20 April; - Ward 4 - 22 May; - Ward 5 - 20 May; - Ward 6 - 1 March; - Ward 8 - 24 April; - Ward 9 - 24 April; - Ward 10 - 20 April; - Ward 11 - 9 May; - Ward 12 - 16 March; - Ward 13 - 15 March; - Ward 16 - 1 June; - Ward 17 - 4 April; - Ward 18 - 23 March - Ward 21 - 9 June	Ward No	Date of meeting indicated	Actual date of meeting	Comment		
			1	29 June	07 June	Minutes of meeting attached		
			3	27 March, 20 Apr	No records found on Shared Drive			
			4	22 May	No record as previous Ward administrator resigned effective from 25 June 2019	Meeting was held on 8 May with Cllr MM Pietersen as Chairperson as per arrangement by the Ward Councillor		
			5		08 May	Meeting scheduled for 08 May cancelled		
			6	1 March	Meeting held on 26 February	Meeting rescheduled to 26 February because of Woodfees held in March 2018		
			8	24 April	24 April	Combined public meeting with ward 9		
			12	16 March	29 March as per schedule	No meeting took place		
			13	15 March	07 March	Meeting as per schedule 06 March		
			16	1 June	21 June as per schedule			
			17	4 April	4 April			
			18	23 March	29 March meeting scheduled as public meeting did not take place			
			21	9 June	5 June per schedule rescheduled to 12 June			
			MM – IDP/PMS/ PP	MJ	I would like the administration to do research to determine why people do not come to the community meeting	-	GC – We had a discussion on what we are going to add into the IDP. One of the questions I were on the availability of a trend analysis of those meetings hosted by the Municipality to determine the attendance as well as the interest of the general public. People have	

Departme nt		QUESTIONS/ COMMENTS ON CHAPTER 1 & 2	PG	Response
				<i>certain needs and priorities when attending these meetings.</i>
	EF	I worked at the IDP department and the following is important: <ul style="list-style-type: none"> The way people are treated comes down to respect. There is a language issue. When it comes the budget – it needs to be done in a manner that is easy to understand. People are selective and they want ward specific information only. “Afrikaans” must be simple to understand 		
MM – IDP/PMS/ PP	GC	When it comes to the farms, I grew up on a farm and people are specific. They are not interested into the budget. <ul style="list-style-type: none"> They interested in farm evictions; What is the Municipality doing to address basic service on farms? They come to the meetings as “a last resort to be heard”; Our engagements needs to be deliberate in a specific ward addressing the main priorities for the ward; We need to be decisive in our approaches when speaking to the wards; One rural wards are different from the next rural ward. 		
MM – IDP/PMS/ PP	WP	It is important to look into the community and: <ul style="list-style-type: none"> The issue under discussion must be simple; The needs of people are different; A lot of people just want to know about housing and streets; A lot of people do not know about the indigent policy and are not aware if they qualify. It is important that Councillors and ward committees inform the citizens. The citizens do not read the communications that are distributed. It must not be pages full of information; Description must be short with a maximum of three highlights per notice. 		
Planning and LED – New Housing	WP	Is there a rule on the receipt of these houses pertaining to: “smuggling from these premises?” According to the community there is such arrangements. Confirmation is required in this regard.	-	<i>The criminal law is applicable to smuggling. Application for renovation of buildings and spaza shops must be applied for at the Planning department.</i>
MM- Risk	WP	Are we talking about Anti–corruption or are we talking about the waste of money. A council meeting is held every time when somebody phones to the fraud hotline. <i>Is it fine to use such amount of funds when it occurs and when such meetings are held?</i> <i>What is the cost to host these meetings?</i>	102	<i>The responses of Council is in line with legislation and the cost is difficult to determine.</i>
MM- Risk		Note – Audit to be Audit p104		



Department		QUESTIONS/ COMMENTS ON CHAPTER 1 & 2	PG	Response
Finance - SCM	WP	Bid Committee meetings. Can the public be part of the meetings when they open the bid envelopes?	110	Yes, SCM regulation 23 deals with the procedure for handling, opening and recording of bids <ul style="list-style-type: none"> confer on any bidder or member of the public the right to request; that the names of the bidders who submitted bids in time must be read out and, if practical, also each bidder's total bidding price.
	JA	When will the BEC and BAC be open to the public?	110	We are currently working towards opening of the BEC and BAC to the public.
Finance - Revenue	MJ	Has the indigent policy been reviewed? Is it true that, if the houses are over a million rand the owners do not qualify for indigent relief?	114	Yes, Policy has been reviewed Yes, This is for what we will be putting in place for the next financial year. We can only change the policy for the next financial year. For the 2018/2019 financial year the threshold is R 1 million. 2019/2020 Indigent policy has been reviewed and the threshold is R 2 million.
	WP	New houses such as Jamestown and Kylemore. The value of the houses are going up and the people cannot afford. What is done to help the elderly in this regard?	114	Sales in Jamestown and Kylemore have drastically increase and thus do have an impact on the market value of property. Council's Indigent Policy and Property Rates Policy do make provision for pensioners with different income levels and rebates.
Finance - SCM	JA	2.3.22 Is there an increase nor a decrease in the deviations? Since it is noted as 0% while it is indicated in the previous column there is 54 deviations for the 2017/18.	113	Depending on the circumstances at any given time we are trying to minimise all deviations. Strict controls were institutionalized and departments must recommend to the BAC why deviations should be approved.
Finance - SCM	WP	B/SM 43/18 This site only has a foundation. What is the status of this project?	111	Yes it is still the same service provider with a multi-year project. The progress till today would be 45%. Completion to the amount of R 1 133 652.23 and the remaining budget is R 1 380 609.87.



Department		QUESTIONS/ COMMENTS ON CHAPTER 1 & 2	PG	Response																														
Planning and LED	BG	Does all the markets have toilets? Since the one at "Die Boord" did not have a toilet. A portable toilet was used previously The toilets are not available for months?	111	Yes, portable toilets are provided with the assistance of the LED and Tourism department. The service provider was Boland Toilets and they have provided the services on a daily basis, Monday to Saturday. Their contract ended last month, January 2019. We will have a new service provider by end of this week, 22 nd of February. Vendors who are buying permits for the site under discussion are made aware of the current situation of the portable toilets.																														
				What is the status of the burial space?																														
C & P – Community Services	JA	<table border="1"> <thead> <tr> <th>BURIAL SITE</th> <th>STATUS</th> <th>SPACE</th> </tr> </thead> <tbody> <tr> <td>Jamestown</td> <td>Active</td> <td>-- 2000</td> </tr> <tr> <td>Kylemore</td> <td>Active</td> <td>-- 500</td> </tr> <tr> <td>Pniel</td> <td>Full only re-opening of graves allowed re-opening</td> <td>0</td> </tr> <tr> <td>Onderpappegaaiberg</td> <td>Full only re-opening of graves allowed.</td> <td>0</td> </tr> <tr> <td>Onderpappegaaiberg - Moslem</td> <td>Active</td> <td>-- 100</td> </tr> <tr> <td>Onderpappegaaiberg - Jewish</td> <td>Active</td> <td>-- 50</td> </tr> <tr> <td>Wemmershoek</td> <td>Full only re-opening of graves allowed.</td> <td>0</td> </tr> <tr> <td>Groendal</td> <td>Full only re-opening of graves allowed.</td> <td>0</td> </tr> <tr> <td>Franschhoek South</td> <td>Active</td> <td>-- 2500</td> </tr> </tbody> </table>			BURIAL SITE	STATUS	SPACE	Jamestown	Active	-- 2000	Kylemore	Active	-- 500	Pniel	Full only re-opening of graves allowed re-opening	0	Onderpappegaaiberg	Full only re-opening of graves allowed.	0	Onderpappegaaiberg - Moslem	Active	-- 100	Onderpappegaaiberg - Jewish	Active	-- 50	Wemmershoek	Full only re-opening of graves allowed.	0	Groendal	Full only re-opening of graves allowed.	0	Franschhoek South	Active	-- 2500
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IS-Water Services	WP	Jamestown informal housing/ toilets. Is the tender for this year, (18/19) or was it 17/18? When did the contract commence and for how long?	111	The service provider was Boland Toilets and provided the services on a daily basis Monday to Saturday. Their contract ended last month. We will have a new service provider by end of this week. People who come to buy permits for the site under discussion are made aware of the current situation.																														
MM - Office	WP	Request to visit the Jamestown informal site by the MPAC/Oversight to the MM.	-	Request will be sent to the approval from the MM.																														
MM - Office	AJ	A request must be tabled to access the Management report for the 2017/18 financial report. It is important to look at the findings that was made. Support was raised by the Oversight committee to request access to the Management report.																																



Department		QUESTIONS/ COMMENTS ON CHAPTER 1 & 2	PG	Response
MM's Office – Internal Audit Executive	WP	The MPAC Chairperson requested the availability of the Internal Audit Executive to provide an objective view on the different terminology of “unqualified audit” versus “unqualified – clean audit”. What is meant by the terms: - internal control deficiencies; - re-statements of correspondence; and - figures”; unaudited disclosure notes”	-	<i>Request was tabled and the Internal Audit Executive did explain the meaning of the audit outcomes.</i>
MM- IDP offices	UO	The checklists of Circular 63 will be discussed with the IDP manager. A final response to the checklists will be tabled at the Oversight on the 15 th of February 2019.		

Meeting adjourned at 12:30

Contract No:	T16(3) ICT CONTRACTS	Contract Description	Performance Management System - Availability of a 24/7 system with the functionality to view KPI performance, update KPIs on a monthly basis and report on the real-time actuals.
Service Provider:	IGNITE	Performance Review Period:	December 2018
Service provider Service Representative & Contact Details:	Ignite Consult Pty(Ltd)	Municipality Service Representative:	Ulrich Cupido
Ratings		Objective Measures to Assess Service Provider Performance	
Performance Rating		Quality of Service delivery as agreed: Deviations are managed as mutually agreed:	
3	X	<ul style="list-style-type: none"> ➤ Compliance to most undertakings, duties and obligations and requirements as set out in the Main Agreement and Annexures; ➤ Progress with all projects and new service requests are on target; ➤ All Service failure events during month resolved within agreed time frames and preventative measures are proposed by Service Provider. 	
2		Quality of Service delivery in compliance with Agreement; BUT Requires more management and focus from Service Provider:	
1		<ul style="list-style-type: none"> ➤ Progress with projects and new service requests are on not on target; Service failure events are not resolved in agreed time frames and preventative measures for implementation are not proposed by Service Provider. ➤ Quality of Service delivery totally unacceptable; Consider termination of Agreement and all Services. ➤ Non-compliances, progress with projects and new service requests and service failure events worse than for rating 2; ➤ Commitment from Service Provider to resolve outstanding issues is lacking; ➤ Skills and resources to deliver a quality service are inadequate; ➤ Participation in contract governance, service management and effective communication is lacking or inadequate. 	
Comments on Performance Rating			
(i.e. Projects progress; Service failure events, corrective measures & response times; Change Management procedures; On going liaison and communication)			
Sign off and Acceptance by Service Representatives			
		SERVICE PROVIDER ACKNOWLEDGEMENT OF RATING: PLEASE SIGN	
MUNICIPALITY SIGN:		Ulrich Cupido 02 January 2019	

Appendix	Description	Page
Appendix A: (i) Councillors; (ii) Committee Allocation and Attendance (iii) Council	This Appendix relates to Chapter 1 of the Format and requires the compilation of a complete list of all Councillors, the party they belong to and the ward which they represent. Information pertaining to the number of Council meetings attended by each of the Councillors also needs to be provided.	2.1 p66
Appendix B: Committee and Committee Purpose	This Appendix also relates to information required to be included in Chapter 1 of the Format. A list of all Committees of Council, the purpose of each Committee and the names of Councillors serving on them. It also requires the inclusion of information related to the attendance of each Councillor.	2.1.4 p69
Appendix C: Third Tier Administrative structure	The organogram of the administrative structure of the municipality / municipal entity is to be included under Appendix C.	2.1.6 p77
Appendix D: Functions of Municipality/Entity	The appendix covers what constitutes the municipal functions, municipality to indicate which function is applicable to it or their entity. In case of a local municipality it can also discuss functions performed by the District and vice versa.	3.1.1.4 p169
Appendix E: Ward Reporting	Information on the functions of ward committees, the sector of community representation and reports submitted by each of these committees must be provided. The appendix can be expanded to include a brief feedback of the operations and functions of individual wards, challenges experienced and measures taken to address them.	2.2.3 p84
Appendix F: Ward Information	This appendix relates to ward information, the following information is required; ward name (number), where under each ward the seven largest project in the current year is listed together with their start date, end date, their total value and progress. Information on the top four delivery priorities per wards as these may differ in different wards.	2.2.3 p84
Appendix G: Recommendations of the Municipal Audit Committee	This appendix relates to all meetings of the audit committee held together with its recommendations, those that have been adopted and those not.	2.3.6 pg 104 2.3.11 pg 106
Appendix H: Long term Contracts and Public Private Partnership	Information related to the largest projects, agreements and contracts. Information related to Public Private Partnerships (PPP) in the municipality and its duration. Specific detail pertaining to the responsible departments for managing and implementing the roll-out of these projects is to be provided. The duration and monetary value of the projects, agreements or contracts should also be included.	5.1.4 p322
Appendix I: Municipal Entity/Service Provider Performance Schedule	This statement should include no more than the top four priorities indicators as articulated in the IDP. Note that all must be funded within approved budget provision.	3.1.1.13 p144
Appendix J: Disclosure of Financial Interest	This Appendix relates to financial disclosures of senior managers and other section S56 officials. The financial interest disclosure is required even if posts were occupied for part of the year.	p48 AFS p407- 409 AFS Notes 32 and 33 Note 54 p97 Noted 59 p102 AFS
Appendix K: Revenue Collection Performance		
Appendix K (i): Revenue Collection Performance by Vote	This Appendix relates to information on revenue collected by votes, based on prior year and current year actual collections	5.1.1.1 p297
Appendix K (ii): Revenue Collection Performance by Source	This Appendix relates to information on revenue collected by source, based on prior year and current year actual collections. Information by ward may also assist decision makers on the extent of indigent households and need for further support or policy changes.	5.1.1.2 p298

Appendix L: Conditional Grants Received: Excluding MIG	This Appendix relates to all conditional grants received in the current year, excluding the Infrastructure Grants, indicating adjustments budget and the actual, showing percentage variances of the two and also indicating any major conditions applied by Donors on each grant, if applicable.	p11 No:22. Fin Stat. p73
Appendix M: Capital Expenditure – New & Upgrade/ Renewal Programmes: Including MIG		
Appendix M(i): Capital Expenditure – New Assets Programme	This Appendix relates to all capital expenditure relating to the new asset programme, showing the actual of the prior year, the adjusted budget and actual expenditure in the current year.	5.7.1.1 p314
Appendix M(ii): Capital Expenditure – Upgrade/Renewal Programme	This Appendix relates to all capital expenditure relating to upgrade/renewal programme, showing the actual of the prior year, the adjusted budget and actual expenditure in the current year.	5.10 p319
Appendix N: Capital Programme by Project current year	This Appendix relates to all capital projects in the current financial year, indicating the adjusted budget, actual in the current year and the variance between the two.	1.2.7.9 p59
Appendix O: Capital Programme by project by Ward current year	This Appendix relates to all capital projects per ward in the current financial year, and indicates if work was completed or not.	new annual report format + MSCOA cost centres will address capital projects per ward
Appendix P: Service Connection Backlogs at Schools and Clinics	This Appendix relates to all backlogs in schools and clinics, the name and location of the schools and clinics is required, this information is provided to assist the national and provincial departments improve planning, budgeting and implementation.	5.9 p318
Appendix Q: Service Backlogs Experienced by the Community where another Sphere of Government is Responsible for Service Provision	This Appendix relates to all service backlogs experienced by the community where another sphere of government is responsible for providing the service, this information is provided to assist the national and provincial departments improve planning, budgeting and implementation.	5.9 p318
Appendix R: Declaration of Loans and Grants Made by the Municipality	This Appendix relates to the list of all organisation or person in receipt of loans and grants from the municipality, to state the nature of the projects funded and conditions attached to such projects together with the rand value.	5.14 p322
Appendix S: Declaration of Returns not Made in due Time under MFMA s71	This Appendix relates to all monthly budget statement not made in time as required by s71 of the MFMA. This information is critical for municipalities and oversight institutions so that early detection of problems can be made and corrective action taken sooner.	AFS p101
Appendix T: National and Provincial Outcome for local government	This Appendix covers information not addressed in any of the other areas of the Annual Report, relating to municipal powers and functions that can be used by the National and Provincial Spheres to monitor and evaluate service delivery performance. This should indicate the progress to date, numbers and percentage achieved.	AFS p3 – p6



Provincial Sustainable Transport Programme (PSTP)

(Formerly – Provincial Public Transport Institutional Framework (PPTIF))

Stellenbosch Municipality - NMT Priority Projects 2016/2017

Transfer Funding Close-out Report

Ver 0.6 Date 29 August 2017



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We hereby confirm, that to the best of our knowledge, the content of this report is a true reflection of the projects undertaken between the Stellenbosch Municipality and the Western Cape Government’s Department of Transport and Public Works during the Stellenbosch Municipalities 2016/2017 financial year, using an allocation from the Western Cape Governments Department of Transport’s Adjustments Budget, transferred to and used in conjunction with a contribution from the Stellenbosch’s Annual Budget.

For and on behalf of the Western Cape Governments Department of Transport and Public Works.

Date:.....

Name:.....

Signature:.....

For and on behalf of the Stellenbosch Municipalities Transport Roads and Stormwater Department

Date:.....

Name:.....

Signature:.....

9.2 Actual Cash-flow – Carpe Diem

	Contract Value	Invoice No.1 30/05/2017	Invoice No.2 23/06/2017	Invoice No.3 27/06/2018	Invoice No.4 07/07/2016	Amount Due for Future Payment 2018
Previous Remaining Balance	R2 556 546,32	R 2 556 546,32	R 2 344 092,94	R 1 378 802,26	R 629 525,89	
Retention Held					R 255 654,00	
Retention Released					-R 127 827,00	R 127 827,00
Certified for Payment		-R 212 453,98	-R 965 290,68	-R 749 276,37	-R 501 691,97	
Remaining Balance	R 2 556 546,32	R 2 344 092,94	R 1 378 802,26	R 629 525,89	R 6,92	R 127 827,00
Accumulative Value of work done		8,31%	46,07%	75,38%	100,00%	

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9.3 Actual Cash-flow – ATN Group

	Contract Value	Invoice No.1 15/05/2017	Invoice No.2 30/05/2017	Invoice No.3 15/06/2017	Invoice No.4 23/06/2017	Invoice No.5 27/06/2016	Invoice No.6 30/07/2016	Amount Due for Future Payment 2018
Previous Remaining Balance	R 3 196 014,00	R 3 196 014,00	R 2 754 606,66	R 2 173 194,77	R 1 433 650,14	R 696 625,59	R 351 136,66	
Retention Held							R 319 601,25	
Retention Released							-R 159 800,62	-R 159 800,63
Certified for Payment		-R 441 407,34	-R 581 411,89	-R 739 544,63	-R 737 024,55	-R 345 488,93	-R 191 334,52	
Remaining Balance	R 3 196 014,00	R 2 754 606,66	R 2 173 194,77	R 1 433 650,14	R 696 625,59	R 351 136,66	R 1,52	R 159 800,63
Accumulative Value of work done		13,81%	32,00%	55,14%	78,20%	89,01%	100,00%	

1 INTRODUCTION

The Provincial Sustainable Transport Programme (PSTP) (formerly the Provincial Public Transport Institutional Framework (PPTIF)), has been established to implement a responsible, sustainable and step-wise approach to public transport and non-motorized transport (NMT) in identified municipalities through the Western Cape Government's Department of Transport and Public Works (WCG). This step-wise approach will follow three main stages, which at each step evaluate whether the optimal transportation solution is found to suite the unique attributes of each Municipality.

The Municipality of Stellenbosch (SM) was selected as the first municipality within which to implement this programme, with a Memorandum of Agreement (MOA) having been signed between the Accounting officers of WCG and SM. In addition to numerous status quo and planning assessments being undertaken, as a part of the first of the three stages within the municipality, the roll-out of priority NMT infrastructure projects, falling within the ambits of the PSTP, and Stellenbosch planning documents, including the Comprehensive Integrated Transport Plan (CITP), Bicycle Network Plans and locally identified demand amongst others, were undertaken.

For the 2016/2017 Financial Year, three of the earmarked NMT Projects for the PSTP Stellenbosch project were prioritized for implementation.

Funding was sourced, with R4million being secured through Western Cape Provincial Governments (WCG) adjustments funding process and transferred to the SM, and R1,3million was allocated from SM funding as their contribution towards the works.

Further to the above funding provided by the WCG, WCG were able to provide consulting services, to lead the prioritization of projects, through specialist transport advisors. Civil engineers, and management consultants were also provided to undertake the planning, design, management and construction supervision under an existing appointment. The SM, through their roster tender contractors were able to secure civil engineering contractors to undertake the work highlighted.

Although numerous challenges were faced, a determined, pro-active and flexible team of officials, consultants and contractors pulled together, to plan, design and deliver the infrastructure contained in this report, bringing improved infrastructure to Stellenbosch within the first year of implementation of PSTP, and achieving full spend of the allocated funding of R4m.

This report seeks to provide a summary of events and a close out on the work undertaken by the above two contractors under the leadership of the officials and consultants involved.

9 BUDGET RELOCATION AND ACTUAL CASHFLOWS

9.1 BUDGET RE-ALLOCATION

The original budget for Carpe Diem was R3 556 546,92 (Refer Contract No. 1 below), and for ATN Group was R2 196 014,00 (Refer Contract No. 1 below)

As noted throughout the document, the initial projects scope, and what these budgeted amounts were based on changed significantly due to the following reasons:

- Provincial Roads Plan approval on Kayamandi Crossing and removal of Marais Street Circle – **Impact** - Work only came on line towards the end of the financial year.
- Discovery of Graves in Klapmuts – **Impact** – portion of 3m wide pathway omitted from the original scope, resulting in unallocated budget.
- As a result of the above, and the strong cash-flow and progress performance of ATN Group, and unsatisfactory productivity of Carpe Diem – **Impact** - Re-allocation of projects (Kayamandi crossing and Marais street circle) from Carpe Diem (Refer variations in Table 3a) to ATN Group (Refer Contract No.2 in table 3b below).
- The impact on budget, and movements between same, is shown in Table 3a and Table 3b below.

Contract No.1	R 3 556 546,92
Variations	-R 1 000 000,00
Revised Contract Value	R 2 556 546,92
Max Retention Amount (10%)	R 255 654,69
10,0%	R 255 654,00

TABLE 3a Carpe Diem – Budget Amendments

Contract No.1	R 2 196 014,00
Contract No.2	R 1 000 000,00
Revised Contract Value	R 3 196 014,00
Max Retention Amount (10%)	R 0,00
10,0%	R 319 601,25

TABLE 3b ATN GROUP - Budget Amendments

8 CLOSE OUT FOR ATN GROUP

A summary of the projects which have achieved practical completion by ATN Group are included in table 2 below with planned and actual dates provided. The issuing of the certificate of completion, and a final completion certificate and release of the remaining retention will be managed by the SM. ATN Group were granted one extension of time claim with costs, till 15 July 2017, which was assessed and approved by the engineer and SM due to the increase in the scope of works, and inclement weather conditions.

Completed Projects	Baseline Start	Baseline Finish	Actual Start	Actual Finish	% Complete
KLAPMUTS - Project 3					
2m NMT path - (225m)	02 May 2017	02 June 2017	04 May 2017	14 June 2017	100
KAYAMANDI - Project 1					
Kayamandi Pedestrian Crossing	12 June 2017	20 June 2017	27 June 2017	15 July 2017	100
Kayamandi Signage	10 July 2017				OMIT
ADDITIONAL ATN Group					
Klapmuts					
Beyers Street (485m) Eastern Side	17 May 2017	06 June 2017	17 May 2017	15 July 2017	100
Adam Street (500m)	17 May 2017	20 June 2017	17 May 2017	07 July 2017	100
Cloetesville					
Eike Rd: (388m) LHS	12 June 2017	26 June 2017	19 June 2017	21 July 2017	100
Eike Rd: (50m) RHS:	12 June 2017	26 June 2017	10 July 2017	21 July 2017	100
Short Rd: LHS & RHS - (2 x 56m)	12 June 2017	26 June 2017	28 June 2017	07 July 2017	100
Total ~ 1760m					

TABLE 2

2 PROJECT 1 - KAYAMANDI TO CLOETESVILLE CROSSING (INTERIM)

2.1 Stage 1 to 2 Briefing

The development of a clear project brief was completed timeously with SM and WCG. Conceptual designs were reviewed in fortnightly Technical Review Meetings and approved by the client to proceed to detailed design.

The scope originates from the need to improve the safety of pedestrians crossing the R304 between Kayamandi and Cloetesville, identified in numerous planning documentation as a priority.

Although there is a need in the longer term to permanently improve access, possibly by a grade separated crossing over the R304, water course and railway line, this scope was to improve the location of the crossing, the signage, and introduction of a Universally Assessable ramp from the adjacent road invert to the sidewalk invert level on the R304.

2.2 Stage 3 Design Approval Process

Working drawings were developed by the consultant team and signed off by SM on 22 April 2017 and issued to Provincial Roads Network Management Branch (RNM) for approval of same.

Three separate engagements were held with RNM on 4 April 2017, 5 May 2017 and 12 May 2017.

On 12 May 2017, confirmation was received from RNM (Third engagement) that the working drawings were approved in principal. No further comments were noted.

On 18 May 2017, following numerous e-mail correspondence, WCG reported that there was only a limited chance that the drawings would be approved by RNM, in time to allow the works to be constructed before the end of the financial year.

RNM approval for the pedestrian crossing design element of the drawings was only received during June 2017, which excluded the ramp and signage designs.

2.3 Stage 4 Procurement and Pricing Schedules

Cost Estimates for this project were prepared by the engineer, from SM pricing schedules. These estimates were required to be re-done several times to align with the project budget, and available contractors on the SM data base.

2.4 Contractor Appointments

SM followed internal supply chain processes, and a work order was provided to the successful contractor on 19 April 2017. A site handover meeting took place on 24 April 2017 at which the contractor was requested to provide handover documentation such as Occupational Health and Safety, Environmental Plans (H&SP),

construction programme amongst others and to apply for wayleaves prior to proceeding with the works.

The engineer, through their Health and Safety agent reviewed, and were unable to immediately approve, the contractor's H&S plan due to the poor quality of the documentation received from the contractor. Provisional approval could only be confirmed by 9 May 2017.

2.5 Milestone Concurrency

Due to the tight timelines, the contractor appointment process had to be run concurrently with the RNM design approval process, for which concept designs had already been previously reviewed with RNM as noted above.

2.6 Delays Encountered

The delayed approval of the working drawings by RNM had a delaying impact on the commencement of the construction of the bulk of the planned works to this project, with the partial approval of the crossing only received during June 2017.

The overall poor start-up performance of the contractor also delayed the contractor's ability to commence on site, and given the delays encountered, this portion of work, and associated budget were re-allocated from Carpe Diem to the ATN Group.

RNM to date have only approved the relocation on the pedestrian crossing, and approval for the Pedestrian Ramp and Signage designs are still pending.

2.7 Close-out status

Given the delays noted above, the ATN Group were only able to proceed with the relocation of the Pedestrian Crossing, addressing localized kerb-side interventions, including the introduction of tactile paving and relocating signage associated with the pedestrian crossing. Further work in future will be dependent on the approval of designs by RNM, capex and consultant budget. View Photo's 1 & 2.

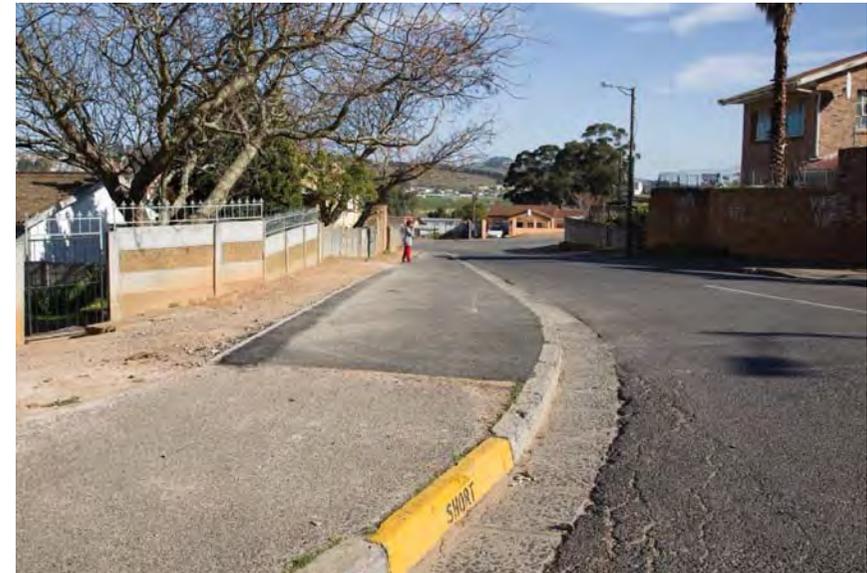


Photo 17 – Short Street upgrade Cloeteville



Photo 18 – Eike Street upgrade Cloeteville



Photo's 15 and 16 Before and after at Beyers Street sidewalk



Photo's 1 & 2 – Kayamandi Cloeteville Interim Pedestrian Crossing

3 PROJECT 2 - MARAIS STREET CIRCLE SNAGS

3.1 Stage 1 to 2 Briefing

The development of a clear project brief was completed timeously with SM and WCG. Conceptual designs were reviewed in fortnightly Technical Review Meetings and approved by the client to proceed to detailed designs.

The Marais Street circle, although already making an allowance for bicycle lanes, has drawn criticism from the public, varying from being 'partially incomplete' in some instances to an out-right 'condemnation of the design'.

The scope undertaken was to address existing snags, rather than a detailed redesign, and re-alignment.

3.2 Stage 3 Design Approval Process

Working drawings were developed by the engineer and signed off by SM on 22 April 2017 and issued to RNM for approval.

Three separate engagements were held with Provincial roads on 4 April 2017, 5 May 2017 and 12 May 2017.

Although minor works off the provincial road section was undertaken by Carpe Diem, before RNM had provided approval on the design submitted, the SM requested that this priority project be withdrawn due to increased public sentiment that a full re-design and re-alignment of that circle is required.

4 ADDITIONAL PRIORITY SIDEWALKS IDENTIFIED – Contractor: - Carpe' Diem

4.1 Stage 1 to 2 Briefing

Additional priority sidewalks, which align with the PSTP and local planning documentation, were identified to be constructed or repaired to utilise the contractors budget made available by the delays and scope reduction noted above.

An additional priority list was provided by SM to WCG and the engineer on 5 May 2017. The list of sidewalks was reviewed and projects, including location, length and surface finished agreed on 17 May 2017 with WCG and SM. At this stage some pre-agreed projects had already commenced concurrently to mitigate the risks of contractor standing time.

Due to the challenges described above, a number of amendments to the initial project list had to be made following further investigation. All amendments were discussed, vetted, authorised and recorded as such, as part of the regular technical and construction progress meetings.

It was always expected that the initial project list would only be finalized once the projects had been fully assessed as part of the design development process. The focus of the identified additional priority projects, however, remains the same in that they aim to address the gaps in the NMT network in the Stellenbosch Municipal



Photo's 13 and 14– Before and after at the railway crossing Beyers Street sidewalk ramp

7.2 Stage 3 Design Approval Process and Procurement and Pricing Schedules

As the contractor, the ATN Group was already appointed, detail design for these projects, the proposed pavement structure (the layerworks) in the sidewalks, with sidewalk width and grade formed part of the detail design.

Again the engineer had to work closely with the SM officials to re-align the Schedules of Quantities as required to address the changes to scope.

In addition to the work undertaken by the ATN Group at the Kayamandi Crossing addressed above under item 2, the following priority sidewalk projects were implemented in Klapmuts; 485m on the eastern side of Beyers Street and 500m in Adams Street. In Cloetesville 388m of sidewalk was installed on the left-hand side of Eike Road of and 50m on the right hand side of same. In Short Street 56m of sidewalks were installed in either side of road. The photos below provide an indication of the type of work undertaken.



Photo's 11 and 12 - Before and after Adams Road Klapmuts – surfaced left hand side sidewalk

area, as was originally intended. All the projects form important NMT links within the communities within Stellenbosch Municipality.

4.2 Stage 3 Design Approval Process and Procurement and Pricing Schedules

Detail design for these projects focused on the proposed pavement structure (the layerworks) in the sidewalks, with sidewalk width and grade forming part of detail design as well.

Although the original design/proposal was to include a G5 pavement layer, in Idas Valley, it was later changed to be a G4 pavement layer instead due to expected vehicle loading from Residents parking on the sidewalks.

Unfortunately, existing ground conditions were not constant either in type or depth, and thus required on-site decisions to be made, therefore substantiating full-time supervision by a Resident Engineer to proactively manage the decision-making process and monitor quantity measurements as the work was undertaken. This applied to all areas of the construction that were undertaken.

The engineer had to work closely with the SM officials to re-align the Schedules of Quantities as required to address the changes to scope. The two photos below indicate work undertaken by Carpe Diem.



Photo 3 - Hammanshand Road



Photo 4 – Woodman Road Idas Valley



Photo 10 – Raised pedestrian crossing over Merchant Road

5 CLOSE OUT – CARPE DIEM

The projects indicated in table 1 below have achieved practical completion. The issuing of a Certificate of completion, and a final completion certificate and release of retention will be managed by the SM. Please view photo's below of some of the projects.

Completed Projects	Baseline Start	Baseline Finish	Actual Start	Actual Finish	% Complete
Luckhof Street (520m)	08 May 2017	15 June 2017	15 May 2017	27 June 2017	100
Lindley Street (300m)	08 May 2017	15 June 2017	22 May 2017	07 July 2017	100
Gorridon Road (130m)	12 June 2017	26 June 2017	09 June 2017	31 July 2017	100
Langeveld Street (60m)	08 May 2017	15 June 2017	22 May 2017	31 July 2017	100
Davey Road (130m)	08 May 2017	15 June 2017	22 May 2017	31 July 2017	100
Lindida Road (140m)	08 May 2017	26 June 2017	29 May 2017	31 July 2017	100
Woodman Road LHS & RHS - (2 x 45m)	12 June 2017		23 June 2017	31 July 2017	100
Hammanshand Road (475m)	12 June 2017		26 June 2017	31 July 2017	100
Total ~ 1845m					

TABLE 1

7 ADDITIONAL PRIORITY SIDEWALKS IDENTIFIED – ATN GROUP

7.1 Stage 1 to 2 Briefing

As noted above, the ATN Group had a fixed allowance for Sidewalks. With omission of the pathway due to the discovery of the graves, additional value was left to be allocated to the budget.

As noted earlier, it was always expected that the initial project list would only be fully finalized once the projects had been fully assessed as part of the design development process. The focus of the identified additional priority projects, however, remains the same in that they aim to address the gaps in the NMT network in the Stellenbosch Municipality, as was originally intended.

A list of additional priority sidewalks was discussed in progress meetings and agreed on 17 May 2017 with WCG and SM. The upgrading of sidewalks to Beyers Street and Adams Street in Klapmuts was also agreed.

Given the slow production rates achieved by Carpe Diem, additional budget was allocated to ATN, as noted above, to take over the Kayamandi Cloetesville Crossing, and the Marais street circle upgrade, which was ultimately. As such it was proposed and agreed by the SM that the remaining budget be spent in Cloetesville, on some sidewalk upgrades, including Short Road and Eike Road.



Photo's 8 and 9 – Before and after - pathway running through the subway - Groenvlei to Merchant

6 PROJECT 3 KLAPMUTS NMT – ATN Group

6.1 Stage 1 to 2 Briefing

The development of a clear project brief was completed timeously with SM and WCG. Conceptual designs were reviewed in fortnightly Technical Review Meetings and approved by the client to proceed to detailed design.

The scope included a road crossing improvement and NMT upgrades leading to the railway-subway between Merchant Road and leading towards Groenvlei, a portion of which included re-building existing pathways which had shown signs of structural failure.

6.2 Stage 3 Design Approval Process

Working drawings were developed by the engineer and drawings were signed off by SM on 22 April 2017.

6.3 Stage 4 Procurement and Pricing Schedules

Cost estimates were prepared by the engineer, from SM pricing schedules. These estimates were required to be re-done several times to align with the budget quantities and contractor availability. Over and above the planned works, and unlike the Carpe Diem contract, an allowance was made for the installation of additional sidewalks to be determined as work proceeded.

6.4 Contractor Appointments

SM followed internal supply chain processes and a work order was provided to the successful contractor on 19 April 2017. A site handover meeting took place on 24 April 2017 and the contractor was requested to provide handover documentation (H&S plans, programmes etc.) and to apply for wayleaves. This contractor had been pro-active, and was immediately available to commence work.

6.5 Milestone Concurrency

Due to the tight deadlines, the contractor appointment process had to be run concurrently with the land ownership approval process, which was being dealt with between SM Property, and the landowner KWV. KWV had expressed, in-principle, that the land could be utilized, on condition that no rights or servitudes in the name of the SM were registered.

6.6 Delays

6.6.1 Discovery of Un-documented Graves

Following commencement of works on site, initially one grave was discovered, and the eastern NMT lane had to be re-aligned to suit.

This grave was situated on the KWV land referenced above.

Subsequently, on 11 May 2017 as work proceeded in that area, concerned community members informed the site team that there were potentially up to 300 graves in the area of the re-alignment, and the works to that portion of the land was stopped by instruction of SM on 11 May 2017. This work constituted a fair portion of the contract value.



Photo 5 - Grave Site on Proposed NMT Pathway

6.6.2 Health and Safety Non-Compliance

The Health and Safety Agent, in an audit report, noted that there were serious non-compliance issues with ATN and recommended a work stop order. The report was assessed, and a work stop order was issued.

ATN group ceased work that week, and works recommenced the following Monday, following a concerted team effort between the Contractor and the Health & Safety agent to undertake remedial actions and become compliant.

An indication of the work undertaken under this scope included in photo's below.



Photo's 6 and 7– Before and After Pathway between Groenvlei Road and Merchant Road



Minutes of the meeting of the MPAC Oversight Committee held on 15th February 2019.

Discussions on Chapter 3

(Meeting started at 12:00 and adjourned at 15:25)

IN ATTENDANCE:

- Councillor Wilfred Pietersen (WP)*
- Councillor Malcolm Johnson (MJ)*
- Councillor Emily Fredericks (EF)*
- Alderman J C Anthony (Co-opted member) (JA)*
- Mr. Benninghoff Giliomee (Co-opted member) (BG)*
- Mr. Gurswin Cain (IDP Manager) (GC)*
- Mr. Ulrich Cupido (PMS Officer) (UC)*
- Mr. Faiz Hoosain (FH)*

APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Nokuthula Mananga-Gugushe (NG) Councillor visited the doctor and attended meeting at 13:05

Councillor Ndipiwe Olayi – A verbal confirmation of attendance was received.

MM - Ms. Geraldine Mettler – apology has been tabled due to a court hearing

PRESENTATION AND DISCUSSIONS

Circular 63 was provided and all the answers to Chapter 1 and 2.

The MM has indicated her absence due to urgent matters outside of her control.

Discussions on Chapter 3 was led by *Mr. Benninghoff Giliomee (Co-opted member)*

Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
Law enforcement	BG	Is the memorandum of understanding with the SAPS working? In what ways does it benefit the citizens of Stellenbosch?	12	<i>Yes, the MOU is working. Regular joint operations in various high risk areas where Law Enforcement plays a supportive role to SAPS. Many successes has been achieved at drug outlets as well as</i>

Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
				<i>illegal shebeens.</i>
Informal Settlements	EF	TL 2. Number of serviced sites for low cost housing provided. Does it include serviced sites in ward 18?	125	Yes
Roads and Storm water	EF	TL 8. Number of bus and taxi shelters. Constructed. What is the status of the Klapmuts taxi shelter?	126	<i>The taxi rank was completed as part of phase 1. Please refer to handout with completion certificate. Phase 2 will be done for the commencement of the 2nd phase which will start at the beginning of July 2019. We made planning in the installation of the fence and the top structure. The main works will be the proper construction of the top structures. The placement of the containers is a temporary measure. If the fence will be implemented sooner Johan Fullard will communicate with the Councillor</i>
IDP/PMS	JA	Was the Deputy Mayor delegated to sign SDBIP?	120	<i>Yes, the Deputy was acting as Executive Mayor and therefore had the full delegation to sign as Executive Mayor.</i>
	MJ	The report is made public after the council has been informed of the quarterly progress against set targets.	118	<i>UO -Yes, We report to Council. And only after this we report to National And Provincial Government. We also publish it also on the website.</i>
	BG	TL 47 Electrical losses and TL 49 Limit unaccounted for water to less than 25% by June 2018Do we have employees that check for the losses?	131	<i>GC – I do not think we need to take the two KPI's back to the administration since it is recorded in the financial statements. The losses is accounted in the financial losses. There is some illegal connections as explained by the MM. We have our own dams and we lose it when water is cleaned. Non- revenue water is getting lost is much less and 8% is very low. The national norm is 18%.</i>
Water	MJ	A concern is raised on water losses. I understand the losses as explained. What the cubic meter of water that is of lost? How many litres are lost? I suggested previously that a research needs to be done. How is the water lost? Where does it go? I firmly believe that water is stolen. We know how the people		



Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
		<p>connect electricity. I firmly believe that there is illegal water connections. The fact remains that we are losing water and we are losing revenue. <i>What can be done?</i> Page 131</p> <p>Water Services work according to our Water Services Development Plan and our Water Demand Management Plan. Water losses are curbed by various efforts including:</p> <ol style="list-style-type: none"> 1. Municipal leak repairs including house connections, water meter tampering, illegal connections etc. 2. Replacement of old infrastructure (Asbestos cement pipe lines) according to our Water pipe replacement program which is based on various factors which include age, affected area, risk of flooding etc. 3. Water meter replacement with accurate Class C water meters. 4. Repairs to leaking internal plumbing at indigent private properties using "Domestic Leak Repair, Water Meter Replacement and Pressure Management" tender. 5. Installation of Water Demand Management Devices to all indigent consumers. 6. Individual Metering of all municipal owned units including flats, town houses etc. Erf only has one bulk connection, but will now have sub meters to every unit/consumer. 7. Active monitoring off all metered sources (COCT bulk connections, Raw water connections from DWS and own sources at Jonkershoek Intake and Franschhoek Mountain Springs using live telemetry systems. 8. Safe guarding of reservoirs and pump stations to secure water sources. Vandalism and demolishing of infrastructure (Pressure reducing valves, telemetry systems, power supplies etc.) are synonymous with water losses. 9. Water losses at informal settlement ablutions are constantly attended to by own municipal staff and appointed maintenance contractors. 		
Property Management	JA	Is it sad that it must take a year to have an audit. TL 88 - Audit of all municipal leased Properties (excluding rental stock) by March 2018 Was the audit completed?	136	The information gathered in the field are analysed and the above programs are implemented in the order of severity of leaks, outstanding debt, accessibility of meters for accurate reading etc.
New Housing	JA	TL 31 Service sites for low cost housing development by 30 June 2017. Was the structures erected?	139	The services sites were demolished by community members. The sites are now in process of installation and will be finalised by June 2019.
Electricity	JA	Lawula Systems and Syntell (Pty) Ltd. Why do you use different providers for tender BSM 001 17 -1/2/3/4/5. Supply and delivery of electrical equipment and materials until 30 June 2019. Do we not use the provider with the best price?	152-153	This is a material tender, different items are awarded to different suppliers based on compliance to specification.

Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
		We have various providers that does the same work.		
SCM	JA	BSM 044 17 – 1. Camarni Supply Chain Specialists Pty Ltd What happened to a service provider with poor service? Are they placed on a list? Are they blacklisted? Was there an improvement in the services rendered?	154	Contract has been terminated. In terms of clause 58 of SCM Policy the Service Provider will be suspended from the SCM database, alternatively blacklisted at National Treasury. The SCM policy will be updated to address the criteria in line with the contract value.
Community Services	BG	BSM 064 17 TRF Sport. It mentions poor performance. The matter is currently with legal service and alternative contract was sourced. Who delivered the service after the termination?	155	The uniform are obtained from the stores and they will keep in stock the required sizes.
Community Services	JA	I made enquiry about the service earlier and it was a year tender. The Municipality purchase from other service providers. I was in discussion with Mr. G. Abrahams from Community Services.		
Community Services	BG	BSM 057 18 DAWAILA TRADING. The user Department indicated poor performance, not to the extent that termination was needed.	158	UC – Our new performance policy makes provision that all service provides are sored every month with a scoring of 1, 2 or a 3. The contract management office is informed and he will engage with the service provider start the remedial process.
SCM	JA	BSM 016 16-59 University of Stellenbosch. BER – Economic Assessment What is the content of the service? I cannot believe that we use the University as a Service provider? What work did they do?	161	The Buro for economic research has done as assessment of the Municipality. Request for report required by MPAC/Oversight
SCM	JA	BSM 025 16 CSM Consulting Services (Pty) Ltd. What was the outcome of the consultation with the service provider?	163	Their services were terminated
Law Enforcement	BG	BSM 099 15 – 2 Armstrong and BSM 099 15 Six Combined. What happened with the service due to the unsatisfactory score?	166	The service was terminated due to the unsatisfactory service.
Law Enforcement	JA	BSM 099 15 – 1 Metro Security - In the last financial year this provider was rendering unsatisfactory service. Did the service of this provider improve? What was done to improve the level of service for this service since it is now marked as satisfactory?	166	The service provider was put on terms to improve their services. At the time of this report there was a slight improvement. However, the services did not improve significantly. Metro has since been penalized on a monthly basis and



Department	QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
			<p>held responsible for any losses the municipality suffered through poor services. This response is referred back. What were the losses to the Municipality? The service provider caused the loss of property due to break-ins at Cloeteville sports ground. <u>More detail follows below:</u></p> <p>a) Law Enforcement Service cannot give feedback on loss of property as it is the department's responsibility to forward proof of the claims or the amount so that it can be deducted from the company. As soon as the relevant departments forward the amounts Law Enforcement will proceed to deduct the amounts from the service provider.</p> <p>b) Penalties were deducted for late posting of security officers, failure to post a guard, sleeping on duty, short posting of guards, etc. The penalties was generated due to inspection performed by Law Enforcement officers at the various sites and or e-mails received from the user departments.</p> <p>c) Penalties deducted for July 2017 until June 2018 are as follows:</p> <ol style="list-style-type: none"> i. July – R0.00 ii. August 2017 - R7 500.00 iii. September, October and November 2017 – R17 000.00 iv. December – R0.00 v. January 2018 – R0.00 vi. February 2018 – R4 500.00 vii. March 2018 – R0.00 viii. April 2018 – R8 000.00 ix. May 2018 – R4 000.00 x. June 2018 – R5 500.00

Department	QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
			<p>Was the losses registered in a register? Did they replace what was stolen? How can we be sure that they were brought to book?</p>
LED	JA		<p>I found it strange that we in 2016/17 we gave jobs to 747 full time equivalent people (FTE's) and for the year under review 695 FTE's. We can agree that hunger and poverty is so big. We have employed less people. Well it is just an indicators but we need to take note that we have employed less people. (p176)</p>
Water services	JA		<p>Page 181/2 gave us an idea of the importance of ground water. It was just the beginning. I do not have a document in front of me. In the beginning there was functions for the Municipality and now the municipality has powers to drill for water. We as a committee must take note and next year we must and ask questions on the expenses that was incurred.</p>
Water services	EF	175	<p>TL 42 Curtail domestic and industrial water consumption by 45% measured in terms of the equivalent average consumption of 5 years. <i>How did you arrive at the -45%?</i></p> <p><i>We went another five years back and looked at the water consumption level. It was to address by looking at the water consumption during the drought and it water monitored by the Water Department. It assisted to keep water usage at 86- and 50 litres of water per day per individual.</i></p>
Water services	JA	186	<p>These are the projects that was implemented. Water meters in Wemmershoek and Franschhoek. <u>I would like to see the impact, the benefit and goals achieved?</u> This project was done five years back in Klapmuts and I have asked about the project. I asked what was the lessons learned Another 3.5 million has been used and the people came from Durban. A sample is used and no report is given to the citizens. It is still in the implementation phase and we would see what the benefits are afterwards.</p> <p><i>The information gathered in the field are analysed and the above programs are implemented in the order of severity of leaks, outstanding debt, accessibility of meters for accurate reading etc.</i></p> <p><i>The audit results has been distributed</i></p>
Electricity	JA	189	<p>Copper and metal theft was still experienced during the 2017/18 financial year. <i>What is being done to stop the copper theft?</i> The safety of staff is also in jeopardy when working in high risk areas and special arrangements must be made to ensure their safety. <i>What is put into place?</i></p> <p><i>Cables installed at remote areas are being replaced when stolen with aluminium cables which is less attractive. Alarms at main substations are installed. Overhead Service connections at Kayamandi and Langrug are done by means of a Safedac cable (A yellow cable that has less copper. It is a cable that does not have the</i></p>



Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
				<i>same value of copper but it can carry the current required to provide electricity. It is to be noted through that, this will not completely stop/ end copper theft, as the thieves will make a way if they want to. We constantly advise people to report any cable theft (installed) or infrastructure related crimes under the 3200 code which is as per the amendment act will ensure that the crime gets the serious treatment it deserves (schedule 7).</i>
Electricity	EF	The safety of staff is also in jeopardy when working in high risk areas and special arrangements must be made to ensure their safety. Is something to put into place to look at their safety when they do their job?	190	<i>Staff are requested to only go to these areas only if accompanied by law enforcement. Arrangements have been made with Senior staff members at law enforcement to ensure that the requested assistance is provided when requested.</i>
Electricity	EF	A fencing tender was evaluated. Has the fencing tender been approved? I want to echo the matter of the electricity. Where do they sell these copper. Do we not have security to watch over the copper	190	<i>The fencing tender was cancelled, unfortunately due to non-responsiveness of the bidders. The tender is being re-advertised. The three most critical mini-substations were fenced through an FQ.</i>
Finance	BG	Why do we not rent vehicles? In what cases are vehicles rented?	190	<i>It is more cost effective to procure vehicles. Vehicles are only rented when user departments are short of vehicles and don't have any funds on the budget to procure vehicles and in cases where they have projects to finish.</i>
Solid waste	WP	My concern is when it comes to the workers. When they use these vehicles they do not wear safety boots. I regularly stop at these trucks and then staff do not wear the safety clothing. Do all the staff wear safety boots when working on the solid waste trucks? Are all checked before they start working? Do they comply? What happens if they do not comply if they wear sport shoes?	194	<i>Staff must wear safety attire as deemed fit to protect them from any eventuality that could result in injury. As our staff are on Task-to-Finish, they are constantly on the run, and cannot wear normal, heavy safety boots as this could result in muscular injury. They normally wear light shoes but are trained in terms of handling wheelie bins in order to know the risks and dangers in handling these bins. It is</i>

Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
				<i>the duty of the Superintendent, Foreman and Driver to ensure that staff are wearing the required PPE prior to executing their tasks.</i> <i>We provide three sets of clothing per year which includes jackets and jackets. We have to look at the safety clothes used. The safety boots is not conducting when running after a refuse truck. We will look at the matter of the clothing.</i> <i>We have masks if they need to handle ash or wood chippings but for normal household refuse it is not required.</i>
		Do they monitor vehicles when they leave Beltana?		
Finance	BG	Do we have a fleet manager and can we talk to him?		We do not have a fleet manager. The function was move to the finance directorate. A fleet management officer is directly accountable to the Senior Manager: Budget
Finance	WP	We had a question on the management of the fleet and a question were asked about the fleet and the use of the cars at the back. We are looking at processes to deal effectively with the fleet. We need to direct the question to the Neville Langenhoven about the effective use of the fleet since it was under the Law Enforcement department.		
Finance	BG	It is of critical importance when we look at the cars and the value concerned. It is a lot of money and no person to look at it. It is wrong that no-one looks over it.		
Solid waste	WP	It is also important to notes that the people of the waste management department are doing great work. We must not forget that the work is important for us to clean or places. p194		
Solid waste	BG	We heard a lot of the gas collection. What was the outcome of the gas collection? Who are benefitting from this project?	199	<i>The gas extraction forms part of the closure, rehabilitation and capping of the closed cells. This authorisation was only received in September 2018, but this department had requested amendments to be made as there were many conditions not pertinent or relevant to this municipality. No feedback from DEA&DP to date. Gas extraction will commence once this process gets underway, and the beneficiary will be the</i>



Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
				<i>Stellenbosch Wastewater Treatment Works.</i>
Solid waste	WP	Where is the location of the waste site in the picture?	200	<i>The Waste-to-Food area is that triangle marked in green between Asara on the left and the Cells 1&2 on the right, and is roughly 1.6 h in size.</i>
Solid waste	EF	Is this project going on in Klapmuts or is it only for a year?	203	<i>Page 3 of the first issued questionnaire with answered has feedback on the swap-shops. This question is referred back and not the response we are looking for.</i>
Housing Administration	JA	How much title deeds must still be concluded by the Municipality? Title deeds must be concluded immediately after the houses have been allocated.	220	<i>The total number of title deeds is 1500</i>
Housing Administration	EF	There are a total of 16 482 applicants in the system of which a total of 12 917 applications were cancelled. Duplications were discovered whilst sanitising the database. This was mainly due to death or prior assistance with a housing subsidy. The municipality is also planning to develop an online housing demand database system which will have a mobile app so that people can be able to submit applications via their smartphones in the comfort of their own homes. This new online database system and the mobile app will be launched in February 2019. <i>How is it possible to have such a problem? Did the project start with the new application? Does this include the ordinary person?</i>	221	<i>The online housing database system has been finalised and ready for launch but the appointed service provider is finalising the mobile app. The delays have been due to them ensuring high security features within the app to protect the privacy of information of applicants. The problem with multiple beneficiaries and deceased beneficiaries in the database was due to the integration of the different databases that existed before the amalgamation of the municipality and due to the fact that some of the data was transferred from a paper source to the old system and after this process the department started to run the database through the Housing Subsidy System (HSS) which then detected duplications and deaths as this system is linked to the population register of home affairs and also to the Deeds Office to detect those who owned property before. <u>If citizens does not have access to the electronic devices they will be assisted at the Housing offices</u></i>
Housing	WP	My other problem is that we know that	222	<i>Currently all flats have been</i>

Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response								
Administration		we have a problem with housing. We have flats stand empty for more than a year. Some of the community members even indicated that they will be willing to paint the flats. <i>Why are the flats not occupied? We still have municipal flats that is empty?</i>		<i>allocated and there are no longer vacant flats. The flats became vacant for a longer period as it was taking too long for the maintenance department due to lack of capacity as they are responsible for all council properties not just the rental flats, to refurbish the flats to ensure that they are ready for occupation by the next allocate tenant. Council has now approved in the new organisational structure in-house handyman who will report to housing administration and this will ensure that the allocation of the flats happens quicker.</i>								
Budget	JA	Is the % spending correct. P 222 Is that not an overspending and to be a minus instead. 3.1.33.3 CAPITAL EXPENDITURE – HOUSING ADMINISTRATION <table border="1"> <thead> <tr> <th>Capital Projects</th> <th>Adjustment Budget</th> <th>Actual Expenditure</th> <th>Variance from Adjustment Budget</th> </tr> </thead> <tbody> <tr> <td>Furniture, Tools and Equipment: Housing Administration</td> <td>30 000</td> <td>40 645</td> <td>135.48%</td> </tr> </tbody> </table> <i>Only the capital projects are listed</i>	Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget	Furniture, Tools and Equipment: Housing Administration	30 000	40 645	135.48%		<i>Response: Corrective journals were done at Year End as it was found that Capital items were purchased on the Operating U-keys for the user department.</i>
Capital Projects	Adjustment Budget	Actual Expenditure	Variance from Adjustment Budget									
Furniture, Tools and Equipment: Housing Administration	30 000	40 645	135.48%									
Informal Settlements	JA	I have a concern that housing is not a primary function What is our long term goal by putting people in temporary structures and later we provide housing .Housing in provided in temporary structures and we are providing full structures underground like now in Klapmuts. We can provide more houses in we provide build houses than providing temporary housing which consist of 12 to 15 square meters. For me we are working backwards. It is now only a top structure due to the land availability. As a strategy we needs to tell the Departments that we need to do full planning. It is now Zone O, Klapmuts and Kayamandi. <i>What is concerning is that we are using ratepayers money to install these services. p223 – 228</i>										
Informal Settlements	JA	Is meaning full engagement s to get the people of the farms. They are using these meaningful engagements to get houses. <i>It is a silent relocation? Are we following a legal process with the meaningful engagements? There are</i>	232	<i>Yes, we are following legal processes. The Municipality is in negotiations with the property owner.</i>								



Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
		no law that decided that people must move. <i>The Municipality are now in talks with the farmer to sell the land?</i>		
Informal Settlements	JA	We have 9000 people in informal settlement. Are these all the people that live in informal structure in the entire Stellenbosch? <i>What is the room for error when capturing the inhabitants' information?</i>	232	<i>No, the number does not include back yard dwellers that reside in formal residential areas.</i> <i>We work on a 10% error, not all the residents can produce an id-document or a birth certificate during the surveys and emergencies during disasters</i>
Informal Settlements	MJ	I have the same sentiment. I see this in the area called "the Giff" in Pniel. The structure total remains the same but it is expanding in size. When the law enforcement visit the area they will find fourteen structures but the structures grew in size.		
LED Tourism	MJ	Highlights: Tourism : Attended the Tourism Transformation Conference at Kopanong insights into National Tourism Sector Strategy and funding opportunities. Attended the Tourism Indaba in Durban to gain new insight, make strategic contacts, and develop a more informed framework to contextualise local tourism. <i>Who is attending these conferences?</i>	252	<i>Usually it would be either the Director or the Manager LED and the relevant Senior Local Economic Development Officer. Depending on whose function the conference will have an impact.</i>
Library	EF	When it comes to photocopying and printing. (p253). I do not think it is free for the community. I think it needs to be written better since the photocopies are not free.		
Library	JA	Availability of Skilled staff: All two-year contract staff, does not have any formal library qualifications or training. This has impacted greatly on the delivery of an effective and efficient library service and the promotion of literacy. <i>Are the contract library staff sent on training? What does it entails?</i>	254	<i>2018-19 CG staff was given In-House training conducted by both the Library Manager and Senior Librarians. CG staff was excluded from other training following the situation whereby permanently employed staff were given 1st option over CG staff. In-house training was given to 14 CG staff over the July- December 2018 period and covered. Organisational training needs to improve service delivery and customer care. Another important fact which influences the decision for training is the fact that CG staff are on a one year contract.</i>

Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
Library	JA	Directed at Councillor Johnson. <i>Does he have funds on his budget for the Adam Small Festival?</i>	254	<i>This is a festival that is co-ordinated by Mr. Cyster. I have suggested that they apply for funding from the Municipality</i>
Cemeteries	JA	CK Rumboll and Associates were appointed (3-year project) during 2016 to assist Stellenbosch Municipality with the identification and planning of one or more regional cemetery sites to address the critical need for burial space within the municipality. Were all the principles of community participation followed with this project?	257	<i>Project in the phase of acquiring Environmental Authorization in terms of NEMA. A decision is expected by the Minister on Calcuttabos by July 2019 and Louw's Bos by November 2019.</i>
Cemeteries	WP	Pauper Burials. <i>Is the status correct at zero (0) for the 2017/18 year. What happens with the people that dies in the street?</i>	257	<i>Yes, The status is correct .The status of every burial site has been identified the first handout of the questions and answers and can be found on page number 8.</i>
Cemeteries	WP	We are having the correctional services inmates doing the cleaning the grave yard at Jamestown. <i>Why can't we have less people working in the graveyards? Why do we need staff of the municipality to work there as well?</i>	259	<i>The correctional services inmates only assist with Saturday operations at cemeteries and absenteeism amongst inmates exist. This is an informal agreement for the availability of inmates to close graves.</i>
Cemeteries	WP	We are using diggers to dig the graves and the workers only do the last filling the graves. <i>Why the graveyards are not clean?</i> <i>It is very interesting, my concern is as a community member. What is happening with the Kylemore fence since the fence was more three year ready but nothing is happening in Kylemore. The cemetery is not being used.</i>	259	<i>The digger loader is only scheduled for digging of graves on Thursdays. We work on a cleaning programme and staff are rotated between the graveyards. There is only one (1) permanent employee lives at the Papagaaiberg graveyard and one (1) Jamestown.</i> <i>Pertaining to the Kylemore cemetery: Refer to first questions and responses on page 8.</i>
		Our Saturday's fees are very high and I do not understand the Councillors. A grave in Stellenbosch cost R2 970 in Stellenbosch. You only pay R1 300 rand if you bury on a Saturday. This is a main concern. We will discuss this at the IDP meeting.		



Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
Pollution Control , Bio-Diversity, Landscape, Open Spaces, Parks	JA	Four such incidents have been dealt with in the past year. What was the incidents that took place and where?	263	<p>The incidents referred to are incidents dealt with as NEMA Section 30 Emergency Incidents. They were:</p> <ol style="list-style-type: none"> 1. Diesel spill from a refuelling tanker on Kleine Zalze, Stellenbosch 2. Truck carrying agricultural chemicals catching fire on the Franschoek Pass, Franschhoek 3. Collision between a fuel tanker and train on the Muldersvlei railway crossing, Eisenburg 4. Underground fuel leak from the Simonsrust fuel station, Stellenbosch
Community Development	WP	Page 261. The cooking skills is chef training in co-operation with the Bergsig Training centre. I want to thank the Executive Mayor for these courses. Can the Executive Mayor extend the training course to the Kayamandi area? Bergsig training centre and "Stellenploy" can also be contacted for training courses. It is important that councillors link up with Stellenploy".		
Law Enforcement	BG	The Law enforcement officers remove vagrants. What is the destination of such removal? (Table and second row). How do they handle them?	265	<p>Currently, there is no destination as the vagrants are chased from pillar to post. The solution does not lie in law enforcement only, but a holistic approach involving other spheres of government is needed.</p> <p>A draft Street People policy has been developed by the Department of Community Development and was published for public comment where after it will be approved by Council. This policy will give direction involving NGO's and welfare organisations and create the platform in dealing with homeless people living on the streets.</p> <p>The draft policy for Street people were signed by the Executive Mayor but it is not tabled at Council as an official policy directive from</p>

Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
				Council
Traffic services	BG	In yesterday's Eikestadnuus we have a piece of an old person who is sick. What is done to improve the services of the Traffic Services?	266	The Municipality has approved additional posts on the organogram. The next step is to secure funding and proceed with appointment. Thirdly when funding made available and recruitment can be done. That will assist with creation of satellite stations e.g. Klapmuts, Franschhoek and Pniel. The project of the building will assist on improving capacity of our building and we can enhance our services. Extended services currently are assisting with improvement of services at Driving Licenses Testing Centre (DLTC) and Motor Vehicle Registering Authority by doing extended services on Saturdays.
Traffic services	WP	Also in the same newspaper it also indicate that the Traffic Department has extended their hours to Saturdays. Students are here for seven years and they change their details		
Traffic services	JA	A concern of the value of fines collected. The value have reduced by R5 million which is not good. On the same page roadblocks increased by 70% and they only got in R28 million. In 2017/18 the traffic officers attended to 6388. Motor vehicle licenses processed. What caused the decrease in licences processed?	266	The Department cannot be able to give exact reasons as there are various reasons that can influence the figures e.g. some vehicle owners may move out of our municipal area or some it may happen they failed to license their vehicles.
Traffic services	EF	When we look we see the amounts that made an appointments. It is alarming, did all of them failed the tests? Appointments 2 323, Applicants tested 1 640. Applicants passed 729. What is the reason for a lower pass rate than the amount of people booking for the tests?	267	The pass rate is very low on drivers test as result of applicants being nervous, and not familiar with the K 53 system and not quite ready for the practical tests on the date of tests
Traffic services	EF	I just got worried when the chair says it is a nice building. The Upgrading Traffic Building Why are the spending at - 97.24%	269	A consultant has been appointed to do a design as per needs and analysis firstly. Currently waiting for the design. The project is managed by Property Management.
Fire Services	EF	I am a bit confused to what the Municipality is giving to the community.	271	Emergency housing kits (fire kits) are issued in the following



Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
		In case of a fire the response is that they are waiting on the service provider. Emergency housing kits. <i>What is the process in receiving emergency kits for the needy?</i>		instances: After any fire involving an informal structure that is used as a dwelling. After the verification has been done by Informal Human settlement department. Disaster management are dependent on the verification report. The kit is usually delivered on the same day when the verification has been received. Dependant on the size of the incident – the turnaround time of delivery of fire kits is usually 3 days. Yes there is a process flow that is encapsulated in the approved SOP. <i>Response on 25 February 2019- Disaster management is responsible for the provision of fire kits. As stated previously- the issuing thereof is dependent on a verification report from IHS department.</i>
Fire Services	BG	Where do the Fire Services render the community services in the Stellenbosch Municipality?	271	<i>In the whole WC024 area – from three fire stations situated in Stellenbosch, La Motte and Klapmuts. In terms of mutual aid agreement we also render services anywhere in the CWDM area where needed. We also render service anywhere in the jurisdiction of City of Cape town if needed – in terms of mutual aid agreement. We can also assist anywhere in the Western Cape Province – as per delegation of the MM</i>
Finance	EF	Capital Expenditure – Fire and disaster management requires data. <i>Please provide the data. Page 271</i>		
Sport and Recreation	JA	Holiday resorts and camp sites. I see the money has been reduced. The installation of the credit card machine indicates R45 000 less in income that the previous financial year. <i>Is this a true reflection?</i>	273	The cashless system does not attribute to less revenue recorded. After investigation, visitors of Jonkershoek Picnic site: - all had bank cards; and - no one was ever denied access

Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
				for this reason.
ICT	EF MJ	The ICT department further procured and roll-out 44 laptops for all Stellenbosch Municipality Councillors. Did all the Councillors receive a laptop? The question should be if the Councillors are using the laptops?	279	<i>All 44 councillors were given the opportunity to receive a laptop. Some of them chose to use their current laptops or won laptops. The councillors were given laptops as part of the tools of the trade in terms of a council resolution and flowing from the Determination of Upper Limits. It enables to for instance read their emails and council agendas that is electronically distributed". The administration cannot comment further.</i>
Municipal Court	JA	I am concerned about the case load. What is the correct status of the staff working there? What is the departmental structure of the Municipal Court? The municipality had a R3, 4 million income. Look what happened in September 2018. <i>I cannot see the operations of the Court with the amount of staff recorded.</i>	283	<i>The staff structure of the Municipal Court is done in consultation with the Department of Justice. Currently the court does not even sit on a daily basis. We are still building on fully optimizing the days and staff available. The annual report and IDP does not refer to any plans for a municipal court in Franschhoek. The costs for establishing a second Municipal Court must be balanced against the amount of cases generated and dealt with. Given that we still have capacity in the Municipal Court running we are not planning a second Municipal Court at this stage.</i>
Municipal Court	EF	We are also looking into having an Ad Hoc Court in Franschhoek / Klapmuts in the near future? This could be another boost for our Municipal Court service to the community. <i>Is the Municipal Court services for Franschhoek still a plan for the future?</i>	284	<i>A new agreement with the Department of Justice must be signed before July 2019. The current court functions are still pending due to the agreement.</i>
Internal Audit	FH	<i>What is the meaning of an unqualified audit?</i> The AG does an annual assessment of the Municipality in three areas: - Annual Financial Statements; - Non-Financial Performance information; and - Compliance to Laws and regulations - They are currently expressing an opinion on Annual Financial Statements.		



Department		QUESTIONS/ COMMENTS ON CHAPTER 3	PG	Response
		<p>Compliance to Laws and regulations & Non-Financial Performance information. Findings are raised but does not necessary influence the audit opinion.</p> <p>There are five types of considerations of the Auditor –General can be:</p> <ol style="list-style-type: none"> 1. Clean audit (that we have prior to this year – three years running); 2. <i>Financially unqualified audit opinion;</i> 3. <i>A qualified audit opinion;</i> 4. <i>Adverse audit opinion; and</i> 5. <i>Disclaimer</i> <p><i>The bottom three does not affect us. The most important once are a clean audit opinion and Financially unqualified audit opinion.</i></p> <p><i>In order for us to obtain it our financial statements and audit information and Compliance to Laws and regulations. There need to be no material findings in all three areas then your audit findings will be clean. There will be minor findings but will not affect us. The Municipality has achieved for the past nine years an unqualified audit opinion aside from the last three years that is clean. We have moved from unqualified to clean as the next step. There were material findings in non-Financial Performance information; and Compliance to Laws and regulations, with one finding per section. It was a struggle to convince the AG and we have regressed from a clean audit to a financially unqualified audit. Our financial statements are clean from material errors after corrections has been made.</i></p>		
	JA			<p>It is clear with the explanation of the Chief Audit Executive. Next year we must work harder to address the matters as highlighted. Thank you for the administration for the effort for the unqualified audit</p>
	WP			<p>Thank you to Faiz for the explanation. Thank you that we can work together and work better. I hope that this is a wake-up call in the dealing of the audit.</p>

Meeting adjourned at 15:25

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Aurecon Centre
1 Century City Drive
Waterford Precinct
Century City
Cape Town 7441
PO Box 494
Cape Town 8000
South Africa

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OUR REFERENCE : 112273/Del/CNST/COR/016

30 November 2017

MARTIN & EAST
3 Mercury Crescent
Hillstar
Wetton
7780
ATTENTION: Mr H van Rhyn

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599
ATTENTION: Mr J Fullard

Dear Sir

CONTRACT NO. B/SM 10/17: PROVISION OF CIVIL WORKS (ROADS AND STORMWATER) FOR A 2 YEAR PERIOD: CONSTRUCTION OF A TAXI RANK IN KLAPMUTS: CLAUSE 5.14.4 CERTIFICATE OF COMPLETION FOR THE WHOLE OF THE WORKS

1. Reference is made to:
 - Our list snag list, dated 23 November 2017, as per Clause 5.14.2 of the SAICE General Conditions of Contract for Construction Works, 3rd Edition (GCC 2015).
 - The Contractor's subsequent notification, dated 28 November 2017, that the above items have been completed.
 - Formal Completion inspection held on Site on 30 November 2017.
2. Attached, as per Clause 5.14.4, please find:
 - Certificate of Completion No CoC/112273, dated 30 November 2017, pertaining to the whole of the Contract Works.
 - List of minor remaining Work / Tests / Actions still required at Completion (Addendum A). If these items are not completed by the date/s stated, further actions may be taken i.t.o. the Contract.
3. Attention is drawn to the provisions of Clause 5.14.5, which will now apply to the certified Works and need to be implemented. The following is noted:
 - Clause 5.14.5.1 Performance guarantee to be returned to the guarantor within 14 days.
 - Clause 5.14.5.2 Defects Liability Period (DLP) commence on 1 December 2017 and will end on 30 November 2018, *provided the listed minor items still outstanding are completed and / or defects are remedied by the stated date/s (see Addendum A).*
 - Clause 5.14.5.3 The Retention Money to be reduced to half i.t.o. Clause 6.10.5.
 - Clause 5.14.5.4 Possession of the Site reverts to the Employer.
 - Clause 5.14.5.1 In terms of Sub-Clause 17.2, the care of the Works passes to the Employer.
 - Clause 5.14.5.1 In terms of Sub-Clause 18.2, other than for loss or damage for which the Contractor is liable arising from a cause occurring prior to this Certificate of Completion, the Contractor's responsibility for insurance of the Works ceases.

4. The Contractor is required to notify us in writing as soon as the above minor remaining Work / Tests / Actions have been completed (or have been imminently completed) as per the Contract, so that the necessary inspection / testing can be done to verify compliance.
5. A final inspection of the certified Works must be made prior to the expiration of its Defects Liability Period, to enable the Performance Certificate to be issued.
The Contractor is therefore requested to contact us on about 20 October 2018 to arrange a date for a joint inspection and other matters related to the conclusion of the Contract.
6. Note that, should any work, repairs or inspections posing OHS risks be done / required during the DLP, the following will still apply regarding the OHS Act and its various regulations:
 - o The construction work permit and other documentation (as required i.t.o. the Construction Regulations 2014 at the start of the Contract) remain applicable to the end of the Defects Liability Period (DLP).
 - o The Contractor shall have applicable H&S appointments and management in place for all work done during the DLP. These appointments and arrangements effectively form part of his ongoing H&S plan / management plan.
 - o The Employer (client) shall monitor / ensure that these requirements are adhered to, either by himself or through his appointed H&S agent (involvement at end of DLP to be catered for in his appointment).
 - o Generally, limited work will take place during the DLP, so the arrangements for approval of work, the Contractor's competent supervision and audits may generally be arranged and documented on an *ad hoc* basis, specific to the work to be done, but must be added to the H&S plan.
 - o Any requirements / limitations stated on the construction work permit will still apply during the DLP, as will the rest of the Construction Regulations 2014.

Both the Employer and the Contractor need to remain aware of these requirements and must make the necessary arrangements to fulfil these during the DLP, should applicable work be required.

7. Kindly sign the attached Certificate / List and acknowledge receipt without delay.

Yours faithfully


K MEYER
Employer's Agent


N PETERSEN
Technical Director

Annexures: Certificate of Completion No CoC/112273
Addendum A
Addendum B

CERTIFICATE OF COMPLETION i.t.o. GCC 2015 FOR THE WHOLE OF THE WORKS		
Certificate No CoC/112273		
CONTRACT NUMBER	:	B/SM 10/17
CONTRACT DESCRIPTION	:	PROVISION OF CIVIL WORKS (ROADS AND STORMWATER) FOR A 2 YEAR PERIOD: CONSTRUCTION OF A TAXI RANK IN KLAPMUTS
EMPLOYER	:	STELLENBOSCH MUNICIPALITY
CONTRACTOR	:	MARTIN & EAST (PTY) LTD
EMPLOYER'S AGENT	:	AURECON SOUTH AFRICA (PTY) LTD
DUE COMPLETION DATE (CURRENT)	:	30 NOVEMBER 2017
DATE OF PRACTICAL COMPLETION	:	30 NOVEMBER 2017
DATE ON WHICH AS-BUILT INFO RECEIVED	:	See Addendum A
DATE OF FORMAL INSPECTION AT COMPLETION	:	30 NOVEMBER 2017
DATE OF FINAL SIGNING OFF OF LIST/S OF WORK TO JUSTIFY COMPLETION	:	29 NOVEMBER 2017
DATE OF THIS CERTIFICATE OF COMPLETION & OF LIST OF MINOR REMAINING WORK (ADDENDUM A)	:	30 NOVEMBER 2017
START OF DEFECTS LIABILITY PERIOD	:	1 DECEMBER 2017
END OF DEFECTS LIABILITY PERIOD	:	30 NOVEMBER 2018
[Refer GCC 2015 Clauses 4.1.1, 5.5, 5.14.4-7, 7.4-8 & Contract Data]		
I.t.o. the SAICE General Conditions of Contract for Construction Works 2015, 3 rd Edition (GCC 2015) Clause 5.14.4 (with reference to Clauses 4.1.1, 5.5, 5.14.2, 7.4-8 & Contract Data), Completion is hereby certified for the whole of the above Contract Works.		
It is hereby certified that the above Works have been inspected, have passed all required tests and are deemed complete in conformity with the provisions of the Contract.		
Attached (Addendum A), as per Clause 5.14.4, is the <u>List of minor remaining work / tests / actions still required at Completion</u> in terms of the Contract, <u>by the dates indicated</u> . Failure to do so shall result in the corresponding extension of the Defects Liability Period.		
Issued by	Witnessed by	Works taken over by
		
For: EMPLOYER'S AGENT	For: CONTRACTOR	For: EMPLOYER
Date: 30/11/2017	Date: 6/12/17	Date: 6/12/2017

Aurecon Reference: 112273

ADDENDUM A TO CERTIFICATE OF COMPLETION NO. CoC/112273 FOR THE WHOLE OF THE WORKS: LIST OF MINOR REMAINING WORK / TESTS / ACTIONS STILL REQUIRED AT COMPLETION									
Item No	Date	Item	Incomplete	Defective	Additional	Agreed Date for completion	Completed / Corrected (Initial & Date)		Contractor
							EA		
A. ACTIONS FOR CONTRACTOR									
A1	30/11/2017	As-built information to be submitted.	X			07/12/2017			
A2	30/11/2017	Outstanding test results to be submitted and approved.	X			07/12/2017			
A3	30/11/2017	H&S plan close-out approval.	X			07/12/2017			
A4	30/11/2017	Spread remaining G5 material over the exposed fill on the sidewalks at the proposed new building.		X		07/12/2017			
A5	30/11/2017	Cut kerb at the end of Adams Street.		X		07/12/2017			
B. ACTIONS FOR EMPLOYER									
B1	30/11/2017	Ongoing security or control of theft and/or vandalism; Ongoing maintenance and repairs; Public liability and safety.				NA			
C. ACTIONS FOR EMPLOYER'S AGENT									
C1	30/11/2017	Issue as-built drawings.				30/01/2018			

ADDENDUM B TO CERTIFICATE OF COMPLETION NO. CoC/112273 FOR THE WHOLE OF THE WORKS: ATTENDANCE REGISTER FORMAL INSPECTION OF COMPLETED / REMAINING ITEMS AT COMPLETION, HELD ON 30 NOVEMBER 2017				
NAME	ORGANISATION	CELL	E-MAIL	SIGNATURE
PRESENT				
Karin Meyer	Aurecon	082 786 9690	karin.meyer@aurecongroup.co.za	<i>[Signature]</i>
Alysa Verwey	Martin East	082 8740095	averweil@martin-east.co.za	<i>[Signature]</i>
Johan Fullard	Stellenbosch Mun	072 8292777	johan.fullard@stellenbosch.gov.za	<i>[Signature]</i>
APOLOGIES RECEIVED				
ABSENT (THOUGH INVITED)				





Ms Nadia Rinquist
Local Government Budget Office
Email: nadia.rinquist@westerncape.gov.za
tel: +27 021 483 8692 fax: +27 21 483 4680

Reference: PTR/12/2/11/4

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

For Attention: The Municipal Manager, Ms G Mettler

PROVINCIAL TREASURY COMMENTS ON THE TABLED 2017/18 ANNUAL REPORT

1. INTRODUCTION

- a. MFMA section 121(1) states that every municipality and every municipal entity must for each financial year prepare an annual report. The council of a municipality must within nine months after the end of the financial year deal with the annual report of the municipality and of any municipal entity under the municipality's sole or shared control in accordance with section 129.
- b. MFMA sections 121(3) and (4) sets out the framework relating to the content of the annual reports for both municipalities and municipal entities.
- c. National Treasury has further introduced the new annual report template and MFMA Circular No. 63 on 26 September 2012. MFMA Circular 63 aims to provide guidance to municipalities and municipal entities on the Annual Report format and its contents.
- d. The municipal council is then obliged to consider any views of the local community; the National Treasury, the relevant provincial treasury and any provincial or national organs of state or municipalities which made submissions on the Annual Report.

2. LEGISLATIVE COMPLIANCE

2.1 Conformance

The conformance assessment highlights compliance by Stellenbosch Municipality with the MFMA and Annual report MFMA Circular 63 is as follows:

- a. The Municipality submitted the draft 2017/18 Annual Performance Report together with the Annual Financial Statements to the Auditor General by 31 August 2018.

- b. The unaudited Annual Report was not tabled into Council at least two months at the end of the budget year in accordance with MFMA Circular 63.
- c. The Annual report was tabled to Council on 30 January 2019 which is within 7 months after the end of the financial year in accordance to MFMA section 121(1).
- d. The draft Annual report was placed on the website on 30 January 2019 in accordance to section 75 of the MFMA.
- e. The Annual report was made public and public was invited to comment on the Annual report on 30 January 2019. The Annual Report was published on the municipal website and adverts placed in local newspapers inviting public to comment for 21 days after the advert was placed.

2.2 Format of the Annual Report as per MFMA Circular 63

- a. The Annual Report partially complies with the Annual Report Template as described by MFMA Circular 63 as it did not include any of the required appendices.
- b. The Mayor's Foreword is included in the draft version as per Circular 63 guidelines.
- c. The Municipal Managers Foreword is included in the draft version as per MFMA Circular 63 guidelines and includes all the components as prescribed.
- d. The draft Annual Report provides a comprehensive overview of the demographics, population, growth, highlights and challenges faced in the municipal area during the 2017/18 financial year.

3. SERVICE DELIVERY INFORMATION AND PERFORMANCE

2017/18 Key Performance Area	Number of targets achieved	Number of targets not achieved
Valley of Possibility	9	3
A Green and Sustainable Valley	3	1
A Safe Valley	6	0
Dignified Living	20	0
Good Governance and Compliance	24	14
Total	62	18

Comments

- a. Chapter 3 provides comprehensive details regarding the service delivery performance of the municipality for the 2017/18 financial year. The municipality

achieved 77.5 per cent (62 of 80) of its targets at the end of the financial year resulting in an increase in performance when compared to the previous year. However, this falls outside the acceptable norm of 20 per cent between planned and achieved targets.

- b. The 18 targets not achieved are mainly related to areas of basic service provision as well as governance. The municipality has provided corrective measures as to how it will address the under-performance of these targets in the new financial year.
- c. It is noted that the basic service delivery targets not met was due to circumstances out of the municipality's control. However, to improve governance, the municipality should ensure that reports are submitted to the relevant committees timeously.

4. GENERAL

- a. Several local economic development initiatives were planned and implemented during the 2017/18 financial year. The annual report provides highlights as well as challenges faced in implementing Local Economic Development strategies in the 2017/18 financial year.
- b. The Auditor-General's Report as submitted by the Auditor-General is included as Annexure B in the Annual Report and not in the actual body of the report. The municipality has received an unqualified audit with findings from the Auditor-General for the 2017/18 financial year.

5. CONCLUSION AND RECOMMENDATIONS

Stellenbosch Municipality has complied with legislation regarding tabling, publishing document for comments, submission to Provincial Treasury and placement on the website within the time frames prescribed in the MFMA section 121.

The Municipality partially complied to the prescribed format of the report as per Circular 63 as the draft 2017/18 Annual Report did not include any of the recommended appendices. This a repeat finding from the previous year.

The Governance section in Chapter 2 of the Annual Report provides a comprehensive overview of the political and administrative structure within the municipality as well a risk profile and supply chain management information.

The performance report included in pages 118 – 281 indicates that the municipality achieved 77.5 per cent of its targets for 2017/18 (62 of 80 targets were met). This demonstrates an increase in performance from the previous year. Of the 18 targets not achieved, the municipality has ensured that corrective actions will be taken to meet the targets in the future.

Stellenbosch Municipality produced an in-depth draft 2017/18 Annual Report reflecting relevant information pertaining to the Municipality's performance during the year under review.

For any further enquiries, please do not hesitate to contact Ms Nadia Rinqest as per above details.

Kind regards



MR M BOOYSEN
DIRECTOR: LOCAL GOVERNMENT BUDGET OFFICE

DATE: 21 February 2019



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Stellenbosch Municipality

Photographic Report

Taxi/Bus Shelters Projects 2017/2018



INTRODUCTION

This report is a photographic record of taxi/bus shelters, completed within the 2017-2018 financial year.

1. Pniel - 2 Shelters (Single roof & Double Roof)



2 No. shelters installed in Pniel Main road near the church.

2. Cloetesville – 1 Shelter (Double Roof)



1 No. shelter installed in Cloetesville in Lang street just Outside "SmartieTown".

3. Wemmershoek–2 Shelters Installed (Single roof & Double Roof)



2 No. shelters installed in Wemmershoek (close to the R301 Road in Angelier Street.)

4. Kayamandi – 1 Shelter Installed (Double roof) temporary



1 No. shelter installed by the Kayamandi Taxi Rank in Masitandane Rd.

5. Paradyskloof- 1 Shelter installed (Single roof)



1 No. shelter installed on Paradyskloof Road.

Total Shelters installed for financial year 2017/2018: 7 shelters



Minutes of the meeting of the MPAC Oversight Committee held on 22nd February 2019

Discussion on Public Hearing

(Meeting started at 09:00 and adjourned at 13:35)

IN ATTENDANCE:

Councillor Wilfred Pietersen

Councillor Emily Fredericks

Councillor Nokuthula Gugushe

Alderman J C Anthony (Co-opted member)

Mr. Benninghoff Giliomee (Co-opted member)

Mr. Gurswin Cain (IDP Manager)

Mr. Ulrich Cupido (PMS Officer)

Mr. Lawrence Seals from ward 17 – Presentation of written submission

APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Malcolm Johnson – requested leave of absence

MM - Ms. Geraldine Mettler – apology attendance of MM forum

PRESENTATION AND DISCUSSIONS

Session was led by Cllr. Wilfred Petersen

The MPAC/Oversight Chairperson Wilfred Petersen welcomed all present

Agenda:

Only one (1) written submission was received. Mr. Lawrence Seals verbally presented the contents of his written submission.

Department	QUESTIONS/ COMMENTS ON CHAPTER 4,5 & 6	Response
	1. The RDP houses are in a neglected state at the Steps. The windows are falling out and the walls are cracked.	
	2. What cant the Municipality address the needs of the backyarders? <i>The backyarders are being treated without dignity and they are threatened with eviction.</i> It can be done with the installation of electricity and toilets.	
	3. Housing – Why does the people of Cloeteville always in the queue. More houses	

Department	QUESTIONS/ COMMENTS ON CHAPTER 4,5 & 6	Response
		were constructed and Cloeteville were excluded.
	4. Safety – Over weekends and during All Pay (Pension and disability time) time. People are robbed of their money. Security is in place. What about the safety of Cloeteville. When you look in Brand wag and “Die Boord” there is law enforcement. We see you only at vote time. We request for visible policing and law enforcement in Cloeteville.	
	5. Please allow for the 50% discount for people on Saturdays. Our people are working during the week. Please assist with a discount to bury our people on a Saturday. We want to bury our people with dignity. I call to the Mayor and the Chairperson to allow us to bury our people with the required dignity.	
	6. Flee market – Cloeteville. Are there progress with the flea market? I visited the flea markets in Ida’s Valley. There were only two to three people who sell products. During the week nothing is happening. That building is a white elephant. A security guard look after the building and are being paid. Why the money for such building can’t be used for the backyarders. Why do you not change the building to an IT centre? The children will benefit and obtain more literacy and fight gangsterism.	
	7. The Councillor of ward 16 do a lot of things for the community but cannot reach all the needs of the community. She wants to address her promise but at this time she succeed with 30%. She will be known as a liar since she cannot reached her promises.	
	8. Youth – While I was on the ward committee I asked the previous Councillor why a multi-purpose cannot be building. No facilities exist for the use by the youth.	
	9. Thank you for the positive thing that are taking place. Thank you for the walking bus, the free water and electricity.	
	Thank you for the opportunity that was granted	
	The Councillor thanked Mr. Sauls for his submission.	
	MPAC/Oversight Visit to “Die Boord” Informal trading site	
	1. The MPAC/Oversight Committee were granted permission to travel in a Municipal vehicle to the trading site in “Die Boord”. On arrival discussion were held wit two traders at the site, namely: <ul style="list-style-type: none"> - Arashaad Naidoo and Wife Tashneem are trading in flowers; and - Nak Smit who sells animal hides. 	
Department	The discussion with them revealed the following:	Response
Planning and LED	a) They are regular traders who have annual permits for their respective items and they would like to have access to potable water in order to grow their business	Currently traders buying permits for this particular site are been made aware of the fact that no potable water is provided. The department take note of the request and will address it with the relevant department
Law Enforcement	b) Illegal trading are a problem and they do feel that the law Enforcement officers needs to address the illegal traders on the site;	
Planning and LED	c) The absence of ablation facilities is of great importance. After the ending of the tender, no toilet was provided. It was previously registered with the Local economic Department.	The process to appoint a service provider is near completion and ablation facilities will be provided by latest at the end of next week.



Department	QUESTIONS/ COMMENTS ON CHAPTER 4,5 & 6	Response
	MPAC/Oversight Visit to the Jamestown informal site	
Informal Settlements	<i>Did a handover session take place?</i>	<i>Inspections are done on a continuous basis.</i>
	<i>What was done to instil ownership after the handover of these ablution facilities?</i>	<i>A project hand over session took place. Several role players were invited to this hand over session. Several meetings were held with the community before the project commenced, during the construction phase and after completion.</i>
	<i>What was done with the inspection of the assets as yet?</i>	<i>A meeting was held with the Mountainview community where the issue of the ablutions was also discussed. It was decided that the provision of this infrastructure will be revisited by the Municipality and that the community will inform the Municipality when vandalism occurs.</i>
	<i>What was done to limit the loss of water since all the taps are missing?</i>	<i>The water valves for each section are intermittently closed off. However the residents continue to make illegal connections to the infrastructure</i>



Meeting adjourned 13:35

Vredelust straat 97
 Cloetesville
 Stellenbosch
 7600

" Dankie vir hierdie geleentheid"

Ek is 'n inwoner van Cloetesville

1. Ek wil net weet daar was opnames gemaak oor ons gebreke van die 'RDP' Huise 'The Steps' en belowe dat ons plekke reg gemaak sal word. Ons vensters val uitmekaar, huise is gekraak en nog niks is gedoen nie.

2. Hoe lank gaan die Back Yarders wag vir huise.

2.1. Hoe lank moet hul gebuk gaan van vernedering " Ek sit jou uit".

2.2. Waarom kan die Munisipaliteit nie fondse beskikbaar stel, om ook aan hulle krag te voorsien nie.

2.3. Sodoende sal daar minder brande plaasvind.

3. Behuising : Waarom staan Cloetesville altyd laaste in die ry!

3.1. Rondom ons word daar net gebou, privaat huise. (Nie eers dit is bekostigbaar vir ons Gemeenskap nie.)

4. Ons veiligheid, veral naweke en " All Pay " dae. Baie mense word beroof.

4.1. Sekuriteit, Law Enforcement, net op sekere plekke: **Wat van Cloetesville.**

5. Begrafploas : Ek doen 'n beroep op die Burgermeester en Raadslede, en Beampies. Bring asb die afslag op Saterdag om te begrawe terug vir Deernis gevalle, ons mense of familie kry nie by hul werk af in die week nie. Ons het voorheen 50 persent afslag gekry op die Saterdag fooi.

6. Die Flee Market :In Cloetesville is dit nog nodig. Wat gaan aan dat daar geen vordering is nie. Kan daardie geld nie gebruik word vir die Back Yarders nie asb!!

6.1. Kyk hoe staan Idasvallei se Flee Market gebou soos 'n Wit Olifant.

7. Jeug : Die Raadslid van Wyk 16 doen baie en probeer haar beste.

7.1. Maar dit is nie genoeg. Waar is die Jeug Ontwikkeling Projekte vir ons Gemeenskap in Cloetesville, Idasvallei en Buite Wyke. Niks gebeur deur die jaar nie.

8. Baie dankie ook vir die positiewe dinge wat gebeur, soos die **Walking Bus Projek**, en ek vertrou dat daar nog meer gebeur. Ons is dankbaar vir gratis water en krag.

Ek dank u
 Lawrence Seals (0818887110)

L SEALS



Minutes of the meeting of the MPAC Oversight Committee held on 18th February 2019.

Discussion on Chapter 4, 5 and 6

(Meeting started at 12:00 and adjourned at 15:45)

IN ATTENDANCE:

Councillor Wilfred Pietersen (WP)

Councillor Malcolm Johnson (MJ)

Councillor Emily Fredericks (EF)

Councillor Nokuthula Mananga-Gugushe (NG)

Alderman JC Anthony (Co-opted member) (JA)

Mr. Benninghoff Giliomee (Co-opted member) (BG) – left at 14:20

Mr. Gurswin Cain (IDP Manager) (GC)

Mr. Ulrich Cupido (PMS Officer) (UC)

APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Ndipiwe Olayi – a verbal communication was confirmed with Cllr. Olayi by the Cllr. WP. Petersen

MM - Ms. Geraldine Mettler – apology has been tabled

PRESENTATION AND DISCUSSIONS

The discussions on Chapters 4, 5 and 6 was led by *Cllr. Emily Fredericks*

Department		QUESTIONS/ COMMENTS ON CHAPTER 4, 5 & 6	PG	Response
Human Resources	JA	Do we as the Municipality comply with the Employment Equity targets? Do we comply with National- and Provincial targets? (table 4.2)	286	Yes, we do
Human Resources	MJ	Is that the amount of employees for the 2017/18 employees? The target for June for coloureds is 497 and the actual 671 (table 4.2) Doe it justify the employment equity target s as requested by the Alderman	286	Yes No, however in terms of competency and skills required these candidates were appointed. In terms of the recruitment and selection policy the MM approved this as a deviation from the targets as required by legislation

Department		QUESTIONS/ COMMENTS ON CHAPTER 4, 5 & 6	PG	Response																																																											
Human Resources	MJ	<p>P285. If you look at the figures in 2014/15 and 2016/17 the target for the year in the same, namely: 4. Shouldn't the percentage of 0, 83 and 0.94% be the same?</p> <table border="1"> <thead> <tr> <th>KPA and INDICATORS</th> <th>2012/13</th> <th>2013/14</th> <th>2014/15</th> <th>2015/16</th> <th>2016/17</th> <th>2017/18</th> </tr> </thead> <tbody> <tr> <td>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</td> <td>2</td> <td>1</td> <td>4</td> <td>13</td> <td>4</td> <td>50%*</td> </tr> <tr> <td>The percentage of a municipality's budget actually spent on implementing its workplace skills plan</td> <td>0.009%*</td> <td>0.006%*</td> <td>0.83%</td> <td>0.97%</td> <td>0.94%</td> <td>72%**</td> </tr> </tbody> </table> <p><small>*The unit of measurement changed from number to percentage for the employment equity target. ** Percentage was calculated using the total personnel budget as in terms of the Skills Development Act. The aforementioned percentage for the 2016/17 financial year is based on the Total Annual Payroll as depicted in the SDBIP.</small></p> <p>These targets and figures were received as submitted by the relevant officials at the time and HR cannot verify whether it should or should not be the same.</p>	KPA and INDICATORS	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	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	2	1	4	13	4	50%*	The percentage of a municipality's budget actually spent on implementing its workplace skills plan	0.009%*	0.006%*	0.83%	0.97%	0.94%	72%**																																								
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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	2	1	4	13	4	50%*																																																									
The percentage of a municipality's budget actually spent on implementing its workplace skills plan	0.009%*	0.006%*	0.83%	0.97%	0.94%	72%**																																																									
Human Resources	MJ	<p>P286 Employment target. If you look at the target of 681 of males during 2017/18 financial year but 785 were employed. Which means that the males were 104 more employed more than the target. Females on the other hand was at 378 out of a target of 670 which is 292 less than the target. What is the reason for not meeting the females' target?</p> <table border="1"> <thead> <tr> <th rowspan="2"></th> <th colspan="3">Male</th> <th colspan="3">Female</th> <th colspan="3">Disability</th> </tr> <tr> <th>Target June</th> <th>Actual June</th> <th>Target reached</th> <th>Target June</th> <th>Actual June</th> <th>Target reached</th> <th>Target June</th> <th>Actual June</th> <th>Target reached</th> </tr> </thead> <tbody> <tr> <td>2014/15</td> <td>536</td> <td>744</td> <td>138.43%</td> <td>556</td> <td>348</td> <td>62.58%</td> <td>0</td> <td>0</td> <td>n/a</td> </tr> <tr> <td>2015/16</td> <td>425</td> <td>783</td> <td>54.27%</td> <td>518</td> <td>368</td> <td>71.04%</td> <td>0</td> <td>0</td> <td>n/a</td> </tr> <tr> <td>2016/17</td> <td>681</td> <td>782</td> <td>78.87%</td> <td>670</td> <td>363</td> <td>54.18%</td> <td>0</td> <td>10</td> <td>n/a</td> </tr> <tr> <td>2017/18</td> <td>681</td> <td>785</td> <td>115%</td> <td>670</td> <td>378</td> <td>56%</td> <td>10</td> <td>10</td> <td>100%</td> </tr> </tbody> </table> <p><small>Table 4.3 Targets/Actual by Gender Classification</small></p> <p>The reasons could be twofold - females either did not meet the advertised criteria or scored showed the necessary competence in terms of what was needed in the post.</p>		Male			Female			Disability			Target June	Actual June	Target reached	Target June	Actual June	Target reached	Target June	Actual June	Target reached	2014/15	536	744	138.43%	556	348	62.58%	0	0	n/a	2015/16	425	783	54.27%	518	368	71.04%	0	0	n/a	2016/17	681	782	78.87%	670	363	54.18%	0	10	n/a	2017/18	681	785	115%	670	378	56%	10	10	100%		
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Human Resources	JA	<p>If you look at Chapter 3 you would see that there are vacancies in engineering departments. I would urge the department that that vacancies creates a shortage of staff and it will influence the delivery of services. This is noted but unbudgeted posts cannot be filled and in most infrastructure posts it is difficult to attract competent employees due to the salary we advertise.</p>																																																													
Human Resources	JA	<p>P288. I am a bit worried that this occurrence could have a negative effect on the delivery of services. No new appointment takes place. The turnover rate also confirms the amount of new appointments at 42 but he termination rate is found at 69l concur with the figures. This comment is regularly raised but if skilled and qualified people do not apply we risk the municipality in many ways</p>																																																													
Human Resources	MJ	<p>All these vacancies. My understanding is that all these posts are budgeted for. I understand that Hannetje in</p>	288	We found that there are 7 vacancies and no request were made to fill these vacancies and it																																																											



Department		QUESTIONS/ COMMENTS ON CHAPTER 4, 5 & 6	PG	Response										
		Franschhoek has a great shortage of staff. Then, I cannot accept that there are so much vacancies. I am concerned that there is a shortage of manpower. <i>What will be done with these vacancies? When will it be filled?</i>		was addressed with Human Resources. It was cleared with the directors and a process needs to be filled. Thank you for the recognition of the sick leave. We are addressing the matter of sick leave and termination interviews										
Human Resources	JA	Congratulations to the departments. This item was on the MPAC agenda for the last three years. The sick leave and it decreased for the second year. It shows that if you put the finger on the nail you can keep it there. The working days compared to the previous years it decreased. Congratulations to the departments for keeping your finger on the pattern.												
Human Resources	EF	Plant and machine operators and assemblers p291. If you look at the males, they have a total 20 employees that was identified for training. In the next column it says that no-one went for training. <i>Can this be explained pertaining to the amount that required training and those who went on training?</i>		Training was planned to take place however it was dependent on the departments providing specifications and employees. If no training took place, it was not identified as a priority by the departments. Employees did not attend the training during the applicable financial year.										
Human Resources	MJ	Training spent – 4.2.5.1 p293. I want to compliment the Municipality for the training conducted. More people went on training than the amount that was identified. There is a concern about the 20 that was identified and none went on training.												
		<table border="1"> <thead> <tr> <th rowspan="2">Plant and machine operators and assemblers</th> <th>Female</th> <th>0</th> <th>0</th> </tr> <tr> <th>Male</th> <th>20</th> <th>0</th> </tr> </thead> <tbody> <tr> <td colspan="4">There is a difference from the sources of funding. In this case two employees were nominated for training and we did not receive funding from the LGSETA. The modules that were requested but it could not realise since a difference in the training required. We have requested training but the needs and the request were not specific.</td> </tr> </tbody> </table>	Plant and machine operators and assemblers	Female	0	0	Male	20	0	There is a difference from the sources of funding. In this case two employees were nominated for training and we did not receive funding from the LGSETA. The modules that were requested but it could not realise since a difference in the training required. We have requested training but the needs and the request were not specific.				
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Human Resources	BG	Motor Vehicle Allowance – Does the people have logbooks.	294	<i>We have two types of allowance for staff and then a perk scheme that is dealt with by SARS. The must proof that the vehicle belongs to the employee concerned. The council vehicles will go to a pool and they do have a log book. The fleet department will start now. A request was sent to record all the vehicle to have all vehicles under one department's control.</i>										
Finance Budget	BG	What is the other allowances for councillors? Cell Phone and "Other Allowances"	294	Operation Cost Items										
Finance Budget	JA	There is an omission under 4.2.5.3 for the 2017/18 financial year. p293												



Department		QUESTIONS/ COMMENTS ON CHAPTER 4, 5 & 6	PG	Response																																								
		<p>4.2.5.3 SKILLS DEVELOPMENT - BUDGET ALLOCATION</p> <p>The table below indicates that a total amount of R 4 919 000 allocated to the workplace skills plan and that 72% of the total amount was spent in the 2017/18 financial year:</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Total personnel budget</th> <th>Total Allocated</th> <th>Total Spend</th> <th>% Spent</th> </tr> <tr> <td></td> <td>R</td> <td>R</td> <td>R</td> <td></td> </tr> </thead> <tbody> <tr> <td>2012/13</td> <td>260 883 962</td> <td>3 242 848</td> <td>2 371 911</td> <td>73</td> </tr> <tr> <td>2013/14</td> <td>280 637 485</td> <td>2 450 170</td> <td>1 776 397</td> <td>73</td> </tr> <tr> <td>2014/15</td> <td>324 832 04</td> <td>2 743 370</td> <td>2 716 719</td> <td>99</td> </tr> <tr> <td>2015/16</td> <td>416 062 658</td> <td>3 420 000</td> <td>3 406 325</td> <td>99</td> </tr> <tr> <td>2016/17</td> <td>407 801 472</td> <td>3 400 000</td> <td>3 204 069</td> <td>94</td> </tr> <tr> <td>2017/18</td> <td>444 528 681</td> <td>4 919 000</td> <td>3 541 680</td> <td>72</td> </tr> </tbody> </table> <p>Table 4.14 Budget allocated and spent for skills development</p>	Year	Total personnel budget	Total Allocated	Total Spend	% Spent		R	R	R		2012/13	260 883 962	3 242 848	2 371 911	73	2013/14	280 637 485	2 450 170	1 776 397	73	2014/15	324 832 04	2 743 370	2 716 719	99	2015/16	416 062 658	3 420 000	3 406 325	99	2016/17	407 801 472	3 400 000	3 204 069	94	2017/18	444 528 681	4 919 000	3 541 680	72		
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Human Resources	JA	The percentage personnel expenditure is essential in the budgeting process as it reflects on current and future efficiency. The table below indicates the percentage of the municipal budget that was spent on salaries and allowance for the past three financial years and that the municipality is well within the national norm of between 35 to 40%: The actual for 2017/18. It must be stated that Stellenbosch Municipality falls are 33%, which is less than the National norm having in mind the amount of vacancies.																																										
Finance Budget	BG	What is categorized under "Other expenditure"	295	Operation Cost Items																																								
Finance Budget	JA	Gains on disposal of PPE – Revenue by Source. <i>What is the Gains of PPE?</i>	298	Profit from sale of asset in terms of GRAP 9. I have purchased an item and make profit out of the asset. The profit made out of the profit will be deemed at gains.																																								
Finance Budget	BG	Asset management. <i>Kindly provide a copy of an electronic version of the asset register be provided?</i>	312	Too large to be emailed, can be submitted on request																																								
Finance Budget	JA p318	In terms of the definition for backlogs for the minimum standard water supply, Stellenbosch Municipality has zero (0) backlogs. Major backlogs exist in terms of dilapidated infrastructure and the bulk services to provide for future development and current provision of water and sanitation. <i>Is this statement correct? We cannot have no backlogs for water since it is a scare commodity.</i>																																										
Finance Budget	JA	At 2016/17 we were at R575 418 m and we are now at R505 618 <i>What happened to it to the other R75 million? I cannot see it in the financial statements</i>																																										
		<p>5.14.2 Municipal Investments</p> <table border="1"> <thead> <tr> <th rowspan="2">Investment type</th> <th>2014/15</th> <th>2015/16</th> <th>2016/17</th> <th>2017/18</th> </tr> <tr> <td colspan="4">R'000</td> </tr> </thead> <tbody> <tr> <td>Deposits - Bank</td> <td>592 648</td> <td>600 239</td> <td>575 418</td> <td>505 618</td> </tr> </tbody> </table> <p>Table 5.43 Municipal Investments</p> <p><i>Response: The investment account is used for store excess cash, in the 2017</i></p>	Investment type	2014/15	2015/16	2016/17	2017/18	R'000				Deposits - Bank	592 648	600 239	575 418	505 618																												
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Department		QUESTIONS/ COMMENTS ON CHAPTER 4, 5 & 6	PG	Response																																																																																																																								
		payment rate for projects was higher than 2016 resulting in a transfer into the current account. No external loans were taken up and own funds were used for Capital projects																																																																																																																										
Finance Budget	MJ	<p>Bulk Water Supply Reservoir: Dwarswater (Johannesdal/Kylemore/Pniel) Bulk water supply. R18 million was budgeted and now 19 million. Was the upgrade done? Apparently this money will only take place in 2019/20.</p> <p>According to our expenditure the money was spent already and we still sit with a problem with our water. Must the money be spent or was it spent? Page 318</p> <table border="1"> <thead> <tr> <th colspan="12">2017/2018 Capital Budget</th> </tr> <tr> <th colspan="12">22/08/20: 22/01/2018 4/05/2018</th> </tr> <tr> <th colspan="12">22/01/2018</th> </tr> <tr> <th>Project Name</th> <th>Director</th> <th>Dep</th> <th>Original Budget 2017 / 2018</th> <th>Roll Over</th> <th>Mid Year</th> <th>Virements</th> <th>Amended Budget</th> <th>Actuals</th> <th>Budget 2018 / 2019</th> <th>Mid Year</th> <th>Budget 2019 / 2020</th> </tr> </thead> <tbody> <tr> <td>106 Bulk Water Supply Pipe Reservoir: Dwars Rivier (Johannesdal / Kylemore / Pniel)</td> <td>Engineering Serv</td> <td>Water</td> <td>19 000 000</td> <td>217 839</td> <td>-5 217 839</td> <td>4 100 000</td> <td>18 100 000</td> <td>19 087 711</td> <td>19 000 000</td> <td>14 000 000</td> <td>-</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="12">2018/2019 Capital Budget</th> </tr> <tr> <th colspan="12">17/08/20: 30/01/2019</th> </tr> <tr> <th colspan="12">30/01/2019</th> </tr> <tr> <th>Project Name</th> <th>Director</th> <th>Dep</th> <th>Budget 2018 / 2019</th> <th>Roll Over</th> <th>Mid Year</th> <th>Virements</th> <th>Amended Budget</th> <th>Actuals</th> <th>Budget 2019 / 2020</th> <th>Mid Year</th> <th>Budget 2020 / 2021</th> </tr> </thead> <tbody> <tr> <td>Bulk Water Supply Pipe Reservoir: Dwars Rivier (Johannesdal / Kylemore / Pniel)</td> <td>Infrastructure Serv</td> <td>Water</td> <td>12 500 000</td> <td>-</td> <td>500 000</td> <td>-</td> <td>13 000 000</td> <td>6 800 319</td> <td>2 000 000</td> <td>-</td> <td>2 000 000</td> </tr> </tbody> </table>	2017/2018 Capital Budget												22/08/20: 22/01/2018 4/05/2018												22/01/2018												Project Name	Director	Dep	Original Budget 2017 / 2018	Roll Over	Mid Year	Virements	Amended Budget	Actuals	Budget 2018 / 2019	Mid Year	Budget 2019 / 2020	106 Bulk Water Supply Pipe Reservoir: Dwars Rivier (Johannesdal / Kylemore / Pniel)	Engineering Serv	Water	19 000 000	217 839	-5 217 839	4 100 000	18 100 000	19 087 711	19 000 000	14 000 000	-	2018/2019 Capital Budget												17/08/20: 30/01/2019												30/01/2019												Project Name	Director	Dep	Budget 2018 / 2019	Roll Over	Mid Year	Virements	Amended Budget	Actuals	Budget 2019 / 2020	Mid Year	Budget 2020 / 2021	Bulk Water Supply Pipe Reservoir: Dwars Rivier (Johannesdal / Kylemore / Pniel)	Infrastructure Serv	Water	12 500 000	-	500 000	-	13 000 000	6 800 319	2 000 000	-	2 000 000		
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Finance Budget	EF	MIG funding 5.10 – Was all the MIG funding spent?	319	<p>Page 319 confirms that the MIG funding was spent 100% for the 2017/18 financial year. Part of the fund was developer's contributions. A big part was the human settlement grant for housing projects in the Watergang project. The service provider did not spend the money and it was rolled over in the adjustment budget that we are finishing this year.</p>																																																																																																																								
Finance Budget	JA	Accounting Policies – Self-insurance reserve - Claims are settled by transferring a corresponding amount from the self-insurance reserve to the accumulated surplus. How do you offset this? The explanation needs to be clarified.	14 AFS	<p>The self-insurance reserve is funds set aside (cash backed) for claims that are not covered by our external insurance. These expenses are primarily for our Biological assets. All our reserves are encompassed as one balance within Accumulated surplus, on our "Statement of financial position". When a claim expenditure arises there is a decrease in our self-insurance reserve (as it is allocated as the funding source for</p>																																																																																																																								

Department		QUESTIONS/ COMMENTS ON CHAPTER 4, 5 & 6	PG	Response
				capitalisation of capital expenditure) this is offset by a corresponding increase in our Accumulated surplus.
Finance Budget	JA	Clarity must be given on the word "impairment" in over and understatement of impairment in simple wording.	14 AFS	When the amount estimated for an impairment loss is greater than the carrying amount of the asset to which it relates, an entity shall recognise a liability if, and only if, that is required by another Standard of GRAP.
Finance Budget		Is this expenditure been finalised? Is this seen as an intangible asset? Expenditure on research (or on the research phase of an internal project) is recognised as an expense when it is incurred. Is the research on the SDF seen as an intangible asset which is an expenditure on research? Clarity is to be given on impairment.	20 AFS	More detail is required from the question tabled. This comments and question is not clear.
Finance Budget	JA	Unspent conditional grants and receipts. What is the plan with the funds unspent Are we giving it back? Is the work done?	73 AFS	Unspent grants are generally requested to be rolled over to the next financial year.
Finance Budget	JA	A list of court cases. Stellenbosch Municipality / Klappmuts Mediation. What is the final results and final amount given for the mediation process? How many sessions was held since this is a big amount.	93 AFS	Klappmuts mediation (The amount spend up till now is approximately R159 539.19. This matter is not yet resolved.) It is noted under the contingent notes that is not finalised at the end of the financial year. We have also requested other department to provide more information from other departments.
Finance Budget	JA	Fusion Properties 233 cc / The Municipality of Stellenbosch. Was the court case concluded?	93 AFS	Case is pending with no final outcome
Finance Budget	JA	Zenobia Campbell / Stellenbosch Municipality. Is the estimated amounts against Stellenbosch correct?	93 AFS	Finalised and correct
Finance Budget	JA	Stellenbosch Municipality / Stellenbosch Golf club. Why do you take yourself to the court? More clarity is required?	93 AFS	Stellenbosch Golfklub (We did not take our self to court. These are two separate entities. The Stellenbosch Golfklub is leasing property from the Municipality.



Department		QUESTIONS/ COMMENTS ON CHAPTER 4, 5 & 6	PG	Response
				<i>There is a contractual dispute between the Municipality and the Golfklub about the payment of rates and taxes. This dispute is referred to arbitration.)</i>
Finance Budget	WP	Stellenbosch Municipality / Visagie & Tromp; Dillon Carelse; Surita Layman <i>Has the court cases been concluded?</i>	93 AFS	<i>Case is pending with no final outcome</i>
Finance Budget	JA	Note 57. No fruitless and wasteful expenditure for the year under review. It is a beautiful expression. Under Irregular Expenditure we see some anomalies - <i>Will it be tabled at MPAC during the year?</i> <i>What was the big issues that we moved from R18 million to R41 million.</i>	101 AFS	It was derived from SCM where local content is applicable. The Municipality did not put in the advert that local content was applicable. The tender was advertised in the previous financial year and already place mechanisms in place to address the tender. Local content workshops was help with the Department of Trade and Industry to prevent future non-compliance.
Finance Budget	JA	<i>Restatement of corresponding figures – Note 61 starts at page p106 to p112. Material impairments/losses –</i> <i>When do we have stocktaking?</i> The unaudited disclosure note. I you look at page 112. The Auditor General says on page 2 in note 12 that:” This disclosure requirement did not form part of the audit of the financial statements and accordingly I do not express an opinion thereon.” My concern is when you look at note 5 and 6. We would like to see that the department come up with a plan to limit the material impairment and losses. I would like to see what we will do to limit it? We look great on all the terrains but we display ugliness on the area of material impairment and losses.	AG repor t p2	Done towards the end of the financial year end and falls outside the scope of the Auditor General

Department		QUESTIONS/ COMMENTS ON CHAPTER 4, 5 & 6	PG	Response
Finance Budget	JA p2			Achievement of planned targets. Refer to the annual performance report on pages 10 to 32 for information on the achievement of planned targets for the year. This information should be considered in the context of the material findings on the usefulness and reliability of the reported performance information in paragraph 22 of this report. It is stated that we must take the report and function more diligently. AG report.
MM Office	JA AC repor t p4			I think that the Audit Committee has executed their function and they were very hard on risk. I am of the opinion that they followed what was in the SDBIP. I am of the opinion that they have done the work to the best of their ability. I hope that the administration do their work more diligently as required by the Act. We should congratulate them for the work done,
MM Office	MJ			Due to the knowledge and experience of the Alderman I will apply my mind
MM Office	WP			We will also visit the site in “Die Boord” and Jamestown upon recognition of the Municipal Manager.

Meeting Adjourned at 15:45



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Hatch Africa (Pty) Ltd.
Reg. No. 1995/007273/07



H348554
Page 2

26 July 2016

Mr Dries van Taak

Stellenbosch Municipality
17 Plein Street
Stellenbosch
7600

Dear Sir/Madam

Task 4 - Water Meter Audit

Initial Findings Report

Hatch Africa (Pty) Ltd (HATCH) has entered into an agreement with Stellenbosch Municipality to perform a Water Meter Audit in Klapmuts, which forms Task 4 of the "Water Conservation and Water Demand Management and Associated Services Contract.

One of the initiatives under this appointment, was to carry out an audit on all the existing water meters in the Stellenbosch municipal area. Concern was raised by Mr Esias de Jager regarding the physical condition of the meters and the quality of data in the meter billing database. Hence it was decided to launch a pilot project in the Klapmuts area in order to test the process, workflow and the technology that is required in order to carry out a meter audit. The results from the pilot audit would then be reviewed to optimise and refine the audit process, confirm the technology is suitable and maximise efficiency of the audit process. In future is is then planned to roll out the audit to all 22 000 meters located in the Municipality's area of jurisdiction.

The pilot audit was estimated to consist of 2 200 meters, although once the audit commenced it was discovered that there was a total of 2 189 meters in the meter billing data base provided by the Municipality.

The pilot project was carried out in order.

HATCH approached Optron (Pty) Ltd to provide the latest innovative GPS technology to carry out the pilot meter audit project using an electronic handheld device. Optron provided both the hardware (Trimble Geo7X handhelds) and the application software component. Hatch provided the workflow (fields) of data to be captured for each meter and Optron pre-programmed the handheld devices for field use.

Directors: P J Olivier; P M Lala; H J Bester; G Bianchini"; J P Sibanyoni; R H Astell; C M Simmer; T T Goba; A G Auret
*Canada

Optron supported three aspects of the project:

- Planning of the water meter audit;
- Actual audit and monitoring of the audit progress; and
- Display of audit results in a geospatial environment.

JOAT Consulting (Pty) Ltd was contracted to carry out the field work component of the assignment and have assisted with the 4 phases of the audit:

- preparation;
- on site audit execution;
- preliminary analysis of the results; and
- Initial Audit reporting.

Objectives of the Audit

The objectives of the meter Audit was as follows:

- To report on the meters audited which includes all the relevant descriptive information on each water meter installation;
- To identify possible measures that could improve customer billing accuracy and revenue collection by carrying out a detailed meter audit and a meter-sizing investigation;
- To identify discrepancies between the meter billing database and the physical meters and make corrections;
- To reduce both apparent and real losses (illegal connections, metering errors, and leaking meters);
- To reduce unmetered, incorrect meter readings and unbilled consumption (through the regularization of all consumer connections); and
- To improve meter reading and billed consumption accuracy and revenue collection as a whole.

The results of a meter audit will allow the prioritisation of actions and interventions (physical or billing database) in order to increase and / or verify the authority's revenue.

Pilot Meter Audit - Klapmuts

Klapmuts, a small residential area approximately 15 km east of Stellenbosch was the chosen study area for the pilot meter audit project. Klapmuts population consists of approximately 6 000 residents. The area has experienced slow growth as a residential area considering its proximity to Cape Town and other towns in the Winelands. The town has lacked basic services infrastructure such as water, until very recently. Large plots of land within the village are undeveloped and vacant. The town does have a relatively large amount of middle to low income households and it is know that the quality of the water meter installations is relatively poor. In consultation with the municipality, it was agreed that Klapmuts would be an ideal area to audit as a pilot study.

Meter Audit Data

The data obtained from the Audit was perused and verified by cross-referencing to the street view images taken during the Audit of the property served as well as of the installations itself.

Where meter numbers or erf numbers were not allocated or assigned to meter installations due to installations not found or meters being buried, the billing database was used to either allocate meter numbers to erven or allocate erven to meter serial numbers obtained on-site. The audit data was thus "reworked" to obtain an improved data set.

In the audit database received from JOAT, some of the datasets were found to be formatted and thus not displaying correctly. In some instances the serial numbers were found to be in scientific format and in trying to correct the dataset, the serial numbers were rounded off. When comparing the audited serial numbers to the imported dataset, the initial numbers in the series generally match and thus the serial numbers as audited was assumed to be correct.

Similarly some of the erf numbers in the audit dataset as received commenced with the numbers 20165.... Where these numbers occurred, the erf numbers were obtained by searching the billing database using the verified meter serial numbers.

Meters Audited

According to the Municipal database obtained on 7 July 2016, 2154 water billing accounts are registered in the Klapmuts district. The total meter audit consisted of the logging and/or verification of 2189 meter installations and/or properties.

Comparing the database to the meter audit database, 105 entries to the municipal database were not audited. The accounts database was filtered

- 1) where the "Surveyor General AccNo" was not found; and
- 2) where a meter number could not be matched in the audit data. This filtered list of properties / accounts and meters not found in the Audit database is attached as Appendix A. JOAT has been instructed to find these properties/ accounts and to verify the billing data.

From the audited data 16 meters appear to be duplicated which require verification. These meters are listed in Appendix B. The billing database lists meter serial numbers such as 168901, which could not be found during the Audit. However a meter with serial number 37168901 has been audited indicating a possible match and incorrect serial number entry in the billing database.

In some instances (5 data sets) the addresses at which these meters are located are the same, whilst in other cases, the street names do differ. JOAT has been requested to investigate these meters/ accounts in an attempt to verify the billing data.

Of the 2189 meter installations audited,

- 268 meter installations were not found;
- 713 meter installations were not accessible due to the meter or meter chamber being buried; and
- 131 meter installations were not accessible as the property were not accessible due to restricted access (locked gates or due to the presence of unrestrained dogs).

Meter Accessibility

The table below illustrates the accessibility of the meters found and consumer types per category.

METER ACCESSIBILITY

	Quantity
Difficult	167
Domestic	146
Non Domestic	1
Verify	20
Easy	910
Domestic	766
Non Domestic	1
Verify	143
Inaccessible	713
Domestic	661
Non Domestic	2
Verify	50
Inaccessible (Other)	131
Domestic	125
Non Domestic	1
Verify	5
Not Found	268
Domestic	241
Non Domestic	9
Verify	18
Grand Total	2189

Physical Audit vs Billing Database

Serial and Erf Numbers

Appendix C lists 68 locations where meter serial numbers could not be found on the billing data base. The serial numbers of meters found and logged during the audit are included in Appendix C.

Appendix D lists 68 meters where erf numbers could not be established from the billing database using the logged / audited meter serial number and thus were meter installations could not be linked to the billing database. These are considered new meter installations and should be added to the billing database.

Appendix E lists 58 locations where the erf number was not captured during the set-up of the audit and where the meters were inaccessible (meter or meter chamber either buried, flooded or not physically accessible). In these locations the meter serial numbers could not be verified and / or obtained.

Appendix F lists 70 locations where the erf number was obtained from the billing data base using the verified/audited meter serial number. In this instance the geographical reference has to be updated in the audit database in order to locate the meter in future.

Meter Readings

Using the Account Numbers in the billing database, the audit meter readings obtained were matched and compared with the meter readings in the billing database.

Of the 942 matches that could be made, 137 meter readings obtained during the Audit differed with more than 100 m³.

The list of these meter readings are included in Appendix G.

Leakages noted

In Appendix H 16 meter installations are listed where water leakages were observed.

General Observation

It is noted that the Billing Database indicates that none of the meter readings are estimated.

Lessons Learned**Locating Meters**

The Audit was set up by reviewing cadastral information and obtaining centroid points which was exported to an audit database. These centroid points guided the auditors to the property in order to find the meter.

It is proposed that a revised workflow be followed by the auditors whereby they / an auditor follow the designated meter reader during his / her normal rounds to only log the meter locations.

This way the number of meters not found could possibly be reduced improving the output of an audit.

Proposed Actions

- a) JOAT to audit the 105 accounts and meters found in the billing database, received in July 2016, that was not covered in the Audit in order to verify the billing data. Refer Appendix A.
- b) JOAT to verify the audited data for the 16 meters (32 datasets) which appears to be duplicated in the audit data as detailed in Appendix B.
- c) Set up a municipal server with the audited meter database.
- d) Use the Trimble handhelds to update and log all meter locations where meters were not found during the Audit.
- e) Update the municipal billing database with meter serial numbers and additional meters found in the Audit as included in Appendices C and D.
- f) Update the databases with captured meter serial numbers and erf numbers not obtained during the Audit but captured and logged by the municipal meter readers. Refer Appendices E and F.
- g) Scrutinise meter readings where high differences are noted from the Audit readings. Refer Appendix G. If a systematic approach and the steps / actions followed as outlined, the meter reading discrepancies will reduce.

h) Fix observed leaks as listed in Appendix H.

Yours faithfully

Stefan Malan
SM:sm
Ref.: H348554
Attachment(s)/Enclosure

cc: cc

Dwarsrivier Meter Summary per Area

-1 Settlement	-2 Number of Municipal Accounts	-3 Number of Water Meters as per Billing Database	-4 Number of Erven where meter GPS Co-ordinates are not Available	-5 No of Erven with No Municipal Account (from Cadastral Database)
Lanquedoc	611	611	4	22
Johannesdal	112	90	2	32
Pniel	534	531	7	84
Kylemore	629	620	4	0
Capolavoro	140	139	0	2
Total	2026	1991	17	140
			Total Erven	2131

Billing Database Entries

Pniel	541
Lanquedoc	612
Kylemore	631
Johannesdal	114
Capolavoro	145
	<u>2043</u>

Subconsultant Budget

Settlement	Total Number of Meters	A	B	C	D	E
		Rate 1	Rate 2	Rate 3	Rate 4	Rate 5
		Standard Audit R97.00 86%	Standard Audit - After Hours R121.00 10%	Standard Audit + Civil Interventions R3 904.00 10 days	Test and Verify Supplied Consumer R131.00 5%	Audit with SBM Meter Readers R45.00 100%
Lanquedoc	633	R52 955.84	R7 659.30	R11 712.00	R4 146.15	R28 485.00
Johannesdal	122	R10 206.34	R1 476.20	R3 904.00	R799.10	R5 490.00
Pniel	615	R51 449.99	R7 441.50	R11 712.00	R4 028.25	R27 675.00
Kylemore	620	R51 868.28	R7 502.00	R11 712.00	R4 061.00	R27 900.00
Capolavoro	141	R11 795.85	R1 706.10	R3 904.00	R923.55	R6 345.00
Total	2131	R178 276.30	R25 785.10	R42 944.00	R13 958.05	R95 895.00

*Note 3

*Note 1

*Note 2

General:	Rates 1 to 3 covers audit of 100% of meters thus 2131
Note 1:	Pro-rata amount per area for budgetary purposes Number of days calculated per area rounded-up to whole days as daily rate applies. If areas bound together, daily rate applies Number of meters estimated to be uncovered per day = 8 meters. Thus budgeted for/ estimated 80 meters under Rate 3.
Note 2:	"Mini Audit" in company of Stellenbosch meter readers to be executed prior to implementing Civil Interventions i.e. effect Rate 3 Rate 5 covers the costs for 8 auditors to accompany meter readers over 4 days.
Note 3:	Number of Meters to exclude number of meters included under Rate 3

Summary	Preparation Stage	R15 000.00	Sum	
	Audit (A + B + C + D + E)	R356 858.45		
	Analysis Phase (Database Cross Referencing)	R15 500.00	Sum	
	Analysis: GIS Technician	R2 600.00	20 days	
	Reporting	R11 500.00	Sum	*What happens if audit is executed in phases?
	Subtotal	R401 458.45		
	Hatch Mark-Up 5%	R20 072.92		
		R421 531.37		
	VAT 14%	R56 204.18		
	Total	R477 735.56		

LANQUEDOC

Legend

- Audit Meters
- Stand: No Account or link to meter
- Stand: No Meter

List of Erven with no meter

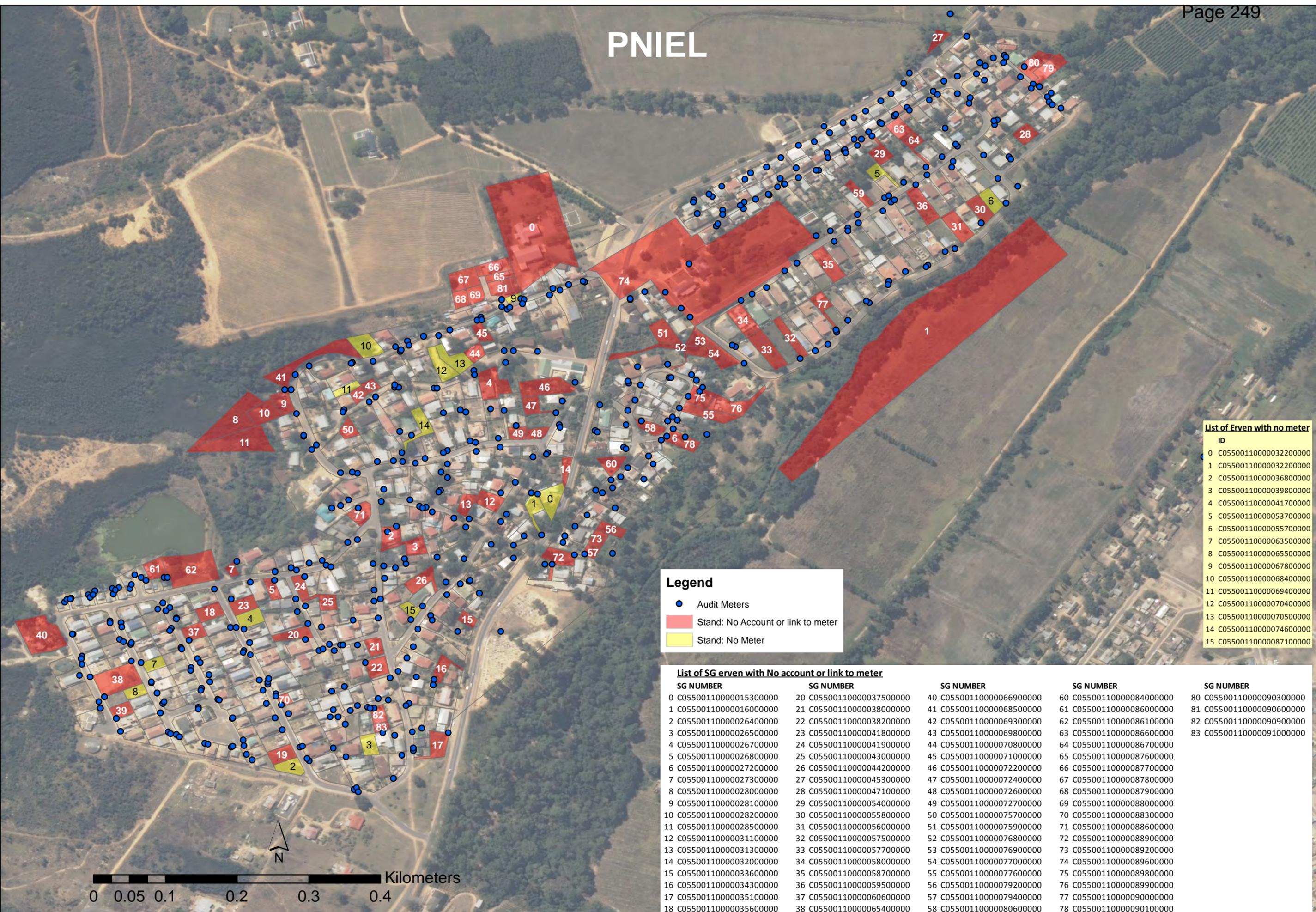
ID	Erven ID
0	C0550015000003200000
1	C05500150000055700000
2	C05500150000059600000
3	C05500150000060700000
4	C05500150000064400000

List of SG erven with No account or link to meter

ID	Erven ID
0	C05500150000001000000
1	C05500150000001000000
2	C05500150000004700000
3	C05500150000007400000
4	C05500150000012000000
5	C05500150000012700000
6	C05500150000012800000
7	C05500150000013600000
8	C05500150000030000000
9	C05500150000036900000
10	C05500150000037300000
11	C05500150000037700000
12	C05500150000047000000
13	C05500150000048700000
14	C05500150000052100000
15	C05500150000052200000
16	C05500150000052300000
17	C05500150000052400000
18	C05500150000052500000
19	C05500150000052600000
20	C05500150000052700000
21	C05500150000059300000



PNIEL



List of Erven with no meter

ID	ID
0	C05500110000032200000
1	C05500110000032200000
2	C05500110000036800000
3	C05500110000039800000
4	C05500110000041700000
5	C05500110000053700000
6	C05500110000055700000
7	C05500110000063500000
8	C05500110000065500000
9	C05500110000067800000
10	C05500110000068400000
11	C05500110000069400000
12	C05500110000070400000
13	C05500110000070500000
14	C05500110000074600000
15	C05500110000087100000

Legend

- Audit Meters
- Stand: No Account or link to meter
- Stand: No Meter

List of SG erven with No account or link to meter

SG NUMBER	SG NUMBER	SG NUMBER	SG NUMBER	SG NUMBER					
0	C05500110000015300000	20	C05500110000037500000	40	C05500110000066900000	60	C05500110000084000000	80	C05500110000090300000
1	C05500110000016000000	21	C05500110000038000000	41	C05500110000068500000	61	C05500110000086000000	81	C05500110000090600000
2	C05500110000026400000	22	C05500110000038200000	42	C05500110000069300000	62	C05500110000086100000	82	C05500110000090900000
3	C05500110000026500000	23	C05500110000041800000	43	C05500110000069800000	63	C05500110000086600000	83	C05500110000091000000
4	C05500110000026700000	24	C05500110000041900000	44	C05500110000070800000	64	C05500110000086700000		
5	C05500110000026800000	25	C05500110000043000000	45	C05500110000071000000	65	C05500110000087600000		
6	C05500110000027200000	26	C05500110000044200000	46	C05500110000072200000	66	C05500110000087700000		
7	C05500110000027300000	27	C05500110000045300000	47	C05500110000072400000	67	C05500110000087800000		
8	C05500110000028000000	28	C05500110000047100000	48	C05500110000072600000	68	C05500110000087900000		
9	C05500110000028100000	29	C05500110000054000000	49	C05500110000072700000	69	C05500110000088000000		
10	C05500110000028200000	30	C05500110000055800000	50	C05500110000075700000	70	C05500110000088300000		
11	C05500110000028500000	31	C05500110000056000000	51	C05500110000075900000	71	C05500110000088600000		
12	C05500110000031100000	32	C05500110000057500000	52	C05500110000076800000	72	C05500110000088900000		
13	C05500110000031300000	33	C05500110000057700000	53	C05500110000076900000	73	C05500110000089200000		
14	C05500110000032000000	34	C05500110000058000000	54	C05500110000077000000	74	C05500110000089600000		
15	C05500110000033600000	35	C05500110000058700000	55	C05500110000077600000	75	C05500110000089800000		
16	C05500110000034300000	36	C05500110000059500000	56	C05500110000079200000	76	C05500110000089900000		
17	C05500110000035100000	37	C05500110000060600000	57	C05500110000079400000	77	C05500110000090000000		
18	C05500110000035600000	38	C05500110000065400000	58	C05500110000080600000	78	C05500110000090100000		

For any further enquiries, please do not hesitate to contact Ms Nadia Rinquest as per above details.

Kind regards



MR M BOOYSEN
DIRECTOR: LOCAL GOVERNMENT BUDGET OFFICE

DATE: 21 February 2019



Ms Nadia Rinquest
Local Government Budget Office
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tel: +27 021 483 8692 fax: +27 21 483 4680

Reference: PTR/12/2/11/4

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

For Attention: The Municipal Manager, Ms G Mettler

PROVINCIAL TREASURY COMMENTS ON THE TABLED 2017/18 ANNUAL REPORT

1. INTRODUCTION

- a. MFMA section 121(1) states that every municipality and every municipal entity must for each financial year prepare an annual report. The council of a municipality must within nine months after the end of the financial year deal with the annual report of the municipality and of any municipal entity under the municipality's sole or shared control in accordance with section 129.
- b. MFMA sections 121(3) and (4) sets out the framework relating to the content of the annual reports for both municipalities and municipal entities.
- c. National Treasury has further introduced the new annual report template and MFMA Circular No. 63 on 26 September 2012. MFMA Circular 63 aims to provide guidance to municipalities and municipal entities on the Annual Report format and its contents.
- d. The municipal council is then obliged to consider any views of the local community; the National Treasury, the relevant provincial treasury and any provincial or national organs of state or municipalities which made submissions on the Annual Report.

2. LEGISLATIVE COMPLIANCE

2.1 Conformance

The conformance assessment highlights compliance by Stellenbosch Municipality with the MFMA and Annual report MFMA Circular 63 is as follows:

- a. The Municipality submitted the draft 2017/18 Annual Performance Report together with the Annual Financial Statements to the Auditor General by 31 August 2018.

- b. The unaudited Annual Report was not tabled into Council at least two months at the end of the budget year in accordance with MFMA Circular 63.
- c. The Annual report was tabled to Council on 30 January 2019 which is within 7 months after the end of the financial year in accordance to MFMA section 121(1).
- d. The draft Annual report was placed on the website on 30 January 2019 in accordance to section 75 of the MFMA.
- e. The Annual report was made public and public was invited to comment on the Annual report on 30 January 2019. The Annual Report was published on the municipal website and adverts placed in local newspapers inviting public to comment for 21 days after the advert was placed.

2.2 Format of the Annual Report as per MFMA Circular 63

- a. The Annual Report partially complies with the Annual Report Template as described by MFMA Circular 63 as it did not include any of the required appendices.
- b. The Mayor’s Foreword is included in the draft version as per Circular 63 guidelines.
- c. The Municipal Managers Foreword is included in the draft version as per MFMA Circular 63 guidelines and includes all the components as prescribed.
- d. The draft Annual Report provides a comprehensive overview of the demographics, population, growth, highlights and challenges faced in the municipal area during the 2017/18 financial year.

3. SERVICE DELIVERY INFORMATION AND PERFORMANCE

2017/18 Key Performance Area	Number of targets achieved	Number of targets not achieved
Valley of Possibility	9	3
A Green and Sustainable Valley	3	1
A Safe Valley	6	0
Dignified Living	20	0
Good Governance and Compliance	24	14
Total	62	18

Comments

- a. Chapter 3 provides comprehensive details regarding the service delivery performance of the municipality for the 2017/18 financial year. The municipality

achieved 77.5 per cent (62 of 80) of its targets at the end of the financial year resulting in an increase in performance when compared to the previous year. However, this falls outside the acceptable norm of 20 per cent between planned and achieved targets.

- b. The 18 targets not achieved are mainly related to areas of basic service provision as well as governance. The municipality has provided corrective measures as to how it will address the under-performance of these targets in the new financial year.
- c. It is noted that the basic service delivery targets not met was due to circumstances out of the municipality’s control. However, to improve governance, the municipality should ensure that reports are submitted to the relevant committees timeously.

4. GENERAL

- a. Several local economic development initiatives were planned and implemented during the 2017/18 financial year. The annual report provides highlights as well as challenges faced in implementing Local Economic Development strategies in the 2017/18 financial year.
- b. The Auditor-General’s Report as submitted by the Auditor-General is included as Annexure B in the Annual Report and not in the actual body of the report. The municipality has received an unqualified audit with findings from the Auditor-General for the 2017/18 financial year.

5. CONCLUSION AND RECOMMENDATIONS

Stellenbosch Municipality has complied with legislation regarding tabling, publishing document for comments, submission to Provincial Treasury and placement on the website within the time frames prescribed in the MFMA section 121.

The Municipality partially complied to the prescribed format of the report as per Circular 63 as the draft 2017/18 Annual Report did not included any of the recommended appendices. This a repeat finding from the previous year.

The Governance section in Chapter 2 of the Annual Report provides a comprehensive overview of the political and administrative structure within the municipality as well a risk profile and supply chain management information.

The performance report included in pages 118 – 281 indicates that the municipality achieved 77.5 per cent of its targets for 2017/18 (62 of 80 targets were met). This demonstrates an increase in performance from the previous year. Of the 18 targets not achieved, the municipality has ensured that corrective actions will be taken to meet the targets in the future.

Stellenbosch Municipality produced an in-depth draft 2017/18 Annual Report reflecting relevant information pertaining to the Municipality’s performance during the year under review.



Minutes of the meeting of the MPAC Oversight Committee held on 28th February 2019

Discussion with Directors

(Meeting started at 09:00 and adjourned at 14:30)

IN ATTENDANCE:

Councillor Wilfred Pietersen (WP)

Councillor Emily Fredericks (EF)

Councillor Nokuthula Gugushe (NG)

Alderman J C Anthony (Co-opted member) (JA)

Mr. Ulrich Cupido (PMS Officer) (UO)

Mr. Lawrence Seals from ward 17 – Presentation of written submission

APPLICATIONS FOR LEAVE OF ABSENCE

MM - Ms. Geraldine Mettler – apology attendance of MM at the Handover of Title deeds in Franschhoek

Mr. Gurswin Cain (IDP Manager) – apology tabled for attending an IDP managers meeting

Mr. Benninghoff Giliomee (Co-opted member) – A request for absence was received

PRESENTATION AND DISCUSSIONS

The discussion with directors was led by *Cllr. Wilfred Petersen*

The MPAC/Oversight Chairperson Wilfred Petersen welcomed all present

Agenda:

Changes in the MPAC Committee. Cllr. Olayi was moved from the MPAC Committee to another portfolio and replaced with Cllr. Siegfried Schäfer

A discussion with directorates followed on the outstanding questions not addressed.

Department	Attendees to the meeting	Representatives present
Finance	Questions were posed to the Acting Chief Financial officer.	Kevin Carolus
Infrastructure	Questions were posed to the Senior Manager: Roads and Storm water	Johan Fullard
Infrastructure	Questions were posed to the Senior Manager: Water Services	Adriaan Kurtz
Infrastructure	Questions were posed to the Senior Manager: Electricity	Floris Koegelenberg
Infrastructure	Questions were posed to the Senior Manager: Solid Waste	Clayton Hendricks

A special meeting will be scheduled for the 6th of March 2019 at 09:00

MPAC/Oversight members were informed to look at the most important matters that will be drafted unto the draft Oversight report.

Preparations must be made to identify the 5 most important matters that is critical for inclusion into the Oversight report.

Final review of the Draft Oversight report will be done on the 8th of March 2019. The final Oversight Report will also be finalised and printed for signature on the 8th of March 2019.

A reminder needs to be sent to all members for the meeting on the 6th of March 2019.

Meeting adjourned at 14:30



Minutes of the meeting of the MPAC Oversight Committee held on 6th March 2019

Discussion with Managers and Directors

(Meeting started at 09:00 and adjourned at 15:30)

IN ATTENDANCE:

Councillor Wilfred Pietersen (WP)

Councillor Emily Fredericks (EF)

Councillor Malcom Johnson (MJ)

Alderman J C Anthony (Co-opted member) (JA)

Mr. Ulrich Cupido (PMS Officer) (UO)

MM - Ms. Geraldine Mettler

Manager: Local Economic Development - Mr. Widmark Moses (WM)

Manager: Informal Settlements - Mr. Johru Robyn (JR)

Senior Manager: Protection - Mr. Charl Kitching (CK)

Senior Manager: Human Resources – Mr. Alexander Kannemeyer (AK)

APPLICATIONS FOR LEAVE OF ABSENCE

Director: Corporate – Annalene De Beer – apology tabled - attending a labour relations session in Johannesburg

Mr. Benninghoff Giliomee (Co-opted member) – A request for absence was received

Councillor Nokuthula Managa-Gugushe (NG) - A request for absence was received

PRESENTATION AND DISCUSSIONS

The discussion with directors and managers were led by *Cllr. Wilfred Petersen*

The MPAC/Oversight Chairperson Wilfred Petersen welcomed all present

Agenda:

Changes in the MPAC Committee. Cllr. Olayi was moved from the MPAC Committee to another portfolio and replaced with Cllr. Siegfried Schäfer

A discussion with directorates followed on the outstanding questions not addressed.

Department		QUESTIONS/ COMMENTS	Response
MM Office	JA	We were happy with the present. Thank you for the hard work of the administration. We want to say thank you were required and for the unqualified audit. I know we will attempt to have a clean audit in	
	MJ	I just want to complement the MM. I confirm the words of the Alderman.	
	WP	I was at Salga and we were confirmed that SCM must send items to Salga. We were informed that we need to work together. It was confirmed that if a fault occurs the implicated employee needs to pay the damages. The MPAC tool will be workshopped. Thank you to the directors and the administration. We do not need the Management report and it is clear. The management report will give more clarity. We respect the administration t	
	GM	Thank you to the Councillors. We will work towards the improved governance. Thank you to the entire team. I will direct it further to the entire team of directors.	
	WP	This is not a court case and we only need clarity on some questions.	
Human Resources	JA	We have taken note of the staff complement. We make note of the improvement on the sick leave. There are a lot of vacancies and the service suffer if less staff are appointed. The Macro was approved. We understand that we are under the 34% threshold. What is the view on the appointments? Is the smoking policy implemented? What about the skills matrix's. Do we send our people for the required training?	AK - gave clarity on the previous questions posed from the Human Resources Department Not all post are funded on the structure. The director can be held liable for the appointment of staff since there is not funding. The following needs to be factored into resignations such as resignations.
	EF	The ICT Department. We are experiencing problems with offices outside with the replacement of ink in the current copy machines. When your request a service. It is taken to the service provider. It will takes at least three to four days.	The tender came to an end and a new provider will be appointed. If there are specifics you are welcome to direct it to us.
Human Resources	MJ	I want to congratulate you to the way you responded to the answers on Corporate Services. Especially to the response between the males and the female employees. I feel more convinced with the responses.	
LED and Tourism LED	WM	What happened to the arrangement to render the service of the toilets?	The service belonged to Water and Sanitation. We took the service for three months. Nothing happened



Department		QUESTIONS/ COMMENTS	Response
LED and Tourism LED			from the services. Toilets and water is the service of water and sanitation. New toilets will be delivered by the 8 th of March 2019.
	JA	I do not think that the answers given is suitable. A provincial treasure response indicates that sustainability of the hubs built in Ida's valley, Cloetesville and Kayamandi is a concern.	The sustainability of the hub at Ida's Valley. We made a study on the site and therefore the current status of the site. The sites is only active on Thursdays, Fridays, Saturday and Sundays. Schools were invited to use the sites. Is will be very suitable for night markets in December. Cloetesville site is s problem due to the underground services that needs to be moved. The site will be done by the end of for the financial year. The Kayamandi site plans was approved. After digging the site was required to be moved six feet forward. The way leaves were done. Law enforcement needs to be addressed.
LED	WP	We had an event on Sunday by the Muslims. What were the cost?	WM - We will avail the sites for free. We will go out to schools to promote the site. Later we will start with asking a fee.
LED	JA	There was a remark from Mr Seals in the public hearing.	WM – I would like to know the perspectives of the communities. We want to assist small business. We are involved with the EPWP and we were the second best in the province. We addressing specific tourism businesses. The flea market came out of a public need that was previously identified. On youth – When it comes

Department		QUESTIONS/ COMMENTS	Response
			to youth and it is done by Community development.
LED	MJ	I am proud to what has been told by Mr. Moses.	WM – The answer on the toilet was addressed earlier.
Informal Settlements	WP	I visited the area last year and I took pictures of the toilets and taps. We took the pictures recently and these pictures were taken. Four wendy were vandalised and new once were installed.	Since last year the wendy houses were vandalised. A new owner was ready to occupy and the wendy house and a panel was already broken. The wendy houses do not have current maintenance contracts. Our goal was to as far as possible to let people move in as soon as the wendy hut has been built.
	MP	I have visited the area with my wife. I had discussions with my wife and the water are running. The children are playing on the concrete structures.	
	EF	I have visited the area. When was the last visits to this area?	
		<i>JR - We need to introduce the risk management with regard to the provision of regular vandalism. We have to decide between copper and plastic. The plastic is easy to install and less costly. We have the last set of chemical toilets. The maintenance of the water toilets is a bit costly. But it is a better alternative. The chemical toilets is used since it is serviced twice a week. No to little complaints are experienced with the chemical systems. A new housing system will be introduced which has an application which is accessible by the citizen. The new system focus also on the id numbers to limit duplication. The web site is active and we are busy with the beta testing of the new data. The plan is to have it active in April 2019. The ideal is to have an automated system</i>	
	MJ	Can the observer allowed to ask questions.	WP – I have given permission for the comment and questions.
Housing Admin	EF	The annual report indicated a housing waiting list. When will the list be finalised	JR – The informal settlement is a very small depart and success are limited.
Public Hearing questions	JA	Steps	A new contractor were appointed to address the maintenance of the Steps
Public Hearing questions	JA	The backyarders	The plan is to identify backyarders as future citizens for possible housing. We



Department		QUESTIONS/ COMMENTS	Response
			are busy to check the possibilities of having housing at the swimming pool in Cloetesville and Sports field. The housing
Law Enforcement	EF	The theft is a frustrating and it is difficult for the Councillor.	CK – Metro City has been penalised and fined on the lack of services. The problems is concerning to this Service. I am busy with a study on the cost versus the use of law enforcements of our own.
Fire Services	AJ	Log books for vehicles	CK – The vehicles have logbooks. Reporting are done monthly. I will return on the food parcels. WP – We just needs to know the difference between when it is 2 cases. If the matter is about 30 cases we need to pay for the cost.
	WP	I have a concern when the people a fire occurs. The fire under the bridge had a cost of more than R400 000 for food of which I have the opinion that it could have been saved.	
Law enforcement	EF	When talking about the private security and in this case Metro Security. It was confirmed that they are penalised. Where does the money go? Does it cover the damage, e.g. Does it cover the cost of the gate that was stolen? I am sure that the Municipality is losing money if the security staff are not properly trained. I hear what you say that they have a contract. It has a massive impact on me as a councillor to render the work of a security company.	
		CK - In terms of Metro security they have fines per month. The cost of losses to the Municipality has been recovered. I am busy to compile a report in terms of the required compliance standards. My current report is to address the period before I arrived at Stellenbosch Municipality. Kindly grant me the time to finalise the report. I can confirm that we have problems. I have phoned Metro security a few days back about one of their staff members who worked at the Klapmuts site without uniform. They came to remove the guard and replaced her with another one. The problem was that the replacement also did not have SIRA accreditation to render a security function. The problem is that they are rendering a service for the Municipality via a contract. I am aware that they were fined for more than R100 000. We need to deal with them due to the contract. I am aware that the entrance gate was stolen and that the wall was broken down. The security guard sits on the pavilion while he needs to look after the	

Department		QUESTIONS/ COMMENTS	Response
			fire station as well. I am busy investigate the option of appointing our own staff versus the cost of a security company. I will table the report in order to look at the savings as well as the cost of the vandalism suffered by the Municipality.
	MJ	The law enforcement staff remove vagrants. If the answer is moving from pillar to post needs to be addressed	CK – There is no law that the people are moved to a certain destination. We can only chase them away. The vagrant has transgressed, they can be arrested. Our job stops when we hand them to the police in order to process the pending case.
Law enforcement	JA		I see that the security guards has fumed Mr. Kitching. In the past it worked out very well to have our own staff. The citizens are afraid of our law enforcement staff and it worked. They are aware of them and they get an opportunity to render a job. In one of the cases a private security guard supervisor were arrested. The communication with the security guards is critical. Our staff needs to communicate effectively with the security guards.
	MJ		I just want to raise my concern. I must say that we will not win the security guard issue if they are only one person per site and more concerning if it occurs during the night. We have the Millennium Hall in Pniel that is far away. At the stadium there is cloak rooms. It is impossible that one person to protect the municipal property at night. If it is one person like now. The one person will experience danger because it is at night. At my office there is one person and it is not a big venue. I ask them why they are sleeping and why is the door is locked? At night they will sleep and they will say: "I am afraid". We need to look at the protection of the Municipal property that stretch over a bigger area.
Disaster Management	EF		In term of disaster management. If a fire occurs, who is the person to provide the baby packs and adult packs? There is problems when these packs needs to be handed over to people who lost all there belongings. In one case they took three weeks to hand over the packs. These people will come to my office and cannot give an answer. <i>Who is responsible for this service?</i> I will need to determine the process of the food packs. In terms of the fire department, we provide the material for the structure. I am not sure about the packs. I am aware.
	WP		I also needs to get clarity about If it affects one or two persons on the one side and a disaster that affects 20 to 30 people. I am aware that when it affects a bigger total the Social Department gets involved.
Law enforcement	MJ		We need to work together. Please communicate with me if there is matters of the halls and sports fields. Thank you to Mr. Kitching for the great work he is done.
	WP		Safety of the citizens. Please check if the camera at Cloetesville is working properly.



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Department		QUESTIONS/ COMMENTS	Response
	WP	Jamestown graveyard. The security was appointed to prevent the damage of tombstones. The security guard has a booth at the gate of the graveyards in Jamestown. What about law enforcement and visibility in Cloetesville?	CK - We have identify the graveyard as a problem. The security guard is there for access control. People use the graveyard as a shortcut when they are walking. The children of the community is breaking the tombstones.
Annual report 2016/17	WP	A request needs to be sent to the MM to request an update on the matters identified in the Annual Report 2016/17 Oversight.	

Meeting adjourned at 15:30



Minutes of the meeting of the MPAC Oversight Committee held on 8th March 2019

Finalising of the Oversight report

(Meeting started at 12:00 and adjourned at 17:30)

IN ATTENDANCE:

Councillor Wilfred Pietersen (WP)

Councillor Emily Fredericks (EF)

Councillor Malcom Johnson (MJ)

Alderman J C Anthony (Co-opted member) (JA)

Mr. Ulrich Cupido (PMS Officer) (UO)

Mr. Benninghoff Giliomee (Co-opted member) (departed from the venue at 17:00)

APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Nokuthula Managa-Gugushe (NG)

PRESENTATION AND DISCUSSIONS

The MPAC/Oversight Chairperson Wilfred Petersen welcomed all present and he led all discussions.

Agenda:

Re- wording of Draft Oversight report. Results of the discussions can be found in the final signed Oversight report for 2017/18.

Conclusion:

The Chairperson has thanked the Executive Mayor and the Municipal Manager for the assistance received during the discussions on the Draft Annual report 2017/18. Detail on the conclusion and the outcome of the Oversight report as well as the recommendation to the Council will also be found in the conclusion, namely that the Draft Annual Report be accepted without reservations.

Meeting adjourned at 15:30



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ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2019-03-06 **TIME:** 09:00 **VENUE:** STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.

MEMBERS	SIGNATURE
Clr WF PIETERSEN (CHAIRPERSON)	
Clr E FREDERICKS (Ms)	
Clr MC JOHNSON	
Clr N MANANGA-GUGUSHE (Ms)	VERSKOWING.
Clr S SCHÄFER	

CO-OPTED MEMBERS:

NAME	SIGNATURE
IC Anthony	
Clr. Manie Pietersen	

SENIOR OFFICIALS:

NAME	SIGNATURE
MUNICIPAL MANAGER	G METTLER (Ms)
DEPUTY FINANCIAL OFFICER	
DIRECTOR: CORPORATE SERVICES	A DE BEER (Ms) APOLOGY: obo C Kitching
DIRECTOR: COMMUNITY & PROTECTION SERVICES	
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT	T MFEYA
DIRECTOR: INFRASTRUCTURE SERVICES	D LOUW
DEPUTY AUDIT EXECUTIVE	F HOOSAIN
DEPUTY MANAGER: GOVERNANCE	S DE VISSER (MS)
DEPUTY MANAGER: HUMAN RESOURCES	A KANNEMEYER
DEPUTY MANAGER: IDP/PM	G CAIN
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO
DEPUTY MANAGER	W MOSES
Specialist: Informal Settlements	J. Robyn



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ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2019-02-28 **TIME:** 09:00 **VENUE:** STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.

MEMBERS	SIGNATURE
Cllr WF PIETERSEN (CHAIRPERSON)	
Cllr E FREDERICKS (Ms)	
Cllr MC JOHNSON	
Cllr N MANANGA-GUGUSHE (Ms)	
Cllr N OLAYI	

CO-OPTED MEMBERS:

NAME	SIGNATURE
JK ANTHONY	

SENIOR OFFICIALS:

Acting

NAME	SIGNATURE
MUNICIPAL MANAGER	G METTLER (Ms)
CHIEF FINANCIAL OFFICER	KD O'ROURKE
DIRECTOR: CORPORATE SERVICES	A DE BEER (Ms)
DIRECTOR: COMMUNITY & PROTECTION SERVICES	
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT	T MFEYA
DIRECTOR: INFRASTRUCTURE SERVICES	D LOUW
CHIEF AUDIT EXECUTIVE	F HOOSAIN
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)
MANAGER: HUMAN RESOURCES	A KANNEMEYER
MANAGER: IDP/PM	G CAIN
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO
SOLID WASTE MGT, INFRASTRUCTURE	C. HENDRICKS
Senior Manager: Roads & Transport	J. Fullard
WATER + SANITATION	RA KURTZ
Electricity	F Koopelenburg



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ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2019-02-15 **TIME:** 12:00 **VENUE:** STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.

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

CO-OPTED MEMBERS:

<u>NAME</u>	<u>SIGNATURE</u>
B. GilioMEE	

SENIOR OFFICIALS:

<u>NAME</u>		<u>SIGNATURE</u>
MUNICIPAL MANAGER	G METTLER (Ms)	
CHIEF FINANCIAL OFFICER		
DIRECTOR: CORPORATE SERVICES	A DE BEER (Ms)	
DIRECTOR: COMMUNITY & PROTECTION SERVICES		
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT	T MFEYA	
DIRECTOR: INFRASTRUCTURE SERVICES	D LOUW	
CHIEF AUDIT EXECUTIVE	F HOOSAIN	
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)	
MANAGER: HUMAN RESOURCES	A KANNEMEYER	
MANAGER: IDP/PM	G CAIN	
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO	



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ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2019-02-05 **TIME:** 09:00 **VENUE:** STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.

MEMBERS	SIGNATURE
Clr WF PIETERSEN (CHAIRPERSON)	
Clr MC JOHNSON	
Clr E FREDERICKS (Ms)	
Clr N MANANGA-GUGUSHE (Ms)	
Clr N OLAYI	

CO-OPTED MEMBERS:

NAME	SIGNATURE
B. GILMEE BENNINGHOFF	
IC Anthony	

SENIOR OFFICIALS:

NAME		SIGNATURE
MUNICIPAL MANAGER	G METTLER (Ms)	
CHIEF FINANCIAL OFFICER		
DIRECTOR: CORPORATE SERVICES	A DE BEER (Ms)	
DIRECTOR: COMMUNITY & PROTECTION SERVICES		
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT	T MFEYA	
DIRECTOR: INFRASTRUCTURE SERVICES	D LOUW	
CHIEF AUDIT EXECUTIVE	F HOOSAIN	
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)	
MANAGER: HUMAN RESOURCES	A KANNEMEYER	
MANAGER: IDP/PM	G CAIN	
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO	



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ATTENDANCE REGISTER

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): OVERSIGHT

DATE: 2019-03-08 **TIME:** 12:00 **VENUE:** STELLENBOSCH COUNCIL CHAMBER, PLEIN ST.

MEMBERS	SIGNATURE
Clr WF PIETERSEN (CHAIRPERSON)	
Clr E FREDERICKS (Ms)	
Clr MC JOHNSON	
Clr N MANANGA-GUGUSHE (Ms)	
Clr S SCHÄFER	

CO-OPTED MEMBERS:

NAME	SIGNATURE
<i>B. Gilonne</i>	<i>B.G.</i> adjourned 16:30

SENIOR OFFICIALS:

NAME		SIGNATURE
MUNICIPAL MANAGER	G METTLER (Ms)	
CHIEF FINANCIAL OFFICER		
DIRECTOR: CORPORATE SERVICES	A DE BEER (Ms)	
DIRECTOR: COMMUNITY & PROTECTION SERVICES		
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT	T MFEYA	
DIRECTOR: INFRASTRUCTURE SERVICES	D LOUW	
CHIEF AUDIT EXECUTIVE	F HOOSAIN	
SENIOR MANAGER: GOVERNANCE	S DE VISSER (MS)	
MANAGER: HUMAN RESOURCES	A KANNEMEYER	
MANAGER: IDP/PM	G CAIN	
PERFORMANCE MANAGEMENT OFFICER	U CUPIDO	
<i>IC Anthony</i>	<i>IC</i>	



Meeting adjourned at 17:30

Minutes of the meeting of the MPAC Oversight Committee held on 8th March 2019

Finalising of the Oversight report

(Meeting started at 12:00 and adjourned at 17:30)

IN ATTENDANCE:

Councillor Wilfred Pietersen (WP)

Councillor Emily Fredericks (EF)

Councillor Malcom Johnson (MJ)

Alderman J C Anthony (Co-opted member) (JA)

Mr. Ulrich Cupido (PMS Officer) (UO)

Mr. Benninghoff Giliomee (Co-opted member) (departed from the venue at 17:00)

APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Nokuthula Managa-Gugushe (NG)

MM – indicated her absence and can be called upon if required.

Gurswin Cain (IDP /PMS Manager) tabled his absence due to the IDP compilation.

PRESENTATION AND DISCUSSIONS

The MPAC/Oversight Chairperson Wilfred Petersen welcomed all present and he led all discussions.

Agenda:

Re- wording of Draft Oversight report. Results of the discussions can be found in the final signed Oversight report for 2017/18.

Conclusion:

The Chairperson has thanked the Executive Mayor and the Municipal Manager for the assistance received during the discussions on the Draft Annual report 2017/18. Detail on the conclusion and the outcome of the Oversight report as well as the recommendation to the Council will also be found in the conclusion, namely that the Draft Annual Report be accepted without reservations.

APPENDIX 3

Vredelust straat 97
 Cloetesville
 Stellenbosch
 7600

“ Dankie vir hierdie geleentheid”

Ek is ‘n inwoner van Cloetesville

1. Ek wil net weet daar was opnames gemaak oor ons gebreke van die ‘RDP’ Huise ‘The Steps’ en belowe dat ons plekke reg gemaak sal word. Ons vensters val uitmekaar, huise is gekraak en nog niks is gedoen nie.

2. Hoe lank gaan die Back Yarders wag vir huise.

2.1. Hoe lank moet hul gebuk gaan van vernedering “ Ek sit jou uit”.

2.2. Waarom kan die Munisipaliteit nie fondse beskikbaar stel, om ook aan hulle krag te voorsien nie.

2.3. Sodoende sal daar minder brande plaasvind.

3. **Behuising** : Waarom staan Cloetesville altyd laaste in die ry!

3.1. Rondom ons word daar net gebou, privaat huise. (Nie eers dit is bekostigbaar vir ons Gemeenskap nie.)

4. Ons veiligheid, veral naweke en “ All Pay” dae. Baie mense word beroof.

4.1. Sekuriteit, Law Enforcement, net op sekere plekke: **Wat van Cloetesville.**

5. **Begraafplaas** : Ek doen ‘n beroep op die Burgermeester en Raadslede, en Beampptes. Bring asb die afslag op Saterdag om te begrawe terug vir Deernis gevalle, ons mense of familie kry nie by hul werk af in die week nie. Ons het voorheen 50 persent afslag gekry op die Saterdag fooi.

6. **Die Flee Market** :**In Cloetesville** is dit nog nodig. Wat gaan aan dat daar geen vordering is nie. Kan daardie geld nie gebruik word vir die Back Yarders nie asb!!

6.1. Kyk hoe staan Idasvallei se Flee Market gebou soos ‘n Wit Olifant.

7. **Jeug** : Die Raadslid van Wyk 16 doen baie en probeer haar beste.

7.1. Maar dit is nie genoeg. Waar is die Jeug Ontwikkeling Projekte vir ons Gemeenskap in Cloetesville, Idasvallei en Buite Wyke. Niks gebeur deur die jaar nie.

8. Baie dankie ook vir die positiewe dinge wat gebeur, soos die **Walking Bus Projek**, en ek vertrou dat daar nog meer gebeur. Ons is dankbaar vir gratis water en krag.

Ek dank u

Lawrence Seals (0818887110)

L SEALS

APPENDIX 4



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MPAC/Oversight report

2017/18

Financial year

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1 INTRODUCTION

This document constitutes the MPAC/Oversight Report on the 2017/18 Annual Report for 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
- MFMA Circular 63 – Annual Report - 26 September 2012

2 LEGAL FRAMEWORK

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

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

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 annually).

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.

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.

Section 129 (1) requires the municipal council to adopt an oversight report by no later than 31 March annually containing the councils comments on the annual report which must include a statement whether the council has:

- *“approved the annual report with or without reservations;*
- *rejected the annual report; or*
- *referred the annual report back for revision of those components that can be revised.”*

ii. **LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, ACT 32 OF 2000:**

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 2019. The Annual Report was submitted to the relevant Provincial and National government, the Auditor General of South Africa and made public on 30 January 2019 via the municipal website. Advertisements were placed in the local media as follows:-

- Boland Gazette on the 5th of February 2019 in IsiXhosa; Afrikaans and English; and
- Eikestadnuus on the 7th of February 2019 in IsiXhosa; Afrikaans and English.

The closing dates for all written submissions were set for the 18th February 2019 at 16:30. One written submission was received from the public. The written submission of Mr. Lawrence Seals was present to verbally present his written submission to the MPAC/Oversight Committee. An assessment of the Draft Annual Report 2017/18 was received from the Department of Local Government, Western Cape Provincial Government.

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 re-established MPAC to fulfil the role of an Oversight Committee and made 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 27th February 2019, as follows:

"1. that the Stellenbosch Municipal MPAC/Oversight Committee be constituted as follows:

- i. (a) (i) Councillor WF Pietersen (Full-time MPAC Chairperson);*
- (ii) Councillor MC Johnson;*
- (iii) Councillor N Managa-Gugushe;*
- (iv) Councillor E Fredericks;*
- (v) Councillor N Olayi (MPAC member until 27 February 2019); and*

(vi) Councillor SR Schäfer (MPAC member from 27 February 2019).

The members from the community who were co-opted for the Oversight Committee (MPAC) are Alderman JC Anthony and Mr. Benninghoff Giliomee.

Councillor WF Pietersen served as Chairperson of the Oversight Committee. The Chairperson granted members of the Committee the opportunity to lead the discussions on the following chapters, namely:-

- | | | |
|---|--|---|
| - Chapter 1 & 2 | - Alderman JC Anthony; | - |
| - Chapter 3 | - Mr. Benninghoff Giliomee; | |
| - Chapter 4, 5 & 6 | - Cllr. E Fredericks and
Cllr. M Johnson; | |
| - Public hearing | - Councillor WF Pietersen; and | |
| - Discussions with Managers/Directors - | Councillor WF Pietersen | |

The 23rd meeting of the Council of Stellenbosch Municipality, 2019-01-30: Item 7.10.1 resolved:-

- (a) *that Council notes the Draft Annual Report of 2017/18 for Stellenbosch Municipality;*
- (b) *that Council takes note that the Municipal Manager will make the Draft Annual Report 2017/18 public for comment on the official website of the Stellenbosch Municipality and at the offices of the Municipality for a period of 21 days; the public will be invited through local print media to provide written inputs / comments on the draft report on or before 18 February 2019 at 16:30;*
- (c) *that Council refers the Draft Annual Report 2017/18 to MPAC to consider the Annual Report 2017/18 and make recommendations to Council as contemplated in Section 129(1) of the MFMA; the following dates are proposed for the MPAC/Oversight meetings, where the Draft Annual Report of 2017/18 will be discussed:*

Date	Agenda	Venue	Time
1 February 2019	Orientation: Annual Report	Stellenbosch Council Chamber	13:00 – 15:00
5 February 2019	Chapters 1 and 2	Stellenbosch Council Chamber	9:00 – 13:00
15 February 2019	Chapter 3	Stellenbosch Council Chamber	12:00 – 18:00
18 February 2019	Chapters 4, 5 and 6	Stellenbosch Council Chamber	12:00 – 18:00
22 February 2019	Public Hearing	Stellenbosch Council Chamber	09:00- 14:00
28 February 2019	Discussion with Municipal Manager, Executive Mayor and Directors	Stellenbosch Council Chambers	09:00-16:00
8 March 2019	Finalising and signing Oversight Report	Stellenbosch Council Chamber	12:00-14:00

** It should be noted that the above are proposed dates which must still be confirmed by the MPAC Chairperson, and the final dates will be advertised in local print media.*

- (d) *that Council approves MPAC's mandate to co-opt two members of the public with expertise in specific fields to assist and advise the Committee;*

Rates for additional nominated community members as per Treasury Regulation 20.2.2: The once-off preparation tariff was used as a guide since the National Treasury does not have guidance in that regard. Consultation must take place to decide if the rate will remain the same.

- (e) *that Council approves that the co-opted members can be remunerated in line with the recommendations of National Treasury Regulation in this regard.*

Tariff	Number of co-opted Members	Not exceeding no. of hours	Remuneration
Per hour tariff for attendance of meeting as a member	2	45 hours	R 327.00 per hour
Once-off Tariff for duties performed in preparation	2	6 hours	R 1500 (for six hours)

5 METHODOLOGY

The Oversight Committee conducted the Oversight process over 7 sittings between the 5th February 2019 and the 8th of March 2019. The process will concluded with presentation of the Oversight Report to the Municipal Council on the 27th of March 2019.

The meeting schedule was as follows:

MEETING	ANNUAL REPORT SECTION	DATE
1	Oreintation session facilitated by Dr. Len Mortimer	1 February 2019
2	Chapter 1 and 2	5 February 2019
3	Chapter 3	15 February 2019
4	Chapter 4, 5 and 6	18 February 2019
5	Public Hearing	22 February 2019
6	Discussion with the Directors and the Municipal Manager	28 February 2019
7	Discussion with the Directors and the Municipal Manager and Preparation of Oversight Report	6 March 2019
8	Finalisation and signing of Oversight Report 2017/18	8 March 2019
9	Table of oversight report to Council	27 March 2019

The 2017/18 Annual Report was compiled to align to the new format prescribed by National Treasury. 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: Audited Financial Statements 2017/18;
Report of the Auditor General 2017/18; and
Audit and Performance Audit Committee Report 2017/18

During the Oversight Process, the Oversight Committee:

- made recommendations on the Draft Annual Report 2017/18;
- requested clarity on the performance actuals achieved;

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 in the table below.

6 RECOMMENDATIONS

That the following be recommended:

- approved the annual report without reservations

7. OBSERVATIONS ON THE ANNUAL REPORT BY THE OVERSIGHT COMMITTEE

That the following matters be:

- noted by Council to enhance service delivery efforts of the Administration; and
- that the recommendations be actioned and quarterly reported to the relevant portfolio committees

Department	Observations by the Municipal Public Accounts Oversight Committee	Page
Municipal Managers office - Risk, Governance, IDP and PMS	<p>The Committee took note: -</p> <ul style="list-style-type: none"> - of the Assessment by the Western Cape Provincial Government and section 2.1.b that requires “the Mayor tables the unaudited Annual Report in Council” - that the Circular 63 checklist were used as a guide to indicate compliance of the Draft Annual Report; - that a high premium is set by the Administration on the areas of Anti-Corruption and Anti-fraud as well as the presence of an Anti-Fraud hotline - that no Councillor has outstanding debt at Stellenbosch Municipality; - of the increased importance towards organisational performance and service delivery 	<p>Page 9 of Circular 63</p> <p>Pages 101 – 105</p>
Corporate Services - Human Resources and Council Support	<p>The Committee took note: -</p> <ul style="list-style-type: none"> - of the reduction in sick leave and the introduction of controls; - that <u>not all</u> ward councillors host a minimum of two community meetings per year as per regulation; - of the implementation of the biometric project in order to have a single attendance reporting system; - of the different vacancies (municipal wide and financially funded). - that the departments must initiate the recruitment process with the required documentation via the relevant directors. 	<p>p289</p> <p>p95 – p100</p>
Corporate Services - Information Communication Technology	<ul style="list-style-type: none"> - The structure of the Information Technology Department needs to be reviewed to render an uniform service (hardware, software and accessories such ink cartridge availability) for the benefit of the broader community 	<p>p279</p>

Department	Observations by the Municipal Public Accounts Oversight Committee	Page
Infrastructure Services - Water Services	<p>The Committee took note: -</p> <ul style="list-style-type: none"> - Of Councils pre-empted actions to address the devastating drought during the financial year; - Of the water losses within WCO24 as accounted by the Auditor General; - That not all houses within WCO24 were equipped with water meters and its relation to unaccounted water losses; 	P187
Finance - Supply Chain Management; Revenue Management; Fleet Management	<p>The Committee took note: -</p> <ul style="list-style-type: none"> - that the Bid Adjudication processes is not open to the public; - that external service provider performance and monitoring is a challenge; - that more service providers than before are not performing well with rendering of the minimum requirements as stipulated in the service level agreements with Municipality; - that technical experience and knowledge is a need to objectively assess service providers; - of the underutilisation of the municipal fleet 	p145 - 169
Planning and LED - Local Economic Department; New Housing; Informal Settlements	<p>The Committee took note: -</p> <ul style="list-style-type: none"> - of the slow pace in the delivery of housing due to service delivery protest in relevant wards; - The slow pace in the execution of capital projects for Local Economic Development needs to be addressed; - of the housing needs versus the housing backlogs and Council's response to it. 	P133; P125;
Community Protection - Law Enforcement	<p>The Committee took note: -</p> <ul style="list-style-type: none"> - of the high number of vandalism of municipal infrastructure; - of inadequate security on sport grounds while service providers were appointed to safe guard assets 	p166

The Oversight Committee request action on the following:

Department	Action that requires attention	Proposed Actions
Property Management	The Committee took note: - - of the outstanding audit report of all leased municipal property in the previous financial year;	It is requested that a progress report be made available to the relevant portfolio committee for quarterly monitoring

CONCLUSION

The Committee would like to commend the Municipality on its performance, especially the achievement of an unqualified audit.

I would like to thank the members of the Oversight Committee and all officials who participated in the 2017/18 Oversight process for their time and co-operation. The process was successful and enabled the Committee to identify areas of improvement.

A spirit of improved co-operation was observed during the oversight process and appreciation is extended to the Executive Mayor, the Mayoral Committee and the Municipal Manager with her Administration which we are extremely thankful for.

I am of the opinion that the 2017/18 Annual Report accurately reflects the performance of the Municipality for the year under review and recommend that the Council approve the 2017/18 Annual Report **without reservations**.

A handwritten signature in black ink, appearing to read 'P. Petersen', written over a horizontal line.

Chairperson: MPAC/Oversight Committee

Date: 8 March 2019

7.10.3	APPROVAL OF THE DRAFT SECOND REVIEW OF THE FOURTH GENERATION IDP (2017 – 2022)
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Collaborator No: 636484
File No: 3/5/3/5
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 18 March 2019

1. SUBJECT: APPROVAL OF THE DRAFT SECOND REVIEW OF THE FOURTH GENERATION IDP (2017 – 2022)

2. PURPOSE

To submit for consideration:

The draft Second Review of the Fourth Generation IDP (2017 – 2022).

3. DELEGATED AUTHORITY

MUNICIPAL COUNCIL

In terms of Section 34 of the Local Government: Municipal Systems Act No 32 of 2000 (MSA) 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. EXECUTIVE SUMMARY

In terms of the provisions of the MSA, each Council must, within the prescribed period after the start of its elected term, adopt a single, inclusive, strategic plan. The Fourth Generation IDP 2017 – 2022 serves as this instrument, which was adopted by the new Council on 31 May 2017 for the period 2017 – 2022.

5. RECOMMENDATIONS

- (a) that the draft Second Review of the Fourth Generation IDP (2017 –2022) for Stellenbosch Municipality be tabled in terms of Section 34 of the MSA for the purposes of obtaining public inputs and comments;
- (b) that an advertisement be placed on the official website of the Municipality, municipal notice boards and in the local newspapers notifying the public that the draft Second Review of the Fourth Generation IDP (2017 – 2022) is open for public inputs and comments during April 2019;
- (c) that the draft Second Review of the Fourth Generation IDP (2017 – 2022) be submitted to the Department of Local Government, Provincial Treasury, National Treasury and the Cape Winelands District Municipality; and
- (d) that the Second Review of the Fourth Generation IDP (2017 – 2022) be submitted to Council before the end of May 2019 for final approval.

6. DISCUSSION / CONTENTS**6.1 Background**

An Integrated Process Plan and Time Schedule was approved by Council in August 2018 to guide the planning, review and adoption of the Second Revision of the fourth Generation IDP 2017 – 2022.

6.2 Discussion

The following processes were followed in accordance with the process plan:

DATE	ACTION(S)
July/August 2018	<ul style="list-style-type: none"> Approval of IDP/Budget/SDF Process Plan and Time Schedule.
September – November 2018	<ul style="list-style-type: none"> Community engagement meetings were held in all 22 wards, explaining the processes to be followed for the next five years and the time schedule for the Second Review of the Fourth Generation IDP. Feedback was provided on the implementation of priorities listed by the wards. The priorities in the basic needs assessment were presented and the communities were given time for additional inputs. Ward plan update meetings were held in September 2018, all 22 wards with the respective ward committees and Ward Councillors. Provincial IDP Manager's Forum hosted by Department Local Government.
December 2018 – February 2019	<ul style="list-style-type: none"> Compilation of Draft IDP document in collaboration with all Directorates. Administration prepared the Draft IDP in finalising the chapters of the document. Administration prepared the Draft Budget. Administration prepared the draft Top Layer SDBIP. Provincial TIME held to support the Fourth Generation IDP.
March – April 2019	<ul style="list-style-type: none"> Mayco and Council to consider the draft IDP and Budget. SDF/IDP/BUDGET public meetings to be held in all 22 wards. Three focused engagements to be held to determine the needs in Stellenbosch Municipal Area and exploring potential partnerships in addressing these needs. Closing date for submission on draft IDP, Budget & SDF (30 April 2019). Inputs received from the SDF/IDP/BUDGET meetings - collated and distributed to the Directorates for consideration.
May – June 2019	<ul style="list-style-type: none"> Capital Planning Forum (CPF) – to consider inputs received from SDF/IDP/BUDGET meetings. Consultation and refinement of SDF, IDP and Budget documents. Approval of Final SDF, IDP, Budget, Tariffs and Budget related policies Submit approved IDP to Provincial Government. Approval of Top Layer SDBIP by the Executive Mayor within 28 days after adoption of the IDP and Budget.

6.3 Financial Implications

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

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 additional staff implications for the Municipality.

6.6 Previous / Relevant Council Resolutions:

The adoption of the First Review of the Fourth Generation Integrated Development Plan that was approved by Council on 28 May 2018.

6.7 Risk Implications

This report has no risk implications for the Municipality.

6.8 Comments from Senior Management:

Senior Management supports the recommendations.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-03-18: ITEM 7.10.2

- (a) that the draft Second Review of the Fourth Generation IDP (2017 –2022) for Stellenbosch Municipality be tabled in terms of Section 34 of the MSA for the purposes of obtaining public inputs and comments;
- (b) that an advertisement be placed on the official website of the Municipality, municipal notice boards and in the local newspapers notifying the public that the draft Second Review of the Fourth Generation IDP (2017 – 2022) is open for public inputs and comments during April 2019;
- (c) that the draft Second Review of the Fourth Generation IDP (2017 – 2022) be submitted to the Department of Local Government, Provincial Treasury, National Treasury and the Cape Winelands District Municipality; and
- (d) that the Second Review of the Fourth Generation IDP (2017 – 2022) be submitted to Council before the end of May 2019 for final approval.

ANNEXURES

Appendix 1: The draft Second Review of the Fourth Generation Integrated Development Plan (IDP): 2017 – 2022. **(under separate cover)**

FOR FURTHER DETAILS CONTACT:

NAME	Gurswin Cain
POSITION	Manager: IDP and PMS
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8174
E-MAIL ADDRESS	gurswin.cain@stellenbosch.gov.za
REPORT DATE	6 March 2019

8.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
8.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
8.1.1	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO THE 2017/2018 FINANCIAL YEAR

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

19 March 2019

1. SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO THE 2017/2018 FINANCIAL YEAR

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred in the 2017/2018 financial year and, to be recommended to and considered by Council to certify the expenditure as irrecoverable and to be written off by Council in terms of Section 4.36.1a (i) of Stellenbosch Municipality Supply Chain Policy (2017/2018).

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Section 32(2)(b) of the Municipal Finance Management, 2003 (Act 56 of 2003) (MFMA) require a municipality to recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure unless the expenditure, in the case of irregular or fruitless and wasteful expenditure, is, after investigation by a council committee, certified by the council as irrecoverable and written off by the council.

Expenditure was identified in the 2017/2018 financial year by the Auditor-General which was not aligned or non-compliant with Council approved policies and the Municipal Financial Management Act. All known instances of non-compliance with legislation, which the Municipality is aware of and whose effects should be considered have been recorded.

5. RECOMMENDATIONS

- (a) that Council writes off the irregular expenditure to the value of R5 083 159.00 (Excluding VAT); and
- (b) that Council notes the explanations given by the administration and the corrective measures be implemented.

6. DISCUSSION

Background

Expenditure was identified in the 2017/2018 financial year by the Auditor-General which was not aligned or non-compliant with Council approved policies and the Municipal Financial Management Act. All known instances of non-compliance with legislation,

which the Municipality is aware of and whose effects should be considered have been recorded.

The table below depicts the matters that were raised by the Auditor-General during their audit of the Municipality, and as a corrective measure, the administration is requesting Council to write off these irregular expenditure with the explanations and recommendation given.

No	Irregular Expenditure	Amounts	Comments:
1	Non-Compliance To Municipal Systems Act	R 103 764	An investigation was done and it was submitted to MPAC. The expenditure was approved by council as irrecoverable. However the amount of R103 764 was not approved. This will be submitted to MPAC and Council for consideration.
2	Formal Quotation - Paid more than R200 000	R 735 944	An investigation was done and it was submitted to MPAC. The expenditure was approved by council as irrecoverable. One inclusive tender was implemented and SCM has also dedicated one specific person to deal with all FQ' to improve on the controls and to ensure compliances.
3	Local Content: B&B Supplies	R 109 850	When the local content non-compliance was identified during the 16/17 audit, the municipality subsequently improved it internal process as well as strengthen internal controls to mitigate the risk of noncompliance with local content. These controls include amongst other the following: - Amendment of Bid specs questioners - Confirmation from DTF on the bill of quantities. - Tabling of designated sectors bid specs Workshops were conducted by DTI with all officials. The non- compliance with regard to local content will be submitted to MPAC and council.
4	Local Content: Pienaar Bros	R 3 149 937	
5	Commitments - BSM:88/15 Exeo Khokela Civil Engineering Construction (Pty)Ltd	R 773 467	A formal contract register was implemented within SCM with dedicated staff to administrate this function. Verification processes were improved and orders are only processed once the contract register is updated and confirmed that contract are valid in accordance with recommendation and rates and no risk of overpayment can occur.
6	Commitments - JB's Truck	R 4 325	
7	Local Content: FG Uniforms	R 199 973	When the local content noncompliance was identified during the 16/17 audit, the municipality subsequently improved it internal process as well as strengthen internal controls to mitigate the risk of noncompliance with local content. These controls include amongst other the following: - Amendment of Bid specs questioners - Confirmation from DTF on the bill of quantities. - Tabling of designated sectors bid specs Workshops were conducted by DTI with all officials The non-compliance wrt local content will be submitted to MPAC and council.
8	In Service of the State: Tatler Advert	R 5 899	This was investigated and the supplier was made inactive/closed on the SCM database. Attach SAMRAS screen shot

7. FINANCIAL IMPLICATIONS

Financial implications relating to irregular expenditure that incurred during 2017/2018.

8. LEGAL IMPLICATIONS

Supply Chain Management Regulations

Municipal Management Finance Act

9. RISK IMPLICATIONS

Reporting irregular expenditure timeously.

10. MUNICIPAL MANAGER'S COMMENT

Local content: FG Uniforms - SCM processes around local content has been changed to provide for more stringent processes to prevent the re-occurrence. It should be noted that this tender was awarded towards end of 2016/17 before revised processes were implemented.

In service of the State: Tatler Advert – This was an advertisement for the Spatial Development Framework in Franschhoek, specifically for that area. The Tatler is the only local newspaper in the Franschhoek area, hence the advert was published in that specific paper. Mr Siegfried Schäfer who is one of the owners/journalists, is a part-time Councillor at the Stellenbosch Municipality since August 2016. As a result the supplier has since been deactivated from the SCM database.

In both instances, the Municipality has received the goods and services in good order.

RECOMMENDATIONS FORM MPAC TO COUNCIL: 2019-03-20: ITEM 5.1

- (a) that Council takes note of the finding of the Auditor-General;
- (b) that Council takes note of the circumstances as provided by the Municipal Manager and Chief Financial Officer in the handling of the matter;
- (c) that, based on the above, Council writes off the irregular expenditure to the value of R5 083 159.00 (Excluding VAT) as irrecoverable; and
- (d) that the Administration implements corrective measures.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	<i>Acting Chief Financial Officer</i>
DIRECTORATE	<i>Financial Services</i>
CONTACT NUMBERS	<i>021 808 8509</i>
E-MAIL ADDRESS	kevin.carolus@stellenbosch.gov.za
REPORT DATE	<i>19 March 2019</i>

8.1.2	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO LOCAL PRODUCTION AND CONTENT
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

19 March 2019

1. SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO LOCAL PRODUCTION AND CONTENT

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred relating to local production and content and, to be recommended and considered by Council to certify the expenditure as irrecoverable and to be written off by Council as per the Stellenbosch Municipal Supply Chain Management Policy (2017/2018) embodied from the principles as specified in the Preferential Procurement Regulations of 2017.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Preferential Procurement Regulations (PPR) 2017, PPR 8(2), requires that, an organ of the state must, in case of a designated sector, advertise the invitation to tender with a specific condition that only locally produced or locally manufactured goods, meeting the stipulated minimum threshold for local production and content, will be considered.

The Auditor-General, in its findings during the 2017/2018 financial year, identified that the Municipality did not include a specific condition that local production and content is applicable when inviting bidders to tender (advertisement). The Municipality also did not include the local production and content in the bid documents (MBD 6.2) and the suppliers declared accordingly. Procurement made that does not comply with Preferential Procurement Regulations 2017, PPR 8(2) exhibits irregular expenditure.

However, the Municipality disagrees with the findings of the Auditor-General, as the PPFA Regulations of 2017 does not stipulate in brackets (advertisement) as alluded in the findings. In order to advertise, the invitation to tender places emphasis on the tender document that need to include the minimum thresholds (MBD6.2) that are advertised as a complete document and from which potential bidders submit bid offers.

5. RECOMMENDATIONS

- (a) that Council writes off the irregular expenditure to the value of R32,721,307.37 (Excluding VAT) as irrecoverable; and
- (b) that Council notes the explanations given by the administration and the corrective measures be implemented.

6. DISCUSSION

Background

The Auditor-General, in its findings during the 2017/2018 financial year, identified that the Municipality did not include a specific condition that local production and content is applicable when inviting bidders to tender (advertisement). The Municipality also did not include the local production and content in the bid documents (MBD 6.2) and the suppliers declared accordingly. Procurement made that does not comply with Preferential Procurement Regulations 2017, PPR 8(2) exhibits irregular expenditure.

However, the Municipality disagrees with the findings of the Auditor-General, as the PPFA Regulations of 2017 does not stipulate in brackets (advertisement) as alluded in the findings. In order to advertise, the invitation to tender places emphasis on the tender document that need to include the minimum thresholds (MBD6.2) that are advertised as a complete document and from which potential bidders submit bid offers.

The Municipality seeks to encourage socio-economic transformation within the area of Stellenbosch. To achieve this, empowerment goals have been set, which aim to redress the skewed distribution of wealth and therefore contribute to the alleviation of poverty. The Municipality encourages increased usage of local resources, stimulation of skills development and transfer, fast tracking the growth and ensures sustainability of SMME's.

It is further imperative to note that the SCM regulations under public invitation of competitive bids specifically refer to the fact that:

A supply chain management policy must determine the procedure for the invitation of competitive bids, and must stipulate –

“that any invitation to prospective providers to submit bids must be by means of a public advertisement in newspapers commonly circulating locally, the website of the municipality or municipal entity or any other appropriate ways (which may include an advertisement in the Government Tender Bulletin)”.

Confirmation was presented by National Treasury in this regard. No financial loss incurred or any misuse or loss of a public resource or no substantial harms to the public sector or general public resulted due to this omission. Management has followed due processes to ensure that tenders complied with the requirements of the regulations relating to local production and content.

The Municipality has strengthened its internal controls tremendously. The advertisement has been amended to include the full conditions of local content. We have also implemented a control to send the specification/BOQ to the DTI to confirm if local content is applicable to a certain tender if we as a Municipality are unsure / divided. The DTI then confirms if local content should be applied or not. The BSC (who consists of the Directors) reviews the document and verify the local content in the document as well as DTI confirmation where applicable. We are confident that sufficient controls are in place but constantly strive to improve and streamline the process.

The table below depicts the matters raised by the Auditor-General during audit and as a corrective measure, the administration is requesting Council to write off these irregular expenditure with the explanations and recommendation given.

Tender No.	Description	Supplier Name	Total Award	Expenditure
B/SM 28/18	Supply and installation of Electrical Material to Beltana Stores, Stellenbosch Municipality for the Contract period ending 30 June 2019.	Various Companies.	Approved rates.	R34 256 849,12
B/SM 082 17	Paradyskloof WTW- M & Electrical.	Inenzo Water (Pty) Ltd	R13 742 500,09	R4 238 436,60
B/SM 095 17	Construction of the Plankenburg main outfall sewer and associated works phase 2 & 3.	CSV Construction-Wezan JV.	R77 052 435,91	R28 482 870,77

B/SM 28/18: Electrical Material - Local content was not applicable for this tender, due to the fact that no items as indicated form part of this tender. This was confirmed by the various bidders indicating that local content is not applicable or that materials are 100% imported.

The tender was advertised without local content and the minimum thresholds for cables were identified within the MBD 6.2. The bid evaluation committee identified that no Supply and Delivery of cables were requested within the specifications. It was therefore concluded that it should be not be part of the tender. It did not affect any tenderer as no cables were requested and the suppliers also indicated that local content is not applicable to the items in the tender.

Although the intention originally was to include local content item in the tender, the inspection of the pricing schedule confirmed that no local content items was included. This was also confirmed at the BEC. The tender would have been cancelled if local content was applicable and prospective bidders did not meet the minimum thresholds. This bid was advertised on 5 MAY 2017 and subsequently adjudicated on 8 August 2017. Subsequent testing was performed on 21 November 2018.

The Auditor-General has since agreed with management that local content is not applicable to this tender based on the inspection of the specifications relating to this tender. Thus, this finding was resolved.

BSM 82/17: Paradyskloof WTW mechanical and electrical – The Municipality accepts that the advertisement was not complete. It should be noted that the bid was advertised on 1 April 2017 and adjudicated on 7 August 2017. The finding raised by the Auditor-General was therefore raised after the advertisement and adjudication of a local content tender during the 2016/17 audit.

This issue was identified by the AG during the audit of the previous financial year. This tender was however advertised prior this finding but awarded within the 2017/18 financial year (also prior to this finding).

The relevant prescripts were part of the tender document, which are available for all tenderers. The minimum thresholds for valves were identified within the MBD 6.2. The municipality has amended the advertisement template to ensure that it makes sufficient provision for local content prescripts.

The completion of the MBD 6.2 document like all other NT bidding documents are part of the bidding documents and not part of the specifications. The Municipality has adjudicated this tender on the documents that was attached and found to be compliant to the local content and production provisions. The successful bidder complied with the prescripts and the evaluation was done with local content as a requirement.

BSM 95/17 (Plankenburg main outfall sewer) – This tender entails the excavation of trenches up to 5 meters deep and the installation of larger diameter sewer pipes. From inspecting the Bill of Quantities it follows that items that was perceived to relate to local content items like cables actually refer to ancillary payment items for construction work close to existing services (like cables). Reference to project specifications was done to confirm this. If there are items of local content nature it would be negligible in comparison to the R77 million award. It would for instance not be a factor for any contractor not to submit a tender. Several bids were indeed received.

7. FINANCIAL IMPLICATIONS

Financial implications relating to irregular expenditure that incurred on the local production and content.

8. LEGAL IMPLICATIONS

Supply Chain Management Regulations

Preferential Procurement Regulations (PPR) 2017

Municipal Management Finance Act

9. RISK IMPLICATIONS

Reporting irregular expenditure timeously.

10. CHIEF FINANCIAL OFFICER'S COMMENT

It is important to note that the full award of the tender will, in terms of the Auditor-General's interpretation, be regarded as irregular expenditure, notwithstanding the fact that the local content amounts to plus minus 8% of the total value of the contracts. The result of this is that the remainder of the contract will be deemed as irregular expenditure in the new financial year. On request of the Western Cape Municipalities, the Provincial Treasury and the Auditor-General agreed on a dispute resolution process to address difference of opinion on the interpretation (perception) and implementation of legislation and regulations. Although B/SM28/18 was ultimately resolved after extensive deliberations, it illustrates the difference of opinion and interpretation thereof. Hopefully this process will assist in addressing these differences.

11. MUNICIPAL MANAGER'S COMMENT

SCM processes around local production and content have been changed to provide for more stringent processes to prevent the re-occurrence. It should be noted that this tender was awarded at the beginning of 2017/18 and all revised processes have been implemented.

RECOMMENDATIONS FORM MPAC TO COUNCIL: 2019-03-20: ITEM 5.2

- (a) that Council takes note of the finding of the Auditor-General;
- (b) that Council takes note of the circumstances as provided by the Municipal Manager and Chief Financial Officer in the handling of the matter;
- (c) that, based on the above, Council writes off the irregular expenditure to the value of R32,721,307.37 (Excluding VAT) as irrecoverable; and
- (d) that the Administration implements corrective measures.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	<i>Acting Chief Financial Officer</i>
DIRECTORATE	<i>Financial Services</i>
CONTACT NUMBERS	<i>021 808 8509</i>
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REPORT DATE	<i>19 March 2019</i>

8.1.3	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO THE SHORT TERM INSURANCE PORTFOLIO
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

19 March 2019

1. SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO THE SHORT TERM INSURANCE PORTFOLIO

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred relating to the Short Term Insurance Portfolio and, to be recommended to and considered by Council to certify the expenditure as irrecoverable and to be written off by Council in terms of Section 4.36.1a (v) of Stellenbosch Municipality Supply Chain Policy (2017/2018).

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Section 32(2)(b) of the Municipal Finance Management, 2003 (Act 56 of 2003) (MFMA) require a municipality to recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure unless the expenditure, in the case of irregular or fruitless and wasteful expenditure, is, after investigation by a council committee, certified by the council as irrecoverable and written off by the council.

In terms of Section 4.36.2 of the Stellenbosch Municipality Supply Chain Policy (2017/2018), reasons for any deviations must be recorded and reported to Council and should be included as a note to the annual financial statements.

The Auditor-General, in its audit during 2017/18 identified deviations with documented reasons from the deviation register, recorded as "*it was impractical to follow the official procurement process*". The Communication of audit finding No. 43 of 2018 stipulated that evidence could not be produced to support the reason for the deviation being impractical and that the procurement process followed through the deviation was not in terms of the supply chain management regulations and the expenditure was considered as irregular.

The Municipality however disagrees with the findings of the Auditor-General, due to the fact that it was impractical to follow the procurement process. The services of an appropriately experienced Insurance Professional were unobtainable to support the Municipality in compiling constructive specifications for the tender. The Municipality has done adequate considerations for the approval of the deviation. Management monitoring processes were sufficient to ensure that the official competitive procurement process is followed when appointing the service provider.

The table below depicts the matter that was raised by the Auditor-General during their audit of the Municipality, and as a corrective measure, the administration is requesting Council to write off these irregular expenditure with the explanations and recommendation given.

Deviation No	Date	Description	Reason	Supplier name(s)	Contract Value
DSM13/18	22/06/2017	Short Term Insurance Portfolio	Impractical to follow the official procurement processes	AON	R4,715,900

5. RECOMMENDATIONS

- (a) that Council writes off the irregular expenditure to the value of R4,715,900 (Excluding VAT); and
- (b) that Council notes the explanations given by the administration and the corrective measures be implemented.

6. DISCUSSION

Background

The Auditor-General, in its audit during 2017/18 identified deviations with documented reasons from the deviation register, recorded as "*it was impractical to follow the official procurement process*". The Communication of audit finding No. 43 of 2018 stipulated that evidence could not be produced to support the reason for the deviation being impractical and that the procurement process followed through the deviation was not in terms of the supply chain management regulations and the expenditure was considered as irregular.

The Municipality however disagrees with the findings of the Auditor-General, because it was impractical to follow the procurement process, due to the Municipality not being able to obtain the services of an appropriately experienced Insurance Professional earlier to support the Municipality to compile constructive specifications for the tender. The Municipality has done adequate considerations for the approval of the deviation. Management monitoring processes were sufficient to ensure that the official competitive procurement process is followed when appointing the service provider.

The planning was in place and request for approval of a S116(3) was submitted by administration for two years which was only granted until June 2017. Insurance tenders are of a highly specialised nature. The Municipality required the services of an experienced Insurance Professional to compile quality specifications and found difficulty in obtaining these services.

Upon conclusion of the tender specification, the Municipality has already run beyond the timeframe to follow a normal procurement process to appoint a new insurance professional. The deviation was therefore approved in the 2017/2018 financial year to provide ample time to complete a quality insurance bidding process.

7. FINANCIAL IMPLICATIONS

Financial implications relating to irregular expenditure that incurred on the Short Term Insurance Portfolio.

8. LEGAL IMPLICATIONS

Supply Chain Management Regulations

Municipal Management Finance Act

9. RISK IMPLICATIONS

Reporting irregular expenditure timeously

10. MUNICIPAL MANAGER'S COMMENT

It is essential that the municipal assets are at all times covered by insurance and it is my fiduciary duty as an accounting officer to ensure that. Failure can potentially result in colossal financial implications for the municipality. Given the time constraints it was imperative that the municipality is covered and a normal procurement process was not going to yield the desired results. As much as the revenue department responsible for insurance should have ensured that there is sufficient time, I was informed that they could not foresee that the specification development would take that long. Notwithstanding, the deviation was unavoidable to ensure continuous insurance cover. The municipality received value for money and municipal assets were adequately covered. Corrective measures were implemented to ensure adequate planning and timeous implementation by Supply Chain management.

RECOMMENDATIONS FORM MPAC TO COUNCIL: 2019-03-20: ITEM 5.3

- (a) that Council writes off the irregular expenditure to the value of R4,715,900 (Excluding VAT); and
- (b) that Council notes the explanations given by the Administration and that corrective measures be implemented.

FOR FURTHER DETAILS CONTACT:

NAME	Kevin Carolus
POSITION	<i>Acting Chief Financial Officer</i>
DIRECTORATE	<i>Financial Services</i>
CONTACT NUMBERS	<i>021 808 8509</i>
E-MAIL ADDRESS	kevin.carolus@ Stellenbosch.gov.za
REPORT DATE	<i>19 March 2019</i>

8.1.4	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY HE & SHE DRIVER TRAINING CENTRE
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

19 March 2019

1. SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY HE & SHE DRIVER TRAINING CENTRE

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure for investigation by MPAC and to be recommended to and considered by Council to certify the expenditure as irrecoverable and to be written off by Council in terms of the MFMA Section 32 (2). The expenditure with regard to the procurement of services for learners licence training for Code EC driver license is regarded as irregular because it breached the procurement process.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

A request for training was received from Traffic Services and Traffic Engineering Services for Code EC driver's license. He and She Driver Training Centre was appointed as the service provider to facilitate the required training. The service provider was appointed for facilitation of driver license training that did not include training for learners' license.

5. RECOMMENDATIONS

That Council certifies the expenditure to the amount of R 1990.95 for services rendered by He and She Driving Training Centre as irrecoverable and that it be written off.

6. DISCUSSION

Background & Discussion

A Formal Quotation FQ/SM 147/18 was approved for the Drivers' License training for Code EC driver's license for a period of 12 months. The employees relevant to this training are from Traffic Services and Traffic Engineering Services. The 3 employees who attended the training related to this are employed in the Traffic Engineering Services department.

A request for training was received from Traffic Services and Traffic Engineering Services for Code EC driver's license. The procurement of a service provider was done via Formal Quotation.

He and She Driver Training Centre was the recommended service provider and was subsequently appointed. The service provider and nominated department/learners were informed accordingly. The service provider liaised with the skills development section as well as with the relevant department to finalise date schedules for training sessions and assessments.

At the time the skills development section was unaware that the learners did not have their learners' licence therefore the formal quotation was advertised for driving licence training only. The learners were unaware that the approved Formal Quotation was approved for driver's licence training only. Consequently, they attended training for learners' license with the understanding that it is part of the approved formal quotation.

It is necessary that the learners obtain their learner's licenses before they could attend training for their driver's licenses therefore; it was in the interest of continued service delivery for them to get the learner license. The training did take place. It is therefore requested that consideration be given to certify the expenditure as irrecoverable and that it be written off.

7. FINANCIAL IMPLICATIONS

The overall financial implications are an amount of R 1 990.95 (jointly).

Provision was made from U-key 2017/0702/115/06 (training) in the 2017/18 budget.

8. LEGAL IMPLICATIONS

There are no legal implications.

9. RISK IMPLICATIONS

No risk.

10. MUNICIPAL MANAGER'S COMMENT

Better control systems should be implemented to prevent irregular expenditure. Training should first do a skills audit to ascertain the need before procuring services. Official concerned should be reprimanded to prevent re-occurrence. Notwithstanding, service was provided and service provider should be paid. Consequence management to be implemented.

RECOMMENDATIONS FORM MPAC TO COUNCIL: 2019-03-20: ITEM 5.5

- (a) that Council takes note of the report of the Administration and especially the Municipal Manager's comments; and
- (b) that Council certifies the expenditure to the amount of R 1990.95 for services rendered, and that the amount be written off.

FOR FURTHER DETAILS CONTACT:

NAME	A de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 808 8018
E-MAIL ADDRESS	Annalene.debeer@stellenbosch.gov.za
REPORT DATE	19 March 2019

8.2	OFFICE OF THE MUNICIPAL MANAGER
-----	--

8.2.1	APPOINTMENT OF ONE (1) NEW MEMBER AND RENEWAL OF TWO (2) MEMBERS TERMS OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY
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Collaborator No: 634938
File No: 3/4/5/2/8 x 3/6/3
IDP KPA Ref No: Good Governance
Meeting Date: 27 March 2019

1. SUBJECT: APPOINTMENT OF ONE (1) NEW MEMBER AND RENEWAL OF TWO (2) MEMBERS TERMS OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY

2. PURPOSE

To obtain Council's approval for the appointment of one (1) new member to the Audit and Performance Audit Committee and renew the term of two (2) current members of the Audit and Performance Audit Committee.

3. DELEGATED AUTHORITY

The delegated authority for the appointment of Audit and Performance audit Committee members is Council.

4. EXECUTIVE SUMMARY

In terms of Section 166 of the Municipal Finance Act (MFMA), Act No 56 of 2003, each municipality must have an Audit and Performance Audit Committee. The Audit and Performance Audit Committee is an independent advisory body which must advise Council, the political office bearers, the accounting officer, the management and staff of the municipality.

A vacancy has opened on the Audit and Performance Audit Committee of Stellenbosch Municipality due to the term of the Chairperson, Mrs Reyhana Gani concluding. Audit And Performance Audit Committee members are allowed to serve two (2) terms each of which is three (3) years in terms of legislation and National Treasury Circular 65. Mrs Gani has served for two terms.

Simultaneously the first term of two members, Dr Nimrod Llewellyn Mortimer and Mr Jeremy Fairbairn, also conclude on 31 March 2019.

5. RECOMMENDATIONS

- (a) that Council appoints Ms June Williams as a member to the Audit and Performance Audit Committee for a period of three years commencing on 1 April 2019;
- (b) that Council renew the term of Dr Nimrod Llewellyn Mortimer and Mr Jeremy Fairbairn for a second and final term of three years commencing on 1 April 2019; and
- (c) that a new Chairperson be elected at the next meeting of the Audit and Performance Audit Committee, and Council be informed of same.

6. DISCUSSION / CONTENTS

6.1 Background

In terms of Section 166 (2) (a) the Audit and Performance Audit Committee must provide advice on matters relating to:

- internal financial control and internal audit;
- risk management;
- accounting policies;
- the adequacy, reliability and accuracy of financial reporting and information;
- performance management;
- effective governance;
- performance evaluation;
- compliance with the MFMA; and
- any issues referred to it by the Council.

The Audit and Performance Audit Committee will also review the annual financial statements in order to advise Council whether its finances are being managed efficiently and effectively. Furthermore, the Audit and Performance Audit Committee may respond to Council on issues raised by the Auditor-General in the audit report and carry out investigations into the financial affairs of the municipality if requested to do so by Council.

In order to execute its responsibilities effectively, the Audit and Performance Audit Committee will have access to the financial records and all other relevant information of the municipality.

The Committee must have a minimum of three and a maximum of five members who must be appointed by Council. Stellenbosch's Audit and Performance Audit Committee Charter requires that there be five (5) members. The Audit and Performance Audit Committee must meet as often as may be needed but not less than four times a year. No Councillor may be a member of the Audit and Performance Audit Committee. The Audit and Performance Audit Committee is a politically neutral body.

The Audit and Performance Audit Committee should according to the Municipal Planning and Performance Management Regulations include at least one (1) performance management expert as the Audit and Performance Audit Committee of Stellenbosch Municipality performs the dual role of Audit and Performance Audit and Performance Audit Committee.

6.2 Discussion

The vacancy which arose was advertised and only two applications were received. Attached as **APPENDIX 1** and **APPENDIX 2** you can find the applications and CV's of Ms June Williams and Ms Annelise Cilliers respectively for Council's attention.

Dr. Nimrod Llewellyn Mortimer and Mr. Jeremy Fairbairn have served on the Stellenbosch Municipality Audit and Performance Audit Committee for three years and have contributed substantially to the operation and functioning of this Committee. It is advisable to appoint them for a second term to ensure continuity and skills transfer to new and incoming members of the Committee.

Furthermore, Ms. Gani whose term has now come to an end was the Chairperson of the Audit and Performance Audit Committee, hence the need to appoint a new Chairperson of the Audit and Performance Audit Committee. Members of the Audit and Performance Audit Committee should consult at their next meeting and elect amongst themselves a new Chairperson and inform Council of same.

6.3 Financial Implications

As per the approved budget.

6.4 Legal Implications

The recommendations comply with legislation.

6.5 Staff Implications

N/A.

6.6 Previous / Relevant Council Resolutions

N/A

6.7 Risk Implications

N/A

6.8 Comments from Senior Management

The Municipal Manager and Senior Managers are in support of this item.

APPENDICES

Appendix 1 - Application and CV of Ms June Williams

Appendix 2 - Application and CV of Ms Annelise Cilliers

FOR FURTHER DETAILS CONTACT:

NAME	<i>Faiz Hoosain</i>
POSITION	<i>Chief Audit Executive</i>
DIRECTORATE	<i>Municipal Manager's Office</i>
CONTACT NUMBERS	<i>021-808 8555</i>
E-MAIL ADDRESS	Faiz.Hoosain@ Stellenbosch.gov.za
REPORT DATE	<i>01 March 2019</i>

APPENDIX 1

██████████
██████████
RONDEBOSCH
7700

The Municipal Manager
Stellenbosch Municipality
P O Box 17
Stellenbosch
7599

29 October 2018

Reference: Stellenbosch Municipality Audit Committee Application

Dear Sir/Madam

Stellenbosch Municipality Audit Committee Application

I am responding to the advertisement in the Talent360 of 27-29 October 2018 for applications to fill a vacancy in the audit committee of the Stellenbosch Municipality.

I retired on 31 May 2018 after having worked as a senior manager in the Auditor-General of South Africa (AGSA) for 20 years. I wish hereby to apply for a position as a member of the audit committee of the Stellenbosch Municipality. My motivation for appointment is included here.

I have noted the key functions of of the audit committee and the experience and skill required by a member of the audit committee and note that I am able to fulfil the functions and have the experience and skill required specifically:

1. I have private and public sector audit experience and have attended audit committees in both sectors.
2. I understand service delivery priorities in a municipality and am familiar with municipal legislation.
3. I have good governance and financial management skills from my time as an audit manager.
4. My time in audit enhanced my experience in risk management practices and understanding of internal controls.
5. I understand the role of council and the operations of a municipality, especially due to my years at the Auditor-General. I also have a good knowledge of the role of internal and external auditors.
6. I understand the accounting practices and reporting requirements in the public sector and understand the performance management system.
7. As a CA(SA) I have expertise in financial management, accounting and auditing.
8. I am independent of the municipality and its operations and communicate clearly and well.

Having functioned as a member of management and senior management for many years and having worked at the AGSA I have the knowledge and skill to provide support and input to the audit committee and the municipality. Although I have never served on an audit committee as a member, I have attended the board and council meetings of many of my clients at AGSA as well as the sub-committees including the audit committees and presented to the committee and given

inputs and presented to the attendees where required. I have the knowledge of governance and ethical principles and a desire to continue some of the substance of my work at the AGSA by encouraging transparent administration and excellence. At the last meetings of my clients' audit committees prior to my retirement each of the chairpersons thanked me for my invaluable inputs and guidance provided over the term that I served as Senior Manager in charge of that client's audit.

I have audited many municipalities and was responsible for the audit of Stellenbosch Municipality during my career at the Auditor-General. The time that has elapsed since I was responsible specifically for Stellenbosch Municipality is more than the required two years cooling off period required during which no work can be carried out at a previous client.

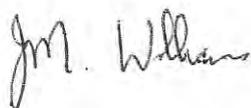
I am a chartered accountant (CA (SA)) and am a current member of the South African Institute of Chartered Accountants (SAICA) and my registration number is 00287938, which can be confirmed on the SAICA website. I have knowledge in the fields of finance, accounting and auditing, law (including Municipal Finance Management Act, 2003 (Act No 56 of 2003), and business acumen and have used these throughout my work life since my change of career in 1987. I believe that one of my strengths is my professionalism and am very aware of the responsibility I held for all my years in audit, where integrity, independence, fairness and hard work featured prominently.

I am eligible for appointment as a member of the audit committee in that I possess the required qualifications and experience required for the post.

I enclose a comprehensive *curriculum vitae* in support of the application.

I look forward to a response from you regarding the progress of this application. If you require any further information please contact me,

Yours sincerely



June Williams

Enquiries: June Williams

Telephone: [REDACTED]

Email: [REDACTED]

ATTACHMENTS:

CERTIFIED COPIES OF:

1. PUBLIC ACCOUNTANTS AND AUDITOR'S BOARD CERTIFICATE
2. B COM HONS CERTIFICATE
3. B SC DEGREE CERTIFICATE
4. B SC HONS CERTIFICATE
5. POST GRADUATE DIPLOMA IN ACCOUNTING CERTIFICATE
6. HIGHER EDUCATION DIPLOMA CERTIFICATE
7. CERTIFICATE OF MEMBERSHIP OF SAICA

COPY OF DRIVER'S LICENCE

CURRICULUM VITAE-JUNE MARGARET WILLIAMS

HOME ADDRESS

[REDACTED]
 [REDACTED]
 Rondebosch
 7700

TELEPHONE

CELLPHONE NUMBER

POSTAL ADDRESS

E-MAIL ADDRESS

[REDACTED]
 [REDACTED]
 As above
 [REDACTED]

PERSONAL DETAILS

SURNAME

Williams

FIRST NAMES

June Margaret

IDENTITY NUMBER

[REDACTED]

DATE OF BIRTH

10 May 1953

SEX

Female

MARITAL STATUS

Single

NATIONALITY

South African

PASSPORT

South African

HOME LANGUAGE

English

OTHER LANGUAGES

Afrikaans

EDUCATIONAL QUALIFICATIONS

SCHOOL ATTENDED

Parktown Convent
 Parktown, Johannesburg
 (1959-1970)

HIGHEST STANDARD PASSED

Matriculated with a first class University
 Entrance pass

SUBJECTS PASSED

English, Afrikaans, Latin, Mathematics, Biology,
 Geography, Physical Science

DISTINCTIONS OBTAINED

Mathematics, Geography, Physical Science

MAIN PRIZES AND AWARDS

Achieved academic colours in Matric
 Mother Margaret Bursary for academic
 achievement in Matric
 Honours Blazer in Matric for academic
 achievement and drama

LEADERSHIP ROLES

School Prefect

EXTRAMURAL ACTIVITIES

Speech and Drama, Hockey and Swimming

EMPLOYMENT HISTORY

NAME OF EMPLOYER
 TYPE OF FIRM
 PRESENT POST
 ENGAGEMENT DATE
 RETIREMENT DATE
 MAIN JOB FUNCTIONS:

Auditor General of South Africa
 Auditors

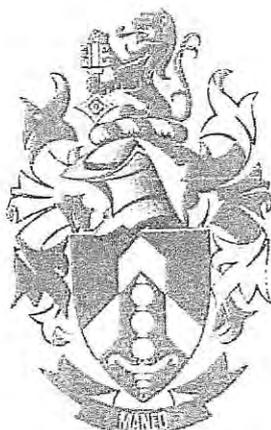
Senior Manager in the Century City Office

1 June 1998

31 May 2018

- Assisted with the preparation and reviewed the strategy, planning execution and reporting of audits for provincial departments, local governments and public entities of the portfolio allocated by the Business Executive in that year which recently included Western Cape Department of Agriculture, Robben Island Museum, South African Medical Research Council, Boland TVET College, Central Karoo District Municipality, Prince Albert Municipality and Witzenberg Municipality. All work was completed in terms of current standards in the profession and in terms of guidelines of the AGSA.
- Many other National and Provincial Departments, National and Provincial Public Entities and Western Cape Municipalities have been audited under my leadership in other years. Portfolio can be static for up to 5 years when rotation takes place
- Attended audit committee meetings for all clients as auditor, therefore not as member but observer with ability to give input.
- Carried out briefing sessions with SCOPA prior to discussions of audit reports of provincial departments and entities. Answer questions put by members of SCOPA.
- Participated in strategy setting in the office
- Strategic management of own centre
- Ensured a relationship exists in centre that promotes effective and efficient goal attainment
- Managed up to three audit managers and up to twenty staff
- Together with my team won the team of the PFMA in 2017.
- Reviewed progress of managers with audits and ensure their productivity
- Ensured staff productivity
- Responsible for debt collection, approval of account entries and procurement process in centre
- Responsible for own centre budgeting process and monitoring of income, expenditure and cash flow in this regard and monthly reporting thereon
- Monitor work progress of centre and strategise and reprioritise work as necessary to ensure deadlines met and staff productivity

Major clients	Tredcor (Pty) Ltd (part of Goodyear USA) Power Engineers (subsidiary of Rolls Royce (UK)) PG Wood (Western Cape) Cologne Reinsurance
NAME OF EMPLOYER TYPE OF EMPLOYER ENGAGEMENT DATE RESIGNATION DATE FINAL POST	St Andrew's School for Girls Bedfordview Gauteng School 1 January 1975 31 December 1987 Senior Teacher in Mathematics and Biology <ul style="list-style-type: none"> • Taught Mathematics and Biology mainly to Stds 8 to 10 but did teach Stds 6 and 7 too. • Head of Athlone House from 1981 • Senior Teacher in charge of timetables and examinations from 1984
NAME OF EMPLOYER TYPE OF FIRM FINAL POST MAIN JOB FUNCTIONS	Joint Matriculation Board Examination setting Board Sub-examiner from 1981 to 1988 <ul style="list-style-type: none"> • Mark examinations in Mathematics Standard Grade First Paper (1981-1988) and Second Paper (1987-1988)
NAME OF EMPLOYER TYPE OF FIRM FINAL POST MAIN JOB FUNCTIONS	United Building Society Banking Organisation Teller from 1972-1975 <ul style="list-style-type: none"> • Part-time teller on Saturday mornings and throughout university vacations • Operated the computer and handled a cash box
GENERAL	
PRESENT INTERESTS	I have a keen interest in medicine and paramedical fields. I attend theatre, cinema, read, do crosswords and different puzzles, am interested in sport. I grow cacti. I enjoy travel to both local and international destinations.
EXTRAMURAL ACTIVITY	I enjoy walking and knitting although the challenge is in the pattern development rather than completing the garment
EXTRA INFORMATION	I am computer literate, able to use MS Word, MS Excel, TeamMate, PEOPLESOFT
REFEREES	
Sazi Ndwandwa	The most recent Deputy Business Executive to whom I reported. He may be out of country when you call. Then see next entry. [REDACTED] [REDACTED]
Sharonne Adams	Business Executive of Western Cape Business Unit Cell phone: [REDACTED]



I CERTIFY THAT THE TRUE COPY OF THE ORIGINAL WHICH
 BEING IN MY POSSESSION IN THE OFFICE OF REGISTRATION
 BY THE PUBLIC ACCOUNTANTS' BOARD
 COMMISSIONER OF OATHS
 SIGNATURE: *[Signature]*
 NAME: *V. B. Thompson*
 DESIGNATION: *Public Accountant*
 DATE: *3.01.2012*

Public Accountants' & Auditors' Board

This is to certify that
Jayne Margaret Williams
 in

June 1991

passed

the Qualifying Examination and completed the
 required period of practical training

in *January 1993*

as prescribed by the

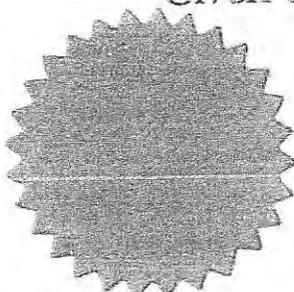
Public Accountants' and Auditors' Board in terms
 of the provisions of the Public Accountants'
 and Auditors' Act, 1991.

Given under our hands this *29* day of

June 1993

[Signature]
 Chairman

[Signature]
 Director



NO 3896



UNIVERSITY OF CAPE TOWN
with which is incorporated the South African College

**Degree of Bachelor of Commerce
(Honours)**

We hereby certify that JUNE MARGARET WILLIAMS
was admitted to the Degree of Bachelor of Commerce (Honours)
in ACCOUNTING ON 14 DECEMBER 1990.

THE DEGREE WAS AWARDED IN THE SECOND CLASS (DIVISION TWO)

CERTIFICATE A TRUE COPY OF THE ORIGINAL WHICH
BEARS NO NOTICEABLE EVIDENCE OF ALTERATION
BY AN UNAUTHORIZED PERSON

COMMISSIONER OF OATHS

SIGNATURE: *[Handwritten Signature]*

NAME: V R LAURIE

DESIGNATION: ASST. MANAGER

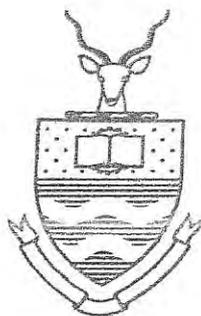
DATE: 3.01.2012

[Handwritten Signature]

Vice-Chancellor

[Handwritten Signature]

Registrar



Handtekening/Signature

UNIVERSITAS WITWATERSRANDENSIS
JOHANNESBURGI

HOC SCRIPTO NOS
UNIVERSITATIS WITWATERSRANDENSIS JOHANNESBURGI
VICE-CANCELLARIUS ET RECTOR
FACULTATIS SCIENTIAE DECANUS ET REGISTRARIUS
TESTATUM VOLUMUS

JUNE MARGARET WILLIAMS

GRADUM
SCIENTIAE BACCALAUREI
CONSECUTAM ESSE

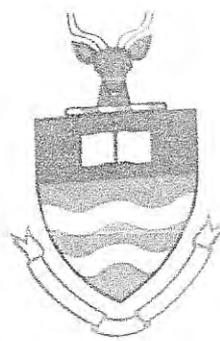
J.S. Henderson
Facultatis Decanus

[Signature]
Vice-Cancellarius et Rector

Adele Herholdt
Registrarius

JOHANNESBURGI,

ANNO MCMLXXV MENSIS APRILIS
DIE XIX



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UNIVERSITAS WITWATERSRANDENSIS JOHANNESBURGI

HOC SCRIPTO NOS UNIVERSITATIS WITWATERSRANDENSIS JOHANNESBURGI VICE-CANCELLARIUS ET RECTOR FACULTATIS SCIENTIAE DECANUS ET REGISTRARIUS TESTATUM VOLUMUS

JUNE MARGARET WILLIAMS

IAM ANNO MCMLXXV EXAMINE HABITO AD GRADUM BACCALAUREI SCIENTIAE COLLATUM NUNC AMPLIORIBUS IN SCIENTIA ZOOLOGICA

STUDIIS PROVECTUM GRADUM BACCALAUREI SCIENTIAE CUM HONORIBUS SECUNDI ORDINIS OB EANDUM DISCIPLINAM COLLATUM ESSE

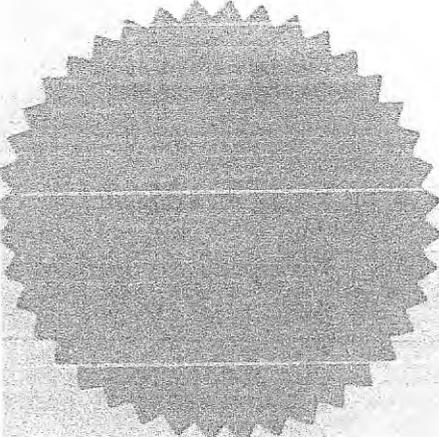
[Signature] Facultatis Decanus

[Signature] Vice-Cancellarius et Rector

[Signature] Registrarius

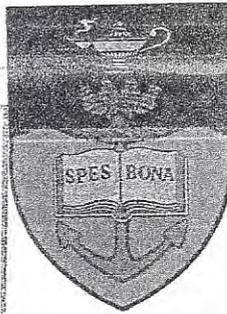
JOHANNESBURGI,

ANNOMCMLXXXI MENSIS MAII DIE XVI



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 which was examined by me and that, from my observations, the
 weememings, die oorspronklike nie op enige wyse verander is.
 original has not been altered in any manner.

Handtekening/Signature



UNIVERSITY OF CAPE TOWN

with which is incorporated the South African College

Postgraduate Diploma in Accounting

We hereby certify that JUNE MARGARET WILLIAMS
was granted the Postgraduate Diploma in Accounting
on: 14 DECEMBER 1990.

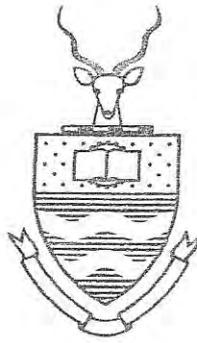
*The certificate is registrable with the Public Accountants' and
 Auditors' Board as fulfilling part of the requirements prerequisite
 to admission to the qualifying examination conducted by that
 Board, but does not of itself confer any professional rights, title
 or status.*

Shuan Sewe
 Vice-Chancellor

Hugh Amoore
 Registrar

Hiermee verklaar ik dat hierdie dokument 'n ware afdruk/afskrif is van die
 oorspronklike wat deur my persoonlik besigtig is en dat volgens my
 ondersoek nie veranderings, die oorspronklike nie op enige wyse veranderig is nie.
 I hereby declare that this document is a true reproduction/copy of the original
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UNIVERSITY OF THE WITWATERSRAND
JOHANNESBURG

HIGHER EDUCATION DIPLOMA
(POST-GRADUATE)

THIS IS TO CERTIFY THAT

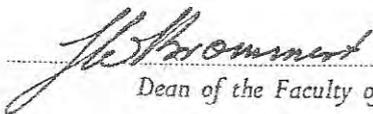
JUNE MARGARET WILLIAMS

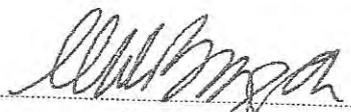
HAVING SATISFIED THE REQUIREMENTS

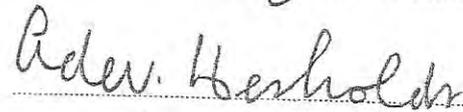
IS HEREBY GRANTED

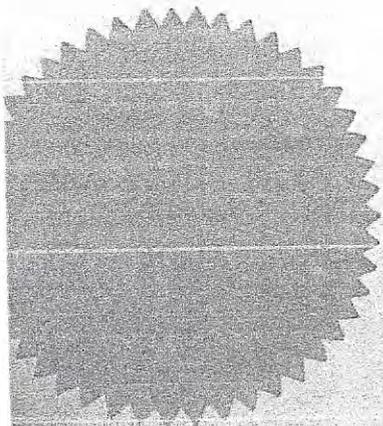
THE HIGHER EDUCATION DIPLOMA

(POST-GRADUATE)

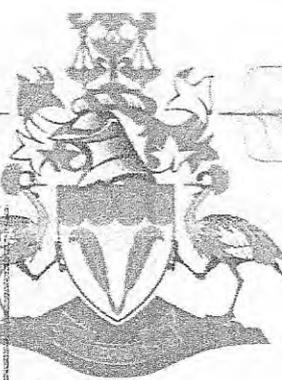

 Dean of the Faculty of Education


 Vice-Chancellor and Principal


 Registrar



JOHANNESBURG 16TH APRIL, 1975.



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 which was examined by me and that, from my observations, the
 waarnemings, die oorspronklike nie op enige wys verander is nie.
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AMINER:
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Handtekening / Signature

SUID-AFRIKAANSE POLISIEDIENS
 STASIEBEVEELVOERDER

2018-10-25

STATION COMMANDER
 RONDEROSCH, K.P./C.P.

The South African Institute of Chartered Accountants
Die Suid-Afrikaanse Instituut van Geoktrooieerde Rekenmeesters

Certificate of Membership
Sertifikaat van Lidmaatskap

This is to recognise that / Hiermee word gesertifiseer dat

June Margaret Williams

*is a member of the Institute and became entitled to the
 designation Chartered Accountant (SA)
 'n lid van die Instituut is en geregtig geword het op die
 benaming Geoktrooieerde Rekenmeester (SA)*

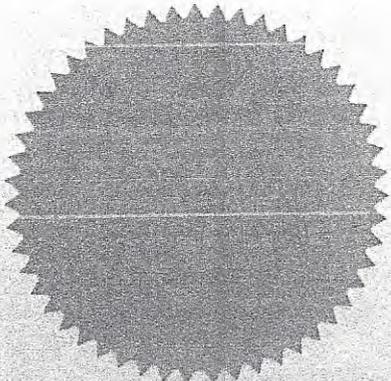
in

1993

Given under the Common Seal of the Institute
Geteken onder die Gewone Seël van die Instituut

Chief Executive/
 Hoof Uitvoerende Beampste

President



*Membership of the Institute and entitlement
 to the designation is by virtue of membership
 of one of the societies prescribed in
 section 1(1) of Chartered Accountants
 Designation (Private) Act, 1927, as amended.*

*Lidmaatskap van die Instituut en geregtigheid
 op die benaming ontstaan uit lidmaatskap van
 een van die genootskappe na versoep in artikel 1(1)
 van die Private Wysigingswet op die Benaming van
 Geoktrooieerde Rekenmeesters, 1927, soos gewysig.*

DRIVER RESTRICTIONS		VEHICLE CATEGORIES		VEHICLE RESTRICTIONS	
A	Motor Vehicle	A1	Motor Vehicle	1	Automotive transmission
B	Motor Vehicle			2	Automatic transmission
C1	Motor Vehicle			3	Power assisted steering
C	Motor Vehicle			4	Power windows
EB	Motor Vehicle			5	Power door locks
EC	Motor Vehicle			6	Power mirrors

1. Driver's/Control levers
 2. Automatic
 3. Airbrake/Hand

1. Power windows
 2. Power door locks
 3. Power mirrors
 4. Power windows
 5. Power door locks
 6. Power mirrors

1. Power windows
 2. Power door locks
 3. Power mirrors
 4. Power windows
 5. Power door locks
 6. Power mirrors

2021/2022 LICENCE
 CARTE DE CONDUCCAO
 JM WILLIAMS
 ID No: 02/ [REDACTED]
 Birth: 10/08/1953 ZA
 Licence Number: B078003HCP No: 1
 Valid: 05/05/2017 - 10/09/2022
 Is valid: ZA
 Class: EB
 Vehicle restriction: 0
 Print name: JM WILLIAMS
 31/08/2022

8AD0
 Z A
 FEMALE
 1.1
 SOUTH AFRICA



APPENDIX 2

[REDACTED]
Somerset Mall
7137

[REDACTED]

29 October 2018

The Municipal Manager
Stellenbosch Municipality
P O Box 17
Stellenbosch
7599

Dear Madam

Application as Member of the Audit Committee and Performance Audit Committee of Stellenbosch Municipality.

I have been an audit partner for 10 years and the financial director (of companies listed on the Johannesburg Stock Exchange) for another 10 years. In my capacity as financial director I have attended all board meetings as well as all the audit committee meetings. I am very familiar with the requirements and procedures of audit committee and board meetings as well as the responsibilities of the executive and the non-executive directors. I also have a very good understanding of the King Code of Corporate Governance.

I also attended the audit committee meetings of my clients as the external auditor during my tenure as a public auditor.

During my audit career I was also the Director in charge of training the trainee accountants (aspiring chartered accountants) in Southern Africa for Fisher Hoffman Sithole PKF.

I was also a member of the international technical and training committee of Pannell Kerr Foster (PKF) International Limited. I was advising on the technical audit standards and the related training of trainees.

I was the chief financial officer of a state owned entity and attended the audit committee meetings and the portfolio committee meetings in Parliament. I know the Public Finance Management Act and the Municipal Finance Management Act well.

I have been appointed as council member of the Cape Peninsula University of Technology (CPUT) as well as the *chairperson of the audit and risk committee* with effect from 1 September 2018. On 16 October 2018 I have been appointed as a non-executive director of the Cape Town International Convention Centre Company (RF) SOC Limited.

I have strong ethical values and follow The Ethics Institute (<https://www.tei.org.za/>.) I will do what is right even if the outcome is to my own detriment.

I am an active member in good standing of the South African Institute of Chartered Accountants (SAICA) and I am also registered with the Public Sector Audit Committee Forum.

I have skills and experience in the following:

- Finances and audits;
- *Leadership and management*;
- Risk management ;
- Strategic planning;
- Stakeholder management;
- Governance;
- Financial reporting and Annual Financial Statements;
- Performance audits;
- Auditor-General reports;
- Legislative frameworks (laws and regulations);
- Internal control processes;
- Executive remuneration; and
- Human resources

I am a critical thinker. I have strategic vision and independent judgement. I have good analytical and logical reasoning abilities and communication skills.

I am an honest person of high integrity and I believe that I have the required skills and experience to add value to the audit committee.

As I am self-employed, I will be able to set the required time aside in order to spend quality time on behalf of the Audit Committee.

I am very interested in politics and the social impact thereof on the economy.

I hereby declare that I have no conflicts of interest with Stellenbosch Municipality. I have no business or personal relationship with Stellenbosch Municipality.

I believe that I have all the skills required to make a valuable contribution to the Municipality.

Attached please find my CV for your kind consideration.

My contactable references are :

1. Mr Bongani Mbindwane : 082 555 5067 (Former CEO of Platfields Ltd)
2. Mrs Margaret Dawes : 083 225 1092 (CEO of Sanlam Developing Markets)
3. Mr Andrew Hannington : 082 776 3735 (Former CEO of Grant Thornton Johannesburg)

I have also recently applied for the position of Chief Financial Officer of the Stellenbosch Municipality.

I will hand deliver my application and also post a copy.

Yours sincerely



Annelise Cilliers

CA(SA)

Included are the following documents:

- Curriculum Vitae
- Qualifications (Matric, B.Compt, Hons B.Compt, CA(SA))
- Drivers licence

Private and Confidential

Audit Committee Application

Curriculum Vitae

Annelise Cilliers



Contact details :

- [REDACTED]
- 083 391 6955

Introduction

I am a chartered accountant, CA(SA), who passed the Final Qualifying Exam at the first attempt in 1991 and completed my articles at Fisher Hoffman Sithole (who became PKF and has recently merged with Grant Thornton). I was admitted as an Audit Partner in March 1996. I was involved in the listing and audit of several companies listed on the Johannesburg Stock Exchange ("JSE") as an audit partner.

I left Fisher Hoffman Sithole (PKF) in March 2004 to join Venter Leisure and Commercial Trailers Ltd ("Venter Trailers"), a client, as Financial Director. I resigned there in December 2005 to consult. I joined Platfields ("Platfields Limited") in 2008 with a view to listing the company on the Johannesburg Stock Exchange. The mining exploration company was listed in December 2010 on the Main Board of the JSE.

I relocated to Somerset West and was the Chief Financial Officer ("CFO") at Overberg Water Board. Overberg Water is a government business enterprise in terms of schedule 3B of the Public Finance Management Act ("PFMA").

(Extracts from Meyers-Briggs Type Indicator analysis : 2006) :

Personality

I am an extrovert. I enjoy interacting with people. I like to organise projects, operations, procedures, and people. I like to get things done. I am logical, analytical, and objectively critical. I am also decisive, clear and assertive. I am practical, realistic, and matter-of-fact., systematic and pragmatic. I am clear and straight forward in my communication.

Characteristics

I take an objective approach to problem solving and I can be tough when the situation requires it. I do not have a lot of patience with confusion, inefficiency and half measures. I do not like loose ends and like to get things done on time. When I see things not working, I plan and act to correct the situation. I am dependable and conscientious, decisive, outspoken and self-confident

Capabilities

I understand systems and logistics. I can project the steps needed to accomplish a task, foresee potential problems, assign responsibilities, and manage resources.

Beliefs and values

I live by a set of clear standards and beliefs and I make a systematic effort to follow these. I expect the same from others. I value competence, efficiency and results.

Work Record

April 2015 to February 2018 : OVERBERG WATER BOARD

**Acting Chief Executive Officer and Chief Financial Officer
Member of the Executive & Audit Committees**

Key responsibilities include:

- *Ensuring compliance with the regulatory environment i.e. the PFMA as well as National Treasury Regulations.*
- *Remodelling the tariff structure, stakeholders engagements and tabling in Parliament*
- *Preparing the 5 year business plans and presenting it to the Board, the Department of Water and Sanitation as well as Parliament*
- *Planning and overseeing the annual audit*
- *Planning, supervision and control over preparation of annual financial statements*
- *Preparing and presenting the annual report and presenting it to the Board, the Department of Water and Sanitation as well as Parliament*
- *Bringing stability to the Entity*
- *Strategic planning*

Other duties include:

- Improving the accounting systems to generate reliable records
- Stabilising the finance department
- Attempting to resolve historical tariff disputes
- Revaluation of the entity's water infrastructure from R53million to R1,5billion
- Attempting to get a credit rating for the entity in order to raise finance for infrastructure
- Managing investments for optimum return within the government guidelines
- Attempting to raise finance for water infrastructure projects
- Preparing reports for EXCO, Board and Audit committee meetings
- Attending EXCO, Board and Audit committee meetings
- Overseeing forensic audit processes
- Releasing payments to suppliers, consultants and employees

August 2008 to March 2015 : PLATFIELDS LIMITED

Financial Director

Member of the Executive & Audit Committees

Key responsibilities included:

- *Preparing the group of companies for listing on the JSE*
- *Preparing all the reporting requirement including, interim and provisional results, annual financial statements and integrated annual reports*
- *Preparing annual budgets*
- *Preparing and managing the annual audit*
- *Financial modelling for fund raising activities*

Other duties included:

- Cleaning up and preparing books and records to enable the company to qualify for a listing
- Implementation of systems in order for the company to cope with anticipated growth
- Ensuring the group receives unqualified and timeous audit reports annually
- Preparing for EXCO, Board and Audit committee meetings
- Attending EXCO, Board and Audit committee meetings
- Planning, supervision and control over preparation of annual financial statements and tax returns
- Consultant and advisor liaison. Specific liaison with the Company Sponsor regarding specific JSE requirements, such as SENS announcements and results announcements
- Investing company funds and ensuring optimum returns
- Overseeing due diligence processes of potential acquisitions
- Maintenance of Corporate Governance
- Releasing payments to suppliers, consultants and employees
- Day to day operational activities

I was instrumental in the strategic planning of the group with regards to the decisions of which projects to develop, which consultants and contractors to use and the outcomes expected from the projects. Due to my influence the group also reconsidered the markets to explore (platinum only or other precious metals as well), the acquisition of other related businesses in the industry as well as the capital raising strategies.

I was responsible for the daily operations including the management of the exploration activities, management of staff and office requirements, management of consultants and sub-contractors, expenditure and creditors as well as investments.

April 2004 – December 2005 : VENTER LEISURE & COMMERCIAL TRAILERS LTD

Financial Director

- Preparation of interim and annual results
 - Implementation of systems in order for the company to cope with expected growth
 - Planning, supervision and control over the moving of the factory from Mookgophong (Naboomspruit) to Johannesburg
 - The design of marketing strategies and plans
 - Dealer liaison and management
 - Design of new products and parts
 - Implementation of Corporate Governance
 - Staff recruitment
 - Day to day operational activities
-

March 1996 to March 2004 : FISHER HOFFMAN SITHOLE (PKF)

Audit Partner & Member of the International Professional Standards Committee of PKF (promotion)

- Auditing of Various Organisations (for full list refer to Annexure 1 attached)
 - Due Diligence Investigations
The investigation into the merger or acquisitions of businesses and companies on behalf of our clients.
 - Special Investigations
 - Accountants Reports & Prospectuses
As required by the JSE for the clients listed above as well as other ad hoc requests
 - Other
Professional staff development
Staff partner for professional audit staff
 - International Standards (PKF)
Responsible for quality control reviews of all the practices and firms in the Southern African Region
Responsible for the training of all the trainee accountants in the South African region.
Compiling the content and presenting the national training courses.
-

August 1994 to February 1996 : FISHER HOFFMAN SITHOLE (PKF)

Director & Chairperson of National Technical Training Board (promotion)

- Co-ordinating the national training courses
 - Updating and sharing information regarding local and international technical developments
 - Arranging quality control reviews and office inspections
 - Writing audit procedures and programmes for the national firm
-

February 1994 to July 1994 : FISHER HOFFMAN SITHOLE (PKF)

Director of Training (promotion)

- Co-ordinating the national training courses
 - Updating and sharing information regarding local and international technical developments
 - Arranging quality control reviews and office inspections
 - Writing audit procedures and programmes for the national firm
 - Developing the training materials used
-

June 1991 to July 1994 : FISHER HOFFMAN SITHOLE (PKF)

Group Audit Manager (promotion)

- Management of audit staff
 - Planning audit assignments
 - Staff appraisals
 - Audit management
-

December 1990 to May 1991 : FISHER HOFFMAN SITHOLE (PKF)

Audit Supervisor (promotion)

Supervising more than one audit at the same time

January 1989 to November 1990 : FISHER HOFFMAN SITHOLE (PKF)

Accountant (promotion)

Running an audit with a team of trainee accountants

May 1986 to December 1988 : FISHER HOFFMAN SITHOLE (PKF)

Trainee Accountant

Completing apprenticeship (articles) in order to qualify as a chartered accountant

Professional Education

1991	Final Qualifying Exam : CA(SA)
1990	Honours B.Compt / CTA (UNISA)
1987	B.Compt (UNISA)
1983 – 1985	Part B.Comm (UNIVERSITY OF THE WITWATERSRAND)
1982	Matric (HOËRSKOOL LINDEN)

References

(Contact details available on request)

Bongani Mbindwane	CEO Platfields Ltd
Margaret Dawes	CEO Sanlam Developing Markets
Andrew Hannington	Former chairman of Grant Thornton Johannesburg

Annelise Cilliers: Annexure 1

Audit Responsibilities**Clients :**Information Technology :

- Abraxas Investment Holdings Ltd
- Valuecom Holdings Ltd
- IS Fax (Pty) Ltd
- Oxbridge Online Ltd
- Geographical Information Management Systems (Pty) Ltd
- African Defence Systems (Pty) Ltd
- Blue Fish Technologies (Pty) Ltd
- Secdata Ltd
- Isonet ZA
- Hix Technologies Ltd

Black Empowerment

- Nozala Investments (Pty) Ltd

Food Canning :

- South African Preserving Company (Pty) Ltd (Subsidiary of Del Monte Royal Foods Ltd)
- Southern Canned Products (Pty) Ltd

Satellite Tracking :

- Netstar (Pty) Ltd
(Subsidiary of Altech Ltd)
- PGG Communications (Pty) Ltd
(Subsidiary of Fintech Ltd)

Wholesale and retail :*Electronics*

- Electronic Building Elements (Pty) Ltd
(Subsidiary of Altech Ltd)
Import and distribution of Intel chips
- Alcom Radios (Pty) Ltd
(Subsidiary of Altech Ltd)
Import and distribution of Motorola radios

Stationery

- Eldon Stationery Co (Pty) Ltd
(Subsidiary of Mathomo Ltd)

Food related

- Instant Foodpak (Pty) Ltd
(Subsidiary of Rebhold Ltd)
- Uniclincor (Pty) Ltd

(Subsidiary of Rebhold Ltd)

Medical

- Protea Medical Supplies (Pty) Ltd

(Subsidiary of Macmed Ltd)

- Netcare Holdings
- Ampath (Pathologists)
- Medicross clinics

Manufacturing

- Sicad South Africa (Pty) Ltd

(Subsidiary of Sicad SpA)

- Leppin Products Ltd
- Venter Manufacturing Company (Pty) Ltd

Forwarding

- Contract Forwarding (Pty) Ltd

Media

- Urban Brew Studios (Pty) Ltd

Other

- Various Pension Funds
- Various proposals for new business
- Atronic (Pty) Ltd
Importers and distributors of casino slot machines
- Armour Systems (Pty) Ltd
Bullet proof vehicle protection systems
- Coin Security (Pty) Ltd
Cash-in-transit, guarding and security systems
- Platfields Ltd
Platinum exploration company
- Alcom Systems (Pty) Ltd
Installation of Motorola radio systems on large projects such as SAPS
- The Shopz Group (Pty) Ltd
Property investment, letting and development.
- Airlease Africa (Pty) Ltd
Aircraft leasing company
- Pretoria International Airport Corporation (Pty) Ltd
Operation and management of the Wonderboom Airport

94196/8314

**TRANSCVAALSE ONDERWYSDEPARTEMENT
TRANSCVAAL EDUCATION DEPARTMENT**

HIERMEE WORD GESERTIFISEER DAT

THIS IS TO CERTIFY THAT

CILLIERS, ANNE LISE

IDENTITEITSNOMMER

IDENTITY NUMBER

AAN AL DIE EKSAMENVEREISTES
VOLDOEN HET VIR DIE

SATISFIED ALL THE EXAMINATION
REQUIREMENTS FOR THE

**SENIORSERTIFIKAAT
SENIOR CERTIFICATE**

STUDIERIGTING

HANDEL

FIELD OF STUDY

VAKKE GESLAAG
SUBJECTS PASSED

GRAAD GRADE
SIMBOOL SYMBOL

AFRIKAANS EERSTE TAAL
ENGLISH SECOND LANGUAGE
WISKUNDE
NATUUR- EN SKEIKUNDE
EKONOMIE
REKENINGKUNDE

HG D
HG C
HG D
HG D
HG D
HG C



J. J. J. J.

DIREKTEUR VAN ONDERWYS
DIRECTOR OF EDUCATION

DATUM VAN UITREIKING

1983.01.01

IK SERTIFISEER DIT HIERDIE DOKUMENT 'N WARE AFSKRIF
IS VAN DIE OORSPRONKLIKE WAT DEUR MY PERSOONLIK
BESIGTIG IS EN DAT, VOLGENS MY WAARNEMINGS, DIE
OORSPRONKLIKE NIE OP ENIGE WYSE GEWYSIG IS NIE.
I CERTIFY THAT THIS DOCUMENT IS A TRUE
REPRODUCTION OF THE ORIGINAL DOCUMENT WHICH WAS
EXAMINED BY ME AND THAT, FROM MY OBSERVATION THE
ORIGINAL HAS NOT BEEN ALTERED IN ANY MANNER.
.....0635779-2
w/o. A.P. MALGAS
.....
HANTDEKENING / SIGNATURE

DATE OF ISSUE

HIERDIE KANDIDAAT IS MET IN GANG 1983.01.01 VRYGESTEL VAN
DIE MATRIKULASIE-EKSAMEN VAN DIE UNIVERSITEIT INGESTEL
KRAGTENS PARLEMENTSNETTE IN DIE REPUBLIEK VAN SUID-AFRIKA.

J. J. J. J.

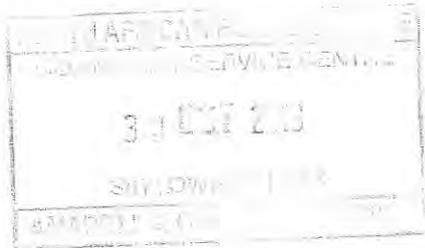
SEKRETARIS / SECRETARY

GENEENSKAPLIKE MATRIKULASIERAAD / JOINT MATRICULATION BOARD
SIMBOOLWAARDES / VALUE OF SYMBOLS

A. 80% - 100%	D. 50% - 59%	HG Hoër Graad	SG Standaardgraad
B. 70% - 79%	E. 40% - 49%	HG Higher Grade	SG Standard Grade
C. 60% - 69%	F. 33% - 39%		

Hierdie sertifikaat word uitgereik sonder verandering of uitwissing van enige aard.
This certificate is issued without alteration or erasure of any kind.

University of South Africa



EN SERTIFISEER DAT HIERDIE DOKUMENT 'N WARE AFSKRIF
 IS VAN DIE OORSpronKLIKE WAT DEUR MY PERSOONLIK
 BESOT IS EN DAT, VOLGENS MY WAARNEMINGS, DIE
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 I CERTIFY THAT THIS DOCUMENT IS A TRUE
 REPRODUCTION OF THE ORIGINAL DOCUMENT WHICH WAS
 EXAMINED BY ME AND THAT, FROM MY OBSERVATION THE
 ORIGINAL HAS NOT BEEN ALTERED IN ANY MANNER.

[Signature] 48881335
 HANDEKENING / SIGNATURE

We certify that

ANNELISE CILLIERS

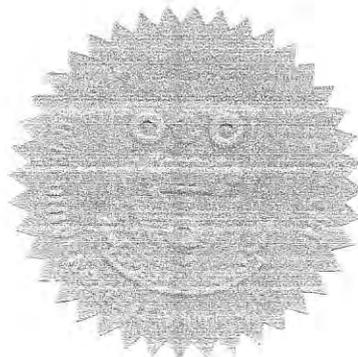
*having complied with the requirements of the Act
and Statute, was admitted to the degree of*

Bachelor of Accounting Science

*at a congregation of the University
on 3 May 1988*

[Signature]

Vice-Chancellor



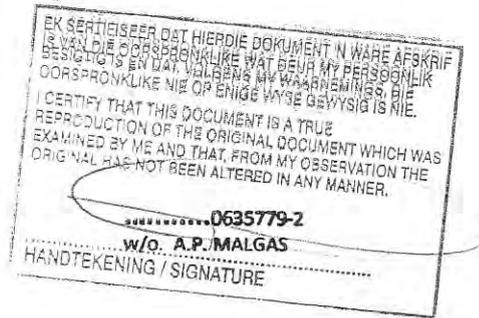
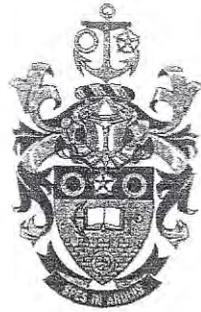
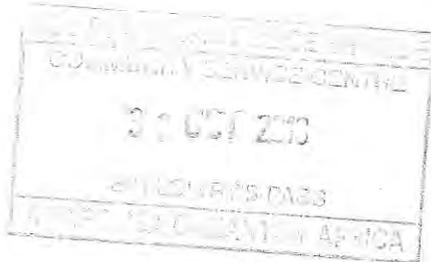
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Registrar

PRETORIA

University of South Africa



We certify that

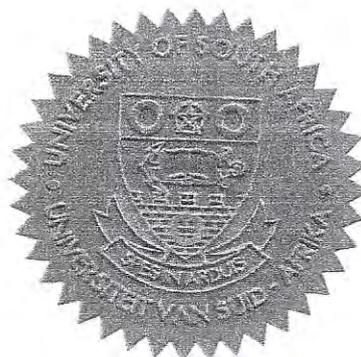
ANNELISE CILLIERS

having complied with the requirements of the Act and Statute, was admitted to the degree of

Honours Bachelor of Accounting Science

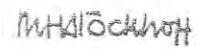
*at a congregation of the University
on 11 April 1991*


Vice-Chancellor

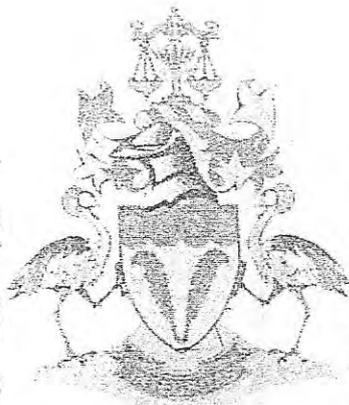



Dean

PRETORIA


Registrar

The South African Institute of Chartered Accountants



Die Suid-Afrikaanse Instituut van Geoktrooieerde Rekenmeesters

Certificate of Membership

Sertifikaat van Lidmaatskap

This is to certify that

Hiermee word gesertifiseer dat

Annelise Gilliers

is a member of the Institute and became entitled to the designation Chartered Accountant (SA)

is a member of the Institute and became entitled to the designation Geoktrooieerde Rekenmeester (SA)

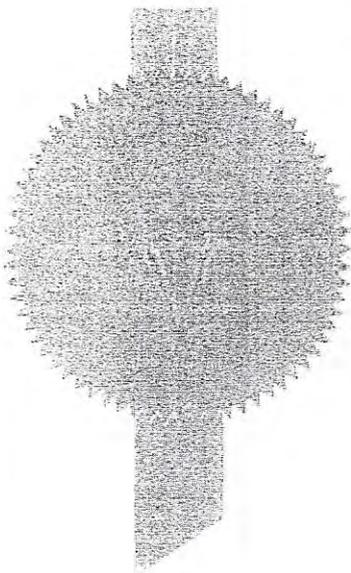
1991

Handwritten signature and stamp: I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION OF THE ORIGINAL DOCUMENT WHICH WAS EXAMINED BY ME AND THAT FROM MY OBSERVATION THE ORIGINAL HAS NOT BEEN ALTERED IN ANY MANNER. HANDEKERENING SIGNATURE

Given under the Common Seal of the Institute

Signature of Executive Director

Executive Director / Uitvoerende Direkteur



Geteken onder die Gewone Seël van die Instituut

Signature of President

President

Membership of the Institute and entitlement to the designation is the result of membership of one of the bodies prescribed in section 111 of the Chartered Accountants' Profession Act, 1927 as amended

Lidmaatskap van die Instituut en geregtig tot die benaming en diens as rekenmeester is die gevolg van lidmaatskap van een van die in artikel 111 van die Wet op die Geoktrooieerde Rekenmeesters, 1927 as gewysig



develop.influence.lead

P.O Box 59875, Kengray, 2100
 17 Fricker Road, Illovo, Sandton, 2196
 Contact Centre: 08610 SAICA (72422)
 International : +27 11 621 6600

Registered Non Profit Organisation Number: 020-050-NPO

SAICA VAT Reg No: 4570104366

Billed To: Ms Annelise Cilliers

Statement Date: 14/12/2017

P O Box
 SOMERSET MALL
 Western Cape
 7137
 South Africa

Recipient VAT Reg No:

Date	Ref No	Details	Amount
21/11/2017	923795	2018 Annual Subscription Fee for the period from 2018/01/01 through 2018/12/31	R 7,106.02
			R 7,106.02

Total	Current	30 Days	60 Days	90 Days	120+ Days
R 7,106.02	R 7,106.02	R 0.00	R 0.00	R 0.00	R 0.00

Debtors can, in addition to viewing their account status and personal details online, pay their outstanding balances by credit card which can be accessed at www.saica.co.za.

Bank : Nedbank

Branch: Business Central Gauteng Branch - 198 765

Acc No: 1284 023 230

Please use Reference Number: **00267692** on all payments.

 **REPUBLIC OF SOUTH AFRICA**
NATIONAL IDENTITY CARD

Surname:
CILLIERS

Names:
ANNELISE

Sex:
F

Nationality:
RSA

Identity Number:
 [REDACTED]

Date of Birth:
17 MAR 1965

Country of Birth:
RSA

Status:
CITIZEN



Signature:






IK VERKLÊER DAT HIERDIE DOKUMENT 'N WAARSKRIF
 IS VAN DIE OORSPRONKELIKE WYK BEUR BY MESSBOONLIE
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 GEBENT VERVOLKS DIE VERKING WYDE GEWYSIG IS DIE
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 EXAMINED BY ME AND THAT FROM MY OBSERVATION THE
 ORIGINAL HAS NOT BEEN ALTERED IN ANY MANNER. *gr*


 SIGNATURE

8.2.2	IDA'S VALLEY HOUSING PROJECT: MARKETING
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Collaborator No: 635697
File No:
IDP KPA Ref No: Good Governance
Meeting Date: 27 March 2019

1. SUBJECT: IDA'S VALLEY HOUSING PROJECT: MARKETING

2. PURPOSE

To obtain approval from Council regarding a recommendation in terms of the marketing approach related to tender B/SM 246/09B.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Marketing strategy that was used by the marketing team of the project has raised numerous concerns and questions from Council and the community. In order to address these concerns, it is imperative that an approved marketing process be adopted to provide a fair and transparent approach. It is therefore prudent that the municipality provide the marketing team with clear guidelines in order to implement the marketing approach and to avoid any further delays and misunderstandings by stakeholders in the project.

5. RECOMMENDATIONS

(a) that Council approves the method proposed as stated below:

- (i) Must be a South African citizen.
- (ii) Must reside in Ida's Valley – utility account/lease agreement/proof of address or sworn affidavit by third party to substantiate domicile.
- (iii) One unit per purchaser.
- (iv) Should have a combined household income of up to R 30 000 per month before tax.
- (v) Should potential buyer have moved out of Ida's Valley due to circumstances, proof of parents municipal account or sworn affidavits by third party may be used as proof of domicile.
- (vi) Should the potential beneficiaries qualify for a Finance Linked Individual Subsidy Programme (FLISP), the marketing agent will facilitate the subsidy application.

(b) that Council approves the criteria as stated below, to proceed with marketing outside Ida's Valley, after 30 April 2019

- (i) Must be a South African citizen.
- (ii) Must reside or work in Stellenbosch for at least 5 years – utility account/lease agreement/proof of address/proof of employment to substantiate domicile.
- (iii) Must preferably be a previously disadvantaged individual/applicant.
- (iv) Must be a first time home owner.

-
- (v) One unit per purchaser.
 - (vi) Should have a combined household income of up to R 30 000 per month before tax.
 - (vii) Should the potential beneficiaries qualify for a Finance Linked Individual Subsidy Programme (FLISP), the marketing agent will facilitate the subsidy application.

6. DISCUSSION / CONTENTS

6.1 Background

The developer submitted a development proposal on 31 August 2009. Stellenbosch Municipality accepted the proposal subject to certain conditions as per SCM letter ref number 6/1/1. A Land Availability Agreement (LAA) was signed on 12 March 2014.

The original tender allowed for the development of subsidised and affordable houses on the two respective sites as stipulated in the bid received. After the awarding of the tender the developer was responsible to obtain the land use rights before the project could be implemented.

The Municipality faced particular bulk issues from the date of appointment, in particular sewer capacity, and as such the project implementation was delayed up to 2016 due to no fault of any of the contracting parties.

In the tender it was stipulated that the amount of units are only estimated amounts and that it would be finalised based on approved designs and application approvals. The tender also made provision for escalation under schedule 11 in their business plan that confirms that the market forces will determine the final mix of units and tempo of development. It must be noted that the proposal that was submitted in 2009 was therefore based on the market related values of houses that could be delivered.

In the Environmental approval stage, it came to light that several appeals were received against the proposed developments. This had a major impact on the final proposal that was planned for specifically the Lindida site. The surrounding owners were against any subsidised housing development adjacent to their established properties. The subsidy housing component was therefore removed from the proposed development at the site in Lindida.

The planning application was submitted during December 2015, and the layout plans had to change ten (10) times in order to accommodate all the conditions of the external state departments involved. It was a lengthy process to obtain the final approval from DEA&DP and with the assistance of the monthly Municipal Outreach Program (MOP) meetings final approvals for both sites were received in February 2017.

Good progress was made subsequent to the Council decision taken on 26 April 2017. The developer is currently executing bulk work and installing internal services on Erf 11330, marketed as Hillside Village.

It is envisaged that subsequent to a Water Use License approval, expected in October 2019, work will commence on the internal civil services of Erf 9445, marketed as Oak Tree Village.

6.2 Discussion

During the preceding two years and up to January 2019 there were several interactions with the community in Ida's Valley. During these interactions the project objectives were outlined to the community and it was made clear that it will consist primarily of bondable houses ('koophuise').

On 15 January 2019 a public meeting was held at the Luckhoff High School where the developer introduced the house prices to the Ida's Valley community. The marketing agent also explained the different income brackets required in order to qualify for the various housing typologies. The Municipality was inundated with enquiries from the Ida's Valley community with regards to the messages that were broadcasted on the various media platforms.

One of the messages stated that the Ida's Valley community will have an exclusivity period as potential buyers only until 24 February 2019. It was also brought under the officials' attention that the only financier for the development was Nedbank. Senior officials from the Municipality met with ASLA Magwebu to address these concerns. A letter was also sent to ASLA Magwebu by the Municipal Manager dated 14 February 2019 (attached as **ANNEXURE 1**). The developer response to the letter hereto attached as **ANNEXURE 2**.

On the 22 February 2019, a certain number of residents from Ida's Valley marched to the Municipal Offices and handed over a petition to the Executive Mayor expressing various uncertainties. Herewith attached find the response to the petition dated 08 March 2019 as **ANNEXURE 3**.

It is imperative to note that the Municipality addressed all the concerns raised during the community engagements as well as the enquiries of the media when liaising with the developer.

The letter addressed to ASLA Magwebu dated 07 March 2019 (attached as **ANNEXURE 4**) indicates that the Municipality instructed the developer to cease all marketing prior to the approval of their marketing plan. During the meeting of 14 March 2019 the developer and the Municipality came to an agreement on the way forward that would give Ida's Valley residents preference until 30 April 2019.

The Developer also furnished the Municipality with their checklist for all the applicants that are interested in the development. Herewith attached as **ANNEXURE 5**.

6.2.1 **Marketing**

Within the Land Availability Agreement between the Developer and Stellenbosch Municipality the following is stated:

"In considering allocation criteria for subsidized housing as well as bonded houses, preference shall be given to qualifying residents of Ida's Valley".

It has been many years since a housing project was implemented in Ida's Valley and therefore the particular geographical focus was incorporated in wording of the Land Availability Agreement. The wording speaks of two housing products namely the subsidy housing units as well as bonded houses.

Regarding the subsidy units the Municipality will provide a potential beneficiary list in accordance with its allocation policy to the Developer. The Developer will complete subsidy applications for the beneficiaries on the list and submit same to the Provincial Department of Human Settlements for approval. The waiting list will be advertised in Ida's Valley in order to promote transparency prior to the hand over of houses.

Houses will be constructed and handed over to the approved beneficiaries in accordance with the approval by the Provincial Department of Human Settlements.

Subsidised houses will be marketed on the following approach:

- Preference will be given to beneficiaries longest on the waiting list in Ida's Valley (Ward 5 and Ward 6); and
- provision will be made for the 10% emergency cases as per Council policy.

Bonded houses are currently advertised and marketed within the Ida's Valley community. To date several community meetings has taken place to raise awareness. The Developer will follow an intensive marketing campaign in Ida's Valley making use of all different communication platforms (e.g. pamphlets and local newspaper media). A local sales office is set-up that will be manned on a daily basis. Pamphlets has been distributed with relevant contact numbers to assist interested parties and arrangements will be made to meet at the sales office.

Approximately 2000 bond information forms were distributed at the library and sports field. It can be reported that the 84 households that showed interest are currently in various stages of bond approvals. Currently 25 of these families have either a bond approved in their names or are cash buyers. A much more intensive marketing drive will be employed in order to get more interested people of Ida's Valley on the beneficiary list, before 30 April 2019. Although marketing will commence outside Ida's Valley, the Ida's Valley residents will still receive preferential treatment throughout the entire marketing process.

To allow benefit to the Ida's Valley community the exclusive period will be provided where people that currently reside in Ida's Valley, may it be as tenant or as permanent resident will be prioritised above any other interested purchasers. The test applied is therefore a utility or similar account that confirms current residency in Ida's Valley.

General guidelines applied pertaining to the sale of units:

- (a) Must be a South African citizen.
- (b) Must reside in Ida's Valley – utility account/lease agreement/proof of address or sworn affidavit by third party to substantiate domicile.
- (c) One unit per purchaser.
- (d) Should have a combined household income of R 30 000 per month before tax.
- (e) Should potential buyer moved out of Ida's Valley due to circumstances, proof of parents' municipal account or sworn affidavits by third party may be used as qualifying criteria.
- (f) Should the potential beneficiaries qualify for a Finance Linked Individual Subsidy Programme (FLISP), the marketing agent will facilitate the subsidy application.

Potential purchasers from the greater Stellenbosch area may register their interest during the 30 day period on a first come first serve basis. After 30 April 2019, sales on the units that have not been sold to Ida's Valley residents will be proceeded with on first come first served. The criteria for potential purchasers outside Ida's Valley is proposed as follows:

- (a) Must be a South African citizen
- (b) Must reside or work in Stellenbosch for at least 5 years – utility account/lease agreement/proof of address/proof of employment to substantiate domicile
- (c) Preference must be given to previously disadvantaged individual/applicant
- (d) Must be a first time home owner
- (e) One unit per purchaser
- (f) Should have a total household income of up to R 30 000 per month before tax.
- (g) Should the potential beneficiaries qualify for a Finance Linked Individual Subsidy Programme (FLISP), the marketing agent will facilitate the subsidy application.

A marketing meeting will be held between the Developer, the elected Project Steering Committee (PSC) and the Planning and Economic Development Directorate of Stellenbosch Municipality regularly for updates on progress with sales.

6.3 Legal Implications

Depending on the way forward, various legal options are available to follow.

6.4 Staff Implications

None

6.5 Previous / Relevant Council Resolutions

8TH COUNCIL MEETING: 2017-04-26: ITEM 7.5.6

RESOLVED (majority vote)

- (a) that Council approves in terms of MFMA Section 116(3) the amendment framework (B/SM 246/09) as depicted in the table below:

Revised proposal	Number of units
Subsidy unit (21%)	89
250 000 – 350 000 (19%)	80
Units less than R521 000 (44%)	190
Units less than R751 000 (16%)	70
Plot and plan	0

h) Prices escalated to 2016

- (b) that the approved framework be communicated with the affected community in Ida's Valley.

6.6 Risk Implications

Housing projects always have potential risks from technical to community challenges. The risk will be managed and mitigated as and when it appears.

6.7 Comments from Senior Management**6.7.1 Director: Infrastructure Services**

To follow / None requested.

6.7.2 Director: Planning and Economic Development

To follow / None requested.

6.7.3 Director: Community and Protection Services

To follow / None requested.

6.7.4 Director: Corporate Services

To follow / None requested.

6.7.5 Chief Financial Officer

To follow / None requested.

6.7.6 Municipal Manager

To follow / None requested.

ANNEXURES

Annexure 1: Letter sent to ASLA Magwebu

Annexure 2: Letter from Developer

Annexure 3: Response to petition from Executive Mayor

Annexure 4: Letter sent to ASLA Magwebu re: Marketing concerns

Annexure 5: Pre-contractual qualification criteria

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	Director
DIRECTORATE	Director: Planning & Economic Development
CONTACT NUMBERS	021 808 8491
E-MAIL ADDRESS	<i>tabiso.mfeya@stellenbosch.gov.za</i>
REPORT DATE	15-03-2019

ANNEXURE 1



STELLENBOSCH
 STELLENBOSCH • OORSTREE • FRANSCHHOEK
 ALDENBURGH • LANGEBAAN • MUNICIPALITY

Your ref:
 Our ref: 17/4/4/22/1 & 17/4/4/22/2

2019-02-14

The Managing Director
 Asla Magwebu (Pty) Ltd
 25 Conradie Crescent
 ASLA Park
STRAND
 7130

Attention: Mr P Blaauw

Dear Sir/Madam

RE: MARKETING OF IDAS VALLEY HOUSING DEVELOPMENT

Above mentioned matter and the meeting held on 13 February 2019 with the Director: Planning and Economic Development (Mr Tabiso Mfeya) and Senior officials from his directorate as well as representatives from ASLA Magwebu (Pty) Ltd at the Municipality, refers.

The Land Availability Agreement that was signed between the parties concluded that preference must be given to residents of Idas Valley residents during the marketing process. During the meeting it became evident, that contracts has been signed with residents outside Idas Valley.

It is imperative to note that ASLA Magwebu (Pty) Ltd committed during a meeting held on 19 April 2017 with the senior management of the Municipality, that the bonded houses (GAP houses) constructed in Idas Valley will be to give first time home owners the opportunity to enter the housing market. The project is specifically aimed for residents of Idas Valley.

To this end, marketing outside Idas Valley must cease immediately and the applicants from outside Idas Valley must be informed that their applications has been placed on hold. Only after the marketing campaign has ended and proof presented that the Idas Valley area has been exhausted the administration will undertake to take an item to Council in order for marketing to continue to areas outside Idas Valley.

Yours faithfully

.....
Geraldine Mettler
Municipal Manager

ANNEXURE 2



Stellenbosch 14 337 105-2019

18 February 2019

The Municipal Manger
 Stellenbosch Municipality
 P O Box 17
 STELLENBOSCH
 7599

Attention: Mrs Geraldine Mattler

Dear Mam

MARKETING OF IDAS VALLEY HOUSING DEVELOPMENT

Receipt of your letter dated 14 February 2019 is acknowledged. ASLA Magwebu (Pty) Ltd recognises the particular preferences that has been agreed as part of the implementation of the project. Current initiatives are in support of these preferences and will continue to recognise such in as far as practically possible. Please note that no active marketing outside Idas Valley is taking place, however people do speak about the project and as such there is interest from people that may reside outside of Idas Valley.

The marketing campaign within Idas Valley will proceed as discussed at the meeting referred to on 13 February 2019. Please note that we will evaluate all prospective purchasers and proceed with their vetting process regardless of area of residence. It will be recorded though that sales to non-Idas residents will only proceed once the priority period has ceased. Though we are sensitive to any potential Council processes I must bring to your attention that there is a contractual commitment with the building contractor according to which continuity in construction must be achieved. Therefore should sales to Idas Valley residents decline it will be required to proceed with families from the Non-Idas Valley list. We do trust that this practical consideration can be aligned with the process described in your letter.

Please be assured of our continued commitment to the Idas Valley project and its objectives.

Kind Regards

PIERRE BLAAUW

For and on behalf of

ASLA MAGWEBU (PTY) LTD

ANNEXURE 3



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

**Kantoor van die Uitvoerende Burgemeester
Office of the Executive Mayor
iOfisi kaSodolophu olawulayo**

Ms N Farao
Chairperson: The Idas Valley Housing Forum Committee
Idas Valley
Stellenbosch
7600

Per: sherileeno@gmail.com

Dear Ms Farao

MEMORANDUM: IDAS VALLEY HOUSING FORUM COMMITTEE

In reference to your memorandum dated 22 February 2019, please find the response below. It is important to note that this process started many years ago.

1. The Tender Process

(Your question)

Following the change in tender status of SAM JV as an original tenderer (to whom the housing tender was awarded), as a result of the liquidation of one of the JV partners, the Idas Valley Housing Project was awarded to Asla Magwebu.

(Our response)

The Developer SAM JV, was a joint venture between Asla Magwebu and Shatel Property Development. Shatel Property Development was placed under provisional liquidation by the High Court on 11 July 2015 and later declared insolvent.

On 23 November 2015, Asla submitted a Portfolio of Evidence indicating capacity to address the housing implementation requirements of Stellenbosch Municipality. In the Portfolio Asla proved that it could implement a project of this nature, providing all the necessary resources to successfully conclude this project in its entirety without Shatel Property Development being a part of the venture. The Bid Adjudication Committee (BAC) subsequently (on 24 February 2017) approved an item supporting the implementation of the project by ASLA Magwebu. An item served before Council to inform on all of the above processes and measures being taken towards the actual implementation of the Idas Valley housing project.

(Your question)

We therefore question the validity of the current contract between the municipality and Asla Magwebu. We request that this illegal process be rectified.

(Our response)

The internal process that were followed were above-board as per the Item that served before the Bid Adjudication Committee on 22 February 2017.

2. The Revised Proposal: Housing Typology and Pricing Structure

(Your question)

Does the Stellenbosch Municipal Council work in the interest of the developer or that of the community it is supposed to represent in negotiations/dealings with outside parties?

(Our response)

The delayed implementation of the project from 2009 to 2016 significantly impacted the house prices ranges all over the country. According to the Municipal valuations, the market value of the surrounding properties adjacent to the proposed developments escalated to between 45-55% from 2009 to 2016. The indices of the Buro of Economic Research were therefore used to determine the escalation of building cost prices in the building industry. This determined an average of 6% increase per annum from 2009 to 2016. This is in line with the increase of all building and living costs.

Using the Buro of Economic Research's escalation rate, the following increases in unit costs in the various categories were proposed by the developer:

Table 1: Proposed adjustment

Selling Price as per Tender document	Increase by 6%/year
Up to R100 000 (Subsidy unit)	R155 000 (subsidy from 2014)
R100 001 – R350 000	Units less than R521 000.00
R350 001 – R500 000	Units less than R751 800.00
R500 001 – R750 000	Units less than R1 000 000.00

Escalation from 1 July 2010 until 30 June 2016.

The Developer had requested that the original tender categories be adjusted in line with the escalated categories as contained in the right hand column of Table 1.

The objective of the Municipality has always been to provide BNG and Affordable Housing in an integrated residential development setting. As this is the first mix-used development in Idas Valley, the issues raised by the community and concerned individuals during the Section 116 (3) process were taken into regard. Taking this into account as well as the escalation in cost, the Municipality agreed with the Developer to have a variety of unit type sizes and cost in both phases of the project, and that the majority of the units planned would be less than R521 000/unit (the escalated cost to the end of June 2016).

Having considered the aforementioned escalations in building costs, the Developer submitted the prices ranges below:

Table 2

Tender proposal		Nr of units	Revised proposal		Nr of units
Subsidy units	35%	158	Subsidy unit	21%	89
100 – 350	50%	225	100 – 350	None	0
350 – 500	5%	22	Units less than R521 000	73%	±315
500 – 750	5%	22	Units less than R751 000	5%	±25
Plot and plan	5%	23	Plot and plan	None	0

Taking into account the need to have affordable housing, the municipality made it clear to the Developer that although the Buro of Economic Research (BER) indicated an 6% annual increase, the mandate of Council to facilitate the provision of GAP housing in the lower-end of the market (R180 000 – R350 000) could not be ignored.

The developer then submitted the adjusted figures submitted to the Municipality.

Table 3

Tender proposal	Number of units	Revised proposal	Number of units
Subsidy units (35%)	158	Subsidy unit (21%)	89
100 000 – 350 000 (50%)	225	250 000 – 350 000 (19%)	80
		Units less than R521 000 (44%)	190
350 000 – 500 000 (5%)	22	Units less than R751 000 (16%)	70
500 000 – 750 000 (5%)	22		
Plot and plan (5%)	23	Plot and plan	0

Escalation calculated to the end of June 2016

Given the above, it is clear that the Municipality acted in the interest of the community to push the prices down as far as possible. The average price of similar houses elsewhere in Stellenbosch is much higher.

3. THE SOCIAL RESPONSIBILITY COMMITMENTS OF THE DEVELOPER

The project has also focused on effecting the empowerment of the community through the employment of local labour and local sub-contractors. Non-local labour and sub-contractors will only be used if none can be sourced locally. To this end a Community Liaison Officer has been appointed

and is based at the Site Office, which enables Asla Magwebu to canvass and appoint the maximum number of locally based employees.

During the Engineering services phase most of the work is done by plant and machinery. However a total number of 16 employment opportunities have been created, of which 4 are women, and 5 are classified as youth.

A lot more opportunities for local employment will be created during the construction of the top-structures. Both skilled, semi- and unskilled artisans and labourers will be appointed. A community liaison officer (CLO) from the local community will be appointed for this phase of the project, to assist the building contractor/s with the employment of local labour.

The areas of work where labour intense methods is specified are:

- Concrete works
- Building work (masonry)
- Carpentry
- Plumbing work
- Finishing (plastering, tiling, painting etc.)

Asla will provide regular monthly reports in the required standard format, capturing the following Key Performance indicators:

- Job opportunities
- Employment duration
- Project Wage Rate
- Project Expenditure
- Person Training Days
- Demographic Data

Preference is given to local enterprises supplying construction materials and building related skills, and therefore supporting employment growth in the greater region.

4. LIST OF HOUSING BENEFICIARIES AND CRITERIA FOR ELIGIBILITY

The Criteria is determined by the Municipality and **NOT** by the Developer. The Developer/ Implementing Agent has confirmed that all of the 14 families that have successfully applied for Bond Finance are within the range of targeted beneficiaries in the Gap Market (i.e. earn up R 25 000.00). Confirmation will soon be received with regard to the 8 cash buyers.

The Marketing drive will in future also provide clarity on the Criteria applicable on the project. It was communicated with the Implementing Agent in meetings that families from Idas Valley will be considered first before a decision on the way forward is made by the Municipality. No one banking institution will be allowed to have a monopoly on the project in relation to sourcing bond finance. Attached is the letter sent to the Developer/ Implementing Agent.

As for the subsidy units, the developer may only make use of the waiting list as received from Stellenbosch Municipality.

It important to note that as stipulated in the original tender document (Terms of Reference) Idas Valley residents will get first preference on the project.

We also herewith include a list of meetings held by the New Housing Department with the community of Idas Valley overtime to provide clarity on the project, what the project caters for and necessary changes that had to be effected in terms of the scope, housing typologies and house prices:

Date of meeting	Reason for meeting
8 July 2009	Identification of land (tender stage)
24 April 2012	Introducing the Developers to the community
05 May 2014	Status of project
09 July 2014	Presentation of proposed project
29 July 2014	Public meeting – feedback meeting
22 November 2014	Public meeting – feedback meeting
16 February 2015	Public meeting – feedback meeting
31 March 2015	Public meeting – feedback meeting
21 April 2015	Public meeting – feedback meeting
19 May 2015	Housing Committee meeting – Status of project
23 June 2015	Public meeting – Flisp Workshop
15 October 2015	Housing Committee meeting
21 November 2015	Public meeting - Flisp Workshop
26 October 2016	Public meeting – feedback meeting
23 March 2017	Public meeting – feedback meeting
16 May 2017	Public meeting – Status of project
23 March 2017	Public meeting – Status of project
Date of meeting	Reason of meeting
11 April 2018	Public meeting – feedback meeting
24 August 2018	Public meeting – presentation on proposed houses
11 September 2018	Public meeting – feedback meeting
04 October 2018	Public meeting – presentation on market houses
15 January 2019	Public meeting – presentation on house prices

Best regards



Adv GMM van Deventer

EXECUTIVE MAYOR

Date: 2019-03-08

Cc: Geraldine Mettler
Tabiso Mfeya
Myra Francis
Lester van Stavel

ANNEXURE 4



MUNICIPALITY OF STELLENBOSCH
 WATERSKOPPELAARSTRAAT 100, STELLENBOSCH 7130

Your ref:
 Our ref: 17/4/22/1 & 17/4/22/2

2019-03-07

The Managing Director
 Asla Magwebu (Pty) Ltd
 25 Conradie Crescent
 ASLA Park
STRAND
 7130

Attention: Mr P Blaauw

RE: MARKETING CONCERNS - IDAS VALLEY HOUSING DEVELOPMENT

Our letter dated 14 February 2019 and your response dated 18 February 2019, refers.

The information that we received by the marketing agent, Mr S Dreyer, on 6 March 2019 is a major concern to the municipality (Refer to **ANNEXURE 1**). During our engagement with ASLA on 13 February 2019 the Director: Planning and Economic Development (Mr Tabiso Mfeya) requested information on all the reported potential buyers. The information was requested in order to determine whether we are assisting GAP market buyers by giving them the opportunity to enter the housing market, as per the project's objective. Mr Mfeya made it clear during the meeting that houses cannot be sold to buyers that have a higher income than what is stipulated in the frameworks that govern State subsidized housing.

Your letter dated 18 February 2019, stated that all prospective purchasers have been evaluated and vetted. It is a major concern that simple information on the profile of the buyers could not be available immediately and when it was eventually submitted it is still incomplete.

It is imperative to note that the project is aimed to assist first time home buyers within the GAP market. The presentation that was made to the Idas Valley community on 15 January 2019, clearly indicated the financial qualification criteria that potential buyers must adhere to in order to qualify for the various housing typologies available (Refer to **ANNEXURE 2**). The financial qualification criteria was in line with the Finance Linked Individual Subsidy Programme (FLISP) provided by government to assist first time home buyers. The Municipality notes with huge concern the likelihood of having in the current GAP Housing beneficiary list, households that are outside the FLISP market.

The Idas Valley project is deemed as a Municipal priority and we cannot allow marketing of the houses to be done in line with that of a private development. It is our prerogative to make sure that the houses in the GAP market are sold to families/potential buyers that really deserve the opportunity to participate in the project.

We hereby instruct ASLA Magwebu to cease all marketing until it furnishes the Municipality with an acceptable marketing plan. The Municipality will furnish the developer with a criteria for bonded houses and we reserve the right to indicate when marketing outside Idas Valley can commence.

Yours faithfully,

.....
Geraldine Mettler
 Municipal Manager

ANNEXURE 5



AFFIDAVIT

PRE-CONTRACTUAL QUALIFICATION CRITERIA

With reference to the above mentioned, this serves to confirm:

- 1. That I/we, the undersigned, are South African citizens.
- 2. That I/we reside in Idas Valley (proof of address attached).
- 3. That I/we are first time homeowners, per definition.
- 4. That I/we are only allowed to buy one housing unit in the Project.
- 5. That I/we have not received any Governmental Housing Subsidies in the past.
- 6. That I/we, as per attached sworn affidavit, confirm that I/we previously resided in Idas Valley.
- 7. That my/our combined income do not exceed R30 000.00 per month.
- 8. That if I/we qualify for the Finance Linked Individual Subsidy Programme (FLISP), then I/we will rely on the marketing agent to facilitate my subsidy application.

PURCHASER:

DEVELOPER:

CO-PURCHASER:

DATE:

WITNESS:

<p>Directors: Stephan Dreyer / Ruan Dreyer - Reg no: 2016/421609/07</p>	<p>25 Jan Conradie Cres. Asla Park 7140 Tel: 083 336 4492 Email: stephan@habitech.co.za Website: www.habitech.co.za</p>
---	---



VERKLARING

Ek, ID No:

tans woonagtig in

Verklaar hiermee dat ek wel 'n inwoner van Idasvallei was en ongeag my huidige woonadres het ek 'n verwantskap in Idasvallei, maar weens ekonomiese en sosiale omstandighede, moes ek van woonadres verander.

Ek stem wel saam dat indien 'n huidige bewoner van Idasvallei sou belangstel in 'n wooneenheid wat reeds aan my geallokeer is, ek afstand sal doen van my regte van die eenheid en 'n alternatiewe beskikbare wooneenheid sal kies.

DATUM:

DATUM:

.....
IDASBEWONER OF ANDER

.....
KOMMISSARIS VAN EDE

8.2.3	APPLICATION FOR EVENT SUPPORT – ABSA CAPE EPIC 2019
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Collaborator No: 635697
File No:
IDP KPA Ref No: Safest Valley
Meeting Date: 27 March 2019

1. SUBJECT: APPLICATION FOR EVENT SUPPORT – ABSA CAPE EPIC 2019

2. PURPOSE

To obtain Council approval for event support as a destination partner to host the Absa Cape Epic 2019 event in Stellenbosch.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Absa Cape Epic is an international, UCI registered, 8-day stage race which takes place in March each year. The event draws mountain bikers from around the world and has been coined as “the race that every professional cyclist aspires to win and all amateur riders desire to ride.”

The format of the event includes making use of five venues, two of which host the Prologue (first day) and Grand Final (last day) respectively. The other three venues host the race villages from which the racing days are staged and include full services and infrastructure in support of the participants. This infrastructure includes activations, hospitality, sleeping tents for riders and crew, dining marquees, kitchens, media facilities, a full field hospital and bike wash/storage facilities.

In partnering with the Stellenbosch Municipality, the event proposes a one-year agreement for the 2019 edition of the race, being staged from 17-24 March 2019. This is an international event which showcase Stellenbosch as a destination of choice, with economic spin-offs in the field of hospitality and tourism industries.

It should further be noted that the Cape Epic has already paid for the use of Paradyskloof grounds which amounts to R7 141.00 for 22 March 2019 and R14 828.00 for 23 & 24 March 2019. Notwithstanding the above, the Stellenbosch Local Municipality has already been marketed as a destination partner for the ABSA Cape Epic 2019 event.

The item has served before the Section 80 Community and Protection Services Portfolio Committee on 6 March 2019, was endorsed and recommended to Mayco and Council for approval.

5. RECOMMENDATIONS

- (a) that Council approves the request for event support for the 2019 Cape Epic event on the basis of the following:
 - (i) that Council waives the costs for municipal services including Waste and Cleaning Services, Traffic Services and Law Enforcement Services as per the approved Events Policy;

-
- (ii) that Council waives the cost for the use of Paradyskloof municipal grounds of R7 141.00 for 22 March 2019, and R14 828.00 for 23 and 24 March 2019 which has already been paid, and that said amounts be refunded;
 - (iii) that no cash payment be approved for the 2019 Cape Epic event; and
- (b) that the Municipal Manager be mandated to negotiate a Destination Partnership Agreement with the Cape Epic, effective from the 2020 Cape Epic event.

6. DISCUSSION / CONTENTS

6.1 Background

The application for event support is made in terms of Council's Events Policy which allows Council to partner with the Absa Cape Epic event. The application for event support is attached as Annexure A.

The event supports the following event categories that the Municipality may wish to partner in terms of clause 9.3.2 of the Events Policy (Attached as Annexure B);

- Events that attract a high proportion of visitors to Stellenbosch
- A media attraction, particularly international and national media
- Events that provide the Municipality with marketing opportunities
- Demonstrates a positive economic, social and environmental impact
- Events that apply greening principles
- Job creation opportunities as a result of the event
- Information on local suppliers
- Lasting legacies from the hosting of the event

Cape Epic (Pty) Ltd is an established event management company that has developed the Absa Cape Epic since its inception in 2004 as well as presented the opening race in the UCI Mercedes Benz XCO World Cup in Stellenbosch.

6.2 Discussion

The Absa Cape Epic has a keen focus on giving back to the sport and the communities that they interact with along the race route. Their involvement in community support includes the following for each stage of the event:

- Making a financial contribution to local charitable organisations
- Donating food products to local community-based organisations
- Partner with the official event charities to support the local communities
- Make limited entries available to developing local mountain bikers

As an Official Destination Partner of the Absa Cape Epic the municipality qualifies for the following rights:

- (a) Use of the official Absa Cape Epic marks and logos.
- (b) Brand and logo exposure through television and live streaming broadcasts.
- (c) Logo exposure within the event online marketing matrix.
- (d) Logo exposure within the event social media, marketing campaign.
- (e) Logo inclusion in print promotions like the annual Ride Guide.
- (f) Logo inclusion in media packs prepared for journalists.

Additionally the municipality will also qualify for the following opportunities:

- A promotional area within the race venue or village.
- A dinner table in the rider dining tent at which to host guests.
- Having representatives at the annual Route Launch function.
- Having a representative firing the start gun on one of the day's stages.

In return for the above-listed rights package the event organisers request the following support from the municipality, namely:

- a) A cash contribution of R310 000 (excluding Vat)
- b) Provision of event support through the following municipal services, namely: the permit application process; access to potable drinking water; access to non-potable water; refuse removal; traffic and law enforcement services and other services, by mutual agreement.

In terms of Council's Event Policy clause 9.3.4.1 (A) Sponsor - the municipality may choose to partner with an event organizer by purchasing a rights package in return for a financial transfer. This rights package will underpin the guidelines indicating the types of events that the municipality may wish to partner with in terms of clause 9.3 of the Events Policy.

6.3 Financial Implications

Overtime costs of Council staff

6.4 Legal Implications

None

6.5 Staff Implications

Staff will have to work overtime

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

In terms of the Section 25 (1) of the Events Act 2 of 2010 the events organizer must ensure that adequate public liability insurance, as prescribed, is in place for an event. Thus there is no risk involved for the Municipality.

6.8 Comments from Senior Management:

6.8.1 Director: Infrastructure Services

No comments required.

6.8.2 Director: Planning and Economic Development

No comments required.

6.8.3 Director: Community and Protection Services:

No comments required.

6.8.4 Director: Corporate Services:

No comments required.

6.8.5 Chief Financial Officer:

No comments required.

6.8.6 Municipal Manager:

Supports the item.

ANNEXURES

Annexure A: Application for event support as a destination partner from Absa Cape Epic

Annexure B: Events policy of Council

FOR FURTHER DETAILS CONTACT:

NAME	NEVILLE LANGENHOVEN
POSITION	ACTING MANAGER: LAW ENFORCEMENT
DIRECTORATE	COMMUNITY & PROTECTION SERVICES
CONTACT NUMBERS	021 – 808 8497
E-MAIL ADDRESS	Neville.langenhoven@ Stellenbosch.gov.za
REPORT DATE	20 March 2019

DIRECTOR: COMMUNITY & PROTECTION SERVICES

The contents of this report have been discussed with the Portfolio Committee Chairperson and the Councillor agrees with the recommendations.

ANNEXURE A



Destination Partner – Proposal

Stellenbosch Municipality

2019



Introduction

The Absa Cape Epic is an international, UCI registered, 8-day stage race which takes place in March each year. The event draws riders from around the world and has been coined as “the race that every professional cyclist aspires to win and all amateur riders desire to ride.”

Having been first presented in 2004 the Absa Cape Epic has grown in to the world’s premier mountain bike stage race and, as the name denotes, always takes place in the Western Cape and more specifically from towns and venues within easy travelling distance from Cape Town.

The format of the event includes making use of five venues, two of which host the Prologue (first day) and Grand Finale (last day) respectively. The further three venues host the race villages from which the racing days are staged and include full services and infrastructure in support of the participants. This infrastructure includes activations, hospitality, sleeping tents for riders and crew, dining marquees, kitchens, media facilities, a full field hospital and bike wash/storage facilities.

Being the world’s premier mountain bike stage race, the Absa Cape Epic endeavors to keep each year’s presentation of the event fresh and prefers not to return to the same venue, or area, twice in a row so far as what is practicably possible, this excludes the venues for the Prologue and Grand Finale.

In partnering with the Stellenbosch Municipality, the event would like to propose a one-year agreement for the 2019 edition of the race being the 17th to the 24th of March.

Cape Epic (Pty)Ltd

Cape Epic (Pty)Ltd is an established event management company that has developed the Absa Cape Epic since its inception in 2004 as well as presented the opening race in the UCI Mercedes Benz XCO World Cup in Stellenbosch.

The company is made up of 25 full time employees that focus on the delivery of these events to the highest standards across the commercial, operational, logistics and rider/spectator experience areas. The company has been the recipient of numerous awards over the past years directly related to the delivery of the Absa Cape Epic.

Community

The Absa Cape Epic has a keen focus on giving back to the sport and the communities that we interact with along each year’s route. Our involvement in community support includes the following for each stage of the event:

- **Financial contribution to local charities**
The Absa Cape Epic makes R10 000 available for distribution to identified charities from each municipal district that the event stages from. These charities are selected in conjunction with the municipality based on their governance and management. These charities range from youth development organizations and feeding schemes to homes for the elderly or environmental support organizations. Typically, a maximum of two charities are selected from each municipal district in order to make the contribution meaningful.
- **Food distribution to local organizations**
The event caters for a large number of people across the participant and crew spectrum. This results in ample amounts of food being left over each day which is distributed to identified feeding schemes, creches or organizations that can make use of it. This is done in conjunction with the municipality and in general amounts to no less than an 8-ton truck load which needs to be distributed.
- **Event partner charities**
The Absa Cape Epic has the following permanent partner charities which gain the benefit of support from the event;



- Anna Foundation
- Cape Leopard Trust
- Laureus Foundation
- Qubeka
- Ironman Foundation

- **Development**

In support of the development of competitive mountain bike riders the event makes a limited number of entries available to various development organizations each year. This includes Stellenbosch based organizations such as Songo.info and BMT and their development teams.

The Exarro Jersey is awarded to the top historically disadvantaged team, where both riders are under the age of 26 years of age, that completes the entire event. Over the past years this has led to a large increase in the participation base of previously disadvantaged riders wanting to go for top honors.

In 2017 and 2018 the winners of this category were given the opportunity to attend, and receive training, at the Bakala Academy in Belgium as part of their prize winnings.

Environment

In the delivery of each year's edition of the race the Absa Cape Epic is required to establish multiple race villages and make use of 100's of kilometers of trails, farm tracks and district roads. In the delivery of this the organization critically aware of the impact on the environment in both the venues and out on the route.

Various measures have been put in place in order counter our impact some of which include:

- **Waste Recycling**

The event employs a waste management company that does onsite waste collection and separation in all of the villages we establish. This company then works in conjunction with the local municipality to have this waste collected and deposited at recycling works therefore minimizing waste, if any, that is deposited in landfills.

- **Water Management**

The event has an established responsible water management and usage plan, specifically aimed at reducing water wastage and limiting the use of both potable and non-potable water. This includes metering and throttling supply to areas such as showers.

- **Environmental Monitoring**

The event employs the services of the Nature Conservation Corporation in order to ensure that all areas, both villages and route, are not negatively impacted through the presentation of the event. This service includes onsite Environmental Officers for the duration of the event as well having EMP's and EAP's where required.

Partners

The Absa Cape Epic has a number of partners across various levels. This ranges from Title Sponsors to official Suppliers and includes:

- Absa Dimension Data Exxarro Virgin Active Land Rover
- Woolworths

In addition to this the event endeavors to partner and bring value to all of the locations that the event is staged from each year in the form of Official Destination Partners.

Financial Model

Like most events the Absa Cape Epic works off a financial model which includes the establishing of partnerships based on cash and value in kind contributions as well as participant contributions in the form of entry fees.



Local Economic Benefit

The Absa Cape Epic is an international mountain biking event that draws attention from cycling followers around the world. Please see the marketing information below that gives a clear indication of the world wide following and growth in the reach of the event over the past few years.

In addition to this the event brings significant economic investment to the Western Cape and specifically to the town form with it is staged. This takes place in the form of investment through:

- Sport tourism to the area once the route has been made public.
- Direct investment into trails in various areas.
- The support of local business, like guesthouses, restaurants and supermarkets, over the event period.

The total estimated economic contribution of the Absa Cape Epic to the Western Cape each year is in the region of R300 million.

Official Destination Partner

As an Official Destination Partner to the 2019 Absa Cape Epic the event would request a contribution from the Stellenbosch Municipality, in return for which the following rights would be assigned to the Municipality:

- Making use of official Absa Cape Epic marks and logos as the Official Destination Partner.
- Exposure within the event television and live streaming broadcasts.
- Exposure within the event online marketing matrix.
- Exposure within the event social media, marketing campaign.
- Inclusion in print promotions like the annual Ride Guide.
- Inclusion in media packs prepared for journalists.

In addition to this the municipality will receive:

- A promotional area within the race venue or village.
- A dinner table in the rider dining tent at which to host guests.
- Having representatives at the annual Route Launch function.
- Having a representative firing the start gun on one of the day's stages.

As a Destination Partner the event would request support from the Stellenbosch Municipality:

- A Destination Partner contribution of:
 - R310 000 excluding VAT towards the costs associated with visiting the region and hosting a race village.
- Assistance with the following municipal services including:
 - Assistance with the permit application process.
 - Access to potable drinking water.
 - Access to non-potable water.
 - Assistance with refuse removal.
 - Local assistance in line with the requirements of a medium risk event. (Traffic / DMS)
 - Assistance with elements relating to rider safety and routes should it be required.

Conclusion

We look forward to building a strong relationship with the Stellenbosch Municipality as we head into next year's event and specifically bringing the Absa Cape Epic to the communities of the Stellenbosch region.



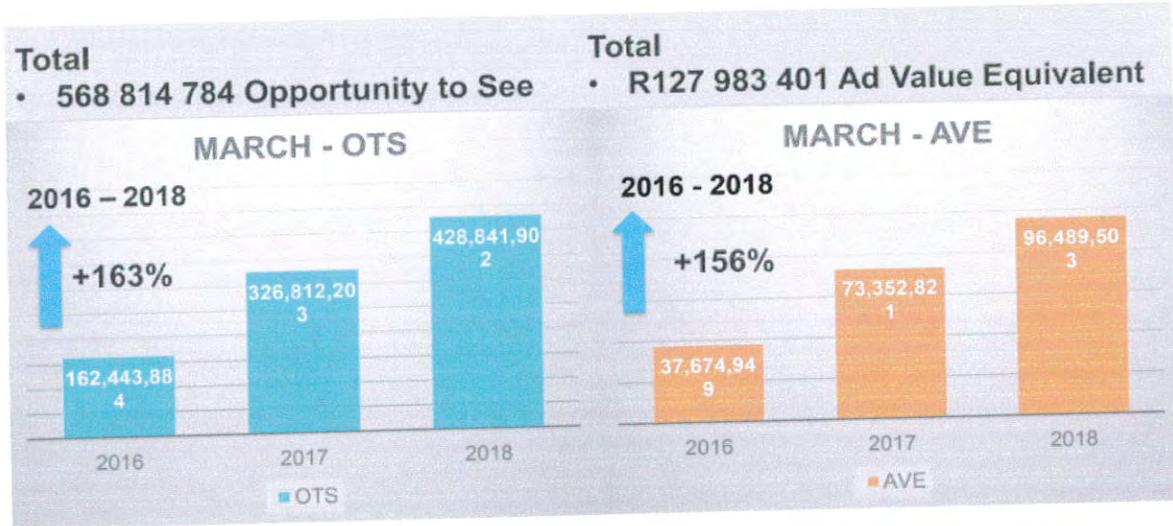
Many thanks for considering this opportunity and we trust that the Stellenbosch Municipality will, as in the past, see the benefit in partnering with the Absa Cape Epic in making it possible for us to once again visit and enjoy the cycling in the region.

Should you have any queries please contact:

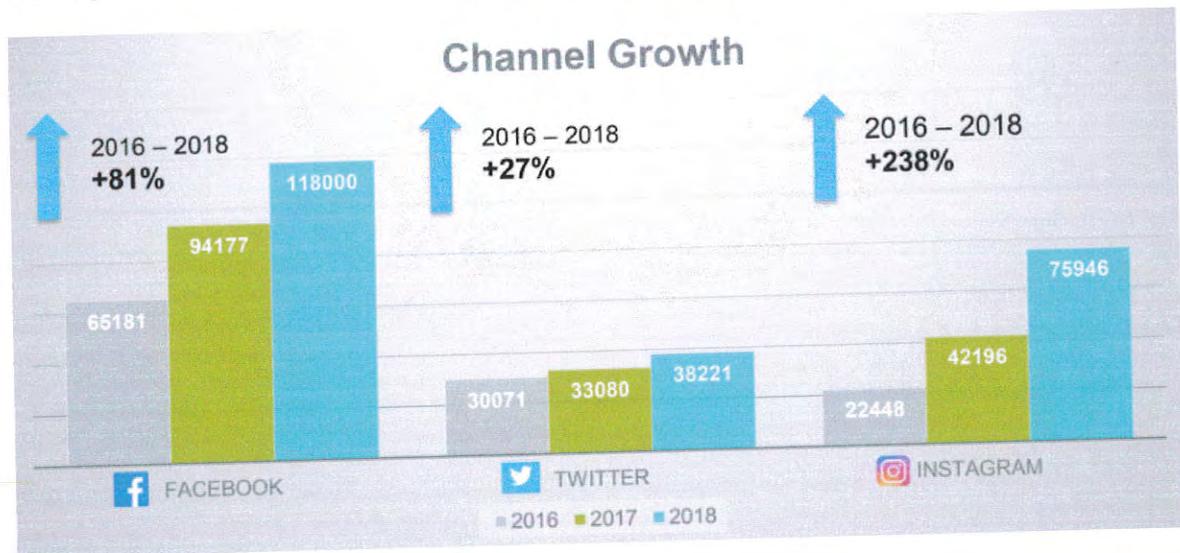
- Michael Silva Operations Co-Ordinator Michael.silva@cape-epic.com
- Telephone: 021 426 4373

Statistics in support of the partnership proposal

Opportunity to see and the ad value equivalent:

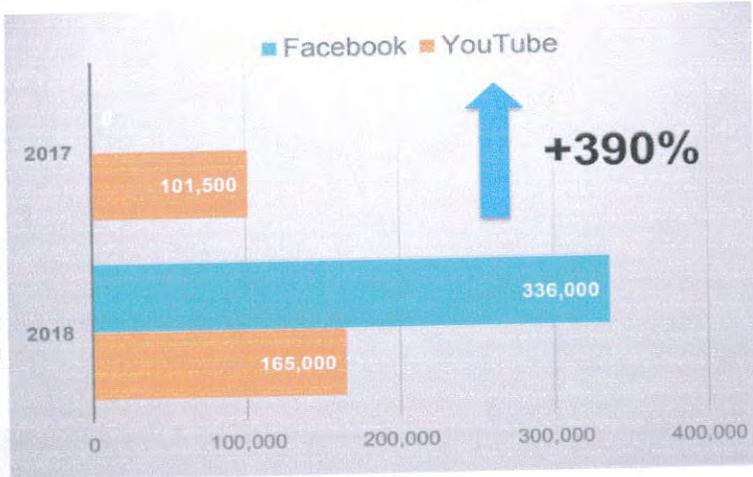


Annual growth of followers on our social media platforms between 2016 and 2018:

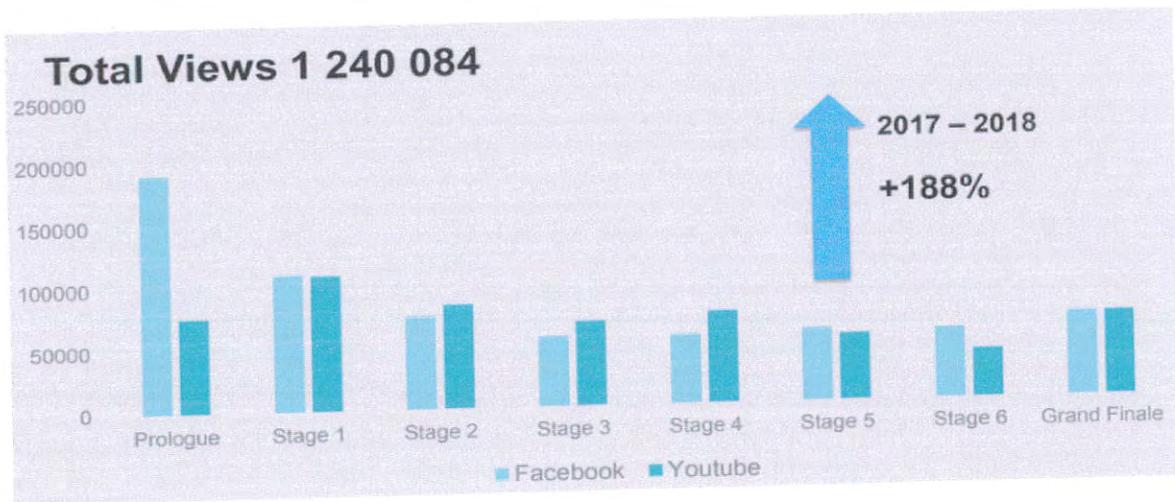


Statistics in support of the partnership proposal

Route Launch Video:



Live streaming views over the 8 days at the 2018 event:



Statistics in support of the partnership proposal

Info screens displaying the event across Europe:



Train, metro, central stations
Shopping centres/Malls

3908 Screens
81 000 000 contacts per week

Big Info Screen: 20 cities
Station Video: 115 cities
Mall Video: 65 cities



Ride Guide views:

20 948 Direct Eyes

Print

- 14 000 copies
- 1 500 rider edition
- 3 000 copies with
Bicycling Magazine in
Woolworths stores
around SA
- Every riders name

Online

6 948 page views



Statistics in support of the partnership proposal



Town and directions guide views:

Views

- 25 504 views
- 19 961 readers
- 649 hours of read time

Where

- 28% Desktop
- 8% Tablet
- 64% Mobile

DIRECTIONS

←
🏠

VAL DE VIE | PAARL

PROLOGUE

STAGE 1

STAGE 2

STAGE 3

STAGE 4

STAGE 5

STAGE 6

GRAND FINALE

The Untamed African MTB Race culminates at Val de Vie Estate with the Grand Finale, where riders roll over the final finish line of the 2018 Absa Cape Epic and celebrate their achievements. Besides supporting these heroes, it is a great day out for all.

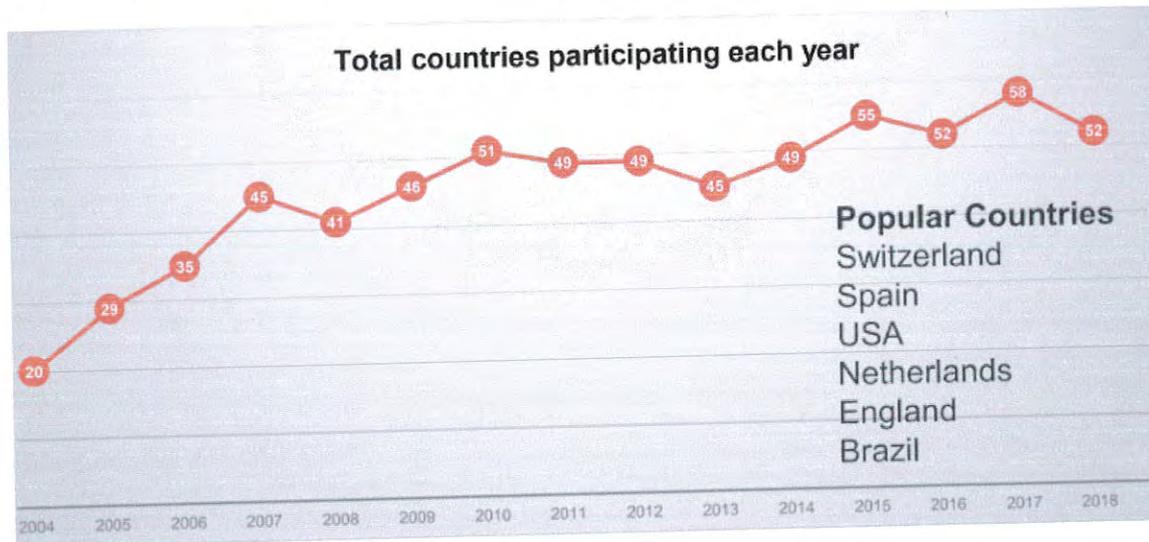
There are a range of activities for the whole family, including the dedicated Virgin Active Club-V Kids Zone. The more energetic youngsters can test their skills at the kiddie's pump track.

Relax in the Castle Free Chill Zone on the finish line, while catching the live action on the big screen TVs and enjoy the vibe of the Grand Finale.

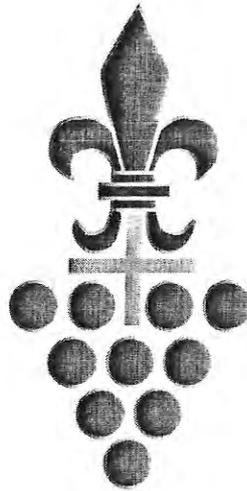
The Professors will play from 12:00 onwards to celebrate the end of the 2018 race. Spectators can grab a bite to eat at one of the many food trucks in the race village. It will be the last chance to take home merchandise from the Absa Cape Epic Logo Store, so be sure to get your hands on anything Epic!

For those wanting to experience Absa Cape Epic hospitality at its best, The Epic Lounge is a premium space for spectators to enjoy the festivities of the Grand Finale, with an unsurpassed view of riders taking their final roll over the finish line. Parking and entrance are free!

Participating Countries (Riders):



ANNEXURE B



STELLENBOSCH MUNICIPALITY

EVENTS POLICY

1. DEFINITIONS AND ABBREVIATIONS

For the purpose of this policy, except where clearly indicated otherwise, the words and expressions set out below have the following meaning:

Approved budget	An annual budget which is approved by a municipal council and includes such an annual budget as revised by an adjustment budget in terms of section 28.
Business events	Events where there is a business purpose for hosting. For example, a new product launch or an industry gathering which promotes investments.
By-law	Legislation passed by the council of a municipality which is binding to the municipality or persons to whom it applies.
Municipal events	Events supported, partnered or organized by Stellenbosch Municipality Event Hosting Departments or fellow departments.
Stellenbosch Municipality Event Service Departments	Municipal Departments who render services to events including but not limited to Disaster Management, Fire and Rescue Services, Traffic Services, Law Enforcement, Transport, Roads and Storm Water, Waste Management, Water Services, Electricity, Legal Services and Community Services
Stellenbosch Municipal Hosting Departments	Municipal Departments who lead, partner and host events as part of their business plans: Events Place Marketing, Strategic Facilities, Municipal Stadiums, Tourism, Arts and Culture, Economic Development, Sport and Recreation, Communications and the Mayor's office or any other department that hosts events.
Municipal Services	All services rendered by Stellenbosch Municipality to events.
Municipality	The Stellenbosch Municipality, a local Municipality constituted in terms of the Local Government: Municipal Structures Act, 1998, and the Province of the Western Cape: Provincial Notice 479/2000 dated 22 September 2000.
Community cultural events	Community based cultural events such as festivals and cultural club activities.

Community sport events	Community based events such as school sport and local and regional sporting leagues.
Commercial sponsorship agreement	An agreement concluded between the Stellenbosch Municipality and an event organizer where a financial Transfer is made by the Municipality in return for a rights package.
Commercialisation of events	Activities at events in which the Stellenbosch Municipality wishes to generate an income through new commercial initiatives.
Corporate hospitality	The provision of food, liquid refreshments (alcohol and non-alcoholic) and entertainment to the public or invited guests within a permanent or temporary demarcated hospitality area which may be located in a stadium or a venue or along a route or within the immediate or outer precincts thereof.
Council	The Council of the Stellenbosch Municipality, established by Provincial Notice 479 to 2000 issued in terms of section 12 of the Municipal Structures Act, 1998.
Delegation	In relation to a duty. Includes an instruction to perform the duty. Delegates has a corresponding meaning.
Demonstration	Any demonstration by one or more persons, but not more than 15 persons, for or against any person, cause, action or failure to take action
Environmentally sustainable	The provision of a service or the hosting of an event in a manner aimed at ensuring that risk of harm to the environment and to human health and safety is minimized. Potential benefit to the extent that it is reasonably possible and that legislation intended to protect the environment, human health and safety is complied with.
Event organizer	Any person who plans, is in charge of, manages, supervises or holds event or sponsorship rights to an event or in any manner controls or has material interest in the hosting of an event.
Event services	Goods and services required at events including but not limited to temporary fencing, temporary toilets, temporary structures, security services, etc.
Event	Sporting, entertainment, recreational, religious, cultural, exhibition, organizational or similar activities, hosted at a stadium, venue or along a route or within their respective precincts.

Functions	Parties or community activities that do not impact on Municipal Services or any applicable laws. These could be private functions, such as birthday parties or weddings, or community functions such as sports or social club get-togethers.
Director	A person appointed by the Council to head a Directorate in the Municipality and shall include any person acting in that position or to whom authority is delegated.
Executive Mayor	The person elected in terms of section 55 of the Municipal Structures Act to be the Executive Mayor of the town and shall include any person acting in that position or to whom authority is delegated.
Fundraising events	Where the sole or main purpose is a fundraising initiative for charity.
Gathering	Any assembly, concourse or procession of more than 15 persons in or on any public road as defined in the Road Traffic Act, 1989 (Act 29 of 1989), or any other public place or premises wholly or partly open to the air.
Guest management	The process of managing guests – from invitations to arrival and servicing guests at events.
Local economic development events	Events where the sole purpose is to provide opportunities for SMMEs to trade.
Mayoral committee	The committee appointed by the Executive Mayor to assist the Executive Mayor in terms of Section 60 of the Municipal Structures Act.
Mayoral events	Events supported and/or funded by the Executive Mayor's office.
National days of significance	Events held to commemorate national days. For example, World Aids Day on 1 December, International Women's Day on 9 August and Mandela day on 18 July.
Purpose built venue	Permanently constructed venues designed specifically to host events, such as stadiums, convention centres, banqueting facilities and sporting facilities.
Religious events	Events organized by religious organizations, which attract large numbers of participants, who require the event to be hosted in a stadium or similar large capacity facility. These

	events may have high profile speakers but attract mainly community participants.
Rights package	A series of rights acquired by the Municipality through supporting events. The package of rights is a commercial transaction where the Municipality obtains rights to promote its brand through various event activities. For example, marketing opportunities, media opportunities and hospitality.
	Service delivery events These events celebrate milestones achieved by Council departments. For example, the opening of a new facility, handing over of housing to residence, etc.
Strategic facilities	Includes municipal properties used for Sporting, entertainment, recreational, religious, cultural, exhibition, organizational and educational activities.
Tourist	A person who spends more than 24 hours in an area outside their normal place of work or residence.
Venue owner	Any person or place, where an event is hosted, that has seated or standing spectator capacity within a permanent or temporary structure. This area or place may be erected or demarcated by an enclosed or semi-enclosed temporary or permanent structure.
Venue	Any area or place, where an event is hosted, that has seated or standing spectator capacity within a permanent or temporary structure. This area or place may be erected or demarcated by an enclosed or semi-enclosed temporary or permanent structure.
Visitors	A person who visits an attraction or destination for a day (less than 24 hours).
WC024	Includes the towns of Stellenbosch, Franschhoek and Pniel, and all the residential as well as surrounding rural areas such as Klipmuts, Groot Drakenstein, Kylemore, Jamestown, Raithby, Vlottenburg and Koelenhof.
CBO	Community Based Organization
PBO	Public Benefit Organization
Municipality	Stellenbosch Municipality
IDP	Integrated Development Plan
NGO	Non-Governmental Organization

PGWC	Provincial Government of the Western Cape
SMME	Small, medium, Micro Enterprises
SCM	Supply Chain Management

2. PROBLEM STATEMENT

- 2.1 Stellenbosch Municipality has a strong track record as an events destination and has hosted major local, national and international events.
- 2.2 Stellenbosch municipal area has developed a strong global brand and wishes to utilize this strength to develop as an events destination of choice and to further build the area's brand identity. This branding is critical for business perceptions about Stellenbosch Municipality as the preferred Investment Destination and Innovation Capital of South Africa.
- 2.3 The Municipality plays an important role in: the regulations of events, partnerships with events organized in the WC024, events organization, facilitation and the provision of services at events. The Events Policy is needed to improve the management of events in the Municipal area of Stellenbosch.
- 2.4 The Stellenbosch Municipality also wishes to exploit events hosted in the WC024 to achieve the Municipality objectives such as: economic growth, job creation, social inclusivity and environmental goals.

3. DESIRED OUTCOME

- 3.1 The Events Policy aims to create mutually beneficial outcomes for The Greater Stellenbosch residents, businesses and visitors by using the platforms created by events to contribute to Stellenbosch's growth, development and inclusivity.
- 3.2 The Events Policy will assist and guide the Municipality in managing event related activities in an efficient and effective manner thereby providing clarity to all role players and stakeholders. The Events policy aims to create an enabling mechanism for new approaches and initiatives to events.
- 3.3 Stellenbosch Municipality would like to ensure that the WC024 area becomes an area for memorable events for residents, the business community and visitors to the region and the events industry, by creating stability in the municipal area's events calendar and clearly defining dates of events, processes and systems that support such events.

4. STRATEGIC FOCUS AREAS (INTENT)

- 4.1 The strategic focus areas of the Municipality is enshrined in the Municipality's Integrated Development Plan (IDP) and are categorized into five pillars: Preferred Investment Destination, Greenest Municipality, Safest Valley, Dignified Living, Good Governance and Compliance.
- 4.2 Events create platforms that have the ability to support all five pillars. This policy particularly focuses on supporting the Preferred Investment Destination, Safest Valley, Dignified Living and demonstrates co-ordination of events through Good Governance and Compliance.

- 4.3 The underlying principles of the Preferred Investment Destination in relation to events are to create opportunities for co-operation, connectivity and constructive partnerships with the public and private sectors.
- 4.4 Events assist in defining market identity and the global positioning of the WC024 area as destination. A long-term event strategy can catalyze infrastructure and capacity upgrades. Events stimulate the local economy by increasing local visitor numbers.
- 4.5 The underlying principles of the Safest Valley and Good Governance and Compliance relate to the events permit process by regulating the activities at events in accordance with the Municipality's by-laws. The Municipality ensures that events comply with safety and environmental criteria as set out in the events by-law.
- 4.6 The underlying principles of Dignified Living are to enhance accessibility for Stellenbosch residents to events hosted in the WC024. These include access to Municipal support, trading, vending and other economic opportunities and the ability to attend and participate in events.

5. PURPOSE

- 5.1 The purpose of the Events Policy is to give guidance and strategic direction in terms of;
 - 5.1.1 Event operations in the Municipal area of Stellenbosch.
 - 5.1.2 Strategic imperatives of the Stellenbosch Municipality as set out in the IDP.
 - 5.1.3 Latest requirements of the Hosting and Service Departments.
 - 5.1.4 Relevant legislation, specifically the Safety at Sports and Recreation Events Act, 2010.
 - 5.1.5 Promotion of co-operation and collaboration between internal and external partners.
 - 5.1.6 Promotion of a positive legacy linked to the hosting of events.
 - 5.1.7 Events which are managed in accordance with the Municipality and Province's support for the triple bottom line – Economic, Social and the Environment.
- 5.2 The Events Policy prescribes processes to be followed by the Municipality for providing event support commercial partnerships, event permit applications, co-ordination of the Municipality's events calendar, hospitality, guest management, ticketing, event marketing and event services.
- 5.3 To create a platform for the introduction of the events by-law and review thereof.

6. SCOPE OF APPLICATION

This policy is applicable to:

- 6.1 The Stellenbosch Municipality's Event Policy applies to events within the Municipal jurisdiction area, which may require the services of the Municipality. It has implications for public safety, the environment and local communities and events which occur in a public and/or private place as contemplated in the Municipality's proposed Events by-law and the Safety at Sports and Recreational Events Act, 2010.

- 6.2 Organizations and/or any of the spheres of government and across the event spectrum (cultural, business, sport etc.) and in private sector venues which impact on the public resources and have implications for community public safety and the environment.
- 6.3 Sporting, cultural and business events which may or may not impact on Municipal Services but could have a significant impact on the Municipality's objectives for tourism, events and marketing.
- 6.4 The Municipality's Events Policy does not apply to public gatherings and demonstrations as defined in the Regulation of Gatherings Act, 1993 (Act No. 205 of 1993 as amended).
- 6.5 The Municipality's Events Policy does not apply to workshops and meetings organized by Municipal departments.
- 6.6 The Municipality's Events Policy does not apply to private or community functions which do not require the services of the Municipality, nor have implications for public safety, the environment and local communities and comply with all applicable legislation.

7. REGULATORY CONTEXT

The policy is developed and guided by the following legislation and regulations:

- The Constitution of the Republic of South Africa: Act 108, 1995, section 156 (1) (a), read with Part B of Schedule 4
- Safety at Sports and Recreation Events Act, no.2 of 2010
- The Disaster Management Act, no. 57 of 2002
- The National Environmental Management Act, no. 107 of 1998
- Municipal Finance Management Act (MFMA), no. 56 of 2003
- Occupational Health and Safety Act
- Private Security Industry Regulating Authority
- National Health Act
- SANS 10400 of 1990 Application of National Building Regulations
- Fire Brigade Service Act
- Road Traffic Act, 1996
- Land Use Planning Ordinance, no 15 of 1985
- Stellenbosch Zoning Scheme
- Regulation of Gatherings Act, 1993, no. 205 of 1993 as amended
- The Stellenbosch Municipality Events by-law
- Stellenbosch Municipality System of Delegations
- Integrated Development Plan

8. ROLE PLAYERS AND STAKEHOLDERS

There are a wide variety of existing and potential stakeholders. These range from departments and agencies to other spheres of Government and the Private Sector.

The table below is an outline of the affected role-players and stakeholders:

Council	Internal
Cultural Organizations	External
Directorate: Community & Protection Services	Internal
Events Department	Internal
Economic Development	Internal
Finance Department	Internal
Legal Department	Internal
Mayor's Office	Internal
Planning and Building Development Department	Internal
Supply Chain Management Department	Internal
Sport and Recreation Department	Internal
National Government Departments	External government
Provincial Government of the Western Cape	External government
Stellenbosch Tourism	External
Communities	External
Events Industry	External
Faith Based Organizations	External
Major facility and property owners	External
Media	External
Municipal Institutes	External
Provincial Departments	External
Participants at events	External
Private sector sponsors	External
Residents	External
South African Police Services	External
Sports Federations and professional clubs	External
Tourism Industry	External
Traders (Informal)	External
Vendors / Service Providers	External

9. POLICY DIRECTIVE DETAILS

In order to promote effective management of events in the Stellenbosch Municipality the following policy directive details will apply:

9.1. CLASSIFICATION OF EVENTS

In this policy events are classified according to the desired strategic outcomes.

- | | |
|----------------------------------|--|
| A. International events | International sporting, business or cultural events that are hosted in WC024. These events may range from large scale, with global media coverage, to small events. |
| B. Stellenbosch iconic events | Annual events on the Stellenbosch events calendar. These events attract measurable visitors and tourists to Stellenbosch and surroundings. |
| C. Incubator events | Annual events on the Stellenbosch calendar. These events attract mainly Stellenbosch communities but show potential to attract visitors and tourists to Stellenbosch. |
| D. Stellenbosch Community events | These events take place in a community, for community purposes and are attended mainly by the community. They may be Mayoral events, service delivery events, fundraising events, local economic development, emerging sport and cultural events, religious events and events celebrating National days of significance. |

9.1.2 The above classification is not a reference to the scale or size of events but rather to the core market of participants and spectators that the event attracts, ranging from a high proportion of visitors (e.g. International events and Stellenbosch iconic events) to mainly Stellenbosch and surrounding residents (e.g. community events.)

9.1.3 Events are also classified according to their security risk as defined in Section 2 of the Safety at Sports and Recreation Events Act, 2010 and the Stellenbosch Municipality Events By-law. These classifications are applied in the events permitting process.

9.2 MANAGEMENT OF THE MUNICIPALITY EVENTS CALENDAR

- 9.2.1 In order to improve planning for events, an official Stellenbosch Municipality Events Calendar will be published and updated monthly by the Communications Department.
- 9.2.2 The management of the calendar will be the responsibility of the Communication Department
- 9.2.3 All Municipal hosting departments are required to submit their event dates to the Events Department for inclusion in the Events Calendar and follow the normal application process.
- 9.2.4 The Communications Departments will be responsible for the development of an electronic calendar solution which will have both internal functionality for Municipal departments to interface with and an external calendar to provide information to the public.
- 9.2.5 Municipal hosting departments will be advised of successful inclusion or if an event presents a significant clash, in which case a mutually agreed upon solution will be found.

9.3. EVENTS SUPPORT

9.3.1 Partnership with event organizers

The Municipality may from time to time choose to partner with event organizers in delivering events in WC024.

9.3.2 Events the Municipality wishes to support

Below is a list of guidelines indicating the types of events the Municipality may wish to partner:

- A. Events that attract a high proportion of visitors to Stellenbosch.
- B. A media attraction, particularly international and national media.
- C. Events that provide the Municipality with marketing opportunities.
- D. Demonstrates a positive economic, social and environmental impact.
- E. Events that address seasonality in the Municipality's events calendar.
- F. Applies responsible tourism and sustainable living principles.
- G. Events that apply event greening principles.
- H. Information on trading opportunities for local traders.
- I. Job creation opportunities as a result of the event.
- J. Information on local suppliers.
- K. Lasting legacies from the hosting of the event.

9.3.3 Event support requirements

- 9.3.3.1 A Municipal hosting department can only contemplate supporting an event if the Municipal Hosting Department has the required funds in the approved budget.

9.3.4 Types of partnerships

- 9.3.4.1 The Stellenbosch Municipality may choose the level of partnership it wishes to enter into with an event organizer. The resulting partnership may be defined in the following categories:

- | | |
|--|---|
| A. Sponsor | The Municipality may choose to partner with an event organizer by purchasing a right package in return for a financial transfer. |
| B. Host Town | The Municipality may choose to partner with event organizers, such support to be limited to a maximum of 50% of the costs of staging the event. |
| C. Commercial Partnership Agreement | The Municipality may choose to partner with an event organizer by absorbing some of the upfront costs of staging the event and sharing in the revenue. |
| D. Event organizer | The Municipality may choose to create events to achieve strategic objectives. |
| E. Enabler | The Municipality creates an event friendly environment, enabling event organizers to obtain the necessary guidance and approvals for their events. This includes facilitating the promotion of low-carbon event delivery in keeping with the Municipality's support for developing a green economy and ensuring a positive legacy from the event. |
| F. Co-coordinator of Municipal services | The Municipal creates an enabling environment for events by creating a co-ordination function which enables event organizers to interact with all required Municipal services. |
| G. Social Economic Partnership agreement | The Municipality may choose to partner with NGO's or Non-profit organizations with the purpose to further community upliftment. |

9.3.5. Financial and legal mechanisms to facilitate partnerships with financial implications

9.3.5.1 Partnerships with events organizers can be facilitated through the following financial and legal mechanisms:

- | | | |
|----|-----------------------------|---|
| A. | Cash transfer | Facilitated through a commercial sponsorship agreement or facilitated through the Section 67 mechanism as provided for the Municipal Finance Management Act (MFMA). |
| C. | Inter-departmental transfer | Facilitates the provision of Municipal services at Municipal events. |
| D. | SCM Processes | Facilitates the provision of event services at Municipal events. |

9.3.6 Application process for event support

- 9.3.6.1 Event organizers are required to submit an application for event support to the Municipality.
- 9.3.6.2 The application should be aligned to the guidelines as outlined below.
- 9.3.6.3 Applications for event support must be submitted to the Events Department.
- 9.3.6.4 Event support applications should be made as far as possible in advance in order to facilitate the decision-making processes.
- 9.3.6.5 Event funding applications received less than 6 months before the anticipated event day will not be considered.

9.3.7 Decision making process for event support with a financial transfer

- 9.3.7.1 The decision making process will be facilitated through Council systems and structures such as Council meetings and the budget process following a system of delegations of Stellenbosch Municipality:

Type of event	Mechanism
9.3.7.2 Annual events	The Municipality will develop a list of events that it wishes to support annually. These events will form part of the budget process.
9.3.7.3 Event support applications	All event support requests received through the event support application system will be considered by Council

9.3.8 Decision making process for event support without a financial transfer

- 9.3.8.1 The Municipality may receive requests for support that do not have financial implications, for example:

Type of event	Mechanism
9.3.8.2 Letters of support for booklets and publications	Requests for letters of support for publications must be sent to the Office of the Executive Mayor. Only letters signed by the Executive Mayor will be considered official.
9.3.8.3 Appearances or representation at events	Requests for appearances or representation at events should be sent to the office of the Executive Mayor.
9.3.8.4 Event permit process	An application for an event permit, must be submitted to the Events Department.
9.3.8.5 Event logistics	Event organizers, e.g. National or Provincial Departments request assistance that the Municipality events department assists them with logistics and planning for events.

9.3.9 Reporting

- 9.3.9.1 The Events Department will regularly provide reports to Council for supported events.

9.3.10. Guidelines for event support applications

In addition to the guidelines outlined in 9.3.2 of this document, the provision of the following pertinent information will be required in order to assess the reputational and legal risk the Municipality may expose itself to by partnering with an event:

- 9.3.10.1. Company board members and the management teams experience in organizing previous events
- 9.3.10.2 Event track record (if the event was previously organized).
- 9.3.10.3 Any research information, including economic and environmental impact studies.
- 9.3.10.4 Carbon footprint of the event, or an indication of measures to reduce energy demands / waste and to limit the impact on sensitive environments.
- 9.3.10.5 Other event partners, particularly sponsors and media partners.
- 9.3.10.6 The financial model of the event.
- 9.3.10.7 Information on the beneficiaries of the proceeds from the event including whether the fundraising purpose of the event is for profit or not-for-profit.

10. EVENT PERMITS

- 10.1 Events permits are required for hosting events in the Municipal area of Stellenbosch
- 10.2 Event organizers are required to apply for an event permit in terms of the Stellenbosch Municipality Events By-law.
- 10.3 Event organizers are required to apply for an event grading from the South African Police Service.
- 10.4 Event organizers are required to comply with all applicable laws.

11. EVENT APPLICATION TIMEFRAMES

Depending on the size, type, location, date/time, length, event location/s size of venue/s, impact or risk of the event and drawing on any assessment information as required, the following timeframes below will apply:

SIZE	CROWD	<u>MINIMUM TIME TO AN EVENT TO SUBMIT AN APPLICATION TO THE MUNICIPALITY</u>	<u>Appeal to be lodged by Applicant with Municipality within</u>	<u>Appeal to be decided by Stellenbosch Municipality within</u>
Small	50 ¹ to 500	10 working days (2 weeks) ³	24 hours of receipt of written notice	5 working days of receipt of written notice
Medium	500 ¹ – 2 000	20 working days (4 weeks)	24 hours of receipt of written notice	10 working days of receipt of written notice
Large/ Major	2000 ¹ – above	6 months	48 hours of receipt of written notice	20 working days of receipt of written notice

12. INTERNAL –GOVERNMENT CO-ORDINATION

12.1 Inter-governmental participation is required as event organizers often approach more than one sphere of government for support and participation in an event.

12.2 In addition, some Provincial and National Departments such as the Department of Cultural Affairs and Sport, Department of the Premier, Department of Economic Development, Department of Environmental Affairs, WESGRO, Stellenbosch Tourism, Department of Arts and Culture and many others, may provide event organizers with grants towards hosting events in the Municipal area of Stellenbosch

13. EVENT SERVICES

13.1 Municipal hosting departments may need to procure event services in support of events

13.2 Event services include but are not limited to: Fencing, private security, toilets, stage, sound and technical, electrical generators, professional event organizers, safety officers, temporary infrastructure, cleansing and waste management, volunteers, promotional clothing, staff catering, public transport provision, dedicated transport (busses), corporate gifts, venue hire, road closure adverts, road/traffic signage, professional speakers/ programme directors, entertainment and consultants for monitoring and evaluation.

13.3 Event hosting departments may request Municipal services including but not limited to: Law enforcement, traffic services, disaster management, fire services, water,

cleansing, electricity/electrical services, Community Services, poster stickers and lamp pole hiring for event flags.

- 13.4 Event hosting departments may procure event services, provided there is sufficient budget and that it is in alignment with the supply chain management process.

14. THE ROLE OF MUNICIPAL STRUCTURES AND DEPARTMENTS

14.1 Role of the Municipal hosting departments

- 14.1.1 Municipal hosting departments may initiate events
 14.1.2 Hosting departments can organize and project manage events relevant to their functional area, if the events are relevant to their business plans.

14.2 Role of Municipal service departments

- 14.2.1 To ensure that events comply with the applicable legislation.
 14.2.2 To ensure that events are safe.
 14.2.3 To ensure that access to event services is aligned with the Municipality's strategic objectives through accessibility to services.

15. IMPLEMENTATION, EVALUATION AND REVIEW

- 15.1 This policy framework is important for the management of events in the Stellenbosch Municipality. It provides an administrative procedure for the management of events.
 15.2 The events policy will be implemented once approved by Council.
 15.3 Directorates are to advise the Events Department of any blockages within the policy implementation framework.
 15.4 Changes in legislation must be taken into account for future amendments to this policy.
 15.5 Any amendments to this policy must be re-submitted to Council for review and approval.

16. EVENT TARIFFS

- 16.1 Tariffs are levied in terms of Council's budgetary process which is reviewed and approved on an annual basis, and in terms of the Events By-law, Chapter 2, Regulation 4 (3).
 16.2 Fines are determined in terms of Council's Events Bylaw to ensure compliance with the Events Bylaw.

9.	MATTERS FOR NOTIFICATION
9.1	REPORT BY THE EXECUTIVE MAYOR
9.1.1	REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM MEETING: 18 FEBRAURY 2019

Collaborator No: 635697
 File No:
 IDP KPA Ref No: Good Governance
 Meeting Date: 27 March 2019

1. SUBJECT: REPORT BY THE EXECUTIVE MAYOR ON THE MAYOR – RECTOR FORUM MEETING: 18 FEBRUAY 2019

2. PURPOSE

To inform Council of the matters under discussion at the Mayor – Rector Forum meeting held on 18 February 2019.

3. DELEGATED AUTHORITY

FOR INFORMATION

4. EXECUTIVE SUMMARY

The Executive Mayor has since her election reported to the Council on discussions that take place at the regular meetings of the Mayor – Rector Forum. The meeting was held on 18 February 2019. The minutes is attached as **ANNEXURE A**.

5. RECOMMENDATION

That Council takes note of the report from the Executive Mayor.

6. DISCUSSION / CONTENTS

6.1 Background

The forum was established to collaborate and share information and research on main areas of agreement regarding the challenges facing Stellenbosch and the possible solutions.

6.2 Discussion

The Executive Mayor has since her election reported to the Council on discussions that take place at the regular meetings of the Mayor – Rector Forum. The minutes is attached as **ANNEXURE A**.

The following concerns were discussed: 18 February 2019

- Standing items

- Feedback: Mobility Subcommittee
- Feedback: Safety and Planning Subcommittee
- Feedback: Infrastructure Development Subcommittee
- Water management

- New matters
 - o Future plan and possible upgrade – Die Braak
 - o Utilisation of SU Sport facilities
 - o Major employers of Stellenbosch
 - o Concerns re student transport / Park n Ride
 - o Problems / concerns re properties: Merrimanlaan 38 and 40
 - o Progress – “Vlakte projek”
 - o Progress – Street people study / research
 - o Roll out of coupon system – Street People

6.3 **Financial Implications**

Recommendations flowing from the discussions are dealt with in terms of the approved budget.

6.4 **Legal Implications**

Any recommendations flowing from the discussions are dealt with through items or normal administrative actions within the policies of Council.

6.5 **Staff Implications**

This report has no additional staff implications for the Municipality.

6.6 **Previous / Relevant Council Resolutions**

28 November 2018 item 9.1.1

6.7 **Risk Implications**

No additional risk implications

6.8 **Comments from Senior Management**

The report was not circulated for comment. The Executive Mayor discusses relevant issues with the Municipal Manager who takes up actions with the Directors directly.

ANNEXURES

ANNEXURE A: - Minutes of the Mayor/Rector meeting, 18 February 2019.

FOR FURTHER DETAILS CONTACT:

NAME	DONOVAN MULLER
POSITION	OFFICE MANAGER: EXECUTIVE MAYOR
DIRECTORATE	CORPORATE AND STRATEGIC SERVICES
CONTACT NUMBERS	021 8088314
E-MAIL ADDRESS	Donovan.Muller@stellenbosch.gov.za
REPORT DATE	27 March 2019

ANNEXURE A

Stellenbosch Rector/Executive Mayor Forum Meeting

The next meeting between the Rector & Vice-Chancellor and the Executive Mayor will take place at **Stellenbosch University**, Council Chambers, 1st Floor, Administration B Building, Victoria Street, Stellenbosch on **Monday 18 February 2019 at 10:00 – 12:00**.

MINUTES

Item	
<p>1. Constitution, Opening, Welcome & Apologies</p> <p>WdV welcomed everyone present to the first Rector – Mayor forum meeting for 2019. Apologies received from Prof N Koopman; Prof E Cloete will join the forum later; Prof S du Plessis to leave the forum earlier to attend to other business.</p>	WdV
<p>2. Finalisation of Agenda</p> <p>Matters arising added, as well as agenda point 6.9 and 6.10</p>	WdV
<p>3. Approval of Minutes</p> <p>Minutes approved and request to update the attendance list and circulate the new list with correct contact information. List also to include new Director: Community and Protection Services and Deputy: security Services and also invited to attend.</p>	WdV
<p>4. Matters arising</p> <p>4.1 Kayamandi Investigate possibility to acquire land. Concerns about pollution, influx but no real unrest. An eviction order was granted but an appeal on this was lodged. Awaiting the outcome of the appeal process.</p> <p>4.2 Town / Gown conference Was a very successful and highly visible event, with extremely positive feedback and generated good opinion pieces. GvD congratulated the US.</p> <p>4.3 Welcoming event – First years GvD expressed her appreciation and congratulated US on this initiative. Both leaders and students enjoyed this event, and would like to see this as an annual event on the calendar of the town / university.</p>	WdV
<p>5. Standing Matters</p>	
<p>5.1 Feedback by Mobility Sub Committee</p> <p>DL reported back on the NMT, bicycle routes in general. Problem might arise with the budget for these projects, as all these plans / engagements need to ensure it leads somewhere and will be implemented. At the meeting in March 2019, a request for comment will be submitted regarding the realisation of these plans.</p>	
<p>5.2 Feedback by Safety and Planning Subcommittee</p>	

<p>Mr Esau used to report but resigned. The new Director starts on 1 March 2019 and will be invited to the forum, and will then continue to provide feedback. A request was made that feedback stands over until the next meeting.</p> <p>Concern expressed about planning submissions that were submitted during the week.</p> <p>GvD mentioned the appointment of the new deputy for Security and Protection, and an invitation to attend this forum will be extended to Mr Kitching.</p> <p>NvE reported there were no major incidents / attacks / crime issues and reported crime related issues were 13% lower. The only major concern is bicycle theft.</p> <p>5.3 Feedback by Infrastructure Development Subcommittee</p> <p>Request made to include facilities and rivers to this subcommittee, and co-operation was expressed re the River monitoring collaborative.</p> <p>Cameras were installed at the R44 traffic lights to assist in monitoring traffic numbers.</p> <p>Discussion re drop 'n go / ride bays / facilities to be detailed. Another concern the droop off points of Uber's and the obstruction to traffic flow.</p> <p>5.4 Water Management</p> <p>DL reported dam levels currently at 56,8%, and the municipality at level 2 water restrictions. Strive to keep to 30% water usage.</p> <p>A prevention strategy is in place but it will take more than 3 years to recover. Emphasis should again be placed on communicating water saving tips to both residents and students.</p> <p>Feedback from US that they are addressing infrastructure problems across campus. 600 water meters were installed to detect leaks and help contain the water / electricity bill.</p>	
<p>6. New Matters</p>	
<p>6.1 Future plan and possible upgrade – Die Braak</p> <p>Question raised about the future plans for Die Braak. Concern expressed about the deterioration of the precinct. Possible plans include to explore plans for possible parking below but top must remain grass / soil.</p> <p>Questions also posed about the potential upgrade of informal traders' site. Many ideas and proposals are constantly received by municipality, and maybe consideration should be given to a full open public participation process regarding the future of Die Braak.</p> <p>6.2 Utilisation of SU Sports Facilities</p> <p>Matter on agenda after last minute engagement between Mayor and Rector and US facilities to assist with ensuring stadium availability for schools athletics meeting. Need for better planning and liaison, and thus matter will be taken up at School Principal forum to discuss way forward, including timeframes, costing, approvals and use. From the municipality a request to assist with monitoring and safety matters.</p> <p>6.3 Major Employers of Stellenbosch</p> <p>Request for follow-up meeting to discuss progress on various initiatives discussed at first forum. A support for collaborations, networks and groups, especially in terms of support for funding and implementation of ideas / plans.</p> <p>6.4 Concerns re student transport / Park n Ride</p> <p>GvD mentioned student unhappiness with the day shuttle service, and especially the rumour of the possible night shuttle cancellation. Initially this was a pilot project but students will now pay for the service – only 385 regular users. Communication to be rolled out concerning the new shuttle service in March 2019. Awareness must also be created re “park n ride”.</p> <p>Interesting proposal: what is the possibility (in terms of planning, multi-government sectors, funding, etc0 for a monorail between Somerset West and Stellenbosch.</p>	<p>LBvR</p> <p>WdV</p> <p>WdV</p> <p>GvD</p>

<p>Feasibility study: multi-sector approach to address housing, transport, parking, etc.</p> <p>6.5 Problems / concerns re properties: Merrimanlaan 38 en 40</p> <p>Properties in question – application process to force owner to board up / demolish properties. Concern though because the properties are heritage building. Concerns about the neglect – derelict building harbour vagrants, drug related activity and crime. US placed security guards at the properties. Additional concern that Stellenbosch Belangegroep might influence the development process of the properties.</p> <p>Instruction: Prof S du Plessis and Ms Mettler to liaise to discuss a legal process. SM to ensure building regulations are enforced, and to discuss the process for permission from Heritage regarding problem buildings.</p> <p>6.6 Progress – “Vlakte projek”</p> <p>Feedback – a project plan must be devised and submitted.</p> <p>6.7 Progress - Street People study / research</p> <p>Expressed the lack of research about homelessness and the homeless in Stellenbosch. 4 persons from US compiled a document outlining the possible scope for research. Discussed the roll-out of the coupon system, and agreement facilities management and municipality will work together on this.</p> <p>6.8 Roll out of coupon system – Street People</p> <p>Official launch of phase 1 of system to be communicated. Must link with research and awareness drives constantly to inform public, students and tourists. The Chair of the Prim Committee will also be invited, and will assist in communicating this campaign to the residences.</p> <p>The phase 1 roll out needs to flag problems, short comings, etc to be addressed.</p> <p>6.9 Communication – general municipal works</p> <p>DL informed about general municipal works / maintenance around campus. Needs to be more actively communicated.</p> <p>Concern raised by US re walkways undergoing maintenance / not user-friendly for disabled students and users, and that municipality need to inform US timeously in order to generate awareness, info to users.</p> <p>6.10 Parking management</p> <p>New contractor appointed for parking management by municipality. Have plans to formalise parking to go into 24 hr system, as well as cashless system.</p> <p>Will also assist in terms of parking / traffic management during Woordees.</p>	<p>SdP</p> <p>LBvR</p> <p>LBvR</p> <p>GM</p>
<p>7. Next Meeting</p> <p>Thursday, 30 May 2019 at Stellenbosch Municipality.</p>	

9.2	REPORT BY THE SPEAKER
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NONE

9.3	REPORT BY THE MUNICIPAL MANAGER
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9.3.1	REPORTING ON THE RELIEF AND CHARITABLE FUND (MAYORAL FUND): JANUARY 2018 – MARCH 2019
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Collaborator No:

IDP KPA Ref No:

Good governance and Compliance

Meeting Date:

27 March 2019

**1. REPORTING ON THE RELIEF AND CHARITABLE FUND (MAYORAL FUND):
JANUARY 2018 – MARCH 2019**

2. PURPOSE

The Executive Mayor receives on a regular basis requests for grants, donations and financial assistance from various organisations, groups and individuals. Most of these are dealt with through the normal Grants-in-Aid Policy, but some deserving requests fall outside the ambit of the policy.

It is thus along these lines that a mechanism was put in place that could address these deserving relief and / or charitable cases. In this regard a "Relief and / or Charitable Fund" was established for this purpose.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The fund was established during 2017. The purpose of the item is to provide feedback on the donations that have been paid out to applicants in line with the Guidelines approved by Council.

The Municipal Manager must report to Council in respect of the status of the "Fund" including amounts withdrawn, and the names and amounts of the beneficiaries. Any donation(s) received must also be reported.

On 12 April 2018, a Mayoral Golf Day was held at the Stellenbosch Golf Club and R75 000, 00 was pledged towards the fund.

List of funds paid out 2018/2019: See **APPENDIX 1**.

5. RECOMMENDATION

that Council notes the Report on the Relief and Charitable Fund (Mayoral Fund) for the period of January 2018 – March 2019.

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	27 March 2019

APPENDIX 1



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2018 – DONATION REQUESTS APPROVED – MAYORAL FUND				
NAME OF APPLICANT	DATE OF APPLICATION	DATE OF APPROVAL	FUNDING APPROVED FOR	AMOUNT APPROVED
Sincee Sinako Funeral Services	19/01/2018	23/01/2018	Transportation of body of drowning victim to Eastern Cape.	R 5 000.00
Jeremy's Driving School	15/03/2018	16/03/2018	Learner licence classes – 15 learners, ward 18 during March, April and May 2018	R 4 890.00
Kayamandi High School	15/03/2018	28/03/2018	Visit to Ireland as part of exchange programme with Adamstown Community College, Dublin [22/04/2018 – 05/05/2018]	R 5 000.00
De Vries Begrafnisdienste	22/03/2018	27/03/2018	Funeral arrangements for fire victims in Klappmuts.	R 8 500.00
Kusasa Stars Football Club	18/04/2018	23/05/2018	Transportation costs from Franschhoek for matches in Stellenbosch	R 8 000.00
Vlottenburg Vineyard Community Church	09/05/2018	17/05/2018	Vlottenburg Fire Victims – for new ID and birth certificates.	R 4 860.00
F. Philander	25/05/2018	11/06/2018	Boland central Rugby Zone tour to Bloemfontein, Krugersdorp and Durban during September 2018.	R 5 000.00
T. Mould	30/05/3018	11/06/2018	ParaCycling World Championship, Italy [2 – 5/08/2018]	R 5 000.00
Glen Eagles Soccer Club	08/06/2018	13/06/2018	Golf shirts and kit for Youth Soccer tournament [29/06/18 – 01/07/18]	R 7 302.50
Franschhoek High School	11/06/2018	14/06/2018	Tracksuits and bags for Netball 1 st team.	R 7 000.00



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Rietenbosch Primary School	19/06/2018	25/06/2018	Assist with educational trip to Namibia for 50 learners.	R 6 000.00
Kayamandi Primary School	20/06/2018	25/06/2018	Trip to Johannesburg to compete in National Music Competition [24 - 26/06/2018]	R 6 000.00
Z Mavovana	19/06/2018	02/07/2018	IPT Hockey tournament participation in Pietermaritzburg.	R 3 000.00
Cape Winelands Farmworkers Sport and Recreation Association	12/07/2018	17/07/2018	Attend rural sport in Paarl on 21/07/2018.	R 7 100.00
Saskia McDilling	12/07/2018	17/07/2018	Culture Caravan Talent Project, Poland [10 - 17/12/2018]	R 5 000.00
Kylemore Charity Fund	18/07/2018	01/08/2018	Breakfast: celebration of influential women in community, Kylemore	R 3 000.00
Pieter Langeveldt Primary School	23/08/2018	28/08/2018	Payment for graves for 2 learners who died.	R 2 100.00
Spes Bona Blind Cricket	28/08/2018	11/09/2018	Learners from Stellenbosch participated in National tournament, Pretoria.	R 5 000.00
Trees Unlimited	05/10/2018	05/10/2018	Urgent assistance – bee infestation in Klampmuts.	R 1 495.00
Deacon Williams	10/10/2018	19/11/2018	Participation – Commonwealth Championships, Durban (Karate)	R 5 000.00
Fa-eez Abrahams	29/10/2018	21/11/2018	Participation – Commonwealth Championships, Durban (Karate)	R 5 000.00
Ward 2 Senior Citizens	14/11/2018	15/11/2018	Senior citizens outing	R 4 000.00
CHHED	20/11/2018	27/11/2018	Registration fees: 2 learners	R 4 000.00



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NAME OF APPLICANT	DATE OF APPLICATION	DATE OF APPROVAL	FUNDING APPROVED FOR	AMOUNT APPROVED
Ikapa United	28/11/2018	29/11/2018	International participation – Soccer tournament, Dallas, Texas	R 5 000.00
Independent Movers	07/12/2018	07/12/2018	Christmas soup kitchen	R 5 000.00
Jamestown Soccer Club	11/12/2018	08/01/2019	Soccer kits	R 4 800.00
2019 – DONATION REQUESTS APPROVED – MAYORAL FUND				
Solomon Funerals (obo S Sauls)	07/01/2019	09/01/2019	Move of body and burial	R 6 000.00
Cloetesville High School	14/01/2019	28/01/2019	Assistance with athletics meeting	R9 960.92
K Lamberts	28/02/2019	11/03/2019	SASA II National Summer Games, Kimberley	R 2000.00
Rev D Heugh	05/03/2019	08/03/2019	Ellen Pakkies event, Klappmuts	R 1 750.00

10.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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NONE

11.	CONSIDERATION OF URGENT MOTIONS
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12.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
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13.	CONSIDERATION OF REPORTS
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13.1	REPORTS SUBMITTED BY THE SPEAKER
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NONE

13.2	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
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NONE

14.	MATTERS TO BE CONSIDERED IN-COMMITTEE
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(SEE PINK DOCUMENTATION)

THE AGENDA HAS BEEN DISCUSSED WITH THE SPEAKER, CLLR WC PETERSEN (MS), AND SHE AGREES WITH THE CONTENT.
