



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2019-05-24

NOTICE OF THE 27TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY WEDNESDAY, 2019-05-29 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
	FT Bangani-Menziwa (Ms)	N Mananga-Gugushe (Ms)
	Ald PW Biscombe	C Manuel
	G Cele (Ms)	NE Mcombring (Ms)
	PR Crawley (Ms)	XL Mdemka (Ms)
	A Crombie (Ms)	RS Nalumango (Ms)
	Z Dalling (Ms)	N Olayi
	R Du Toit (Ms)	MD Oliphant
	A Florence	SA Peters
	AR Frazenburg	MM Pietersen
	E Fredericks (Ms)	WF Pietersen
	T Gosa	SR Schäfer
	E Groenewald (Ms)	Ald JP Serdyn (Ms)
	JG Hamilton	N Sinkinya (Ms)
	AJ Hanekom	P Sitshoti (Ms)
	DA Hendrickse	Q Smit
	JK Hendriks	LL Stander
	LK Horsband (Ms)	E Vermeulen (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 **27TH MEETING** of the **COUNCIL** of **STELLENBOSCH MUNICIPALITY** will be held in the **COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH** on **WEDNESDAY, 2019-05-29** at **10:00** to consider the items on the Agenda.

SPEAKER
WC PETERSEN (MS)

A G E N D A
27TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2019-05-29

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4.	CONFIRMATION OF MINUTES: 2019-04-26	(3/4/1/5)

- 4.1 The minutes of the 26th Council Meeting: 2019-04-26 is attached as **APPENDIX 1.**
FOR CONFIRMATION

APPENDIX 1

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2019-04-24

MINUTES

26TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-04-24 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
26TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY
2019-04-24

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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 FJ Badenhorst (until 11.15) FT Bangani-Menziwa (Ms) Ald PW Biscombe G Cele(Ms) PR Crawley (Ms) A Crombie (Ms) Z Dalling (Ms) JN De Villiers R Du Toit (Ms) A Florence (until 14.00) AR Frazenburg E Fredericks (Ms) T Gosa E Groenewald (Ms) AJ Hanekom DA Hendrickse JK Hendriks	MC Johnson DD Joubert N Mananga-Gugushe (Ms) C Manuel NE Mcombring (Ms) XL Mdemka RS Nalumango (Ms) N Olayi SA Peters MM Pietersen WF Pietersen (until 14.00) SR Schäfer Ald JP Serdyn (Ms) N Sinkinya (Ms) P Sitshoti (Ms) Q Smit LL Stander E Vermeulen (Ms)

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)
- Director: Community and Protection Services (G Boshoff)
- Chief Audit Executive (F Hoosain)
- Senior Manager: Governance (Ms S De Visser)
- Manager: Communications: S Grobbelaar
- Manager: Secretariat (EJ Potts)
- Senior Administration Officer (B Mgcushe (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 26th Council meeting, and extended a warm welcome to the new Councillor, Zelda Dalling (Ms).

A moment of silence was observed.

2.	COMMUNICATIONS
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2.1	MAYORAL ADDRESS
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“Good morning Goeie môre, Molweni

- Dankbaar dat almal veilig terug is na die lang naweek.
- Baie dankie aan ons wetstoepassing en verkeerspersoneel wat hierdie langnaweek hul familietyd opgeoffer het om ons inwoners en padgebruikers te beveilig.
- Dink aan die slagoffers wat die afgelope naweek hul lewens op ons paaie verloor het.
- In happier news, I am excited and proud to provide you with feedback with regards to the upgrade of the Mandela City Upgrade.
- We are now almost at the end of phase one of the project, and will then move top phase 2.
- This project is addressing the living conditions of people in informal settlements
- In 2016, when I first arrived in Stellenbosch I was shocked and saddened to see how the residents lived and promised to improve their living conditions
- Dignified living conditions is a basic human right, and this project helps to realise that by providing residents with basic services, tarred roads and new prefabricated structures.
- There is still a lot of work that must be done, but I am overjoyed to inform you that the first families have moved in!
- The provincial government has sponsored the installation of bulk services, and the municipality has provided the funding for the prefabricated top structures.
- Each unit has their own bathroom, massive upgrade, especially considering the national standard is 7 families sharing one bathroom.
- Will improve safety for especially women, who do not have to walk to a shared distant facility.
- All the units have electricity too.
- It is anticipated that a total of 505 households will be accommodated by the end of the project.
- The upgrade involves a block approach
- The families were allocated in accordance with the emergency housing policy of the municipality as well as the criteria communicated by the residents. The criteria made provision for the current structure sizes of the families currently residing in Mandela City.
- When the families move in, they are required to demolish their old structure.
- As soon as the entire plot of land has been cleared and all the phase 1 families have been moved, the next phase can begin.
- This again involves the installing of bulk services, roads and housing units.
- We are in the process to continue with Phase 2 and request residents of Mandela City to assist the Municipality with the control of new illegal structures being erected in Mandela City.
- Baie opwindende week verlede week

-
- Geleentheid gehad om twee van ons uiters belangrike projekte vir die Klapmuts gemeenskap te open.
 - The first was the satellite fire station.
 - For the community of Klapmuts, it is a critical service facility that saves and protects our residents and their homes.
 - The need for a permanently manned station in this community has been pronounced, because of their distance from main service providers.
 - The closest assistance for this community use to be at least 30 minutes away.
 - The project started in 2016 and staff was already able to take occupation in 2017.
 - Work has continued throughout the last 2 years to continuously upgrade and equip the facility to what we are opening today.
 - The fire station consists of the following:
 - engine room that can accommodate 2 fire trucks
 - wash bay area for the trucks
 - back-up generator
 - reception area
 - fully equipped kitchen
 - entertainment area
 - 2 full bathrooms
 - 3 bedrooms
 - storeroom
 - The station is permanently manned by an officer and three crew members, as well as a cleaner who keeps the facility clean and neat.
 - Wil die geleentheid gebruik om namens die Raad en al ons inwoners, ons brandweerdienste te bedank!
 - Hul selflose diens aan die gemeenskap is en die opofferings wat hulle maak vir ander is werklik heldhaftig en ons kan nie genoeg dankie sê nie.
 - Op 4 Mei, vier ons Internasionale Brandbestryders Dag, en hier gaan ook 'n parade op die Braak wees.
 - Woon gerus die geleentheid by en kom wys u waardering vir ons Brandweermanne.
 - Another wonderful project we opened in Klapmuts last week, is the Klapmuts Multi- Purpose centre.
 - This is a brand new community facility that will positively change the lives of Klapmuts residents and provide them with endless possibilities.
 - This facility has office space, a meeting hall, meeting spaces, training facilities and will host municipal facilities to provide easier access to the community.
 - A Cape Access centre is located in the centre
 - Cape Access is a Provincial Government programme that provides access to information and communication technologies (ICT) to less privileged and rural communities across the Western Cape.
 - Through improved ICT availability, Cape Access is opening doors to better education, employment and business opportunities, fuelling socio-economic development in communities where it is most needed.
 - The Cape Access centre provides the community with the following:
 - use of computers,
 - access to the internet,

- access to email,
- printing
- basic computer training,
- access to government information and services,
- access to jobs, business and research information, and
- accredited computer training.
- The Klapmuts community will now have easy access to opportunities that in the past they had to travel great distances for and at great costs.
- Residents will have access to online information for different uses, such as:
 - school projects,
 - job applications,
 - internet banking,
 - SARS e-filing,
 - research,
 - creating their CVs, and
 - accessing social media
- They will no longer have to travel to do account queries, pay fines or apply for indigent grants.
- Saterdag, 27 April herdenk ons die eerste demokratiese verkiessing wat 25 jaar gelede plaas gevind het.
- Slegs 'n week en 'n half voor ons volgende nasionale en provinsiale verkiesing wat plaasvind op 8 Mei 2019
- Stempunte sal oop wees vanaf 7 uur die oggend tot 9 uur die aand.
- Onthou dat as u in die ry staan teen 9 uur die aand, u nie weg gewys mag word nie en u stem nog mag uitbring.
- Indien u nie seker is waar u naaste stempunt is nie, gebruik gerus die OVK/ IEC se webblad om uit te vind. www.elections.org.za
- Die webblad kan help met al u vrae oor verkiesingsdag.
- Ek doen 'n ernstige beroep op alle geregistreerde kiesers om te gaan stem.
- Dit is nie 'n bonus vakansiedag nie, maar u plig as inwoner om te gaan stem.
- Die reg om te stem is iets waarvoor mense moes baklei en waarvoor mense gesterf het. Dit is iets wat ons nie met apatie kan laat verby gaan nie.
- Ramadan, one of the holiest times on the Muslim calendar, begins on the evening of 5 May. On behalf of Council and the Municipal Manager, I want to wish all our Muslim Residents and officials a blessed and joyous Ramadan.

Thank You".

2.2	COMMUNICATION BY THE SPEAKER
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"1. The following Councillors celebrated their birthdays during April:

Cllr A Florence	- 01 April
Cllr G Cele (Ms)	- 09 April
Cllr E Groenewald (Ms)	- 18 April
Cllr P Crawley	- 19 April
Cllr N Mcombring	- 24 April

We trust that you have been blessed on your birthday and good fortunes accompany you over the next year.

2. Condolences to those who have lost loved ones in recent times.
3. Councillors are cautioned not to get involved with the execution of the CWP projects that are currently running in the respective wards; complaints have been received of councillors getting involvement, which has created havoc in some wards.
4. Councillors, please note that ward administrators should be at their offices and not be commandeered to assist with party-political duties; a concern regarding this matter has been raised.
5. A friendly reminder to all ward Councillors, that the All Ward Councillors' meeting is scheduled for 23 May 2019 at 14:00, in Council Chambers.

Thank You."

2.3	COMMUNICATION BY THE MUNICIPAL MANAGER
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The Municipal Manager confirmed that the public participation process with regard to the IDP, Budget and SDF is well under way and running smoothly. Legislation dictates the timeframe within which these public engagements should be held, and some of the sessions this year fall within the period of sacred events on the Christian calendar, which unfortunately impacts on the public's attendance.

With reference to the upcoming Freedom Day, as well as the general elections, the Municipal Manager urged all to be reminded of the noble value of respect and to enhance the freedom of others. Workers' Day is an opportunity to rest and reflect on the valuable and much-appreciated contribution that everyone in the Stellenbosch municipal workforce had made in rendering a service to others.

3.	OFFICIAL NOTICES
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3.1	DISCLOSURE OF INTEREST
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NONE

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 GN Bakubaku-Vos (Ms)	–	24 April 2019
Cllr LK Horsband (Ms)	–	24 April 2019

- 3.2.2 Permission was granted to Cllrs FJ Badenhorst, A Florence and WF Pietersen to leave the meeting earlier (at 11:15 and 14:00 respectively).

3.2.3 ABSENT

Cllr JG Hamilton	–	24 April 2019
Cllr MD Oliphant	–	24 April 2019

4.	CONFIRMATION OF MINUTES	(3/4/1/5)
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4.1	CONFIRMATION OF MINUTES OF THE 25TH COUNCIL ON 2019-03-27	(3/4/1/5)
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The minutes of the 25th Council Meeting: 2019-03-27, were **confirmed as correct.**

4.2	CONFIRMATION OF MINUTES OF AN URGENT COUNCIL: 2019-04-02	(3/4/1/5)
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The minutes of an Urgent Council Meeting: 2019-04-02, were **confirmed as correct.**

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
<u>Cllr DA Hendrickse:</u> 7.5.1 PROPOSED DISPOSAL OF MUNICIPAL LAND, PORTION 4 OF FARM NO. 527, JAMESTOWN 14TH COUNCIL MEETING: 2017-11-29: ITEM 7.5.1	86	Stage 2 of the tender process is underway; When will the matter be concluded?	The final stage of the tender process is anticipated to be complete by end May 2019.
<u>Cllr DA Hendrickse:</u> THE MEULSLOOT ITEM; THE GOLF COURSE ARBITRATION MATTER		The Meulsloot item, as well as the Golf course arbitration matter, are not reflected on the list of Outstanding Matters; what is the current status with these two items?	With reference to both the Meulsloot issue and the Golf Course Arbitration matter, the Council's resolutions have been actioned by the Administration; if so required by Council, the outcomes and/or a Progress Report on both matters can be brought to Council in due course.

NOTED

The concerns raised and the feedback report on Outstanding Resolutions.

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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7.1.1	STELLENBOSCH GIVES RESPONSIBLY CAMPAIGN
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Collaborator No: 635004
IDP KPA Ref No: Dignified Living: Municipal Focus Area 21
Meeting Date: 24 April 2019

1. SUBJECT: STELLENBOSCH GIVES RESPONSIBLY CAMPAIGN

2. PURPOSE

To inform Council of developments in relation to a collaborative approach to addressing the needs of persons living on the street as part of a holistic approach to dealing with the issue.

3. DELEGATED AUTHORITY

Municipal Council.

4. EXECUTIVE SUMMARY

The Department Community Development drove a process through community participation and collaboration in search of a collective and holistic approach to service delivery to persons living on the street. The process delivered a draft Street People Policy which was recommended to serve at the next available Section 80 committee for Community and Protection Services.

Apart from the development of a policy, participants also explored and mapped a holistic service for persons living on the street with four strategies requiring actions. The strategies include:

1. Educating the public
2. Empowering people to be self sufficient
3. Preserving human dignity
4. Prevention services

This item is to inform Council of developments that were made in relation to educating the public.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.1.1

RESOLVED (nem con)

that Council notes the developments made toward a collaborative action in terms of educating the public by way of an awareness campaign called Stellenbosch Gives Responsibly.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	M Aalbers
<i>POSITION</i>	Manager Community Development
<i>DIRECTORATE</i>	Community and Protection Services
<i>CONTACT NUMBERS</i>	8408
<i>E-MAIL ADDRESS</i>	Michelle.aalbers@stellenbosch.gov.za
<i>REPORT DATE</i>	18/02/2019

7.1.2	DRAFT STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019)
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Collaborator No: 632905
IDP KPA Ref No:
Meeting Date: 24 April 2019

1. SUBJECT: DRAFT STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019)

2. PURPOSE

To acquire Council's approval to advertise the draft Stellenbosch Municipality Integrated Fire Management Plan for public input.

3. DELEGATED AUTHORITY

For decision by the Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality continues to be threatened by veld fires. The dominant vegetation type within the region is both fire-prone and fire-dependent. This is exacerbated by the expansion of urban areas, infestations of alien vegetation and windy, hot and dry summer periods typical of the region.

The primary goal of the Stellenbosch Municipality Integrated Fire Management Plan (SFMP) is to ensure that veld fires are able to serve greater good than harm. The SFMP aims to eliminate loss of life, human injury, and economic and environmental losses as a result of veld fires. In order to fulfil these objectives the SFMP makes provision for the following three components in the approach to the occurrence of veld fires namely:

- Awareness
- Prevention & preparedness
- Response

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.1.2

RESOLVED (majority vote with abstentions)

- (a) that Council approves the advertisement of the draft Stellenbosch Municipality Integrated Fire Management Plan (January 2019) for a period of 30 days for public input; and
- (b) that the inputs received during the above public participation process be worked into a final draft Stellenbosch Municipality Integrated Fire Management Plan to be presented to Council for approval.

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	12 February 2019

7.1.3	STREET PEOPLE POLICY
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Collaborator No: 529636
IDP KPA Ref No: Dignified Living: Municipal Focus Area 21
Meeting Date: 2019-04-10

1. SUBJECT: STREET PEOPLE POLICY

2. PURPOSE

To obtain Council's approval of the Stellenbosch Municipality Street People Policy.

3. DELEGATED AUTHORITY

MUNICIPAL COUNCIL.

4. EXECUTIVE SUMMARY

The objective is to present Council with a policy aimed at addressing the needs of persons living on the street through a holistic approach of service delivery in collaboration with civil society. A further aim is to develop a unified response to the reality of persons living on the street as part of an awareness / communication strategy aimed at all citizens and sectors within the municipal boundaries.

Delivery of Social Services is not a municipal competency and The Policy can thus only be implemented through active participation by all relevant stakeholders.

A series of workshops have contributed to starting a network of communication between different local service providers.

In the field of service delivery to persons living on the street, the following local stakeholders have been identified and consulted during three engagements:

Stakeholder	Level of participation
Department Social Development	Did not attend any of the workshops
Stellenbosch Night Shelter	Attended two sessions
Straatlig	Attended two sessions
Youth Outreach	Attended one session
Feeding in Action	Attended three sessions
Youth Empowerment Action	Attended one session

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.1.3**RESOLVED** (majority vote with abstentions)

- (a) that Council approves the Draft Policy on Street People (as amended) in principle;
- (b) that the Draft Policy on Street People be advertised for public comment; and
- (c) that all inputs and comments received be brought back to Council for final consideration and approval of the Street People Policy.

FOR FURTHER DETAILS CONTACT:

NAME	M Aalbers
POSITION	Manager Community Development
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	8408
E-MAIL ADDRESS	Michelle.aalbers@stellenbosch.gov.za
REPORT DATE	03/12/2018

7.1.4	ALIGNMENT OF INSIGNIA OF LAW ENFORCEMENT RANKS
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Collaborator No: 617136
IDP KPA Ref No: Safest Valley
Meeting Date: 24 April 2019
File Plan: 8/1/4/2/3

1. SUBJECT: ALIGNMENT OF INSIGNIA OF LAW ENFORCEMENT RANKS

2. PURPOSE

To submit the alignment of insignia of Law Enforcement ranks to Council for adoption.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The current rank insignia of Law Enforcement is not in line with the other municipalities in South Africa. The rank insignia of Law Enforcement need to be aligned with the rest of the municipalities across the country. The new rank insignia is in line with the directive of the Institute of Municipal Public Safety of South Africa (IMPS-SA).

The alignment of the rank insignia will not impact on the approved organisational structure of Council, neither will it promote any staff member within the Law Enforcement fraternity or have any financial impact insofar as it concerns the salary of T-levels of staff.

The alignment of the rank insignia will bring uniformity amongst law enforcement officers throughout the country which in effect means from an Inspector to the Chief; Law Enforcement the insignia will be the same in each Law Enforcement Department irrespective of the municipality this will also boost staff morale and influence staff positively.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.1.4

RESOLVED (majority vote with abstentions)

that Council adopts the alignment of the new rank insignia for Law Enforcement.

FOR FURTHER DETAILS CONTACT:

NAME	ALBERT VAN DER MERWE
POSITION	ACTING DIRECTOR COMMUNITY & PROTECTION SERVICES
DIRECTORATE	COMMUNITY & PROTECTION SERVICES
CONTACT NUMBERS	X8437
E-MAIL ADDRESS	Albert.vandermerwe @stellenbosch.gov.za
REPORT DATE	10 October 2018

There is a 50m building restriction applicable, measured from the middle of Lamprecht Street (Northern boundary of site) which would not allow the church to develop on that area.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.1

RESOLVED (majority vote with abstentions)

- (a) that the portion of erf 23, excluding the parking area, Franschhoek, as land indicated in Fig 3, be identified as land not needed to provide the minimum level of basic municipal services;
- (b) that Council, **in principle**, approve the disposal of land to the Franschhoek Methodist Church without following a public tender process, and subject to the following conditions:
- i) that the **purchase price** be determined at **30% of market value**, the market value to be determined by two (2) independent valuers;
 - ii) that a **reversionary clause** be inserted in the title deed of the property, should the property not be used for religious/social care purposes anymore;
 - iii) that the church be responsible for the **sub-division** and rezoning of erf 23, Franschhoek, to allow for a separate unit to be transferred;
 - iv) that a servitude be registered in favour of the Municipality regarding all municipal services crossing the property;
 - v) that a right of access from Bagatelle Street be registered in favour of the church.
- (c) that Council's intention to dispose of the property under the provisions set out above, be advertised for **public inputs/objections/alternative proposals** as provided for in par 9.2.2.1 of the Property Management Policy; and
- (d) that, following the public participation process, the matter be submitted to Council to make a final decision on the disposal, or not.

FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	<i>Manager: Property Management</i>
DIRECTORATE	<i>Corporate services</i>
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@stellenbosch.gov.za
REPORT DATE	2018-07-30

7.2.2	PROPOSED DISPOSAL OF ERVEN 3192, 3019 AND 3111 IN MOOIWATER, FRANSCHHOEK: CONSIDERATION OF PUBLIC INPUTS
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Organisational Transformation

24 April 2019

1. SUBJECT: PROPOSED DISPOSAL OF ERVEN 3192, 3019 AND 3111 IN MOOIWATER, FRANSCHHOEK: CONSIDERATION OF PUBLIC INPUTS

2. PURPOSE

To make a determination regarding the disposal of erven 3192, 3019 AND 3111 in Mooiwater, following a public participation process.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Before making a decision on the possible disposal of the three (3) erven in Mooiwater, Franschhoek, Council requested that a public participation process first be followed. Notice was published as required and is attached hereto as **ANNEXURE 2**.

No comment/inputs were received. Council must now decide on a way forward. The current zoning of the erven is "Institutional Use".

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.2

RESOLVED (majority vote)

- (a) that it be noted that no comment/inputs were received from the residents of wards 1 and 2 in regard to the future use of the properties;
- (b) 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, in principle, disposed of;
- (c) that Council resolves that the properties be put out on a Call for Proposals for multi-purpose institutional use to the benefit of the community. Proposals will be evaluated based on the type of institutional uses, how it will benefit the greater community, and how many institutions will be accommodated through the proposals;
- (d) that the matter be reported back to Mayco and Council after implementation of resolution (c) above; and
- (e) that the conditional awarding of the tenders by the Bid Adjudication Committee, should in principle disposal be approved, be submitted to Council to make a final determination on the disposal of the properties.

Councillor DA Hendrickse requested that his vote of dissent be minuted, on the grounds that, in his view, the item is not legally compliant.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene De Beer
POSITION	<i>Director</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	annalene.debeer@stellenbosch.gov.za
REPORT DATE	2018-08-21

7.2.3	ADDITIONAL RESPONSIBILITY ALLOWANCE POLICY
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Collaborator No: 4/P/26
IDP KPA Ref No: Good Governance
Meeting Date: 16 and 24 April 2019

1. SUBJECT: ADDITIONAL RESPONSIBILITY ALLOWANCE POLICY**2. PURPOSE**

To request Council to approve the Additional Responsibility Allowance Policy.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Currently there is no provision to pay employees for taking on a higher level of responsibility which functions falls within a higher level post. There is a need to pay employees who take on responsibilities on a higher level for the additional responsibility.

To fill the gap a policy was drawn up to make provision for the payment of employees who do not fall within the ambit of the acting allowance provisions in the Western Cape Conditions of Service collective agreement. Additional responsibility allowances are paid when an employee takes on additional duties or responsibilities of a higher graded post for a limited period of time.

The policy was tabled at the Local Labour Forum and referred to the Human Resources Development Sub-Committee. The committee met on several occasions to discuss the content of the policy and concluded consultation on the 04th of March 2019. The Additional Responsibility Allowance Policy was re-submitted and accepted by the Local Labour Forum on the 25th of March 2019 and recommended for approval to MAYCO and Council.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.3

RESOLVED (majority vote with abstentions)

that the Additional Responsibility Allowance Policy be approved.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene De Beer</i>
POSITION	<i>Director Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-808 8018</i>
E-MAIL ADDRESS	<i>Annalene.DeBeer@stellenbosch.gov.za</i>
REPORT DATE	<i>08 April 2019</i>

7.2.4	GUIDELINES ON NEGOTIATION OF REMUNERATION (WITHIN THE NATIONAL NEGOTIATED FRAMEWORK) FOR THE RETENTION AND ATTRACTION OF STAFF
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Collaborator No: 4/P/49
IDP KPA Ref No: Good Governance
Meeting Date: 16 and 24 April 2019

1. SUBJECT: GUIDELINES ON NEGOTIATION OF REMUNERATION (WITHIN THE NATIONAL NEGOTIATED FRAMEWORK) FOR THE RETENTION AND ATTRACTION OF STAFF

2. PURPOSE

To inform MAYCO and Council of the guidelines for negotiation of remuneration with the view to attract and retain staff.

3. DELEGATED AUTHORITY

The Municipal Manager may appoint staff below the Section 56 Managers within a framework set by Council. The current framework is the provisions in the Collective Agreement and salary scales set in TASK.

4. EXECUTIVE SUMMARY

When employees are appointed it is done on the basis of the first notch of a salary scale applicable to the post. It often happens that candidates request to negotiate their salaries and provide proof of previous remuneration. In an attempt to ensure that the candidate accepts the offer of employment the candidate is offered a different notch. It also often happens that employees get offers of employment from other employers and that the municipality would like to retain the services of such an employee. The only manner to do that is to provide a counter offer to the employee or to offer another post in the municipality that is vacant.

The Municipal Manager may appoint an employee on a salary within the framework set by Council. That framework is the salary scales attached to TASK for the category municipality we are (category 4 for employees other than section 56 employees).

We think it is good practise to develop guidelines within which the negotiations take place to ensure uniformity and curb undue expectations. The Guidelines on the Negotiation of Remuneration (within the National Negotiated Framework) for the Retention and Attraction of Staff was drawn up and tabled at the Local Labour Forum for consultation. It was referred to the Human Resources Development Sub-Committee for consultation and re-submitted to Local Labour Forum. The local Labour Forum approved the guidelines on 25 March 2019.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.4

RESOLVED (majority vote)

- (a) that the Guidelines on the Negotiation of Remuneration (within the National Negotiated Framework) for the Retention and Attraction of Staff be noted and supported;
- (b) that it be noted that the salary negotiations fall within the authority of the Municipal Manager and may be delegated as per the content of the guidelines; and
- (c) that, where there is a contradiction between the provisions of this guidelines and other provisions within a Human Resources policy that has not yet been reviewed within this Council's term, the provisions of these guidelines will prevail.

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

FOR FURTHER DETAILS CONTACT:

NAME	<i>Annalene De Beer</i>
POSITION	<i>Director Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021-808 8018</i>
E-MAIL ADDRESS	<i>Annalene.DeBeer@stellenbosch.gov.za</i>
REPORT DATE	<i>08 April 2019</i>

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 Q SMIT]
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NONE

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

IDP KPA Ref No:

Meeting Date:

Strategic Focus Area 2

24 April 2019

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

2. **PURPOSE**

To inform Council about the following:

2.1 A revised By-law (**ANNEXURE B**) relating to plantations, play parks, gardens, recreation, facilities, nature reserves and public open spaces in order to implement the following:

2.1.1 To regulate the admission of the general public, animals and vehicles to public parks, to provide for the use and enjoyment of public parks, to determine conduct that will not be allowed within public parks, and to provide for the matters incidental thereto.

2.1.2 To ensure environmental sustainable practices in the development of parks and public open spaces within the community for current and future generations. Furthermore, the aim is to ensure that the rights and obligations of the public in relation to parks and public open spaces are adhered to.

2.1.3 To promote the achievement of a safe and peaceful environment.

2.1.4 To provide procedures, methods and practices that regulate the use and management of public amenities.

3. **DELEGATED AUTHORITY**

Council

4. **EXECUTIVE SUMMARY**

The By-law was revised and served before the Standing Committee and the Mayoral Committee, where it was resolved:

that it be recommended to Council that the attached revised Parks By-law, be approved.

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

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.6.1**RESOLVED** (majority vote with abstentions)

that the revised By-law relating to plantations, play parks, gardens, recreation, facilities, nature conservation and public open spaces, be approved.

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe
POSITION	Manager: Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8161
E-MAIL ADDRESS	albert.vandermerwe@stellenbosch .gov.za
REPORT DATE	24/04/2019

7.6.2	DRAFT STELLENBOSCH MUNICIPALITY ENVIRONMENTAL MANAGEMENT FRAMEWORK (SEPTEMBER 2018)
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Collaborator No: 635707
IDP KPA Ref No:
Meeting Date: 24 April 2019

1. SUBJECT: DRAFT STELLENBOSCH MUNICIPALITY ENVIRONMENTAL MANAGEMENT FRAMEWORK (SEPTEMBER 2018)

2. PURPOSE

To acquire Council's approval to advertise the draft Stellenbosch Municipality Environmental Management Framework (SEMF, September 2018) (**ANNEXURE 1**) in terms of the Local Government: Municipal Systems Act, 32 of 2000 (MSA) for a period of 60 days for public comment.

3. DELEGATED AUTHORITY

For decision by the Council of Stellenbosch Municipality.

4. EXECUTIVE SUMMARY

South Africa's environmental right is captured in the Constitution which states that every person has a right to an environment that is not harmful to his/her health and well-being. Through the same section an obligation is placed on the state to put in place reasonable legislative and other measures to realise this right¹.

In terms of the MSA, municipalities have the duty to strive to ensure that municipal services are provided to the local community in a financially and environmentally sustainable manner². To achieve this each Municipal Council must adopt an Integrated Development Plan (IDP), a single, inclusive and strategic plan for development of the municipality³. An IDP must include a Spatial Development Framework that makes provision for guidelines for land use management within the municipality⁴.

In terms of the Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA), a Municipal Spatial Development Framework (MSDF) must include a strategic assessment of environmental pressures and opportunities within the municipal area, including the spatial location of environmental sensitivities, high potential agricultural land and coastal access strips where applicable⁵. As a sector plan to the MSDF it is envisioned that the SEMF will fulfill this function.

¹ Bill of Rights, Section 24

² MSA, Section 4.

³ MSA, Section 25.

⁴ MSA, Section 26.

⁵ SPLUMA, Section 21(j)

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.6.2**RESOLVED** (majority vote)

- (a) that Council approves the advertisement of the draft Stellenbosch Municipality Environmental Management Framework (September 2018) for a period of 30 days for public input; and
- (b) that the inputs received during the above public participation process be worked into a final draft Stellenbosch Municipality Environmental Management Framework to be presented to Council for approval.

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

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

7.6.3	ESTABLISHMENT OF 'FRIENDS GROUPS' FOR STELLENBOSCH NATURE RESERVES AND DESIGNATED NATURE AREAS
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Collaborator No: 635397
IDP KPA Ref No: 10/5/34/1
Meeting Date: 2019-04-24

1. SUBJECT: ESTABLISHMENT OF 'FRIENDS GROUPS' FOR STELLENBOSCH NATURE RESERVES AND DESIGNATED NATURE AREAS

2. PURPOSE

To obtain Council's approval for:

- (a) Establishing of Friends Groups at the three declared Nature Reserves of Stellenbosch (WC024);
- (b) To officially acknowledge the Friends Groups, after establishment; and
- (c) To convert Mont Rochelle Nature Reserve Advisory Board to a Friends Group.

3. DELEGATED AUTHORITY

For decision the Municipal Council.

In terms of the National Environmental Management: Protected Areas Act, 57 of 2003 and the National Conservation Ordinance, 19 of 1974.

4. EXECUTIVE SUMMARY

The purpose of the 'Friends Groups' is to create a platform for interested members of the public to play an active role in the improvement of the management of nature reserves and designated nature areas by means of volunteerism. This extends the arm of the current capacity which the municipality can expand on this function and allows the general public to contribute to the improvement of these areas.

It is envisaged that the Friends Groups will contribute to the overall efficient management of these areas by assisting and possibly fast-tracking addressing non-technical matters such as security, marketing, events and sourcing of external funding, amongst others.

Technical advice and leadership is currently being provided by the overarching Protected Areas Forum (PAF), established in 2016. This technical group assists the municipality with conservation and biodiversity advice and leadership in alignment with the National Environmental Management Protected Areas Act, 57 of 2003 (NEM:PAA). The Friends Groups will have representation on the PAF.

Significant portions of the Stellenbosch Municipality consist of areas designated and/or declared for conservation purposes. The Stellenbosch Municipality Protected Areas Forum (SMPAF) was created to form an overarching technical advisory body which assists and guides the municipality in the execution of their legislative mandate in respect of biodiversity conservation.

However, this forum is technical of nature and does not give interested public a platform to get actively involved in the improvement of these sites.

In order for the Municipality to enable this platform, the department has investigated at the "Friends Groups" model which is implemented at various other nature sites in South Africa.

26TH COUNCIL MEETING: 2019-04-24: ITEM 7.6.3**RESOLVED** (majority vote)

- (a) that Council accepts the concept of “Friends Groups” as a way of creating community involvement in the management of nature areas;
- (b) that approval is granted for the establishment of “Friends Groups” for the declared nature reserves of Papegaaiberg, Mont Rochelle and Jan Marais Nature Reserve as well as informal nature areas as required;
- (c) that the Protected Areas Forum Terms of Reference be revised and brought in alignment with the Norms and Standard of the Department of Environment, Gazette Notice 382 of 31 March 2016, and its purpose as alluded to in this item; and
- (d) that a progress report on the establishment of “Friends Groups” be submitted within 30 days after implementation.

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

Councillors F Adams; FT Bangani-Menziwa (Ms); DA Hendrickse; N Mananga-Gugushe (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe / Schalk van der Merwe
POSITION	MANAGER Community services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021-808 8160
E-MAIL ADDRESS	albert.vandermerwe@ Stellenbosch.gov.za
REPORT DATE	April 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: MM 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	REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 3 (01 JANUARY 2019-31 MARCH 2019)
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File Ref: 8/1/3/3/2
 Collaborator No: 640511
 IDP KPA Ref: 8: Financial Sustainability (KFA 59: Supply Chain Management)
 Meeting Date: 24 April 2019

1. **SUBJECT: REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF STELLENBOSCH MUNICIPALITY: QUARTER 3 (01 JANUARY 2019 - 31 MARCH 2019)**

2. **PURPOSE**

To submit to Executive Management a report for the period 01 January 2019 - 31 March 2019 on the implementation of Council's Supply Chain Management Policy. The report covers the performance of the various delegated functions and the implementation thereof.

3. **DELEGATED AUTHORITY
MUNICIPAL COUNCIL**

Section 2(3) & 4 of the SCM Policy 2018/2019 determines that the Accounting Officer must within 10 days at the end of each quarter; submit a report on the implementation of the SCM Policy to the Executive Mayor. This report must be made public in accordance with section 21A of the Municipal Systems Act (32 of 2000).

4. **EXECUTIVE SUMMARY**

On a quarterly basis the Accounting Officer must submit a report on the implementation of the Supply Chain Management Policy to the Executive Mayor. In terms of the SCM Regulations and Council's SCM Policy the SCM unit has been delegated to perform powers and functions that related to the procurement of goods and services, disposal of goods no longer needed, the selection of contractors to provide assistance in the provision of municipal services. This report contains the details of the implementation of the SCM Policy for Quarter 3: January 2019 – March 2019.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.1

RESOLVED (nem con)

- (a) that Council takes note of this report and ANNEXURE A attached to the report; and
- (b) that the report be made public in accordance with section 21A of the Municipal Systems Act.

FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
CONTACT NUMBERS	021 808 8137
E-MAIL ADDRESS	Dalleel.Jacobs@ Stellenbosch.gov.za
DIRECTORATE	Financial Services
REPORT DATE	05 March 2019

8.2.2	WRITE-OFF OF DEBTS – D&G TRUST AND BAHIA TRUST – ACCOUNT 10812785
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File Ref:**Collaborator No:** 640509**IDP KPA Ref:****Meeting Date:** 24 April 2019**1. SUBJECT: WRITE-OFF OF DEBTS – D&G TRUST AND BAHIA TRUST – ACCOUNT 10812785****2. PURPOSE**

To request Council to write off a debt that arose due to an undetectable underground water leak during 2014/15.

3. DELEGATED AUTHORITY

Council to approve in terms of the approved Irrecoverable Debts Policy.

4. EXECUTIVE SUMMARY

An amount of R53 903.39 is being regarded as irrecoverable and should be written off.

This amount arose due an undetectable water leak, coupled with a set of circumstances that could not have been reasonably prevented and a resulting, long standing dispute.

The leak was immediately repaired by the owner upon detection. The Leak Tariff was applied and credits of R67 735 were passed on to the consumer.

Other circumstances however, gave rise to the consumer's continued dissatisfaction and a final offer of R21 000 was made to resolve the dispute.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.2**RESOLVED** (majority vote with abstentions)

- (a) that Council takes note of the circumstances that lead to this particular instance and accept the final settlement offer of R21 000 that has already been paid in good faith by the consumer; and
- (b) that Council approves that the remaining outstanding balance of account number 10812785 be written off. (R53 903.39 at time of writing this report).

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

FOR FURTHER DETAILS CONTACT:

NAME	A Treurnich
POSITION	Manager: Treasury
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8016
E-MAIL ADDRESS	Andre.treurnich@stellenbosch.org.za
REPORT DATE	27 October 2018

8.2.3	WRITE-OFF OF INTEREST – KYLEMORE BEGRAFNISGENOOTSKAP – ERF 466 KYLEMORE
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File Ref:**Collaborator No:** 640503**IDP KPA Ref:****Meeting Date:** 24 April 2019**1. SUBJECT: WRITE-OFF OF INTEREST – KYLEMORE BEGRAFNISGENOOTSKAP – ERF 466 KYLEMORE****2. PURPOSE**

To request Council to write off interest on the consumer accounts of Kylemore Begrafnisgenootskap that have now been paid in full.

3. DELEGATED AUTHORITY

Council to approve in terms of the approved Irrecoverable Debts Policy.

4. EXECUTIVE SUMMARY

For many years, the members of the Begrafnisgenootskap were not in a position to pay the account of their property, erf 466 Kylemore. The outstanding account grew to an amount in excess of R1.5 million.

The property has recently been sold and the outstanding debt was settled during the transfer of the property, but the sellers have requested council to consider graciously writing off interest of R400 000.

The actual amount of interest which was due when the account was paid in full, amounted to R442 368.92, but the sellers only requested an amount of R400 000.00 to be reversed.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.3**RESOLVED** (majority vote)

that Council takes cognizance that the full outstanding amount of erf 466 Kylemore has been settled, and approves that the amount of R400 000.00 (representing interest that accrued to the account) be written back and refunded to the former owners of the property.

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

Councillors F Adams; FT Bangani-Menziwa (Ms); DA Hendrickse; N Mananga-Gugushe (Ms); RS Nalumango (Ms); WF Pietersen; N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	A Treurnich
POSITION	Manager: Treasury
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8016
E-MAIL ADDRESS	Andre.treurnich@stellenbosch.org.za
REPORT DATE	11 January 2019

8.2.4	DATE OF NEXT GENERAL VALUATION
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File Ref:**Collaborator No:** 640502**IDP KPA Ref:****Meeting Date:** 24 April 2019**1. SUBJECT: DATE OF NEXT GENERAL VALUATION****2. PURPOSE**

To determine a date, according to Section 31 of the Local Government: Municipal Property Rates Act, No 6, 2004, on which the next new General Valuation Roll is to be implemented.

3. DELEGATED AUTHORITY

Municipal Council.

In terms of Section 31 of the Local Government: Municipal Property Rates Act 6 of 2004.

4. EXECUTIVE SUMMARY

To determine a date, according to Section 31 of the Local Government: Municipal Property Rates Act 6 of 2004, on which the next new General Valuation Roll is to be implemented.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.4**RESOLVED** (majority vote with abstentions)

- (a) that Council, for purposes of the next General Valuation, approves 02 July 2020 as date of the Valuation Roll, to be implemented on 01 July 2021; and
- (b) that Council commits to the successful implementation of the new Valuation Roll on 01 July 2021.

FOR FURTHER DETAILS CONTACT:

NAME	<i>A Treurnich</i>
POSITION	<i>Manager: Treasury</i>
DIRECTORATE	<i>Finance</i>
CONTACT NUMBERS	<i>021 808 8016</i>
E-MAIL ADDRESS	<i>Andre.treurnich@stellenbosch.org.za</i>
REPORT DATE	<i>05 April 2019</i>

8.2.5	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR MARCH 2019
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File Ref: 8/1
 Collaborator No: 640499
 IDP KPA Ref: Good Governance and Compliance
 Meeting Date: 24 April 2019

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR MARCH 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 March 2019.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.5

NOTED

the deviations as listed below for the month of March 2019:

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 39/19	07/03/2019	Plan Associates Town And Regional Planners	Appointment of Plan Associates Town and Regional Planners Inc. as the consulting team for the Enkanini Pilot project	Exceptional case and it is impractical or impossible to follow the official procurement processes	The project was stopped during the 2017/2018 financial year by the local community, which resulted in standing time of several months for the contractor and accordingly for the consulting team. The contractor moved off site in November 2018 and therefore all processes associated with the management of this contract by the consulting team, also only stopped in November 2018.	R 553 500.00 VAT Excl.

					<p>The contractor is currently on site and there is no appointed consultants to project manage the electrical installation or the civil component of the contractor's contract. This implies that the project will most certainly stop again as there is nobody to certify his progress, quality of work, or check that the work is done according to the approved plans. Failure on any of these points would result in the contractor not being able to submit certified invoices to the Municipality and accordingly not receiving any payment. Which means Enkanini would be left with open trenches and in all probability a very irate community.</p> <p>The appropriate SCM process to follow would be a tender process which could take up to 3-6 months to be finalised, which implies that the Municipality would pay for standing time for the period until a new consultancy team is appointed.</p> <p>Furthermore, we have relocated a number of families from Enkanini and this created space for the contractor to install the required services. Should the open spaces be left undeveloped then land invasion will most certainly occur.</p> <p>Health and safety is a major concern on this project, as the contractor has to work amongst the residents. Therefore, a health and safety officer is absolutely crucial to this project. The health and safety officer is part of the consulting team and he must perform his</p>	
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					work in order to reduce the risk for the Municipality.	
D/SM 40/19	07/03/2019	Van der Spuy	Appointment of attorneys to act on behalf of the Stellenbosch municipality in the arbitration with the Stellenbosch golf club	Exceptional case and it is impractical or impossible to follow the official procurement processes	<p>Stellenbosch Municipality entered into a long term notarial lease agreement with Stellenbosch Golfklub ("the Golfklub") on or about 20 December 1994, which lease agreement was notarial registered under reference number K199/95L on 14 March 1995. In terms of clause 4.6 of the notarial lease agreement the Golfklub is responsible for payment of the rates and taxes levied by the Municipality. The municipality is involved in a dispute with the Stellenbosch Golfklub in regard to outstanding rates the municipality claims from the Golfklub. The golf club leases the property on which the golf course is situated from the Municipality and for that reason is alleging that they do not have to pay rates and taxes to the Municipality.</p> <p>The matter must go through an arbitration process in terms of the provisions of the lease agreement.</p> <p>It took some time to get a final arbitration date. We have been informed of the arbitration date of 19 March 2019 and papers must still be filed. It is therefore urgent to appoint attorney's to act on the Stellenbosch Municipality's behalf. Webber Wentzel are acting in various other matters for us and we therefore would like to use another firm for this case. Du Plessis Hofmeyr Malan Inc is acting on behalf of the Golfklub. Both Webber Wentzel and</p>	R2000,00 per hour and all other fees on High court tariffs

					<p>Van der Spuy and partners were on our previous panel of attorneys and have acted for us in major cases with satisfactory results.</p> <p>It is an exceptional case and impractical to follow the normal procurement process of a formal quotation process due to the time frames having regard to the date set for the arbitration. There is not enough time to follow a normal procurement process. It is also important to appoint a firm in which we have confidence to act in our best interests and with the necessary expertise. Like in the case of the appointment of a doctor for an operation the expertise needed for a particular court case must be the most important reason why an attorney firm is chosen to deal with a court case. We are of the opinion that in this matter van der Spuy and partners is the most suitable firm to deal with the matter.</p>	
D/SM 41/19	19/03/2019	Smith Tabatha Buchanan Boyes Attorneys	Metro City Protection services cc / The Municipality of Stellenbosch and Securitem (PTY) Ltd	Exceptional case and it is impractical or impossible to follow the official procurement processes	The Appeal Authority rejected the appeal on a tender launched by Metro City Protection Services CC. The attorneys of Metro City Protection Services CC informed the Municipality on or about 13 March 2019 that their client instructed them to proceed with an interdict to stop the implementation of the security tender and launch a review application against the decision of the appeal authority, who dismissed the appeal in terms of section 62 of the Local Government Systems Act, 32 of 2000, as amended, submitted	R250 000.00. VAT Excl

					<p>by their client.</p> <p>A Notice of Motion under case number 17811/2018 was forwarded to the Municipality via email, signed by the attorney indicating that the matter will be placed on the court roll on 20 March 2019 to be argued. The Municipality have until Friday, 15 March 2019 to file its intention to oppose and submit its answering affidavit by 19 March 2019.</p> <p>No affidavit accompanied the Notice of Motion and the Notice of Motion was not issued by the court. The intention however is clear that Metro City Protection Services CC will proceed with a court application against the implementation of the tender. The Municipality need to oppose such an interdict and the review as they are the current service provider and has not delivered satisfactory services. Metro City Protection Services CC in the past have taken the Municipality to court and will continue to do so. Time is of the essence and there is not sufficient time to follow the normal supply chain processes. The Municipality will have to appoint an attorney firm via a deviation to oppose any interdict and review application and/or any related applications instituted by Metro City Protection Services CC.</p>	
D/SM 42/19	19/03/2019	Rufus Dercksen Inc.	To apply for an interdict against the owner of Erf 275 Klapmuts ("the property") and	Exceptional case and it is impractical or impossible to follow the official procurement processes	The illegal structures (illegal metal office container, metal silo and conveyor structures) were already erected on or about 22 September 2018 and are being	R179 837.00 VAT Incl.

			the tenant of the property.		<p>utilised by Value Crete Ready Mix who rents the property from Hannel Trust. The operations of Value Crete Ready Mix resulted in various complaints received about inter alia excessive noise pollution and fugitive dust emission. Measurements were subsequently taken by Stellenbosch Municipality and it was found that the noise caused as a result of the operations of Value Crete Ready Mix are in excess of the 70 DBA contour for industrial districts and therefor causes a disturbing noise and a noise nuisance in contravention of the Western Cape Noise Control Regulations, 2013. Fugitive dust emissions were observed by the official/s and were present in the residential area. Dust particulars were also present on the ground, the roof structures, vehicles and garage doors of the neighbouring residential properties. The residents of the Rozenmeer Estate find the noise and dust emissions unbearable which effects them negatively. Furthermore building rubble is being dump which is blocking the storm water system. It is therefore urgent that the tenants be stopped from operating the cement manufacturing and the use of the illegal structures. It is impractical to follow the normal procurement processes as the Municipality needs to act hastily to stop the illegal use.</p>	
D/SM	29/03/2019	Total Cooling Solutions Pty	Urgent repairs	Emergency	The installed equipment	R77 121.30

43/19		Ltd	to Wemmershoek Wastewater Treatment heat exchanger fans and motors.		malfunctioned serve a very important role in ensuring that other equipment further down the wastewater treatment value chain are not damaged or destroyed. It is therefore important that we repair/replace the faulty parts as soon as possible to prevent catastrophic failure. It is therefore critical that an emergency process be followed for the urgent repairs.	VAT Incl.
D/SM 44/19	29/03/2019	John Macrobert Attorneys	Appointment of a service provider to oppose the application for default judgment submitted by Zenobia Campbell in the labour court matter between Zenobia Campbell / Stellenbosch Municipality	Exceptional case and it is impractical or impossible to follow the official procurement processes	Zenobia Campbell applied for default judgment against the Municipality. Mrs Campbell's claim is for projected losses and ranged between R4 million to R7 million. The file is with the Registrar of the Labour Court and was not yet allocated to a judge in chambers to consider the default judgment. Should a normal procurement process be followed there is a real risk that the default judgment could be considered by a judge in chamber and an order granted against the Municipality. In light of the above and therefore a normal supply chain process could not be followed. John Macrobert Attorneys was appointed at a rate of R1750 per hour at the time and the final amount to be paid for the scope are therefore reported to council.	R 22 077.59 VAT Incl
D/SM 45/19	29/03/2019	APEX	Deviation to appoint APEX on a month to month contract starting from March 2019 until the new contract is awarded	Exceptional case and it is impractical or impossible to follow the official procurement processes	The Stellenbosch Municipality decided to participate in the National Treasury Contract RT3-2018. The RT3-2018 contract became available for use as of 1 October 2018 with amendments running through till 03 December 2018. This resulted in an	R99 800.00 per month excl VAT. (Starting March 2019 until new contract is awarded.)

					untimely delay for the Stellenbosch Municipality to participate in such contract.	
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Cllr DA Hendrickse requested that it be minuted that he has serious concerns regarding the legal services' tender.

FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
POSITION	ACTING CFO
DIRECTORATE	Finance
CONTACT NUMBERS	021 808 8588
E-MAIL ADDRESS	Dalleel.Jacobs@stellenbosch.gov.za
REPORT DATE	05 April 2019

8.2.6	MFMA SECTION 52 REPORTING UP TO MARCH 2019
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File Ref: 8/1
 Collaborator No:
 IDP KPA Ref: Good Governance and Compliance
 Meeting Date: 24 April 2019

1. SUBJECT: MFMA SECTION 52 REPORTING UP TO MARCH 2019

2. PURPOSE

To comply with section 52(d) of the Municipal Finance Management Act and report to Council on the budget; financial and service delivery budget implementation plan by the Municipality for quarter 3 of the 2018/19 financial year.

3. DELEGATED AUTHORITY

THE EXECUTIVE MAYOR TO SUBMIT TO COUNCIL

In terms of section 52 (d) of the Municipal Finance Management Act:

“The mayor of a municipality—

(d) must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget as well as the non-financial performance of the municipality;”

4. EXECUTIVE SUMMARY

The Executive Mayor must provide general political guidance over the fiscal and financial affairs of the Municipality and is required by Section 52(d) of the Municipal Finance Management Act to submit a report on the implementation of the budget and the financial and non-financial performance of the Municipality to the Council within 30 days after end of each quarter.

The Section 52 report is a summary of the budget performance. It compares the implementation of the budget to the commitments made and contained in the Service Delivery and Budget Implementation Plan (SDBIP), and is intended to enable Council to give effect to their oversight responsibility.

This report provides the overall performance of the Municipality for the period 1 January 2019 to 31 March 2019.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.6

NOTED

the Section 52 Report (including quarterly performance report) – Third Quarter 2018/2019.

Note: Cllr DA Hendrickse requested that it be minuted that the Municipal Manager agreed that he may obtain from administration the Council item and resolution regarding the external loan of R160 million.

FOR FURTHER DETAILS CONTACT:

NAME	Dalleel Jacobs
POSITION	Acting Director Financial Services
DIRECTORATE	Financial Services
CONTACT NUMBERS	021 – 807 8528
E-MAIL ADDRESS	Dalleel.Jacobs@ Stellenbosch.gov.za
REPORT DATE	12 April 2019

8.2.7	PROPOSED RENEWAL OF EXISTING MEMORANDUM OF UNDERSTANDING FOR THE MUNICIPAL COURT OF STELLENBOSCH
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Collaborator No:
IDP KPA Ref No: *Good Governance and Compliance*
Meeting Date: 24 April 2019

1. SUBJECT: PROPOSED RENEWAL OF EXISTING MEMORANDUM OF UNDERSTANDING FOR THE MUNICIPAL COURT OF STELLENBOSCH

2. PURPOSE

To obtain Council's approval for the proposed renewal of the Memorandum of Understanding for the Municipal Court (as *Additional* Court) in the jurisdictional area of Stellenbosch. (The Renewal of the Memorandum of Agreement with the Department of Justice).

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

The priority setting for Local Government is to strive and achieve an acceptable quality of life for all the residents and visitors in its jurisdictional area. Local Government must monitor the role of law and sound order. In pursuing this primary goal, Local Government is also attempting to ensure safety, security and well-being of its residents. At the same time a climate for sustainable development and prosperity is created.

In terms of Section 152 of the Constitution, a Municipality has an obligation to promote a safe and healthy environment, and a Municipality must strive within its financial and administrative capacity to achieve this objective.

Based on this premise and the fact that the Stellenbosch courts could not deal with the case load Council, at its meeting on 2014-06-25 (Item 7.11), resolved that a Municipal Court for the Stellenbosch District be established, in order that through effective and efficient prosecuting of transgressors Municipal related offences like Traffic offences, By-Laws, national building regulations and others.

A 3-year contract was entered into with the Department of Justice. This agreement ends on 30 June 2019.

The Department of Justice have indicated that they are satisfied with the performance of the additional court and is interested in extending the memorandum of agreement (**attached as APPENDIX 1**) to continue the *Additional* (Municipal) Court dedicated to municipal transgressions in Stellenbosch area.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.7**RESOLVED** (majority vote with abstentions)

- (a) that the Memorandum of Agreement with the Department of Justice for the Municipal Court for the Stellenbosch District, be renewed for a 3-year term from 1 July 2019; and
- (b) that the Municipal Manager be delegated to sign all relevant documentation for the extension of the afore-said agreement.

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	17 April 2019

8.2.8	REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2018/19
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Collaborator No:

IDP KPA Ref No: *Good Governance and Compliance*

Meeting Date: 24 April 2019

1. SUBJECT: REVISED TOP LAYER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2018/19

2. PURPOSE

To obtain Council's approval for the revisions made to the Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) 2018/19.

3. DELEGATED AUTHORITY

In terms of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), section 54(1)(c) *"the mayor must, consider and, if necessary, make any revisions to the service delivery, and budget implementation plan, provided that revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following approval of an adjustments budget..."*

4. EXECUTIVE SUMMARY

The TL SDBIP 2018/19 was approved by the Executive Mayor on 21 June 2018. A Revised TL SDBIP 2018/19 was approved by Council on 29 January 2019.

It is common practice for a municipality, as provided for in the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA), to review its performance indicators and targets after approving the adjustments budget.

The TL SDBIP 2018/19 (as approved by the Executive Mayor) is attached hereto. All changes (for ease of reference) which should be deleted and or amended are indicated with a strikethrough and an underline respectively.

It must also be noted that the TL SDBIP 2018/19 is the in-year plan of the municipality and amendments made to the TL SDBIP 2018/19 must also be read in conjunction with the Integrated Development Plan (IDP). Therefore changes made to the TL SDBIP 2018/19 are considered to be made in the IDP as well.

These changes will be effected with the review process of the IDP 2017-2022 to be submitted to Council for final approval during May 2019.

The reasons for the amendments to the following KPIs are as follows:

- a) TL20- The SMART principle is applied;
- b) TL26 is allocated to the Department responsible for the deliverable; and
- c) TL27- The SMART principle is applied.

The spelling and grammar in the document were also corrected, where needed.

26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.8**RESOLVED** (majority vote with abstentions)

- (a) that the Revised TL SDBIP 2018/19 be approved;
- (b) that the Revised TL SDBIP 2018/19 be published on the Municipal Website; and
- (c) that the Revised TL SDBIP 2018/19 be submitted to:
 - i. Internal Audit Unit (for notification);
 - ii. Department of Local Government: Western Cape;
 - iii. Provincial Treasury: Western Cape;
 - iv. Auditor General of South Africa; and
 - v. National Treasury.

NAME	Ms Shireen De Visser
POSITION	Senior Manager: Governance
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 - 808 8035
E-MAIL ADDRESS	Shireen.devisser@stellenbosch.gov.za
REPORT DATE	11 April 2019

9.	MATTERS FOR NOTIFICATION
9.1	REPORT BY THE EXECUTIVE MAYOR
9.1.1	REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JANUARY 2019 TO MARCH 2019

File No.: 8/1/3/3/8
 Collaborator No:
 IDP KPA Ref No: N/A
 Meeting Date: 2019-04-24

1. **SUBJECT: REPORT ON THE DECISIONS TAKEN BY THE EXECUTIVE MAYOR FOR THE QUARTER: JANUARY 2019 TO MARCH 2019**

2. **PURPOSE OF THE REPORT**

To inform Council of the decisions taken by the Executive Mayor from January 2019 to March 2019 (see **APPENDIX 1**).

3. **BACKGROUND**

In terms of the Municipal Structures Act 117 of 1998 Section 56 (5) it is stated that:

“An Executive Mayor must report to the municipal council on all decisions taken by the Executive Mayor.”

According to the Municipal Systems Act 60 (1)(b)

“(1) the following powers may, within policy framework determined by the municipal council be delegated to an executive committee or executive mayor only (b) the determination or alternation of the remuneration, benefits or other conditions of service of the municipal manager or managers directly responsible to the municipal manager.

4. **FINANCIAL IMPLICATIONS**

None

26TH COUNCIL MEETING: 2019-04-24: ITEM 9.1.1

NOTED

the decisions taken by the Executive Mayor for the period January 2019 to March 2019 attached as **APPENDIX 1**.

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

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	DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY: 01 JANUARY 2019 UNTIL 31 MARCH 2019
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Collaborator No:

IDP KPA Ref No:

Good governance and Compliance

Meeting Date:

24 APRIL 2019

1. SUBJECT: DECISIONS TAKEN BY DIRECTORATES IN TERMS OF DELEGATED AUTHORITY FROM 01 JANUARY 2019 UNTIL 31 MARCH 2019

2. PURPOSE OF REPORT

To report to Council on the decisions taken by the Municipal Manager and Directors in terms of Council's System of Delegations for the period 01 January 2019 until 31 March 2019, in compliance with Section 63 of the Local Government: Municipal Systems Act read in conjunction with the System of Delegations as approved by Council.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

In view of the legislative stipulations, attached as **ANNEXURE 1** is a summary of decisions taken by each Directorate. The report is for noting purposes.

Please note that these delegations only indicate the delegations exercised as delegated by Council to the various Senior Managers.

26TH COUNCIL MEETING: 2019-04-24: ITEM 9.3.1

NOTED

the decisions taken, for the period 01 January 2019 until 31 March 2019, by the following Section 56 Managers:

- Municipal Manager – Ms G Mettler (01 January 2019 – 31 March 2019).
- Director Strategic and Corporate Services – Ms A de Beer (01 January 2019 – 31 March 2019)
- Director Infrastructure Services – Mr D Louw (01 January 2019 – 31 March 2019)
- Acting Director Community and Protection Services (01 January 2019 – 28 February 2019)
- Director Community and Protection Services – Gary Boshoff (01 – 31 March 2019)
- Acting Chief Financial Officer – Kevin Carolus (01 January 2019 – 31 March 2019)
- Director Planning and Economic Development (01 January 2019 – 31 March 2019)

10.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
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10.1	MOTION BY COUNCILLOR DA HENDRICKSE: DISBANDMENT OF THE EMPLOYMENT EQUITY COMMITTEE
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A Notice of a Motion, dated 2019-04-03, was received from Councillor DA Hendrickse regarding the disbandment of the Employment Equity Committee.

The said Motion is attached as **APPENDIX 1**.

26TH COUNCIL MEETING: 2019-04-24: ITEM 10.1

The Speaker allowed Councillor DA Hendrickse to put his Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter.

The matter was put to the vote, yielding a result of 2 in favour and 28 against.

RESOLVED (majority vote)

that this Motion not be accepted.

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	2019-04-24

10.2	QUESTION 1 BY CLLR LK HORSBAND (MS): ALTERNATIVE MUNICIPAL PROPERTY IN KLAPMUTS TO TELLY TUBBIES CRECHE
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A Notice of Question, dated 2019-04-03, was received from Councillor LK Horsband (Ms).

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

26TH COUNCIL MEETING: 2019-04-24: ITEM 10.2

It is noted that, notwithstanding the leave of absence of Cllr LK Horsband, a written reply to the Councilor's question had been provided.

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	17 April 2019

10.3	QUESTION 2 BY CLLR LK HORSBAND (MS): IDA'S VALLEY HOUSING PROJECT – BENEFICIARIES
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A Notice of Question, dated 2019-04-03, was received from Councillor LK Horsband (Ms).

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

26TH COUNCIL MEETING: 2019-04-24: ITEM 10.3

It is noted that, notwithstanding the leave of absence of Cllr LK Horsband, a written reply to the Councilor's question had been provided.

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	17 April 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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13.1.1	POLICY AND PROCEDURES FOR WARD COMMITTEES
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Collaborator No:

IDP KPA Ref No:

Good Governance

Meeting Date:

24 April 2019

1. POLICY AND PROCEDURES FOR WARD COMMITTEES

2. PURPOSE

To submit the Policy and Procedures for Ward Committees (hereafter "Policy") to Council for approval.

3. DELEGATED AUTHORITY

Council approves policy.

4. EXECUTIVE SUMMARY

The Local Government Municipal Structures Act, 117 of 1998 prescribes amongst other that municipalities must devise a regulatory framework in respect of the procedure to elect members of a ward committee, the circumstances under which those members must vacate office and the frequency of meetings of ward committees.

To give effect to this stipulation a Policy and Procedures for Ward Committees was developed and adopted by Council in 2006. It was amended in 2010, 2012 and 2015 and was due for a review following the August 2016 local government elections.

The process of review was started in 2017, and during November 2018 a Ward Committee Summit was held where the Draft Revised Policy was discussed. The plenary requested more time to peruse the Policy. Consequently it was resolved that a follow-up Summit be held early in 2019 to finalise the Policy for submission to Council. The document was again discussed at the second summit. It was subsequently resolved that ward committees be afforded a further opportunity to submit input by not later than 29 March 2019. The revised policy is now ready for adoption.

26TH COUNCIL MEETING: 2019-04-24: ITEM 13.1.1**RESOLVED** (majority vote)

- (a) that Council adopts the revised Policy and Procedures for Ward Committees as per **APPENDIX 1**; and
- (b) that the policy be distributed to ward committees.

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

Councillors F Adams; FT Bangani-Menziwa (Ms); DA Hendrickse; N Mananga-Gugushe (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Nicky Ceasar
POSITION	Executive Support Officer
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 808 8618
E-MAIL ADDRESS	nicky.ceasar@stellenbosch.gov.za
REPORT DATE	15 April 2019

13.1.2	STELLENBOSCH MUNICIPALITY RULES OF ORDER BY- LAW
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Collaborator No:	File number 1/3/1/20
IDP KPA Ref No:	Institutional Transformation
Meeting Date:	24 April 2019

1. SUBJECT: STELLENBOSCH MUNICIPALITY RULES OF ORDER BY- LAW**2. PURPOSE**

To request Council to approve the final draft Stellenbosch Municipality Rules of Order By-Law, before the process is followed to promulgate the By-law.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

When the current council constituted in 2016 it resolved “that the existing Rules of Order as set out in the APPENDIX be used as the Rules of Order applicable to the Stellenbosch Municipality’s Council and Council Committee meetings”.

After the election of the current Speaker, Councillor Wilhelmina Petersen, a new process was started to review the 2013 Rules of Order. SALGA published a standard draft Rules of Order By-law late in 2018, and the Rules Committee, under the Chairmanship of the Speaker, decided to use that as a basis for the new Rules of Order for Stellenbosch Municipality’s Council and Committees. The Rules Committee met on several occasions over the months from 18 February 2019 to March 2019, with the last meeting being on 25 March 2019 to discuss the draft Rules of Order published by SALGA.

Several changes were made during these discussions and the draft rules were sent out to all councillors on 2 March 2019 to provide input on by 20 March 2019. The input received within the timeframe was discussed on 25 March 2019, and it was resolved that the final draft must be submitted for editing. The final draft has been submitted to the Stellenbosch University for editing. The University indicated that the final edited version will only be ready after 15 April 2019. Attached hereto as **APPENDIX 2** is the final draft of the Stellenbosch Municipality Rules of Order By-law as approved by the Rules Committee on 25 March 2019.

26TH COUNCIL MEETING: 2019-04-24: ITEM 13.1.2**RESOLVED** (majority vote with abstentions)

that the final draft of the Stellenbosch Municipality Rules of Order By-law (Appendix 3) be advertised for public comments for 30 days, after which it be resubmitted to Council for final approval

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

Councillors F Adams; DA Hendrickse.

FOR FURTHER DETAILS CONTACT:

NAME	ANNALENE DE BEER
POSITION	DIRECTOR CORPORATE SERVICES
DIRECTORATE	CORPORATE SERVICES
CONTACT NUMBERS	021 808 6006
E-MAIL ADDRESS	Annalene.deBeer@ Stellenbosch.gov.za
REPORT DATE	11 April 2019

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 --- UNDER SEPARATE COVER)

The meeting adjourned at 14:35.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments.**

5.	STATUTORY MATTERS	(3/4/1/4)
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5.1	APPROVAL OF THE FINAL SECOND REVIEW OF THE FOURTH GENERATION IDP 2017 – 2022
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Collaborator No: 643969
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: Mayco 21 May 2019 and Council 29 May 2019

1. SUBJECT: APPROVAL OF THE FINAL SECOND REVIEW OF THE FOURTH GENERATION IDP 2017 – 2022

2. PURPOSE

To submit the following to Mayco and Council for consideration:

- (a) The Final Second Review of the 2017 – 2022 Fourth Generation Integrated Development Plan (IDP), attached as **APPENDIX 1**; and
- (b) The public participation inputs, written submissions and Provincial Government LGMTEC findings on the Draft Second Review of the 2017 - 2022 Fourth Generation IDP, attached as **APPENDIX 2**.

3. DELEGATED AUTHORITY

For approval by the Municipal Council.

4. LEGISLATIVE CONTEXT

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”.*

5. RECOMMENDATIONS

- (a) that the Stellenbosch Municipality’s final Second Review of the 2017 – 2022 Fourth Generation Integrated Development Plan (IDP), attached as **APPENDIX 1**, be adopted;
- (b) that the public participation inputs and written submissions on the Draft Second Review of the 2017 – 2022 Fourth Generation Integrated Development Plan (IDP) attached as **APPENDIX 2**, be noted; and
- (c) 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 final Second Review of the Fourth Generation IDP 2017 – 2022 has been adopted by Council.

6. DISCUSSION / CONTENTS**6.1 Background**

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.

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.

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 focussed 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.

6.2 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.

6.3 Legal Implications

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

6.4 Staff Implications

This report has no additional staff implications for the Municipality.

6.5 Previous / Relevant Council Resolutions

The adoption of the draft Second Review of the Fourth Generation Integrated Development Plan that was approved in the Council meeting on 27 March 2019.

6.6 Risk Implications

None.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 5.1

- (a) that the Stellenbosch Municipality's final Second Review of the 2017 – 2022 Fourth Generation Integrated Development Plan (IDP), attached as **APPENDIX 1**, be adopted;
- (b) that the public participation inputs and written submissions on the Draft Second Review of the 2017 – 2022 Fourth Generation Integrated Development Plan (IDP) attached as **APPENDIX 2**, be noted; and
- (c) 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 final Second Review of the Fourth Generation IDP 2017 – 2022 has been adopted by Council.

ANNEXURES

Appendix 1: The final Second Review of the 2017 – 2022 Fourth Generation Integrated Development Plan (IDP)

Appendix 2: The public participation inputs, written submissions and Provincial Government LGMTEC findings on the Draft Second Review of the 2017/18 Fourth Generation IDP

NAME	Shireen de Visser
POSITION	Senior Manager Governance
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8035
E-MAIL ADDRESS	Shireen.devisser@stellenbosch.gov.za
REPORT DATE	9 May 2019

5.2	MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2019/2020-2021/2022
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Collaborator No: 645771
 IDP KPA Ref No: *Good Governance and Compliance*
 Meeting Date: *Mayco 21 May 2019 and Council 29 May 2019*

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

2. PURPOSE

The purpose of this report is three fold:-

- a) To consider the views/submissions of the local community in terms of Section 23(1)(a) of the Municipal Finance Management Act (Act 56 of 2003), herein after called the MFMA and to allow the Executive Mayor to respond to the views of the public as envisaged in terms of Section 23 (2) (a) and (b).
- b) To approve the Medium Term Revenue and Expenditure Framework for 2019-2022, the prescribed appendices, property tax increases, tariffs and tariff structures and revisions to the Budget and related Policies (where appropriate) in terms of Section 17 (1) – (3) of the MFMA (Act 56 of 2003); and
- c) That Council specifically note and consider the need to take up external loans to fund critically needed refurbishment of infrastructure to the amount 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 final approval of same in order for the Chief Financial Officer to attend to the necessary legislative requirements.

3. DELEGATED AUTHORITY

FOR APPROVAL BY MUNICIPAL COUNCIL

4. EXECUTIVE SUMMARY

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

5. RECOMMENDATIONS

- (a) that the High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved;
- (b) that the Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved;
- (c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved;
- (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;
- (e) that in terms of MFMA Section 19 and Municipal Budget Reporting (MBRR) Regulations 13, projects above a prescribed value set at R50 million, as set in **APPENDIX 1- PART 1- SECTION B**; be individually approved;

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- (f) that the proposed 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;
 - (g) that the proposed amendments to existing budget-related policies and other policies as set out in **APPENDICES 4 - 30**, be approved;
 - (h) that Council specifically notes and considers the need to take up an external loan needed for investment in income-generating infrastructure to the amount 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;
 - (i) 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;
 - (j) that Council takes note of MFMA circulars 93 and 94 that were published to guide the MTREF for 2019/2020 to 2021/2022 as set out in **APPENDICES 31 – 32**; and
 - (k) that Council takes note that the public comments and submissions were taken into account in the compilation of the final budget.

6. DISCUSSION / CONTENTS

6.1 Background/ Legislative Framework

Section 23 of the MFMA (Act No 56 of 2003) prescribes to municipalities the process to be followed when the Annual Budget is tabled for approval, which is as follow:

(1)“The municipal council must 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 budget.

(2)After considering all budget submissions, the council must give the mayor an opportunity—

- (a) to respond to the submissions; and
- (b) if necessary, to revise the budget and table amendments for consideration by the council.

ANNEXURE 1 to the Council Item for the Integrated Development Plan includes the input and comments received during the IDP and Budget Public Participation Process.

6.2 Discussion

The 2018 Medium Term Budget Policy Statement (MTBPS) by the Minister of Finance highlighted the difficult choices both fiscal and economic, which 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 afore-mentioned 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.

Curtailling 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 stakeholder's 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 a 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 366 523 752 of which R 1 808 247 224 (76%), is allocated to the operating budget and R 558 276 528 (24%) 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.

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 & Pumpstations: Franschhoek;
- Bulk water supply: Klapmuts;
- New Reservoir & Pipeline: Vlottenburg;
- Sewerpipe 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**.

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	13.07%
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 Subsistency Policy (**Appendix 11**)

Virement 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**)

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 discussed above.

6.4 External Loan for 2019/2020

That Council specifically notes and considers the need to take up external loans to fund critically needed refurbishment of infrastructure to the amount 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).

6.5 Legal Implications

Legal Services:

The item is compliant with the relevant legislative framework.

6.6 Risk Implications

None

6.7 Comments from Senior Management**6.7.1 Director: Infrastructure Services**

Noted

6.7.2 Director: Planning and Development Services

Noted

6.7.3 Director: Community and Protection Services

Noted

6.7.4 Director: Corporate Services

Noted

6.7.5 Chief Financial Officer

Noted

6.7.6 Municipal Manager

Noted

MAYORAL COMMITTEE MEETING: 2019-05-21: ITEM 5.2

The following addendums were handed out in the meeting for inclusion in the Council Agenda:

That **PAGE 2** of the Tariff Book (**APPENDIX 3**) be replaced with the page attached.

That **APPENDIX 2** of the Medium Term Revenue and Expenditure Framework be replaced with the attached pages.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 5.2

- (a) that the High Level Budget Summary, as set out in **APPENDIX 1 – PART 1 – SECTION C**; be approved;
- (b) that the Annual Budget Tables as prescribed by the Budgeting and Reporting Regulations, as set out in **APPENDIX 1 – PART 1 – SECTION D**, be approved;
- (c) that the proposed Grants-In-Aid allocations as set out in **APPENDIX 1 – PART 2 – SECTION J**, be approved;
- (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;

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- (e) that in terms of MFMA Section 19 and Municipal Budget Reporting (MBRR) Regulations 13, projects above a prescribed value set at R50 million, as set in **APPENDIX 1- PART 1- SECTION B**; be individually approved;
- (f) that the proposed 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;
- (g) that the proposed amendments to existing budget-related policies and other policies as set out in **APPENDICES 4 - 30**, be approved;
- (h) that Council specifically notes and considers the need to take up an external loan needed for investment in income-generating infrastructure to the amount 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;
- (i) 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;
- (j) that Council takes note of MFMA circulars 93 and 94 that were published to guide the MTREF for 2019/2020 to 2021/2022 as set out in **APPENDICES 31 – 32**; and
- (k) that Council takes note that the public comments and submissions were taken into account in the compilation of the final budget.

FURTHER COMMENTS BY THE MUNICIPAL MANAGER: 2019-05-24

Subsequent to the Executive Mayoral Committee Meeting on 2019-05-21, additional information became available that affected the Medium Term Revenue and Expenditure Framework (MTREF) and necessitated changes to the MTREF. The information and subsequent changes were discussed with the Executive Mayor, and the appendices were updated. (see **APPENDICES 1-3**).

FOR FURTHER DETAILS CONTACT:

NAME	KEVIN CAROLUS
POSITION	CHIEF FINANCIAL OFFICER
DIRECTORATE	FINANCIAL SERVICES
CONTACT NUMBERS	021 808 8528
E-MAIL ADDRESS	kevin.carolus@stellenbosch.gov.za
REPORT DATE	29 May 2019

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	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 Franschoek 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	SCHALKV	95.00	Internal meetings held. In the process of formulating an implementation plan.
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</p>	2016-11-23	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 in due course</p>

		adoption by Council.				
478903	SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARDS TO PUBLIC	7.6.2 SECTION 78 PROCESS FOR AN EXTERNAL SERVICE DELIVERY MECHANISM WITH REGARD TO PUBLIC TRANSPORT 4TH COUNCIL MEETING: 2016-11-23: ITEM 7.6.2 RESOLVED (majority vote) (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; and (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. The following Councillors requested that their votes of dissent be minuted: Councillors F Adams; DA Hendrickse and LK Horsband (Ms).	2016-11-23	ROSCOEB	50.00	Item on agenda to serve at next Portfolio Committee meeting.
513321	THE FUTURE USE AND MAINTENANCE OF COUNCIL HERITAGE BUILDINGS	7.3.1 THE FUTURE USE AND MAINTENANCE OF COUNCIL HERITAGE BUILDINGS 8TH COUNCIL MEETING: 2017-04-26: ITEM 7.3.1 RESOLVED (majority vote with abstentions) (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; (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; (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; (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; (e) that, for the purpose of disposal, two independent valuers be appointed to	2017-04-26	BERNABYB	30.00	In progress

		<p>determine the fair market value and fair market rental of the properties listed 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	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)
543945	IDENTIFYING OF MUNICIPAL AGRICULTURAL	7.3.2 IDENTIFYING OF MUNICIPAL AGRICULTURAL LAND FOR IMPLEMENTATION OF FARMER PRODUCTION SUPPORT UNIT (FPSU)	2017-09-27	WIDMARKM	95.00	Awaiting draft MOU from National Department of Rural Development and Land Reform.

	<p>LAND FOR IMPLEMENTATION OF FARMER PRODUCTION SUPPORT UNIT (FPSU) - 9/2/1/1/1/3</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> <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>				
543966	<p>PARKING UPGRADE REPORT</p>	<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> <p>i) Stellenbosch</p>	2017-09-27	JOHANF	90.00	<p>Work on the Traffic Modelling is currently in progress. On completion of the Traffic Modelling, a progress report will be submitted to the Portfolio Committee.</p>

		<p>ii) Klapmuts, and iii) Franschoek; and</p> <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>				
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	SALIEMH	75.00	Environmental Consultants were appointed. A meeting will intend to be held by 3 June 2019
546882	Motion WC Petersen - Proposed development of erven 412 and 284, Groendal, Franschoek	<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	PSMIT/Lester van Stavel	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>
559624	STELLENBOSCH MUNICIPALITY PROBLEM	<p>8.3.3 STELLENBOSCH MUNICIPALITY PROBLEM PROPERTIES DRAFT BY-LAW, AUGUST 2017</p>	2017-11-29	HEDRED	70.00	The Section 80 committee PED will peruse the document within the month of May 2019

	PROPERTIES DRAFT BY- LAW, AUGUST 2017	<p>14TH COUNCIL MEETING: 2017-11-29: ITEM 8.3.3</p> <p>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>				thereafter it will be circulated internally and externally for comments.
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> <p>(f) that Temporary Relocation Area 1 residents who were not allocated units in</p>	2017-11-29	TABISOM	90.00	The contractor has built 270 units and has moved off-site. The informal structures are demolished when the families are relocated to their new units. Progress in accordance with the construction programme.

		<p>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>				
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</p> <p>RESOLVED (majority vote)</p> <p>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.</p> <p>(DIR: HUMAN SETTLEMENTS TO ACTION)</p>	2017-11-29	TABISOM	90.00	Discussion/negotiation is at an advance stage and reports have served before Council to this effect.
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	<p>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</p> <p>14TH COUNCIL MEETING: 2017-11-29: ITEM 7.5.1</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(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</p>	2017-11-29	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, to furnish to all potential bidders.

	AND THE APPOINTMENT OF A TURNKEY DEVELOPER IN ORDER TO F	<p>minimum level of services; and</p> <p>(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.</p> <p>Cllrs DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</p> <p>(DIR: HUMAN SETTLEMENTS TO ACTION)</p>				
582813	APPOINTMENT OF A STRATEGIC ADVISORY COMMITTEE: POLICY ON THE MANAGEMENT OF MUNICIPAL AGRICULTURAL LAND	<p>7.3.1 APPOINTMENT OF A STRATEGIC ADVISORY COMMITTEE: POLICY ON THE MANAGEMENT OF MUNICIPAL AGRICULTURAL LAND</p> <p>16TH COUNCIL MEETING: 2018-03-28: ITEM 7.3.1</p> <p>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> <p>Strategic Advisory Committee Organisation Position Contact Details Stellenbosch Municipality Chairperson: Director: Community and Protection Services 021 808 8437</p> <p>Stellenbosch Municipality Director: Planning and Economic Development 021 808 8667 Stellenbosch Municipality Director: Integrated Human Settlements and Property 021 808 8493 Stellenbosch Municipality Director: Strategic and Corporate Services 021 808 8018 Stellenbosch Municipality Legal Services 021 808 8018 Stellenbosch Municipality Manager: LED 021 808 8179 Stellenbosch Municipality Snr LED Officer: Rural Development 021 808 8173 Stellenbosch Agricultural Society General Manager 021 886 4867 Department of Agriculture Acting Chief Director: Farmer Support and Development 021-8085103</p> <p>Department of Rural Development and Land Reform Deputy Director 079 880 9320 Land Bank Provincial Manager Commercial Development Banking Division Western Cape 021 974 2200 / 082 339 1626 Stellenbosch University Professor and Chairman of the Department Agricultural Economics 021 808 4899 Department of Water Affairs Deputy Director 021 941 6000</p>	2018-03-28	WIDMARKM	50.00	Meeting to be held with Advisory Body.

		<p>Winelands Water Board CEO 021 887 6487 CASIDRA CEO 021 863 5000</p> <p>Operational Committee</p> <p>Organisation Position Stellenbosch Municipality Manager: LED Stellenbosch Municipality Manager: Municipal Property Stellenbosch Municipality Senior Legal Advisor Stellenbosch Municipality Environmental Manager Stellenbosch Municipality Senior LED Officer: Rural Development</p> <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 Agricultural Land as advertised in the Government Gazette on 27 March 2017 (ANNEXURE B).</p> <p>PROPERTY DESCRIPTION SIZE TOTAL (HA) WATER 1 165/1A 10.5 ha no water 10.5 2 279BN 25.3 ha no water 25.3 3 502 AM 8.56 ha 3 ha water 8.56 3 4 502 AP 7 ha 2 ha water 7 2 5 502 AU 8.9 ha no water 8.9 6 502 AW 6 ha no water 6 7 502 BFN 15.5 ha 6 ha c/water 15.5 6 8 502 V 21.6 ha 8 ha water 21.6 8 9 619/1 26 ha no water 26 10 502 BH PORTION 17&18 5 ha 3 ha water 5 3 11 502M 5.1 ha 3 ha water 5.1 3 12 502V 21.6 ha 8 ha water 21.6 8 13 502W 9 ha 3 ha water 9 3 TOTAL 175,41 ha</p>				
582817	<p>PNIEL ELECTRICITY NETWORK TAKEOVER FROM DRAKENSTEIN MUNICIPALITY: PROJECT TIMELINE AND MOU</p> <p>16TH COUNCIL MEETING: 2018-03-28: ITEM 7.6.3</p> <p>RESOLVED (nem con)</p> <p>(a) that this report be noted;</p> <p>(b) that the Final MOU be accepted;</p> <p>(c) that the Municipal Manager be authorised to sign the MOU on behalf of the</p>	<p>7.6.3 PNIEL ELECTRICITY NETWORK TAKEOVER FROM DRAKENSTEIN MUNICIPALITY: PROJECT TIMELINE AND MOU</p> <p>16TH COUNCIL MEETING: 2018-03-28: ITEM 7.6.3</p> <p>RESOLVED (nem con)</p> <p>(a) that this report be noted;</p> <p>(b) that the Final MOU be accepted;</p> <p>(c) that the Municipal Manager be authorised to sign the MOU on behalf of the</p>	2018-03-28	DLOUW	95.00	<p>Approval letter received from NERSA. Awaiting Asset Register from Drakenstein Municipality in order to finalise all processes as well as payment.</p> <p>Awaiting Asset Register information FROM Drakenstein before final payment to be made</p>

		<p>Municipality;</p> <p>(d) that the amount of R16 236 253 for the purchase of the Pniel/Hollandsche Molen Electricity Network from Drakenstein be considered at the setting up of the 2018/2019 Capital Budget;</p> <p>(e) that an application be forwarded to NERSA to incorporate the Pniel/Hollandsche Molen Electricity Network into the license of Stellenbosch Municipality; and</p> <p>(f) that an application be forwarded to Drakenstein Municipality to supply bulk electricity to the Pniel/Hollandsche Molen upon a successful response from NERSA and the appropriate capital amount be placed on the 2018/2019 capital budget.</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>	2018-03-28	DLOUW	100.00	<p>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.</p> <p>Completed</p> <p>Refer to 543953</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.				
582874	FUTURE UTILIZATION OF EX-KLEINE LIBERTAS THEATRE SITE: CONSIDERATION OF INPUTS RECEIVED	<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</p> <p>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	PIET SMIT	90.00	Tender advertised for appointments of an architect to design a multipurpose building. Intention to have design finalised by end of June 2019
601650	THE AWARDING OF RIGHTS TO THE LOCAL ECONOMIC HUBS	<p>7.3.1 THE AWARDING OF RIGHTS TO THE LOCAL ECONOMIC DEVELOPMENT 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) Hugenote 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</p>	2018-07-25	TABISOM	90.00	Lease agreements with applicants to sign off.

		settlement of the outstanding legal dispute. 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	PIET SMIT	80.00	New agenda item was compiled, but at the request of the DCS Lessees were requested to submit new motivations for the renewal of their Lease Agreements. Once this is received items will be submitted to Council.
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	TABISOM	90.00	An item will serve In-committee in May 2019.
616959	MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM	7.5.5 MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM 21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.5 RESOLVED (nem con) (a) that Council approves that the administration embarks on a process of updating data on the old Housing Waiting List;	2018-10-31	TABISOM	50.00	Service provider was appointed to develop an online Housing Database System and Mobile App. A tentative date for the Housing Launch App will be before the end of the financial year. All data has been migrated from the old Housing waiting list to the new Online Housing Demand Database System.

		<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>				The department will embark on the process of updating applicants' details on the Online Housing Demand Database System.
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	DLOUW	80.00	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 (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>	2018-10-31	PIET SMIT	30.00	Tender document compiled and submitted to DCS for recommendation.

		<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	SCHALKVDM	50.00	An Item with the final EMP will serve at the Council Meeting of June 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> <p>(d) that the Municipal Manager be authorised to sign all documents necessary to effect the lease agreement.</p>	2018-11-28	ANNALENEDB	90.00	Applicant informed of outcome await signed agreement.

621772	PROPOSED SERVICE DELIVERY IN JONKERSHOEK	<p>7.2.4 PROPOSED SERVICE DELIVERY IN JONKERSHOEK</p> <p>22ND COUNCIL MEETING: 2018-11-28: ITEM 7.2.4</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the Power of Attorney from the National Department of Public Works, authorising Stellenbosch Municipality to commence with service delivery in 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>	2018-11-28	ALL DIRECTORS	30.00	<p>Meeting was scheduled during December 2018 with representatives of Informal Settlements and Engineering Services to discuss implementation of Council resolutions. The National Department of Public Works was requested the use of the office space.</p> <p>Interdepartmental team to deal with process further.</p>
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		<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>				
633513	<p>POSSIBLE DISPOSAL OF ERF 111, KAYAMANDI TO THE UNITED REFORMED CHURCH IN SOUTHERN AFRICA (URCSA): CONSIDERATION OF PUBLIC INPUTS AND DETERMINATION OF MARKET VALUE</p>	<p>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</p> <p>24TH COUNCIL MEETING: 2019-02-27: ITEM 7.2.2</p> <p>RESOLVED (majority vote with abstention)</p> <p>(a) that it be noted that no public inputs/objections have been received following the public notice period;</p> <p>(b) that it be noted that the property's fair market value has been valued at R133 250.00;</p> <p>(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:</p> <p>(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;</p> <p>(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;</p> <p>(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</p> <p>(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.</p>	2019-02-27	PIET SMIT	95.00	Applicant informed of outcome await signed Sales Agreement.
633536	<p>PROPOSED EXCHANGE OF LAND: DISPOSAL</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>	2019-02-27	AKHONAZ	50.00	Official notice for public inputs was compiled and will be published.

	OF ERF 15323 TO THE SEVENTH DAY ADVENTIST CHURCH IN EXCHANGE FOR ERF 718, KAYAMANDI	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.				
633551	ADVERTISING OF DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) FOR WC024	8.2.5 ADVERTISING OF DRAFT MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) FOR WC024 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.	2019-02-27	BERNABEDLB	70.00	Advertisement published for MSDF, due for comments 08 May 2019.
639169	APPROVAL OF THE DRAFT SECOND REVIEW OF THE FOURTH	5.1 APPROVAL OF THE DRAFT SECOND REVIEW OF THE FOURTH GENERATION IDP (2017 – 2022) 25TH COUNCIL MEETING: 2019-03-27: ITEM 5.1	2019-03-27	GURSWINC	80.00	Draft 2nd Review of the Fourth Generation IDP tabled in Council and published for public comments.

	GENERATION IDP 2017 – 2022	<p>RESOLVED (nem con)</p> <p>(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;</p> <p>(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;</p> <p>(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</p> <p>(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.</p>				<p>Advertisement published Draft IDP placed on municipal website.</p> <p>Draft IDP Review submitted to National and Provincial Treasury; Dept. of LG.</p> <p>Public participation process completed. Final 2nd Review of the Fourth Generation IDP in process of being finalised for adoption in Council.</p>
634249	MOTION BY ALDERMAN PW BISCOMBE: APPOINTMENT OF INDEPENDENT INVESTIGATOR	<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	NOMIET	70.00	Postponed to a meeting to be determined by the Speaker.

639570	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 THE FOLLOWING A TENDER/CALL FOR PROPOSAL PROCESS FOR OUTSOURCING THE MANAGEMENT/USE OF TH	<p>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)</p> <p>25TH COUNCIL MEETING: 2019-03-27: ITEM 7.7.2</p> <p>RESOLVED (majority vote)</p> <p>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;</p> <p>(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;</p> <p>(c) that the local community be invited to submit representations; and</p> <p>(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.</p> <p>The following Councillors requested that their votes of dissent be minuted: Cllrs RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.</p>	2019-03-27	TABISOM	50.00	Will be published on 25 April 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>	2019-02-27	PIETS	50.00	Applicant informed of the outcome. Sales Agreement to buy back the property will be drawn up.

		Councillor DA Hendrickse requested that his vote of dissent be minuted.				
639576	APPLICATION TO LEASE UNIT 1 OF BOSMANSHUIS (PART OF THE DORP STREET FLATS UNITS) TO THE IEC	<p>7.2.1 APPLICATION TO LEASE UNIT 1 OF BOSMANSHUIS (PART OF THE DORP STREET FLATS UNITS) TO THE INDEPENDENT ELECTORAL COMMISSION (IEC)</p> <p>25TH COUNCIL MEETING: 2019-03-27: ITEM 7.2.1</p> <p>RESOLVED (nem con)</p> <p>(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;</p> <p>(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;</p> <p>(c) that Council's intention to enter into an agreement with the IEC be advertised for public comments/inputs;</p> <p>(d) that, following the public notice period, an item be submitted to Council to make a final determination; and</p> <p>(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.</p>	2019-03-27	ANNALENE	60.00	Notice published for public input
632905	DRAFT STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019)	<p>7.1.2 DRAFT STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019)</p> <p>26TH COUNCIL MEETING: 2019-04-24: ITEM 7.1.2</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council approves the advertisement of the draft Stellenbosch Municipality Integrated Fire Management Plan (January 2019) for a period of 30 days for public input; and</p> <p>(b) that the inputs received during the above public participation process be worked into a final draft</p>	2019-04-24	SCHALKVDM		Document was advertised in the Eikestad News 09 May 2019

		Stellenbosch Municipality Integrated Fire Management Plan to be presented to Council for approval.				
	POSSIBLE DISPOSAL OF A PORTION OF ERF 23, FRANSCHHOEK TO THE FRANSCHHOEK METHODIST CHURCH	<p>7.2.1 POSSIBLE DISPOSAL OF A PORTION OF ERF 23, FRANSCHHOEK TO THE FRANSCHHOEK METHODIST CHURCH</p> <p>26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.1</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the portion of erf 23, excluding the parking area, Franschhoek, as land indicated in Fig 3, be identified as land not needed to provide the minimum level of basic municipal services;</p> <p>(b) that Council, in principle, approve the disposal of land to the Franschhoek Methodist Church without following a public tender process, and subject to the following conditions:</p> <p>i) that the purchase price be determined at 30% of market value, the market value to be determined by two (2) independent valuers;</p> <p>ii) that a reversionary clause be inserted in the title deed of the property, should the property not be used for religious/social care purposes anymore;</p> <p>iii) that the church be responsible for the sub-division and rezoning of erf 23, Franschhoek, to allow for a separate unit to be transferred;</p> <p>iv) that a servitude be registered in favour of the Municipality regarding all municipal services crossing the property;</p> <p>v) that a right of access from Bagatelle Street be registered in favour of the church.</p> <p>(c) that Council's intention to dispose of the property under the provisions set out above, be advertised for public</p>	2019-04-24	PIETS	60.00	Notice to be published for input

		<p>inputs/objections/alternative proposals as provided for in par 9.2.2.1 of the Property Management Policy; and</p> <p>(d) that, following the public participation process, the matter be submitted to Council to make a final decision on the disposal, or not.</p>				
	<p>PROPOSED DISPOSAL OF ERVEN 3192, 3019 AND 3111 IN MOOIWATER, FRANSCHHOEK: CONSIDERATION OF PUBLIC INPUTS</p>	<p>7.2.2 PROPOSED DISPOSAL OF ERVEN 3192, 3019 AND 3111 IN MOOIWATER, FRANSCHHOEK: CONSIDERATION OF PUBLIC INPUTS</p> <p>26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.2</p> <p>RESOLVED (majority vote)</p> <p>(a) that it be noted that no comment/inputs were received from the residents of wards 1 and 2 in regard to the future use of the properties;</p> <p>(b) 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, in principle, disposed of;</p> <p>(c) that Council resolves that the properties be put out on a Call for Proposals for multi-purpose institutional use to the benefit of the community. Proposals will be evaluated based on the type of institutional uses, how it will benefit the greater community, and how many institutions will be accommodated through the proposals;</p> <p>(d) that the matter be reported back to Mayco and Council after implementation of resolution (c) above; and</p> <p>(e) that the conditional awarding of the tenders by the Bid Adjudication Committee, should in principle disposal be approved, be submitted to Council to make a final determination on the disposal of the properties.</p>	2019-04-24	ANNALENE DB	20.00	Notice to be published for public input

		<i>Councillor DA Hendrickse requested that his vote of dissent be minuted, on the grounds that, in his view, the item is not legally compliant.</i>				
	GUIDELINES ON NEGOTIATION OF REMUNERATION (WITHIN THE NATIONAL NEGOTIATED FRAMEWORK) FOR THE RETENTION AND ATTRACTION OF STAFF	<p>7.2.4 GUIDELINES ON NEGOTIATION OF REMUNERATION (WITHIN THE NATIONAL NEGOTIATED FRAMEWORK) FOR THE RETENTION AND ATTRACTION OF STAFF</p> <p>26TH COUNCIL MEETING: 2019-04-24: ITEM 7.2.4</p> <p>RESOLVED (majority vote)</p> <p>(a) that the Guidelines on the Negotiation of Remuneration (within the National Negotiated Framework) for the Retention and Attraction of Staff be noted and supported;</p> <p>(b) that it be noted that the salary negotiations fall within the authority of the Municipal Manager and may be delegated as per the content of the guidelines; and</p> <p>(c) that, where there is a contradiction between the provisions of this guidelines and other provisions within a Human Resources policy that has not yet been reviewed within this Council's term, the provisions of these guidelines will prevail.</p> <p><i>Councillors F Adams and DA Hendrickse requested that their votes of dissent be minuted.</i></p>	2019-04-24	ANNALENEDB	80.00	Management to be informed
635707	DRAFT STELLENBOSCH MUNICIPALITY ENVIRONMENTAL MANAGEMENT FRAMEWORK (SEPTEMBER 2018)	<p>7.6.2 DRAFT STELLENBOSCH MUNICIPALITY ENVIRONMENTAL MANAGEMENT FRAMEWORK (SEPTEMBER 2018)</p> <p>26TH COUNCIL MEETING: 2019-04-24: ITEM 7.6.2</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council approves the advertisement of the draft Stellenbosch Municipality Environmental Management Framework (September 2018) for a period of 30 days for public input; and</p>	2019-04-24	SCHLKVDM		Document was advertised in the Eikestad News 25 April 2019.

		<p>(b) that the inputs received during the above public participation process be worked into a final draft Stellenbosch Municipality Environmental Management Framework to be presented to Council for approval.</p> <p><i>Councillor DA Hendrickse requested that his vote of dissent be minuted.</i></p>				
635397	ESTABLISHMENT OF 'FRIENDS GROUPS' FOR STELLENBOSCH NATURE RESERVES AND DESIGNATED NATURE AREAS	<p>7.6.3 ESTABLISHMENT OF 'FRIENDS GROUPS' FOR STELLENBOSCH NATURE RESERVES AND DESIGNATED NATURE AREAS</p> <p>26TH COUNCIL MEETING: 2019-04-24: ITEM 7.6.3</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council accepts the concept of "Friends Groups" as a way of creating community involvement in the management of nature areas;</p> <p>(b) that approval is granted for the establishment of "Friends Groups" for the declared nature reserves of Papegaaiberg, Mont Rochelle and Jan Marais Nature Reserve as well as informal nature areas as required;</p> <p>(c) that the Protected Areas Forum Terms of Reference be revised and brought in alignment with the Norms and Standard of the Department of Environment, Gazette Notice 382 of 31 March 2016, and its purpose as alluded to in this item; and</p> <p>(d) that a progress report on the establishment of "Friends Groups" be submitted within 30 days after implementation.</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p>	2019-04-24	ALBERTVDM		Progress report to be submitted to the next Council meeting

		<i>Councillors F Adams; FT Bangani-Menziwa (Ms); DA Hendrickse; N Mananga-Gugushe (Ms); RS Nalumango (Ms); N Sinkinya (Ms); P Sitshoti (Ms) and LL Stander.</i>				
	PROPOSED RENEWAL OF EXISTING MEMORANDUM OF UNDERSTANDING FOR THE MUNICIPAL COURT OF STELLENBOSCH	<p>8.2.7 PROPOSED RENEWAL OF EXISTING MEMORANDUM OF UNDERSTANDING FOR THE MUNICIPAL COURT OF STELLENBOSCH</p> <p>26TH COUNCIL MEETING: 2019-04-24: ITEM 8.2.7</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the Memorandum of Agreement with the Department of Justice for the Municipal Court for the Stellenbosch District, be renewed for a 3-year term from 1 July 2019; and</p> <p>(b) that the Municipal Manager be delegated to sign all relevant documentation for the extension of the afore-said agreement.</p>	2019-04-24	ANNALENEDB	80.00	Memorandum of agreement provided to department of Justice. Awaiting signed document.
	STELLENBOSCH MUNICIPALITY RULES OF ORDER BY- LAW	<p>13.1.2 STELLENBOSCH MUNICIPALITY RULES OF ORDER BY-LAW</p> <p>26TH COUNCIL MEETING: 2019-04-24: ITEM 13.1.2</p> <p>RESOLVED (majority vote with abstentions)</p> <p>that the final draft of the Stellenbosch Municipality Rules of Order By-law (Appendix 3) be advertised for public comments for 30 days, after which it be resubmitted to Council for final approval</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p> <p><i>Councillors F Adams; DA Hendrickse.</i></p>	2019-04-24	ANNALENEDB	70.00	Notice for publication drawn up and will be published next week.

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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7.1.1	STELLENBOSCH MUNICIPALITY CLOSED CIRCUIT TELEVISION POLICY
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Safest valley

21 May 2019

1. SUBJECT: STELLENBOSCH MUNICIPALITY CLOSED CIRCUIT TELEVISION POLICY

2. PURPOSE

To submit the Stellenbosch Municipality Closed Circuit Television (CCTV) Policy to Council for approval.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

This policy has been drafted to ensure that Stellenbosch Municipality, its employees and contractors, comply with good practice, transparency and accountability in respect of the requirements of The Protection of Personal Information Act, Act No.4 of 2013, when operating Council CCTV and LPR cameras.

It also outlines the process for managing all access to CCTV and LPR data, the delegated authorities of municipal staff and municipal obligations in regard to CCTV and LPR data storage, security and signage.

5. RECOMMENDATIONS

- (a) that Council notes that no public comments were received for consideration; and
- (b) that Council approves the Stellenbosch Municipality Closed Circuit Television Policy.

6. DISCUSSION/ CONTENTS

6.1 Background

The Policy is attached as **ANNEXURE A**.

6.2 Discussion

This policy applies to all employees of Stellenbosch Municipality, Councillors, municipal contractors and general public who may enter the areas covered by Stellenbosch Municipal cameras. It also describes the process to follow when footage is required as a result of an incident that occurred or when a crime was committed and captured on the municipal CCTV network systems.

Section 152 (1) (d) of the Constitution places a responsibility on local government to promote a safe and healthy environment. The installation of CCTV and LPR cameras at strategic places is a concerted effort from Stellenbosch Municipality to fulfil this responsibility in the fight against crime and to play a supportive role towards SAPS.

This Policy will ensure that Stellenbosch Municipality, its employees and contractors comply with good practice, transparency and accountability in respect of the requirements of The Protection of Personal Information Act, Act No.4 of 2013 when operating Council CCTV and LPR cameras.

6.3 Financial Implications

Budget for the installation of CCTV and LPR cameras forms part of the annual budget of Council.

6.4 Legal Implications

The policy adheres to all relevant legislation.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

Minutes of previous Council meeting 2018-11-28, Item 7.1.2 Stellenbosch Municipality Closed Circuit Television Policy (Attached as **ANNEXURE B**).

Resolved (majority vote with abstentions)

- (a) That Council approves the Stellenbosch Municipality Closed Circuit Television Policy, in principle; and
- (b) That said policy be advertised for public comments and be re-submitted to Council for final approval.

6.7 Risk Implications

The implementation of this policy complies with The Protection of Personal Information Act, Act No.4 of 2013 when operating Council CCTV and LPR cameras which will minimize risk for the organization.

6.8 Comments from Senior Management

6.8.1 Director: Infrastructure Services

Circulated for comments

6.8.2 Director: Planning and Economic Development

Circulated for comments

6.8.3 Director: Community and Protection Services

Circulated for comments

6.8.4 Director: Strategic and Corporate Services

Circulated for comments

6.8.5 Director Human Settlements and Property Management

Circulated for comments

6.8.6 Chief Financial Officer

Circulated for comments

6.8.7 Municipal Manager

Circulated for comments

Further comments by the Department: Protection Services

The policy was advertised for a minimum period of 30 days on 24 January 2019 in the Eikestadnuus (Attached as **ANNEXURE C**) and Paarl Post with closing date for public comments 28 February 2019. On request from the Acting Director: Community and Protection Services, Mr Albert van der Merwe, the policy was advertised after the festive season period to allow members of the public sufficient time to submit comments.

No comments were received from the public. The policy is thus submitted for final approval.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 7.1.1

- (a) that Council notes that no public comments were received for consideration; and
- (b) that Council approves the Stellenbosch Municipality Closed Circuit Television Policy.

ANNEXURES

Annexure A: Stellenbosch Municipality Closed Circuit Television (CCTV) Policy.

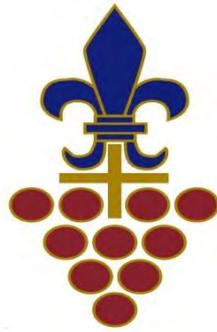
Annexure B: Minutes of Council meeting, item 7.1.2 Stellenbosch Municipality Closed Circuit Television (CCTV) Policy.

Annexure C: Copy of Eikestadnuus advertisement.

FOR FURTHER DETAILS CONTACT:

NAME	Neville Langenhoven
POSITION	
DIRECTORATE	COMMUNITY & PROTECTION SERVICES
CONTACT NUMBERS	X8497
E-MAIL ADDRESS	Neville.langenhoven@stellenbosch.gov.za
REPORT DATE	25 March 2019

ANNEXURE A



STELLENBOSCH MUNICIPALITY CLOSED CIRCUIT TELEVISION POLICY

DRAFT

STELLENBOSCH CLOSED CIRCUIT TELEVISION POLICY

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STELLENBOSCH CLOSED CIRCUIT TELEVISION POLICY**1. Definitions**

To assist in the interpretation the following definitions shall apply;

“Applicant” means a registered organisation, body or person applying to Stellenbosch Municipality to register a CCTV system, camera, equipment or a CCTV camera on privately owned property viewing or of which the projection plane covers any public street or public land;

“CCTV” shall mean Closed Circuit Television;

“Council” means the Municipal Council of Stellenbosch;

“Infrastructure” means any land, building or fixture attached to it, any pole, fence, wall, bridge, sign, cabling, tree, tower or fixture attached to it;

„Municipal Manager” means the person appointed as Municipal Manager in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

“Municipal property” means land, structures and infrastructure owned by Stellenbosch Municipality;

“Person” means a natural or juristic person;

“SM” shall mean Stellenbosch Municipality, a municipality in terms of the Local Government Municipal Structures Act, 1998, or any structure or employee of the Municipality acting in terms of delegated authority;

“SAPS” shall mean South African Police Services;

“PSIRA” shall mean Private Security Industry Regulatory Authority;

“LPR” shall mean License Plate Recognition;

“POPI Act” shall mean Protection of Personal Information Act, Act No. 4 of 2013.

2. Problem Statement

Stellenbosch Municipality is experiencing an increase of privately owned CCTV cameras installed on Council land and infrastructure without authorisation.

There is currently no application process in place for recognised organizations, a registered body or person to register their CCTV system with the municipality.

3. Introduction

This policy has been created to ensure that Stellenbosch Municipality, its employees and contractors comply with good practice, transparency and accountability in respect of the requirements of The Protection of Personal Information Act, Act No.4 of 2013 when operating Council CCTV and LPR cameras. It also outlines the process for managing all access to CCTV and LPR data, the delegated authorities of Municipal staff and Municipal obligations in regard to CCTV and LPR data storage, security and signage.

4. Purpose

Stellenbosch Municipality (SM) endeavours to provide a safe and secure environment to protect its staff, councillors, public and the interests of our ratepayers. Closed Circuit Television (CCTV) and License Plate Recognition (LPR) cameras are installed and operated for one or more of the following purposes:

- 4.1 Facilitate public safety.
- 4.2 Facilitate staff and councillor's safety.
- 4.3 Improve security and deter criminal activity in public places including Council premises and recreational facilities.
- 4.4 Monitor traffic movements.
- 4.5 Monitor trespass on Council facilities.
- 4.6 Monitor compliance with Council bylaws.
- 4.7 Capture information that could be used to investigate crime, a health and safety environment and/ or staff incidents.
- 4.8 Monitor behaviour around Council objects.
- 4.9 Manage council assets and infrastructure.

5. Regulatory Context

The CCTV System that is envisaged for installation by Stellenbosch Municipality may not infringe any stipulations as prescribed by the following legislation:

- The Constitution of the Republic of South Africa, 1996
- Telecommunications Act, Act 103 of 1996
- The Computer Evidence Act No 57 of 1983
- Protection of Personal Information Act, Act 4 of 2013
- Criminal Procedure Act 51 of 1977
- Promotion of Access to Information Act (PAIA) No 2 of 2000

This policy should also be read with the following by-laws:

- Stellenbosch Municipality , Electricity Bylaw
- Stellenbosch Municipality Street Bylaw P.N. 6756 dated 04 June 2010

6. Scope

6.1 This policy applies to private and external CCTV cameras, installed on municipal land and infrastructure as well as private CCTV cameras installed on private property monitoring any or of which the projection plane covers any public street or public area of WCO24.

6.2 The policy is applicable within the boundaries of WCO24.

6.3 SM municipal departments are not required to follow the application process, but can register the location of the CCTV cameras with the Director Community and Protection Services

7. Policy Directives

7.1 Camera Locations

7.1.1 CCTV cameras are situated in locations which are clearly linked with the cameras specific purpose. All new external camera systems and/ or replacement systems are to be approved by the Director: Community & Protection Services in consultation with SAPS.

7.1.2 Covert systems may be used for municipality's internal purposes in exceptional circumstances subject to written approval from the Municipal Manager.

7.1.3 Exceptional circumstances where applicable;

7.1.3.1 may include where there is a strong suspicion of criminal activity or misconduct which;

7.1.3.2 breach Council bylaws, policies or may give rise to a health and safety risk to any person or Council damage to the environment, and which cannot be detected by other means.

7.2 Monitoring

7.2.1 The recording devices/ servers for CCTV cameras are to be installed in a secure location as agreed upon with the Chief: Law Enforcement in conjunction with ICT.

7.2.2 All footage is kept for a minimum period of three (3) weeks and then the data is overwritten as part of the recording process, unless it is exported for evidential purposes.

7.2.3 Live streaming camera monitoring is restricted to designated SM employees and approved contractors. (Username and password linked in order to know who is on the CCTV system)

7.2.4 LPR used for the purpose of traffic monitoring is live streamed and recorded.

7.2.5 Relevant authorized officials reserves the right to have remote access to live footage created by Council owned CCTV cameras.

7.2.6 Where cameras are monitored via a mobile device (such as a smartphone, tablet or similar device) a CCTV or LPR administrator or CCTV High level user shall ensure that no unauthorised person has the ability to view the device.

7.2.7 General public viewing of the CCTV imagery, only as stipulated in section 7.8 and 7.9 of this policy will allowed.

7.3 User Access

DESIGNATION	DESCRIPTION OF FUNCTIONS	DELEGATED AUTHORITY
CCTV Administrator	Full System Access to all CCTV & LPR camera features and programming	SM Municipal Manager or designated staff or CCTV Contractor
CCTV High Level User	Full System Access to all CCTV and LPR camera features and programming for maintenance purposes	Designated SM staff
CCTV Operator	Majority system access for all CCTV cameras on their site and live view	Delegated suitably trained SM Facility Managers and Supervisory staff.
CCTV View Only	Live View, (no export)	Delegated suitably trained SM staff

7.4 The CCTV and LPR Administrator are responsible for:

7.4.1 Understanding their responsibilities under the POPI Act which determines that they operate with efficiency, impartiality and integrity.

7.4.2 Ensuring the installation and maintenance of equipment is sufficient.

7.4.3 Undertaking an annual review of the use of all SM CCTV cameras. Organising the training and authorising of CCTV Operators.

7.4.3 Ensuring all new installations are GIS mapped, insured and operational.

7.4.4 Referring all public requests for footage (other than that from Police as per clause below) to the SM Legal Service Department.

7.4.5 Responsible for the establishment, oversight and accuracy of SM's CCTV Access Log.

- 7.4.6 Responsibility for the on-going maintenance and accuracy of the SM CCTV & LPR camera inventory and related service provider agreements.

7.5 Control and operation of cameras

All SM facilities, premises and public areas within its jurisdictional area may at some point in time be monitored by CCTV and LPR Cameras, the exceptions being listed below:

- 7.5.1 CCTV coverage will not include private areas within public spaces and facilities (e.g. changing rooms).
- 7.5.2 CCTV coverage will not be directed at private property except unavoidably as part of a wide angle or long shot while panning past.

7.6 CCTV High Level Users are responsible for:

- 7.6.1 Understanding their responsibilities under the POPI Act and with respect to the Privacy Principles which determines they operate with efficiency, impartiality and integrity.
- 7.6.2 Implementing all maintenance of the CCTV system as and when required. This includes security level access for designated SM staff.
- 7.6.3 Maintaining a record of all released or viewed footage in SM's CCTV Access Log.
- 7.6.4 Maintain confidentiality in regard to duties and observations and will be required to adhere to a confidentiality agreement in terms of the Protection of Information Act 4 of 2013.

7.7. CCTV Operators are responsible for:

- 7.7.1 Understanding their responsibilities under the POPI Act, and with respect to the Privacy Principles which determines they operate with efficiency, impartiality and integrity
- 7.7.2 Referring all requests for footage (other than from a Police officer) to a SM Legal Service Department.
- 7.7.3 Maintain security of the monitors and footage (drives, disks, memory storage devices etc.)

- 7.7.4 Ensuring signage is in place and in accordance with this policy.
- 7.7.5 Maintain confidentiality in regard to duties and observations.
- 7.7.6 As per the POPI Act Privacy Principles, and with regard to the listed exceptions in the Principles, information collected by the cameras can only be used for the purpose for which it was collected.

7.8. CCTV & LPR information access, the Police and other authorised law enforcement agencies

- 7.8.1 SAPS or other authorised law enforcement agencies may access footage on short notice from for viewing purposes related to crime detection and prevention to assist with investigating the crime.
- 7.8.2 The requester is required to hand a subpoena or S205 of the Criminal Procedure Act, Act 51 of 1977 to the Municipality prior to the release of footage relating to the subpoena or in the case of the SAPS Investigating officer, a case number.
- 7.8.3 All footage released to SAPS or other authorised law enforcement agencies at their request, or when criminal activity is suspected, will be recorded in the CCTV Access Log detailing;
 - 7.8.3.1 Case numbers
 - 7.8.3.2 Investigating officer's name and staff number
 - 7.8.3.3 Case number and incident
 - 7.8.3.4 Sign out all evidence accordingly
 - 7.8.3.5 and any other information, as deemed necessary by SM.

7.9 CCTV information access by individuals

- 7.9.1 Recorded footage is confidential to SM. All requests to have a copy of footage relating to individuals will be referred to the Legal Service Department for consideration. Where a case has been registered with the SAPS, please refer to section 7.8.

7.9.2 The Legal Service Department, may recommend to the Municipal Manager that the request that data may be disclosed be approved or not approved.

7.9.3 A request by the public to have a copy of footage that contains information relating to other individuals or themselves;

7.9.3.1 Must be via completing the Promotion of Access to Information Act (PAIA) form in writing and will be dealt with as either a matter to be referred to the Police or SM Legal Service. The applicant will pay the relevant fee set by SM Legal Service as per approved tariff structure of Council for the application and the releasing of such footage.

7.9.3.2 The request will be dealt with in accordance to the POPI Act.

7.9.3.3 Any request to view footage will be limited by the ease of access to the footage and by the need to protect other people's privacy. No general public viewing, only by those directly affected by the incident.

7.9.3.4 If a request to view the footage is unable to be granted without unreasonably breaching other's privacy, a written description may be provided by the CCTV Administrator or SM Legal Service of the contents within the footage. Any such requests will be responded to within 30 days and are subject to review by a SM's Legal Service Department.

7.10 CCTV information or requests to have a copy of footage by Council personnel

7.10.1 Such requests will be forwarded and approved by the Municipal Manager only and forwarded to the Director Community & Protection Services.

7.11 CCTV and Council Staff

7.11.1 The Municipality will investigate any suspected breach of the use of SM's CCTV and LPR by any;

7.11.1.1 Municipal employment contracts, SM's Code of Conduct.

7.11.1.2 Any staff incidents or misconduct detected by CCTV and LPR will be handled in accordance with and CCTV personnel will be protected in accordance with the relevant Witness Protection Act.

7.12 CCTV & LPR Contractors

7.12.1 The Municipality will appoint contractors for the installation and maintenance of the CCTV & LPR System.

7.12.2 Appointed contractors and all contractors' staff must have PSIRA Certification.

7.12.3 Contractors or sub-contractors responsible for non-security related operations (i.e. Data Transmission links etc.) should be certified by their appropriate organisation.

7.12.4 All contractors and sub-contractors will be familiar with and adhere to the POPI Act.

7.13 CCTV Signage

7.13.1 Individual cameras and/ or camera areas will be clearly signposted to notify the public.

7.13.2 Signs will clearly display the message "Surveillance Cameras in Operation" or a similar message and be of a size and nature that is reasonable visible for people entering the area to read. Where it is impractical to include all the information, the sign will direct the public to the SM website where this policy can be viewed.

7.13.3 SM municipality will at all times display that cameras are monitoring, but it does not guarantee that all cameras will be proactively monitored at all times

7.14 CCTV Staff Training

7.14.1 Operators

7.14.1.1 All CCTV Staff operators will be required to undergo the necessary CCTV & LPR System Operator training.

7.14.1.2 If SM opt to use Security staff for surveillance the minimum requirements will be:

- Grade C Security graded
- At least 21 years of age
- Undergoing clearance check
- Have good cognitive abilities.

7.15 Privately owned CCTV cameras

7.15.1 CCTV cameras installed on privately owned property/ premises do not require to be registered with Stellenbosch Municipality unless these cameras cover any section or portion of a public place or street within the jurisdiction of Stellenbosch Municipality of which the Municipality or the South African Police will have the right to footage obtained through these cameras which might be linked to a criminal incident or offence.

7.15.2 Registration of privately owned CCTV cameras as per 7.15.1 will require the owner of these cameras to provide the name of the owner/s of the premises/ erf, the type of camera used and the connectivity status of the CCTV cameras as well as the projection plane of the public areas the cameras cover.

7.15.3 The information provided in 7.15.2 will be recorded on a database kept by the municipality's Law Enforcement Department for the sole purpose as per 7.15.1 and will remain confidential.

CLOSED CIRCUIT TELEVISION POLICY

ANNEXURE B

MINUTES

**22ND MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2018-11-28

7.1.2	STELLENBOSCH MUNICIPALITY CLOSED CIRCUIT TELEVISION POLICY
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Collaborator No: 599452
 IDP KPA Ref No: Safest Valley
 Meeting Date: 09 November 2018

1. SUBJECT: STELLENBOSCH MUNICIPALITY CLOSED CIRCUIT TELEVISION POLICY

2. PURPOSE

To submit the Stellenbosch Municipality Closed Circuit Television (CCTV) Policy to Council for approval.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

This policy has been drafted to ensure that Stellenbosch Municipality, its employees and contractors comply with good practice, transparency and accountability in respect of the requirements of The Protection of Personal Information Act, Act No.4 of 2013 when operating Council CCTV and LPR cameras.

It also outlines the process for managing all access to CCTV and LPR data, the delegated authorities of Municipal staff and Municipal obligations in regard to CCTV and LPR data storage, security and signage.

22ND COUNCIL MEETING: 2018-11-28: ITEM 7.1.2

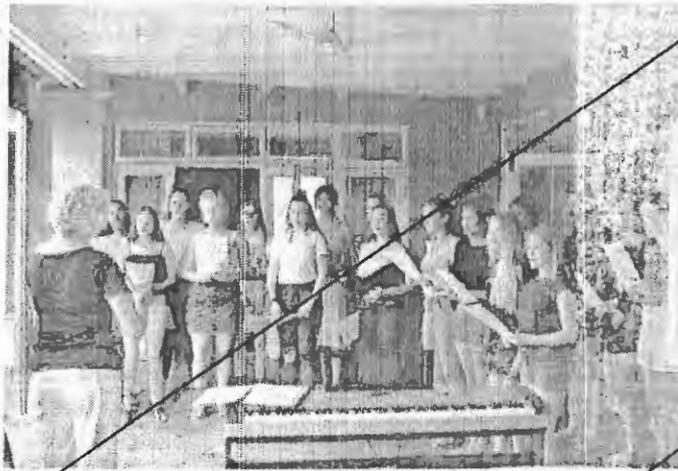
RESOLVED (majority vote with abstentions)

- (a) that Council approves the Stellenbosch Municipality Closed Circuit Television (CCTV) Policy, in principle; and
- (b) that said policy be advertised for public comments and be re-submitted to Council for final approval.

FOR FURTHER DETAILS CONTACT:

NAME	GERALD ESAU
POSITION	DIRECTOR COMMUNITY & PROTECTION SERVICES
DIRECTORATE	COMMUNITY & PROTECTION SERVICES
CONTACT NUMBERS	X8437
E-MAIL ADDRESS	Gerald.esau@stellenbosch.gov.za
REPORT DATE	21 May 2018

ANNEXURE C



Bloemhof se nuwe a capella-groep met een van hul oefensessies. Foto: Leon Piron

Bloemhof nou 'n sanggroep ryker

Die nuutste toevoeging tot die Hoër Meisieskool Bloemhof se kultuurprogram is 'n a capella-groep wat reeds vroeg in die skooljaar die eerste note saam as groep laat opklink het.

Die groep, onder leiding van Marijke de Villiers-Roos, bestaan uit 20 leiers.

"Ek is baie opgewonde oor die groep. Daar is soveel potensiaal en talent wat groei," sê Daniëlle van Rooijen (gr. 10).

Annemi Burger, ook gr.10, beaam dit: "Dis meer as net nense wat saam sing. Dit is 'n familie wat vorm."

Marijke meen dat hierdie groep nie net talentvol en energiek is nie, maar dat dit juis hul positiewe gesindheid is wat haar opgewonde maak.

Al het die groep nog nie 'n amptelike naam nie, het hulle reeds drie liedere ingeef, iets waaroor Dalene Bosman, Bloemhof se musiekhoof, baie opgewonde is.

"Ons sien met verwagting uit na die eerste optrede," sê sy.

Young tennis stars take international opportunity

Rhenish Girls' High has produced two top tennis players who trained hard throughout their high school careers.

Sinazo Solani who matriculated in 2016, has been selected for the Fed Cup Team to participate in Luxembourg in February while Evangeline du Toit who matriculated last year got a tennis scholarship at Abilene Christian University in Texas, USA.

"I am so excited and proud of these two players of mine," says Sunel Malan (coach of both Evangeline and Sinazo while they were at Rhenish).

"Their commitment and discipline shown throughout their careers has been outstanding. There is nothing more rewarding than reaching a goal through trust and hard work," says Sunel.



Sinazo Solani, Sunel Malan and Evangeline du Toit.



Eikestad verwelkom nuwe onnies

Leerskool Eikestad het vanjaar nuwe personelede by die skool verwelkom. Agter is Nieké Matthee (gr. 5-onderwyser), Alné Nel (assistent), Tom Ntobeko (terreinwerker), Anke Nel (assistent) en Anri Schoonees (assistent). Voor is Chantelle Williams (leerondersteuner), Mamé Stander (assistent) en Celeste Gouws (assistent).



Net een nuwe onnie vir 2019

Die Hoër Meisieskool Bloemhof verwelkom vanjaar slegs een nuwe lid tot sy personeelkorps, Winnie Viljoen, die skool se nuwe adjunkhoof en onderwyser in Engels. Drie ander personelede wat in 2019 by die skool aangesluit het, het Maandag 21 Januarie saam met haar hul amptelike personeelbeadjies ontvang. Van links is Winnie Viljoen, Mitzi Marais, Anke Wethmar (van Sanlam FinPrufe Wealth BlueStar), Betti Erasmus en Elzabé van der Watt.

Foto: Stephan Meyer



Drieling is nou in graad 3

Leerskool Eikestad het vanjaar 'n drieling in gr. 3. Hulle is Jeandré, Liseke en Andries Burger.

Stellenbosch Municipality Closed Circuit Television Policy

Notice is hereby given that the Council of Stellenbosch Municipality at a meeting held on 2018-11-28 approved the Stellenbosch Municipality Closed Circuit Television Policy of which the policy is hereby advertised for a minimum period of 30 days in terms of the provisions of Section 160(4) (b) of the Constitution, Act 108/96 read with Section 12 and 13 of the Local Government: Municipal Systems Act 32/2000.

Be advised that the policy is open for inspection and for written comments, if any, at the office of the Chief Law Enforcement, Stellenbosch Municipality, 1 Hofman Street, Stellenbosch and will be available at all libraries in the area, on the municipal website and at each ward office until 28 February 2019. Copies of the policy can also be downloaded from the municipal website: www.stellenbosch.gov.za

All written comments should be addressed to:

The Municipal Manager, Stellenbosch Municipality, PO Box 17, Stellenbosch, 7599/ Plein Street, Stellenbosch, 7600 or emailed to: municipal.manager@stellenbosch.gov.za

MUNICIPAL MANAGER

Notice no.: 06/2019
Dated: 24/01/2019

Stellenbosch Munisipaliteit Beleid op Geslote Kringtelevisie

Kennis geskied hiermee dat die Raad van Stellenbosch Munisipaliteit tydens 'n vergadering gehou op 2018-11-28 die Beleid op Geslote Kringtelevisie goedgekeur het en word derhalwe geadvarteer vir 'n minimum periode van 30 dae ingevolge die bepalings van Artikel 160(4)(b) van die Konstitusie, Wet 108/96, saamgelees met Artikel 12 en 13 van Plaaslike Regering, Munisipale Stelselwet 32/2000.

Genoemde beleid is oop vir inspeksie en skriftelike kommentaar, (indien enige) by die Kantoor van die Hoof, Wetsvoepassing, Stellenbosch Munisipaliteit, Hofmanstraat 1, Stellenbosch en sal beskikbaar wees by alle biblioteke, die munisipale webwerf en elke wykskantoor tot 28 Februarie 2019. Afskrifte van die beleid kan afgelaai word van die munisipale webblad: www.stellenbosch.gov.za

Alle skriftelike kommentaar moet adresseer word aan:

Die Munisipale Bestuurder, Stellenbosch Munisipaliteit, Posbus 17, Stellenbosch, 7599/ Pleinstraat, Stellenbosch, 7600 of ge-apos word aan: municipal.manager@stellenbosch.gov.za

MUNISIPALE BESTUURDER

Kennisgewing no. 06/2019
Gedateer: 24/01/2019

7.2	CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)
7.2.1	APPLICATION TO ACQUIRE AN ADDITIONAL PORTION OF LAND FOR THE PURPOSE OF EXTENDING THE CLINIC IN KLAPMUTS: CORRECTION OF PROPERTY DESCRIPTION

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: **21 May 2019 and 29 May 2019 Council meeting**

1. SUBJECT: APPLICATION TO ACQUIRE AN ADDITIONAL PORTION OF LAND FOR THE PURPOSE OF EXTENDING THE CLINIC IN KLAPMUTS: CORRECTION OF PROPERTY DESCRIPTION

2. PURPOSE

To amend the previous Council resolution in order to rectify the property description.

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

On 2017-09-27 Council considered a request from the Provincial Government for an additional portion of land in Klapmuts, to enable them to enlarge the current Clinic in Klapmuts.

Although Council approved the donation of a portion of land, measuring approximately 2272 m² in extent, it has now been brought to our attention that the property description is incorrect, as it only refers to a portion of erf 342, whilst it should have referred to a portion of erf 342 and the remainder portion of erf 1331 (crèche area).

Council must amend their previous decision to include both portions of land, as was the initial idea.

5. RECOMMENDATIONS

that the decision taken by Council on 2017-09-27 (12th Council meeting, item 7.5.1) regarding the disposal/donation of a portion of erf 342 be rescinded and replaced with the following:

- a) *that a portion of erf 342 and Remainder portion of erf 1331, as indicated on Fig 2, measuring 2272m² in extent, be identified as land not needed to provide the minimum level of basic municipal services;*
- b) *that, seeing that the provision of a new clinic for the area is of critical importance, and seeing that the land in question was donated to Stellenbosch Municipality by the Provincial Housing Board in 1972, the land be made available to the Provincial Government free of charge;*
- c) *that approval be granted that the land, as indicated in figure 2, be transferred to the Western Cape Government (Chief Directorate Property Management)*

for the purpose of constructing a health facility, on condition that the Provincial Government of the Western Cape:

- i) be responsible for all costs related to the transfer of the land, including, but not limited to survey and legal costs;*
- ii) be responsible for the subdivision and rezoning cost;*
- iii) be responsible for the upgrading of bulk infrastructure, should the need arise, and for making a contribution towards the Bulk Infrastructure Fund, as per the approved tariff structure at the time of approval of the site development plan;*
- iv) be responsible for all service connections at the prevailing rates;*
- d) that the Provincial Government be given occupancy of the land with immediate effect, to enable them to attend to planning/building plan approval(s); and*
- e) that the Municipal Manager be authorised to sign the Deed of Donation and all documents necessary to effect the transfer of the property.*

6. DISCUSSION / CONTENT

6.1 Background

On 2017-09-27 (item 7.5.1) Council considered a request from the Provincial Government of the Western Cape (The Department of Transport and Public Works) for an additional portion of land in Klappmuts to enable them to extend the clinic on erf 3630, thereby improving the health care services to the growing community of Klappmuts.

Having considered the request, Council resolved as follows:

RESOLVED (majority vote with abstentions)

- (a) that the portion of erf 342, Klappmuts, measuring ±2272m² in extent, be identified as land not needed to provide the minimum level of basic municipal services;*
- (b) that, seeing that the provision of a new clinic for the area is of critical importance, and seeing that the land in question (portion of erf 342) was donated to Stellenbosch Municipality by the Provincial Housing Board in 1972, the land be made available to the Provincial Government free of charge;*
- (c) that approval be granted that the portion of erf 342, Klappmuts, as indicated in figure 5, be transferred to the Western Cape Government (Chief Directorate Property Management) for the purpose of constructing a health facility, on condition that:*
 - i) the Provincial Government be responsible for all costs related to the transfer of the land, including, but not limited to survey and legal costs;*
 - ii) the Provincial Government be responsible for the subdivision and rezoning cost;*
 - iii) the Provincial Government be responsible for the upgrading of bulk infrastructure, should the need arise, and for making a contribution towards the Bulk Infrastructure Fund, as per the approved tariff structure at the time of approval of the site development plan;*

- iv) *the Provincial Government be responsible for all service connections at the prevailing rates;*
- d) *that the Provincial Government be given occupancy of the land with immediate effect, to enable them to attend to planning/building plan approval(s); and*
- e) *that the Municipal Manager be authorised to sign the Sales Agreement and all documents necessary to effect transfer of the property.*

A copy of the agenda item that served before Council is attached as **APPENDIX 1**.

Following the above resolution the Department of Transport and Public Works were informed accordingly.

They have subsequently indicated that they are in agreement with the conditions. A Deed of Donation was subsequently compiled and presented to them for signature.

On 2019-04-03, however they informed us that, although the Deed of Donation referred to a portion of erf 342, Klapmuts as well as the remainder of erf 1331, totalling approximately 2272m² in extent, the Council resolution (wrongfully so) only refers to a portion of erf 342, measuring approximately 2272m² in extent. They requested that this discrepancy be corrected.

6.2 Discussion

As is clear from the agenda item that served before Council (see paragraph 3.1.1, in particular Fig 4) the idea was all along to transfer a portion of erf 342 as well as Remainder erf 1331, together totalling $\pm 2272\text{m}^2$ in extent. The Council resolution, however, only refers to a portion of erf 342, measuring $\pm 2272\text{m}^2$ in extent.

This was clearly a mistake, and Council is now requested to amend their previous decision to include both portions of land.

6.2.1 The Site

6.2.1.1 Location and context

The area to be transferred is situated off Merchant Street, Klapmuts, next to the existing clinic, as indicated on Fig 1 and 2 below.



Fig 1: Location and context



Fig 2: Proposed area to be transferred

The area consists of two portions; i.e.:

- a) Remainder of erf 1331, measuring 753m² in extent; and
- b) Portion of erf 342, measuring ± 1519m² in extent.

6.2.2 Ownership

Ownership erf 342 and Remainder erf 1331 vests with Stellenbosch Municipality in terms of Title Deed T31590/1972 and T72297/2016.

6.3 Financial Implications

None

6.4 Legal Implications

The recommendation in this report comply with the Municipality's policies and applicable legislation.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

On 2017-09-27 (item 7.5.1) Council considered a request from the Provincial Government of the Western Cape (The Department of Transport and Public Works) for an additional portion of land in Klapmuts to enable them to extend the clinic on erf 3630, thereby improving the health care services to the growing community of Klapmuts. (See paragraph 6.1 above).

6.7 Risk Implications

None

6.8 Comments from Senior Management

6.8.1 Director: Infrastructure Services

None requested

6.8.2 Director: Planning and Economic Development

None requested

6.8.3 Chief Financial Officer

None requested

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 7.2.1

that the decision taken by Council on 2017-09-27 (12th Council meeting, item 7.5.1) regarding the disposal/donation of a portion of erf 342 be rescinded and replaced with the following:

- a) that a portion of erf 342 and Remainder portion of erf 1331, as indicated on Fig 2, measuring 2272m² in extent, be identified as land not needed to provide the minimum level of basic municipal services;
- b) that, seeing that the provision of a new clinic for the area is of critical importance, and seeing that the land in question was donated to Stellenbosch Municipality by the Provincial Housing Board in 1972, the land be made available to the Provincial Government free of charge;
- c) that approval be granted that the land, as indicated in figure 2, be transferred to the Western Cape Government (Chief Directorate Property Management) for the purpose of constructing a health facility, on condition that the Provincial Government of the Western Cape:
 - (i) be responsible for all costs related to the transfer of the land, including, but not limited to survey and legal costs;
 - (ii) be responsible for the subdivision and rezoning cost;
 - (iii) be responsible for the upgrading of bulk infrastructure, should the need arise, and for making a contribution towards the Bulk Infrastructure Fund, as per the approved tariff structure at the time of approval of the site development plan;
 - (iv) be responsible for all service connections at the prevailing rates;
- d) that the Provincial Government be given occupancy of the land with immediate effect, to enable them to attend to planning/building plan approval(s); and
- e) that the Municipal Manager be authorised to sign the Deed of Donation and all documents necessary to effect the transfer of the property.

ANNEXURES:

APPENDIX 1: Agenda item that served before Council

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	2019-04-12

APPENDIX 1

7.5.1	APPLICATION TO ACQUIRE AN ADDITIONAL PORTION OF LAND FOR THE PURPOSE OF EXTENDING THE CLINIC IN KLAPMUTS
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1. PURPOSE OF REPORT

The purpose of this report is to consider a request from the Western Cape Government (Department of Transport and Public Works) to acquire an additional portion of land for the purpose of extending the clinic in Klapmuts.

2. BACKGROUND**2.1 Transfer of health services to provincial government**

The State Attorney is in the process of transferring the Klapmuts Clinic, situated on Erf 3630 (portion of erf 1331), Klapmuts, measuring 1115m² in extent, held under Deed of Transfer T42229/2000, as agreed to in term of a Memorandum of Agreement of Transfer, to the Western Cape Government.

2.2 Application for additional land

Hereto attached as **APPENDIX 1** a self-explanatory letter from the provincial Department of Transport and Public Works, requesting Stellenbosch Municipality to dispose of an additional portion of land, to enable them to extend the clinic on erf 3630, Klapmuts.

This would enable the Department of Health to provide better health care services to the existing and growing community of Klapmuts.

12TH COUNCIL: 2017-09-27: ITEM 7.5.1**RESOLVED** (majority vote with abstentions)

- (a) that the portion of erf 342, Klapmuts, measuring ±2272m² in extent, be identified as land not needed to provide the minimum level of basic municipal services;
- (b) that, seeing that the provision of a new clinic for the area is of critical importance, and seeing that the land in question (portion of erf 342) was donated to Stellenbosch Municipality by the Provincial Housing Board in 1972, the land be made available to the Provincial Government free of charge;
- (c) that approval be granted that the portion of erf 342, Klapmuts, as indicated in figure 5, be transferred to the Western Cape Government (Chief Directorate Property Management) for the purpose of constructing a health facility, on condition that:
 - i) the Provincial Government be responsible for all costs related to the transfer of the land, including, but not limited to survey and legal costs;
 - ii) the Provincial Government be responsible for the subdivision and rezoning cost;

- iii) the Provincial Government be responsible for the upgrading of bulk infrastructure, should the need arise, and for making a contribution towards the Bulk Infrastructure Fund, as per the approved tariff structure at the time of approval of the site development plan;
- iv) the Provincial Government be responsible for all service connections at the prevailing rates;
- (d) that the Provincial Government be given occupancy of the land with immediate effect, to enable them to attend to planning/building plan approval(s); and
- (e) that the Municipal Manager be authorised to sign the Sales Agreement and all documents necessary to effect transfer of the property.

<i>Meeting:</i>	<i>12th Council: 2017-09-27</i>	<i>Submitted by Directorate:</i>	<i>Human Settlements</i>
<i>Ref no:</i>	<i>7/2/1/1</i>	<i>Author</i>	<i>Manager: Property Management</i>
<i>Collab:</i>	<i>529254</i>	<i>Referred from:</i>	<i>Mayco: 2017-09-13</i>

7.2.2	PROPOSED DISPOSAL OF ERF 347, LE ROUX (GROENDAL)
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance

21 May 2019

1. SUBJECT: PROPOSED DISPOSAL OF ERF 347, LE ROUX (GROENDAL)

2. PURPOSE

To obtain the necessary approval/authorisation to dispose of erf 347, Le Roux, Groendal.

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

Erf 347, Le Roux (Groendal) has been identified as surplus to the municipality's own needs, i.e. the municipality does not require the property to provide the minimum level of basic municipal services.

For this reason Council is requested to authorise the disposal of this property by way of a Call for Proposal.

5. RECOMMENDATIONS

- (a) that Erf 347, Le Roux (Groendal) be identified as land not needed to provide the minimum level of basic municipal services, i.e. that it can be disposed of in principle;
- (b) that council resolves to dispose of the property by either:
 - (i) dispose of the property to the highest bidder by way of an open tender process; this disposal may be subject to certain conditions set by Council on what type of development it may be used for
 - OR
 - (ii) go out on a Call for Proposal, soliciting proposals to develop the land for high density housing opportunities; ensuring optimal use of the land, and thereby creating more opportunities for residents of the area.
- (c) that the market value of the property be determined by two independent valuers and be taken into consideration in the SCM determination and reported to Council when the item is tabled for final consideration as indicated in (d) below; and
- (d) that, following the supply chain process, the matter be brought back to Council for a final decision on whether to dispose of the property under the conditions set in the supply chain process.

Erf 347 is 537m² in extent and is zoned single residential. The ownership vests with Stellenbosch Municipality by virtue of Title Deed T4466/2014. See copies of LG Diagram and Deeds Office information hereto attached as **APPENDICES 1 and 2** respectively.

6.2.2 Options for development/disposal

The following options could be considered by Council:

- a) Dispose of the property to the highest bidder by way of an open tender process;

OR

- b) Go out on a Call for Proposal, soliciting proposals to develop the land for high density housing opportunities; ensuring optimal use of the land, and thereby creating more opportunities for residents of the area.

6.2.3 Legal Requirements

6.2.3.1 MFMA

In terms of section 14(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.

In terms of subsection (2), a municipality may transfer ownership or otherwise dispose of a capital asset other than those 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.

6.2.3.2 Asset Transfer Regulation (ATR)

6.2.3.2.1 Transfer or disposal on non-exempted capital assets

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

- a) the accounting officer has in terms of regulation 6 conducted a public participation* process to facilitate the determinations a municipal council must make in terms of Section 14(2)(a) and (b) of the Act; and
- b) the municipal council-
- i) has made determinations required by section 14(2) (a) and (b)* and
 - ii) has, as a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.

6.2.3.2.2 Consideration of proposals to transfer or dispose of non-exempted capital assets

In terms of Regulation 7 the municipal council **must**, when considering any proposed transfer or disposal of a non-exempted capital asset in terms of regulation 5(1)(b)(i) and (ii), **take into account**—

-
- (a) whether the capital asset may be **required for the municipality's own use** at a later date;
 - (b) the **expected loss or gain** that is expected to result from the proposed transfer or disposal;
 - (c) the extent to which any compensation to be received in respect of the proposed transfer or disposal will result in a **significant economic or financial cost or benefit** to the municipality;
 - (d) the **risks and rewards** associated with the operation or control of the capital asset that is to be transferred or disposed of in relation to the municipality's interests;
 - (e) the **effect** that the proposed transfer or disposal will have on the **credit rating** of the municipality, its ability to raise long-term or short-term borrowings in the future and its financial position and cash flow;
 - (f) any **limitations or conditions** attached to the capital asset or the transfer or disposal of the asset, and the consequences of any potential non-compliance with those conditions;
 - (g) the estimated **cost** of the proposed transfer or disposal;
 - (h) the transfer of any **liabilities** and reserve funds associated with the capital asset;
 - (i) any comments or representations on the proposed transfer or disposal received from the local community and other interested persons; (if applicable);
 - (j) any written views and recommendations on the proposed transfer or disposal by the National Treasury and the relevant provincial treasury; (if applicable)
 - (k) 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
 - (l) **compliance** with the **legislative regime** applicable to the proposed transfer or disposal.

6.2.3.2.3 Conditional approval of transfer or disposal of non-exempted capital assets

Further, in terms of Regulation 11, an **approval in principle** in terms of regulation 5(1)(b)(ii) or 8(1)(b)(ii) that a non-exempted capital asset may be transferred or disposed of, **may be given subject to any conditions**, including conditions specifying—

- (a) **the way in which the capital asset is to be sold or disposed of**;
- (b) a **floor price or minimum compensation for the capital asset**;
- (c) whether the capital asset may be transferred or disposed of for **less than its fair market value**, in which case the municipal council must first consider the criteria set out in regulation 13(2); and
- (d) a **framework within which direct negotiations** for the transfer or disposal of the capital asset **must be conducted** with another person, if transfer or disposal is subject to direct negotiations.

6.2.3.2.4 Transfer or disposal of non-exempted capital assets to be in accordance with disposal management system

In terms of Regulation 12(1); if approval has been given in terms of regulation 5(1)(b)(ii) that a non-exempted capital asset may be transferred or disposed of, the relevant municipality may transfer or dispose of the asset only in accordance with its **disposal management system**, irrespective of—

- (a) the value of the capital asset; or
- (b) whether the capital asset is to be transferred to a private sector party or an organ of state.

*In the case of Stellenbosch Municipality the Policy on the Management of Council-owned property is deemed to be the disposal management system.

6.2.3.2.5 Compensation for transfer of non-exempted municipal capital assets

In terms of Regulation 13, the compensation payable to a municipality for the transfer of a non-exempted capital asset must, subject to sub regulation (2)—

- (a) be consistent with criteria applicable to compensation set out in the disposal management system of the municipality or municipal entity; and

If a municipality on account of the public interest, in particular in relation to the plight of the poor, **intends to transfer a non-exempted capital asset for less than its fair market value, the municipality** must, when considering the proposed transfer, **take into account—**

- (a) the **interests of—**
 - (i) the State; and
 - (ii) the local community;
- (b) the strategic and economic interests of the municipality or municipal entity, including the long-term effect of the decision on the municipality or entity;
- (c) the constitutional rights and legal interests of all affected parties;
- (d) whether the interests of the parties to the transfer should carry more weight than the interest of the local community, and how the individual interest is weighed against the collective interest; and
- (e) **whether the local community would be better served if the capital asset is transferred at less than its fair market value**, as opposed to a transfer of the asset at fair market value.

6.2.3.2.6 Transfer agreements

In terms of Regulation 17, a municipality may transfer assets approved for transfer to a private sector party or organ of state, **only by way of a written transfer agreement** concluded between the transferring municipality and the receiving private sector party or organ of state.

A transfer agreement must set out the terms and conditions of the transfer, including, as a minimum—

- (a) a sufficient **description** of the capital asset being transferred in order to identify the asset;

- (b) particulars of any subsidiary assets that are transferred with the capital asset;
- (c) particulars of any liabilities transferred with the asset;
- (d) the **amount of compensation** payable to the municipality or municipal entity for the transfer of the asset or assets, and the terms and conditions of payment; and
- (e) the **effective date** from which the risk and accountability for the asset or assets is transferred to the receiving private sector party or organ of state.

6.2.3.3 Policy on the management of Council-owned property

6.2.3.3.1 General principles

In terms of paragraph 7.2.1, unless otherwise provided for in the policy, the disposal of Viable Immovable property shall be effected-

- a) by means of a process of **public competition**; and
- b) at **market value** except when the public interest or the plight of the poor demands otherwise.

6.2.3.3.2 Methods of disposal

In terms of paragraph 9 the type of tender may vary, depending on the nature of the transaction. The following options may be considered:

- a) outright tender, e.g. residential erven;
- b) Call for Proposals, e.g when property is to be developed in a predetermined way

6.2.3.3.4 Preference Point System

In terms of paragraph 12, the following points systems are applicable:

- Outright tender:

Price:	60 points
Status:	40 points
- Call for proposal:

Price:	60 points
Status:	20 points
Development concept:	20 points

6.3 Financial Implications

None

6.4 Legal Implications

The recommendations contained in this report comply with Council's policies and all applicable legislation. See paragraph 6.2.2, *supra*.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

N/a

6.7 Risk Implications

None

6.8 Comments from Senior Management**6.8.1 Director: Infrastructure Services**

This Directorate has no objection to the aforementioned proposal.
No municipal engineering services will be affected.

6.8.2 Director: Planning and Economic Development

None received.

6.8.3 Chief Financial Officer

None received.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 7.2.2

- (a) that Erf 347, Le Roux (Groendal) be identified as land not needed to provide the minimum level of basic municipal services, i.e. that it can be disposed of in principle;
- (b) that Council resolves to dispose of the property by going out on a Call for Proposal, soliciting proposals to develop the land for high density gap housing opportunities; ensuring optimal use of the land, and thereby creating more opportunities for residents of the area. This may include apartments, flats or town houses of different typologies;
- (c) that the market value of the property be determined by two independent valuers and be taken into consideration in the SCM determination and reported to Council when the item is tabled for final consideration as indicated in (d) below; and
- (d) that, following the supply chain process, the matter be brought back to Council for a final decision on whether to dispose of the property under the conditions set in the supply chain process.

ANNEXURES:

Annexure A and B: LG Diagram and Deeds office information

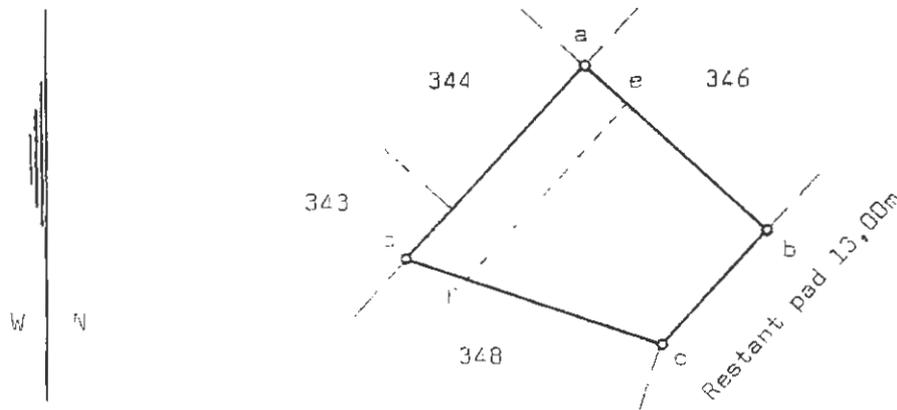
FOR FURTHER DETAILS CONTACT:

NAME	Piet Smit
POSITION	Manager: Property Management
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021-8088189
E-MAIL ADDRESS	Piet.smit@stellenbosch.gov.za
REPORT DATE	2018-08-21

ANNEXURE A

SYE METERS	RIGTINGS-HOEKE	KOÖRDINATE			L.G. No.	
		Y	Stelsel	Lo 19° X		
	Korstante	+	C,00	+3700000,00	9 9 9 6 / 7 7	
ab	25,00	312 31 10	a	- 9 577,44	+ 51 909,39	Goedgekeur <i>[Signature]</i> Landmeter-generaal 25.4.78
bc	16,00	42 31 10	b	- 9 555,87	+ 51 926,29	
cd	27,31	108 48 00	c	- 9 585,05	+ 51 938,08	
da	26,98	222 31 10	d	- 9 559,20	+ 51 929,28	
	3319/22	French Hoek		- 9 267,35	+ 47 936,71	
	3319/49	Middenberg		- 6 881,61	+ 52 965,39	

a b c d 12mm ronde ysterpen



Skaal 1: 750

Die figuur a b c d
stel voor 537 vierkante meter grond, synde
ERF 347, 'n gedeelte van ERF 234 LE ROUX
geleë in die Munisipaliteit van Franschoek Administratiewe Distrik
Paarl Provinsie Kaap die Goeie Hoop.
Opgemeet in Oktober - Desember 1977
deur my, ons *[Signatures]* Landmeter

Hierdie kaart is geheg aan No. gedateer t.g.v. Registrateur van Aktes	Die oorspronklike kaart is. No. 10143/76 geheg aan Transport/Grondbrief No.	Lêer No. S/6378/2 M.S. No. E.2438/77. Komp. BI-7CAD (3094) Alg Plan F 19 (2627) BI-7CA/W53(6351)
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ANNEXURE B

WinDeed Database Deeds Office Property

windeed
A LexisNexis® Product

LE ROUX, 234, 0 (REMAINING EXTENT) (CAPE TOWN)

GENERAL INFORMATION

Date Requested 2018/08/21 08:08
Deeds Office CAPE TOWN
Information Source WINDEED DATABASE
Reference -

**PROPERTY INFORMATION**

Property Type ERF
Erf Number 234
Portion Number 0 (REMAINING EXTENT)
Township LE ROUX
Local Authority FRANSCHHOEK MUN
Registration Division NOT AVAILABLE
Province WESTERN CAPE
Diagram Deed T14137/1980
Extent 800.0000DUM
Previous Description -
LPI Code C05500060000023400000

OWNER INFORMATION**Owner 1 of 1**

Type LOCAL AUTHORITY
Name MUN STELLENBOSCH
ID / Reg. Number -
Title Deed T44661/2014
Registration Date 2014/08/20
Purchase Price (R) TRANSFER BY ENDORSEMENT
Purchase Date -
Share 0.00
Microfilm -
Multiple Properties NO
Multiple Owners NO

ENDORSEMENTS (7)

#	Document	Institution	Amount (R)	Microfilm
1	COMP-15-ERVEN	-	UNKNOWN	-
2	NOW SUBDIVISION	TOWN LE ROUX ,ERF 303 ,PRTN 0	UNKNOWN	-
3	NOW SUBDIVISION	TOWN LE ROUX ,ERF 326 ,PRTN 0	UNKNOWN	-
4	NOW SUBDIVISION	TOWN LE ROUX ,ERF 310 ,PRTN 0	UNKNOWN	-
5	NOW SUBDIVISION	TOWN LE ROUX ,ERF 303 ,PRTN	UNKNOWN	-
6	NOW SUBDIVISION	TOWN LE ROUX ,ERF 326 ,PRTN	UNKNOWN	-
7	NOW SUBDIVISION	TOWN LE ROUX ,ERF 310 ,PRTN	UNKNOWN	-

HISTORIC DOCUMENTS (6)

#	Document	Owner	Amount (R)	Microfilm
1	T14137/1980	COMMUNITY DEVELOPMENT BOARD	UNKNOWN	2007 1268 0812
2	T14137/1980	PROVINCIAL HOUSING DEVELOPMENT BOARD-WESTERN CAPE	UNKNOWN	2007 1268 0812
3	T14137/1980	PROVINCIAL GOVERNMENT-WESTERN CAPE	UNKNOWN	2007 1268 0812
4	T14137/1980	NASIONALE BEHUISINGSRAAD	UNKNOWN	2007 1268 0812
5	T14137/1980	HOUSING DEVELOPMENT BOARD-WESTERN CAPE	UNKNOWN	2007 1268 0812
6	T78485/2007	PROVINCIAL GOVERNMENT-WESTERN CAPE	TRANSFER BY ENDORSEMENT	2007 1268 0788

DISCLAIMER

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7.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]
-----	--

NONE

7.4	HUMAN SETTLEMENTS: [CLLR N JINDELA]
-----	--

NONE

7.5	INFRASTRUCTURE: [CLLR J DE VILLIERS]
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7.5.1	REPLACEMENT OF EXISTING PIPE SYSTEMS EMPLOYING CONVENTIONAL AND SPECIALISED TRENCHLESS CONSTRUCTION TECHNOLOGY IN THE STELLENBOSCH MUNICIPAL AREA, FOR A CONTRACT PERIOD ENDING 30 JUNE 2019
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Collaborator No: 642474
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 21 May 2019

1. SUBJECT: REPLACEMENT OF EXISTING PIPE SYSTEMS EMPLOYING CONVENTIONAL AND SPECIALISED TRENCHLESS CONSTRUCTION TECHNOLOGY IN THE STELLENBOSCH MUNICIPAL AREA, FOR A CONTRACT PERIOD ENDING 30 JUNE 2019

2. PURPOSE

To obtain the necessary approval for the intended amendment of the contract for the replacement of existing pipe systems.

**3. DELEGATED AUTHORITY
MUNICIPAL COUNCIL.**

4. EXECUTIVE SUMMARY

BSM 67/17 was awarded in the 2017/18 financial year as a rate tender for a three (3) year contract period. At the time of the tender award, the total estimated value was capped on R10 million. This estimated amount was far too low for the three year period. The directorate wishes to remove this threshold in order to stay compliant with its expected expenditure on the contract, minimize water losses and provide continued service delivery in light of the recent water scarcity.

5. RECOMMENDATIONS

- (a) that Council notes in terms of MFMA Section 116(3) the reasons for the increase of the capped amount;
- (b) that the tender amount (B/SM 67/17) for the construction of civil services be allowed to exceed R10 million until 30 June 2019;
- (c) that Council gives reasonable notice of the 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 a new tender process for the replacement of existing pipe systems employing conventional and specialised trenchless construction technology in the Stellenbosch municipal area be initiated during July 2019.

6. DISCUSSION / CONTENTS

6.1 Background

BSM 67/17 was awarded in the 2017/18 financial year as a rate tender for a three (3) year contract period (**ANNEXURE A**). At the time of the tender award, the total estimated value was capped on R10 million as per BAC resolution. This estimated amount was far too low for the three year period. The directorates wish to remove this threshold in order to stay compliant with its expected expenditure, minimize water losses and ensure continued service delivery in light of the recent water crisis.

6.2 Discussion

The intention of Tender BSM 67/17 was to replace existing pipe systems, general maintenance and installation of new infrastructure employing conventional and specialized trenchless construction technology in the Stellenbosch Municipal area. This tender is specifically applied to implement the water pipe replacement programme which minimize burst mains repairs, replacement of collapsed sewer mains and planned maintenance of water services.

The tender was advertised for a period of 30 days as per requirement for a 3 year contract and for an amount of exceeding R10 000 000. During the evaluation of the tenders it was unfortunately and mistakenly assumed that the total work for three years will not exceed R10 000 000. The tender was then awarded by the BAC on this basis.

During year one it was discovered that the R10 million threshold was not sufficient for the implementation of the three year tender and could not cater for all the planned capital projects. The capping of the tender amount resulted in the capital programme to be halted. In order to complete projects for the 2018/19 year this limiting value has to be increased to above R10 million for a period up to end June 2019.

The Directorate: Financial Services recommended that a Section 116 process be followed in order to increase the capped amount. This would allow the directorate to bring the total expenditure in line with the projected capital and operational expenditure.

On recommendation from the Directorate: Financial Services, advertisements were placed during February 2019 (**ANNEXURE B**) to invite comments from the community. It was confirmed by the Directorate: Financial Services that no comments were received hence this Directorate's submission for approval of the recommendations (**ANNEXURE C**).

A new tender will now be generator to completely remove all ambiguity and this new tender will run from the 2019/20 financial year up to the 2021/22 financial year."

6.3. Financial Implications

Approved three year budget allows for the expenditure.

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

n/a

6.7 Risk Implications

If no infrastructure upgrades take place in the next twelve months due to a new tender process that will have to be initiated, it will result in water losses and will also negatively impact on service delivery.

FURTHER COMMENTS BY THE MUNICIPAL MANAGER AND CHIEF FINANCIAL OFFICER: 2019-05-21

All tenders with a value of more than R10 million must be advertised for 30 days in terms of regulation 22(1)(b)(i) of the SCM Regulations. This tender was advertised as required and was always intended to be for more than 10 million. BAC however, limited the tender to R10 million. All tenders higher than 10 million must be recommended by BAC for approval by the Accounting Officer. In September/ October 2018 the department indicated that the R10 Million threshold will be exceeded within year 1. The accounting officer recommended that the successful bidder be informed that the tender will come to an end at of the 2018/19 financial year and that a new tender be advertised for three years, not limited to R10 million. Further to this, that a Section 116 process be followed to allow for the amendment of the contract in excess of R10 million till the end of the financial year.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 7.5.1

- (a) that Council notes in terms of MFMA Section 116(3) the reasons for the increase of the capped amount;
- (b) that the tender amount (B/SM 67/17) for the construction of civil services be allowed to exceed R10 million until 30 June 2019;
- (c) that Council gives reasonable notice of the 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 a new tender process for the replacement of existing pipe systems employing conventional and specialised trenchless construction technology in the Stellenbosch municipal area be initiated during July 2019.

ANNEXURES

Annexure A: BAC Resolution

Annexure B: Advertisements for S116

Annexure C: Proof of No Objections

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	<i>Director</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Deon.louw@ Stellenbosch.gov.za
REPORT DATE	18 March 2019

ANNEXURE A



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MEMORANDUM

Supply Chain Management

TO : BID ADJUDICATION COMMITTEE

RE : REPLACEMENT OF EXISTING PIPE SYSTEMS EMPLOYING CONVENTIONAL AND SPECIALISED TRENCHLESS CONSTRUCTION TECHNOLOGY IN THE STELLENBOSCH MUNICIPAL AREA, FOR A CONTRACT PERIOD ENDING 30 JUNE 2020

BID NO : B/SM 67/17

1. PURPOSE

To obtain approval in terms of Regulations 29 (1) (a) and (b) (i) of the Municipal Supply Chain Management Regulations and paragraph 2.4 of the Stellenbosch Municipal Supply Chain Management Policy for the appointment of a suitably qualified service provider for the replacement of existing pipe systems employing conventional and specialized trenchless construction technology in the Stellenbosch Municipal Area, for a contract period ending 30 June 2020

2. BACKGROUND

This contract covers the replacement of water, storm water and sewer mains using conventional and trenchless technology. It includes on the spot repair of water of water, storm water and sewerage services, camera inspection work, cleaning of sewer mains before construction and maintenance work, but welding of pipe work as and when required and the installation of connections on existing water and sewer services.

Work will be issued as separate projects and the extent of these will vary. Work issued during the period of the contract will be both the replacement of existing storm water, water and sewer mains with HDPE, UPVC or other material pipes approved by the employer. Work will also include the lining of pipes where the lining material will be approved by the employer.

3. DISCUSSION

The bid was advertised on **01 February 2017** on the municipal website, notice board, Cape Argus and in "Die Burger", based on the **90/10** point system. A compulsory clarification meeting was held on **17 February 2017** at **11 h00**. An addendum was sent out via e-mail regarding the amendments in the document. Closing time and date for bid submissions were **12:00** on **06 March 2017**, which closing date was extended until **15 March 2017**. Extension of validity period until **15 January 2018** was requested from all the bidders.



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4. DOCUMENT COLLECTION

4.1 Document collection and bid submissions are depicted as follows:

NO	BIDDERS	COLLECTED DOCUMENTS	SITE MEETING ATTENDANCE	SUBMITTED BIDS
1	Nejeni Construction & Project Management (Pty) Ltd	YES	✓	✓
2	Trenchless Technologies cc	YES	✓	✓
3	WBHO Construction (Pty) Ltd	YES	✓	✓
4	Martin East (Pty) Ltd	YES	✓	✓
5	Tuboseal Services (Pty) Ltd	YES	✓	✓
6	Vitatype Trading 99 cc	YES	✓	✓
7	Exeo Khokela Civil Engineering Construction (Pty) Ltd	YES	✓	✓
8	Mainline Civil Engineering Contractors cc	YES	✓	✓
9	Four Stones Civil cc	x	✓	x
10	J.K.Structures	x	✓	x
11	Carp Civils cc	x	✓	x
12	Rexus	x	✓	x
13	Archie Construction & Maintenance	x	✓	x
14	WF Constructions	x	✓	x
15	J.J.Dyers Construction	x	✓	x
16	Echo-Bau	x	✓	x
17	SJW Civils	x	✓	x
18	PPS Plant Hire (Pty) Ltd	x	✓	x
19	Macneil Plastics	x	✓	x
20	Nolada 8	x	✓	x
21	JVR Construction	x	✓	x
22	Dreyer Cleaning Solutions	x	✓	x

4.2 On the closing date 8 offers were received and subsequently opened in public.

NO	BIDDERS	VARIOUS RATES	BBBEE STATUS Level	PREFERENCE POINTS (10)
1	Nejeni Construction & Project Management (Pty) Ltd	Rates	2	9
2	Trenchless Technologies cc	Rates	Non-compliant	0
3	WBHO Construction (Pty) Ltd	Rates	4	5
4	Martin East (Pty) Ltd	Rates	2	9
5	Tuboseal Services (Pty) Ltd	Rates	Non-compliant	0
6	Vitatype Trading 99 cc	Rates	3	8
7	Exeo Khokela Civil Engineering Construction (Pty) Ltd	Rates	4	5
8	Mainline Civil Engineering Contractors cc	Rates	Non-compliant	0



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5. SUPPLY CHAIN MANAGEMENT COMPLIANCE CHECK

NO	BIDDERS	MBD2- VALID TAX CLEARANCE CERTIFICATE	MBD4- DECLARATION OF INTEREST	MBD8- PAST SCM PRACTICE	MBD9- INDEPENDENT BID PROPOSAL DETERMINATION	Required CIBB Grading SCALE
1	Nejeni Construction & Project Management (Pty) Ltd	YES	YES	YES	YES	7CE
2	Trenchless Technologies cc	YES	YES	YES	YES	7CE
3	WBHO Construction (Pty) Ltd	YES	YES	YES	YES	9CE
4	Martin East (Pty) Ltd	YES	YES	YES	YES	9CE
5	Tuboseal Services (Pty) Ltd	YES	YES	YES	YES	7CE
6	Vitatype Trading 99 cc	YES	YES	YES	YES	5CE
7	Exeo Khokela Civil Engineering Construction (Pty) Ltd	YES	YES	YES	YES	8CE
8	Mainline Civil Engineering Contractors cc	YES	YES	YES	YES	7CE

6. BID RESPONSIVENESS

6.1 Introduction

The bid technical evaluation and report was prepared by Mr. Adriaan Kurtz (Project Water: Water Services) and Mr. Dries Van Taak (Manager: Water Services), who examined the bids in terms of its compliance with the stipulated technical requirements.

Refer to **Annexure A** for a detailed Technical report that will address any technical enquiries.

6.2 PROPOSALS NOT CONSIDERED FOR FURTHER EVALUATION DUE TO THE FOLLOWING REASONS: (LEGISLATION APPLICABLE AND NON-RESPONSIVENESS)

NO	BIDDERS	REASONS
6	Vitatype Trading 99 cc	Non-compliant. Did not score the minimum of 70 points for functionality. MBD6.2 – Local Content – Annexure C, D and E not completed



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7. EVALUATION

7.1 SPECIFICATION COMMITTEE

The specifications committee consisted of Mr. Adriaan Kurtz (Project Water: Water Services) Ms. Elizabeth Rhoda (Legal Services), Mr Israel Saunders (Manager: Supply Chain Management), Ms Ingrid Thesen (SCM Administrator) and Mr. Rodney Loeks (SCM Practitioner), who were responsible for the development and compilation of the specification.

SCM Regulation 27 (1): "A bid specification committee must **compile** the specifications for the procurement of goods or services by the municipality."

SCM Regulation 27 (2) (g): "Specifications must be **approved** by the accounting officer prior to the publication of the invitation for bids – Relevant power has been delegated to the Head: Supply Chain Management in terms of the approved System of Delegations for SCM."

7.2 BID EVALUATION COMMITTEE

The evaluation committee consisted of Mr. Piet Smit (Manager: Property Management), Mr. Theo Rhode (Senior Accountant: SCM) Mr. Adriaan Kurtz (Project Water: Water Services) and Rodney Loeks (SCM Practitioner), who examined the bids in terms of its compliance with the stipulated bid and submission requirements.

The procedure for the evaluation of responsive tenders is **Method 2 (Financial Offer and Preference)**. The offers were evaluated in terms of Section 2 of the PPPFA of 2000, utilizing the 90/10 points system.

NO	BIDDERS	VARIOUS RATES	BBBEE STATUS LEVEL	PREFERENCE POINTS (10)
1	Nejeni Construction & Project Management (Pty) Ltd	Rates	2	9
2	Trenchless Technologies cc	Rates	Non-compliant	0
3	WBHO Construction (Pty) Ltd	Rates	4	5
4	Martin East (Pty) Ltd	Rates	2	9
5	Tuboseal Services (Pty) Ltd	Rates	Non-compliant	0
7	Exeo Khokela Civil Engineering Construction (Pty) Ltd	Rates	4	5
8	Mainline Civil Engineering Contractors cc	Rates	Non-compliant	0



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Although the committee acknowledge that the local content was not specifically mentioned in the advertisement, it has been in detailed dealt with in the specifications. This committee is aware of certain findings of the Auditor General regarding this issue, however for the sake of service delivery we would like to recommend that the tender be awarded.

Attached Annexure B is the detailed schedule of rates with Preference Points as evaluated and recommended by the BEC.

8. FINANCIAL IMPLICATIONS

- 8.1 The envisaged expenditure will be financed out of different votes from the Water Services and Sanitation Department as depicted in the below table:

Unique Key	Vote number	Project Name – Water	2017/2018	2018/2019	2019/2020
20 170 608 984 247	50102151691	106 Bulk Water Supply Pipe Reservoir: Dwars Rivier(Johannesdal/ Kylemore/Pniel	R19 000 000.00	R19 000 000.00	
20 170 608 984 148	50102151371	103 Bulk Water supply Pipeline & Reservoir-Jamestown	R1 500 000.00	R1 000 000.00	R19 000 000.00
20 170 608 984 244	50102151681	120 Water Pipe Replacement	R6 000 000.00	R6 000 000.00	R8 000 000.00
20 170 608 984 214	50102151581	Relocation/Upgrading main water supply line	R15 100 000.00		
20 170 608 984 238	50102151661	119 New Developments Bulk Water Supply WC024	R2 000 000.00	R2 000 000.00	R2 000 000.00
20 170 608 984 220	50102151601	105 Bulk Water Supply Klapmuts	R1 000 000.00	R8 000 000.00	

Unique Key	Vote number	Project Name – Sanitation	2017/2018	2018/2019	2019/2020
20 170 608 984 280	50102151801	110 Bulk Water Outfall: Jamestown	R13 500 000.00	R10 000 000.00	
20 170 608 984 316	50102151921	115 Idas Valley Merriman Outfall Sewer	R8 000 000.00	R12 000 000.00	
20 170 608 984 361	50102152071	114 Sewer Pipe Replacement	R1 500 000.00	R1 500 000.00	R1 500 000.00
20 170 608 984 358	50102152061	100 New Development Bulk Sewer Supply WC024	R2 000 000.00	R1 000 000.00	R1 000 000.00



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Unique Key	Vote number	Description	2017/2018	2018/2019	2019/2020
20 170 626 063 734	16515220210000	Materials and Supplies	R33 390.00	R34 726.00	R36 115.00
20 170 608 982 220	16606220210000	Materials and Supplies	R93 900.00	R97 656.00	R101 562.00
20 170 608 982 838	16606201470000	Maintenance	R294 950.00	R12 855 310.00	R13 506 630.00
20 170 626 063 850	16612220210000	Materials	R70 120.00	R72 925.00	R75 842.00
20 170 626 062 074	16612201470000	Maintenance	R330 640.00	R883 302.00	R918 188.00
20 170 608 983 228	16605201470000	Maintenance	R3 289 110.00	R5 233 450.00	R5 365 480.00
20 170 608 982 260	16605201900000	Water	R3 000 000.00	R3 000 000.00	R3 121 200.00
20 170 608 982 261	16605201910000	Sanitation	R800 000.00	R612 000.00	R624 240.00
20 170 626 063 704	16608220210000	Materials	R17 530.00	R18 231.00	R18 960.00
20 170 626 062 077	16608201470000	Maintenance	R18 580.00	R345 670.00	R356 390.00
20 170 626 062 081	16608201470000	Maintenance	R224 630.00	R345 670.00	R356 390.00
20 170 626 062 072	16610201470000	Maintenance	R137 140.00	R739 380.00	R774 910.00
20 170 626 062 076	16610201470000	Maintenance	R177 930.00	R739 380.00	R774 910.00
20 170 626 062 080	16610201470000	Maintenance	R294 280.00	R739 380.00	R774 910.00
20 170 626 062 075	16611201470000	Maintenance	R167 150.00	R442 030.00	R468 540.00
20 170 626 062 079	16611201470000	Maintenance	R81 990.00	R442 030.00	R468 540.00
20 170 608 982 118	16650220180000	Consumables	R63 370.00	R65 905.00	R68 541.00
20 170 608 982 150	16650220190000	Consumables	R560 644.00	R583 070.00	R606 393.00
20 170 608 982 136	16650220210000	Materials	R71 670.00	R483 102.00	R77 518.00
20 170 608 982 151	16650201900000	Water	R2 705 952.00	R2 760 071.00	R2 815 272.00
20 170 608 982 794	16651201470000	Maintenance	R168 080.00	R4 984 647.00	R5 184 033.00
20 170 608 982 817	16651201470000	Maintenance	R466 270.00	R4 984 647.00	R5 184 033.00
20 170 608 982 094	16651201940000	Machinery	R950 277.00	R939 850.00	R969 283.00
20 170 608 982 103	16651201950000	Transport	R950 277.00	R948 350.40	R969 283.00
20 170 608 982 140	16651202030000	Other	R950 277.00	R969 283.00	R988 669.00



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9. RECOMMENDATION TO THE BAC:

9.1 It is recommended that the rates of the responsive bidders as set out in paragraph 7.2 and listed on Annexure B be accepted and approved, subject thereto:

- i. That no allocation of a project be done, before a scope of work and project plan have been compiled for a planned project, which plan must indicate the construction method/s, contractors, material and services to be used during construction.
- ii. Such project plan will be the determining factor in allocating a project or part thereof to a preferred bidder (highest point scorer), depending on the specialized nature and /or size of the project.

9.2 The awarding of this tender is further subject thereto that the total tender value (of the various planned projects) not exceeds the R10m (Inclusive of VAT) threshold over the tender period ending 30 June 2020.

NOTE: They completed their MBD4, MBD6.2, MBD8, MBD9 documents and their Tax Clearance Certificates was verified and found to be compliant. They submitted their municipal accounts. The details of the proposed bidders was also verified to be not listed on either National Treasury's Register for Tender Defaulters or the Database of Restricted Suppliers and the directors were found not to be in the service of the state.

.....
CHAIRPERSON: BID EVALUATION COMMITTEE

2017.11.28
.....
DATE



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RECOMMENDATION APPROVED BY THE STELLENBOSCH MUNICIPAL BID ADJUDICATION COMMITTEE		
Name	Signature	Date
ARISA MTEYA		01/12/2017
Deon Louw		01/12/2017
Jan		01/12/2017
Gerrard Egan		01/12/2017
DJG de la Sot		1/12/2017
Comments A.M.C. de Beer		1/12/17.
		1/12/17.
CHAIR PERSON		DATE

ANNEXURE B

BOEDELOORGAWES

4220

**8.J. Little
AANSOEK OM
BOEDELOORGAWES**

Aansoek om boedeloorawes. BRIAN JOSEPH LITTLE, ID-nr. 770227 5130 08 0, 'n bestuurder geskei te Chamberlainstraat 39, Woodstock, in die Hooggeregshof van SA (Wes-Kaapse Afdeling Kaapstad) op 15 Maart 2019 om 10:00 of so spoedig daarna as wat Advokaat vir die Applikant aangehoor kan word.

Vermoënstaat lê ter insae by Meester van die Hooggeregshof, Kaapstad vir 14 dae vanaf 15 Februarie 2019 asook by Riaan de Kock, eide Laan-nr. 16, Melkbosstrand, 283898 Feb. 15-(4220)V

L.D.R. Nel

BOEDELOORGAWES

Boedel LOURENS DANIEL RADEMEYER NEL, werkloos, getroud in gemeenskap van goedere met Elizabeth Maria Nel, ontvangsdame, van Beldonstraat 38, Heiderand, Mosselbaai.

Ingevolge art. 4(1) van die Insolvensiewet nr. 24 van 1936, soos gewysig, geskied kennis hiermee dat aansoek gedoen sal word by die Wes-Kaapse Hooggeregshof (Kaapstad) op 15/03/2019 om 10:00 vir die aanvaarding van die boedeloorawes van bogemelde boedel, en dat 'n vermoënstaat ter insae sal lê in die kantoor van die Meester van die Hooggeregshof in Kaapstad en by die Landdroskantoor, Mosselbaai, vir 'n tydperk van veertien (14) dae vanaf 18/02/2019.

ALERS VAN AARDT BESTER ING., Saxbylaan 1004, Eldoraigne, Centurion. Tel. 012 004 0675, e-pos admin@avsb.co.za, p.a. Smit Kruger Prokureurs, Wellingtonweg 32, Durbanville, Wes-Kaap. 842793 Feb. 15 - (4220)

**J.M. Els
AANSOEK OM
BOEDELOORGAWES**

Aansoek om boedeloorawes JACOBUS MATHEIUS ELS, ID-nr. 720419 5002 08 5, 'n adjudant offisier, getroud buite gemeenskap van goedere van Kuhnstraat 15, Hosietaal Heuwel, Worcester, Wes-Kaap in die Hooggeregshof van SA (Wes-Kaapse Afdeling Kaapstad) op 14 Maart 2019 om 10:00 of so spoedig daarna as wat die Advokaat vir die Applikant aangehoor kan word.

Vermoënstaat lê ter insae by die Meester Kaapstad en Landdroshef Worcester vir 14 dae vanaf 15 Februarie 2019 en by Al Adams Attorneys, Hoofweg 226 Claremont, Kaapstad 7708 652679 Feb. 15-(4220)V

**A.A. Lewis
BOEDELOORGAWES**

Boedel ARNOLD ARTHUR LEWIS, toesighouer, geskei, van Veeherd 2, Ruisendaal, Delft.

Ingevolge art. 4(1) van die Insolvensiewet nr. 24 van 1936, soos gewysig, geskied kennis hiermee dat aansoek gedoen sal word by die Wes-Kaapse Hooggeregshof (Kaapstad) op 14 Maart 2019 vir die aanvaarding van die boedeloorawes van bogemelde boedel, en dat 'n vermoënstaat ter insae sal lê in die kantoor van die Meester van die Hooggeregshof in Kaapstad, vir 'n tydperk van veertien (14) dae vanaf 15 Februarie 2019

Gedagteken in Kaapstad op 4 Februarie 2019. Verw.-nr.: S2801/18. 285253 Feb. 15 - (4220)

J. September

BOEDELOORGAWES

Boedel JEREMY SEPTEMBER, assistent direkteur, getroud in gemeenskap van goedere met Sharonika Porchia September, toesighouer, van Geelbosstraat 5, Newton, Wellington.

Ingevolge art. 4(1) van die Insolvensiewet nr. 24 van 1936, soos gewysig, geskied kennis hiermee dat aansoek gedoen sal word by die Wes-Kaapse Hooggeregshof (Kaapstad) op 13 Maart 2019 vir die aanvaarding van die boedeloorawes van bogemelde boedel, en dat 'n vermoënstaat ter insae sal lê in die kantoor van die Meester van die Hooggeregshof in Kaapstad, en die landdroskantoor, Wellington, vir 'n tydperk van veertien (14) dae vanaf 15 Februarie 2019

Gedagteken in Kaapstad op 4 Februarie 2019. Verw.-nr.: S2091/18. 285253 Feb. 15 - (4220)

**J.D. Bothma
AANSOEK OM
BOEDELOORGAWES**

Aansoek om boedeloorawes JOHAN DEETLOF BOTHMA, ID-nr. 731110 9032 08 8, 'n werksaigkundige & AMANDA BOTHMA, ID-nr. 750312 0046 08 5, 'n werklose dame, getroud binne gemeenskap van goedere, Kruisings Plaas, Riversdal, Wes-Kaap in die Hooggeregshof van SA (Wes-Kaapse Afdeling Kaapstad) op 14 Maart 2019 om 10:00 of so spoedig daarna as wat die Advokaat vir die Applikant aangehoor kan word.

Vermoënstaat lê ter insae by Meester Kaapstad en Landdroshef Riversdal vir 14 dae vanaf 15 Februarie 2019 en by Al Adams Attorneys, Hoofweg 226, Claremont, Kaapstad 7708. 852679 Feb. 15-(4220)V

KENNISGEWINGS



TENDER KENNISGEWING

Kennis geskied hiermee dat die volgende tender op Hessequa Munisipaliteit se webwerf by www.hessequa.gov.za en op die munisipale kennisgewingsbords by ons kantore in Riversdal, Heidelberg, Albertinia en Stilbaai geadverteer word:

HES-FIN 03/1819: BESTUUR VAN KORTTERMYN VERSEKERINGSPORTEFEULJE

Voornemende verskaffers kan ook vir Leanne Windvogel by (028) 713 8087 of e-pos: leanne@hessequa.gov.za kontak om 'n elektroniese weergawe van die gedetailleerde advertensie te bekom.

JACOBS MUNISIPALE BESTUURDER



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NOTICE

NOTICE IN TERMS OF SECTION 116(3) OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT 56 OF 2003) FOR THE PROPOSED AMENDMENTS TO THE CONTRACT FOR STELLENBOSCH (WC024) MUNICIPALITY DEVELOPMENT MANAGEMENT SCHEME PROMULGATION

Notice is hereby given in terms of Section 116 (3) (a) and (b) of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) that it is the intention of the Stellenbosch Municipality to amend the existing contract:

Number: B/SM 67/17

Description: REPLACEMENT OF EXISTING PIPE SYSTEMS EMPLOYING CONVENTIONAL AND SPECIALISED TRENCHLESS CONSTRUCTION TECHNOLOGY IN THE STELLENBOSCH MUNICIPAL AREA, FOR A CONTRACT PERIOD ENDING 30 JUNE 2020.

Contractors : Nejeni Construction & Project Management (Pty) Ltd
Trenchless Technologies CC
WBHO Construction (Pty) Ltd
Martin & East (Pty) Ltd
Tuboseal Services (Pty) Ltd
Exeo Khokela Civil Engineering Construction (Pty) Ltd
Mainline Civil Engineering Contractors CC

Reasons for the proposed amendment: The contract expenditure over the contract period of three years is estimated to exceed R10M. A threshold of R10M was placed on the contract when the contract was awarded. The municipality now wishes to remove this threshold in order to stay compliant with its expected expenditure on the contract, minimise water losses and provide continued service delivery in light of recent water scarcity.

Notice is hereby further given in terms of Section 21 and 21A of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that the local community and affected parties are invited to submit comments or representations on the proposed amendment of the contract. Persons who are physical disabled or who cannot read or write but wish to participate in the process, may come during office hours to the Municipal Offices, Plain Street, Stellenbosch where a staff member will assist that person to transcribe that person's comments or representations.

Comments and/or representations must be submitted to the following email address: s116.contracts@stellenbosch.gov.za, with the subject line entitled "B/SM 67/17: REPLACEMENT OF EXISTING PIPE SYSTEMS EMPLOYING CONVENTIONAL AND SPECIALISED TRENCHLESS CONSTRUCTION TECHNOLOGY IN THE STELLENBOSCH MUNICIPAL AREA, FOR A CONTRACT PERIOD ENDING 30 JUNE 2020.

The closing date and time for the submission of representations and/or comments is no later than 08/03/2019, at 12:00. Any comments or representations received after this time and date will not be considered.

All enquiries regarding this intent can be directed to the following official:

Name & Surname : Mr Shane Roach
Telephone Number : E-mail enquiries only
E-mail address : shane.roach@stellenbosch.gov.za
Physical address : 1st Floor
Ecclesia Building
Plain Street
Stellenbosch
7600

Gerardine Mettler
Municipal Manager

ET BERGRVIER MUNICIPALITY

R 8/3/3 -2019 MK19/2019:

**VAN GEBRUIKSREG BY PELIKAAN
ORD, ERF 576 IN LAAPLEK**

igevra van diensverskaffers vir die voorbereiding van
ndoord Erf 576 in Laaplek, soos uiteengesit in die

duidelik gemaak "TENDER 8/3/3-2019 MK19 - 2019"

Pre-qualification applications are hereby invited from experienced Small, Medium and Micro Enterprises (SMME) which must be Black Owned Companies to form part of SUB-CONTRACTOR WORK AS PART OF THE REHABILITATION OF MAIN ROAD 240 BETWEEN VREDENBURG AND PATERNOSTER – An active CIDB contractor grading designation of 3CE - 5CE is a requirement for the sub-contract.

Sub-Contractor Packages of work include:

- 1) PREFABRICATED CULVERTS
- 2) CONCRETE LINED DRAINS
- 3) STONE PITTING AND PROTECTION AGAINST EROSION
- 4) GABIONS
- 5) GAURDRAILS
- 6) LINE MARKING (ROAD MARKINGS)

15/02/2019

pg 21

CLASSIFIED

Classified Tenders

713 Sale In Execution **713 Sale In Execution**

SALE IN EXECUTION - OTTERY
 IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF WYNBERG HELD AT WYNBERG. Case No. 7405/2018. In the matter between DELISTON PARK BODY CORPORATE, Plaintiff and LEON BERTRAM DYERS, Defendant. Be pleased to take notice that a sale in execution will be held on THURSDAY 7 MARCH 2019 AT 12H00 AT 7 ROYAL PARK, PERCY ROAD, OTTERY. ASSETS: 1 x 3 Piece Lounge suite, 1 x Wooden TV Cabinet 3 Piece, 1 x Coffee table, 1 x Dining room table & 6 chairs, 1 x KIC Fridge, 1 x KIC fridge, 1 x KIC Microwave, 1 x Wooden Server, 1 x Filing Cabinet, 2 x Display cabinets, Plus/Minus 100 Display cars. Term: Cash to the Highest Bidder. Signed at Tyger Valley on this the 6th day of February 2019. **MOSTERT & BOSMAN**, Attorneys for Plaintiff, 3rd Floor, Madison Square, Cnr Carl Cronje & Tygerfontein Boulevard, Tyger Valley (REF: R DIXON/Nadane/2D2806) (11072932)

713 Sale In Execution **713 Sale In Execution**

SALE IN EXECUTION - MANDALAY
 IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA (WES-KAAPSE AFDELING, KAAPSTAD) Sake nr 15529/2018. In die saak tussen: Firststrand Bank Beperk (Eiser) en Amanda Gida (Verwerder). Ter uitvoering van 'n vonnis van die bogenoemde agbare hof gedateer 13 Desember 2018, sal die ondervermelde ervoerende eiendoms op DINSDAG 5 MAART 2019 om 12:00 by die baljuurtoer te SIERRA WEG 20, MANDALAY in ekskus verkoop word aan die hoogste blaar onder reserve, onderhevig aan die hierna vermelde en sodanige verdere voorwaardes as wat deur die beju by die valing uitgelees sal word. Erf 25166 Khayelitsha, in die Stad Kaapstad, Afdeling Kaap, Wes-Kaap Provinsie geleë Phakamanistraat 15, Mandela Park, Khayelitsha; groot 112 vierkante meter, gehou kragtens Transportakte nr TB8939/2011. Beskrywing: Die volgende inligting word versiek, maar nie gewaarborg nie: Woonhuis met 3 slaapkamers, badkamer, toilet, kombuis en sitkamer. Bataalvoorwaardes: Tien persent (10%) van die koopprys moet onmiddellik na die veiling tesame met die balju se kommissie betaal word. Die balanskoopprys is betaalbaar teen oordrag en moet verskerk word deur 'n bankwaarborg wat binne 21 dae na die verkoping vir goedkeuring aan Eiser se prokureurs voorgeleë moet word. Verkoopvoorwaardes: Die volledige verkoopvoorwaardes lê ter insae by die kantoor van die balju vir die Hooggeregshof, Khayelitsha (verw. M Ngumza; tel. D21 389 5632). Gedateer te TYGERVALLE hierdie 7de dag van Februarie 2019. **FOURIE BASSON & VELDTMAN**, Eiser se Prokureurs, Tjigerpark 5, Uit Wille van Schoor Rylaan, TYGERVALLE (VERW. J C FOURIE/MHF/776; tel. 021 929 2600). (11071143)

713 Sale In Execution **713 Sale In Execution**

SALE IN EXECUTION - KHAYELITSHA
 IN THE HIGH COURT OF SOUTH AFRICA (WESTERN CAPE DIVISION, CAPE TOWN) CASE NO. 16720/2016. In the matter between: THE STANDARD BANK OF SOUTH AFRICA LIMITED, Plaintiff, (Registration No. 1952/000738/06), And MATISÉ FLORENCE YALEZO N.O., Defendant. In her capacity as executrix of the Estate of the late Mthokozisi Dondan Fiso, IN EXECUTION OF A JUDGMENT of the High Court of South Africa (Western Cape Division, Cape Town) in the abovementioned suit, a sale subject to without a reserve price will be held on THURSDAY, 28 FEBRUARY 2019 AT 12H00 at the Sheriff's office Khayelitsha, 20 SIERRA WAY, KHAYELITSHA. The conditions of sale will lie for inspection at the offices of the Sheriff for the High Court, Khayelitsha. CERTAIN: Erf 28141 KHAYELITSHA, in the City of Cape Town, Division Cape, Province of the Western Cape, IN EXTENT 240 (two hundred and forty) square metres, HELD BY DEED OF TRANSFER NO 12932/2012, SITUATED AT: 4 GWANGOGA STREET, KHAYELITSHA. THE PROPERTY IS ZONED: GENERAL RESIDENTIAL (NOTHING GUARANTEED). The following information is furnished to the improvements though in this respect nothing is guaranteed: BRICK BUILDING, TILED ROOF, BURGULAR BARS, 3 X BEDROOMS, CEMENT FLOORS, 1 X OPEN PLAN KITCHEN, 1 X LOUNGE, 1 X BATHROOM AND TOILET. TERMS: 1. 10% (TEN PER CENTUM) of the purchase price in cash on the day of sale, immediately internet bank transfer into the Sheriff's trust account, or a bank guaranteed cheque on the day of the sale, the balance payable against registration of transfer, to be secured by a Bank or Building Society or other acceptable guarantee to be furnished within twenty one (21) days from the date of sale. 2. Auctioneer's charges, payable on the day of sale to be calculated as follows: 6% (SIX PER CENTUM) on the proceeds of the sale up to a price of R100 000.00 (ONE HUNDRED THOUSAND RAND) and thereafter 3.5% (THREE AND A HALF PER CENTUM) on R100 001.00 to R400 000.00 and 1.5 percent on the balance thereof, of the proceeds of the sale, subject to a maximum Commission of R400 000.00 (FOUR THOUSAND RAND) in total and a minimum of R3 000.00 (THREE THOUSAND RAND) inclusive in all instances of the sheriff's bank charges and other expenses incurred in paying the proceeds into his or her

715 Tenders **715 Tenders**

NOTICE
NOTICE IN TERMS OF SECTION 116(3) OF THE LOCAL GOVERNMENT MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT 56 OF 2003) FOR THE PROPOSED AMENDMENTS TO THE CONTRACT FOR STELLENBOSCH (WC024) MUNICIPALITY DEVELOPMENT MANAGEMENT SCHEME PROMULGATION
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 Mainline Civil Engineering Contractors CC

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Comments and/or representations must be submitted to the following email address: s116.contracts@stellenbosch.gov.za, with the subject line entitled "B/SM 67/17: REPLACEMENT OF EXISTING PIPE SYSTEMS EMPLOYING CONVENTIONAL AND SPECIALISED TRENCHLESS CONSTRUCTION TECHNOLOGY IN THE STELLENBOSCH MUNICIPAL AREA, FOR A CONTRACT PERIOD ENDING 30 JUNE 2020.

The closing date and time for the submission of representations and/or comments is no later than 08/03/2019, at 12:00. Any comments or representations received after this time and date will not be considered.

All enquiries regarding this intent can be directed to the following official:
 Name & Surname: Mr Shane Roach
 Telephone Number: E-mail enquiries only
 E-mail address: s.shane.roach@stellenbosch.gov.za
 Physical address: 1st Floor
 Ecclesia Building
 Plain Street
 Stellenbosch
 7800
Geraldine Mettler
 Municipal Manager
 (11074 09)

BERGRIVIER MUNICIPALITY
TENDER 8/3/3 - 2019 MN19/2019: ALIENATION OF USAGE RIGHT AT PELICAN BEACH RESORT, ERF 576 IN LAALPEK
 TENDERS is hereby requested from service providers for the alienation of usage right at Pelican Beach Resort Erf 576 in Laalpeik, as set out in the specifications.
 Sealed tenders clearly marked "TENDER 8/3/3-2019 MN19 - 2019: ALIENATION OF USAGE RIGHT: ERF 576, LAALPEK" should be placed in a sealed envelope in the tender box at the Municipal Offices, 13 Church Street, Piketberg by not

715 Tenders **715 Tenders**

CAPE MUNICIPAL PENSION FUND

Name	Date of Birth	Date of Death
MR NH BAILEY	17 MAY 1971	20 NOVEMBER 2018
MR VAN HEERDEN	01 OCTOBER 1955	17 OCTOBER 2018
MRS N KLAAS	18 SEPTEMBER 1981	13 NOVEMBER 2018
MR NJ KLAASE	20 JUNE 1964	15 OCTOBER 2018
MR R SEPTEMBER	27 NOVEMBER 1955	11 NOVEMBER 2018
MR M SCOTT	03 SEPTEMBER 1967	04 DECEMBER 2018
MR GWAWONANI	07 JANUARY 1966	27 NOVEMBER 2018

In terms of Section 37 (c) of the Pension Funds Act (1956) the Board of Trustees of the Cape Municipal Pension Fund request any legal or factual dependants that were financially dependent of the deceased members listed above to contact the Administration of the Fund on Tel: 415 4140 or Fax: 415 4188 if they have not yet done so.
 Kindly note that this is not applicable to creditors of the deceased estates.

715 Tenders **715 Tenders**

HESSEQUA LOCAL MUNICIPALITY
TENDER NOTICE
 Notice is hereby given that the following tender is advertised Municipality's website at www.hessequa.gov.za and/or notice boards at our offices in Riversdale, Heidelberg, Albert
HES-FIN 0311819: MANAGEMENT OF SHORT INSURANCE PORTFOLIO
 Prospective suppliers may also contact Leanne Windvogel, t or e-mail: leanne@hessequa.gov.za to obtain the elect detailed advert.

JACOBS - MUNICIPAL MANAGER

715 Tenders **715 Tenders**

PRE-QUALIFICATION TENDER N
 Pre-qualification applications are hereby invited from experienced Medium and Micro Enterprises (SMME) which must be Companies to form part of SUB-CONTRACTOR WORK THE REHABILITATION OF MAIN ROAD 240 BETWEEN V AND PATERNOSTER - An active CIDB contractor grading of 3CE - 5CE is a requirement for the sub-contract.
 Sub-Contractor Packages of work include:
 1) PREFABRICATED CULVERTS
 2) CONCRETE LINED DRAINS
 3) STONE PITTING AND PROTECTION AGAINST EROSION
 4) GABIONS
 5) GAURDRAILS
 6) LINE MARKING (ROAD MARKINGS)
 A COMPULSORY information briefing meeting will take place on Tuesday 26th February 2019. Prospective Applicants

ANNEXURE C

Sharntell Poole

From: Scm Epwp
Sent: 24 May 2019 12:12 PM
To: Sharntell Poole
Subject: RE: COMMENTS AND REPRESENTATIONS - B/SM 67/17 REPLACEMENT OF EXISTING PIPE SYSTEMS EMPLOYING CONVENTIONAL AND SPECIALISED TRENCHLESS CONSTRUCTION TECHNOLOGY IN S/BOSCH AREA

Good day Sharntell,

No comments were received.

Kind regards,

Levita Pool
Supply Chain Management
Financial Services

T: +27 21 808 8721 • F: +27 21 886 6903
Plain Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

From: Sharntell Poole
Sent: Friday, 24 May 2019 12:10
To: Scm Epwp
Subject: COMMENTS AND REPRESENTATIONS - B/SM 67/17 REPLACEMENT OF EXISTING PIPE SYSTEMS EMPLOYING CONVENTIONAL AND SPECIALISED TRENCHLESS CONSTRUCTION TECHNOLOGY IN S/BOSCH AREA

Good Day Levita

Attached hereto the notices as discussed. Kindly confirm whether comments were received.

Kind regards

7.6	PARKS, OPEN SPACES AND ENVIRONMENT: [PC: CLLR N JINDELA]
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7.6.1	PARADYSKLOOF NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN
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Collaborator No: 640919
IDP KPA Ref No: D 435
Meeting Date: 2019-05-21

1. SUBJECT: PARADYSKLOOF NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN

2. PURPOSE

To present the Paradyskloof Nature Area Environmental Management Plan for Council approval.

The Paradyskloof Nature Area Environmental Management Plan (EMP) (**ANNEXURE A**) has been prepared to establish a distinct vision and overarching goal for the management of the Paradyskloof Nature Area in context off, and giving effect to, the relevant legislation and associated regulations. Following the Council Resolution of 2018-10-31, referred to in section 6.6 below, this document was advertised for public comment for a period of 60 days between December 2018 and January 2019 (**ANNEXURE B**). Comment received during this period (**ANNEXURE C**) has been considered and various amendments made (**ANNEXURE D**) culminating in the above document herewith presented to Council for approval.

3. DELEGATED AUTHORITY

For decision by the Council of Stellenbosch Municipality (the Municipality).

4. EXECUTIVE SUMMARY

Paradyskloof Nature Area (NA), an approximately 550 ha area consisting of Portion 2 of Farm 368 and portions of Farms 369 and 366 (municipal property), is situated on the south-eastern edge of Stellenbosch town above the neighbourhoods of Brandwacht and Paradyskloof. Most of the area (with specific reference to the northern and eastern mountainous area) is in a natural state with ±40 ha of mature pine still left within the old forestry area. The vegetation type of Paradyskloof NA is Cape Winelands Shale Fynbos and is a vulnerable terrestrial ecosystem.

The area is currently used for a range of outdoor recreational activities, research, events as well as for service delivery purposes. With regards to the latter a number of municipal infrastructure, including a water treatment works and reservoir, is located within the above area. Recently the clubhouse within the Paradyskloof NA has been refurbished by the Municipality.

Because of the area's ecological value, its value as public resource and its vulnerability to degradation due to past and present use it is important that an overarching management plan for the area be put in place to ensure that the Paradyskloof NA is managed in a sustainable manner. The proposed Paradyskloof NA EMP is to serve this purpose.

5. RECOMMENDATION

that Council approves the Paradyskloof Nature Area Environmental Management Plan (March 2019) as the document to guide the management of the Paradyskloof Nature Area.

6. DISCUSSION / CONTENTS

6.1 Background

Stellenbosch Municipality is located within an area that forms part of the world-renowned Cape Floral Kingdom, internationally recognised as one of the six Floral Kingdoms of the world. The Cape Floral Kingdom is the smallest, covering a mere 0,06% of the earth's surface, and is the only Floral Kingdom contained in its entirety within a single country. The Cape Floral Kingdom is characterised by its exceptional richness in plant species and its high endemism. The Cape Floral Kingdom is of immense scientific importance, both nationally and internationally. It covers only 4% of South Africa, but contains 45% of all plant species of Southern Africa.

The Municipality owns various tracts of land that can be described as natural or nature areas. Most of these areas are old forestry areas, such as the Paradyskloof NA, situated within or on the foothills of the local mountain ranges. Some of these areas house some municipal infrastructure but, with the phasing out of forestry, are mostly vacant, being rehabilitated back to its natural state.

Some of the threats or challenges facing the Municipality in managing these areas include:

Access control: Uncontrolled access poses various threats, mainly in terms of security (crime prevention), managing the risk of fire and vandalism.

Misuse and misunderstanding: The use of the relevant areas were primarily focused around the *instrumental* value of the site, which implies that the site has essentially been considered a mere resource utilised for forestry, infrastructure and recreational activities. These land-uses have caused degradation of the visual integrity and ecology of the various sites.

Fire: Given the nature of the ecology of the area within which the Municipality is located, the presence of biomass (especially in the old forestry area), challenges with access control most of these areas pose a risk of fire.

Infestation of alien vegetation: The infestation of alien plant species is a significant threat to the ecology and visual quality of the nature areas of Stellenbosch Municipality. The alien vegetation (which is a legacy of former forestry-related land uses) has resulted in a modified floral composition which is conducive to high-intensity fires.

The core value of these areas are the ecosystem goods and -services it provides to the area and its surroundings. It is therefore important that these areas be managed in a manner that address the challenges listed above, to maximize the value of these areas as resource and to ensure sustainability.

6.2 Discussion

The Paradyskloof NA EMP (**ANNEXURE A**) has been prepared to establish as distinct vision and overarching goal for the management of the Paradyskloof NA in context off, and giving effect to, the relevant legislation and associated regulations.

The EMP consists of management strategies and guidelines for the management of the area under the following themes:

- Administration
- Environmental Protection
- Land Use Management
- Environmental Auditing

6.3 Financial Implications

The Paradyskloof NA EMP requires that an annual budget be compiled for the area in order to ensure that the management directives are performed.

6.4 Legal Implications

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

6.5 Staff Implications

This report has no staff implications for the Municipality.

6.6 Previous / Relevant Council Resolutions

The 21st Council Meeting (2018-10-31): Item 7.7.1, resolved (nem con):

- (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
- (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.

6.7 Risk Implications

This report has no risk implications for the Municipality.

6.8 Comments from Senior Management

This Item was circulated to all directorates on 17 September 2018 for comment by 25 September 2018. These are listed below.

6.8.1 Director: Infrastructure Services

Provision should be made for a possible transport link (public road with cycle and pedestrian facility) in the vicinity of the north western boundary near the Welgevallen suburb, or, alternatively, amend the extents of north western boundary near the Welgevallen suburb to allow for a reserve for a public road.

Due to developments taking place currently within the Paradyskloof area, the median in the R44 at Paradyskloof intersection has to be closed as per the requirement of Western Cape Province. In order to remedy this, another route has to be found to connect Paradyskloof Road with Trumali Road. There are currently three possible solutions:

- a. Extension of Schuilplaats Road such that Paradyskloof Road is connected with Trumali Road
- b. Possible road between two future developments, unnamed Road, but could also connect Trumali Road with these Developments.
- c. Extension of Wildebosch Road to Trumali Road.

There are various problems with each of these options and in order to study the best outcome, an amount has been placed on the 2019/20 budget to study these proposals

and provide a solution that will be able to solve the motorised and non-motorised traffic problems for the medium future. Each option should however be investigated and for this reason the possibility of a Northern route of some kind should remain a possibility.

Point 4.3.3 (d) that states that the clearing of new roads for recreational purposes are not permitted. Allowance may need to be made whereby a process can be followed for the purposes of constructing a new recreational road – should the need arise.

The section in the EMP referred to above speaks to the construction or clearance of roads or tracks for recreational in areas being rehabilitated or in areas consisting of natural or fynbos areas. Should the need arise for road development in the area it could be considered in a responsible manner that causes minimum impact to the area.”

6.8.2 Director: Planning and Economic Development

No comment received.

6.8.3 Director: Community and Protection Services

No comment received.

6.8.4 Director: Corporate Services

No comment received.

6.8.5 Chief Financial Officer

No comment received.

6.8.6 Municipal Manager

No comment received.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 7.6.1

that Council approves the Paradyskloof Nature Area Environmental Management Plan (March 2019) as the document to guide the management of the Paradyskloof Nature Area.

ANNEXURES

- Annexure A:** Paradyskloof Nature Area Environmental Management Plan (March 2019)
Annexure B: Eikestad News advertisement (November 2018) / Proof of document delivery at Stellenbosch- and Jamestown Library
Annexure C: Comment received
Annexure D: Comment and response report

FOR FURTHER DETAILS CONTACT:

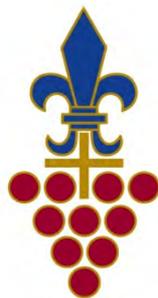
NAME	Schalk van der Merwe
POSITION	Environmental Planner
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8679
E-MAIL ADDRESS	schalk.vandermerwe@stellenbosch.gov.za

ANNEXURE A

PARADYSKLOOF NATURE AREA

ENVIRONMENTAL MANAGEMENT PLAN

March 2019



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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1 INTRODUCTION

1.1 PURPOSE

The purpose of this Environmental Management Plan (EMP) is to establish a distinct vision and overarching goal for the management of the Paradyskloof Natura Area (from hereon referred to as the Paradyskloof NA or simply the NA) in context of the relevant legislation and associated regulations. Accordingly, the primary aims of this EMP include the following:

- a) Facilitating the rehabilitation and long-term conservation of the Paradyskloof NA.
- b) Promotion of a conservation ethos in the minds of the people of the area and the general public with the objective to create a shared responsibility to maintain the health, diversity and productivity of the area in a spirit of stewardship and caring.
- c) Implementation of management practices that will benefit current and future generations.
- d) Provision of sustainable outdoor recreational opportunities in the area.
- e) Ensuring that future growth and development proposals for Stellenbosch are compatible with the vision, goals and objectives for the area and associated ecological systems.

1.2 VISION

In order to balance the conservation requirements of the Paradyskloof NA with the aspirations of all stakeholders and the place-specific environmental, social and economic constraints, the following vision is set for the area:

To manage and protect the Paradyskloof Nature Area as a sustainable and safe area which is recognised and valued for its environmental integrity and community-supporting functions.

1.3 OVERARCHING GOAL

The over-arching goal of the Paradyskloof NA is to contribute towards environmental sustainability and the conservation of biodiversity as a prerequisite for the latter. This EMP builds on the recognition that for biodiversity conservation to succeed, the maintenance of environmental integrity (as defined by ecological, economic and social criteria) must be one of the primary determinants of land-use planning and management.

Sustainability, under present circumstances, cannot be achieved without any form of management intervention and such intervention has to be financed to a significant extent. Accordingly, sustainable development projects or use within the area should ideally contribute towards the required financing of management activities in a spirit of partnership.

The CSIR (2002) states that sustainable development should *improve the state of any given situation*. Sustainable development requires a long-term, integrated, systems approach pertaining to economic, environmental and social issues. Fostering a strong sense of community and building partnerships and consensus among key stakeholders are important elements of sustainable development (CSIR, 2002). The International Union for the Conservation of Nature (IUCN) defined sustainable development as *'development that meets the needs of the present generations without compromising the ability of future generations to meet their own needs'*.

The International Institute for Sustainable Development (IISD) (1995) states that sustainable development occurs at the intersection of three global imperatives, namely *human well-being*, *environmental integrity* and *economic efficiency*. The interactive model of sustainability illustrates that sustainable development occurs where the three imperatives interact within an ‘interactive zone’ (Figure 1). Development outside this ‘interactive zone’ will not be sustainable. Mebratu (1998).¹ The EMP builds on the following understanding of the three global imperatives:



Figure 1: The interactive model of sustainability (Adapted from Mebratu, 1998).

1.3.1 Human Well-Being

Human well-being refers to both *material* and *spiritual* well-being. Material well-being refers to the absence of poverty. Spiritual well-being *inter alia* refers to the absence of inequality and being in a position to obtain new powers, emotionally, intellectually and physically and to be able to play a meaningful role in promoting and achieving sustainable development. It is recognised that the Paradyskloof NA has a significant impact on the well-being of the people of Stellenbosch and surroundings in terms of a number of important aspects.

1.3.2 Environmental Integrity

Environmental integrity refers to the relative ‘*wholeness*’ of the environment. ‘Environment’ is defined as the aggregate of all external conditions and influences affecting the life of an organism. Environmental integrity is determined by the *value* of the environment or place (natural or human-made), with specific reference to its intrinsic, systemic, and/or instrumental value. The EMP builds on the recognition that the human-made environment is located within and ‘contained’ by the natural environment. The manner in which human settlements are developed, therefore, has an immense impact on the quality and integrity of the environment as a totality. It is therefore imperative that the human-made environment be planned, designed and developed in a manner that will ensure the maintenance of the values referred to above (i.e. intrinsic, systemic, and/or instrumental value). From a natural environmental perspective, ecological integrity is a key factor in the sustainable development equation. Ecological integrity *inter alia* requires that biodiversity is protected and essential ecological processes and services (e.g. water yield and quality, soil conservation, decomposition, etc.) are maintained. *Environmental health* is the key to sustainable development. The primary threat to environmental health is fragmentation of community-supporting ecosystems. Fragmentation generally leads to a cycle of environmental degradation, which subsequently influences the well-being of the dependent communities.

1.3.3 Economic Efficiency

Economic efficiency is understood as *the optimisation of benefit at the lowest cost*. It includes the innovative and efficient use of available resources. The Paradyskloof NA is an important public

¹ Mebratu, D. 1998: Sustainability and sustainable development: Historical and conceptual overview. *Environmental Impact Assessment and Review*, 18:493-520.

resource that has to be managed for the benefit of all concerned and in terms of best-practice management strategies in order to ensure efficiency.

1.4 GUIDING PRINCIPLES

It is important that the following principles guide future management of the Paradyskloof NA:

- i. Precautionary principle: The precautionary principle refers to actions on issues considered to be uncertain. The principle is used by policy makers to justify discretionary decisions in situations where there is the possibility of harm from making a certain decision when extensive scientific knowledge on the matter is lacking. Precaution may be defined as *caution in advance* or *caution practised in the context of uncertainty*. The precautionary principle is an expression of a need by decision-makers to anticipate harm before it occurs.
- ii. Causal principle: This principle indicates means that default responsibility for rectification or mitigation of any particular impact rests with the entity which directly caused such impact. While the more well-known polluter pays principle is a subcategory of this, the causal principle applies not just to pollution but more generally to all impacts.
- iii. Integration principle: The Integration principle refers not only to the cooperation between different social bodies, but also to the integration of different physical, biological and social realities and issues pertaining to a particular geographic area.
- iv. Cooperation principle: Government as well as the private sector, non-governmental organisations and science all need to be involved to ensure sustainability. Successful long-term environmental management requires that all role players to act cooperatively to achieve a common goal.

2 PLANNING CONTEXT

Stellenbosch Municipality (hereafter also referred to as the Municipality) has directed that the bioregional planning approach advocated by the Provincial Government of the Western Cape through its Bioregional Planning Policy and comprehensively described in the *Manual for application of Bioregional Planning in the Western Cape* (PGWC, 2003) be adopted in municipal planning projects.

The Municipality recognises that one of the critical determinants of the success of an EMP planned in term of the bioregional planning approach is the extent to which all spheres of government co-operate and co-ordinate their activities as it relates to the subject area. This EMP therefore gives effect to the requirement that the planning and management of land units should be undertaken within the context of distinct levels, namely the *national level*, *provincial level* and the *local level* (see Figure 2). Effective integrated planning at these levels requires innovative forms of institutional integration and co-operation. Dialogue amongst all stakeholders, participatory planning and institutional flexibility are, therefore, essential to plan and manage effectively.

The Paradyskloof NA EMP responds to the relevant legislation, policy and regulations, the most important of which are summarised below.

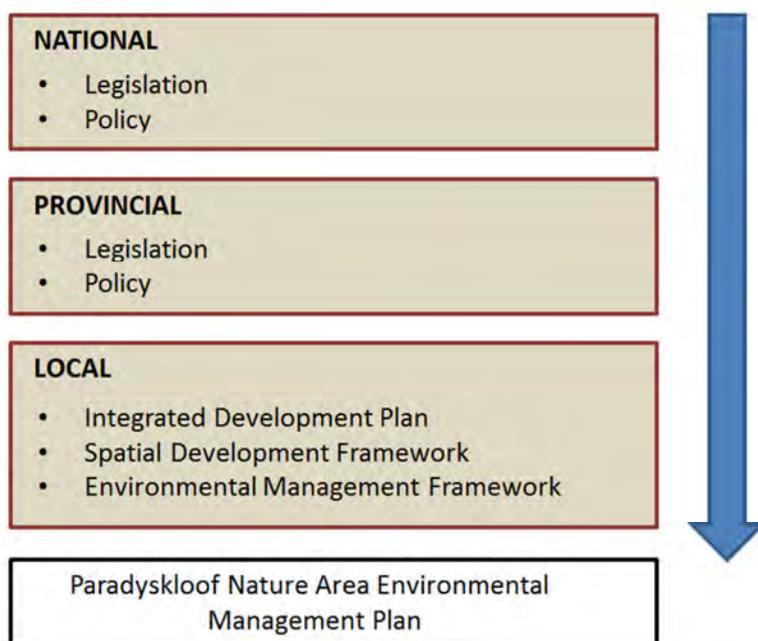


Figure 2: Planning levels applicable to the Paradyskloof NA EMP.

2.1 NATIONAL

2.1.1 South African Constitution

The South African Constitution, Act 108 of 1996, places an obligation on all to ensure that sustainable development is promoted and that the integrity of the environment is respected. In Section 24(b)(iii) of the Bill of Rights chapter of the Constitution, it is stated that ‘everyone has the right to have the environment protected for the benefit of present and future generations, through reasonable legislative and other measures that secure ecologically sustainable development and use of natural resources, whilst promoting justifiable economic and social development’.

2.1.2 National Environmental Management Act

Section 28 of the National Environmental Management Act, 107 of 1998 (NEMA), creates a general duty of care on every person to *take reasonable measures to prevent significant pollution or degradation of the environment from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment*. The Act provides for the preparation of environmental management plans by the relevant departments involved in the management of the environment.

2.1.3 National Environmental Management: Biodiversity Act

The National Environmental Management: Biodiversity Act, 10 of 2004 (NEMBA), has the following objectives:

- a) To provide for the management and conservation of South Africa's biodiversity within the framework of NEMA.
- b) To provide for the protection of species and ecosystems that warrant national protection.
- c) To provide for the sustainable use of indigenous biological resources.
- d) To provide for the fair and equitable sharing of benefits arising from bioprospecting involving indigenous biological resources.

2.1.4 National Environmental Management: Protected Areas Act

The National Environmental Management: Protected Areas Act, 57 of 2003, provides for the protection and conservation of ecologically viable areas, for the management of those area, for intergovernmental co-operation and public consultation in matters concerning protected areas, and for matters in connection therewith.

2.1.5 National Water Act

The purpose of the National Water Act, 36 of 1998, is to ensure that South Africa's water resources are protected, used, developed, conserved and controlled in a manner that takes into account, amongst others, basic human needs, equitable access thereto, the promotion of efficient, sustainable and beneficial use of water, facilitation of social and economic development, and protection of aquatic and associated ecosystems.

2.1.6 National Veld and Forest Fire Act

Veld fires in South Africa are dealt with under the National Veld and Forest Fire Act, 101 of 1998. The purpose of the National Veld and Forest Fire Act is *to prevent and combat veld, forest and mountain fires throughout the Republic*. The Act places the duty on land owners to make provision for the management of veld fires on their own land. Failure to do so may result in penalties being enforced and claims lodged against a landowner if the above Act's requirements were not met. In terms of the National Veld and Forest Fire Act the following responsibilities apply to landowners:

- a) *The landowner on whose land a fire may start, or from whose land it may spread across boundaries, must have in place:*
 - *Such equipment, protective clothing and trained personnel required to extinguishing such fire as may occur as prescribed in the FPA (Fire Protection Association) regulations.*
 - *If there are no regulations applicable, then as reasonably required in the circumstances.*
 - *Take all reasonable steps to notify the Fire Protection Officer (FPO) of the local FPA should a fire break out.*
 - *Do everything in their reasonable power to stop the spread of the fire.*
- b) *The Act also requires that should the owner be absent, a known and identified other person responsible needs to be present on or near this land to:*
 - *Extinguish a fire if one breaks out, or assist or instruct others to do so.*
 - *Take all reasonable steps to alert the neighbours and the FPO.*
 - *The owner may appoint an agent to act on his or her behalf to perform these duties.*

2.1.7 National Heritage Resources Act

South Africa' heritage are dealt with under the National Heritage Resources Act, 25 of 1999, which aims to *promote good management of the national estate, and to enable and encourage communities to nurture and conserve their legacy so that it may be bequeathed to future generations.*

2.1.8 Conservation of Agricultural Resources Act

The purpose of the Conservation of Agricultural Resources Act, 43 of 1980 (CARA), is to provide control over the utilization of the natural agricultural resources in order to promote the conservation of soil, water sources and the vegetation and the combating of weeds and invader plants.

2.1.9 Spatial Planning and Land Use Management Act

The Spatial Planning and Land Use Management Act, 16 of 2013 (SPLUMA), includes the following stipulations:

Land use planning principles and objectives

Section 59 (4): To promote environmental integration in land use planning, a competent authority must—

- a) *strive towards ecologically, socially and economically sustainable development, taking into account —*
 - (i) *the economic potential of the relevant area or region;*
 - (ii) *biodiversity;*
 - (iii) *social needs;*
 - (iv) *cultural heritage resources;*
 - (v) *agricultural resources*
- b) *ensure that development heeds the natural processes that control the relevant area;*
- c) *strive to achieve development that is harmonised with the ecological characteristics of the environment;*
- d) *promote the conservation and management of biodiversity;*
- e) *discourage development in unsuitable environments such as —*
 - (i) *areas with a high water table;*
 - (ii) *swamps;*
 - (iii) *flood plains;*
 - (iv) *steep slopes;*
 - (v) *areas sensitive to drift-sands and sea-level rise;*
 - (vi) *areas with high biodiversity importance;*
 - (vii) *areas with important cultural and scenic landscapes —*
- f) *minimise the fragmentation of natural habitat in ecological corridors and areas with high biodiversity importance;*
- g) *facilitate soil conservation and the control of pollution;*
- h) *address the land use implications of —*
 - (i) *the provision and conservation of energy;*
 - (ii) *the management of the demand for energy;*
 - (iii) *climate change mitigation and climate change adaptation strategies;*
- i) *protect the cultural heritage and tourism resources of the Municipality.*

2.2 PROVINCIAL

2.2.1 Constitution of the Western Cape Province

The EMP supports and gives effect to the Constitution of the Western Cape, Act 1 of 1998. In terms of Chapter 10 of the Constitution this province has to adopt and implement strategies to actively promote and maintain the welfare of the people and the environment of the Western Cape, including policies aimed at achieving inter alia the following:

- a) Safety and security.
- b) The protection or advancement of persons, or categories of persons, disadvantaged.
- c) The promotion of a market-orientated economy.
- d) The development of rural communities and the promotion of the welfare of rural workers.
- e) The protection of the environment of the Western Cape, including its unique fauna and flora, for the benefit of present and future generations.
- f) The protection and conservation of the natural historical, cultural historical, archaeological and architectural heritage of the Western Cape for the benefit of present and future generations.

2.2.2 Land Use Planning Act

The SPLUMA and the Western Cape Land Use Planning Act, 3 of 2014 (LUPA), require that spatial planning and development be guided by normative principles and that policy and plans should explicitly indicate how they would meet the requirements of such principles. These principles are:

- a) Justice: Fair allocation of public resources to ensure that the needs of the poor are addressed.
- b) Sustainability: Sustainable patterns of consumption and production should be supported, and ways of living promoted that do not damage the natural environment.
- c) Resilience: Vulnerability to environmental degradation, resource scarcity and climatic shocks must be reduced. Ecological systems should be protected and replenished. The resilience of all other forms of capital, including social, monetary and infrastructural capital should be enhanced to the extent possible.
- d) Efficiency
- e) Good governance: Good governance is the key to long-term sustainability.

2.2.3 Western Cape Provincial Spatial Development Framework

The Western Cape Provincial Spatial Development Framework (generally referred to as the PSDF) is aligned with the National Spatial Development Perspective (NSDP) and other national policy frameworks, and endorses the vision of the Western Cape Provincial Government to create 'A Home for All'. The PSDF is purported to support the development growth path paved by the iKapa Elihlumayo Strategy and the other lead strategies.

2.2.4 Provincial Bioregional Planning Policy

As stated above, the PGWC is advocating a bioregional planning approach as described in the *Manual for application of Bioregional Planning in the Western Cape* (PGWC, 2003). The Stellenbosch Municipality has adopted the said approach for the planning, development and management of its area of jurisdiction.

2.3 LOCAL

2.3.1 Stellenbosch Integrated Development Plan

The Stellenbosch Integrated Development Plan (IDP) includes a needs-analysis, which puts forward a number of needs for each particular area within the municipality.

2.3.2 Stellenbosch Spatial Development Framework

The primary goal of the Stellenbosch Spatial Development Framework (SDF) is to give practical effect to the mission statement of the people of the local municipal area, as expressed in the SDF of the Stellenbosch Municipality, namely: *'The spatial development framework of the Stellenbosch Municipality should be measured by the 'triple bottom line' of economic efficiency, environmental sustainability and social justice with an emphasis on the issues facing the rural and urban poor.'*

2.3.3 Stellenbosch Environmental Management Framework

The Stellenbosch Environmental Management Framework (SEMF) is Stellenbosch Municipality's strategic environmental management policy that responds to and complies with the relevant statutes and directives. As such, the SEMF serves as a:

- a) Spatial and strategic supplement to the SSDF.
- b) Policy for ensuring environmental sustainability and for the aligning/integrating land-use activities in accordance with defined sustainability objectives.
- c) Strategy towards enhancing the well-being of the people and the environment of the Municipality by providing for:
 - (i) A uniform, effective and comprehensive system of environmental planning and management throughout the Municipality.
 - (ii) Environmental and sustainability principles, norms and standards.
 - (iii) Sustainable and efficient use of land and other forms of environmental capital.
 - (iv) Providing for cooperative governance and intergovernmental relations within the sphere of the Municipality and between the latter and all other institutional spheres and the private sector.
- d) A compilation of and alignment directive for the strategies and plans of the various sectoral departments and directorates of the Municipality.

2.3.4 Stellenbosch Municipality: By-Law Relating To Plantations, Parks, Gardens, Recreational Facilities And Nature Reserves (P.N. 373/1988)

According to the above by-law *no person shall in or on premises, buildings, land, plantations, a commonage, enclosures, nature reserves, parks, gardens, open erven and spaces, picnic areas, nurseries, trees, sport and recreation facilities which are vested in or under control of the Council –*

- (a) *disfigure or deface any post, railing, fence, seat, barrier, gate, notice board, plate, house, building, shed, urinal, closet, flag, mark or other article or thing by pasting thereon or affixing thereto in any way any bills, papers, placards or notices or by cutting, writing, stamping, painting, drawing or marking thereon in any way whatsoever,*
- (b) *remove, destroy, damage or deface any notice or sign,*

- (c) *make a fire or commit any acts whereby a fire may be caused, except in places where fireplaces are provided;*
- (d) *saw, cut, gather, remove dig up, burn, pick or break any timber, tree, shrub, brushwood, fencing, pole, lawn, plants, fruits, flower or equipment, or climb therein or thereon or damage it in any way;*
- (e) *remove or disturb any soil or water at a place other than that specially provided by Council;*
- (f) *erect or cause to be erected any post, rail, fencing, tent, screen, stand, swing, building or construction of whatever nature without the written permission of the Council;*
- (g) *park, drive, ride pull or propel any type of vehicle except a manually operated wheelchair or perambulator when used for the conveyance of an invalid or a child;*
- (h) *leave any refuse, building waste, rubbish, paper, materials or any object except in containers provided for that purpose;*
- (i) *injure, kill, hunt, capture, or disturb any animal or bird, or damage or destroy the nest or eggs of any bird or interfere with the animal life in any other way;*
- (j) *break, damage, hurt, destroy, disfigure or remove any flora, fauna or nest of fauna or objects of historical or scientific interest or any property in the nature reserve;*
- (k) *introduce any flora, fauna, weapon, trap, net, explosive or poison into the nature reserve, or be in possession thereof in the nature reserve;*
- (l) *fire a fire-arm or an air-gun, discharge any firework, catapult or sling or throw a stone or other missile;*
- (m) *in any other way cause a nuisance, obstruction, disturbance or annoyance to the public, to brawl, fight, swear or use obscene, indecent or improper language, gamble, beg, behave in an indecent or offensive manner or drink intoxicating liquor;*
- (n) *sell or offer for sale or hire, or hawk or exhibit any article or distribute any pamphlet, book, handbill, or other matter;*
- (o) *present any public entertainment;*
- (p) *play a musical instrument, and*
- (q) *deliver or say any speech, public address or prayer of whatever nature or sing any song or hold or participate in any public meeting or function unless he has previously obtained the written permission of the Council to do so;*
- (r) *enter upon any ablution or sanitary conveniences indicated as having been provided for persons of the opposite sex;*
- (s) *enter or leave other than by an entrance or exist provided for that purpose, or*
- (t) *refuse to leave when requested to do so by an authorised officer of the Council or a member of the South African Police;*
- (u) *wash any article or animal under a tap, in a pond, fountain or in an ornamental pond or otherwise pollute water, or*
- (v) *swim in a dam or wash any clothes or other things or pollute the water therein in any other manner, and*
- (r) *perform any act whatsoever which may injure persons, damage or destroy any property.*

3 PROPERTY DESCRIPTION

3.1 LOCATION

The Paradyskloof NA is located within Stellenbosch Municipality (refer to Figure 3) on the south-eastern edge of the town of Stellenbosch. It is bordered by University of Stellenbosch owned farm land and nature areas to the north, Stellenbosch Mountain to the east and privately owned farm land to the south.

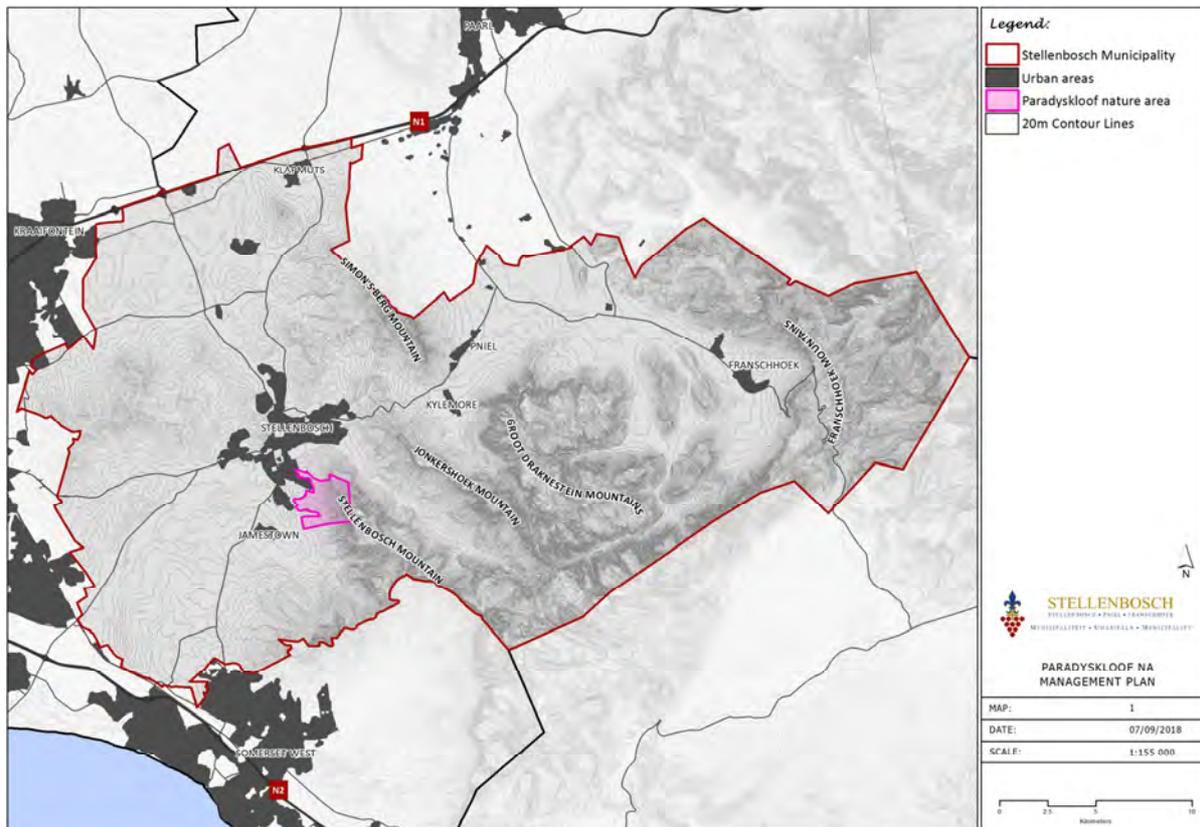


Figure 3: Paradyskloof nature area in context of Stellenbosch Municipality

To the west the area is bordered by the Paradyskloof- and Brandwacht neighbourhoods of Stellenbosch town and land used for farming purposes (Figure 4). The area consist of Portion 2 of Farm 368 and portions of Farms 369 and 366 with a total area of approximately 550 ha. The relevant property is municipal owned land and zoned for agricultural purposes.

The eastern, mountainous, half of the area has always been kept in a natural state with the western half largely used for forestry. Most of the timber have, however, been harvest with an approximately 40 ha portion still planted with pine trees.

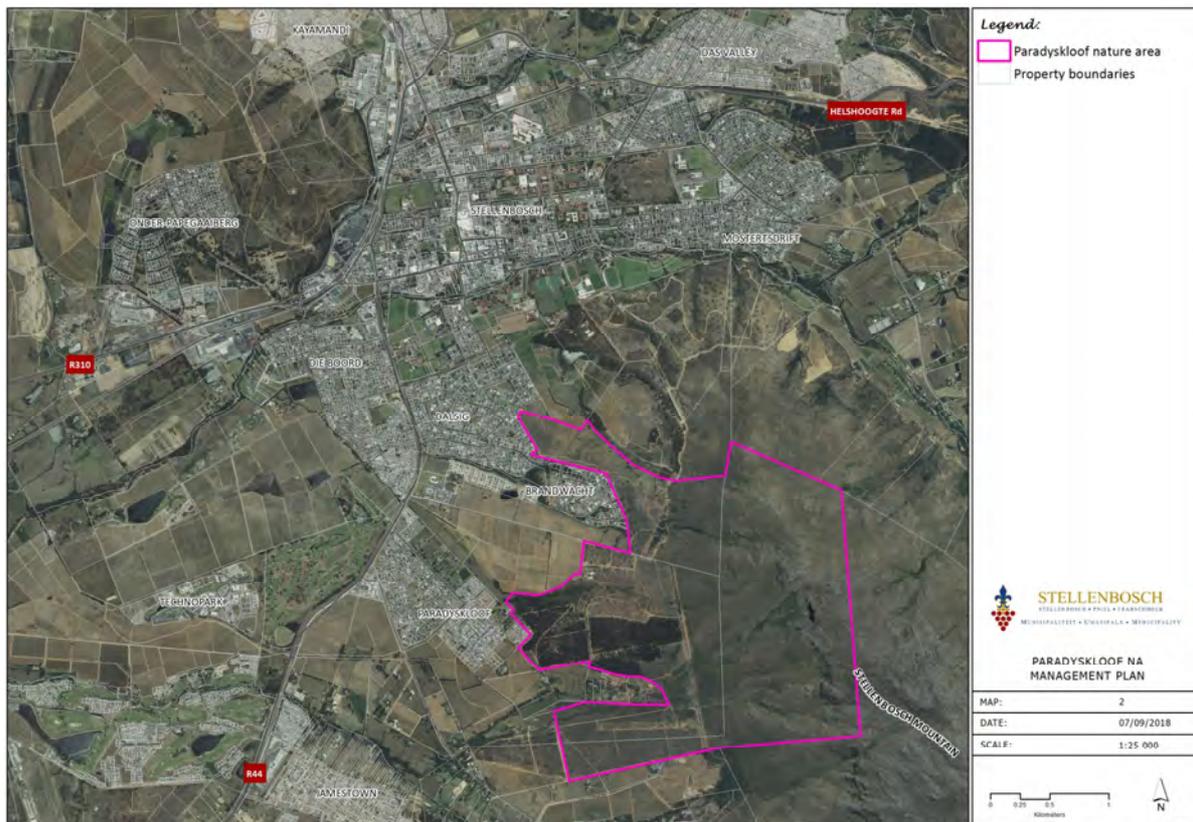


Figure 4: Paradyskloof NA in context of Stellenbosch town

3.2 LANDSCAPE PERSPECTIVE

The Municipality forms part of the Cape Winelands Biosphere Reserve (CWBR) which was approved by United Nations Educational, Scientific and Cultural Organization (UNESCO) and included in the World Network of Biosphere Reserve during 2007. The Paradyskloof NA forms part of a system of nature-and/or protected areas that collectively form the core and buffer areas of the CWBR. This system is based upon the principle that a system of protected areas is a key element of any strategy to maintain biodiversity and ecosystem functions on a larger regional scale. It is imperative that such a system be designed and managed to represent and protect the diversity of ecological processes, communities, species and gene pools (Global Biodiversity Strategy, 1992).

Various protected areas in the proximity of the Paradyskloof NA include the Papegaaiberg Nature Reserve, Jan Marais Nature Reserve, Jonkershoek Conservancy, Bottelary Hills Renosterveld Conservancy, Hottentots-Holland Nature Reserve, Koopmanskloof Private Nature Reserve and Simonsberg Nature Reserve (Figure 5).

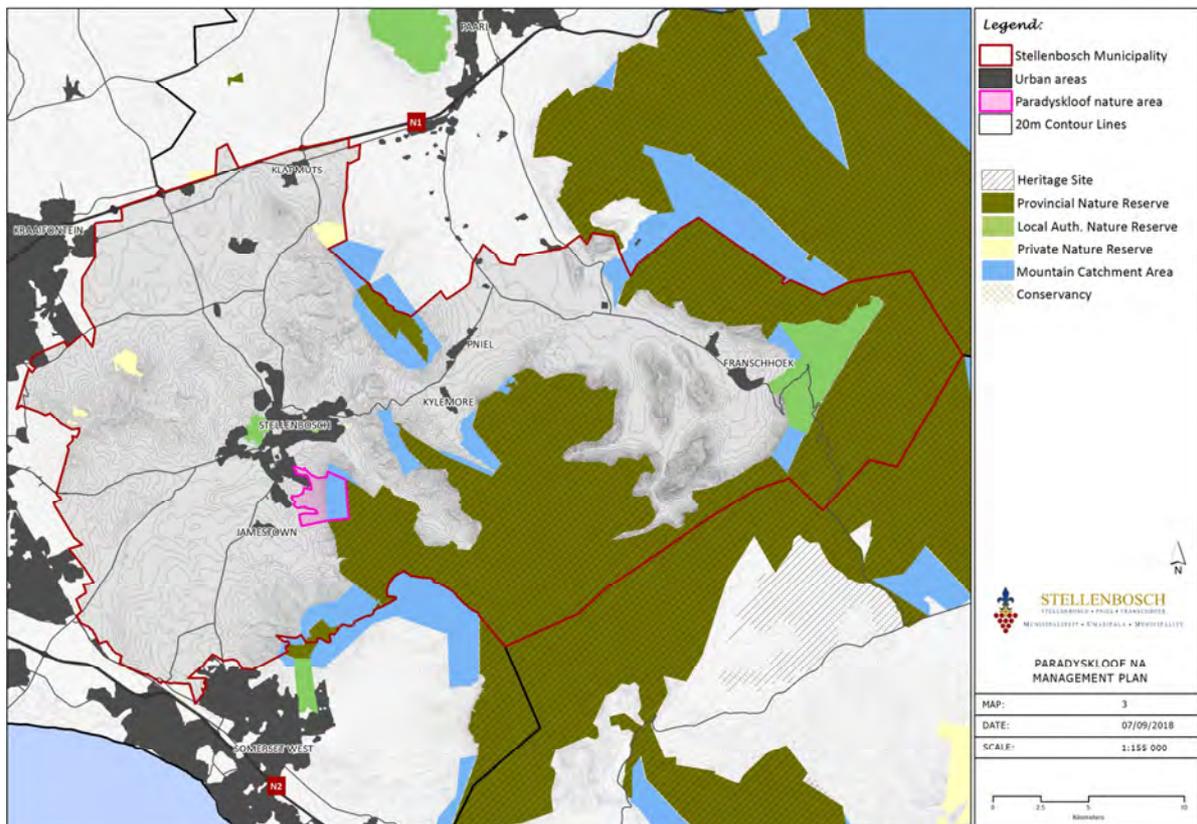


Figure 5: Paradyskloof NA in context of surrounding protected areas

3.3 BIOPHYSICAL CHARACTERISTICS

3.3.1 Climate

Stellenbosch has a typically Mediterranean climate. Summers are dry and warm to hot. Daytime temperatures range from 24°C to 35°C, with some February and March days rising to over 40°C. A south easterly wind often blows in summer bringing cooler air from the nearby coast. Winter is typically wet, windy and cold with daytime temperatures range from 10°C to 20°C. Rains are brought with north westerly winds. Stellenbosch normally receives about 673mm of rain per year. Snow is usually seen a couple of times in winter on the surrounding mountains. Spring and autumn daytime temperatures hover in the 20°C's.

3.3.2 Topography

The Paradyskloof NA slopes upward from its lowest point closest to Brandwacht, at 160 meters above seal level, to the east rising to approximately 1050 m at its highest point. The north-south firebreak, dividing the property in half, is located at 350 m above sea level. Apart from the steep slope the area is characterised by three valleys draining from Stellenbosch Mountain towards the Eerste- and Blaauwklippen Rivers respectively.

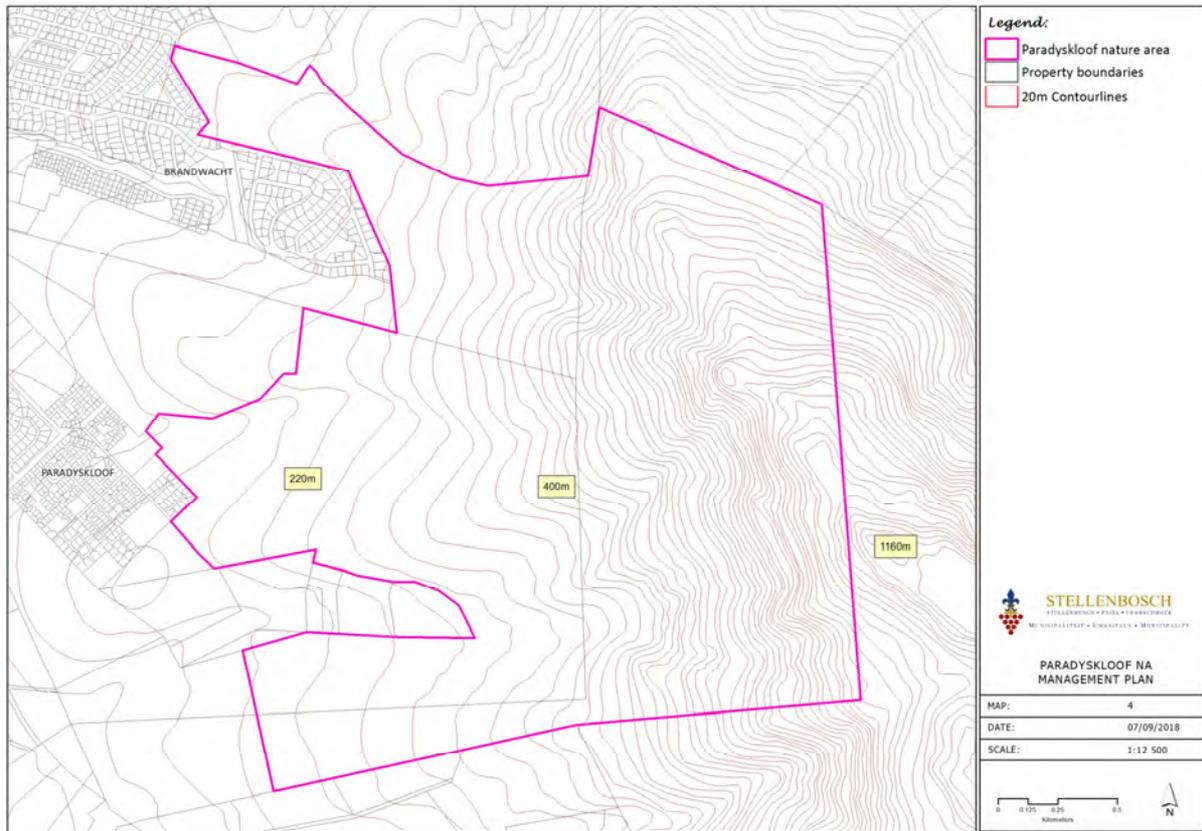


Figure 6: Paradyskloof NA topography

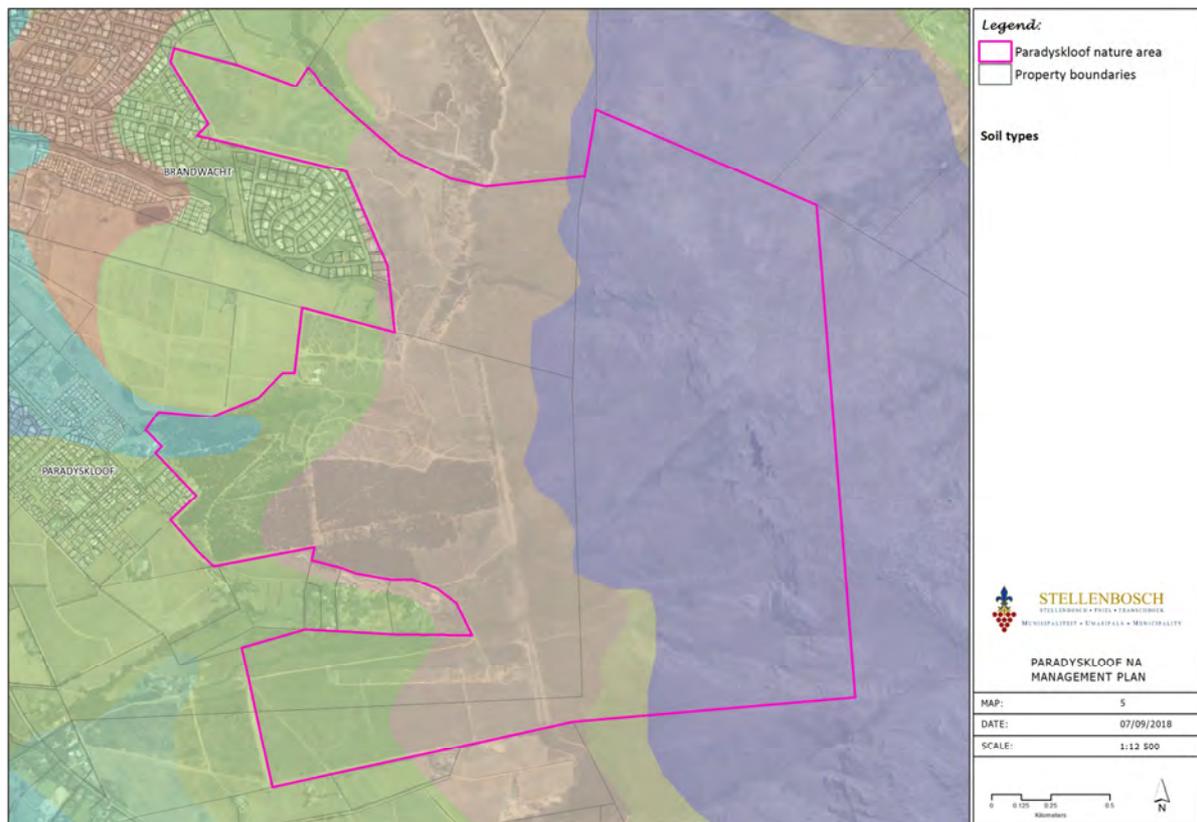


Figure 7: Paradyskloof NA soil

3.3.3 Soil

The higher lying areas of Paradyskloof NA is dominated with rock with little to no soil. The lower lying, or western portion of the Paradyskloof NA consist of red and yellow freely drained mesotrophic to eutrophic soils.

3.3.4 Hydrology

The Paradyskloof NA borders the Hottentots-Holland mountain catchment area and forms part of quaternary catchment² No. G22H (refer to Figure 8). The catchment functions of the NA may seem insignificant, however, it performs an important function as part of an integrated group of ecosystems that collectively determine the health of the entire catchment. A primary threat to environmental health is fragmentation of the community-supporting ecosystems. Fragmentation generally leads to a cycle of environmental degradation which consequently influences the well-being of the dependent communities.

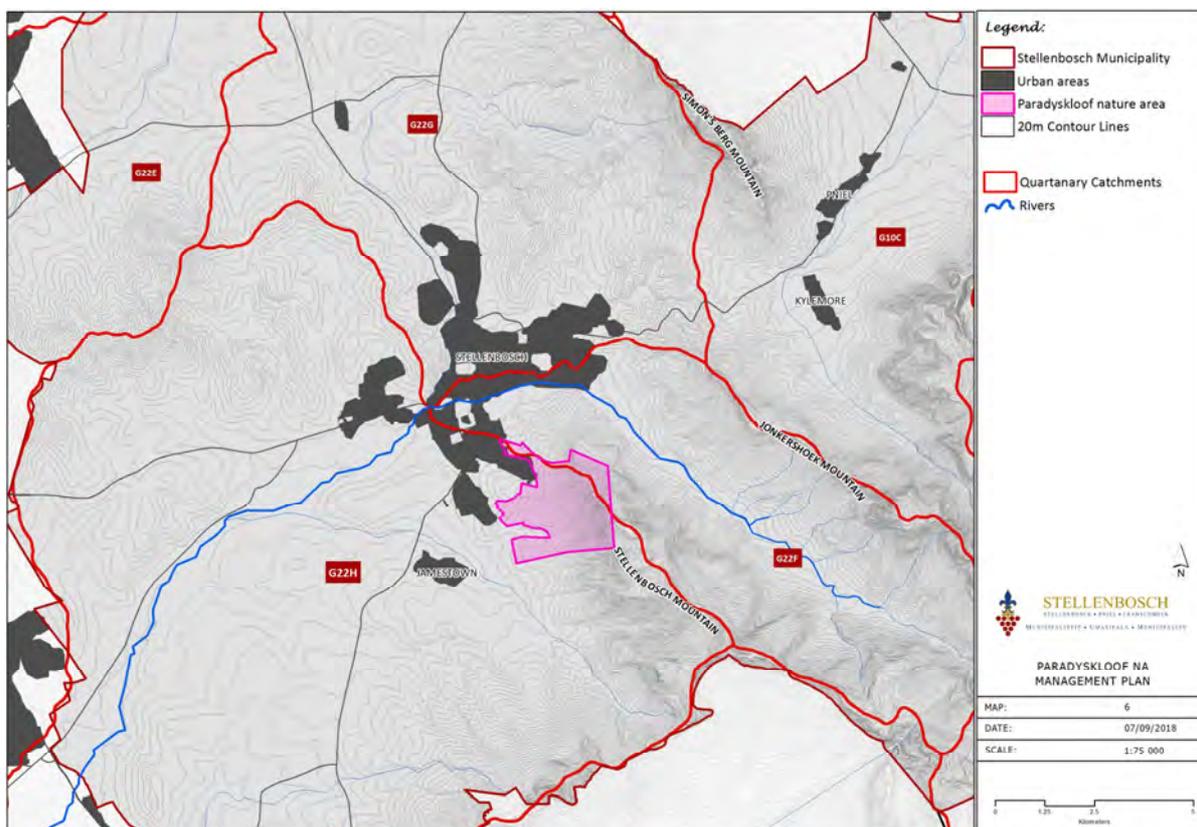


Figure 8: Paradyskloof NA in catchment area context.

Ecosystems and/or catchments are mutually dependent on every natural component for their existence. The loss, or degradation, of one component thus affects all others, potentially leading to the collapse of the total system on which communities may depend for their livelihood. Hence the

² Catchment (or catchment area) is defined as the entire land area from which water flows into a river; catchments can be divided into smaller 'sub-catchments' which are usually the area which drains a tributary to the main river or a part of the main river.

importance of conserving every natural part, or life form, of a system that forms part of the natural water cycle³. Government policy, which forms the basis of the National Water Act, 1998 (Act 36 of 1998), states that *'since many land-uses have a significant effect on the water cycle, the regulation of land-use should, where appropriate, be used as an instrument to manage water resources'*.

3.3.5 Fauna

The Paradyskloof NA, especially the higher lying area, is home to leopards, caracals, klipspringers, baboons, honey badgers, mongoos and numerous smaller animals like micem shrews and rats. Birdlife includes kingfishers, black eagles, spotted eagle owls, sugarbirds, orange-breasted sunbird and protea seedeaters⁴. On warm days rock agama lizards can be seen basking in the sun. Berg adder, puff adder, boomslang and Cape cobra are fairly common.

3.3.6 Flora

The area forms part of the world-renowned Cape Floral Kingdom internationally recognised as one of the six Floral Kingdoms of the world. The Cape Floral Kingdom is the smallest, covering a mere 0,06% of the earth's surface, and is the only Floral Kingdom contained in its entirety within a single country. The Cape Floral Kingdom is characterised by its exceptional richness in plant species and its high endemism. More than 8 700 species are known to occur, with more than 68% being endemic⁵. The Cape Floral Kingdom is of immense scientific importance, both nationally and internationally. It covers only 4% of South Africa, but contains 45% of all plant species of Southern Africa. Approximately 75% of all plants in the South African Red Data Book are found in the Cape Floral Kingdom. Many Fynbos species are extremely localised in their distribution, with sets of such localised species organised into 'centres of endemism' (Low and Rebelo, 1996).

The vegetation type of Paradyskloof NA is Cape Wineland Shale Fynbos and is a vulnerable terrestrial ecosystem. Cape Wineland Shale Fynbos soil is naturally poor in nutrients, moist and is slightly acidic. The biodiversity of the Cape Wineland Shale Fynbos is incredibly high. The Cape Wineland Shale Fynbos comprises of a diversity of protea, erica, geophyte and daisy species as well as some endemic species. The vegetation type is of conservation significance because of its high vulnerability state due to its location on lower slopes, which are mostly used for agricultural and urban development. Of the 54% remaining natural areas only 25% are formally protected.

The information provided by the South African National Biodiversity Institute (SANBI) and the Cape Action for People and the Environment (C.A.P.E.) with regard to the irreplaceability⁶ of habitats indicates that the middle to higher lying area above Paradyskloof and Brandwacht is of immense conservation importance (Figure 9). This is mainly due to the fact that the area is, or used to be, the habitat of the now almost extinct West Coast Renosterveld. The objective is to rehabilitate and

³ The water (hydrological) cycle describes the natural process of moving water out of the oceans, into the atmosphere, and back to the land and oceans.

⁴ <http://www.capenature.co.za/wp-content/uploads/2015/10/Jonkershoek-Map-Brochure1.pdf>

⁵ Confined, or exclusive, to a particular specified area.

⁶ The potential contribution of a site to a preservation or representation goal. It is a fundamental way of measuring the conservation value of any site. An irreplaceable site will appear in every analysis of alternative combinations of sites. In other words, it is one which must be included in a conservation area because significant options for preservation are lost if the site is excluded.

conserve as much as possible of this area. More recent data, however, that was released as part of the Western Cape Biodiversity Spatial Plan (2017), shows that a large portion of the area is regarded a Critical Biodiversity Areas (CBAs) (Figure 10). The various categories indicated on Figure 10 are defined in Table 1 below.

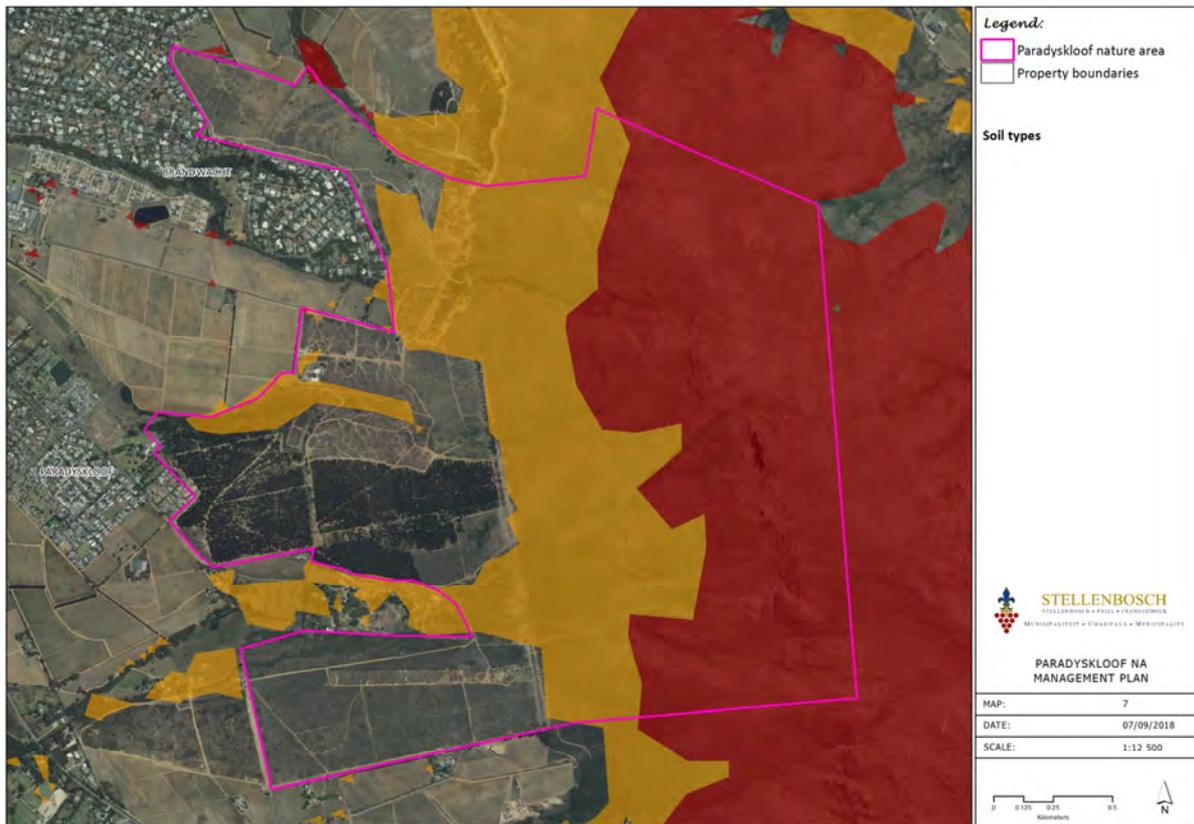


Figure 9: Irreplaceability of habitats in the Paradyskloof NA (Source: CAPE).

Table 1: Western Cape Biodiversity Spatial Plan map categories

MAP CATEGORY	DEFINITION
Protected Area	Areas that are proclaimed as protected areas under national or provincial legislation.
CBA 1	Areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure.
CBA 2	Areas in a degraded or secondary condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure.
ESA 1 ⁷	Areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs or CBAs, and are often vital for delivering ecosystem services.
ESA 2	Areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs or CBAs, and are often vital for delivering ecosystem services.
Other Natural Area	Areas that have not been identified as a priority in the current systematic biodiversity plan, but retain most of their natural character and perform a range of biodiversity and ecological infrastructure functions. Although they have not been prioritised for biodiversity, they are still an important part of the natural ecosystem.

⁷ Ecological Support Area



Figure 10: Critical Biodiversity Areas (Source: SANBI)

3.4 INFRASTRUCTURE

A number of municipal infrastructure is located within the Paradyskloof NA including water treatment works, reservoir and recently drilled boreholes. Being an old forestry area the western portion of the area has kilometers of existing service roads. The Paradyskloof NA also has a “clubhouse” that was recently refurbished by the Municipality (Figure 11).

3.5 USE

The Paradyskloof NA is utilised in various ways, including:

- a) **Forestry:** Most of the western portion of the Paradyskloof NA was at some point used for forestry. Whilst most of the trees in the area have been harvested over time the area still consist of an approximately 40 ha area of mature pine.
- b) **Outdoor recreation:** As mentioned above, the Paradyskloof NA’s western section has numerous existing service roads. These roads, and a system of tracks and trails, are used for recreational purposes. These uses include
 - Cycling (mountain-biking)
 - Hiking
 - Walking of dogs
 - Running

- Horseriding
- c) Research
- d) Municipal infrastructure and service delivery: As described in Chapter 3.4 above, the Paradyskloof NA includes various area which form part of active municipal infrastructure that are used and maintained on a daily basis.
- e) Events: The Paradyskloof NA is the subject of numerous event applications, mainly associated with mountain-biking or trail-running as well as the use of the clubhouse.
- f) Filming: Stellenbosch Municipality from time-to-time received applications for filming or photoshoots within its nature areas.

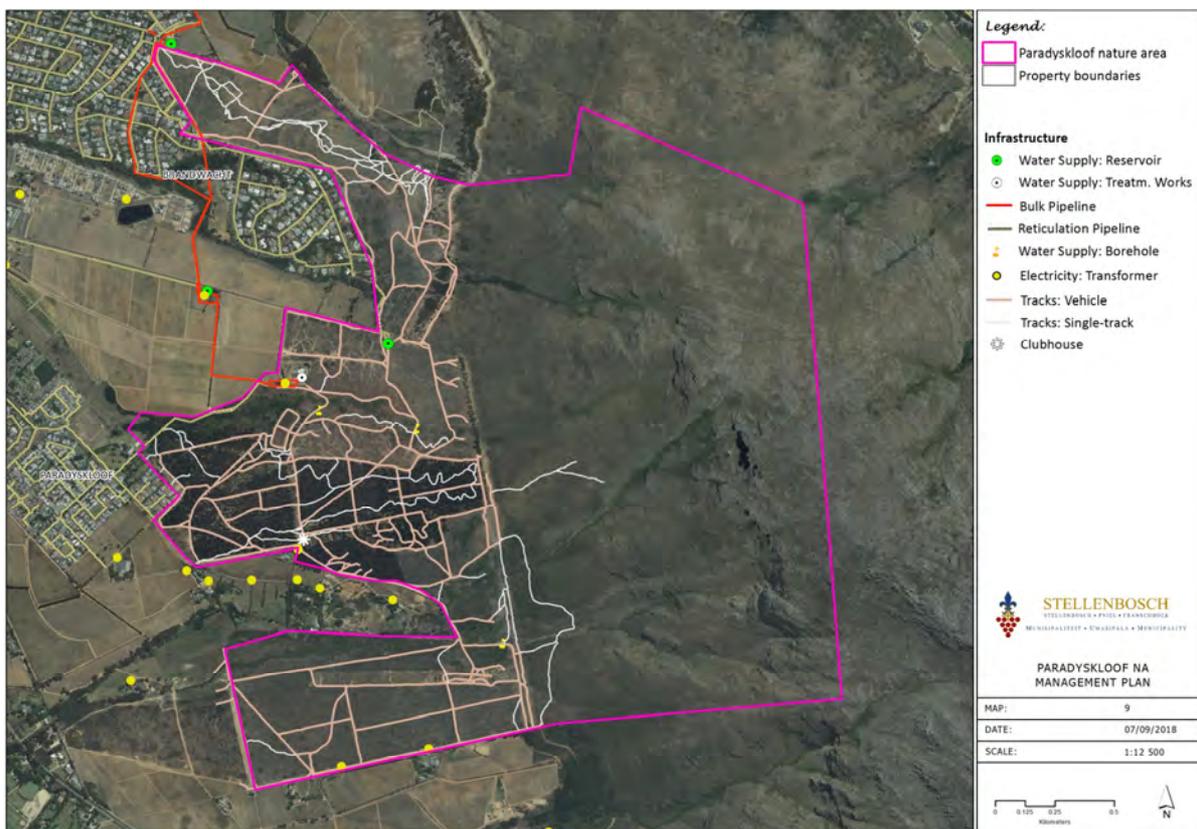


Figure 11: Existing infrastructure within the Paradyskloof NA

3.6 THREATS

The eastern portion of the Paradyskloof NA is in a natural state whilst the western part has been impacted upon by historic land-uses, with particular reference to the forestry activities that have been largely phased out over the recent past. These activities resulted in:

- (i) Habitat fragmentation and degradation.
- (ii) General loss of biodiversity in affected areas.
- (iii) Soil erosion.

Further threats to be addressed or mitigated include the following:

- a) Access control: Uncontrolled access poses various threats to the area, mainly in terms of security (crime prevention), managing the risk of fire and vandalism.
- b) Misuse and misunderstanding: The use of the area was primarily focused around the *instrumental* value of the site, which implies that the site has essentially been considered a mere resource utilised for forestry, infrastructure and recreational activities. These land-uses have caused degradation of the visual integrity and ecology of the site.
- c) Fire: Given the nature of the ecology of the area, the presence of the forest, biomass, limited control of access and various other factors that increase the risk of an ignition the Paradyskloof NA is a risk to fire.
- d) Infestation of alien vegetation: The infestation of alien plant species is a significant threat to the ecology and visual quality of Paradyskloof NA. The alien vegetation (which is a legacy of former forestry-related land uses) has resulted in a modified floral composition which is conducive to high-intensity fires. In turn, these are immensely disruptive to the ecology of fynbos and ecosystem processes.

4 MANAGEMENT DIRECTIVES

This section comprises the management strategies and guidelines in terms of which the Paradyskloof NA is to be managed in order to achieve the objectives documented above. The management strategies and guidelines are addressed under the following themes:

- Administration
- Environmental Protection
- Land Use Management
- Environmental Auditing

4.1 ADMINISTRATION

The long-term sustainability of the area largely depends on its effective administration. Of key importance in this regard is that the principle of economic efficiency be given effect through the general administration of the area and that its positive role and functions in respect of the promotion of environmental integrity and human well-being be understood and supported at all levels. Institutional commitment to achieving effective administration of the NA through, *inter alia*, the allocation of adequate budgets is of paramount importance.

Stellenbosch Municipality, through the Department: Community Services and its Nature Conservation section, is responsible for the management of the Paradyskloof NA. In terms of the principle of *inclusivity* the management of the NA is an ongoing inclusive process that gives meaningful consideration to the changing and dynamic interests, needs and values of the people of Stellenbosch and those that have an interest in ensuring a sustainable future for the area. In this regard, it is important that the following be achieved:

- a) Continued participation, representation and involvement of all stakeholders promoting broad-based policy learning and capacity development.
- c) Developing and utilising the skills and capacities of the people living in the area in the management of the NA.
- d) Encouraging on-going involvement of local people in the programs identified for the management of the NA.

Accordingly, the Municipality is to facilitate the establishment of a Friends of Paradyskloof NA that complies with and has the capacity to give effect to the above requirements. Whilst Stellenbosch Municipality is responsible for the general maintenance of the area and the implementation of this EMP it will rely on the Friends of the Paradyskloof NA for specific management activities as required (Figure 12) or where the Municipal is limited through capacity constraints. The Municipality and representatives of the Friends of the Paradyskloof NA in turn will serve on the Stellenbosch Protected Areas Forum, attended by the Department of Environment and Development Planning, Cape Nature, Stellenbosch University and representatives from other protected areas throughout the municipal area. The Stellenbosch Protected Areas Forum is technical / scientific in nature and meets on matters concerning the management and conservation of protected areas in the Municipality.

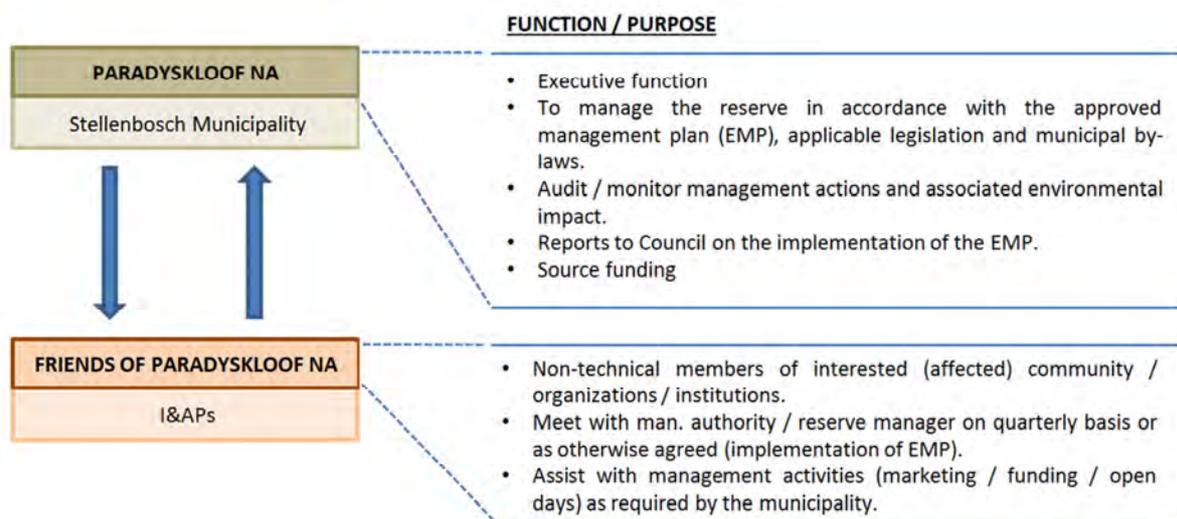


Figure 12: Paradyskloof NA management structure

Table 2: Guidelines for inception phase management

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
1	Compile an annual budget for Paradyskloof NA.	Annual at the beginning of the new financial year
2	Explicitly provide for the required funding for the Paradyskloof NA in the Stellenbosch Integrated Development Plan.	Ongoing
3	Solicit funds from potential donors.	Ongoing
4	Facilitate the establishment of a Friends of Paradyskloof NA group.	On the approval of the EMP and endorsement of the "Friends of..." concept by Council.

4.2 ENVIRONMENTAL PROTECTION

Natural resources are defined as *any materials, services and conditions that are necessary for the survival of living organisms, and have the potential to enhance quality of life. They are, in a sense, inherited by people, and are therefore part of the earth's (the natural) and people's (the cultural) heritage. Living resource conservation is specifically concerned with plants, animals and micro-organisms, and with those non-living elements of the environment on which they depend. Living resources have two important properties, the combination of which distinguishes them from non-living resources - they are renewable if conserved, and they are destructible if not* (Perry, 1954).

The intention and focus of environmental protection on the Paradyskloof NA is to facilitate the removal or mitigation of threats to the ecological of the NA, to restore the biodiversity and ecological integrity of the area to the extent that it can function as a self-sustaining system.

4.2.1 Alien Clearing

Invasive alien plants are plant species that have been introduced, either intentionally or unintentionally, to South Africa. They can reproduce rapidly in their new environments and, as mentioned above, tend to out-compete indigenous plants. The result usually includes a variety of negative ecological, social, and economic impacts. Invasive alien species pose the biggest threat to biodiversity after direct habitat destruction.

Stellenbosch Municipality has prepared and adopted the Stellenbosch Municipality Invasive Alien Management Plan (April, 2017). In terms of this plan the Paradyskloof NA has *high indigenous biodiversity that is under threat by invasive alien plants*. The northern section of the site contains *Acacia saligna*, *Acacia mearnsii* and *Eucalyptus globulus*. In the central area (towards the neighbourhood of Paradyskloof) most of the natural vegetation originally has been transformed into pine plantations. This is attributed to the plantation history of the area, consequently filling the seed bank with pine seeds over the plantation period. New seedlings sprout from the seed bank when vacant space becomes available after harvesting or clearing activities. There is a high occurrence of seedlings within the site, which is contributed to the disturbance caused by clearing efforts that occurred in the area. Within the disturbed area opportunistic recruitment of other invasive species, such as *Acacia saligna* and *Acacia mearnsii* is able to establish. Though their infestation is less severe than that of *Pinus pinea*, it is important to take into account the fast spreading nature of the species (via wind or human dispersal from already established populations) may lead to high infestation in the area if left unmanaged. The area is infested with *Pinus pinea*, *Eucalyptus globulus*, *Acacia implexa*, *Acacia melanoxylon*, *Acacia mearnsii*, *Acacia saligna* and *Acacia pygnantha*, of which *Acacia saligna* and *Acacia mearnsii* infestation is the most severe, collectively covering up to 25% of the central area of Paradyskloof NA (Figure 13).

In terms of the above Invasive Alien Plant Management Plan past clearing efforts have taken place within the Paradyskloof NA though the lack of follow up strategies has enabled the establishment of seedlings within the cleared areas. Initial clearing methods must be followed-up and monitored to ensure successful clearing of invasive alien plants. Accordingly:

- Clearing efforts should initiate at the top of the infested area, in terms of slope, and continue downwards. This will reduce erosion effect as well as minimize the re-establishment process of invasive alien plants within the cleared areas from overhead populations.
- Strategic placement of large tree trunks should reduce soil erosion on slopes after invasive alien clearing.
- Because the northern section of the Paradyskloof NA is less infested clearing strategies should start there, on the upper slopes, and continue downwards.
- Removal strategies for clearing invasive alien species in the area should be a combination of mechanical and chemical methods. All species should be removed mechanically by uprooting young plants and tree felling of larger trees (via axe or chainsaw), followed by the application of chemical herbicides to the cut surface to prevent resprouting. Each species has its own corresponding herbicide requirements to prevent resprouting activities and should be applied soon after tree felling. The use of herbicides may have negative effects on the health of soil composition and the natural ecosystem and should thus be used with caution and in reasonable/prescribed amounts.
- Continuous follow-up and removal of new seedlings after the initial clearing efforts are essential in order to clear the property of invasive alien plants. Follow ups and monitoring should occur annually and remaining or re-established invasive species should be removed when located.

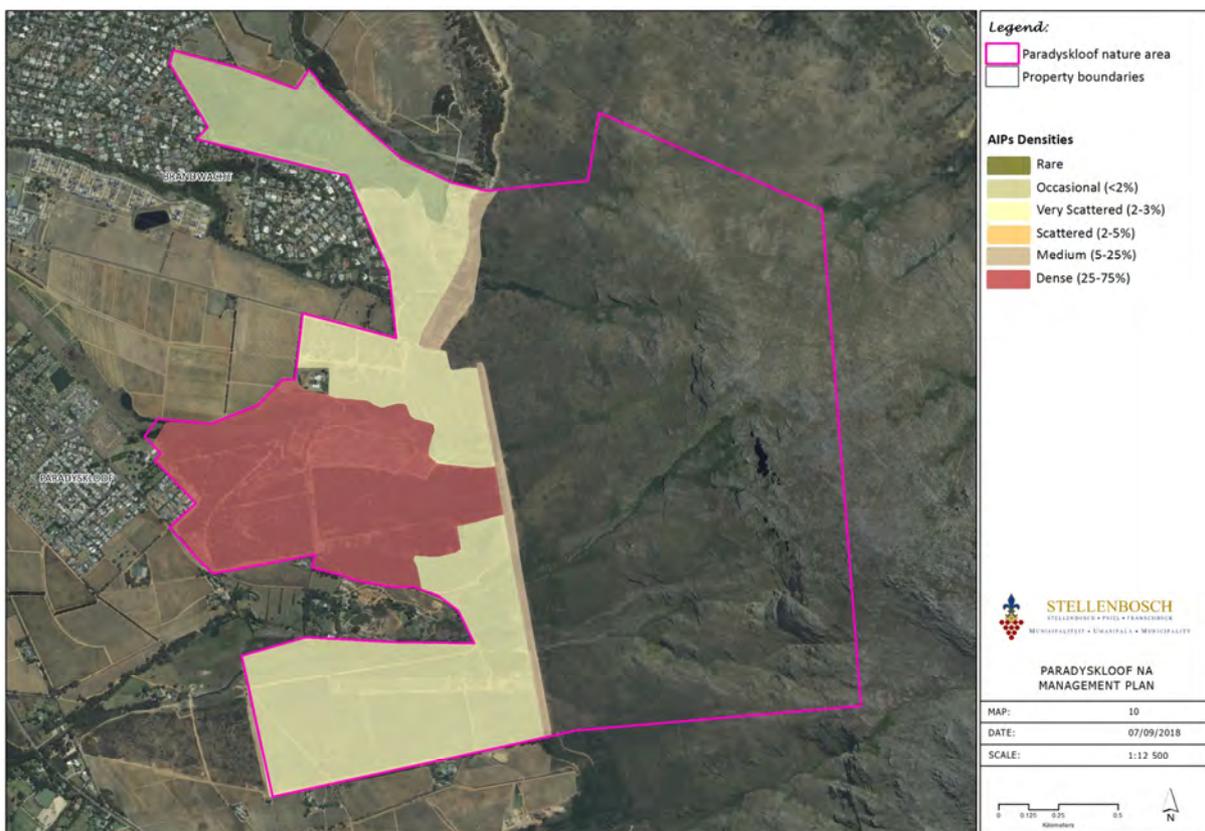


Figure 13: Paradyskloof NA AIPs densities

Table 3: Guidelines for alien clearing

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
5	Implement the Stellenbosch Alien Invasive Plan (IAP) Management Plan (2017).	Annual between the months of September and May
6	Map the areas that have been cleared of alien plants, indicating the date of operations, species removed and the current status of the portion of the site.	Annual as clearing is undertaken
7	Conduct an audit on the implementation of the IAP Management Plan.	Annually, by end of June

4.2.2 Flora

'Natural vegetation is the visual expression of the environment, it is a product of the action of environmental factors over time and hence can be a valuable indicator of potential productivity of ecosystems' (Bayer, 1970).

Table 4: Guidelines for flora conservation

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
8	Institute research to verify existing botany reports and assessments pertaining to the vegetation types that occur in the Paradyskloof NA.	Once the vegetation has recovered to the extent that a reliable information can be gathered and conclusions can be drawn
9	Ground-truth and update the CBA status of all parts of the nature area in cooperation with Cape Nature and SANBI.	On availability of Cape Nature and SANBI.
10	Institute scheduled research and monitoring to determine the recurrence of species.	Annually
11	Prevent the non-sustainable harvesting of plants used as traditional medicines dedicated training and education of local people, law enforcement and monitoring.	Annually. Efficiency of strategies to be audited

The introduction of non-endemic species to the Paradyskloof NA is forbidden. The fringes of the area, especially along the edge of the urban area and household gardens, must be monitored in this regard.

4.2.3 Fauna

Biodiversity conservation essentially means conserving all the elements ('parts') of the natural environment. The mix of species in an ecosystem enables that system both to *provide* a flow of ecosystem services under given environmental conditions, and to *maintain* that flow if environmental conditions change.

The loss of biodiversity, therefore, limits the resilience of the affected ecosystem, which in turn, may have direct negative economic implications. Therefore, in order to promote biodiversity conservation in the NA it is imperative that the conservation of the faunal component receives appropriate attention.

Table 5: Guidelines for fauna conservation

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
12	Continually monitor and record occurrence of wildlife.	On-going
13	Prevent all forms of unnatural predation through on-going education and law enforcement.	On-going

4.2.4 Soil

Former and current land-uses resulted in loss of topsoil in places within the NA. Appropriate measures must be taken to protect areas susceptible to erosion by installing all the necessary temporary and permanent drainage works as soon as possible. Steep slopes and other areas prone to erosion must be maintained or restored according to the following guidelines:

- a) Warning signage displaying NO ENTRY, must be installed on all roads, trails or walkways that are permanently or temporarily closed. Physical barriers, using local natural material, may be constructed where NO ENTRY signs are not respected to prevent users from accessing such roads, trails or walkways.
- b) Existing erosion areas must be back-filled (using on-site material), compacted and restored to a proper condition.
- c) Roads, trails or walkways, permanently closed for use, must be:
 - i) ploughed,
 - ii) the top soil scarified (to make sure that no downhill trenches or drainage lines are created),
 - iii) water diversion walls created by hand at a distance of 10 metres apart (depending on the slope) leading 5 metres into the natural vegetation,
 - iv) and revegetated by either soughing or transplanting appropriate material.
- d) Areas, where the above measures are not sufficient, must be logged, parallel to the contour in order to prevent further soil erosion. Logs must be laid in lines 15 metres apart, depending on the slope (the steeper the slope the closer the barriers must be laid to each other). Logs must be secured by means of steel pegs hammered through a drilled hole on each end of the log (logs longer than 2 metre must be secured by an additional steel peg through the middle of the log). Where logs are laid across a road, the log must be laid up to a minimum of 1 meter past the edge of the road.
- e) Roads (to stay in use) must be graded to have a slight gradient to the inside (up-hill) (refer to Figure 14). A drainage ditch must be created on the inside of the road. Gravel humps must be created at an angle across roads to drain water from the road surface into to the drainage ditch. At selected locations (depending on the slope) furrows must be created across the roads surface to discharge the water collected in the drainage ditch. The guiding principle behind the creation of a drainage ditch and discharge furrows is to not allow water to reach a speed at which it will create erosion. After a rain event all roads must be inspected to determine if any maintenance is required.
- f) Erosion sites on bicycle tracks and walking trails must be logged following the contours and spaced vertically 0.8-1.2 m apart, depending on the steepness of the slope.
- g) Logs must be untreated pine (or gum) poles of not less than 150 mm with a taper of not more than 75 mm over its length.

- h) Cut and fill slopes will be shaped and trimmed to approximate the natural condition and contours as closely as possible and be undulating. Levels, incongruous to the surrounding landscape, will be reshaped using a grader and other earthmoving equipment.

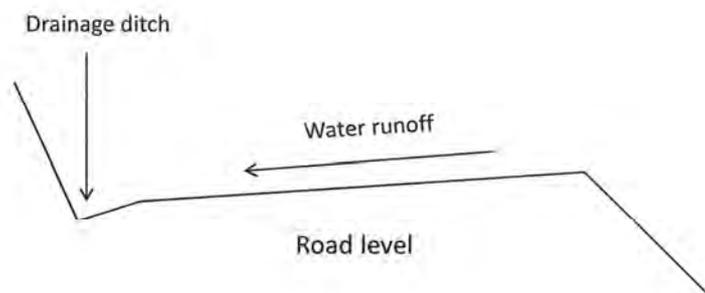


Figure 14: Road surface slope with a drainage ditch

Table 6: Guidelines for the conservation of soils

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
14	Restore erosion sites in accordance with the guidelines above.	On-going Quarterly photographic monitoring at fixed points Annual auditing
15	Inspect drainage ditches on all roads after exceptional rain event to determine whether maintenance is required.	On-going
16	Implement preventative measures on potential erosion sites. All roads and tracks, used or closed, are considered potential erosion sites.	On-going Quarterly photographic monitoring at fixed points Annual auditing
17	Prevent overuse of routes and sites susceptible to erosion through appropriate signage.	Monthly site inspection

4.2.5 Water

The role and potential impact of Paradyskloof NA seems negligible when considered against the scale of the catchment as a whole. The area is, however, vital components of the catchment and should be managed accordingly.

Table 7: Guidelines for managing Paradyskloof NA as part of the Eerste River catchment

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
18	Remove all forms of pollution.	On-going
19	Manage invasive alien plants in terms of the Stellenbosch IAP Management Plan (2017).	On-going

4.2.6 Fire

The Paradyskloof NA is susceptible to fire due to activities on the property as well as land uses on adjoining properties. Any fire management regime must therefore provide innovative measures to combat the occurrence and spread of wild fires. The overarching fire management goals as it pertains to the Paradyskloof NA are to:

- a) Protect people and property.
- b) Protect natural and cultural resources from undesirable effects of fire.
- c) Suppress unwanted fire.
- d) Allow fire to assume its natural role in the ecosystem.
- e) Manage fire cooperatively with neighbouring land owners and other stakeholders.

The fire management regime of the NA is premised upon the following risk management strategies:

Table 8: Fire management strategies

Management Strategies	Guidelines
a) Avoiding the risk	Prohibiting high-risk human activities in close proximity to the NA.
b) Reducing the hazard	Prescribed burning, preparation of firebreaks or manual clearing of fire hazards as well as regular inspections.
c) Reducing ignitions	Education and awareness programs, fire bans, reduction in activities during high-risk season or periods, efficient ignition investigation.
d) Reducing consequences	Contingency plans, community education programs for self-protection (lives and property), and building restrictions and standards for areas prone to veld fires.
e) Implementing an innovative artificial burning regime	Such regime and associated practices are to reduce the risk of wild fires spreading and causing extensive ecological and financial damage. Such artificial regime implies the creation of a mosaic of veld ages that will enhance the capacity of the area to and maintain its ecological functioning.

This EMP builds on the recognition that the threat of fires to the Paradyskloof NA and the relevant reasons for such threat are unique. Due to surrounding land uses and human behaviour wild fires will probably not be prevented through any measures taken. The solution lies in a combination of options (a), (b) and (c) above.

It is important to understand the basics of fire before preparation can be made for efficient control thereof. It is essential to note that three environmental components are required for a fire to occur. These are oxygen, heat and fuel (refer to Figure 15). Whilst the atmosphere contains 21% oxygen, only 16% oxygen needs to be in the air for a fire to start. Fuel is any living or dead material that will burn. If ignition occurs in the situation or environment where all three elements are present combustion will result and a fire will continue to burn until one of the three elements are removed. It is difficult to exclude oxygen from fires. Heat is considered a constant. However, a reduction in fuel will reduce the total energy output (refer to Figure 16). Fuel or more specifically the amount of fuel is the aspect that can be influenced most. It therefore becomes the most critical factor in the prevention and control of fire.

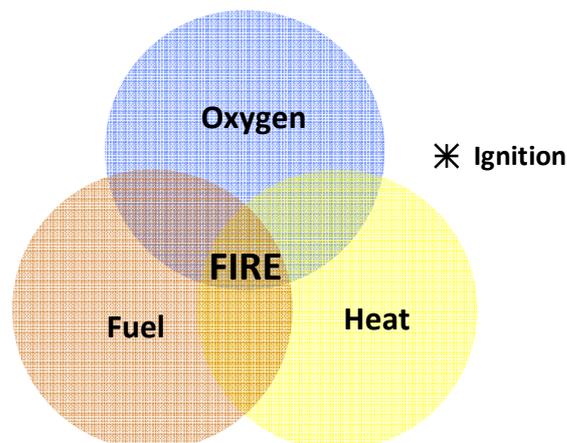


Figure 15: Basic elements of fire

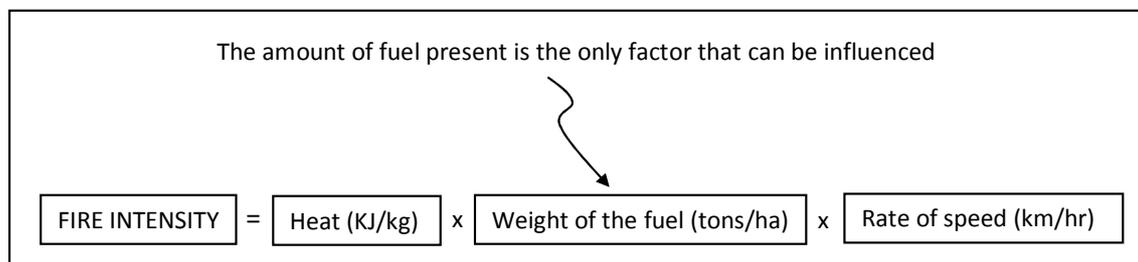


Figure 16: The factors determining the intensity of fire

Two ways of reducing the fuel load are alien vegetation clearing or control and the establishment and maintenance of firebreaks.

4.2.6.1 Alien Clearing

Invasive alien plants are characterised by being able to reproduce rapidly in their new environments, and this is usually due to a combination of factors, including:

- A lack of natural enemies in the new environment
- Resistance to local diseases and other plant pathogens
- Highly competitive growth and colonising strategies that provide them with a competitive edge, and an ability to out-grow local indigenous plants

Invasive alien plants can significantly alter the composition, structure and functionality of ecosystems and increase the fuel load for fires. They degrade the productive potential of the land, intensify the damage caused by veld fires and flooding, increase soil erosion, and impact on the health of rivers and estuaries.

4.2.6.2 Firebreaks

Fire breaks are cleared paths which will prevent the spread of fire by removing the fuel from the fire path. Section 12 of the National Veld and Forest Fire Act *stipulates that every owner on whose land a veldfire may start or burn or from whose land it may spread must prepare and maintain a firebreak on his or her boundary between his or her land and any adjoining land.* In terms of Section 13 of the Act above a landowner is obliged to prepare and maintain a firebreak, with due regard to the weather, climate, terrain and vegetation. The firebreak must:

- be wide enough and long enough to have a reasonable chance of preventing a veldfire from spreading to or from the neighbouring land,
- not cause soil erosion, and must
- be reasonably free of inflammable material capable of carrying a veldfire across it.

In terms of Section 16 of the National Veld and Forest Fire Act the right or duty to prepare and maintain a firebreak prevails over any other prohibition in any other law on the cutting, disturbance, damage, destruction or removal of any plant or tree, except the owner must where possible, transplant any plant which is protected in terms of any law or where it is safe and feasible, position the firebreak so as to avoid such plant or tree.

A fire break is a means of access for personnel and equipment, to serve as a control line and to serve as a line from where a fire can be attacked from, for example by setting a backburn. The firebreaks are to be linked to access roads, thereby reducing the areas requiring preparation and increasing accessibility to the various sites. Locations where firebreaks are required vary. Individual circumstances will determine what type, width and length will be applicable. When constructing firebreaks it is important that all vegetation cover is removed and that only rocks and soil (minerals) are exposed. A fire can travel very slowly through the grass roots or decayed vegetation and great care must be taken to ensure that minimal earth is exposed throughout the length and width of the break. The following factors must be taken into account with the construction of firebreaks.

- Access: The placement of firebreaks on a slope must be determined by access to the break.
- Slope: Slope is the steepness of the land and has the greatest influence on fire behaviour. The steepness of the slope affects both the rate and direction of the fire spread. Fires usually move faster uphill than downhill and the steeper the slope, the faster the fire will move. This is because:
 - on the uphill side, the flames are closer to the fuel;
 - the fuels become drier and ignite more quickly than if on the level ground;
 - wind currents are normally uphill and this tends to push heat flames into new fuels;
 - convected heat rises along the slope causes a draft which further increases the rate of spread; and
 - burning embers and chunks of fuel may roll downhill into unburned fuels, increasing spread and starting new fires.
- Aspect: Aspect is the direction the land faces - north, south, east or west. The aspect of a slope influences a fire's behaviour in several ways:
 - southern aspects receive more direct heat from the sun, drying both the soil and the vegetation;
 - fuels are usually drier and less dense on southern slopes than fuels on northern slopes;
 - heating by the sun also causes earlier and stronger slope winds; and

- on south-facing slopes, there will normally be higher temperatures, stronger winds, lower humidities, and lower fuel moistures.
- Terrain: *Terrain* or special land features may control wind flow in a relatively large area. Wind flows like water in a stream and will try to follow the path of least resistance. Ridges, trees, and rocks may alter wind flow and cause turbulence or eddies to form on the windward side of obstructions. Also, when wind flows through a restriction, such as a narrow canyon, it increases in strength. Wind movement can be critical in chutes or steep v-drainages. These terrain features create a chimney effect, causing a forced draft, as in a stove chimney. Fires in these chutes or drainages spread quickly and are dangerous.
- Elevation
- Vegetation type
- Moisture content
- Size and shape of material.
- Volume and area covered.
- Fuel content (breaks alignment should avoid heavy fuel concentrations and be situated in areas with the lightest fuels possible).
- Wind direction (internal belts should as far a possible run parallel with the prevailing winds).
- Spotting distance.
- Firebreaks should be anchored, iether to a natural barrier, road or another firebreak.
- Natural or existing barriers like roads, paths, streams, lakes, vleis, rivers, rock outcrops, or any other break in fuel should be utilise as far as possible.

There are four methods of preparing a firebreak and proper consideration should be given to each before commencing the preparation of a firebreak.

- Manual: Preparing a firebreak manually involves the utilisation of a team of workers working in a planned manner using manual tools.
- Burning: After deciding where the belt is to go, an adequate tracer is cut around the entire belt, and then the belt itself is burnt. This is the most common form of preparing a firebreak.
- Ploughing/brushcutting: Ploughing/brushcutting with a tractor is a common method of constructing breaks where the vegetation is low or has been previously removed. The positive thing with brushcutting is that the roots are not destroyed and this will assist in reducing erosion on these breaks. Bushcut material should be removed two months after cutting, and mulched at a organic dump.
- Application of herbicide: With this method herbicide is used to kill off all the plant growth in the firebreak.

Firebreaks currently being maintaind in and around Paradyskloof NA exist along the edge of Brandwacht- and Paradyskloof neighbourhoods, towards the north of the area as well as a firebreak between the old forestry section and the eastern mountain slopes (Figure 17).

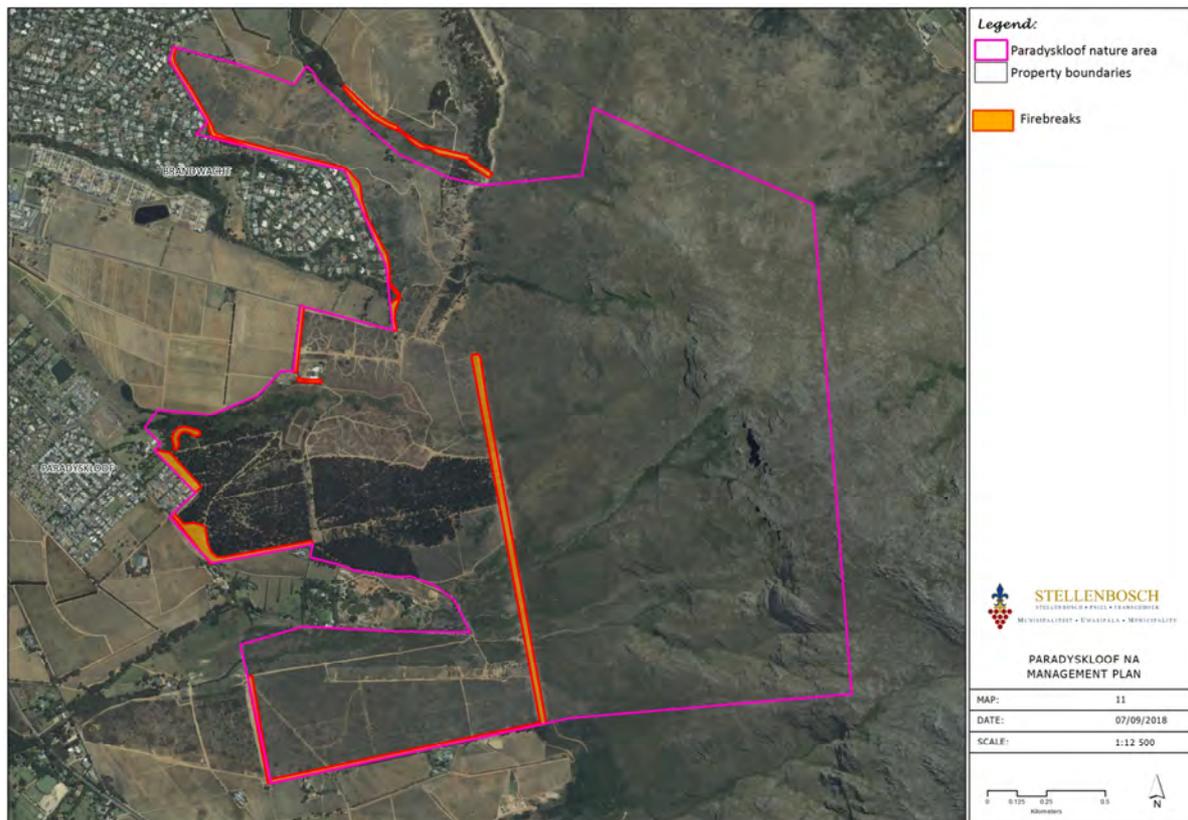


Figure 17: Firebreaks in and around Paradyskloof NA

Table 9: Guidelines for management of fire within the Paradyskloof NA

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
20	Maintain the existing firebreaks.	Annually Completed by end October
21	Conduct inspection of the area along with a representative of the local fire protection association to identify the need for additional firebreaks.	Immediately
22	Prepare firebreaks as required.	Completed by end October
23	Prepare and maintain a register of veld fires including the extent and date.	Compliance audited annually

4.3 LAND USE MANAGEMENT

4.3.1 Management / Use Areas

Chapter 3.5 above lists the main uses of the Paradyskloof NA. Because the area has such a spectrum of uses and comprises an area with variable degrees of degradation, ecological importance and topographical characteristics, a uniform set of management principles and rules for utilisation of the area is not feasible. The area must be retained as a public resource, used for recreational purposes on a daily basis whilst the environmental integrity of the area is protect at the same time.

The management and use of the Paradyskloof NA is therefore predribed by way of defining the areas within which the various activities or use is allowed within. Table 10 below describes the various areas depicted by Figure 18. The various areas and uses are informed by existing infrastructure and use as well as the information contained in the Western Cape Biodiversity Spatial Plan.

Table 10: Paradyskloof NA Management / Use Areas

Area	DEFINITION
Conservation 1	Areas proclaimed as protected areas under national or provincial legislation. User activities with minimal impact allowed in these areas.
Use	<ul style="list-style-type: none"> • Research • Hiking • Trail-running
Conservation 2	Areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. User activities with minimal impact allowed in these areas.
Use	<ul style="list-style-type: none"> • Research • Hiking • Dog-walking • Trail-running • Mountain-biking on defined routes
Rehabilitation	Areas in a degraded condition to be rehabilitated.
Use	<ul style="list-style-type: none"> • Research • Hiking • Dog-walking • Trail-running • Mountain-biking on defined routes • Approved events
Recreation	Infrastructure for recreational use.
Use	<ul style="list-style-type: none"> • Hiking • Dog-walking • Trail-running • Mountain-biking • Approved events • Film-shoots
Utility	Areas that contains municipal infrastructure.
Forestry	Existing pine forest to be maintained as such and potentially harvested harvested.

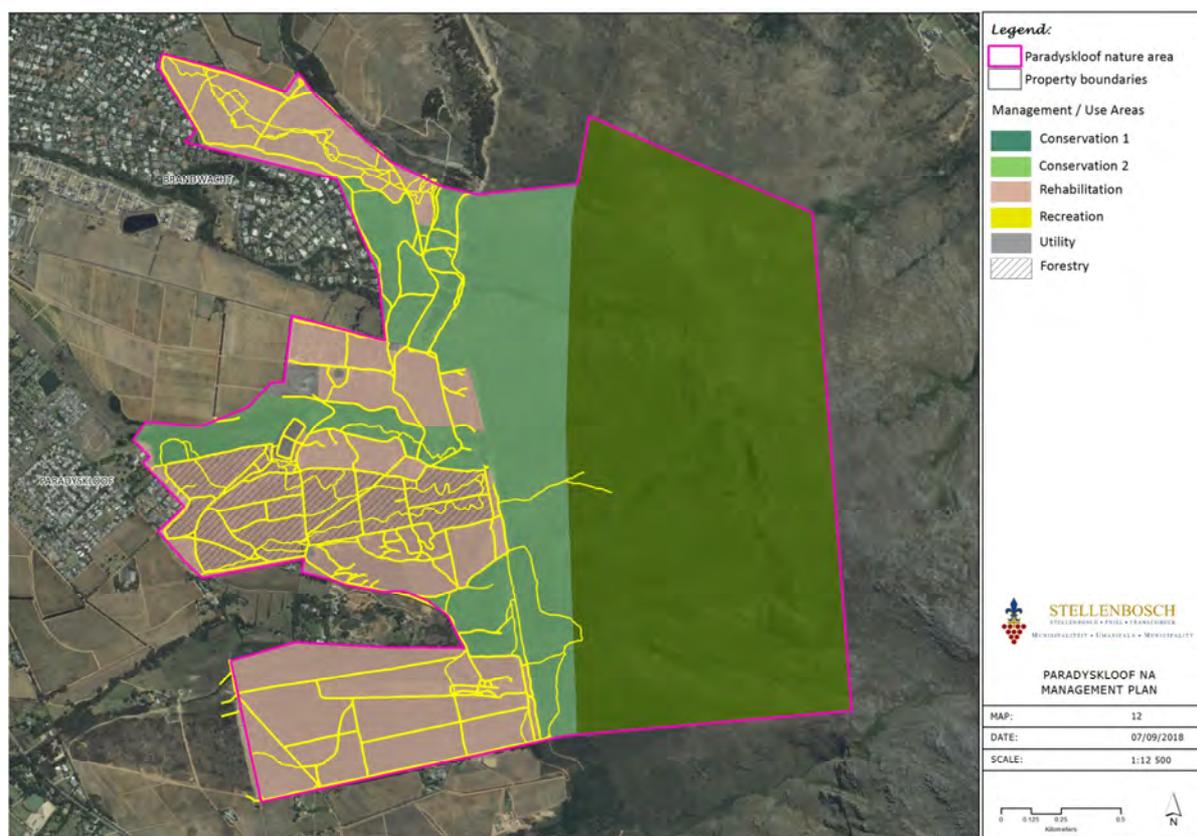


Figure 18: Paradyskloof NA Management / Use Areas

Table 11: Guidelines for management of the Paradyskloof NA Management / Use Areas

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
24	Investigate formally declaring the Paradyskloof NA as a nature reserve.	Immediately after EMP approval
25	Communicate the applicable use areas and associated appropriate activities through signage at the NA entrances and on-site.	Immediately after EMP approval
26	Conserve and protect Conservation 1 and 2 areas.	Audited
27	Inspect Recreation Areas to assess the impact of use and degradation.	Annually
28	Implement necessary rehabilitation works where required.	Ongoing
29	Investigate the possible utilisation / harvesting of the existing pine plantation or part thereof.	Immediately after EMP approval

4.3.2 Clubhouse

Stellenbosch Municipality has recently refurbished the clubhouse situated within the Paradyskloof NA (shown on Figure 11 above). The facility is intended to be used for municipal meetings and functions and to serve as an educational centre. The facility may be used for alternative uses following an application process. Managed correctly this facility can add immense value to the Paradyskloof NA by way of drawing visitors to the area and providing income that can contribute to the management of the area.

Various risks or challenges associated with the facility include the following:

- i) Use of the facility may become a source of nuisance for users of the area or neighbouring landowners if permitted uses is not defined and managed.
- ii) Use of the facility may become a source of pollution.
- iii) The facility and use thereof presents a fire risk.
- iv) The facility runs the risk of becoming delapidated or a financial burden if not managed correctly or used to its full potential.

The following set of rules must be implemented in order to adress the above risks / challenges:

- a) An official application for use of the clubhouse must be submitted to the Department: Community Services at least ten (10) working days before the proposed event.
- b) Use of the clubhouse must be approved by the Department: Community Services at least five (5) working days before the proposed event.
- c) Conditions set by the Department: Community Services must at all times be complied with.
- d) The applicant, deemed as the private person or the representative of the organisation which is applying to host the event at the clubhouse, is responsible for enforcing all the conditions set for the event and general laws, by-laws and rules applying to the surrounding nature area.
- e) The applicant assumes liability for any loss or damage occasioned during the event, with respect to both the event participants and municipal property.
- f) Fire is only allowed in designated areas and if approved by the Department: Community Services.
- g) Access for public users of the clubhouse may only by gained from the designated access gate.
- h) A maximum of 10 vehicles are allowed to enter the premises to attend a event held at the clubhouse. If the amount of guests attending an event require more than the allowed 10 vehicle access arrangement must be made for the additional guest to be transported from the access gate up to the clubhouse.
- i) Apart from access and unless the required permission is gained an event's activities is restricted to the clubhouse precinct.

Table 12: Guidelines for management and use of the Paradyskloof NA clubhouse

REF –NR	ACTIONS/IMPLEMENTATION	TIME FRAME
30	Maintain the clubhouse in good order.	Immediately Ongoing
31	Maintain a 15 meter cleared area around the clubhouse to act as a firebreak. This area is to be kept clear of any form of biomass.	Immediately Ongoing
32	Investigate / explore alternative uses for the clubhouse.	Immediately after EMP approval
33	Conduct inspection of the clubhouse following each event / function.	Ongoing
34	Consider each event or function in terms of the applicable event / function criteria.	Ongoing
35	Investigate the feasibility of entering into a lease agreement with a private entity or organisation to occupy a portion of the facility.	Immediately

4.3.3 Recreational Use

A primary function of the Paradyskloof NA is to enhance the well-being of the people of Stellenbosch and those visiting the area. Accordingly, the NA has an important role, namely to provide the foundation for recreational and tourism opportunities which are environmentally compatible. Chapter 3.5 above lists the range of outdoor- or recreational activities Paradyskloof NA is utilised for.

Rules applicable to the recreational use of the area are:

- a) Entry and use is at a person's own risk. Stellenbosch Municipality and/or its employees shall not be liable for any damage, loss, theft, injury, accident or death suffered by any person, howsoever caused.
- b) No lighting of fires (except in the event that approval has been granted by the Department: Community Services as part of an event).
- c) No smoking.
- d) Only approved / designated roads, trails or tracks may be used. The construction or clearing of new roads, trails or tracks are prohibited.
- e) Public vehicle / motorised access to the area is prohibited unless authorised.
- f) Visitors to comply to all signage including access signage and route markers.
- g) Any user of the area utilising the area for cycling, hiking or any other permitted activity must be equipped with the necessary safety gear and equipment.
- h) All users must utilize the area in a manner that considers the enjoyment and safety of other users.
- i) Various routes (roads, tracks or trails) may exclude particular activities such as cycling. In such cases where a route is temporarily closed for rehabilitation or maintenance, or permanently excludes a particular use, appropriate signage will be installed to communicate such information which must be adhered to as in (f) above.

Table 13: Guidelines for management of recreational use of the Paradyskloof NA

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
36	Audit all roads, trails and tracks and update maps accordingly. Decide on the appropriate use (or decommissioning / rehabilitation) thereof and install appropriate signage.	Immediately after EMP approval
37	Maintain existing roads, trails and tracks to be fit for recreational use.	Ongoing
38	Inspect roads, trails and tracks to be fit for recreational use.	Monthly during summer or after heavy rain events. Weekly during summer.
39	Repair damaged roads, trails and tracks.	Ongoing
40	Close routes that require maintenance or rehabilitation and are not deemed to be safe for recreational use by installing appropriate signage and access barriers.	Ongoing
41	Inspect and maintain signage and route markers throughout the area.	Monthly

4.3.4 Access Control

Chapter 3.6 above lists access control, or the lack thereof, as one of the main threats to the management of the area influencing secondary threats such as the security of the area, vandalism and fire. Existing access control is inadequate and must be addressed. Access control requires that the perimeter of the area is secure and access regulated.

Table 14: Guidelines for management access control

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
42	Audit existing accesspoints to the NA.	Immediately and ongoing
43	Audit existing access control infrastructure.	Immediately
44	Audit existing locks and ownership of keys.	Ongoing
45	Keep a register of key-holders.	Ongoing
46	Investigate the financial aspects of manned access control at the Paradyskloof main gate.	Immediately
47	Investigate the financial aspects fencing the area.	Immediately
48	Deploy additional staff with direct communication with law enforcement to monitor the area.	Immediately and ongoing
49	Liaise with municipal law enforcement, private security, local Whatsapp or email groups and the municipal courts to improve reporting and conviction of offences.	Immediately and ongoing

4.3.5 Municipal Infrastructure

As described in Chapter 3.4 above the Paradyskloof NA houses various municipal infrastructure. It is important that the Municipality are able to access, maintain and effect required improvements to these infrastructure. Although the importance of these works can not be underestimated it must be planned and executed in a manner that has the least possible impact on the area.

Table 15: Guidelines for management of municipal infrastructure

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
50	Maintain all infrastructure in good working order.	Ongoing
51	Development proposals or plans for maintenance work within the Paradyskloof NA to be circulated to the Department: Community Services for input.	Ongoing

4.3.6 Events

As mentioned in Chapter 4.3.3 (Recreation) above the Paradyskloof NA is an important resource used for spiritual, scientific, educational, recreational and tourism opportunities. Stellenbosch Municipality receives various applications for events in Paradyskloof NA for consideration. It is the Municipality's responsibility to ensure that such events are compatible with the area of Paradyskloof NA, that such an event does not present a threat or impact to the area that can not be avoided or mitigated and that the area can ultimately benefit from such an event.

In order to give effect to the potential of the Paradyskloof NA in this regard events must be used as a way to create a strong element of ecological and cultural awareness with event organisers and participants in order to ensure environmental sustainability. The following applies to events in Paradyskloof NA:

- (i) Events are to be held in a manner that has the least possible negative environmental impact.
- (ii) Event applications must be submitted timeously for consideration, preferably 90 day prior to such an event.
- (iii) Potential effects of an event must be considered by the municipality and an approval granted only if the potential impact of such an event is considered to be acceptable or is of such a nature that the likely impacts can be avoided and/or mitigated.
- (iv) The applicant applying for an event license is to provide a scope of the proposed event activities, an assessment of the likely environmental impacts of such activities, recommended mitigation measures to be implemented and the degree to which the proposed mitigation measures are expected to address the identified environmental impacts.
- (v) An application for an event in a nature area is to be circulated to the relevant municipal department tasked with the management of such an area for consideration, comment and the provision of conditions before a decision for the granting/refusal of an event license is made.
- (vi) An applicant may be liable for an application fee, the criteria of which have been approved by the Council of Stellenbosch Municipality.
- (vii) An event license granted is only valid upon acceptance of the set conditions for the hosting of the particular event and payment made of the application fee by the event organizer.
- (viii) Unless specified otherwise, the event organizer assumes responsibility for the event's compliance to conditions imposed during the granting of an event permit.
- (ix) The event organizer is responsible for any rehabilitation to a nature area damaged or degraded during an event. The scope of such rehabilitation work will be the restoration of an area to the state prior the hosting of the relevant event.
- (x) In the event that rehabilitation work is required the municipality may direct an event organizer to investigate, evaluate and assess the impact of specific activities and report thereon and to complete rehabilitation measures before a specified reasonable date.

Table 16: Guidelines for events in the Paradyskloof NA

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
52	Consider all events in the area in terms of the above criteria.	Ongoing
53	Development a set of application fees for submission to Council.	Immediately after EMP approval

4.3.7 Development

It is imperative that the integrity of the Paradyskloof NA be protected through appropriate planning and management intervention. Accordingly any physical development in the Paradyskloof NA is to be planned and implemented to have the least possible impact and to have any such impact mitigated.

Table 17: Guidelines for development

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
54	Development proposals within the Paradyskloof NA to be circulated to the	Ongoing

	Department: Community Services for comment.	
55	Investigate the inclusion of other (adjoining) land into the Paradyskloof NA.	Ongoing

4.4 ENVIRONMENTAL AUDITING

This EMP builds upon the notion that uncertainty (or lack of knowledge) about the status and function of ecosystems can be addressed in an *adaptive management strategy* - an approach that relies on continual assessment and adjustment. Although repeated revision of management decisions is at the core of adaptive management, this does not threaten resource security, rather it provides for sustainability of resource use. Threats to resource security can be minimised if management objectives are set clearly. In addition, adaptive management will reduce the sort of pressure that stymies action because initial choices are not viewed as final. The dimension of continual improvement is embodied in adaptive management. Continual improvement is defined as the process of enhancing management actions to achieve improvements in overall performance (i.e. remaining dynamic). It is achieved by continually evaluating environmental performance against set environmental policies, objectives and targets with the purpose of identifying opportunities for improvement. Accordingly, the Paradyskloof NA EMP is a dynamic document which is subject to updating and amendment in accordance with the results of monitoring and auditing and the outcomes of on-going scientific research.

4.4.1 Auditing Strategies

Table 18: Auditing actions

REF -NR	ACTIONS/IMPLEMENTATION	TIME FRAME
56	Audit all documented impacts of management actions on the environment.	Annually in October
57	Implement procedures for handling incidents of non-conformance with the EMP.	Annually in October
58	Manage environmental records, including the results of audits and reviews.	Immediately after EMP approval
59	Submit audit report to the Municipality.	Annually in October

4.4.2 Auditing Procedures

The environment audit to be undertaken is a methodical examination of the site's environmental information to verify whether, and to what extent, the management actions have complied with set performance criteria. The review of the EMP on a five-year basis is based upon the results of the environmental audits the objective being to ensure its continuing appropriateness and effectiveness.

The environmental audit consists of three stages, namely *pre-audit*, *on-site audit* and *post-audit*. Pre-audit includes the administrative issues associated with planning the audit, selecting the institution to conduct the audit, and preparing the audit protocol. The main purpose of the pre-audit stage will be to develop an audit plan, based on the most recent information and the results of the previous year's audit. The audit plan must also address where the audit is to be conducted, what the scope and objectives of the audit are, how the audit will be conducted (keeping in mind that the results of the audit must be comparable to previous year's audit results), and when the audit is to be conducted.

The on-site audit involves the recording of required information. The audit team gathers information by observation, conducting photographic studies, taking measurements, and conducting tests as was determined during the pre-audit stage. During the on-site audit stage the strength and weaknesses of the methods of information gathering must be evaluated in order to determine whether the process of auditing is effective in achieving its goal. In keeping with the adaptive management approach, the auditing process must also be looking for continual improvement. All the information obtained is recorded and a comprehensive record of the audit and the state of affairs produced.

The audit report is completed during the post-audit stage. Such report will reflect previous results, current results, and recommended improvement goals. The audit report will also indicate failures or deficiencies and recommendations for corrective actions.

4.4.3 Environmental Indicators

Table 19: Environmental Indicators for the auditing process (*Environmental Indicators for National State of the Environment Reporting* [DEAT, 2002]).

ENVIRONMENTAL MANAGEMENT	
Environmental Management	EM01 – Multilateral environmental agreements EM02 – Budgetary allocation to natural resource management EM03 – Budgetary allocation to environmental education EM04 – Budgetary allocation to environmental research EM08 – Voluntary use of environmental accounting and reporting EM10 – Environmental reporting by the Municipality
BIODIVERSITY & NATURAL HERITAGE	
Species Diversity	BD01 – Threatened and extinct species per taxonomic group BD02 – Endemic species per taxonomic group BD03 – Alien (non-indigenous) species per taxonomic group BD04 – Population trends of selected species BD05 – Distribution and abundance of selected alien species
Habitat Change	BD06 – Extent of conserved area BD08 – Disturbance regimes: fire frequency
Resource Value	BD11 – Contribution to job creation: eradication of alien species
LAND USE	
Land Use	LU01 – Land cover LU02 – Land productivity vs potential
Land Condition	LU03 – Soil loss LU04 – Land degradation

5 VALIDITY

The Paradyskloof NA EMP is based upon and aims to give effect to a long-term vision for the area which is not subject to *ad hoc* or short-term amendment. However, in terms of the principle of continual improvement the EMP is subject to revision in accordance with the results of on-going monitoring and auditing to be undertaken as described in Chapter 4.4. It will be valid, in its current form, for a period of 5 years from the date approved by Council of Stellenbosch Municipality after which comprehensive revision has to be considered.

Within this period addition or amendments to the EMP can be considered as approved by the established Friends of the Paradyskloof NA. These additions or amendments will be added to the document as addendums before being included in the document on revision. Examples of such addendums may includedocuments such as:

- a) Updated maps,
- b) Founding documentation on the proposed “Friends of the Paradyskloof NA”,
- c) Updated rules on access, use of the NA or Clubhouse, etc.

6 CONCLUSION

The Paradyskloof NA EMP is a mechanism intended to facilitate the achievement of the vision set for the area. The EMP and its associated processes of community participation, education and performance auditing presents an opportunity for all concerned to participate in the long-term management of the area for the benefit of the current and future generations. The implementation of the EMP presents the first step in such process. This document should therefore not be seen as a final product, but rather as a step towards the implementation of integrated bioregional planning as *‘an organised process that enables people to work together, think carefully about the potential and problems of their region, set goals and objectives, define activities, implement projects, take actions agreed upon by the communities, evaluate progress and refine their approach’*.

ANNEXURE B



STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Receipt of documentation:

Draft Paradyskloof Nature Area Environmental Management Plan

(September 2018)

1 x copy

for public comment until 31 January 2019, are herewith acknowledged on behalf of Stellenbosch Library.

B. Mangele
.....

NAME *BULELWA MANGELE*
.....

DATE *20 NOVEMBER 2018*
.....



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Receipt of documentation:

Draft Paradyskloof Nature Area Environmental Management Plan

(September 2018)

1 x copy

for public comment until 31 January 2019, are herewith acknowledged on behalf of Jamestown Library.

NAME.....

Mrs. M. C. Jethas

DATE.....

2018/11/20



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DRAFT PARADYSKLOOF NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN

Notice is herewith given of the draft Paradyskloof Nature Area Environmental Management Plan for comment.

The document is available on the municipal website (<https://www.stellenbosch.gov.za>). Copies are available at the Municipal Advice Centre in Stellenbosch (municipal offices, Plein Street, Stellenbosch) as well as Plein Street and Jamestown library.

Comment on the document must be submitted in writing to Schalk van der Merwe, PO Box 17, Stellenbosch, 7599, faxed to 021 887 7446 or mailed to schalk.vandermerwe@stellenbosch.gov.za. The closing date for receipt of comment is 31 January 2019.

KONSEP OMGEWINGSBESTUURSPLAN VIR PARADYSKLOOF NATUURAREA

Kennis geskied hiermee van die beskikbaarheid van die konsep Omgewingsbestuursplan vir Paradyskloof Natuurarea vir kommentaar.

Die dokument is beskikbaar op die munisipale webtuiste (<https://www.stellenbosch.gov.za>). Afskrifte is beskikbaar by die munisipale Advieskantoor te Stellenbosch (munisipale kantore, Pleinstraat, Stellenbosch) asook Pleinstraat- en Jamestown biblioteek.

Skriftelike kommentaar op die dokument kan gerig word aan Schalk van der Merwe, Posbus 17, Stellenbosch, 7599, gefaks word na 021 887 7446 of per e-pos gestuur word aan schalk.vandermerwe@stellenbosch.gov.za. Die sluitingsdatum vir die ontvang van kommentaar is 31 Januarie 2019.

ETREKSTAD NIEUWS 15 NOVEMBER 2018

ANNEXURE C

e-mail 13/11/2018

Dankie Rikus

'n Deeglike dokument.

Ek merk egter dat daar nêrens in die dokument verwys word na of spesifiek omgegaan word met een van die grootste bedreigings vir die area nie:

1. Die mens(e) wat dan nie optree in ooreenstemming met dit wat die dokument ten doel stel nie. Meer spesifiek die leegleërs, haweloses, bergies, bosslapers en ook houtkappers wat vrye toegang het en op 'n daaglikse basis, m.a.w. permanent hier woon. Die area in Figuur 10: Critical Biodiversity Area 2 spesifiek is waar die meeste aktiwiteite plaasvind. Vure word van tyd tot tyd gemaak wat die situasie vererger.
2. Verder, as bogenoemde element nie dringend, ernstig en deurlopend aangespreek word nie kan dit baie maklik lei tot groter getalle mense wat hulle intrek neem. Ons het onlangs ervaar hoe vinnig dit kan plaasvind en dat daar dan weinig tot geen beheer is nie. Daarom die belangrikheid om, binne die bestaande raamwerk / riglyne en wette (ingesluit by-laws), hierdie kritiese probleem te adresseer.

Hiermee dan bevestiging van ons versoek gedateer 29 Oktober 2018 om daadwerklik op te tree om hierdie onwelkome element te hanteer:

- Tekens en borde (signage) by alle ingange moet spoedig moontlik hersien en opgedateer word sodat elke gebruiker bewus is van wat mag en nie mag plaasvind nie (oornag / kampeer / tent opslaan / huis bou in die gebied word nie spesifiek op enige bord verbied nie en daarom is elkeen vry om permanent hier in te trek soos tans die geval is)
- Met die in plek, 'n aksieplan tussen Wetstoepassing en ander beskikbare magte bv. SAP / Buurtweg / Sekuriteits-maatskappye / inwoners om daadwerklik op te tree en die onwettige elemente te hanteer.

Ons sien uit na 'n Bos wat volgens die visie bestuur en beskerm word om as 'n funksionele en veilige area voort te bestaan vir die groter gemeenskap.





PARADYSKLOOF ROAD/WEG, PARAYSKLOOF, STELLENBOSCH 7600
 TEL 021 880 1393 FAX/FAKS 0862451721 EMAIL/EPOS: villas@adept.co.za

Comment on Consultative Draft Paradyskloof Nature Area: Environmental Management Plan

On 14 August the Trustees of Paradyskloof Villas, Erf 1296, Paradyskloof Road, Paradyskloof, decided the following:

Decision:

1. The Stellenbosch Municipality was congratulated on their initiative to compile an Environmental Management Plan for the Paradyskloof Nature Area.
2. Appreciation was expressed to the Department Community Services, and its Nature Conversation section, for the well thought through document and plan.
3. The proposed plan is fully supported by the trustees.
4. The Paradyskloof Villas Home-owner Association welcome the formation of the "Friends of Paradyskloof NA". One of the Trustees (Mr JE Delpont) was nominated to serve as a I&AP on the Environmental Management Plan and will represent the Trustees.
5. The Trustees are of the opinion that paragraph 4.2.5 on Water, is inadequate and needs substantial improvement. One of Paradyskloof Villas main features is a dam which receives water from one of the streams originating in the Paradyskloof NA. The trustees have experienced various problems and challenges in the past and would like to participate in improving the mentioned section by including water as the most important management issues towards achieving the vision and purpose of the NA.
6. The Trustees are of opinion that Safety and Security is not adequately addressed. As you can imagine, the security of the Paradyskloof Villas (as a retirement village) is very important especially on the streamside (or east) of the village. What measures will be taken regarding prohibiting unwanted or unauthorised persons using the NA as a springboard or hiding place for various criminal activities against the NA's neighbours? Will it be fenced? Due to the cost involved it is probably too expensive. What are the other alternatives?

Signed

23/01/2019

.....
 Dr D Louw (chairman)
 Paradyskloof Villas Body Corporation

FRIENDS OF STELLENBOSCH MOUNTAIN



Chairperson: VM Steyn

084-250-9768

vms@sun.co.za

Secretary: HC Eggers

021-808-3523

egg@sun.ac.za

11 Grandiceps Rd, 7600 Stellenbosch

P.O. Box 3218, 7602 Matieland

Public Benefit Organisation No. 930049434

Comments and suggestions regarding the Draft Paradyskloof Nature Area Environmental Management Plan

31 January 2019

1 Introduction and context

- 1.1 Friends of Stellenbosch Mountain (FSM) have been actively involved in the Paradyskloof Nature Area (PNA) since inception in 2008, and individual members have been involved since 1997. FSM therefore represents an “institutional memory” over a time interval spanning several generations of officials and councillors. Such memory is particularly important in the context of the stated Stellenbosch IDP and SEMF goals of sustainability, which typically reckons in timespans of fifty years or more.
- 1.2 The scope of knowledge and actions residing in FSM is extensive and interdisciplinary, ranging from its main activity, the physical eradication of alien invasive plant species, to law enforcement, security, town and sectoral planning, advocacy and close cooperation and coordination with the relevant officials and councillors. The partnership between FSM and the Municipality represents an example of synergy between the public and private sectors.
- 1.3 The last twenty years have witnessed a significantly improved understanding of the cardinal importance of nature areas and natural processes as basis for human civilisation and of the dire need to halt the rapid degradation and destruction of these areas. This understanding is reflected in national and provincial legislation, starting with NEMA (1998); this legislation is of course mandatory for local government also. It is therefore high time that local government implements compliant and visionary plans and actions, not just in Paradyskloof, but throughout the municipal area. The Draft Paradyskloof Environmental Management Plan (EMP) is a good start and will hopefully serve as a blueprint for further nature area plans to follow.
- 1.4 These same twenty years have seen many and large changes in the PNA, some to the good, some not. During this entire period, FSM has been calling for a proper management framework for the PNA because it was all too apparent that the policy vacuum was detrimental both to the ecosystems and to the officials tasked with managing the area. A number of draft environmental management plans and suggestions were submitted over the years, including one by an Honours student of the Department of Conservation Ecology in 2013 and a draft Recreational Environmental Management Plan in 2016.

- 1.5 **FSM therefore enthusiastically welcomes the compilation of the current draft Environmental Management Plan** for Paradyskloof (EMP) and pledges to give full support to the Municipality and to cooperate with all other role players which share the common goals and principles of sustainability and rule of law.
- 1.6 While the remaining text below may often be critical of the present draft EMP, this is so only because the many areas of agreement which FSM has with the EMP are not highlighted in detail. We emphasise therefore that we support the draft and its implementation as a whole.
- 1.7 Section numbers referred to below relate to those of the draft EMP of September 2018.

2 Principles and long-term goals

- 2.1 Principles and core values are critical to good management because they provide a constant goal and direction over decades. Individual issues and actions change all the time, but the principles, values and goals do not. Because they are so important, we comment on individual words and sentences in this section.
- 2.2 We suggest that individual sections and subsections throughout the EMP refer explicitly to these principles in justifying their need or urgency. This is similar to the municipal-wide practice of putting actions into the municipal goals such as *safest valley* etc. and should be followed both in the Paradyskloof EMP and in all subsequent sectoral EMPs.
- 2.3 Currently, the **Section 1.2 (Vision)** reads: *To manage and protect the Paradyskloof NA as a functional and safe area that is recognised for its ecological and community-supporting functions.* While functionality is important, the emphasis on function and functionality can be misinterpreted in its narrow sense. In Section 1.3, the central principle is rightly stated as that of sustainability rather than functionality. We therefore suggest that the vision be slightly reworded as

*To manage and protect the Paradyskloof Nature Area as a **sustainable** and safe area which is recognised **and valued** for its **environmental integrity** and community-supporting functions.*

- 2.4 Re **Section 1.3 (Overarching Goal)**: The first paragraph in this section states that the overarching goal is to *contribute to environmental sustainability and the conservation of biodiversity as a prerequisite to the latter.* This is exactly right. We therefore suggest that the section title be changed to **1.3 The Central Principle: Sustainability**. This would also widen the scope from a *goal* to a *principle*.
- 2.5 Because of its central importance for everything that follows, the first paragraph starting with *The over-arching goal . . .* should be cast in bold face.
- 2.6 **Subsidiary principles**: Still missing from this section is a brief summary of subsidiary principles emanating from and supporting the main principle of sustainability. Four subsidiary principles, namely the Precautionary Principle, the Causal Principle, the Integration Principle and the Cooperation Principle have formed the central pillars of environmental law in Europe since the 1970s and are universally recognised as necessary preconditions for sustainability. **These principles should be explicitly set out in Section 1.3.** We provide more detail below.
- 2.7 The **Causal Principle** states that *the default responsibility for rectification or mitigation of any particular impact rests with the entity which caused such impact.* It was first formulated

by Plato more than 2300 years ago in his *Nomoi* treatise. Where the causal entity is willing and able to handle such rectification itself, there should be proper oversight to ensure that this is done in accordance with the overarching Principle of Sustainability. Where, on the other hand, the causal entity is unable or unwilling to handle the matter directly, it should be required to pay others to do so.

If, for example, the Municipality decides to widen a fire break and thereby impacts on biodiversity within that firebreak, the responsibility for transfer and/or *in situ* care of threatened plant species rests by default with the same Municipality.

While the more well-known *Polluter Pays Principle* is a subcategory of this, the Causal Principle applies not just to pollution but more generally to all impacts.

- 2.8 The **Precautionary Principle** states that *in any situation of uncertainty or ambiguity, the more cautious or conservative alternative action should be followed*. This is particularly important because the implications over long time intervals of particular actions are often unclear. For example, if it is unclear what rate of erosion results from a particular land use, standards and norms should be set and implemented which assume the fastest rate and implement corresponding measures.
- 2.9 The **Integration Principle** refers not only to the cooperation between different social bodies, but also to the integration of different physical, biological and social realities and issues pertaining to a particular geographic area. The Principle of Integration is, of course, central to local government in the form of the Integrated Development Plan. The present sections on Human Well-Being, Environmental Integrity and Economic Efficiency would be included under the heading of the Principle of Integration, along with a paragraph on the integration of different realities and issues.
- 2.10 The fourth subsidiary principle is the **Cooperation Principle**. It states that government as well as the private sector, nongovernmental organisations and science all need to be involved to ensure sustainability. Translated into the local EMP situation, the Cooperation Principle would state that successful long-term environmental management requires that norms and mechanisms should be developed which encourage (or even require) all role players to act cooperatively to achieve a common goal.
- 2.11 Finally, it should be stated explicitly that management decisions will be guided first and foremost by **scientific knowledge and insight** in, for example, the fields of ecology and fire management.

3 Timeframes and Planning Context

- 3.1 Before diving into legislation, the implications of the above principles should first be set out in a new Section 2 (so that Planning Context becomes Section 3 etc). This new Section 2 pertains to **timeframes**. Sustainability as a goal depends on a timeframe of decades, and this should be made explicitly as part of the goal. In the implementation, however, there are three other timeframes which should be spelt out explicitly also. There are therefore four timeframes:
- The fifty-year long-term timeframe of sustainability and its principles, which sets the agenda for the EMP and short-term goals and actions,
 - an envisaged five-year timeframe of the current EMP before it undergoes a major re-assessment and revision, and

- the short-term changes and actions which reflect the continual changes in the situation and conditions on the ground.
- The fourth timeframe relates to the phasing-in period of the EMP.

3.2 As set out in more detail in Section 8 below, the present version of the EMP is incomplete because it lacks important detail such as detailed route maps, which motivated the above fourth timeframe. The EMP should at this point set out that the present draft is to be promulgated on the understanding that a number of Schedules will be successively added within the fourth phasing-in timeframe which provide those important details which are currently still missing. Examples of such schedules include

- a set of maps, including recreational routes, rehabilitation maps, alien management plans
- the founding document for the Panama Forum (currently referred to as the *Friends of Paradyskloof NA* see section 5 below),
- a separate plan for the clubhouse,
- regulations and operating procedures pertaining to finances, security etc

3.3 If as suggested the timeframes are set out properly in a new Section 1.3.3, this replaces Section 5 (**Validity**) which thereby becomes unnecessary.

4 Legislative environment

4.1 Re **Section 2: Planning Context**: the discussion of national, provincial and local government legislation and policy is very important.

4.2 The **Cape Winelands Biosphere Reserve SDP of 2009** is missing from the list of applicable law. It and its implications for the EMP should be discussed. It is important in that it provides the detailed spatial planning categories needed in the EMP.

4.3 **Land Use Goal**: While the scope of the EMP focuses on management of the area, good management would be a waste of time and resources if the area can be re-purposed in part for some other land use. In particular, the critically endangered ecosystems of low-lying areas must receive strong legal protection. This entire section of relevant legislation would also be largely irrelevant were it not to have concrete results in the form of higher legal protection in some form of nature reserve.

For these reasons, we suggest that a new Section 2.4 would be appropriate linking the listed legislation to the specific Land Use Goal for the Paradyskloof Nature Area, and containing text to the effect that:

- (a) Sustainability implies a corresponding change of land use status on the Stellenbosch Municipal Spatial Development Framework and any sectoral plan.
- (b) It also implies a change in zoning from the current *Agricultural* to the more appropriate *Nature and Environment* zoning, including split zoning where appropriate and/or a possible URCO zoning in the interim.
- (c) The Municipality should work towards further legal status in the form of a conservancy or protected area in terms of the NEMA suite of laws.
- (d) See also Section 6 and Item 6.4 below.

5 Governance

5.1 Re **Section 4.1 (Administration)**: We agree with the first two paragraphs. The listed goals (participation, capacity building and involvement) are important. Explicit reference should, however, be made to the principle of sustainability (by making reference to Sections 1.3 and 2.3.2) as the guiding principle for administration. In other words, we need a statement at the end of the second paragraph that administration will be governed not only by the three considerations of participation, capacity building and involvement, but also and primarily by the principles of Section 1.3.

5.2 Finance

Section 1.3 of the EMP aptly observes that *Sustainability, under present circumstances, cannot be achieved without any form of management intervention and that such investment has to be financed to a significant extent. Accordingly, sustainable development projects or use within the area should ideally contribute towards the required financing of management activities in a spirit of partnership.* Sustainability and the resulting subsidiary Principles have immediate and concrete implications for both the general policy and specific actions. We suggest that Section 4.1 (Administration) of the EMP be augmented by text such as the following.

- (a) The Municipality cannot expect the nature areas to “pay for themselves”, but will have to allocate financial and human resources to its management. The budget allocated to the Department of Conservation will have to be increased to address the rising workload and challenges.
- (b) While the pine plantations did yield some income over the years, that income will likely dry up; see Section 10.
- (c) On the other hand, the number of recreational users has grown exponentially, as have the number of so-called *events*.
- (d) The *Causal Principle* immediately implies that visitors and users should be required to pay for access, and that the amount should be proportional to the (short-term and long-term) physical impact and to the raised threats.
- (e) Proper management will require substantially increased human resources and revenue. The large registration fees already being paid by participants and general practice show that there is both a willingness and capacity to pay for access. **Access fees for casual visitors and event fees should therefore be written into the Governance section of the EMP** both as a matter of the underlying principles and a practical necessity.
- (f) An appropriate Action Item should be added to Table 2.
- (g) The Council meeting of 30 Jan 2019 approved the introduction of a cashless revenue collection system in Jonkershoek. There is no reason why a similar system could not be used also in Paradyskloof.
- (h) Other details on finances will be addressed in Section 11 and elsewhere in these comments.

5.3 There is no reference to Table 2 in the main text. Section 4.1 should therefore contain a short paragraph explaining that, in the *ACTIONS/IMPLEMENTATIONS* tables in this and in subsequent sections, the relevant actions and implementation measures will be listed in a system of continuously-numbered actions.

5.4 The paragraph on **Friends and Protected Areas Forum** should be separated into two and expanded as follows. First, the Stellenbosch-wide Protected Areas Forum should be included in Figure 12 and its role in relation to individual nature areas discussed more fully. Following

that, the second paragraph pertaining to a new body involving local volunteer organisations needs to be expanded considerably as follows.

- 5.5 The name *Friends of Paradyskloof NA* would probably often be confused with the WESSA system of Friends groups and of course FSM itself. We would suggest that the new body be named something else, for example the *Paradyskloof Nature Area Management Forum* or PaNAMa Forum in short.
- 5.6 There should be a statement saying that the **founding document** (such as a constitution) **of the Panama Forum** will be workshopped during the phase-in timeframe and then added as a Schedule to the EMP. Some basic detail should already be included here. Some examples for text to be included are:
- (a) Any participating organisation should have a member-approved constitution and office bearers, hold annual general meetings, and communicate annually in writing to the Panama Forum the details of its governing board members and which person(s) are to be delegated for communication between the Panama Forum and its organisation.
 - (b) The Panama Forum is to fulfil important functions in *communication*. On the one hand, participating volunteer organisations would provide an *eyes and ears* function and act as a conduit for input from the general public into the management of the area, while on the other hand the Municipality would use the Panama Forum to communicate issues to the public.
 - (c) The Forum should also facilitate *synergies and conflict resolution* both between participating organisations and between the Municipality as land owner and neighbouring land owners.
 - (d) *Participation by member organisations at regular meetings* should therefore be mandatory. Implementation by organisations of decisions taken by the Panama Forum should likewise be mandatory.
 - (e) *Important external role players*: Because the PNA abuts the Hottentotsholland Nature Reserve, it would be wise to include CapeNature into the mailing list and, should they so wish, have a representative attend management meetings. Stellenbosch University could be consulted as and when issues on the northern side of the PNA arise.
- 5.7 The EMP should further introduce a system of **accredited organisations** or **AO's** for short, and, where appropriate, accredited individuals.
- (a) Preferably only Accredited Organisations should take part in the Panama Forum. Other organisations such as Cape Nature, Volunteer Wildfire Services, the nearest Neighbourhood Watch, the local Boy Scout troop etc. would, however, also be usefully accredited. Statutory organisations such as the Winelands Fire Service are of course automatically accredited.
 - (b) The criterion for accrediting an organisation should be the usefulness of such organisation in aiding the Municipality in the physical management of the nature areas. Donors would not qualify for accreditation because accreditation is not about sponsorship but about management.
 - (c) No organisation should be accredited which does not have a written formal founding document and an annual general meeting at which representatives are elected.
 - (d) An organisation only becomes accredited once a *Memorandum of Understanding* (MOU) between the Municipality and that organisation has been signed, setting out the mutual roles and responsibilities as well as matters of liability.

- (e) As set out in the respective MOU, an Accredited Organisation would have certain *responsibilities and privileges*. Responsibilities could include various tasks in management; privileges could include free access to the area (see Item 11.2 access control), one or more copies of keys to the gate(s), one or more appropriate licence disk for authorised motorised vehicles.
- (f) A template for a typical MOU should be included as a Schedule to the EMP once this has been workshopped and approved by the Municipality.

5.8 The Municipal Department of Conservation would, on a case by case basis, grant **Volunteer Ranger** status to individuals which are accredited directly or indirectly through an Accredited Organisation. Volunteer Ranger status would be implemented through a system of ad hoc plastic identity cards with portrait photos which such Rangers would carry with them on site. Rights and responsibilities of Volunteer Rangers would also have to be spelt out.

6 Expansions and reductions of the Nature Area

6.1 The current EMP is correctly delimited to the municipally-owned cadastral units of Farms 366, 369 and 368/2. This may not be the final extent of the Paradyskloof Nature Area; there are threats of reduction and opportunities of expansion.

6.2 Various suggestions for possible reductions of the PNA have been mooted by various parties over the years. Motives included (i) simple ignorance of the importance of nature areas, (ii) silo thinking considering for example only roads, agriculture or forestry without the integrated context, (iii) private self-enrichment by means of urban housing developments and conference centres (iii) mendacious so-called “resort” and “Special Development Area” proposals which endeavour to disguise development in the cloak of sustainability.

6.3 While some parts of the PNA may indeed retain agricultural or forestry land uses, there should be a clear and unambiguous statement in the EMP that urban development and expansion of the urban edge are incompatible with its vision and principles. Within this context, **Section 4.3.6 (Development)** (incorrectly shown as 4.3.4 in the EMP) is inadequate. On the one hand, it correctly states that *it is imperative that the integrity of the Paradyskloof NA be protected* but then contradicts itself in the next sentence by stating that *any physical development is to be planned and implemented to have the least possible impact*. We suggest that Section 4.3.6 (Development) be removed entirely and that instead a sentence be added in Section 4.3 (Land Use Management) which briefly states that *protection of the integrity of the Paradyskloof NA is imperative*, that the aim is to align the legal status (as set out above in the new section suggested by Item 4.3 above, and that *any physical development would have to pass muster of the Principle of Sustainability and its subsidiary principles* as set out above.

6.4 **Expansion of the PNA.** We suggest that the EMP include a paragraph pertaining to possible expansion of the PNA, even if immediate action on this is not feasible.

- (a) The PNA comprises both mountain and lowlands ecosystems. While the mountainous areas are more spectacular and well conserved, the low-lying parts of the PNA require special protection and expansion because they house the endangered *renosterveld* biomes which are classified as Critical Biodiversity Areas (CBAs). As set out in the Stellenbosch Environmental Management Framework (SEMF), *the objective is to rehabilitate and conserve as much as possible of this (CBA) area*. The SEMF has as explicit objective *C4.1.2 Facilitate SPC A status [Core Conservation Area status] for all Critical Biodiversity Areas (CBAs) through innovative public- private partnerships*.

- (b) In this context, it is imperative to incorporate into the Paradyskloof NA adjacent low-lying areas which contain renosterveld, even if only in part and even if they are degraded. There are at least two areas which should be incorporated as soon as possible as they are highly threatened: Portions 369W and 369F of Farm 369, which both contain listed CBAs. While these portions are both leased out by the Municipality under a 50-year lease, the lessee has violated the terms of the lease contract multiple times as well as being convicted by the provincial Department of Environmental Affairs and Development Planning for illegally ploughing parts of the said CBAs. The 50-year lease can and should therefore be revoked and the portions incorporated into the PNA at least in part.
- (c) The status of Portion 369/6 of Farm 369 is unclear, but it should also be incorporated if appropriate.
- (d) Over the long term, it may well be feasible to expand the PNA northwards to incorporate land currently owned and managed by Stellenbosch University.

7 Land Use and recreational use

7.1 We agree with the general sentiments of the first paragraph of **Section 4.3.1. (Management / Use Areas)**, but we see important deficiencies which should be corrected. The problem is that Section 4.3.1 and the accompanying Figure 18 conflate four separate issues (or, translated into GIS, four separate layers) into one. The four layers are:

- [A] Present Land Use as the current reality,
- [B] Future Land Use as a vision,
- [C] Use Zones pertaining to recreational use, and
- [D] Legal Status.

While there are of course overlaps between the four layers, there are also differences, and these should be made clear. Each of the layers should be treated separately both in a figure and an explanatory table. We call them Figures 18A, 18B, 18C and 18D with a corresponding explanatory Table or Tables where necessary, which would replace the current Table 10. Table 11 (Actions/Implementations) however would remain essentially unchanged.

7.2 **[D] Legal Status:** In principle, a Legal Status map and figure would be necessary, but for the moment can be omitted. It may have to be included later once the zoning has been modified (for example into a URCO zoning), or if, for example, the area below the clubhouse is given a different zoning status or if only part of the PNA is declared a protected area. Note that the status of the upper Farm 366 as a declared Mountain Catchment Area is already captured as a Bioregional Spatial Planning Category under [B] *Future Land Use* below.

7.3 **[A] Present Land Use:** This is merely a record of the actual land use occurring at the moment. Figure 18A and Table 18A would comprise categories such as *mountain fynbos, wetland, renosterveld, pine plantation, roads and tracks, municipal infrastructure, degraded land etc.* Figure 18A would, for example, mark the lower Schuilplaats River as “heavily infested CBA” rather than as a future Conservation 2 zone.

Due to important issues regarding road, track and trail types and usage as set out in Section 8 below, the caption of Figure 18A and the accompanying Table 18A and main text should emphasise that the land uses shown (plantation, roads, tracks and trails etc) merely reflect the current realities and not the future. The caption should remark that these roads and tracks merely reflect current reality and not future purpose. This is important to prevent confusion with the approved road and track network discussed in Section 8 below.

The text accompanying Figure 18A should also refer to Figure 11 (current infrastructure) as a layer of the present land use.

- 7.4 [B] **Future Land Use:** Figure 18B and Table 18B, by contrast, would show the same Nature Area as a *spatial vision*, ie a map in which land uses are shown as goals rather than realities. Categories here would be the bioregional spatial planning Core and Buffer subcategories (see e.g. Section 12.1.1 of the Cape Winelands Biosphere SDP and Figure 18). We summarise the relevant categories in the Table below and suggest that these categories be included as Table 18B and used in Figure 18B in the revised EMP.

The text accompanying Figure 18B would of course refer back to the declared CBAs as well as indicate specific areas identified for *rehabilitation* color-coded as a B.d category. It would also, for example, explicitly mark the lower Schuilplaats River basin as B.c.ii even though at present the lower river is heavily invaded.

Figure 18B would also serve as the *blueprint* and *guide* for the detailed User Zone maps to be compiled for later incorporation into the EMP as Schedules (see Item 7.5 and Section 8 below).

Spatial planning category	Description
A	Core
A.a	Wilderness Areas
A.b	Other Statutory Conservation Areas
B	Buffer
B.a	Public Conservation Areas
B.a.i	Public Conservation Areas: Local Authority Nature Reserves
B.a.ii	Public Conservation Areas: Mountain Catchment Areas
B.a.iii	Public Conservation Areas: Conservancies
B.b	Private Conservation Areas (not applicable in the EMP)
B.c	Ecological corridors and areas
B.c.i	Perennial River Corridor 35m buffer
B.c.ii	Non-Perennial River Corridor 35m buffer
B.c.iii	Continuous tracts of natural vegetation
B.d	Rehabilitation Areas

7.5 [C] Use Zones

- (a) Use Zones refer mainly to recreational use. They are used in the Table Mountain National Park Conservation Development Framework (CDF) and worldwide to good effect. According to the CDF, the aim is *to balance conservation with tourism and recreation activities*. They also help prevent conflict between different recreational uses. Of course they are informed by the other layers.
- (b) The current Section 4.3.1 correctly observes that the area as a wide spectrum of resources, many of which overlap spatially. Of the five Use Zones (*Remote Wilderness, Remote, Quiet, Low Intensity and High Intensity*) listed in the CDF, currently only *Remote Wilderness, Remote, Quiet* and *Low Intensity* would be appropriate. The *High Intensity* Use Zone refers to visitor's centres, built-up picnic spots etc. is not appropriate. (See also comments in Section 9 on the Clubhouse below).
- (c) We suggest the following subdivision into Use Zones:
 - i. Upper part of Farm 366 (the Mountain Catchment Area): *Remote Wilderness*

- ii. Areas of Farm 369 above the historical eucalyptus firebreak and below the Mountain Catchment Area: *Remote*. This Use Zone definition reflects the current practice and decisions already taken, in terms of which the footpaths upwards of the firebreak are reserved for pedestrians (i.e. Walking, Hiking, Running).
 - iii. Wetlands and riverine zones (corresponding to categories B.c.i and B.c.ii): *Quiet*. Where necessary, the 35 metre river embankment definition should be expanded.
 - iv. Areas with a high density of mountain bike tracks, including the current pine plantation and lower parts of Farm 368/2: *Low Intensity*
 - v. Area immediately surrounding the clubhouse and access road to it: *Low Intensity*
 - vi. Unwooded area near the Paradyskloof main gate: *Quiet*. The reason for this is that it contains Red Data species.
 - vii. All other areas, including renosterveld: *Quiet*
- (d) Appendix A displays a page taken from the Table Mountain CDF which provides a guide for the definition and application of the Use Zones. A simplified table of Use Zones is shown below; it reflects existing usage in the PNA. The asterisks indicate *activity on designated routes only*. Designated routes are discussed in Section 8 below.

Summary of of proposed Use Zones for recreational activities, reflecting current usage

Use Zone	Walking Hiking	Running	Dog Walking	Horse Riding	Mountain Biking	Picnics, Children Parties
<i>Remote Wilderness</i>	✓	✓*				
<i>Remote</i>	✓	✓*				
<i>Quiet</i>	✓	✓	✓*	✓*	✓*	
<i>Low Intensity</i>	✓	✓	✓*	✓*	✓*	✓*

8 Roads, tracks, trails, footpaths

- 8.1 The current EMP addresses roads, tracks, trails and footpaths only indirectly, e.g. in Sections 4.2.4 (Soil) and 4.3.3 (Recreational Use). Because the PNA is envisaged as a conservation area but fulfilling an important function of recreation, proper management of roads and trails is important. Omitting a detailed framework for this would create endless confusion and conflict. We sketch below a detailed proposal for inclusion into the EMP.. One or more new sections should be devoted to these in the context of recreational used.
- 8.2 The first step towards doing so is to create an accurate picture both of the existing roads and trails and to classify them in terms of current and future use. As stated, the Google Earth layer shown in Figures 10, 11 and 18 is inadequate because (i) it does not classify these tracks, (ii) they are hard to ground-truth especially in the pine plantation, (iii) the present snapshot contains a number of illegal trails, logging paths etc which should be identified and closed.
- 8.3 **Road, track and trail types:** There are two attributes to consider, namely the **type and purpose** of an existing road and trail, and the **future status** of each. We suggest that the following scheme be included in the EMP and implemented in the phase-in timeframe by means of a Schedule of maps.
- (a) The suggested classification types are: Type T (paved road), Type D (unpaved road, jeep track), Type B (Bicycle or mountain bike track), subdivided into downhill and general tracks (BD and BG), Type P (pedestrian track, including runners and hikers) and Type O (other road-related structures such as jumping ramps, parking areas etc.)

- (b) The **status** of each road/trail/track can be Status A (approved for use as set out further below), Status R (to be closed for rehabilitation) and Status N (illegal or non-approved track).
- (c) Each road and track should be mapped and typed, segment by segment, so as to facilitate the compilation of maps reflecting the present status and allow for future changes. This has become quite feasible with GIS, and FSM already has a near-complete set of ground-truthed track segments on file.
- (d) The EMP should then include a set of **default rules** as follows. Unless explicitly indicated otherwise on the maps:
 - i. Types T and D roads may be used by approved motorised vehicles (see Section 11 re motorised vehicles), as well as by cyclists and pedestrians. Motorised vehicles have right of way, i.e. cyclists and pedestrians are obliged to yield;
 - ii. a Type BD track (downhill bike track) is reserved for cyclists;
 - iii. a Type BG track (general bike track) may be used by cyclists and pedestrians, with pedestrians having the right of way;
 - iv. Cyclists must yield to motorised traffic where B-trails cross roads (Types T or D);
 - v. Type P segments are reserved for pedestrians only (including prams, trail runners);
 - vi. a track marked N on the maps is by definition to be closed and no use is permitted at all. This includes all segments which have been identified for rehabilitation, after which they can either be re-opened for use or closed permanently;
 - vii. any track which does not appear on the approved route maps is by definition of Type N and will be closed; and
 - viii. permissions for Type O structures are explicitly spelt out individually in an addendum to the maps.

8.4 Implications for the EMP: The type classification and segment-by-segment purpose determination of roads and trails will clearly not be completed in time for promulgation of the EMP. We therefore suggest that the EMP merely lays down the above rules and include text outlined below. The process would be similar to the one followed in compiling the Table Mountain Environmental Management Plan.

- (a) The text in **Section 3.4 (Infrastructure)** should include wording to the effect that the roads and trails shown in **Figures 10 and 11** merely reflect current realities without predetermining their purpose, and a reference to a later section where such determinations are discussed should be inserted here.
- (b) During the phase-in time period, a **route master map** will first be ground-truthed and checked against historical Google Earth photos to determine illegal recent additions to the network.
- (c) The road and track segments would be colour-coded corresponding to their approved types (T,D,BD,BG,P,N).
- (d) The complete set of track segments and their types will be workshopped in the new Panama Forum and then submitted for comment to various role players (CapeNature, Municipal Departments, Ward Committee etc)
- (e) The route master map would then be included into the EMP as a **Schedule**.
- (f) The master route map would subsequently form the basis for all **specialised maps** such as a mountain bike network map, tourist information maps, display boards at the PNA entrances etc. Naturally no new maps and display boards should be put up before these new maps are finalised.

- (g) The EMP would do well to follow Section 4.4 of the Table Mountain EMP and include a subsection or schedule on the *Procedure to open new mountain bike routes*.
- (h) Besides being set out in the main text in detail, these items would be added in summary form to the ACTIONS/IMPLEMENTATIONS Table 13.

9 The clubhouse

- 9.1 The so-called *clubhouse* was renovated at a cost of nearly R600,000 in 2017 using municipal funds. This was done despite the fact that there was no clear idea of the purpose of a renovated building and without regard for the context and surrounding areas. The clubhouse exemplifies what goes wrong if no proper planning is in place and highlights the importance of the present EMP.
- 9.2 The clubhouse is now an unavoidable fact of life, and no doubt the Municipality feels the need to obtain some revenue from this bad investment. *However, under no circumstances should the need for revenue from a bad investment drive the overall land use decisions. The Paradyskloof Nature Area is a nature area, and that is and remains its primary purpose.*
- 9.3 We support the idea that different possible uses for the clubhouse should be investigated (Table 12). All decisions regarding the clubhouse must be reached on the basis that the integrity of the surrounding nature areas be maintained, in accordance with the stated Principles.
- 9.4 **Access and separate Use Zone:** Evidently, usage of the clubhouse has very different characteristics than the management of the surrounding nature area. Use of the same main gate both for clubhouse users and nature area management has, for example, proven very problematic because clubhouse users generally come at night or over weekends when there is no supervision. Furthermore, clubhouse users thereby gain motorised access to the full 400 hectares of nature area, which according to the rules motorised vehicles are prohibited.

We therefore believe that it would be beneficial to declare a separate Use Zone for the clubhouse and perhaps even extend this zone to encompass a part of the area between it and the main entrance on Paradyskloof Road while excluding high-biodiversity areas which still occur there. Separating the clubhouse Use Zone from the surrounding one would provide the basis for separate management measures such as a separate entrance gate and fencing off of the clubhouse area from the main nature area.

The EMP should include a paragraph sketching the intention to separate the clubhouse and its access into a separate Use Zone. See also comments on the Rules below.

- 9.5 We comment briefly on the **rules proposed in Section 4.3.2**. It must firstly be clarified that there are two sets of rules, namely (i) a set of rules issued to rental users and (ii) governance rules which set down general parameters for usage of the clubhouse.
- 9.6 **Rules for rental** (see Section 4.3.2 of EMP)

The current or proposed text is shown in *italics*, our comments are in plain text or bold.

- (a) *An official application for use of the clubhouse must be submitted to the Department: Community Services at least ten workdays before the event.*
- (b) *Use of the clubhouse must be approved by the Department: Community Services at least five workdays before the event.*
- (c) *Conditions set by the Department: Community Services must at all times be complied with.* OK

- (d) *The person/organisation organising or applying for approval for the use of the clubhouse assumes responsibility for the event as well as his/her or its guests complying to the above conditions of approval.* Comment: this should be worded more tightly. It should be unambiguously clear who is responsible and liable. Hence we propose:
The applicant, defined as the private person or the representative of the organisation which is applying to host the event at the clubhouse, is responsible for enforcing all the conditions set for the event and general laws, by-laws and rules applying to the surrounding nature area.
- (e) We further propose: *The applicant assumes liability for any loss or damage occasioned during the event, with respect to both the event participants and municipal property. Where an organisation applies to host an event, the person applying on behalf of the organisation is liable in his or her personal capacity.* This is very important because (i) it ensures that any organisation whose constitution limits liability of its office holders does not simply get off the hook, and (ii) the applicant understands the seriousness of enforcing the conditions and laws and acts accordingly.
- (f) *Fire is only allowed in designated areas.* As set out further below, we strongly oppose any sort of fire in any form whatsoever except in the indoor braai with a chimney. The “lapa” constructed on the north side of the clubhouse should be dismantled. The proposed 15 metre safety zone around the clubhouse is inadequate to prevent flying sparks. Braziers and any sort of outside fire (including smoking, gas stoves, fireworks etc) should be summarily prohibited. Any less strict prohibition will create legal loopholes and likely result in a runaway fire sooner or later. Hence this rule should read:
Fire, fireworks, smoking and the lighting of flames of any sorts is strictly prohibited. Use of the indoor braai area is, however, permitted.
- (g) *Access for public users of the clubhouse may only be gained from the Paradyskloof Rd gate.* For the moment, we agree with this, but have in mind the creation of a separate gate and access at a later stage.
- (h) *A maximum of 10 vehicles are allowed to enter the premises to attend a event held at the clubhouse. If the amount of guests attending an event require more than the allowed 10 vehicle access arrangement must be made for the additional guest to be transported from the access gate up to the clubhouse.* While we agree with the sentiments, this will be impossible to enforce unless adequate provision is made for external oversight.
- (i) We propose to add to the rules: *Keys to the access gate and the clubhouse are the property of the Municipality and may not be copied. The loss of a key triggers a fine of R500 per key.* The fine is not excessive, given that a lost or copied key implies the purchase of one or more new locks and multiple copies of the new keys for distribution, and the time and effort expended on the matter.
- (j) As stated in Item 9.4, we propose that a separate entrance dedicated only to access to the clubhouse should be constructed. Until such time as this has been effected, the a rental rule *The main access gate should be closed as soon as the event has commenced and remain closed* should be included.
- (k) As set out below, we consider it inevitable that there should be a manned access point along with an access fee. Once this is implemented, the clubhouse rules and rental fees would accordingly be modified to implement oversight over events by means of paid municipal agents.

9.7 Clubhouse governance rules to be added to the EMP separately

- (a) A separate set of governance rules addresses the specific management parameters and principles within which the Municipality intends to have the clubhouse administered.

- (b) Applying the Causal Principle of Item 2.7, *all funds generated by the clubhouse shall be ring-fenced for use in the surrounding nature area, maintenance of the clubhouse, and payment of oversight and access control employees.*
- (c) The clubhouse is increasingly being used for functions and events of the municipality itself. At first sight, that would seem quite appropriate. It must be observed, however, that the R600,000 spent on refurbishment is taxpayers' money which could have been spent elsewhere. There is no basis for an automatic right of municipal employees or office bearers to free access and use of the clubhouse while the taxpayer has to pay rental. The governance rules for the clubhouse should therefore include the provision that

Social events organised and held at the clubhouse for the main benefit and/or attendance of municipal officials and/or office bearers are liable to pay the required rental fee. Workshops and events organised for the purpose of public participation and engagement shall be free. In all cases and independently of the applicable fees, the proper application process must be followed and the rules for rental obeyed.

The payment of fees in the case of social events held by and for municipal employees or office bearers can be effected by means of a "journal entry" or internal transfer from the general municipal account into the clubhouse or the Department of Conservation account.

10 Fire and firebreaks

- 10.1 Notwithstanding general concern with crime, by far the largest threat posed both to the nature area and to human life and property is fire. Climate change and drought have increased the frequency and severity of wild fires worldwide, and the Western Cape with its mediterranean climate is particularly at risk. Recent fires Bettys Bay and Kogelberg have shown that dozens to hundreds of residences can be easily burnt even when the fuel load is relatively low. The pine plantation in Paradyskloof must therefore be considered as a ticking time-bomb, especially since the plantation reaches to within metres of residential areas nearby. As a land owner, the Municipality would be liable for damages which could run into hundreds of millions of Rands. The EMP deals with fire in Section 3.6 (Threats) and **Section 4.2.6 (Fire)**. While we agree with and support almost everything stated in that section, it does not go far enough.
- 10.2 **Firebreaks:** According to Section 4.2.6.2, the National Veld and Forest Fire Act requires a firebreak to *be wide enough and long enough to have a reasonable chance of preventing a veldfire from spreading to or from the neighbouring land.* We must point out that the width of the cleared sections between the pine plantation and the residential areas will never be sufficient to prevent the spread of a plantation fire: flames can easily rise to higher than 20 metres, and sparks can and do fly over hundreds of metres. **The only solution is to have most or preferably all the pine plantation logged as soon as possible.** After logging, there should be no replanting. Action Item 27 of Table 9 should be strengthened to not only recommend *investigation* of the harvesting but the *urgent implementation* of that harvesting.
- 10.3 Some neighbouring landowners have taken to planting trees and shrubs and extending their gardens into the Paradyskloof Nature Areas. All the relevant encroachment agreements should be cancelled and the relevant non-endemic vegetation removed. Through ignorance, these neighbours are only endangering themselves as well as introducing additional non-endemic species into the area. A further Action Item should be added to Table 11 with regard to restoring firebreaks to be truly free from neighbouring encroachment.

- 10.4 As already set out in Item 9.6f, the **clubhouse** represents a special fire risk, and the pertinent rules have to be much tightened to not permit any lighting of any flame outside the clubhouse internal heath.
- 10.5 **Rules and conditions for entry** for recreational users should unambiguously prohibit fire-making of any sort, including smoking, fireworks, braaiing or even possession of any flame-causing equipment, including matches, cigarette lighters, flammable liquids and solids etc. Such prohibition should form a prominent part of displayed notice and display boards and any public communications. The liability for damages of offenders should be set out too.

11 Access, Safety, Law Enforcement, Events

11.1 We suggest that, following the deletion of Section 4.3.4 (Development) as set out elsewhere in these comments, a new Section be inserted *before* the section on Events with the topic **Access Control, Safety and Law Enforcement**, or else Events could be incorporated into this general section. Some relevant suggestions for text of this new section appear below. The issue of **finances** has been addressed in Section 5.2.

11.2 Access control

- (a) Access control is a basic necessity for effective management and achieving the goals and principles. Currently, there is very little access control, and what little there is has proven ineffective.
- (b) As stated in Item 5.2, the Causal Principle implies that access and its associated impacts should be paid for by the person or organisation effecting that impact. Text and Action Items should be added to spell out the implications.
- (c) **Fencing:** Except for the solid fence at the main gate (which itself needs an upgrade), fencing along the remaining perimeter is almost nonexistent. Moreover, numerous gates have been inserted into whatever fencing there remains, which is illegal in terms of the municipal by-law.
 - i. the entire periphery should be audited with regard to fencing and gates;
 - ii. the entire periphery should be properly fenced, leaving only properly controlled access points on Paradyskloof Road and at the waterworks;
- (d) **Encroachment agreements** and permission for gates with neighbouring landowners will be cancelled and renegotiated only under exceptional circumstances.
- (e) **Access from the Coetzenburg side** would be open, but only on condition that a system of cyclist identification (and annual payment of a subscription) as well as on-site roving inspectors is implemented.
- (f) All **notice and display boards** shall clearly state the rules of access, and in particular highlight the prohibition of all motorised vehicles not in possession of a permit.
- (g) The **main access point at Paradyskloof Road** will be staffed during daylight hours for inspection of cashless access tokens, and high cash fees be imposed on users who do not pre-purchase cashless tokens.
- (h) In time, special access control measures will be implemented with regard to the clubhouse as set out in Section 9;

11.3 Safety and Law Enforcement

- (a) While Action Items 9 and 11 mention law enforcement, the topic of law enforcement has not been treated fully. There are many **illegal activities** which also must be addressed in the EMP; the most prevalent include creation of unauthorised mountain bike trails, ramps, ground removals for trail construction, illegal footpaths, access by neighbouring landowners, and gathering of plant material.
- (b) There are many other less frequent illegal activities. Many of these are, of course, mentioned in the Municipal By-Law (see EMP Section 2.3.4). Nowhere does the EMP explicitly set out how this By-Law and its provisions are to be implemented. The EMP should therefore set out briefly a strategy to implement at least some law enforcement. We need text and an Action Item pertaining to upgrading law enforcement in the nature areas. Options to investigate (not mutually exclusive) include better coordination with municipal law enforcement, employment of dedicated on-site roving inspectors (augmented by Volunteer Rangers), and a possible agreement with a private security company active in the immediate vicinity.
- (c) As set out already, the clubhouse will require special attention with respect to law enforcement and supervision.
- (d) A further action item should refer to **revision of fines** as well as coordination with the **municipal court**.

12 Other comments and suggestions

12.1 **Display boards:** As already mentioned in Item 8.4, the EMP should compile a set of statements and signs which are to appear on display boards.

12.2 If display/notice boards are to be erected by any organisation other than the Municipality itself, the full content and layout of such boards must first be workshopped within the Panama Forum and approved by the Department of Conservation.

12.3 Rules, display boards, codes of conduct

- (a) With regard to the rules for recreational use of Section 4.3.3:
 - i. Re Rule (a): explicitly mention liability
 - ii. Re Rule (b): We have already motivated why fires and all kinds of firefighting should be generally prohibited.
 - iii. Re Rule (c): replace *existing* with *approved* or *designated*, because there are quite a few existing ones which are illegal.
 - iv. Re Rule (i): This has been addressed in Section 8 on Roads, tracks, trails. The types, abbreviations, permissions and colour codes should of course be written into the rules. For the purpose of display boards, a brief explanation of the colour codes used would be supplemented by a reference to a website as well as one or more telephone numbers.
- (b) We suggest that, besides the above general code of conduct for all recreational users, Section 4.5 of the Table Mountain EMP be used as a point of departure for a *mountain biker code of conduct* for which the TM-EMP was written. However, codes of conduct are not enforceable and should therefore be devolved for handling by the relevant mountain bike organisations.

12.4 Re **Section 5 (Validity)**: As proposed above, this section should be incorporated into the new timeframes subsection.

12.5 **Section 4.4 (Environmental Auditing):** We very much support this and hope to be of assistance. FSM already has substantial data on plant species which forms a solid scientific basis for biodiversity auditing. All other forms of auditing are also strongly supported.

12.6 Re **Section 4.2.1 (Alien Clearing):**

- (a) While the topic itself is of cardinal importance, it is not clear whether specific clearing methodologies are necessary content in an EMP, especially since a separate Invasive Alien Management Plan already exists. Clearing of alien invasive species ranks as one of the most important actions needed for long-term sustainability. It may, however, not be necessary to spell out all the procedural detail in this particular document since this is already done in a separate municipal alien clearing plan.
- (b) Important invasive alien species which should also be mentioned are *pittosporum*, *bug-weed*, *hakea*. Mention should also be made that some pine species such as *pinus pinaster* can be inherently invasive.
- (c) The EMP text should mention that fynbos seed banks can recover from pine plantation land use if such land use does not exceed about 30 years. It would hence be important to log the oldest portions of the remaining pine plantation as soon as possible in order to give the remaining seed banks a chance to re-seed the logged area.
- (d) The *order of clearing* of alien vegetation should be informed not first by elevation of an infested area, but by the combination of three other factors: 1. density of infestation, 2. ease of access, 3. conservation value of infested area. Prioritisation procedures should be considering all three factors. Low-density infestations, and/or to areas easily accessible and/or of high conservation value would score higher in terms of priority. Within this ranking, rivers and river banks as well as low-lying renosterveld areas would possibly be prioritised over areas at higher elevation, because high-elevation biomes are less threatened.
- (e) Foliar spraying methods should be explicitly prohibited. They have been used in some parts of Farm 369 and have caused long-term heavy damage, to the extent that almost nothing grows in the affected areas even years later.
- (f) **Figure 13** is somewhat misleading, because it includes the remaining 40 hectares of pine plantation into the central high-density AIP area. While a case can be made that pines are indeed AIPs, plantations are not usually understood and handled as such. Of course, the moment that these remaining pines are logged, then the high-AIP-density colour coding in Figure 13 is quite appropriate.
- (g) The strips of land comprising the former eucalyptus firebreak on the upper border of the former pine plantations are currently indicated as *Medium Density* infestations; from direct experience, they should be denoted *High Density*.
- (h) Table 3: Add action *Obtain and collate information on historical evolution and events regarding the establishment and logging of various sections of the pine plantations*
- (i) Table 3: Add action *Obtain and collate information on historical alien clearing programmes and actions* as input into present and future clearing strategies.

12.7 Re **Sections 4.2.2 (Flora) and 4.2.3 (Fauna)**

- (a) Section 4.2.3 (Fauna) can and should be merged with Section 4.2.2 since much of the quoted text pertains to both. Correspondingly, Tables 4 and 5 can and should also be merged. The introductory paragraphs of the current Section 4.2.3 would form the beginning of the new joint section.

- (b) Make direct reference to the Biodiversity Act and quote the relevant sections.
- (c) The actions in Table 4 are strongly supported. A further action should be added: *Ground-truth and update the CBA status of all parts of the nature area in cooperation with Cape Nature and SANBI.*
- (d) A second action to add is *Identify priority sub-areas for protection and/or rehabilitation based on their conservation value (e.g. Red Data species, critically endangered habitats etc)*
- (e) The introduction of non-endemic species to the area should be explicitly forbidden, also in the Rules, and existing non-endemic species should be gradually removed even if they are non-invasive. The only viable exception would be the few old oak trees which form part of the cultural heritage.

12.8 Re **Section 4.2.4 (Soil)**

- (a) Add to item a): *Construct physical barriers to road use where the NO ENTRY signage is not respected.*
- (b) Given the envisaged alternative access to the clubhouse, the separate road leading to the clubhouse should be tarred, of course with funds generated from clubhouse rentals.
- (c) An Action Item should be added to Table 6 to the effect that *Recover costs for preventing further erosion and rehabilitating historical erosion on approved mountain bike tracks by higher access fees for mountain bike users and by fees from event organisers.*
- (d) A further Action Item for Table 5 should be *Audit erosion measures undertaken by pertinent mountain bike and/or event organisations at least once per year.*

A Use Zone definitions and characterisations

Recreational Use Zones used worldwide and specifically in the Table Mountain Conservation Development Framework.

Table 1: CDF Visitor Experiential Use Zones - Desired State, Conservation Objectives and User Experiential Qualities

Experience	TMMP Zone	Desired State ¹	Quality of the natural environment	Experiential Qualities	Interaction between users	Sophistication of facilities	Level of Exertion	Level of self sufficiency	Spirituality	Primary user movement within the zone	Equivalent SANParks zone
Close to Nature Activities tend to be at landscape level	REMOTE WILDERNESS	Areas with very high natural qualities where the sights and sounds of the city are infrequent allowing for a spiritual experience of isolation. They are generally inaccessible, requiring additional physical exertion to reach and experience. Visitors need to be more self reliant and experienced. The nature of the experience is heavily dependant on the quality of the natural environment. The main accent of management is biodiversity conservation.	Pristine	Isolation	Very Low	Very Low	Very high	Very High	Very high	Pedestrian only	Quiet
	REMOTE	The experience is one of relative solitude and wildness. Signs and sounds of the urban area are more obvious and encounters with other visitors are more frequent than in Remote Wilderness. Although less physical exertion is required, a reasonable level of fitness, self reliance and experience is necessary. The nature of the experience is dependant on the quality of the natural environment. The main focus of management is biodiversity conservation. There may be some signs of infrastructure mainly of a heritage nature.	Relatively Pristine	Solitude	Low	Low	High	High	High	Pedestrian limited non motorised	
Outdoor Natural Experience Activities tend to be at precinct level	QUIET	This zone provides experiences of a relative sense of solitude and relaxation in an environment that is openly exposed to the sights and sounds of the city. Although it is a place of quietness and naturalness, there will be more interaction between users than Remote. There is less of a challenge and the zone is easier to access and less physical exertion is required. The quality of the experience is less dependant on the quality of the natural environment with the provision of basic facilities such as rustic accommodation, refreshments and craft outlets in appropriate locations. It also serves as a buffer to the adjoining urban area.	Natural / semi-transformed	Relaxation	Moderate	Moderate	Moderate	Moderate	Moderate	Pedestrian Non motorised	Low intensity leisure
	LOW INTENSITY LEISURE	The main accent is on recreational activities which are more dependant on the quality of the facilities provided than in a natural environment. By their nature these zones are located in more transformed landscapes with the provision of a range of facilities such as accommodation, braai/picnic sites, food and beverage outlets, interpretation and education centres, etc. as appropriate. Interaction and socialisation are an integral part of the experience.	Transformed	Socialisation	Frequent	High	Low	Low	Moderate	Pedestrian Non motorised Motorised	
High Intensity Leisure	HIGH INTENSITY LEISURE	High intensity tourism development with modern commercialised amenities and concentrated activities. The quality of the visitor experience is heavily dependant of the quality of the facilities which enable the visitor to experience the environment with a minimum of effort. Due to the high impacts these facilities are concentrated at specific nodes. These nodes are generally situated at existing facilities including historic buildings and precincts. The main focus of management is to ensure a high quality visitor experience whilst ensuring that the activities have a minimal impact on the surrounding environment and that heritage resources are respected and celebrated.	Highly transformed	Entertainment	Very frequent	Very High	Very low	Very low	Low	Motorised People movers ²	High Intensity Leisure
	1. The 'Desired State' is the long-term objective of the zone and these desired conditions may not currently exist. Achieving the 'Desired State' will be informed by many factors and may only be reached in the long term. 2. Motorised people movers may traverse Use Zones to connect high Intensity Leisure zones. Introducing motorised people movers is subject to detailed studies and necessary approvals										

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Table Mountain National Park Conservation Development Framework – Volume 1: CDF Report - June 2008

ANNEXURE D

PARADYSKLOOF NATURE AREA ENVIRONMENTAL MANAGEMENT PLAN (SEPTEMBER 2018)**Comment on Draft Document**

Date	Comment	Response
P v Schalkwyk Resident 13 Nov 2018	<p>'n Deeglike dokument. Ek merk egter dat daar nêrens in die dokument verwys word na, of spesifiek omgegaan word met, een van die grootste bedreigings vir die area nie:</p> <ol style="list-style-type: none"> 1. Die mens(e) wat dan nie optree in ooreenstemming met dit wat die dokument ten doel stel nie. Meer spesifiek die leegleërs, haweloses, bergies, bosslapers en ook houtkappers wat vrye toegang het en op 'n daaglikse basis, m.a.w. permanent hier woon. Die area in Figuur 10: Critical Biodiversity Area 2 spesifiek is waar die meeste aktiwiteite plaasvind. Vure word van tyd tot tyd gemaak wat die situasie vererger. 2. Verder, as bogenoemde element nie dringend, ernstig en deurlopend aangespreek word nie kan dit baie maklik lei tot groter getalle mense wat hulle intrek neem. Ons het onlangs ervaar hoe vinnig dit kan plaasvind en dat daar dan weinig tot geen beheer is nie. Daarom die belangrikheid om, binne die bestaande raamwerk / riglyne en wette (ingesluit by-laws), hierdie kritiese probleem te adresseer. <p>Hiermee dan bevestiging van ons versoek gedateer 29 Oktober 2018 om daadwerklik op te tree om hierdie onwelkome element te hanteer:</p> <ul style="list-style-type: none"> • Tekens en borde (signage) by alle ingange moet spoedig moontlik hersien en opgedateer word sodat elke gebruiker bewus is van wat mag en nie mag plaasvind nie (oornag / kampeer / tent opslaan / huis bou in die gebied word nie spesifiek op enige bord verbied nie en daarom is elkeen vry om permanent hier in te trek soos tans die geval is) • Met die in plek, 'n aksieplan tussen Wetstoepassing en ander beskikbare magte bv. SAP / Buurtwag / Sekuriteits-maatskappye / inwoners om daadwerklik op te tree en die onwettige elemente te hanteer. <p>Ons sien uit na 'n Bos wat volgens die visie bestuur en beskerm word om as 'n funksionele en veilige area voort</p>	<p>It is the intention of the Section: Nature Conservation to increase staff (baboon monitors or other) presence in the Paradyskloof Nature Area, similar to that of the Botmaskop area, in an effort to discourage vagrants. These monitors will be equipped with radios to contact Law Enforcement if required.</p> <p>See comment above.</p> <p>Agreed</p> <p>See comment above.</p>

	te bestaan vir die groter gemeenskap.	
Paradyskloof Villas Body Corporation 24 Jan 2019	<p>... the Trustees of Paradyskloof Villas, Erf 1296, Paradyskloof Road, Paradyskloof, decided the following:</p> <ol style="list-style-type: none"> 1. The Stellenbosch Municipality was congratulated on their initiative to compile an Environmental Management Plan for the Paradyskloof Nature Area. 2. Appreciation was expressed to the Department Community Services, and its Nature Conversation section, for the well thought through document and plan. 3. The proposed plan is fully supported by the trustees. 4. The Paradyskloof Villas Home-owner Association welcome the formation of the "Friends of Paradyskloof NA". One of the Trustees (Mr JE Delpont) was nominated to serve as a I&AP on the Environmental Management Plan and will represent the Trustees. 5. The Trustees are of the opinion that paragraph 4.2.5 on Water, is inadequate and needs substantial improvement. One of Paradyskloof Villas main features is a dam which receives water from one of the streams originating in the Paradyskloof NA. The trustees have experienced various problems and challenges in the past and would like to participate in improving the mentioned section by including water as the most important management issues towards achieving the vision and purpose of the NA. 6. The Trustees are of opinion that Safety and Security is not adequately addressed. As you can imagine, the security of the Paradyskloof Villas (as a retirement village) is very important especially on the streamside (or east) of the village. What measures will be taken regarding prohibiting unwanted or unauthorised persons using the NA as a springboard or hiding place for various criminal activities against the NA's neighbours? Will it be fenced? Due to the cost involved it is probably too expensive. What are the other alternatives? 	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted. The establishment of such a body (along with an invitation for members to be nominated) will be advertised in due course.</p> <p>Noted</p> <p>It is the intention of the Section: Nature Conservation to increase staff (baboon monitors or other) presence in the Paradyskloof Nature Area, similar to that of the Botmaskop area, in an effort to discourage vagrants. These monitors will be equipped with radios to contact Law Enforcement if required.</p>
T Marais Resident 28 Jan 2019	<p>Dankie dat ek kan kommentaar lewer oor die bestuursplan van area. My huis grens aan die area.</p> <p>Ek het in 'n vorige skrywe reeds aanbeveel dat die hele natuur area as natuurbewarings area beskou word en nie</p>	<p>Noted. The whole of the area indicated on Figure 4 of the</p>

	<p>net die valleie nie.</p> <p>Oor die algemeen dink ek die bestuursplan is goed, maar iets wat ek as 'n potensieële probleem wil uitlig, is die gebruik van die ou skietbaan klubhuis. Daar word genoem dat daar slegs 10 voertuie toegelaat gaan word, dit word reeds oortree. Daar is by elke funksie wat nog gehou is, meer as 10 voertuie.</p> <p>Is dit 10 busse ook? Kan dit dalk liewer beperk word tot 'n sekere hoeveelheid persone? Ek is bekommerd oor die geraas.</p> <p>Wie gaan die klubhuis polisieër? Ek het al gewonder wat ek moet doen as die alarm in die nag afgaan (kan u dalk aan my 'n nr gee wat ek kan bel?), of wie gaan kyk dat daar nie 'n horde voertuie opdaag en ook in die nag in die bos rondry nie?</p> <p>Dit is baie spesiaal dat daar so baie mense die bos gebruik vir stap, fietsry, draf ens. Ek dink net dit moet beperk word tot ligdag ure ter wille van veiligheid.</p>	<p>EMP is regarded as the Paradyskloof Nature Area.</p> <p>Any transgression in this regard will be addressed once the EMP is adopted by Council. Currently there are no guidelines in place in this regard.</p> <p>The aim of the provision is to limit traffic on the entrance road as well as those parked at the clubhouse. Parking at the clubhouse is limited and cannot accommodate large busses, so vehicles, in the context of the EMP, refers to cars, bakkies and small (mini-bus) busses.</p> <p>The facility can accommodate ±60 people. Strict conditions will be imposed on functions to limit noise.</p> <p>Monitoring of the area, including the clubhouse, will be done by the Department: Community Services.</p> <p>Noted, to be considered in the light of the fact that there are early morning recreational users of the area.</p>
<p>Friends of Stellenbosch Mountain 31 Jan 2019</p>	<p>2 Principles and long-term goals</p> <p>2.1 Principles and core values are critical to good management because they provide a constant goal and direction over decades. Individual issues and actions change all the time, but the principles, values and goals do not. Because they are so important, we comment on individual words and sentences in this section.</p> <p>2.2 We suggest that individual sections and subsections throughout the EMP refer explicitly to these principles in justifying their need or urgency. This is similar to the municipal-wide practice of putting actions into the municipal goals such as safest valley etc. and should be</p>	<p>Noted and agreed.</p>

	<p>followed both in the Paradyskloof EMP and in all subsequent sectoral EMPs.</p> <p>2.3 Currently, the Section 1.2 reads: To manage and protect the Paradyskloof NA as a functional and safe area that is recognised for its ecological and community-supporting functions. While functionality is important, the emphasis on function and functionality can be misinterpreted in its narrow sense. In Section 1.3, the central principle is rightly stated as that of sustainability rather than functionality. We therefore suggest that the vision be slightly reworded as to manage and protect the Paradyskloof Nature Area as a sustainable and safe area which is recognised and valued for its environmental integrity and community-supporting functions.</p> <p>2.4 Section 1.3 (Overarching Goal): The first paragraph in this section states that the overarching goal is to contribute to environmental sustainability and the conservation of bio-diversity as a prerequisite to the latter. This is exactly right. We therefore suggest that the section title be changed to 1.3 The Central Principle: Sustainability. This would also widen the scope from a goal to a principle.</p> <p>2.5 Because of its central importance for everything that follows, the first paragraph starting with The over-arching goal . . . should be cast in bold face.</p> <p>2.6 Subsidiary principles: Still missing from this section is a brief summary of subsidiary principles emanating from and supporting the main principle of sustainability. Four subsidiary principles, namely the Precautionary Principle, the Causal Principle, the Integration Principle and the Cooperation Principle have formed the central pillars of environmental law in Europe since the 1970s and are universally recognised as necessary preconditions for sustainability. These principles should be explicitly set out in Section 1.3.</p> <p>2.7 The Causal Principle states that the default responsibility for rectification or mitigation of any particular impact rests with the entity which caused such impact. It was first formulated by Plato more than 2300 years ago in his Nomoi treatise. Where the causal entity is willing and able to handle such rectification itself, there should be proper oversight to ensure that this is done in accordance with the overarching Principle of Sustainability. Where, on the other hand, the causal entity is unable or unwilling to handle the matter directly, it should be required to pay others to do so. If, for</p>	<p>Agreed. An amendment to the EMP to this effect has been made.</p> <p>Achieving environmental sustainability is the goal for the management of the area and is retained as such. A supplementary section has been added for applicable principles.</p> <p>Agreed. These principles have been included in the revised EMP.</p> <p>Agreed. These principles have been included in the revised EMP.</p>
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	<p>example, the Municipality decides to widen a fire break and thereby impacts on biodiversity within that firebreak, the responsibility for transfer and/or in situ care of threatened plant species rests by default with the same Municipality. While the more well-known Polluter Pays Principle is a subcategory of this, the Causal Principle applies not just to pollution but more generally to all impacts.</p> <p>2.8 The Precautionary Principle states that in any situation of uncertainty or ambiguity, the more cautious or conservative alternative action should be followed. This is particularly important because the implications over long time intervals of particular actions are often unclear. For example, if it is unclear what rate of erosion results from a particular land use, standards and norms should be set and implemented which assume the fastest rate and implement corresponding measures.</p> <p>2.9 The Integration Principle refers not only to the cooperation between different social bodies, but also to the integration of different physical, biological and social realities and issues pertaining to a particular geographic area. The Principle of Integration is, of course, central to local government in the form of the Integrated Development Plan. The present sections on Human Well-Being, Environmental Integrity and Economic Efficiency would be included under the heading of the Principle of Integration, along with a paragraph on the integration of different realities and issues.</p> <p>2.10 The fourth subsidiary principle is the Cooperation Principle. It states that government as well as the private sector, non-governmental organisations and science all need to be involved to ensure sustainability. Translated into the local EMP situation, the Cooperation Principle would state that successful long-term environmental management requires that norms and mechanisms should be developed which encourage (or even require) all role players to act cooperatively to achieve a common goal.</p> <p>2.11 Finally, it should be stated explicitly that management decisions will be guided first and foremost by scientific knowledge and insight in, for example, the fields of ecology and fire management.</p> <p>3 Timeframes and Planning Context</p> <p>3.1 Before diving into legislation, the implications of the above principles should first be set out in a new Section 2</p>	<p>Agreed. These principles have been included in the revised EMP.</p> <p>Agreed. These principles have been included in the revised EMP.</p> <p>Agreed. These principles have been included in the revised EMP.</p>
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	<p>(so that Planning Context becomes Section 3 etc). This new Section 2 pertains to timeframes. Sustainability as a goal depends on a timeframe of decades, and this should be made explicitly as part of the goal.</p> <p>In the implementation, however, there are three other timeframes which should be spelt out explicitly also. There are therefore four timeframes: The fifty-year long-term timeframe of sustainability and its principles, which sets the agenda for the EMP and short-term goals and actions, an envisaged five-year timeframe of the current EMP before it undergoes a major re- assessment and revision, and the short-term changes and actions which react the continual changes in the situation and conditions on the ground. The fourth timeframe relates to the phasing-in period of the EMP.</p> <p>3.2 As set out in more detail in Section 8 below, the present version of the EMP is incomplete because it lacks important detail such as detailed route maps, which motivated the above fourth timeframe. The EMP should at this point set out that the present draft is to be promulgated on the understanding that a number of Schedules will be successively added within the fourth phasing-in timeframe which provide those important details which are currently still missing. Examples of such schedules include a set of maps, including recreational routes, rehabilitation maps, alien management plans, the founding document for the Panama Forum (currently referred to as the Friends of Paradyskloof NA see section 5 below), a separate plan for the clubhouse, regulations and operating procedures pertaining to finances, security etc.</p> <p>3.3 If as suggested the timeframes are set out properly in a new Section 1.3.3, this replaces Section 5 (Validity) which thereby becomes unnecessary.</p> <p>4 Legislative environment</p> <p>4.1 Section 2: Planning Context: the discussion of national, provincial and local government legislation and policy is very important.</p> <p>4.2 The Cape Winelands Biosphere Reserve SDP of 2009 is missing from the list of applicable law. It and its implications for the EMP should be discussed. It is important in that it provides the detailed spatial planning categories needed in the EMP.</p>	<p>The validity period of the EMP is spelled out in the amended Section 5 of the document. Whilst the document is reviewed every 5 years an addendum section may be populated by the constituted "Friends of..." group. Such documents may include the founding document of the "Friends of..." group, updated maps, etc.</p> <p>See comment above.</p> <p>The routes included in the current EMP were digitised from the latest high resolution aerial photograph available to the municipality.</p> <p>See comment above. Provision has been made to allow set of maps and other accompanying documentation to be added to the EMP as approved by the relevant "Friends of..." group.</p> <p>The Cape Winelands Biosphere Reserve and the Paradyskloof Nature Areas context therein is recognised in the document. I.t.o of the Cape Winelands Biosphere</p>
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	<p>4.3 Land Use Goal: While the scope of the EMP focuses on management of the area, good management would be a waste of time and resources if the area can be repurposed in part for some other land use. In particular, the critically endangered ecosystems of low-lying areas must receive strong legal protection. This entire section of relevant legislation would also be largely irrelevant were it not to have concrete results in the form of higher legal protection in some form of nature reserve. For these reasons, we suggest that a new Section 2.4 would be appropriate linking the listed legislation to the specific Land Use Goal for the Paradyskloof Nature Area, and containing text to the effect that:</p> <p>(a) Sustainability implies a corresponding change of land use status on the Stellenbosch Municipal Spatial Development Framework and any sectoral plan.</p> <p>(b) It also implies a change in zoning from the current Agricultural to the more appropriate Nature and Environment zoning, including split zoning where appropriate and/or a possible URCO zoning in the interim.</p> <p>(c) The Municipality should work towards further legal status in the form of a conservancy or protected area in terms of the NEMA suite of laws.</p> <p>(d) See also Section 6 and Item 6.4 below.</p> <p>5 Governance</p> <p>5.1 Re Section 4.1 (Administration): We agree with the first two paragraphs. The listed goals (participation, capacity building and involvement) are important. Explicit reference should, however, be made to the principle of sustainability (by making reference to Sections 1.3 and 2.3.2) as the guiding principle for administration. In other words, we need a statement at the end of the second paragraph that administration will be governed not only by the three considerations of participation, capacity building and involvement, but also and primarily by the principles of Section 1.3.</p> <p>5.2 Finance Section 1.3 of the EMP aptly observes that sustainability, under present circumstances, cannot be</p>	<p>Reserve SDP, 2009, the relevant area consists of the following special planning categories: intensive agric., extensive agric., ecological corridors and a conservation area overlying the mountain catchment area.</p> <p>Disagree.</p> <p>Council is responsible for the “good” management of the area, irrelevant of its status, without it being a waste of time and money. The EMP includes an action item that the declaration of the area as nature reserve must be investigated and considered.</p> <p>Formally declaring the area as a nature reserve is not a prerequisite for sustainability or sustainable development of the area.</p> <p>This overarching goal of sustainability has already been included in the document. To reference it again would be repetition.</p>
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	<p>achieved without any form of management intervention and that such investment has to be financed to a significant extent. Accordingly, sustainable development projects or use within the area should ideally contribute towards the required financing of management activities in a spirit of partnership. Sustainability and the resulting subsidiary Principles have immediate and concrete implications for both the general policy and specific actions. We suggest that Section 4.1 (Administration) of the EMP be augmented by text such as the following.</p> <p>(a) The Municipality cannot expect the nature areas to pay for themselves, but will have to allocate financial and human resources to its management. The budget allocated to the Department of Conservation will have to be increased to address the rising workload and challenges.</p> <p>(b) While the pine plantations did yield some income over the years that income will likely dry up; see Section 10.</p> <p>(c) On the other hand, the number of recreational users has grown exponentially, as have the number of so-called events.</p> <p>(d) The Causal Principle immediately implies that visitors and users should be required to pay for access, and that the amount should be proportional to the (short-term and long-term) physical impact and to the raised threats.</p> <p>(e) Proper management will require substantially increased human resources and revenue. The large registration fees already being paid by participants and general practice show that there is both a willingness and capacity to pay for access. Access fees for casual visitors and event fees should therefore be written into the Governance section of the EMP both as a matter of the underlying principles and a practical necessity.</p> <p>(f) An appropriate Action Item should be added to Table 2.</p> <p>(g) The Council meeting of 30 Jan 2019 approved the introduction of a cashless revenue collection system in Jonkershoek. There is no reason why a similar system could not be used also in Paradyskloof.</p> <p>(h) Other details on finances will be addressed in Section 11 and elsewhere in these comments.</p> <p>5.3 There is no reference to Table 2 in the main text. Section 4.1 should therefore contain a short paragraph explaining that, in the ACTIONS / IMPLEMENTATIONS tables in this and in subsequent sections, the relevant actions and implementation measures will be listed in a system of continuously-numbered actions.</p>	<p>Table 2 provides for an annual budget to be prepared for the management of the Paradyskloof Nature Area.</p> <p>Other revenue streams such as the harvesting of the remainder (or sections thereof) of the existing pine plantation, events and recreational users of the area will be considered.</p> <p>The Actions / Implementation tables included in the document is not referenced but meant to list the action items to realise the various management directives.</p>
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	<p>5.4 The paragraph on Friends and Protected Areas Forum should be separated into two and expanded as follows. First, the Stellenbosch-wide Protected Areas Forum should be included in Figure 12 and its role in relation to individual nature areas discussed more fully. Following that, the second paragraph pertaining to a new body involving local volunteer organisations needs to be expanded considerably as follows.</p> <p>5.5 The name Friends of Paradyskloof NA would probably often be confused with the WESSA system of Friends groups and of course FSM itself. We would suggest that the new body be named something else, for example the Paradyskloof Nature Area Management Forum or PaNAMa Forum in short.</p> <p>5.6 There should be a statement saying that the founding document (such as a constitution) of the Panama Forum will be workshopped during the phase-in timeframe and then added as a Schedule to the EMP. Some basic detail should already be included here. Some examples for text to be included are:</p> <ul style="list-style-type: none"> (a) Any participating organization should have a member-approved constitution and office bearers, hold annual general meetings, and communicate annually in writing to the Panama Forum the details of its governing board members and which person(s) are to be delegated for communication between the Panama Forum and its organization. (b) The Panama Forum is to fulfil important functions in communication. On the one hand, participating volunteer organisations would provide an eyes and ears function and act as a conduit for input from the general public into the management of the area, while on the other hand the Municipality would use the Panama Forum to communicate issues to the public. (c) The Forum should also facilitate synergies and conflict resolution both between participating organisations and between the Municipality as land owner and neighboring land owners. (d) Participation by member organizations at regular meetings should therefore be mandatory. Implementation by organisations of decisions taken by the Panama Forum should likewise be mandatory. (e) Important external role players: Because the PNA abuts the Hottentotsholland Nature Reserve, it would be wise to include CapeNature into the mailing list 	<p>The paragraph and figure on the envisaged Paradyskloof Nature Area management structure is deemed sufficient until such time as further decisions in this regard have been adopted by Council.</p> <p>As there is an Item in process that will shortly serve before Council to endorse the concept of having “Friends of ...” groups established for nature areas the name will be retained as included in the EMP.</p> <p>See comment above. The above Item is not prescriptive in the regard but leave it up to the relevant “Friends of ...” groups to decide on its composition and rules.</p>
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	<p>and, should they so wish, have a representative attend management meetings. Stellenbosch University could be consulted as and when issues on the northern side of the PNA arise.</p> <p>5.7 The EMP should further introduce a system of accredited organisations or AO's for short, and, where appropriate, accredited individuals.</p> <p>(a) Preferably only Accredited Organizations should take part in the Panama Forum. Other organisations such as Cape Nature, Volunteer Wildfire Services, the nearest Neighbourhood Watch, the local Boy Scout troop etc. would, however, also be usefully accredited. Statutory organisations such as the Winelands Fire Service are of course automatically accredited.</p> <p>(b) The criterion for accrediting an organisation should be the usefulness of such organisation in aiding the Municipality in the physical management of the nature areas. Donors would not qualify for accreditation because accreditation is not about sponsorship but about management.</p> <p>(c) No organization should be accredited which does not have a written formal founding document and an annual general meeting at which representatives are elected.</p> <p>(d) An organisation only becomes accredited once a Memorandum of Understanding (MOU) between the Municipality and that organisation has been signed, setting out the mutual roles and responsibilities as well as matters of liability.</p> <p>(e) As set out in the respective MOU, an Accredited Organization would have certain responsibilities and privileges. Responsibilities could include various tasks in management; privileges could include free access to the area (see Item 11.2 access control), one or more copies of keys to the gate(s), one or more appropriate license disk for authorized motorized vehicles.</p> <p>(f) A template for a typical MOU should be included as a Schedule to the EMP once this has been workshopped and approved by the Municipality.</p> <p>5.8 The Municipal Department of Conservation would, on a case by case basis, grant Volunteer Ranger status to individuals which are accredited directly or indirectly through an Accredited Organisation. Volunteer Ranger status would be implemented through a system of ad hoc plastic identity cards with portrait photos which such Rangers would carry with them on site. Rights and responsibilities of Volunteer Rangers would also have to</p>	<p>See comment above. It is not the intention of the EMP to go into such detail of the "Friends of..." group at this stage.</p> <p>Agreed. To be considered.</p>
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	<p>be spelt out.</p> <p>6 Expansions and reductions of the Nature Area</p> <p>6.1 The current EMP is correctly delimited to the municipally-owned cadastral units of Farms 366, 369 and 368/2. This may not be the final extent of the Paradyskloof Nature Area, there are threats of reduction and opportunities of expansion.</p> <p>6.2 Various suggestions for possible reductions of the PNA have been mooted by various parties over the years. Motives included (i) simple ignorance of the importance of nature areas, (ii) silo thinking considering for example only roads, agriculture or forestry without the integrated context, (iii) private self-enrichment by means of urban housing developments and conference centres (iii) mendacious so-called "resort" and "Special Development Area" proposals which endeavour to disguise development in the cloak of sustainability.</p> <p>6.3 While some parts of the PNA may indeed retain agricultural or forestry land uses, there should be a clear and unambiguous statement in the EMP that urban development and expansion of the urban edge are incompatible with its vision and principles. Within this context, Section 4.3.6 (Development) (incorrectly shown as 4.3.4 in the EMP) is inadequate. On the one hand, it correctly states that it is imperative that the integrity of the Paradyskloof NA be protected but then contradicts itself in the next sentence by stating that any physical development is to be planned and implemented to have the least possible impact. We suggest that Section 4.3.6 (Development) be removed entirely and that instead a sentence be added in Section 4.3 (Land Use Management) which brief states that protection of the integrity of the Paradyskloof NA is imperative, that the aim is to align the legal status (as set out above in the new section suggested by Item 4.3 above, and that any physical development would have to pass muster of the Principle of Sustainability and its subsidiary principles as set out above.</p> <p>6.4 Expansion of the PNA. We suggest that the EMP include a paragraph pertaining to possible expansion of the PNA, even if immediate action on this is not feasible.</p> <p>(a) The PNA comprises both mountain and lowlands ecosystems. While the mountainous areas are more spectacular and well conserved, the low-lying parts of the PNA require special protection and expansion because they house the endangered renosterveld</p>	<p>Agreed</p> <p>Noted</p> <p>Disagree. The Municipal Spatial Development Framework and its urban edges forms the basis hereof and determines the expansion of urban development.</p> <p>Development does not solely refer to the expansion of urban areas. Development, in the context of the EMP, refer, for example, to tracks, recreational amenities, firebreaks, etc. and is therefore retained as is.</p> <p>Agreed. An action item has been included in the revised EMP that the inclusion of other (adjoining) land into the Paradyskloof NA should be investigated on an on-going basis.</p>
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	<p>biomes which are classified as Critical Biodiversity Areas (CBAs). As set out in the Stellenbosch Environmental Management Framework (SEMF), the objective is to rehabilitate and conserve as much as possible of this (CBA) area. The SEMF has as explicit objective C4.1.2. Facilitate SPC A status [Core Conservation Area status] for all Critical Biodiversity Areas (CBAs) through innovative public- private partnerships.</p> <p>(b) In this context, it is imperative to incorporate into the Paradyskloof NA adjacent low-lying areas which contain renosterveld, even if only in part and even if they are degraded. There are at least two areas which should be incorporated as soon as possible as they are highly threatened: Portions 369W and 369F of Farm 369, which both contain listed CBAs. While these portions are both leased out by the Municipality under a 50-year lease, the lessee has violated the terms of the lease contract multiple times as well as being convicted by the provincial Department of Environmental Affairs and Development Planning for illegally ploughing parts of the said CBAs. The 50-year lease can and should therefore be revoked and the portions incorporated into the PNA at least in part.</p> <p>(c) The status of Portion 369/6 of Farm 369 is unclear, but it should also be incorporated if appropriate.</p> <p>(d) Over the long term, it may well be feasible to expand the PNA northwards to incorporate land currently owned and managed by Stellenbosch University.</p> <p>7 Land Use and recreational use</p> <p>7.1 We agree with the general sentiments of the first paragraph of Section 4.3.1. (Management / Use Areas), but we see important deficiencies which should be corrected. The problem is that Section 4.3.1 and the accompanying Figure 18 conflate four separate issues (or, translated into GIS, four separate layers) into one. The four layers are:</p> <p>[A] Present Land Use as the current reality, [B] Future Land Use as a vision, [C] Use Zones pertaining to recreational use, and [D] Legal Status.</p> <p>While there are of course overlaps between the four layers, there are also differences, and these should be made clear. Each of the layers should be treated separately both in a figure and an explanatory table. We call them Figures 18A, 18B, 18C and 18D with a corresponding explanatory Table or Tables where</p>	<p>See comment above. An action item has been included in the revised EMP that the inclusion of other (adjoining) land into the Paradyskloof NA should be investigated on a on-going basis.</p> <p>See comment above.</p> <p>See comment above.</p> <p>Figure 18 depicts the current status of tracts and land use of the area. Read together with Table 11 it is clear that ground-level use is to be communicated to all users through signage.</p> <p>Provision has been made in the revised EMP that existing tracks and land use must be ground trothed and investigated on an on-going basis where after it will be developed, rehabilitated or closed as required.</p>
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	<p>necessary, which would replace the current Table 10. Table 11 (Actions/Implementations) however would remain essentially unchanged.</p> <p>7.2 [D] Legal Status: In principle, a Legal Status map and figure would be necessary, but for the moment can be omitted. It may have to be included later once the zoning has been modified (for example into a URCO zoning), or if, for example, the area below the clubhouse is given a different zoning status or if only part of the PNA is declared a protected area. Note that the status of the upper Farm 366 as a declared Mountain Catchment Area is already captured as a Bioregional Spatial Planning Category under [B] Future Land Use below.</p> <p>7.3 [A] Present Land Use: This is merely a record of the actual land use occurring at the moment. Figure 18A and Table 18A would comprise categories such as mountain fynbos, wetland, renosterveld, pine plantation, roads and tracks, municipal infrastructure, degraded land etc. Figure 18A would, for example, mark the lower Schuilplaats River as "heavily infested CBA" rather than as a future Conservation 2 zone. Due to important issues regarding road, track and trail types and usage as set out in Section 8 below, the caption of Figure 18A and the accompanying Table 18A and main text should emphasise that the land uses shown (plantation, roads, tracks and trails etc) merely reflect the current realities and not the future. The caption should remark that these roads and tracks merely reflect current reality and not future purpose. This is important to prevent confusion with the approved road and track network discussed in Section 8 below. The text accompanying Figure 18A should also refer to Figure 11 (current infrastructure) as a layer of the present land use.</p> <p>7.4 [B] Future Land Use: Figure 18B and Table 18B, by contrast, would show the same Nature Area as a spatial vision, ie a map in which land uses are shown as goals rather than realities. Categories here would be the bioregional spatial planning Core and Buffer subcategories (see e.g. Section 12.1.1 of the Cape Winelands Biosphere SDP and Figure 18). We summarise the relevant categories in the Table below and suggest that these categories be included as Table 18B and used in Figure 18B in the revised EMP. The text accompanying Figure 18B would of course refer back to the declared CBAs as well as indicate specific areas identified for rehabilitation color-coded as a B.d category. It would also, for example, explicitly mark the lower Schuilplaats River basin as B.c.ii even though at present the lower</p>	<p>The Mountain Catchment Area has been included in Figure 18 as a Conservation 1 area.</p>
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river is heavily invaded. Figure 18B would also serve as the blueprint and guide for the detailed User Zone maps to be compiled for later incorporation into the EMP as Schedules (see Item 7.5 and Section 8 below).

7.5 [C] Use Zones

- (a) Use Zones refer mainly to recreational use. They are used in the Table Mountain National Park Conservation Development Framework (CDF) and worldwide to good effect. According to the CDF, the aim is to balance conservation with tourism and recreation activities. They also help prevent conflict between different recreational uses. Of course they are informed by the other layers.
- (b) The current Section 4.3.1 correctly observes that the area as a wide spectrum of resources, many of which overlap spatially. Of the above Use Zones (Remote Wilderness, Remote, Quiet, Low Intensity and High Intensity) listed in the CDF, currently only Remote Wilderness, Remote, Quiet and Low Intensity would be appropriate. The High Intensity Use Zone refers to visitor's centres, built-up pic-nick spots etc. is not appropriate. (See also comments in Section 9 on the Clubhouse below).
- (c) We suggest the following subdivision into Use Zones:
- i. Upper part of Farm 366 (the Mountain Catchment Area): Remote Wilderness
 - ii. Areas of Farm 369 above the historical eucalyptus firebreak and below the Mountain Catchment Area: Remote. This Use Zone definition reacts the current practice and decisions already taken, in terms of which the footpaths upwards of the firebreak are reserved for pedestrians (i.e. Walking, Hiking, Running).
 - iii. Wetlands and riverine zones (corresponding to categories B.c.i and B.c.ii): Quiet. Where necessary, the 35 metre river embankment definition should be expanded.
 - iv. Areas with a high density of mountain bike tracks, including the current pine plantation and lower parts of Farm 368/2: Low Intensity.
 - v. Area immediately surrounding the clubhouse and access road to it: Low Intensity
 - vi. Unwooded area near the Paradyskloof main gate: Quiet. The reason for this is that it contains Red Data species.
 - vii. All other areas, including renosterveld: Quiet
- (d) Appendix A displays a page taken from the Table Mountain CDF which provides a guide for the definition and application of the Use Zones. A simplified table of Use Zones is shown below; it reacts

	<p>existing usage in the PNA. The asterisks indicate activity on designated routes only. Designated routes are discussed in Section 8 below.</p> <p>8.1 The current EMP addresses roads, tracks, trails and footpaths only indirectly, e.g. in Sections 4.2.4 (Soil) and 4.3.3 (Recreational Use). Because the PNA is envisaged as a conservation area but fulfilling an important function of recreation, proper management of roads and trails is important. Omitting a detailed framework for this would create endless confusion and conflict. We sketch below a detailed proposal for inclusion into the EMP. One or more new sections should be devoted to these in the context of recreational use.</p> <p>8.2 The first step towards doing so is to create an accurate picture both of the existing roads and trails and to classify them in terms of current and future use. As stated, the Google Earth layer shown in Figures 10, 11 and 18 is inadequate because (i) it does not classify these tracks, (ii) they are hard to ground-truth especially in the pine plantation, (iii) the present snapshot contains a number of illegal trails, logging paths etc which should be identified and closed.</p> <p>8.3 Road, track and trail types: There are two attributes to consider, namely the type and purpose of an existing road and trail, and the future status of each. We suggest that the following scheme be included in the EMP and implemented in the phase-in timeframe by means of a Schedule of maps.</p> <p>(a) The suggested classification types are: Type T (paved road), Type D (unpaved road, jeep track), Type B (Bicycle or mountain bike track), subdivided into downhill and general tracks (BD and BG), Type P (pedestrian track, including runners and hikers) and Type O (other road-related structures such as jumping ramps, parking areas etc.)</p> <p>(b) The status of each road/trail/track can be Status A (approved for use as set out further below), Status R (to be closed for rehabilitation) and Status N (illegal or non-approved track).</p> <p>(c) Each road and track should be mapped and typed, segment by segment, so as to facilitate the compilation of maps reacting the present status and allow for future changes. This has become quite feasible with GIS, and FSM already has a near-complete set of ground-truthed track segments on file.</p> <p>(d) The EMP should then include a set of default rules as follows. Unless explicitly indicated otherwise on the</p>	<p>The detailed contained in the Paradyskloof NA EMP is deemed sufficient for the proper management and maintenance of existing roads and tracks.</p> <p>The routes included in the current EMP were digitised from the latest high resolution aerial photograph available to the municipality. This layer is considered accurate and complete.</p> <p>Provision has, however, been made to allow set of maps and other accompanying documentation to be added to the EMP as approved by the relevant "Friends of..." group.</p>
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	<p>maps:</p> <ul style="list-style-type: none"> i. Types T and D roads may be used by approved motorised vehicles (see Section 11 re motorised vehicles), as well as by cyclists and pedestrians. Motorised vehicles have right of way, i.e. cyclists and pedestrians are obliged to yield; ii. a Type BD track (downhill bike track) is reserved for cyclists; iii. a Type BG track (general bike track) may be used by cyclists and pedestrians, with pedestrians having the right of way; iv. Cyclists must yield to motorised traffic where B-trails cross roads (Types T or D); v. Type P segments are reserved for pedestrians only (including prams, trail runners); vi. a track marked N on the maps is by definition to be closed and no use is permitted at all. This includes all segments which have been identified for rehabilitation, after which they can either be re-opened for use or closed permanently; vii. any track which does not appear on the approved route maps is by definition of Type N and will be closed; viii. permissions for Type O structures are explicitly spelt out individually in an addendum to the maps. <p>8.4 Implications for the EMP: The type classification and segment-by-segment purpose determination of roads and trails will clearly not be completed in time for promulgation of the EMP. We therefore suggest that the EMP merely lays down the above rules and include text outlined below. The process would be similar to the one followed in compiling the Table Mountain Environmental Management Plan.</p> <ul style="list-style-type: none"> (a) The text in Section 3.4 (Infrastructure) should include wording to the effect that the roads and trails shown in Figures 10 and 11 merely react current realities without predetermining their purpose, and a reference to a later section where such determinations are discussed should be inserted here. (b) During the phase-in time period, a route master map will first be ground-truthed and checked against historical Google Earth photos to determine illegal recent additions to the network. (c) The road and track segments would be colour-coded corresponding to their approved types (T,D,BD,BG,P,N). (d) The complete set of track segments and their types will be workshopped in the new Panama Forum and then submitted for comment to various role players (CapeNature, Municipal Departments, Ward Committee etc) 	
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	<p>(e) The route master map would then be included into the EMP as a Schedule.</p> <p>(f) The master route map would subsequently form the basis for all specialized maps such as a mountain bike network map, tourist information maps, display boards at the PNA entrances etc. Naturally no new maps and display boards should be put up before these new maps are finalized.</p> <p>(g) The EMP would do well to follow Section 4.4 of the Table Mountain EMP and include a subsection or schedule on the Procedure to open new mountain bike routes.</p> <p>(h) Besides being set out in the main text in detail, these items would be added in summary form to the ACTIONS / IMPLEMENTATIONS Table 13.</p> <p>9 The clubhouse</p> <p>9.1 The so-called clubhouse was renovated at a cost of nearly R600,000 in 2017 using municipal funds. This was done despite the fact that there was no clear idea of the purpose of a renovated building and without regard for the context and surrounding areas. The clubhouse exemplifies what goes wrong if no proper planning is in place and highlights the importance of the present EMP.</p> <p>9.2 The clubhouse is now an unavoidable fact of life and no doubt the Municipality feels the need to obtain some revenue from this bad investment. However, under no circumstances should the need for revenue from a bad investment drive the overall land use decisions. The Paradyskloof Nature Area is a nature area and that is and remains its primary purpose.</p> <p>9.3 We support the idea that different possible uses for the clubhouse should be investigated (Table 12). All decisions regarding the clubhouse must be reached on the basis that the integrity of the surrounding nature areas be maintained, in accordance with the stated Principles.</p> <p>9.4 Access and separate Use Zone: Evidently, usage of the clubhouse has very different characteristics than the management of the surrounding nature area. Use of the same main gate both for clubhouse users and nature area management has, for example, proven very problematic because clubhouse users generally come at night or over weekends when there is no supervision. Furthermore, clubhouse users thereby gain motorised access to the full 400 hectares of nature area, which according to the rules motorised vehicles are prohibited. We therefore believe</p>	<p>The Paradyskloof EMP prohibits the construction of any new mountain bike routes. It is therefore deemed unnecessary to include a section on how to open new routes.</p> <p>Agreed</p> <p>Agreed</p> <p>Noted. This must be further investigated by the Department: Community Services.</p>
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	<p>that it would be beneficial to declare a separate Use Zone for the club-house and perhaps even extend this zone to encompass a part of the area between it and the main entrance on Paradyskloof Road while excluding high-biodiversity areas which still occur there. Separating the clubhouse Use Zone from the surrounding one would provide the basis for separate management measures such as a separate entrance gate and fencing off of the clubhouse area from the main nature area. The EMP should include a paragraph sketching the intention to separate the clubhouse and its access into a separate Use Zone. See also comments on the Rules below.</p> <p>9.5 We comment briefly on the rules proposed in Section 4.3.2. It must firstly be clarified that there are two sets of rules, namely (i) a set of rules issued to rental users and (ii) governance rules which set down general parameters for usage of the clubhouse.</p> <p>9.6 Rules for rental (see Section 4.3.2 of EMP) The current or proposed text is shown in italics, our comments are in plain text or bold.</p> <p>(a) An official application for use of the clubhouse must be submitted to the Department: Community Services at least ten workdays before the event.</p> <p>(b) Use of the clubhouse must be approved by the Department: Community Services at least five workdays before the event.</p> <p>(c) Conditions set by the Department: Community Services must at all times be complied with.</p> <p>(d) The person / organisation organising or applying for approval for the use of the clubhouse assumes responsibility for the event as well as his/her or its guests complying to the above conditions of approval. Comment: this should be worded more tightly. It should be unambiguously clear who is responsible and liable. Hence we propose: The applicant, defined as the private person or the representative of the organization which is applying to host the event at the clubhouse, is responsible for enforcing all the conditions set for the event and general laws, by-laws and rules applying to the surrounding nature area.</p> <p>(e) We further propose: The applicant assumes liability for any loss or damage occasioned during the event, with respect to both the event participants and municipal property. Where an organisation applies to host an event, the person applying on behalf of the organisation is liable in his or her personal capacity. This is very important because (i) it ensures that any organisation whose constitution limits liability of its office holders does not simply get off the hook, and</p>	<p>Agreed. An amendment in this regard has been made to the EMP.</p> <p>Agreed. An amendment in this regard has been made to the EMP.</p> <p>Agreed. An amendment in this regard has been made to the EMP.</p>
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	<p>(ii) the applicant understands the seriousness of enforcing the conditions and laws and acts accordingly.</p> <p>(f) Fire is only allowed in designated areas. As set out further below, we strongly oppose any sort of fire in any form whatsoever except in the indoor braai with a chimney. The "lapa" constructed on the north side of the clubhouse should be dismantled. The proposed 15 metre safety zone around the clubhouse is inadequate to preventing sparks. Braziers and any sort of outside fire (including smoking, gas stoves, fireworks etc) should be summarily prohibited. Any less strict prohibition will create legal loopholes and likely result in a runaway fire sooner or later. Hence this rule should read: Fire, fireworks, smoking and the lighting of flames of any sorts is strictly prohibited. Use of the indoor braai area is, however, permitted.</p> <p>(g) Access for public users of the clubhouse may only be gained from the Paradyskloof Rd gate. For the moment, we agree with this, but have in mind the creation of a separate gate and access at a later stage.</p> <p>(h) A maximum of 10 vehicles are allowed to enter the premises to attend a event held at the clubhouse. If the amount of guests attending an event require more than the allowed 10 vehicle access arrangement must be made for the additional guest to be transported from the access gate up to the clubhouse. While we agree with the sentiments, this will be impossible to enforce unless adequate provision is made for external oversight. (i) We propose to add to the rules: Keys to the access gate and the clubhouse are the property of the Municipality and may not be copied. The loss of a key triggers a fine of R500 per key. The fine is not excessive, given that a lost or copied key implies the purchase of one or more new locks and multiple copies of the new keys for distribution, and the time and effort expended on the matter.</p> <p>(i) As stated in Item 9.4, we propose that a separate entrance dedicated only to access to the clubhouse should be constructed. Until such time as this has been effected, the a rental rule The main access gate should be closed as soon as the event has commenced and remain closed should be included.</p> <p>(j) As set out below, we consider it inevitable that there should be a manned access point along with an access fee. Once this is implemented, the clubhouse rules and rental fees would accordingly be modified to implement oversight over events by means of paid municipal agents.</p>	<p>Noted.</p> <p>This provision has been amended as follows: Fire is only allowed in designated areas and if approved by the Department: Community Services.</p> <p>Noted. See comment below.</p> <p>Noted. See comment below.</p>
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	<p>9.7 Clubhouse governance rules to be added to the EMP separately:</p> <p>(a) A separate set of governance rules addresses the specific management parameters and principles within which the Municipality intends to have the clubhouse administered.</p> <p>(b) Applying the Causal Principle of Item 2.7, all funds generated by the clubhouse shall be ring-fenced for use in the surrounding nature area, maintenance of the clubhouse, and payment of oversight and access control employees.</p> <p>(c) The clubhouse is increasingly being used for functions and events of the municipality itself. At first sight, that would seem quite appropriate. It must be observed, however, that the R600,000 spent on refurbishment is taxpayers' money which could have been spent elsewhere. There is no basis for an automatic right of municipal employees or office bearers to free access and use of the clubhouse while the taxpayer has to pay rental. The governance rules for the clubhouse should therefore include the provision that Social events organised and held at the clubhouse for the main benefit and/or attendance of municipal officials and/or office bearers are liable to pay the required rental fee. Workshops and events organised for the purpose of public participation and engagement shall be free. In all cases and independently of the applicable fees, the proper application process must be followed and the rules for rental obeyed. The payment of fees in the case of social events held by and for municipal employees or office bearers can be effected by means of a "journal entry" or internal transfer from the general municipal account into the clubhouse or the Department of Conservation account.</p> <p>10 Fire and firebreaks</p> <p>10.1 Notwithstanding general concern with crime, by far the largest threat posed both to the nature area and to human life and property is fire. Climate change and drought have increased the frequency and severity of wild fires worldwide, and the Western Cape with its Mediterranean climate is particularly at risk. Recent fires Bettys Bay and Kogelberg have shown that dozens to hundreds of residences can be easily burnt even when the fuel load is relatively low. The pine plantation in Paradyskloof must therefore be considered as a ticking time-bomb, especially since the plantation reaches to within metres of residential areas nearby. As a land owner, the Municipality would be liable for damages</p>	<p>The Paradyskloof Nature Area EMP is not the correct document to set out the detailed rules for the administration of the clubhouse. These rules sit with the relevant department administering the facility. The EMP simply lays down ground rules in this regard to limit the main risk to the nature area.</p>
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	<p>which could run into hundreds of millions of Rands. The EMP deals with fire in Section 3.6 (Threats) and Section 4.2.6 (Fire). While we agree with and support almost everything stated in that section, it does not go far enough.</p> <p>10.2 Firebreaks: According to Section 4.2.6.2, the National Veld and Forest Fire Act requires a firebreak to be wide enough and long enough to have a reasonable chance of preventing a veldfire from spreading to or from the neighbouring land. We must point out that the width of the cleared sections between the pine plantation and the residential areas will never be sufficient to prevent the spread of a plantation fire: flames can easily rise to higher than 20 metres, and sparks can and do fly over hundreds of metres. The only solution is to have most or preferably all the pine plantation logged as soon as possible. After logging, there should be no replanting. Action Item 27 of Table 9 should be strengthened to not only recommend investigation of the harvesting but the urgent implementation of that harvesting.</p> <p>10.3 Some neighbouring landowners have taken to planting trees and shrubs and extending their gardens into the Paradyskloof NA. All the relevant encroachment agreements should be cancelled and the relevant non-endemic vegetation removed. Through ignorance, these neighbours are only endangering themselves as well as introducing additional non-endemic species into the area. A further Action Item should be added to Table 11 with regard to restoring firebreaks to be truly free from neighbouring encroachment.</p> <p>10.4 As already set out in Item 9.6f, the clubhouse represents a special fire risk, and the pertinent rules have to be much tightened to not permit any lighting of any flame outside the clubhouse internal heat.</p> <p>10.5 Rules and conditions for entry for recreational users should unambiguously prohibit fire-making of any sort, including smoking, fireworks, braaiing or even possession of any flame-causing equipment, including matches, cigarette lighters, flammable liquids and solids etc. Such prohibition should form a prominent part of displayed notice and display boards and any public communications. The liability for damages of offenders should be set out too.</p> <p>11 Access, Safety, Law Enforcement, Events</p> <p>11.1 We suggest that, following the deletion of Section</p>	<p>Noted</p> <p>Noted and agreed.</p> <p>This item is addressed by Section 4.3 of the EMP.</p> <p>Noted and agreed.</p>
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	<p>4.3.4 (Development) as set out elsewhere in these comments, a new Section be inserted before the section on Events with the topic Access Control, Safety and Law Enforcement, or else Events could be incorporated into this general section. Some relevant suggestions for text of this new section appear below. The issue of finances has been addressed in Section 5.2.</p> <p>11.2 Access control</p> <p>(a) Access control is a basic necessity for effective management and achieving the goals and principles. Currently, there is very little access control, and what little there is has proven ineffective.</p> <p>(b) As stated in Item 5.2, the Causal Principle implies that access and its associated impacts should be paid for by the person or organisation effecting that impact. Text and Action Items should be added to spell out the implications.</p> <p>(c) Fencing: Except for the solid fence at the main gate (which itself needs an upgrade), fencing along the remaining perimeter is almost non-existent. Moreover, numerous gates have been inserted into whatever fencing there remains, which is illegal in terms of the municipal by-law. i. the entire periphery should be audited with regard to fencing and gates; ii. the entire periphery should be properly fenced, leaving only properly controlled access points on Paradyskloof Road and at the waterworks;</p> <p>(d) Encroachment agreements and permission for gates with neighboring landowners will be cancelled and renegotiated only under exceptional circumstances.</p> <p>(e) Access from the Coetzenburg side would be open, but only on condition that a system of cyclist identification (and annual payment of a subscription) as well as on-site roving inspectors is implemented.</p> <p>(f) All notice and display boards shall clearly state the rules of access, and in particular highlight the prohibition of all motorised vehicles not in possession of a permit.</p> <p>(g) The main access point at Paradyskloof Road will be staffed during daylight hours for inspection of cashless access tokens, and high cash fees be imposed on users who do not pre-purchase cashless tokens.</p> <p>(h) In time, special access control measures will be implemented with regard to the clubhouse as set out in Section 9;</p> <p>11.3 Safety and Law Enforcement</p> <p>(a) While Action Items 9 and 11 mention law enforcement, the topic of law enforcement has not been treated fully. There are many illegal activities</p>	<p>Agreed. Amendments to the EMP have been made in this regard. A new section addressing the issue has been added to the document.</p> <p>Noted</p>
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	<p>which also must be addressed in the EMP. The most prevalent include creation of unauthorized mountain bike trails, ramps, ground removals for trail construction, illegal footpaths, access by neighboring landowners, and gathering of plant material.</p> <p>(b) There are many other less frequent illegal activities. Many of these are, of course, mentioned in the Municipal By-Law (see EMP Section 2.3.4). Nowhere does the EMP explicitly set out how this By-Law and its provisions are to be implemented. The EMP should therefore set out brief a strategy to implement at least some law enforcement. We need text and an Action Item pertaining to upgrading law enforcement in the nature areas. Options to investigate (not mutually exclusive) include better coordination with municipal law enforcement, employment of dedicated on-site roving inspectors (augmented by Volunteer Rangers), and a possible agreement with a private security company active in the immediate vicinity.</p> <p>(c) As set out already, the clubhouse will require special attention with respect to law enforcement and supervision.</p> <p>(d) A further action item should refer to revision of fines as well as coordination with the municipal court.</p> <p>12 Other comments and suggestions</p> <p>12.1 Display boards: As already mentioned in Item 8.4, the EMP should compile a set of statements and signs which are to appear on display boards.</p> <p>12.2 If display/notice boards are to be erected by any organisation other than the Municipality itself, the full content and layout of such boards must first be workshopped within the Panama Forum and approved by the Department of Conservation.</p> <p>12.3 Rules, display boards, codes of conduct</p> <p>(a) With regard to the rules for recreational use of Section 4.3.3: i. Re Rule (a): explicitly mention liability ii. Re Rule (b): We have already motivated why fires and all kinds of relighting should be generally prohibited. iii. Re Rule (c): replace existing with approved or designated, because there are quite a few existing ones which are illegal. iv. Re Rule (i): This has been addressed in Section 8 on Roads, tracks, trails. The types, abbreviations, permissions and colour codes should of course be written into the rules. For the purpose of display boards, a brief explanation of the colour codes used would be</p>	<p>Noted and agreed. As a interim solution it is the intention of the Section: Nature Conservation to increase staff (baboon monitors or other) presence in the Paradyskloof Nature Area, similar to that of the Botmaskop area, in an effort to discourage vagrants. These monitors will be equipped with radios to contact Law Enforcement if required.</p> <p>Agreed</p> <p>Agreed. An amendment in this regard has been made to the revised EMP.</p>
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	<p>supplemented by a reference to a website as well as one or more telephone numbers.</p> <p>(b) We suggest that, besides the above general code of conduct for all recreational users, Section 4.5 of the Table Mountain EMP be used as a point of departure for a mountain biker code of conduct for which the TM-EMP was written. However, codes of conduct are not enforceable and should therefore be devolved for handling by the relevant mountain bike organisations.</p> <p>12.4 Section 5 (Validity): As proposed above, this section should be incorporated into the new timeframes subsection.</p> <p>12.5 Section 4.4 (Environmental Auditing): We very much support this and hope to be of assistance. FSM already has substantial data on plant species which forms a solid scientific basis for biodiversity auditing. All other forms of auditing are also strongly supported.</p> <p>12.6 Section 4.2.1 (Alien Clearing):</p> <p>(a) While the topic itself is of cardinal importance, it is not clear whether specific clearing methodologies are necessary content in an EMP, especially since a separate Invasive Alien Management Plan already exists. Clearing of alien invasive species ranks as one of the most important actions needed for long-term sustainability. It may, however, not be necessary to spell out all the procedural detail in this particular document since this is already done in a separate municipal alien clearing plan.</p> <p>(b) Important invasive alien species which should also be mentioned are pittosporum, bug-weed, hakea. Mention should also be made that some pine species such as pinus pinaster can be inherently invasive.</p> <p>(c) The EMP text should mention that fynbos seed banks can recover from pine plantation land use if such land use does not exceed about 30 years. It would hence be important to log the oldest portions of the remaining pine plantation as soon as possible in order to give the remaining seed banks a chance to re-seed the logged area.</p> <p>(d) The order of clearing of alien vegetation should be informed not first by elevation of an infested area, but by the combination of three other factors: 1. density of infestation, 2. ease of access, 3. conservation value of infested area. Prioritization procedures should be considering all three factors. Low-density infestations, and/or to areas easily accessible and/or of high conservation value would score higher in terms of priority. Within this ranking,</p>	<p>Noted</p> <p>See comment above.</p> <p>Noted</p> <p>Agreed. The approved Stellenbosch Municipality Invasive Alien Plant Management Plan (2017) contains the relevant detail with regards to the management of invasive aliens. Only the minimum information, as contained in the above plan, has been included in the Paradyskloof NA EMP.</p> <p>This is dealt with in the Stellenbosch Municipality Invasive Alien Plant Management Plan (2017). The provision that clearing should start from the top a slope, working downwards, was added to the EMP as a matter of principle to limit soil</p>
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	<p>rivers and river banks as well as low-lying renosterveld areas would possibly be prioritised over areas at higher elevation, because high-elevation biomes are less threatened.</p> <p>(e) Foliar spraying methods should be explicitly prohibited. They have been used in some parts of Farm 369 and have caused long-term heavy damage, to the extent that almost nothing grows in the affected areas even years later.</p> <p>(f) Figure 13 is somewhat misleading, because it includes the remaining 40 hectares of pine plantation into the central high-density AIP area. While a case can be made that pines are indeed AIPs, plantations are not usually understood and handled as such. Of course, the moment that these remaining pines are logged, then the high-AIP-density color coding in Figure 13 is quite appropriate.</p> <p>(g) The strips of land comprising the former eucalyptus firebreak on the upper border of the former pine plantations are currently indicated as Medium Density infestations; from direct experience, they should be denoted High Density.</p> <p>(h) Table 3: Add action Obtain and collate information on historical evolution and events regarding the establishment and logging of various sections of the pine plantations.</p> <p>(i) Table 3: Add action Obtain and collate information on historical alien clearing program and actions as input into present and future clearing strategies.</p> <p>12.7 Sections 4.2.2 (Flora) and 4.2.3 (Fauna)</p> <p>(a) Section 4.2.3 (Fauna) can and should be merged with Section 4.2.2 since much of the quoted text pertains to both. Correspondingly, Tables 4 and 5 can and should also be merged. The introductory paragraphs of the current Section 4.2.3 would form the beginning of the new joint section.</p> <p>(b) Make direct reference to the Biodiversity Act and quote the relevant sections.</p> <p>(c) The actions in Table 4 are strongly supported. A further action should be added: Ground-truth and update the CBA status of all parts of the nature area in cooperation with Cape Nature and SANBI.</p> <p>(d) A second action to add is Identify priority sub-areas for protection and/or rehabilitation based on their conservation value (e.g. Red Data species, critically endangered habitats etc).</p> <p>(e) The introduction of non-endemic species to the area should be explicitly forbidden, also in the Rules, and existing non-endemic species should be gradually removed even if they are non-invasive. The only</p>	<p>erosion.</p> <p>The portion of land is indicated as highly invested as pine trees are invasive alien plants.</p> <p>Disagree. These items are regarded and dealt with as separate topics.</p> <p>Agreed. This has been included in the revised EMP.</p> <p>Agreed. This has been included in the revised EMP.</p>
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	<p>viable exception would be the few old oak trees which form part of the cultural heritage.</p> <p>12.8 Section 4.2.4 (Soil)</p> <p>(a) Add to item a): Construct physical barriers to road use where the NO ENTRY signage is not respected.</p> <p>(b) Given the envisaged alternative access to the clubhouse, the separate road leading to the clubhouse should be tarred, of course with funds generated from clubhouse rentals.</p> <p>(c) An Action Item should be added to Table 6 to the effect that Recover costs for preventing further erosion and rehabilitating historical erosion on approved mountain bike tracks by higher access fees for mountain bike users and by fees from event organizers.</p> <p>(d) A further Action Item for Table 5 should be Audit erosion measures undertaken by pertinent mountain bike and/or event organisations at least once per year.</p>	<p>Agreed. An amendment in this regard has been made to the revised EMP.</p> <p>Item to be considered by the Friends of the Paradyskloof Nature Area.</p> <p>Item to be considered by the Friends of the Paradyskloof NA and revision of the Events Policy and / or fee structure.</p> <p>Such an action is already contained in Table 11.</p>
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7.6.2	USE OF PUBLIC OPEN SPACE (ERF 3931) AND PLAYGROUND AT UNIEPARK (ERF 3363) REQUESTING FOR THE CONSTRUCTION OF A MOUNTAIN BIKE CYCLING PATH AND JUNIOR CYCLING TRACK IN THE PLAY PARK IN UNIEPARK
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Collaborator No: 632965
IDP KPA Ref No:
Meeting Date: 2019-05-21

1. SUBJECT: USE OF PUBLIC OPEN SPACE (ERF 3931) AND PLAYGROUND AT UNIEPARK (ERF 3363) REQUESTING FOR THE CONSTRUCTION OF A MOUNTAIN BIKE CYCLING PATH AND JUNIOR CYCLING TRACK IN THE PLAY PARK IN UNIEPARK

2. PURPOSE

- 2.1 To inform Council about a request received from a group of residents to construct a mountain bike cycling path and junior cycling track in Uniepark.
- 2.2 To request Council to accept the recommendations by the Department Community Services, namely that the request for the construction of a mountain bike cycling track and junior cycling track in the play park in Uniepark not be approved.
- 2.3 That permission be granted to construct a junior cycling track on the area as indicated in **ANNEXURE E**.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

A request was received from a group of residents to construct a mountain cycling path and junior cycling track in Uniepark (See **ANNEXURE A**). This request is supported by a group of residents via their signatures. However, when other residents became aware of the application, objections were received against the construction of a mountain cycling path and junior cycling track in Uniepark (See **ANNEXURE B**).

Council needs to take note that during 2010, an investigation was completed for the development of an Arboretum on the same park. A Landscape Architect was appointed to design a layout of the Arboretum. A public participation process was followed and based on the outcome of this process, a decision was taken to proceed with the development of the Arboretum. **ANNEXURE C** is a layout plan of the Uniepark Arboretum. Two of the five proposed blocks have already been planted with trees.

5. RECOMMENDATIONS

- (a) that the application for the construction of a mountain bike cycling path and junior cycling track in the play park in Uniepark not be approved; and
- (b) that approval be granted for the construction of a junior cycling track in the area east of the play park in Uniepark, between the pine trees (See **ANNEXURE E**).

6. DISCUSSION / CONTENTS

6.1 Background

A request was received from a group of residents for the construction of a mountain bike cycling path and junior cycling track in the play park in Uniepark suburb (See **ANNEXURE A**).

According to the applicant the reasons as well as advantages of the request are the following:

1. To make the park more accessible for children;
2. To improve the usage of the park;
3. Security in the park will improve;
4. Children will not have to make use of the streets to cycle;
5. A cycling track will help the children to develop their skills;
6. Stellenbosch Trail Fund (STF) will install the signage on their cost;
7. Stellenbosch Trail Fund will develop the trail;
8. Current trees will not be affected by the development;
9. Residents will contribute financially for the development;
10. Stellenbosch Trail Fund will maintain the trail;
11. Prevention of erosion.

Since this request has been received another group of residents provided documentation of objections against the construction of a mountain cycling path and junior cycling track in the play park in Uniepark suburb (See **ANNEXURE B**).

The group of residents who are against the application stated the following reasons:

1. The tranquility of the park will be disturbed;
2. There is already enough cycling tracks in Stellenbosch. There is no need for another cycling track in the play park in Uniepark;
3. Currently the park is being used by all age groups for playing, walking, running and other activities;
4. The Reservoir Area between the pine trees, East of the play park, can be used;
5. The development will result in an ecological disaster, if approved.
6. During Winter and Spring the park is full of all kinds of bulbs flowering;
7. Currently there are many nannies with babies in strollers, using the park;
8. Residents use the park to walk with their dogs;
9. Other leisure activities include school children using the park to relax after school;
10. The proposed Arboretum that is currently in the developing phase will be negatively influenced if approval is granted for the cycling track;
11. It is questionable if the security will improve if a cycling track is allowed;
12. The cycling tracks will result in a question regarding the stormwater that flows in these cycling tracks;
13. There are no ablution facilities for these cyclists;
14. The market value of properties will devaluate with the development of a cycling track;
15. The majority of Uniepark residents did not know about the request for a cycling track in the park;
16. Nature will be disturbed if this development is allowed;
17. Money has been already invested in the Arboretum;
18. Safety of other users will be at risk if cycling is allowed;
19. The noise levels will increase;
20. The track for children will aesthetically degrade the park;
21. High speed cyclists will be a risk for other users;
22. Dogs and cyclist will not work on the same park;
23. The area is been developed as a green belt where residents can play, walk with their dogs, etc.

6.2 **Discussion**

Due to the different opinions of the residents, a public participation process was followed to gather the input of the residents of Ward 7. The hand-out of a circular to all residents of ward 7 was distributed (See **ANNEXURE F**). More than 700 circulars were distributed. The total amount of comments received was 36 (See **ANNEXURE G**).

A total of 20 residents were in favour of constructing a cycle path and a junior cycling track, while 16 residents were opposed.

The group of people who were in favour of constructing a mountain bike track and cycling track used the following reasons as motivation (not all residents provided reasons):

1. Residents with relevant experience and knowledge would love to be involved in the construction of trails and cycling tracks.
2. With reference to Botmaskop trail constructed, no one's safety is at risk at the moment.
3. Improved facility for residents in area and will add value to properties within area.
4. Forces crime away from area due to its higher occupational use.
5. Improve socialization.
6. The Integration of activities.
7. Should not place others in danger or in harm's way. Should separate bike trail and walking (to be formalized) for safety reasons.
8. Will improve maintenance of Uniepark.

The group of people who were opposed to constructing a mountain bike track and cycling track used the following reasons for motivation (not all residents provided reasons):

1. Invasion of privacy, security issues, flood control, will there be ablution facilities? Parking issues. Will it be exclusive? There are already mountain bike trails. Trail used by scholars. Will affect fauna and flora.
2. Ecological impact. Necessity of mountain bike trail questioned.
3. One of the first home owners in area stated that the park should remain as green belt.
4. Area will be damaged and will cause restlessness.
5. Will cause damage to natural habitat.
6. Unsafe for scholars due to path going down-hill. Kids, animals and elderly's safety are at risk. Rather build a play park.
7. Arboretum not being utilized and maintained properly. Uniepark should be quantified properly.
8. There are enough mountain bike trails in Stellenbosch.
9. One of the residents opposed to the cycling track and mountain bike trail but is in favour of the Arboretum and is willing to invest financially in Arboretum and donate trees.

Department's opinion:

The Department: Community Services is of the opinion that the request for a cycling trail and cycling track not be supported, due to the following reasons:

1. There is enough space on the area next to the reservoir (Add Erf No), on the Eastern side of the play park where a junior cycling track can be constructed. (See Annexure _kaart)
2. A decision was taken during 2010 that the park will be developed as an Arboretum, where wild flowers will be allowed to grow and flowers during the Spring season. Funding has already been spent on the purchasing and planting of trees as part of the Arboretum's development. The Department plan to continue this project during 2019/2020 financial year.
3. One of the residents indicated that he will contribute financially and donate trees for the further development of the Arboretum.
4. Currently this park is being experienced as a nature area, thus the reason why the grass is not being cut between the months of September and October, to

enable the wild flowers and bulbs to bloom. A species list of bulbs and flowers has been provided by one of the residents.

5. The monitoring of high speed cyclists from Botmaskop may result in serious accidents and possible claims against the municipality. Although the applicant indicated that the cycle track will be designed in such a way that speed will be limited, it will be very difficult to monitor and control cyclists that do not stay on the track.
6. The footprint of the cycle track development will destroy many of the bulbs and wild flowers.

6.2.1 Summary of discussion

It is clear from the opinions from the residents that not everybody is in favour of the development of the mountain bike trail and junior cycling track in the park, while the majority of residents oppose the application.

The department emphasized the fact that there is an alternative site for the development of a junior cycle track. There is also an alternative route for the mountain bikes from Botmaskop Nature Reserve to the centre of Stellenbosch. Therefore, there is no need to construct a mountain bike trail through the park.

6.3 Financial Implications

There will be no financial implications for Stellenbosch Municipality if approval is granted for a mountain bike cycling path and junior cycling track due to the fact that the tracks will be constructed by the Stellenbosch Trail Fund and the community.

6.4 Legal Implications

None

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

None

6.8 COMMENTS FROM SENIOR MANAGEMENT

6.8.1 Director: Infrastructure Services

Agree with the recommendations

6.8.2 Director: Planning and Economic Development

Agree with the recommendations

6.8.3 Director: Community and Protection Services

Agree with the recommendations

6.8.4 Director: Corporate Services

Agree with the recommendations

6.8.5 Chief Financial Officer

Agree with the recommendations

6.8.6 Municipal Manager

Agree with the recommendations

RECOMMENDATIONS FROM PARKS, OPEN SPACES AND ENVIRONMENT TO THE EXECUTIVE MAYOR: 2019-04-04: ITEM 5.1.1

- (a) that the application for the construction of a mountain bike cycling path and junior cycling track in the play park in Uniepark not be approved; and
- (b) that approval be granted for the construction of a junior cycling track in the area east of the play park in Uniepark, between the pine trees (See **ANNEXURE E**).

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

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 7.6.2

- (a) that the application for the construction of a mountain bike cycling path and junior cycling track in the play park in Uniepark not be approved; and
- (b) that approval be granted for the construction of a junior cycling track in the area east of the play park in Uniepark, between the pine trees (See **ANNEXURE E**).

ANNEXURES

- Annexure A:** Application for the construction of a mountain cycling path and junior cycling track in the play park in Uniepark
- Annexure B:** Objections against the construction of a mountain bike cycling path and junior cycling track in Uniepark
- Annexure C:** Layout plan of the Uniepark Arboretum
- Annexure D:** Map of Uniepark (*marked as A*)
- Annexure E:** Area east of the park where alternative junior cycling track can be developed (*marked as B*)
- Annexure F:** Circular of Public Participation: Use of Public Open Space (Erf 3931) and Playground at Uniepark
- Annexure G:** Summary of comments received from public

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe
POSITION	Manager: Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8161
E-MAIL ADDRESS	albert.vandermerwe@stellenbosch .gov.za
REPORT DATE	April 2019

ANNEXURE A

Uniepark Stap en Fietsroete.

3 May 2018

Aansoek

Hiermee word formeel aansoek gedoen deur lede van die Uniepark Gemeenskap vir:

1. die opgradering van bestaande informele NMT (non-motorised transport) roetes in Uniepark groenstrook,
2. die skep van 'n bergfiets paadjie, afsonderlik van die NMT roetes
3. en die bou van 'n junior pump track vir klein kinders.

Doel

Die doel van die aansoek is om die groenstrook toeganklik te maak vir kinders op fietse. Dit spruit hoofsaaklik uit die nood van ouers wat tans eiendom rondom die groenstrook besit, om 'n plek te hê waar hul kinders op hul fietse kan ry sonder om besige paaie te kruis. Die Martinson kruising is veral besonders gevaarlik.

Uniepark Gemeenskap

1. Ons het handtekeninge verkry van die volgende inwoners van Uniepark en Rozendal soos aangedui in geel op die kaart hieronder.
2. 10 direk aangrensende inwoners en in total 63 inwoners het skriftelik hul steun gegee en vervat in Aanhangsel B.
3. 55 handtekeninge is verkry vanuit die 156 huishoudings in Uniepark en gegewe die gemak waarmee ondersteuning verkry is, is geen verdere handtekeninge versoek nie. 3 huishoudings het hul kommer oor die beplande roete en verandering aan ons oorgedra.



Ontwerp

Die ontwerp word aangedui op die kaart in aanhangsel A wat die bestaande uitgetrapde paadjies in blou aandui, die posisie van 'n nuwe junior pump track in oranje, 'n af-fietsroete in rooi en op-fietsroete in groen.

1. **Kennisgewings - Stellenbosch Trail Fund** sal borde installeer wat die gebruik van die roetes beklemtoon, aanspreeklikheid van die grondeienaar beperk en 'n Zapper teken aanbring vir donasies vir deurlopende onderhoud van die roetes. Voorbeel hiervan word onder Algemeen (3) getoon:
2. **NMT:** Die blou gedeeltes verteenwoordig bestaande roetes in die parkie wat gemerk word vir die gebruik van nie-motoraangedrewe vervoer en word tans gebruik deur stappers, pendelfietsryers, hardlopers en honde. Die hoofroete van bo na onder word gemerk om netjies gemaak te word en verder moet gronderosie voorkom word. Die randte van die hoofroete word met rivier klippe afgebaken. Plankies word op strategiese plekke in die grond gekap om afvloe water na die kant te begelei sodat dit nie reguit in die paadjies afspoel en uitdolwe na onder nie.
3. **Berfiets baan:** Aansoek word gedoen om die bou van 'n bergfietsbaan wat bergfietse skei van die NMT roetes. Hierdie roete word gedoen deur klip, hout en kleigrond te gebruik sonder enige permanente strukture. Kleigrond word ingery na die area, en word nie uitgegrawe uit die bestaande groenstrook nie. Die bergfietsbaan van bo na onder word so uitgele daat dit eenvoudig en veilig genoeg is vir 'n 10 jarige om gemaklik daar af te ry. Die paadjie word met voldoende ZIG ZAGS ontwerp om ryers se spoed te beheer. 'n Pad reguit van bo na onder is baie meer onveilig en dit is baie moeiliker om jou spoed daarop te beheer. 'n Klein fietspaadjie na bo begelei bergfietsryers en pendelfietsryers weer na die bokant van die park.
4. **Junior Pump track:** 'n Pump track word beplan wat die vermoë van kinders tot 12 jaar oud sal help om vaardighede te ontwikkel en die parkie op hul fietse te geniet waar die helling nie te styl is nie. Die baan word beplan onder gevestigde bome waar dit minimum visuele impak sal hê en ouers na hul kinder kan kyk. Dit mag ook net met volwasse toesig gebruik word. Die baan is baie eenvoudig en sal nie aanloklik ontwerp word vir tieners/studente se gebruik nie, maar word spesifiek vir kinders onder 12 ontwerp.

Voordele:

1. Sekuriteit in die area sal verhoog word aangesien ouers en kinders meer gebruik sal maak van die groenstrook en dus die area beter kan monitor deur verdagte aktiwiteite aan die JSRA oor te dra.
2. Met die skep van die bergfietsbaan en junior pump track sal die huidige gebruik van die groenstrook verbeter en toeganklik wees vir alle inwoners en gebruike rondom die parkie. Die gebruik vir stappers sal verbeter met die beheer van erosie van die paadjies en omdat fietsryers beperk sal word tot hul gespesifiseerde roetes. Die bergfietsbaan word beplan in die middle van die groenstrook en verskaf 'n veilige roete vir bergfietse wat tans die NMT roetes teenaan die huise gebruik.
3. Kinders in die omgewing sal 'n veilige plek hê om hul fietse te kan gebruik weg van besige paaie en elektroniese toestelle.

4. Bestaande bome sal nie geaffekteer word nie en water afloop sal verbeter ten einde erosie te voorkom. Natuurlike lewe soos voëls sal nie beïnvloed word nie aangesien fietsryers nou op 'n doelgemaakte paadjie sal hou en nie sommer deur die veld ry nie.
5. Aangansel C toon die ondersteuning vanaf die **Stellenbosch Trail Fund**, hul finansiële ondersteuning, beskrywing van hul metode om aanspreeklikheid te beperk asook hul onderneming om die roetes te onderhou. Die formele ondersteuning en "aanneming" van 'n stuk munisipale grond deur 'n organisasie en gemeenskap sal ook bydrae tot die onderhoud daarvan en die voortbestaan daarvan as groenstrook help bewaar.
6. Aangansel D toon die ondersteuning van **Stellenbosch Fietsry**. Hul beplanning vra ook vir 'n fietspad van onder by die Martinson kruising tot by die bo punt van die park, teen 'n helling wat rybaar is vir pendelfietsryers.
7. Aangansel E toon die **begroting** van R54 600 vir die projek aan wat vanuit die gemeenskap en Stellenbosch Trail Fund befonds word en geen munisipale befondsing word benodig nie.
8. Wyk 7 se wyksvergadering van 11 April 2018 is bygewoon deur 'n verteenwoordiger van die aansoekers en al die wykskommittee se vrae was beantwoord.

Algemeen

1. Wat is die voorgestelde begroting, en hoe word die projek gefinansier?

Sien aangansel E.

2. Hoe gaan die park in stand gehou word?

STF het onderneem om vir 5 jaar die paadjies te onderhou en bane te onderhou en word befonds deur skenkings van inwoners en gebruikers.

3. Hoe word die grondeienaar van aktiwiteite op die park van aanspreeklikheid gevrywaar?

STF het onderneem om al die vrywarings borde op te rig vir die park. Dit is deur regskeners saamgestel. Voorbeeld:



INTERNE REÛLS EN VRYWARING

Deur hierdie baan en/of omliggende gebiede te betree, verklaar jy dat jy die volgende verstaan en aanvaar:

1. Alle aktiwiteite wat jy op die baan, roete en/of in die omliggende gebiede onderneem, geskied geheel en al op eie risiko.
2. Jy is bewus van die risiko's en gevare wat die baan, roete en/of omliggende gebiede inhoud.
3. Ingeval jy enige verlies, skade of blesering van enige aard sou ly of opdoen wrens jou gebruik van die baan, roete en/of omliggende gebiede, sal nóg jy nóg jou eksekuteurs en/of gevolmagtigdes enige eis, saak of aanspraak van enige aard hê, en stel jy dus die Stellenbosch Trail Fund, die Universiteit Stellenbosch, Stellenbosch Munisipaliteit sowel as private grondeienaars skadeloos.
4. Jy stem in om die baan, roete en/of omliggende gebiede te gebruik voorteenkomstig die regulasies van die Stellenbosch Trail Fund: <http://www.stellenboschtrailfund.co.za>

Ken jou perse
Bly op die roetes
Gee om vir die omgewing
Meld verdagte skadewerke aan
Respekteer elenaars se eilandom
Respekteer ander op die roete
Bly op afgebakende roetes, volg die tekens

4. Wat is die huidige stand van die groenstrook en voetpaadjies?

Mense stap op die natuurlike vloeylyn van die groenstrook. Aangesien daar nie duidelike paadjies of erosievoorkoming is nie, stap mense nou al hoe wyer, om op stewige grond te stap. Die gevolg is dat die groenstrook al hoe verder geërodeer word. Sien fotos volgende:



Gate en slote wat deur waterverspoelings veroorsaak is.



Terwyl daar fotos geneem word stap lede van die publiek op verskeie paadjies op boontoe.



Netjies belynde paadjies sal die voetverkeer beter organiseer.

5. Hoe gaan die nuwe paadjies lyk?

Op die hoofvoer roete na bo, word rivier klippe op die kante voorgestel. Dit rond die paadjie mooi af.

Sien voorbeeld van hoe die paadjies by Koloniesland park lyk:



Die kleiner paadjies word net netjies afgemerk aan die kante:



6. Hoe word erosie voorkom?

Hout plankies en keerwalle word op strategiese plekke oor al die paadjies gebou. Dit is waar die kundigheid van die paadjiebouers inkom. Al die ander bane wat hulle reeds gebou het, moet vir water erosie voorsiening maak.

7. Hoekom word daar nie alternatiewe plekke oorweeg, soos by Provinsielaan aan die voet van die Bothmaskop woud nie?

Die aard van die fietsbaan vir die kinders, is dat dit op 'n gelyke gedeelte gebou moet word. Die helling by in die parkie is te styl. By in die woud is die sekuriteit nog nie op so 'n vlak dat ma's met hulle kinders alleen soontoe kan gaan nie. Dit is ook moeilik vir klein kinders om van regoor die buurt tot heel by met hul fietsies te gaan en moet weer strate kruis om daar te kom.

8. Gaan die stappers en fietsryers nie bots nie?

Die roete is so uitgelê dat die hoof stap en fietspaadjies slegs op twee plekke kruis. Die groenstrook is oop – daar is nie fynbos nie – en fietsryers en stappers sal mekaar op groot afstande reeds kan sien en in ag neem.

9. Wat keer 'n fietsryer om op die stappaadjies te ry?

Op die oomblik ry bergfietsryers teen 'n baie hoë snelheid in 'n reguit lyn vanaf by tot onder. Dit is tans baie gevaarlik. Wanneer daar 'n doelgerigte paadjie geskep word, en die doel word met 'n netjiese bordjie aangedui, sal die fietsryers op hul eie paadjies hou. Dit is reeds by verskeie ander parke op Stellenbosch bewys, onder andere Koloniesland.

10. Gaan die bestaande bome verniel en beskadig word?

Geen boom sal aangeraak word nie. Die bome dra by tot die bekoring van die groenstrook. Konstruksie van die paadjies vind so plaas dat boomwortels ook geensins beskadig word nie, aangesien die paadjies by op die park gebou word, en nie uitgegrawe word nie.

11. Gaan die groenstrook oorval word deur duisende fietsryers?

Ons is van mening dat die ontwerp van die paadjie en baan met kinders in gedagte meer fietsryers in die park sal sien, maar dat dit meer ouers met kinders sal wees. Vanweë die sekuriteitsituasie in Botmanskop sal enkele fietsryers wat dit daar waag moontlik by die uniepark paadjie aansluit oppad terug. As bergfietsryers is ons ook gemaklik dat die kort afstand van die parkie nie ander fietsryers sal lok nie, gegewe ander roetes in die omgewing waar bergfietsryers vir kilometres op vloeiende "downhill" roetes kan speel.

Ons vertrou dat u bostaande gunstig sal beoordeel en spoedig goedkeuring sal verleen sodat met die werk voortgegaan kan word.

Vir verdere vrae, kontak gerus:

Charl du Plessis

083 442 8620

charldup@gmail.com

Bertus Swanepoel

076 290 2410

thebertus@gmail.com

Aanhangsel A: Ontwerp



Aanhangsel C: Stellenbosch Trail Fund

26 Maart 2018

Aan wie dit mag aangaan,

RE: Ondersteuning van Parkie Inisiatief in Uniepark

Hiermee verleen die Stellenbosch Trail Fund sy goedkeuring en ondersteuning aan die inisiatief opgeneem deur die Uniepark Gemeenskap.

Stellenbosch Trail Fund verleen ondersteuning aan die inisiatief deur die volgende betrokkenheid:

1. Finansiële ondersteuning op 'n 1 tot 1 basis tot 'n maksimum van R20 000 vanaf die Stellenbosch Trail Fund.
2. Risiko Aanspreeklikheid
 - a. Stellenbosch Trail Fund sal die bewoording en oprig van kennisgewing borde behartig. Ons sal verseker dat die grond eienaars geen aanspreeklikheid sal dra vir aktiwiteite wat beoefen word op die eiendom nie.
 - b. Die borde sal soortgelyk wees aan borde opgerig deur die STF by Koloniesland, Brummerspark en Welgelegen Kerk.
3. Instandhouding
 - a. Stellenbosch Trail Fund ondemeem om vir 'n tydperk van 5 jaar die baan in stand te hou. Daarna sal die onderhoud kontrak weer beding word met die Uniepark gemeenskap.

Kontak ons gerus indien u enige verdere navrae het.

Vriendelike groete,

Richard de Villiers
Direkteur
Stellenbosch Trail Fund

Richard de Villiers
Director
Stellenbosch Trail Fund
Cell: 083 310 1105
stellenboschtrailfund.co.za



Aanhangsel D: Stellenbosch Fietsry

1 Mei 2018

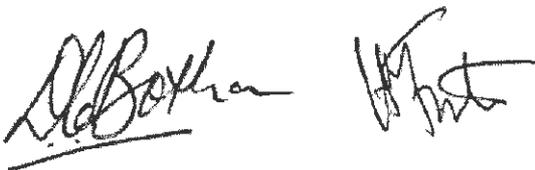
Beste Charl

Opgradering van Uniepark-parkie

Stellenbosch Fietsry ondersteun die beoogde inisiatief om die volgende redes:

- Die bestaande NMT-roetes sal opgegradeer en beter in stand gehou word.
- Die sigsag-ontwerp van die beoogde bergfietspaadjie is gemik op gebruik deur kinders, nie ernstige bergfietsryers nie, daarvoor is die beplande roete te kort en is daar veel meer uitdagender bergfietsroetes in die omgewing.
- Die nuwe geriewe sal daartoe bydra dat die parkie meer benut sal word deur al die inwoners van Uniepark en die park ook veiliger maak, net soos die skoonmaak en verbeterde NMT-paadjies in Koloniesland tot 'n veiliger omgewing gelei het.
- Ons steun ook die gebruik van die voorgestelde kennisgewingborde van die Stellenbosch Trail Fund, soortgelyk aan die borde in Koloniesland en Brümmerpark.
- Die inisiatief moet voldoen aan die voorwaardes van die Hoof: Gemeenskapsdienste en die Omgewingsbestuurder.

Vriendelike groete



Dawid Botha en Hugo Truter

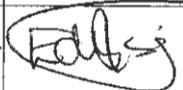
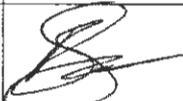
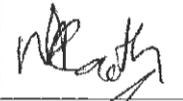
Stellenbosch Fietsry

Aanhangsel E: Begroting en finansiering

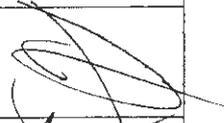
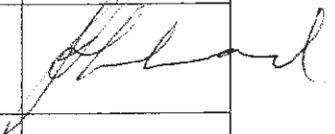
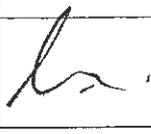
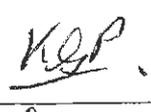
Projekfooi	
Corrie Muller – Trailbuilder begroting	R54 600
Finansier deur	
Munisipaliteit EPWP Lone Allokasie	R15 000
Lede van Uniepark Gemeenskap <i>pledges</i>	R21 100
Stellenbosch Trail Fund	R 20 000
Totaal	R56 100

strukture. Ek onderneem ook om 'n bemaking soos aangeteken te maak ten einde die projek te help finansier:

Aansoekers:

Sq	Naam en Van	Adres	Bemaking	Handtekening
1	Charl en Lize du Plessis	12 Transvalialaan	R1000	
2	B SWANEPOEL	5 TRENGROVE CAAN	R1000	
3	S. de Kock	6. TRANSVALIA	R1000	
4	Phillip Ravenscroft	16 Transvalia Ave	R1000	
5	Piet + Meenie du Plessis	10 Transvaliaaan	R500	
6	Johnie Jozeant	Hoflaan 10	R500	
7	Karla Schreema	20 Transvalia	-	
8	Boland Huet	17 Transvalia Ln.	-	WA. Huet
9	Mathinus Koeth	8 Transvalia	R1000	
10	Gusta Bester	14 Prinselaan	-	

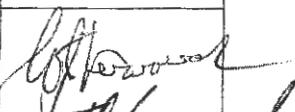
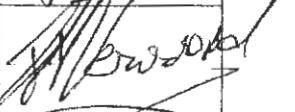
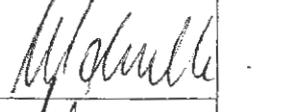
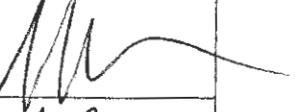
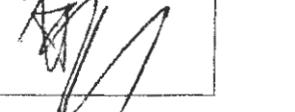
Hiermee verleen ek as ondertekene my goedkeuring en ondersteuning aan die bou van afsonderlike fietsry roetes en wandel roetes in Uniepark sonder die oprigting van permanente

Sq	Naam en Van	Adres	Bemaking	Handtekening
11	Christiaan de Villiers	Unielaan 9.	R1000-	Collew
12		Mankota 11	R100	
13	Anton du Plessis	36 Markotter ^{Provinsielaan}	R0	
14	Gayle Meyendicks	Unielaan 5	R0	Ch
15	Richard Barry	Provinsie 39	R0	RUB
16	Jacques de Jager	14 AB Venter laan	R1000	Jag -
17	Wessel Coesen	18 Unie Road, Uniepd	R500	
18	Lanrol Steyn	6 Thrus Str	R1000	
19	Jim Lombard	Provinsielaan 33	-	
20	Jeanette vander Merwe	Transvalialaan 9	-	
21	Susana Bekker	084 510 1147 Koflaan 18	-	
22	HENC BOTHA	HOF LAAN 14	-	
23	WILLEM VANDE'	PROVINSIELAAN 24	-	
24	Ken Poingke	11 Transvalialaan	-	
25	D Swart	Transvalialaan 18	-	

Hiermee verleen ek as ondertekene my goedkeuring en ondersteuning aan die bou van afsonderlike fietsry roetes en wandel roetes in Uniepark sonder die oprigting van permanente strukture. Ek onderneem ook om 'n bemaking soos aangeteken te maak ten einde die projek te help finansier:

Ondersteuners:

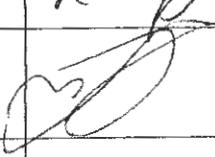
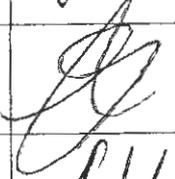
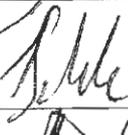
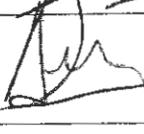
_____Straat/Laan/Weg

Sq	Naam en Van	Adres	Bemaking	Handtekening
1 26	Wilhelm J. Verwoerd.	Transvalalaan 7 Stellenbosch	/	
2 27	Hendrik Verwoerd	"	"	
3 28	Geen naam	Kroesvallaan 5 Stellenbosch	—	
4 29	VM Myburg	3 Transvalia laan	—	
5 30	J Meissner	17 Unie laan Unie Park	/	
6 31	Charl du Plessis	20 Unie Laan, Stellenbosch	—	
7 32	De Villiers de Wet	23 Unielaan, Stellenbosch	—	Hyde v de Wet
8 33	H Schnitker	Provinsie ln 28	-	
9 34	C Malan	12 Unie ln.	-	
10 35	Hannes van Rensburg	Manhattan Str. 2	R1000	

strukture. Ek onderneem ook om 'n bemaking soos aangeteken te maak ten einde die projek te help finansier:

Ondersteuners:

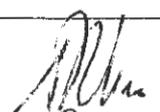
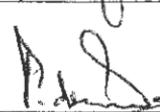
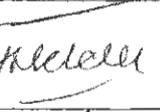
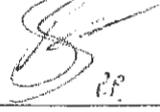
_____Straat/Laan/Weg

Sq	Naam en Van	Adres	Bemaking	Handtekening
2 46	E Vorhamp	20 AP Venter	Sak maak, kontak later	li
2 47	M. Theron	Oranjestraat 16	✓	
2 48	Wouter	MARKOTTER 17 0432763321	R100	Watsee
4 49	Rijdeon Maas	Toengoue 8	R1000	
2 50	Herman Sordack	11 AP Venter Avenue	R1000	
2 51	Paul Pinn	9 AP VENTER		
2 52	Dde Jager	4 Markotter	R500	
2 53	A. Kröger	19 ORANJELAAN	R400,-	
2 54	JH Waddy	4 Paul Sauer	R500	
20 55	Wdullay	13 Markotter	R500	Wdullay

Hiermee verleen ek as ondertekene my goedkeuring en ondersteuning aan die bou van afsonderlike fietsry roetes en wandel roetes in Uniepark sonder die oprigting van permanente strukture. Ek onderneem ook om 'n bemaking soos aangeteken te maak ten einde die projek te help finansier:

Ondersteuners:

_____ Straat/Laan/Weg

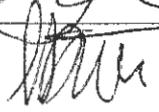
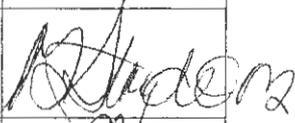
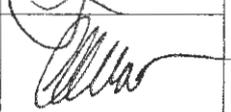
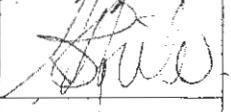
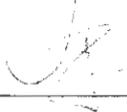
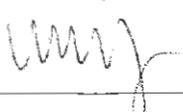
Sq	Naam en Van	Adres	Bemaking	Handtekening
1 36	ROBERT KRISO	Medkroete-laan 8.	—	
2 37	Richard de Vries	STF	STF	
3 38	MORNE STEENHAMP	No 5 Provinsie St	R500	
4 39	Hennie Fourie	ORANJELAAN 9 UNIEPARK	—	
5 40	DAVID KOTZE	27 WATERWEG	R500	
6 41	TREURK BAPTISTE	3 WELGEVALLEN WELGELEGEN	R1500	
7 42	P. de Wet	Unieaan 24	—	
8 43	Pat & Judy Ryan Hedden	pholden101@gmail.com 0824636487 3 Uniey Road Kestels	R500	
9 44	Fanie Schoeman	Unieaan 8, STB	—	
10 45	M GRIFFOEN	Hetlaan 15	R1000	

W

Hiermee verleen ek as ondertekene my goedkeuring en ondersteuning aan die bou van afsondelike fietsry roetes en wandel roetes in Uniepark sonder die oprigting van permanente strukture. Ek onderneem ook om 'n bemaking soos aangeteken te maak ten einde die projek te help finansier:

Ondersteuners:

_____Straat/Laan/Weg

Sq	Naam en Van	Adres	Bemaking	Handtekening
1 56	Josine Kree	Unie/laan 47		
2 57	Lulu Dulke	45 UNIE ROAD		
3 58	Louise Ehret	57 Unielaan	R1 000	
4 59	Marianne Shuplam	4 Hoflaan		
5 60	Michelle Wandy	49 Unie	R1000	
6 61	DAVID KRYNAW	34 UNIE		
7 62	Danie Krings	36 Unielaan	R1000	
8 63	Margu' Joubert	57 Unielaan		
9 64	Josette Joubert	41 Hoflaan		
10 65	M Swaneveld	Hoflaan 13		

ANNEXURE B

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

	Naam en Van	Adres	Handtekening	Datum
①	Jacobus Petrus Holtzhausen	Oranjelaan 7 Uniepark Stellenbosch 7600	<i>J.P. Holtzhausen</i> 4005 31 5060 082	3 April 2018
②	en Salomina Holtzhausen		<i>S Holtzhausen</i> 4302200041091	3 April 2018

Agtergrond en besware

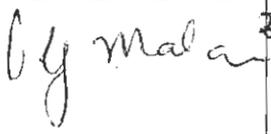
1. **Natuurpark:** Die park is tans 'n natuurpark met natuurlike plantegroei en mooi aangeplante bome (arboreteum). In die verlede is die gras in die lente gesny, maar deesdae word dit uitgestel om die mooi inheemse bolle en blommetjies kans te gee. 'n Besoeker (my dogter wat destyds oor die parkie skool toe gestap het) het juis oor die naweek gewag gemaak van hoe mooi die park met die groen bome is. Die park het 'n rustige atmosfeer en is 'n noodsaaklike "long" vir die omgewing.
2. **Pretpark:** Die voorstelle sal alles verander. Dit word basies 'n pretpark wat deur hoëspoed-bergfietsroetes deurkruis word. Grond sal waarskynlik ingery word vir die walle van die af-roete en die "kinders" se roete. Die natuurlike topografie word dus verander. Dit sal vrye beweging op die park bemoeilik.
3. **Vir wie is die fasiliteite bedoel?** Is dit hoofsaaklik vir Unieparkers se gebruik of is dit vir die bergfietsrygemeenskap van die hele Stellenbosch (of selfs die Skiereiland)? Tipiese gebruikers in Uniepark sou 'n pa en seun wat albei bergfiets ry wees. Maar hoeveel van hulle is daar? As daar nie baie is nie, maak dit nie sin om die hele park vir 'n paar mense om te dolwe nie. As dit vir die groter gemeenskap is, sal die park oor naweke oorstroom word (kyk net hoe gewild is Jonkershoek oor

naweke). Daar sal voorsiening gemaak moet word vir parkering en ablusiegeriewe.

4. **Effek op inwoners in die (onmiddellike) omgewing:** Die inwoners van Uniepark, veral die langs die park het die gebied gekies op grond van die rustige omgewing. Die beoogde ontwikkeling is onses insiens onbillik teenoor die inwoners.
5. **Veiligheid:** Daar word beweer dat die verhoogde benutting van die park veiligheid sal verhoog. Kinders sonder volwasse toesig sal waarskynlik nie tot verhoogde veiligheid lei nie. Die aard van die baan stel kinders sonder toesig bloot aan verhoogde risiko's. Leeglêery by die elektriese substasie- gebou word ook genoem en sal nog steeds plaasvind. Daar sal nie gedurig (behalwe oor naweke) aktiwiteit wees nie.

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
Dr O G Malan	Transvalialaan 15 UNIEPARK		2 April 2017

Ek is sterk gekant teen die voorstel om 'n bergfietsbaan op die park in Uniepark (hierna genoem, die park) te ontwikkel.

Indien daar, in die lig van die bestaan en ontwikkeling van "kilometers van fietspaadjies" in ons dorp en in die distrik, 'n bewysbare behoefte aan nog 'n fietspad in Uniepark sou bestaan, sou ek in beginsel geen beswaar daarteen hê nie.

Ek het egter sterk besware daarteen dat dit in ons park aangelê moet word en wel om die volgende redes.

Die rustigheid en privaatheid van die inwoners sal sterk versteur word. Daar is deur die voorstanders beweer dat die enigste persone wat die voorstel opponeer ouer as 70 jaar is. Dit is waarskynlik gedeeltelik waar. Dit is juis persone in hierdie ouderdomsgroep wat die rustigheid van en hul privaatheid in Uniepark waardeer en koester en wil verhoed dat steurende aktiwiteite, wat nie in 'n woonbuurt hoort nie, aangemoedig word.

Die park word tans benut deur inwoners, van alle ouderdomsgroepe, van Uniepark asook aangrensende woonbuurte. Bejaardes wandel in die park, kinders speel daar en ouer jongmense benut dit vir stap, hardloop en ander aktiwiteite. Ouers met hul kinders en groepies jong mense ontspan ook gereeld in die park. Al hierdie aktiwiteite sal erg ontwrig word deur bergfietryers wat teen hoë spoed teen die bult afjaag. Die huidige verkeer van jonk en oud in en deur die park is hoofsaaklik noord-suid. Fietsryers vanaf Provinsielaan na Martinsonstraat sal teen hoë spoed met hierdie voetgangerverkeer kruis, wat onvermydelik die veiligheid van voetgangers en ander gebruikers, jonk en oud, sal bedreig.

Alhoewel daar geen melding van gemaak word in die aansoekers se inligtingstuk gedateer Maart 2018 nie, is daar reeds aanvoorwerk gedoen, klaarblyklik vir 'n fietspad, op die stuk grond oos (bokant) van Provinsielaan, tussen die trigonometriese baken en die water-reservoir (hierna genoem die reservoir-terrein).

Die implikasie is dus dat die voorgestelde fietsterrein aan beide kante van Provinsielaan as eenheid ontwikkel gaan word en fietsryers dus onvermydelik heen en weer oor die besige Provinsielaan sal beweeg.

Dit sal 'n onhoudbare, lewensgevaarlike, toestand skep, beide vir fietsryers, sowel as motoriste en ander gebruikers van Provinsielaan, die ENIGSTE DEURGANGSTRAAT deur Uniepark

ALTERNATIEF

Daar is geen geldige rede waarom die reservoir-terrein, eerder as die park, nie in 'n bergfietsbaan ontwikkel kan word nie. Hierdie terrein is slegs ongeveer 100 meter vanaf die voorgestelde terrein en het die volgende voordele:

Daar is slegs enkele woonhuise wat verder verwyder is as in Uniepark en die meeste besware wat teen die ontwikkelings in die park geopper word, sal verval.

Dit is baie groter met baie meer variasie in helling.

Die plantegroei, hoofsaaklik onder dennebome, is ekologies ongevarieerd.

Daar is onlangs reeds aanvoerwerk uitgevoer vir 'n fietsbaan.

Omdat dit oos direk aansluit by die plantasie, is daar in die toekoms geleentheid om die fietspad uit te brei tot teen Botmaskop, sonder dat 'n besige straat (Provinsielaan) oorgesteek word. Enige sodanige ontwikkeling moet egter streng **tot bokant Provinsielaan beperk** word.

EKOLOGIESE RAMP VERMY

Indien die voorgestelde planne uitgevoer word sal dit 'n ekologiese ramp vir Stellenbosch meebring: die verwoesting van een van die enigste plekke in ons dorp waar 'n noemenswaardige hoeveelheid inheemse bolblomme bewaar gebly het.

In die winter-lente van 2017 het die park verrassenderwyse 'n skouspel van blommende bolplante opgelewer wat jare laas gesien is. Dit was die resultaat daarvan dat, anders as ander jare, die sny van gras in die park gestaak is gedurende die maande Mei tot Oktober. Die bolplante het dus geleentheid gehad om te ontluik en te blom sonder versteuring..

In die lente het ten minste 'n dosyn spesies, wat ander jare afwesig of onopsigtelik was, ontluik in die park as 'n klein blomparadys waar ander jare hierdie tyd 'n stoppelland was. Die terrein wissel van 'n skuins bult tot moerassigheid, wat 'n interessante verskeidenheid plante huisves.

Indien hierdie bestuurpraktyk (om die blomme kans te gee op te blom, **en om saad ryp te maak vir toekomstige jare**) elke jaar van Mei tot Oktober toegepas sou word, sal die skouspel van 2017 herhaal word en geleidelik verbeter.

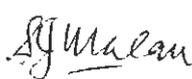
Ontwikkeling van 'n bergfietsbaan in die park sou dit egter ekologies totaal kon verwoes.

Gelukkig het **mnr Albert van der Merwe, Bestuurder Gemeenskapsdienste**, reeds besluit dat die blomme in die park bewaar sal word deur die sny van gras van Mei tot Oktober op te skort. Dit impliseer dat enige nuwe ontwikkelings in die park dan ook ontoelaatbaar moet wees.

O eym

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
Mev. S J Malan	Transvalialaan 15 UNIEPARK		2 April 2017

Besware

Die park word tans gebruik deur die volgende wat moontlik versteur kan word deur 'n oefenbaan vir bergfietse:

- Kinderoppassers wat met kleuters in stootwaentjies gaan stap en die kinders dan ook kans gee om onder die bome te speel.
- Ouer mense wat gaan stap - meestal nie opdraend nie maar dwars oor die park - van noord na suid of anders om
- Mense neem hul honde om in die park rond te hardloop of gaan stap met die honde
- As die weer goed is, ontspan verskeie groepies jongmense teen sonder teen die helling om na die uitsig te kyk, te gesels en 'n glasie te klink.
- Daar ry ook soms 'n bergfietser of twee in die paadjie af oppad terug van Botmaskop af.
- Die koshuiskinders van die Stellenbosch Hoërskool kom smiddae onder die bome gesels.

Uit die oogpunt van huiseienaars:

- Uniepark is 'n gerieflike woonbuurt omdat dit rustig is maar naby aan skole sowel as die middedorp. Dit is waarom die eienaars hier gekoop het en dit het 'n uitwerking op die waarde van die eiendom. Aangesien die oefenpad die potensiaal het om 'n lawaaierige omgewing te skep, het dit ook implikasies vir die waarde van die eiendom in die omgewing.

Die arboretum wat onlangs in die park aangelê is, sal volgens die voorgelegde plan vir 'n fietspad, nadelig geraak word.

Behoeftes van die bergfietsters

- Ons meen dat die oefenpaadjies waarmee reeds bokant Provinsielaan begin is, voldoende behoort te wees om beginners toe te rus om in die berge te ry. Dit is trouens tog die idee van **bergfietstry** - nie om in woonbuurtes te ry nie.
- Hoewel die ontwikkelaars voorgee dat daar slegs 'n oefenpad beoog word, is dit moeilik om aan te neem dat dit nie gebruik sal word vir die beoogde aanbieding van groot byeenkomste nie. (Inwoners van Uniepark weet dat hierdie soort byeenkomste

gepaard met kragtige luidsprekers vir aankondigings en musiek. In die verlede is die park ook vir parkeerplek gebruik sonder inagneming van die plantegroei.)

'n Paar vrae en opmerkings, nie net oor Uniepark nie, maar die toekoms van Stellenbosch

- Wat is die eerste prioriteit van die Stadraad? Die inwoners of die glorie van internasionale bekendheid?
- Hoeveel werk word werklik geskep deur die aanbieding van groot sportgeleenthede?
- Baat die inwoners by hierdie geleenthede?
- Stellenbosch huisves reeds 'n universiteit wat groter is as wat die plaaslike infrastruktuur kan behartig.

Om Wikipedia aan te haal ([wikipedia.org/wiki/Resort town](http://wikipedia.org/wiki/Resort_town))

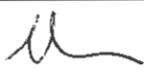
More recently, resort towns have come under greater scrutiny by local communities. Instances where resort towns are poorly managed have adverse effects on the local economy. One example is the uneven distribution of income and land ownership between local residents and businesses. During tourist season, increased demand for accommodation may raise the price of land, causing a simultaneous increase in rent for local residents whose income is invariably lower than foreign residents. This results in a preponderance of foreigners in the land market and an erosion of economic opportunities for local residents.

The revenues amassed from tourism typically do not benefit the host country or the local communities. Income to local communities generated by tourism are all of the expenditures accrued after taxes, profits, and wages are paid out; however, around 80% of traveler's expenditures go to airlines, hotels, and international companies, not to local businesses. These funds are referred to as leakages. Tourism has also been blamed for other negative economic impacts to local communities. Although resort towns usually boast more improved infrastructure than surrounding areas, these developments usually present high costs to local governments and tax payers. Reallocating government funds to subsidize infrastructure and tax breaks to firms shift available funding to local education and health services. In addition, resort towns typically do not have dynamic economies, resulting in an over dependence on one industry. Economic dependence on tourism poses particular challenges to resort towns and its local residents given the seasonal nature of the job market in some areas. Local residents of resort towns face job insecurity, difficulties in obtaining training, medical-benefits, and housing.

S. J. M.

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
① HJ de Villiers	Markotterbloem nr. 18		08/04/2018
② EL de Villiers	Markotterbl. nr. 18		08/04/2018

Besware

Sien aangeheg.

Ons as 'n gesin bly al 12 jaar lank in Markotterlaan nr.18 en is die eienaars van 'n huis wat grens aan die parkie/arboretum. Ek en my gesin is hewig gekant teen die ontwikkeling van die park as 'n fietsrybaan, asook die kinder "pump/bump track" en voetpaaie wat be-oog word om die volgende redes:

- **Skending van privaatheid:**
Die kinderbaan (vir 12 jariges en onder) word direk langs my gensheining beoog. Al my slaapkamers grens ook hier. Rusverstoring veral oor naweke sal aan die orde van die dag wees. Wie gaan kontrole hou oor ouer kinders wat daar gaan rondjaag? Onooglike hobbels en grondbane gaan ook my uitsig oor die parkie versuur, tesame met jillende kinders, hul ouers en toesighouers wat onder die bome/sambrele hul kinders gaan aanpor tot nuwe "hoogtes".
- **Veiligheid:**
Ek bevrage teken dit sterk dat 'n publieke fietsrybaan wat oop gaan wees vir almal (hoe gaan toegang beperk/gereguleer word) ons as Uniepark inwoners se veiligheid gaan verbeter. Ek sien wel 'n donker tyd vir ons Uniepark-JSRA. Nie net huisveiligheid geld hier nie, maar ook voetgangers en honde en kinders. Wie gaan verantwoordelik gehou word as 'n jaende fietsryer teen 'n spoed bult af 'n persoon/ kind of hond raakry en daardie persoon ernstig beseer? Dit is dan 'n privaat ontwikkeling op Munisipale grond, dus iemand sal die verantwoordelikheid moet dra.
- **Vloedwaterbeheer:**
Ons as inwoners laer af in die parkie is veral bekommerd wanneer fietsbane geskep gaan word en sodoende die "afvoerkanale" vir die waterstrome kan dien . In die winter is die parkie redelik nat, maar die gras en bome stabiliseer die afvloeï voldoende sodat strome nie geskep kan word nie. Waar gaan daardie water uit die fietspaaie dan heen? Wie gaan die verantwoordelikheid dra as waterskade aan privaat huise en eindomme voorkom?
- **Ablusiegeriewe:**
Fietsryers en gaste gaan toiletgeriewe benodig. Is dit ook deel van die ontwikkeling, of gaan ons grensmure dit ontgeld?
- **Parkering:**
Waar gaan die motors parkeer wat kinders en fietsryers aanry. Alle doodloop-sirkels wat toegang gee tot die parkie is geen-parkeersones. Gaan ons rustig en veilige strate en motor-opritte nou as parkeerplekke vir almal dien?
- **Markwaarde van my eiendom:**
Ek/ons voel sterk dat ons huise se markwaarde, veral die wat teen die parkie grens, se waarde sal verlaag word want die rusverstoring en fietsverkeer direk langs ons gaan 'n groot invloed he op die rustige atmosfeer wat die parkie tans bied.
- **Waar gaan dit stop:**
Indien 'n fietsbaan ens. goedgekeur word wat gaan verhoed dat daar ook ander buitemuurse aktiwiteitsgeriewe ontstaan. Net 'n voorbeeld: baie kinders/studente/skoliere ry skaatsplank. Hul kan dan ook aandrang op baan vir hulle. Daar is legio aktiwiteite wat ek kan opnoem wat ook daar sal wil bou en oprig. Hoekom dan die parkie net "eksklusief" vir fietsryers ontwikkel.
- **Munisipale kostes:**
Dit gaan definitief die munisipaliteit se taak bemoeilik om gras te sny en die bome nat te lei. Verder gaan rommelstrooiing 'n groter probleem word. Wie gaan asblikke voorsien en skoon hou?

- **Konsultasie:**
Ek glo dat meer as 70% van Uniepark se inwoners weet nie eens van hierdie beplande ontwikkeling nie. Net in my straat alleen was uit die 18 huise net 4 bewus van die ontwikkeling. Van hierdie inwoners is meer as 60% gekant teen so 'n ontwikkeling en ek glo daar moet met een en elke huishouding in Uniepark gekonsulteer word alvorens enige besluit gemaak word.
- **Bestaande fietsrybane:**
Na my wete is daar reeds 3 of 4 bestaande fietsrybane net rondom Uniepark, nl Jonkershoek, Coetzenburg bergpad, 'n piekniek/kinderbaan en bergfietsbaan by die hangbrug, asook 'n jump/pump track aan die bo-punt van Provinsielaan in die dennebos (wonder wie het toestemming vir die bou daarvan gegee?). Hoekom moet die parkie dan ook nog ontgin word vir fietsryers? Dan is daar nog Botmanskop fietsroetes ook. Na my mening is daar meer as genoeg vir die fietsryers. Hierdie fietsbaan in die parkie is uitsluitlik vir bergfietsryers wat " off-road" wil ry en dus die park net vir hulself annekseer. Waar is die regverdigheid hiervan?

Daar is 'n groot oop area lang die Academia kleuterskool. Hoekom kan die kinder fietsrybaan nie daar gebou word nie? Dit sal aanwys vir die skool wees en geen huise is rondom die baan nie?
- **Skoliere verkeer:**
Soggens en middag word die parkie gebruik deur die laer-en hoërskool kinders om skool toe en huis toe te stap vanuit die woonbuurt. Met swaar tasse ens. Moet hul dus nou op die uitkyk wees vir jaende fietsryers ook. Ongelukke gaan beslis voorkom. Wie gaan dan die verantwoordelikheid neem?
- **Staproete:**
Wanneer 'n staproete om die parkie beplan word, gaan die roete teenaan die huiseienaars se grensmure verbyloop. Dit gee dus maklike visuele toegang aan elke persoon wat verbyloop. Dis 'n skending van jou privaatheid en is 'n sekuriteitsrisiko.
- **Honde:**
Baie honde-eienaars gebruik die parkie om hul honde los te laat hardloop. Ek weet van 'n hele paar mens wat dit kan verdra maar nie fietse nie. Wat sal gebeur as iemand se hond 'n fiets bestorm en daar beserings is?
- **Natuurlewe:**
Huidiglik bestaan die parke uit pragtige bome en is 'n natuurlike habitat vir voëls en kleiner diere en plante. Die oorspronklike plan van die parkie wast vir 'n arboretum. Baie moeite en groot beplanning van Munispaleit is ingesit vir die arboretum. Hoekom moet hierdie natuurlike habitat nou versteur word met geboude fietspaaie en rusverstooring ens. Die hele natuurlike habitat en dierelewe sal later verdwyn? Die hele doel van die arboretum waarin soveel geld en tyd belê is sal ook nou tot nie gaan.....

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
W F Sirgel	AP Venterlaan 12.		3/4/18

Besware

Aien aangehegte besware.

Bogenoemde persoon het weens 'n siekte toestand 'n handskrif probleem.

Besware teen Uniepark(ie) stap-en fietsroete

Maart 2018

Om die besware teen die voorgestelde stap-en fietsroete in die park aan te spreek, is dit nodig om aan te dui hoe die park tans benut word.

Tans word die park deur inwoners, van alle ouderdomsgroepe, van Uniepark, asook van sommige aangrensende woonbuurte, gebruik. Bejaardes wandel in die park, huishulpe besoek die park met peuters waar hulle onder toesig, in 'n veilige omgewing kan speel, skoliere gebruik die park as deurgang om skole te bereik en aktiewe jongmense benut dit vir sportaktiwiteite soos hardloop en rek-en strekoefeninge. Ouers en hul kinders ontspan ook gereeld in die park.

Die park bied ook 'n veilige omgewing vir honde-eienaars om met hulle honde te speel en te stap en hul honde sosialiseer ook met ander honde.

Huidig kan mense vrylik deur die park beweeg en die park deurkruis sonder enige hindernisse en verskillende ontspanningsaktiwiteite word deur inwoners van verskillende ouderdomsgroepe in 'n rustige, veilige omgewing beoefen.

Besware

Volgens die kaart word beplan om twee fietsroetes, (blou oproete en rooi afroete) asook 'n voetpad trapsgewys, (blou roete aan suidekant) teen die helling van die park te bou.

- Die twee fietsroetes sal meer as 2/3 van die park in beslag neem
- Die steil helling van die afdraende fietspad en vinnige spoed van die fietsryers is 'n resep vir botsing tussen fietsryers en voetgangers of honde omdat kinders en honde nie elke sekonde dopgehou kan word nie
- Voetgangers en honde sal dus vir veiligheid slegs tot die stappaadjie beperk word om botsings met fietsryers te voorkom
- 'n Veilige speelplek vir kinders, veral dié sonder toesig, kan dus ook nie gewaarborg word nie
- Meer beweging en gebruik gaan nie verhoogde sekuriteit in die buurt bring nie, maar eerder heelwat meer fietsryers lok wat die park van sy rustige veilige atmosfeer sal ontnem. Meer fietsryers skep ook gevaar vir voetgangers wat daaglik die park deurkruis om van die een gedeelte woonbuurt na die ander te loop
- Meer beweging in die park sal ook tot groter geraasvlakke en besoedeling lei
- Privaatheid van inwoners direk aangrensend aan die park sal beslis nadelig beïnvloed word
- Die sirkelbaan met hobbels, gebou vir kinders, is gewoonlik 'n onooglike, opsigtelike struktuur, so ook die zig zag afdraende fietsroete wat met kleibanke gesteun moet word. Dit sal nie die aansig van die park verfraai nie

- Hoekom moet daar 'n fietsbaan vir kinders gebou word en nie eerder 'n speelarea met swaai ens. nie. Kinders wat nie fietse besit nie, word nou uitgesluit
- Tans is erosie nie 'n groot probleem in die park nie, dit geskied slegs in areas waar die grond deur mense versteur word, dus is dit te betwyfel of erosie voorkom sal word
- Ekologies sal meer beweging 'n inpak op die park laat. Tans is die park in die lente weer oortrek met veldblomme, sommige wat amper uitgewis was, het nou weer verskyn, maar kan dalk nou finaal verdwyn indien meer beweging in die park toeneem. Die uitbreiding van die bestaande arboretum is ook in gedrang
- Hoe gaan die fietspaaie wat zig zag en kleibanke het en die voetpad wat trapsgewys uitgelê word, die sny van gras (met 'n trekker) en natlei van bome (groot tenkwa) in die park beïnvloed?
- Sekuriteit vir huise aangrensend aan die park word verlaag. Sekuriteitsmotors het tans vrylik toegang tot patrolering oor die hele gebied van die park, maar hul beweging sal deur die voorgestelde roetes belemmer word
- Gedurende die week van 19 Maart is daar begin met die uitlê van 'n fietsroete in die oop area langs die reservoars. 'n Aaneensluitende roete vir fietsryers vanuit Botmaskop tot by Martinsonstraat word beplan.
- Volgens die inligtingstuk is die hoofdoel van die stap-en fietsroete in die park om die park veiliger te maak vir kinders om daar fiets te ry, maar op die keper beskou, is dit waarskynlik eintlik om 'n deurlopende fietsroete vir fietsryers te maak
- Dit blyk dat daar gepoog word om Stellenbosch as spilpunt vir fietsryers aan te bied, maar in die proses word bykans alle oop ruimtes nou in fietsroetes omskep ten koste van nie-fietsryers. Is dit regverdig?

OBJECTION TO THE PROPOSED BICYCLE ROUTE ON THE PARK

NAME Linda Meiring

ADDRESS 16 Markotter Avenue

Stellenbosch is a very proud town and we try at all levels to keep it beautiful and interesting for both the locals and visitors. I am sure that this is the objective behind the proposed cycle route but I don't feel that such a development will be in the best interests of those of us who live in the neighbourhood.

My first thought when I heard about the proposal was how unsightly it would look! When I thought more about it, I realized that any such transformation of our park would have a major impact on the lives of those of us who live here.

I bought in this street because it is a *cul de sac* (my house is the second from the park). My children can safely play in the road without me having to worry about them. I now fear that this end of the street will become a "parking lot" for cyclists. This is a logical conclusion to draw as I can't see where else they will be able to park?

I can only imagine the whoops of joy of young children having fun on the track. But this could be extremely interruptive and irritating to those of us who border on the park. We live in a peaceful neighbourhood and would like to keep it that way.

Are there not already enough cycle tracks in the area? As far as I am aware, there are existing tracks at Coetzenburg and at the "hangbruggie".

Uniepark and the neighbouring areas have worked hard to overcome crime and remove loiterers from our midst. It will be a huge setback if there is a coming and going of people to and from our area. How do we separate the cyclists from the potential criminals? Sadly, this has become a major factor in decision making in our present climate. As a single parent, it is of even greater concern to me.

Will there be an ablution block for those using the park? Who is going to keep it clean and free of hobos? Who is going to make sure that taps aren't left turned on? What is the cost involved in getting the necessary sewerage pipes to the chosen site?

I understand that there needs to be change in order to facilitate improvement, but I do not feel that building a cycle track here is tantamount to uplifting and bettering our community. Please heed our objections and let us enjoy our park just the way it is.

Thank you.

Linda

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
John-Bank Le Roux	16 Markotter straat		09-04-2018

Besware

Ek sekondeer die besware soos opgestel deur Linda Meiring.

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

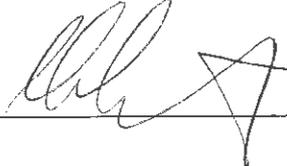
Naam en Van	Adres	Handtekening	Datum
Petra Mans	16 Markottestraat		09-04-2018

Besware

Ek stem saam met die besware opgeneem soos deur Linda Meiring.

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
① H.K. + K. COETZEE	② 15 ORANJEST.		06.04.18

Besware

- * Ek en my gesin woon 1/00m vanaf die park en hierdie tipe abnormiteit sal definitief uitbreuk op die bestaande reetige atmosfeer het.
- * Bere vir urowers is engsuis bewous van hierdie voorgestelde ontwikkeling en dit lyf asof die motivering hiervan nie deursigtig is nie!

Besware teen Uniepark(ie) stap-en fietsroete

Maart 2018

Om die besware teen die voorgestelde stap-en fietsroete in die park aan te spreek, is dit nodig om aan te dui hoe die park tans benut word.

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- Volgens die inligtingstuk is die hoofdoel van die stap-en-fietsroete in die park om die park veiliger te maak vir kinders om daar fiets te ry, maar op die keper beskou, is dit waarskynlik eintlik om 'n deurlopende fietsroete vir fietsryers te maak
- Dit blyk dat daar gepoog word om Stellenbosch as spilpunt vir fietsryers aan te bied, maar in die proses word bykans alle oop ruimtes nou in fietsroetes omskep ten koste van nie-fietsryers. Is dit regverdig?

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
MEV. E.L. MATTHEE	A.P. VENTERLAAN NR 4 UNIEPARK	<u>El Matthee</u>	12/04/2018

Besware

Ek teken beswaar aan teen die voorgestelde stap en fietsroete in die Uniepark.

Besware teen Uniepark(ie) stap-en fietsroete

Maart 2018

Om die besware teen die voorgestelde stap-en fietsroete in die park aan te spreek, is dit nodig om aan te dui hoe die park tans benut word.

Tans word die park deur inwoners, van alle ouderdomsgroepe, van Uniepark, asook van sommige aangrensende woonbuurte, gebruik. Bejaardes wandel in die park, huishulpe besoek die park met peuters waar hulle onder toesig, in 'n veilige omgewing kan speel, skoliere gebruik die park as deurgang om skole te bereik en aktiewe jongmense benut dit vir sportaktiwiteite soos hardloop en rek-en strekoefeninge. Ouers en hul kinders ontspan ook gereeld in die park.

Die park bied ook 'n veilige omgewing vir honde-eienaars om met hulle honde te speel en te stap en hul honde sosialiseer ook met ander honde.

Huidig kan mense vrylik deur die park beweeg en die park deurkruis sonder enige hindernisse en verskillende ontspanningsaktiwiteite word deur inwoners van verskillende ouderdomsgroepe in 'n rustige, veilige omgewing beoefen.

Besware

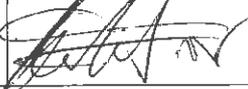
Volgens die kaart word beplan om twee fietsroetes, (blou oproete en rooi afroete) asook 'n voetpad trapsgewys, (blou roete aan suidekant) teen die helling van die park te bou.

- Die twee fietsroetes sal meer as 2/3 van die park in beslag neem
- Die steil helling van die afdraende fietspad en vinnige spoed van die fietsryers is 'n resep vir botsing tussen fietsryers en voetgangers of honde omdat kinders en honde nie elke sekonde dopgehou kan word nie
- Voetgangers en honde sal dus vir veiligheid slegs tot die stappaadjie beperk word om botsings met fietsryers te voorkom
- 'n Veilige speelplek vir kinders, veral dié sonder toesig, kan dus ook nie gewaarborg word nie
- Meer beweging en gebruik gaan nie verhoogde sekuriteit in die buurt bring nie, maar eerder heelwat meer fietsryers lok wat die park van sy rustige veilige atmosfeer sal ontnem. Meer fietsryers skep ook gevaar vir voetgangers wat daaglik die park deurkruis om van die een gedeelte woonbuurt na die ander te loop
- Meer beweging in die park sal ook tot groter geraasvlakke en besoedeling lei
- Privaatheid van inwoners direk aangrensend aan die park sal beslis nadelig beïnvloed word
- Die sirkelbaan met hobbels, gebou vir kinders, is gewoonlik 'n onooglike, opsigtelike struktuur, so ook die zig zag afdraende fietsroete wat met kleibanke gesteun moet word. Dit sal nie die aansig van die park verfraai nie

- Hoekom moet daar 'n fietsbaan vir kinders gebou word en nie eerder 'n speelarea met swaaie ens. nie. Kinders wat nie fietse besit nie, word nou uitgesluit
- Tans is erosie nie 'n groot probleem in die park nie, dit geskied slegs in areas waar die grond deur mense versteur word, dus is dit te betwyfel of erosie voorkom sal word
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Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
Adelaide Wolhuter Kraan Wolhuter	Markotterduan 12 Uniepark	A Wolhuter 	8 April 2018 05/4/2018

Besware

Hierrmee wil ons ten sterkste beswaar aanteken teen die ontwikkeling van die voorgestelde fietsroete in die Uniepark parkie.

Dit is tans 'n heerlike, rustige oop ruimte, waar bejaarde inwoners ongestoord kan wandel. 'n Fietsroete wat so 'n groot gedeelte van die park in beslag neem, gaan beslis die rustige atmosfeer versteur.

Weens die skole in die nabye omgewing is daar tans 'n toename van jong kinders in die buurt. 'n Toename in fietsryers wat deur die park jaag, skep nie 'n veilige omgewing vir kinders nie. Die gebruik van die area deur meer mense van buite, kan ook nog gevare en addisionele sekuriteitsrisikos meebring.

Honde eenaars en hulle honde geniet ook die oop ruimte van die park. Met geen tekortaan fietsroetes in die omgewing nie, is dit nie nodig om 'n park in 'n fietsroete te omskep nie!

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
WESSEL PIENAAR	A P VENTER LAAN 2	W Pienaar	10 April 18
Isabel Pienaar	"	I Pienaar	"

Besware

- Dit is duidelik dat fietsryers dit sal gebruik om teen hoe snelheid vanuit Botmaskop- roete, oor Provinsialelaan en dan deur die park te ry asof een fietsbaan regdeur.
- Daar is volgens ons wete geen behoefte bepaling gedoen nie
- Die kiewietneste en veldblomme sal versteur word.
- Res van besware soos aangehoeg

Besware teen Uniepark(ie) stap-en fietsroete

Maart 2018

Om die besware teen die voorgestelde stap-en fietsroete in die park aan te spreek, is dit nodig om aan te dui hoe die park tans benut word.

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Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
Brian Bredenkamp	Hoflaan 16		28/3/18

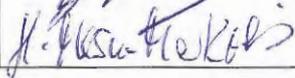
Besware

- Uniepark se park is 'n POP, dws 'n publieke openbare ruimte, dus 'n area vir gebruik deur almal, insluitend bejaardes, gestremdes en kinders, o.a., nie slegs jong, fiks mense wat sport wil beoefen nie.
- Ons het 'n klompie jare gelede 'n groot bergfiets byeenkoms in die park gehad en vir dae aaneen was die park nie vir die inwoners beskikbaar nie, dit was afgesper omrede dit eenvoudig te gevaarlik was om in die park in te beweeg.
- My vrou en ek, en baie ander, oorkruis die park daaglik vanaf Hoflaan na Oranjelaan, en wil verkieslik nie aan ernstige beserings blootgestel wees nie.
- Die park is jare gelede geklassifiseer as 'n Quercetum waat die munisipaliteit beoog het om 'n versameling eike soorte (Quercus) te vestig. Daar is groepe van drie of vier bome van sewe+ soorte wat reeds in Stellenbosch, die Eikestad, voorkom geplant, en die idee was om dit aan te vul met verskeie ander akkerbome wat moontlik as straatbome in die dorp kan dien.
- Elke namiddag en elke naweek is daar mense met honde wat die park gebruik vir ontspanning en die honde toelaat om te sosialiseer. Dit kan nie saam met vinnig bewegende fietse plaasvind nie.
- Die teenoorgestelde is ook waar; fietse en honde is nie versoenbaar nie. My vrou het nou nog probleem en baie letsels a.g.v. loslopende honde op straat wat haar laat val het.
- Skemertyd en oor naweke is daar altyd klein groepies mense wat op komberse en op die bankies die stil atmosfeer en besondere uitsig, dikwels met 'n glasië wyn, geniet. Daar kan geen vrede wees indien mense teen hoë spoed in die omgewing verby flits nie.
- Vir dekades is daar gereeld warm hurneure wanneer die grassny aktiwiteite in die blom/saadskied fase van die plantegroei in die park is nie. Ons sal moet kies tussen die natuurskoon en jong mense se sport- en ontspannings aktiwiteite. Ek weet wat ek verkies.
- Indien 'n mens links van die pad kyk as jy Somerset Wes toe ry, net voor die afdraai na die ou hoofpad of Ireneweg, kan 'n mens sien wat 'n gemors veroorsaak word wanner voorsiening gemaak word vir kinders met fietse. Daar is nog sulke plekke in Onderpapegaaiberg ook. Hulle kan noord van Provinsielaan, in die omgewing van die reservoir, gehuisves word. Daar is nog grondwerke van 'n vorige era se jong mense daar.
- Daar word reeds ruim voorsiening vir fietsryers in die omgewing gemaak. Die duur paadjie in Koloniesland word baie min benut maar die min wat daar ry, ry so vinnig dat ouer mense dit daar durf nie waag nie.

Hou asseblief ons parkie stil en rustig, sonder 'n rumoer en vinnig bewegende missiele.

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

	Naam en Van	Adres	Handtekening	Datum
①	Dr. F. P. Mesu	F. P. Venterlaan 8		28.03.18
②	H.V. F. Mesu-Markolowitz	Steep. Uniepark		

Besware

L. S

We are opposed to the plans of structuring two bicycle-roads in Uniepark!
 This beautiful piece of nature will be destroyed!
 A place of social meeting of Uniepark-residents will be gone.—

All our dogs have been walking FREE there since 23 years - meeting other dogs to play and dog owners to chat!

This plan will rob the Uniepark-people and lot others of a beloved piece of nature!

Don't allow this to happen !!

P. S. Actual: The Uniepark is

NO place for cyclists !!!

 H. Mesu-Markolowitz

Beswarevorm

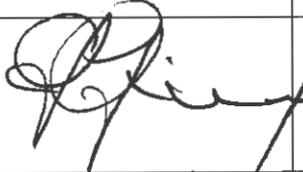
Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
H.C. VILJDEN	Hoflaan 6 Uniepark Stellenbosch	H.C. Viljden	3/4/2018

Besware

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
Günter Gerischer	A.P. Venterlaan 5		29-03-18

Besware

- 1) As inwoner en belastingbetaler van Stellenbosch vir die afgelope meer as 50 jaar vind ek dit verregaande dat 'n aantal jong berfietsentoesiaste ons parkie in Uniepark wil omskep in 'n bergfietsresiesbaan. Die steil aftrand van die terrein bied kom aan vir 'n gejaag teen hoë spoed. As inwoner van hierdie woongebied soek en geniet ek die stilte en rustigheid van die parkie en sy omgewing. Dit is veral nodig weens die tans 32000 studente wat hier studeer en agv die groot getalle die dorp onleefbaar maak. Geen parkeerplek vir plaaslike inwoners en die daaglikse druk verkeer in die dorp, maak dit noodsaaklik dat jou woongebied en omgewing rustigheid aan sy inwoners bied.
- Vir die bergfietsryers bied die terrein van die Botmaskop voetkewels deur die vernielde en verwaarloosde Pinus radiata denne bosplantasies van die Munisipaliteit genoegsame uitdaging om hulle gevaarlike paadjies uit te lê en te ry. Definitief nie deur ons park nie! In ons park wil ons vrylik kan beweeg met ons kleinkinder, vriende en geliefde honde.

- 2) Die geopperde besware van die fietsjaagbaan - aansoekers dat die uitlé van die beplande fietsroete toekomstige gronderosie in die parkie kan mitskakel, is nie 'n geldige argument nie, aangesien die totale parkoppervlakte met gras bedek is en oor die afgelope 50 jaar nog geen noemenswaardige gronderosie voorgekom het.
- 3) Die bestaande moerasarea (net gedurende die wintermaande) aan die onderkant van die park (Trengruvestraat kant), ontstaan hoogswaarskynlik deur 'n bykomende lekkasie van die ondergrondse besproeiingspyp. Die afloop van reënwater plus die lekkasie van die besproeiingspyp is die oorsaak daarvan. Dit het niks te doen met 'n verbeterde verspreiding en 'n stadiger watervloei in die park van Bo na onder gedurende die reënseisoen. Die munisipaliteit behoort ondersoek in te stel of die besproeiingsstelsel lekkasies toon.

Prof. em. Dr. Günter Gerischer
31-03-2018

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
Niki Tteenkamp	65 Jonkershoekweg	<i>Niki Tteenkamp</i>	08/04/2019.

Besware

'n Fiets "downhill" roete koers nie in 'n woongebied
 waar kinders speel en mens rustig stap nie
 Daar is oorgenoeg downhill paatjies in die berge
 (Jonkershoek).

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
M J. Steinmann	Jonkershoekweg 65 Stellenbosch	M J Steinmann	7/4/2018

Besware

Ek maak bewaar teen 'n fiets- "down hill" - pad in die woonbuurt. Fietsers wat teen 'n buite wil af jaag moet dit kennis teen Bothameskop se afdragende gaan doen.

Dit gaan die hele landelike gevoel van die buurt versterk.

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

	Naam en Van	Adres	Handtekening	Datum
①	GERHARD GELDENHUYS		G. Geldenhuys	
②	Annaline Geldenhuys	Markötter laan 7, Uniepark	A. Geldenhuys	6 April 2018
③	Liza Joubert		L. Joubert	

Besware

Die voorsiening van 'n groen strook in Uniepark het die voordeel dat inwoners vyelik kan ontspaan in die natuur, rustig die mooi omgewing en uitsigte kan bewonder, onbesorg vir oefening kan stap, kinders veilig kan speel en mense onbelemmerd met honde aan leiband kan loop. Al hierdie voordele wat inwoners tans geniet, sal ernstig benadeel word deur die aanleë van die beoogde fietsroetes. Daarom kan ons nie die beoogde ontwikkeling ondersteem nie en maak ons beswaar daarteen.

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

	Naam en Van	Adres	Handtekening	Datum
①	Elize Coetzee	Markatorkaan 1	E Coetzee	05/04/18
②	Dirk Coetzee	Uniepark Stellenbosch		

Besware

- Die twee fietsroetes sal in groot deel van die park in beslag neem
- Stappers word nou geforsaar om op slegs een deel van die park te beweeg
- Die fietsbane sal probleme skep vir voetgangers wat die park deurkruis van een gedeelte van die woonbuurt na die ander
- kinders is gewoond om vrylik in die park te kan beweeg, maar sal nou beperk word
- Omdat die afdraende fietspad teen 'n steil helling is, sal dit vinnige spoed van die fietsryers tot gevolg hê en kan hulle maklik teen kinders en honde bots
- Meer beweging in die park sal tot 'n hoër geraasvlak en besoedeling lei.
- Die park sal nie meer rustig en veilig wees vir bewoners wat dit gebruik om onder die bome te sit nie
- Wat van die sny van die gras, met trekker en die natlei van bome met 'n water tankwa?



 Mnr DT en Mev M Moolman
 Hendrik Bergh 10
 Rozendal
 Stellenbosch

Besware teen die oprig van n fietsbaan in die Uniepark gemeenskaplike park.

Hiermee my besware teen die oprig van n fietsbaan in Uniepark se gemeenskaplike parkie.

1. Die kaping van die park.
 Met die oprig van so baan neem dit die gebruik van die park weg vir alle ander gebruikers. Dit neem die geleentheid weg van alle ander persone om die park te kan gebruik vir gemeenskaplike doeleindes soos piekniek, familie aktiwiteite en algemene gebruik. Die area van fietsbaan tot algemene area is disproporsioneel teenoor die hoeveelheid fietsryers en persone wat nie fietsry nie. Dit is onregverdig teenoor 'nie-fietsryers'.
2. Veiligheid:
 Stellenbosch Trail Fund (STF) is nie in beheer van die sekuriteit van die baan nie. Dit lok fietsryers en ander elemente van ander buurte wat die hoeveelheid mense wat die park gaan benut net vermeerder. STF kan nie waarborg dat ongewenste fietsryers nie die baan in die aand gaan begin gebruik en rusverstoring gaan veroorsaak nie. Daar is geen manier hoe STF die getal van mense kan beheer nie, wat n groot risiko is vir die buurt se veiligheid. Dit gaan ook meer bedelaars lok wat lei tot verdere risiko's en sekuriteitsprobleme.
3. Toename in voertuie:
 Met n toename in mense kom n toename in voertuie. Al die strate wat geaffekteer word, is doodloop strate. Stellenbosch sit alreeds met n massiewe verkeer- en parkeerprobleem en nou word dit uitgebrei na die woonbuurte toe ook. STF het geen beheer oor die verkeer en parkeer situasie nie, dit kan n groot probleem word vir inwoners met n konstante beweeg van motors en geblokkeerde opritte. Met meer motors kom meer diefstal ook. Dit is n groot aanloklikheid vir moeilikheid en diewe.
4. Erosie
 Sulke fietspaaie en 'jumps' veroorsaak erosie. Tot selfs al word die paadjies en areas goed onderhou, is erosie n probleem, want met 'n toename in mense en fietse, beskadig dit die bestaande plante, bome en gras.
5. Klank besoedeling
 Met soveel fietsryers wat die baan gaan gebruik gaan dit verseker n klank probleem veroorsaak. STF kan nie waarborg dat groepe mense daar gaan sit en kuier en hard musiek speel terwyl fietsryers die baan gebruik nie.

Sulke bane en spronge veroorsaak geraas as die ryers daarvoor ry en land na n sprong.

6. Oogseer

Ek vind sulke paaie, spronge en bane n groot oogseer. Ek stap gereeld in Jonkershoek en op die hange van Botmaskop. Daar is orals sulke paadjies en spronge en dit lyk onnatuurlik en lelik. Dit is nie in almal se smaak nie. Wat sou gebeur as daar ewe skielik n groot skaatsplankbaan met groot strukture daar gebou word? Niemand sal daarvan hou nie, hoekom moet ons dus nou n fietsrybaan duld?

7. Laaste gemeenskaplike park.

Daar is vele ander plekke waar STF so baan kan bou. Uniepark is die laaste gemeenskaplike area in die hele omgewing wat almal op gelyke maniere kan benut, hoekom wil die fietryers nou dit wegneem.

Daar is vele plekke teen Botmaskop en Stellenboschberg waar hulle so 'n baan kan bou en daar is reeds bestaande bane en paadjies in Jonkershoek wat STF gebruik en onderhou.

Indien sekuriteit n probleem is vir hulle, kan STF die geld en fondse gee vir sekuriteitsdoeleindes. Daar is alreeds gevalle van aanvalle in Jonkershoek, Uniepark is die laaste oorblywende area wat almal kan gebruik op gelyke maniere en steeds veilig voel.

Ons voel baie sterk teen so baan. Ons woon al vir 32 jaar in die buurt en daar is vele generasies van kinders en grootmense wat sonder so baan reggekome het, daar is geen rede hoekom daar nou een gebou moet word om fietsryers te bevoordeel nie. Die park se hele aansig en karakter word so geskend ter wille van 'n groep mense wat hulle sportsoort wil beoefen

Danie Moolman

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
Mev A Heyns	AP Venterlaan 10 Uniepark STELLENBOSCH		5/12/18

Besware

- Ons woon al 40 jaar in Uniepark en die park as groen long beteken vir almal oud en jonk ongelooflik baie. Groen longe is baie belangrik vir die welstand van mense.
- Hier kan ons die natuur in ons woonbuurtes ervaar en ook die berge en sonsondergange bewonder. Dis 'n groot ontspanningsruimte en nie net 'n deurgang nie.
- Die Munisipaliteit Stellenbosch het 'n paar jaar gelede hier 'n arboretum begin. Daar is baie moeite gedoen met 'n verskeidenheid en versorging van wonderlike bome. Die munisipaliteit het al twee keer Abor City Awards gewen. Die inwoners hier en van om liggende woonbuurte kan nie sien dat hierdie wonderlike area deur nog bergfietspaaie ontsier word nie.
- Wat moet van die wonderlike natuurlike veldblomme in die Lente word? Die blomme sal indien hulle opkom dood eenvoudig platgery word deur die fietsers.
- Kinders speel daar, ma's loop/draf met stootkarretjies, pa's skop balle, bejaardes stap daar en beweeg na die ander kant van die park, kinders stap en fiets na skole, huiswerkers en tuiniers deurkruis die park, studente en kinders draf en hou piekniek. Waarheen moet al die mense gaan as die voorgestelde bergfietspaaie plus/minus twee derdes van die park wil oorneem?
- Baie min mense/kinders se veiligheid kan gewaarborg word. Dit sal geen veilige speelplek vir kinders word nie.
- Bergfietsryers behoort in die berge te ry of op die reeds bestaande kilometers van fietsrypaadjies wat reeds deur die Stellenbosch Trail Fund gebou is en nie in die rustige Uniepark se park nie.
- Die bergfietsryers wil die drie paaie in Uniepark se park bou en hulle sport hier beoefen en sodoende die hele aansig en die karakter van die park verander en die nie-fietsryers word uitgedruk.
- Baie mense woon al baie lank hier en loop ook skuins oor die park na die kerk.
- Die beoogde drie paaie gaan nie verhoogde sekuriteit bring nie – ook nie oor naweke met 'n toeloop van mense nie.
- Die privaatheid en rustigheid van inwoners teen die park gaan definitief benadeel word.

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie.

Naam en Van	Adres	Handtekening	Datum
Mev. EJ van der Merwe	Transvalialaan 14 Uniepark STELLENBOSCH	<i>EJ van der Merwe</i>	05/04/2018

Besware

1. Die rustige omgewing sal mettertyd deur fietsryers versteur word. Dit sal nie net by Uniepark se fietsryers bly nie.
2. Al sou die bedoeling nie wees dat die fietsryers, vir wie in die omgewing van die "reservoir," 'n fietspad beplan word, ook Uniepark parkie se fietsbane kan gebruik nie, sal dit vanselfsprekend mettertyd gebeur.
3. Die parkie is ons eie "Namakwaland-blomkyk" in die Lente en is daar allerlei veldblommetjies wat verlede jaar weer vir die eerste keer gesien is, oa. klein leliesoorte
4. Die parkie is ook die broeiplek van kiewiete en duiwe soek saadjies onder die bome...die pragtige gawe van die natuur wat vir ons beskore is, die Herfskleure van die bome. Sal dit behoue kan bly?
5. Die parkie is 'n deurgang tussen die woonbuurte weerskante daarvan. Vir enkellopende persone was dit tot dusver veilig om oor en weer te stap en so ook noodsaaklike stapoefening te kry, veral ouer persone wat nie meer bult-uit kan stap nie.
6. Is al die inwoners / eienaars wat teenaan die parkie woon, geraadpleeg?

EJ van der Merwe

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
Jb Coetzee	Makotterlaan 17 Uniepark.	<i>[Handwritten signature]</i>	5.4.2018

Besware

~~Ek Jb Coetzee~~

Wendrik Coetzee, Makotterlaan 17
Uniepark.

[Handwritten signature]

6/4/2018

Ek is ten sterkste gekont deur teen die beplande ontwikkeling van die aangrensende park. As ~~inwoner~~ inwoner wat direk aan die park grens, kan ek nie die toename in fietsverkeer en publieke toegang ondersteun nie. 'n Oop "ory" park aangrensend tot jou eiendom is juis een van die belangrike ooreenkomste in die eerste plek in sodanige eiendom beleë het. as die park soos hy is vir gebruik deur die wêreld van ons wat hulle hars gebruik soos hy is.

Darin

W. Coetzee

[Handwritten signature]

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
Jo Coetzee	Markatterlaan 17 Uniepark	<u>Joetzee.</u>	06-04-2015

Besware

Ek, Jo Coetzee van genseemde adres, het aanvanklik my goedkeuring vir die projek gegee.

Ek het herbesin en voel dat die park bly soos hy is.

Kan my naam dus asb van die "goedkeuringlys" verwyder word

Coetzee.

Besware teen Uniepark(ie) stap-en fietsroete

Maart 2018

Om die besware teen die voorgestelde stap-en fietsroete in die park aan te spreek, is dit nodig om aan te dui hoe die park tans benut word.

Tans word die park deur inwoners, van alle ouderdomsgroepe, van Uniepark, asook van sommige aangrensende woonbuurte, gebruik. Bejaardes wandel in die park, huishulpe besoek die park met peuters waar hulle onder toesig, in 'n veilige omgewing kan speel, skoliere gebruik die park as deurgang om skole te bereik en aktiewe jongmense benut dit vir sportaktiwiteite soos hardloop en rek-en strekoefeninge. Ouers en hul kinders ontspan ook gereeld in die park.

Die park bied ook 'n veilige omgewing vir honde-eienaars om met hulle honde te speel en te stap en hul honde sosialiseer ook met ander honde.

Huidig kan mense vrylik deur die park beweeg en die park deurkruis sonder enige hindernisse en verskillende ontspanningsaktiwiteite word deur inwoners van verskillende ouderdomsgroepe in 'n rustige, veilige omgewing beoefen.

Besware

Volgens die kaart word beplan om twee fietsroetes, (blou oproete en rooi afroete) asook 'n voetpad trapsgewys, (blou roete aan suidekant) teen die helling van die park te bou.

- Die twee fietsroetes sal meer as 2/3 van die park in beslag neem
- Die steil helling van die afdraende fietspad en vinnige spoed van die fietsryers is 'n resep vir botsing tussen fietsryers en voetgangers of honde omdat kinders en honde nie elke sekonde dopgehou kan word nie
- Voetgangers en honde sal dus vir veiligheid slegs tot die stappaadjie beperk word om botsings met fietsryers te voorkom
- 'n Veilige speelplek vir kinders, veral dié sonder toesig, kan dus ook nie gewaarborg word nie
- Meer beweging en gebruik gaan nie verhoogde sekuriteit in die buurt bring nie, maar eerder heelwat meer fietsryers lok wat die park van sy rustige veilige atmosfeer sal ontnem. Meer fietsryers skep ook gevaar vir voetgangers wat daagliks die park deurkruis om van die een gedeelte woonbuurt na die ander te loop
- Meer beweging in die park sal ook tot groter geraasvlakke en besoedeling lei
- Privaatheid van inwoners direk aangrensend aan die park sal beslis nadelig beïnvloed word
- Die sirkelbaan met hobbels, gebou vir kinders, is gewoonlik 'n onooglike, opsigtelike struktuur, so ook die zig zag afdraende fietsroete wat met kleibanke gesteun moet word. Dit sal nie die aansig van die park verfraai nie

- Hoekom moet daar 'n fietsbaan vir kinders gebou word en nie eerder 'n speelarea met swaaie ens. nie. Kinders wat nie fietse besit nie, word nou uitgesluit
- Tans is erosie nie 'n groot probleem in die park nie, dit geskied slegs in areas waar die grond deur mense versteur word, dus is dit te betwyfel of erosie voorkom sal word
- Ekologies sal meer beweging 'n impak op die park laat. Tans is die park in die lente weer oortrek met veldblomme, sommige wat amper uitgewis was, het nou weer verskyn, maar kan dalk nou finaal verdwyn indien meer beweging in die park toeneem. Die uitbreiding van die bestaande arboretum is ook in gedrang
- Hoe gaan die fietspaaie wat zig zag en kleibanke het en die voetpad wat trapsgewys uitgelê word, die sny van gras (met 'n trekker) en natlei van bome (groot tenkwa) in die park beïnvloed?
- Sekuriteit vir huise aangrensend aan die park word verlaag. Sekuriteitsmotors het tans vrylik toegang tot patrolering oor die hele gebied van die park, maar hul beweging sal deur die voorgestelde roetes belemmer word
- Gedurende die week van 19 Maart is daar begin met die uitlê van 'n fietsroete in die oop area langs die reservoirs. 'n Aaneensluitende roete vir fietsryers vanuit Botmaskop tot by Martinsonstraat word beplan.
- Volgens die inligtingstuk is die hoofdoel van die stap-en fietsroete in die park om die park veiliger te maak vir kinders om daar fiets te ry, maar op die keper beskou, is dit waarskynlik eintlik om 'n deurlopende fietsroete vir fietsryers te maak
- Dit blyk dat daar gepoog word om Stellenbosch as spilpunt vir fietsryers aan te bied, maar in die proses word bykans alle oop ruimtes nou in fietsroetes omskep ten koste van nie-fietsryers. Is dit regverdig?

Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
Stefan Smith	ORANSE LIND 5		6/4/2018

Besware

Ek stem saam met boegewende besware.

Die proses is totaal en al ondeursigtig niemand is in kennis gestel van die beoogde ontwikkeling nie, daar behoort in proses van deelname te wees.

Besware teen Uniepark(ie) stap-en fietsroete

Maart 2018

Om die besware teen die voorgestelde stap-en fietsroete in die park aan te spreek, is dit nodig om aan te dui hoe die park tans benut word.

Tans word die park deur inwoners, van alle ouderdomsgroepe, van Uniepark, asook van sommige aangrensende woonbuurte, gebruik. Bejaardes wandel in die park, huishulpe besoek die park met peuters waar hulle onder toesig, in 'n veilige omgewing kan speel, skoliere gebruik die park as deurgang om skole te bereik en aktiewe jongmense benut dit vir sportaktiwiteite soos hardloop en rek-en strekoefeninge. Ouers en hul kinders ontspan ook gereeld in die park.

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Beswarevorm

Ek ondersteun NIE die voorgestelde fiets- en staproetes in die Uniepark parkie nie

Naam en Van	Adres	Handtekening	Datum
N. J. SMIT	5 MARKOTTER UNIEPARK STELLENBOSCH		7/4/2018

Besware

- Parkeerareas in doodloopstrate kan problematies wees
- Gransvlakke kan toeneem, veral op Sondag
- Toevoer van ongewenste persone kan toeneem.
- Hoe gaan dit beheer word?
- Wie gaan verantwoordelikeheid dra indien daar beserings is?
- Daar is oorgenoeg fietsroetes, onnuttig om nog te ontwikkel.
- Waarde van eiendomme aangrensend tot die parkie kan daal.
- Afloop van stormwater tydens reënbuie kan probleme veroorsaak.
- Dit is ons clewingang na die Kerk, asook my vroeëre clewingang na Junior Akademie, dit is rede hoekom ons besluit het om hier te koop, moet ons nou op uitkyk wees vir fietsroetes wat ons toegang kan belemmer.
- Fietsroetes kan ook verder ons honde imiteer, nie alle honde is lief vir fietse nie, wie gaan verantwoordelik wees as honde fietsroetes gaan per ongelukk byt.
- Ons maak ten sterkste besware teen hierdie beplande fietsroete op Uniepark(ie)

ANNEXURE C



Rhus chinensis - Red current
Rhus lancea - Karoo
Rhus pendula - White Karoo
Syzigium cordatum - Waterberry
Trichilia eremica - Forest mahogany



Nifflia grandis - Umzimbebe
Nuxia floribunda - Forest elder
Podocarpus flodatus - Outeniqua yellowwood
Podocarpus henkelii - Henkel's Yellowwood



Combretum Elythrophyllum - River Bushwillow
Eribergia capensis - Cape Ash
Harpephyllum caffrum - Wild plum

Proposed Indigenous species



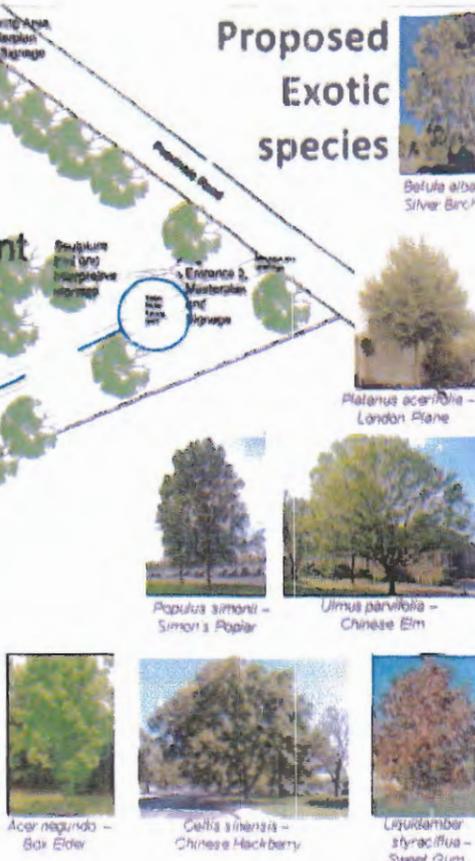
Quercus tuber - Cork oak
Quercus palustris - Pin oak
Quercus cerris - Turkey oak



Quercus robur - English oak
Quercus acuta - Sawtooth oak
Quercus agrifolia - Algerian oak
Quercus nigra - Water oak

Proposed Oak species

Exotic Tree Species significant to Stellenbosch



Befula alba - Silver Birch
Platanus acerifolia - London Plane
Populus simoni - Simon's Poplar
Ulmus parvifolia - Chinese Elm
Acer negundo - Box Elder
Celtis sinensis - Chinese Hackberry
Liquidambar styraciflua - Sweet Gum

Proposed Endemic species



Rapanea melanophloeos - Boekenhout
Dais colonifolia - Pom Pom tree
Virgilia orobanthes - Kerboom
Calodendrum capense - Cape Chestnut
Olea africana ssp. Africana - Winkolive
Cunonia capensis - Roboets
Brachylaena discolor - Coastal oak
Sideroxylon merrim - Milkwood

Proposed signage



LEGEND

- Water tanker route
- Proposed sculpture trail - made and informal
- Existing informal paths
- Interpretive signage
- Proposed benches
- Timber bridge

NOTES:

- Entrance 2 requires steps, cycle ramp and bank stabilisation
- Sculpture areas to be levelled and retained where necessary
- Single access to informal parking, traffic impact assessment required
- Swale to be drained off site
- Sign at entrance showing no litter bins on site, and a note that rubbish to be removed off site

Tree Symbols:

- Green circle: Exotic / indigenous trees to be retained
- Red circle: Exotic trees to be removed
- Yellow circle: Exotic trees to be planted
- White circle: Endemic / indigenous trees to be planted

TN

epla
 landscape architects
 environmental planners

LANDSCAPE ARCHITECTURE

UNIPARK ARBORETUM PROPOSED UPGRADE

LANDSCAPE CONCEPT PLAN

DATE: July 2010
 DRAWING NUMBER: 1054 00

SCALE: 1:500
 SHEET: 9

ANNEXURE D

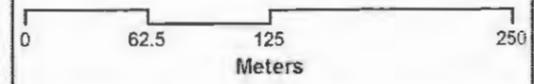


- Legend:
- Property boundaries
 - Uniepark
 - Pump station

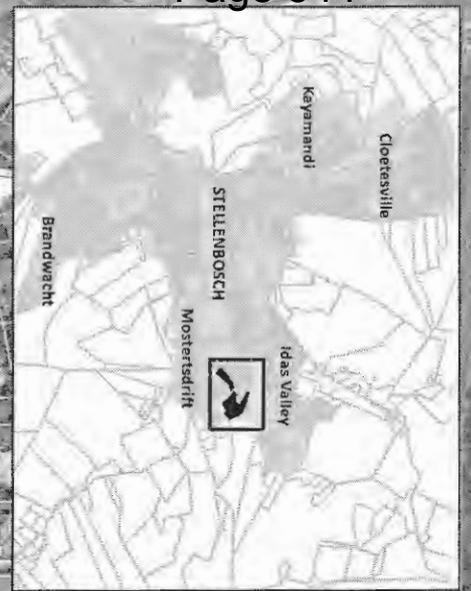
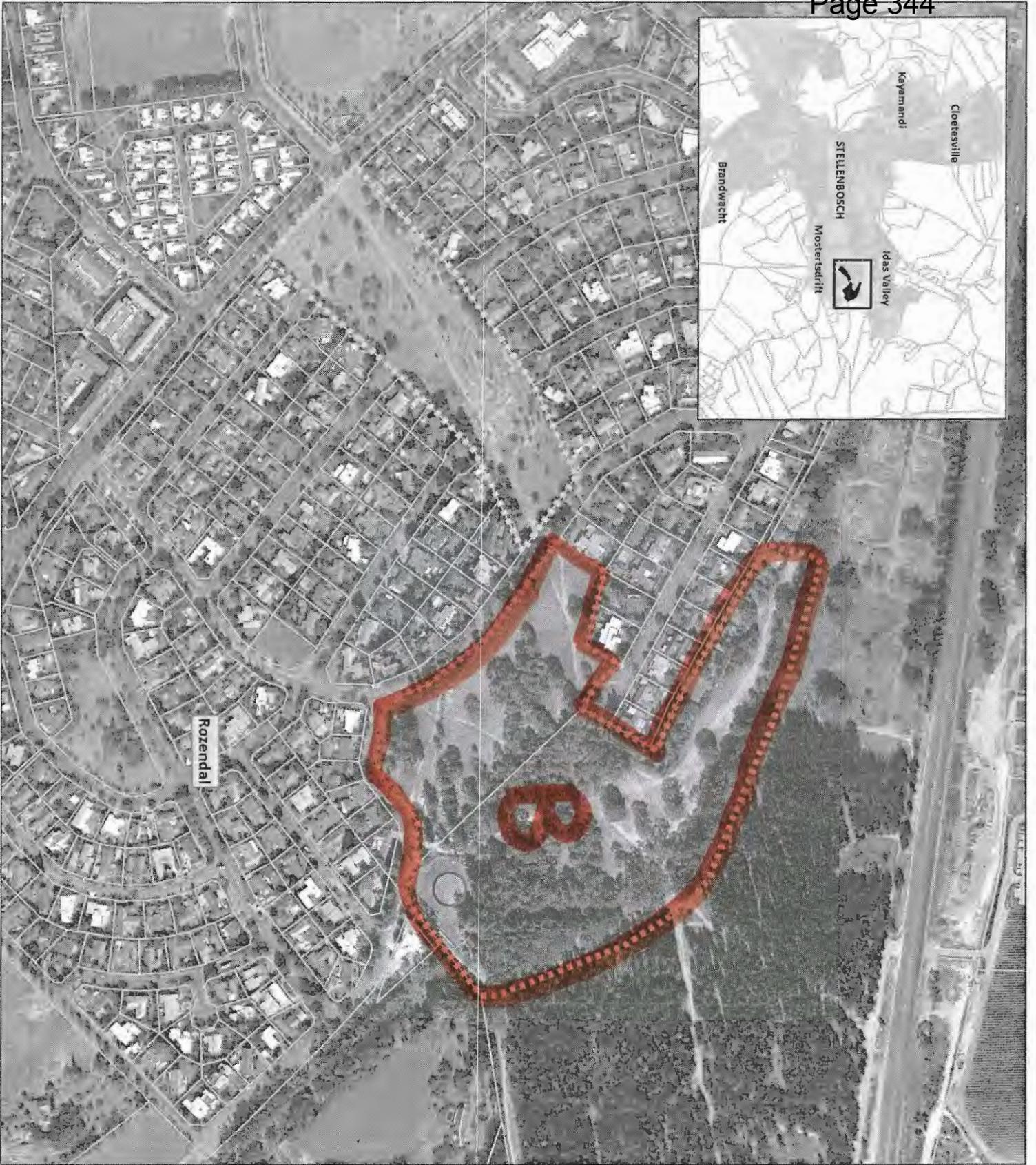
FOR INTERNAL USE ONLY



MAP:	1
DATE:	24/05/2018
SCALE:	1: 3 500



ANNEXURE E



Legend:

-  Property boundaries
-  Uniepark
-  Pump station

FOR INTERNAL USE ONLY



MAP: 1

DATE: 24/05/2018

SCALE: 1: 3 500



ANNEXURE F



**GEBRUIK VAN OPENBARE OOP RUIMTE (ERF 3931) EN SPEELPARK TE UNIEPARK
(ERF 3363)**

Geagte Inwoner

'n Raadsbesluit is gedurende 2010 geneem om die park (erf 3931) as 'n Arboretum (boomtuin) te ontwikkel en het reeds in aanvang geneem. Sommige inwoners het in 2018 versoek dat 'n gedeelte van die park ontwikkel word as 'n fietsbaan vir kinders, sowel as 'n bergfietspad deur die speelpark, wat by Botmaskop Natuurarea sal aansluit. Dit is vir die Stellenbosch Munisipaliteit belangrik om die gemeenskap se insette te bekom, om sodoende 'n ingeligte besluit te kan neem.

As 'n inwoner van Wyk 7 word u uitgenooi om skriftelike insette te lewer rakende die verdere gebruik/ontwikkeling van die speelpark te Uniepark, (erf 3932, restant van erf 3931 en 'n gedeelte van erf 3363). U insette kan per e-pos gestuur word aan tazmynn.linders@stellenbosch.gov.za of per hand afgelewer word by die kantoor van Gemeenskapsdienste by Merrimanlaan 123, Stellenbosch.

Sluitingsdatum: 09 November 2018

**USE OF PUBLIC OPEN SPACE (ERF 3931) AND PLAYGROUND AT UNIEPARK
(ERF 3363)**

Dear Resident

During 2010, a council decision was taken to develop the play park (erf 3931) into an Arboretum (tree garden). This development has been initiated. During 2018 a request was received for the development of a cycle track for children as well as a mountain bike path through the park, which will be linked to the Botmaskop Nature Area. For Stellenbosch Municipality it is important to get the community's input in order to make an informed decision.

As a resident of Ward 7 you are hereby invited to provide written input for the further use / development of the play park at Unie Park, (erf 3932, Remainder of Erf 3931 and a portion of erf 3363. Your input can be send by e-mail to tazmynn.linders@stellenbosch.gov.za or can be delivered per hand at the office of Community Services at 123 Merriman Avenue, Stellenbosch.

Cut-off date: 09 November 2018

ANNEXURE G

Comments: Use of Erf 3931, remainder of Erf 3931 and portion of Erf 3363			
Initial & Surname	Address	Mountain bike trail	Pump track
HJ de Villiers	18 Markotter Avenue, Uniepark	Opposed	Opposed
L Zietsman	Trengove Avenue, Uniepark	Opposed	Opposed
F N Matthee	4 AP Ventre Avenue, Uniepark	Opposed	Opposed
M Visser	17 AP Venter Avenue, Uniepark	Opposed	Opposed
A Geldenhuys	7 Markotter Avenue, Uniepark	Opposed	Opposed
C Whitehead	Uniepark	In favour	In favour
A Wolhuter	12 Markotter Avenue, Uniepark	Opposed	Opposed
N Van Rooyen	9 Provinsie Avenue, Uniepark	Opposed	Opposed
C Stoltz	Uniepak	In favour	In favour
D Botha	Uniepark	Opposed	Opposed
C Cillier	Uniepark	Opposed	Opposed
B Swanepoel and C de Plessis	Unknown	In favour	In favour
M & N Mandy	49 Unie Avenue, Uniepark	In favour	In favour
E van Lamp	20 AP Vanter Avenue, Uniepark	In favour	In favour
J De Wet	Unknown	In favour	In favour
D Kotzé	27 Waterweg, Rozendal	In favour	In favour
C du Plessis	28 Waterweg, Rozendal	In favour	In favour
P & J Holden	Rozendal Area	In favour	In favour
E Goosen	Unknown	In favour	In favour
C Viljoen (Prof)	6 Hof Avenue	Opposed	Opposed
J de Jager	14 AP Venter Avenue, Uniepark	In favour	In favour
I W Hälbich	3 Trengove Avenue, Uniepark	Opposed	Opposed
S Allen	Unknown	Opposed	Opposed
G de Kock	6 Transvalia Road, Uniepark	In favour	In favour
S Stroh	6 Transvalia Road, Uniepark	In favour	In favour
C & Slabbert	9 Hendrik Bergh Street, Rozendal	Opposed	Opposed
K Jenkins (Prof)	Uniepark	In favour	In favour
E Case	Uniepark	Opposed	Opposed
W Lutjeharms	Uniepark	Opposed	Opposed
C Bekker	Unknown	In favour	In favour
F B Mesu	8 AP Venter Avenue, Uniepark	Opposed	Opposed
M Heyns	Uniepark	In favour	In favour
H Mostert	Rozendal	In favour	In favour
C & T de Villiers	9 Unie Avenue	In favour	In favour
A Lombard	15 AP Venter Avenue, Uniepark	In favour	In favour
J Myburgh	24 Unie Avenue, Uniepark	In favour	In favour

7.7	PLANNING AND ECONOMIC DEVELOPMENT: [PC: CLLR E GROENEWALD (MS)]
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7.7.1	DRAFT LAND USE ENFORCEMENT POLICY FOR STELLENBOSCH MUNICIPALITY , MARCH 2019
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Collaborator No: 643770
IDP KPA Ref No:
Meeting Date: 2019-05-21

1. SUBJECT: DRAFT LAND USE ENFORCEMENT POLICY FOR STELLENBOSCH MUNICIPALITY, MARCH 2019

2. PURPOSE

To request Council's approval for public consultation of the draft Land Use Enforcement Policy for Stellenbosch Municipality, March 2019, attached as **APPENDIX 1**.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The increased number of land use complaints within the district of Stellenbosch Municipality, necessitated the formulation of the Land Use Enforcement Inspectorate, within Land Use Management. The positions within the Land Use Inspectorate include the following positions:

- Senior Land Use Inspector (x2)
- Land Use Inspector (x2)
- Administrative Officer (x2)

Once the unit was formed it became clear that identifiable processes and procedures were required, in order to ensure effective and efficient land use enforcement methods. The formulation and approval of a Land Use Enforcement Policy will set the standard for uniformity when these enforcement methods are applied.

5. RECOMMENDATIONS

- (a) that the draft Land Use Enforcement Policy for Stellenbosch Municipality, March 2019, be approved in principle; and
- (b) that the Land Use Enforcement Policy for Stellenbosch Municipality, March 2019, be advertised for public comment, whereafter same be submitted to Council for final consideration and subsequent adoption in terms of the Local Government Municipal Systems Act No. 32 of 2000.

6. DISCUSSION / CONTENTS

6.1 Background

The purpose of this policy is to provide an effective system with uniform and transparent approaches to land use enforcement within the Stellenbosch WC024 area and to set out the responsibilities of the relevant parties involved in the process.

Unauthorised uses may have negative impact on surrounding properties and the community in which they operate. The draft policy takes into consideration current unauthorised land-use challenges in the Stellenbosch WC024 area. At present, there are approximately 110 active land use contraventions in various stages of investigations and/or prosecutions within Stellenbosch Municipal area which are being dealt with in terms of Chapter IX of the Stellenbosch Municipal Land Use Planning By-Law, October 2015. This policy was developed as the said By-Law cannot adequately address the various stages within the land use enforcement investigation process.

6.2 Discussion

The unauthorised use of land has been identified as a challenging issue to ratepayers and officials dealing with these complaints.

The Municipality has a legal obligation to comply with and enforce the provisions of the Stellenbosch Municipal Land Use Planning By-Law, 2015 but does not have a policy to deal with land use enforcement processes. The Municipality must also comply and enforce compliance with the provisions of a Zoning Scheme, all conditions imposed in terms of planning legislation as well as title deed conditions.

The following legislation applies to this draft policy:

- (a) Section 152 (1) of the Constitution stipulates the five objectives of local government which include the promotion of social and economic development, as well as safe and healthy environments;
- (b) Sections 156(2) and (5) of the Constitution provides that a municipality may make and administer By-laws for the effective administration of the matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions; and
- (c) Part B of Schedule 4 to the Constitution lists building regulations and Municipal Planning as local government matters to the extent set out in section 155(6) (a) and (7).
- (d) Section 12 of the National Building Regulations and Building Standards Act, 103 of 1977 permits an authorized official to serve written notice on the owner of any building or excavated land which has been declared a problem building, requiring such owner within a specified period to:
 - clean, repair, renovate, repaint, alter, close, demolish or secure such building;
 - complete the building or any structure of such building;
 - enclose, secure, fence or barricade such problem building or land;
 - instruct at the cost of such owner, an architect or other registered competent person as contemplated in Part AZ4 of the National Building Regulations, to investigate such building and to report to the authorized official on the nature and extent of the steps to be taken to render such problem building safe or to rectify the deficiency which caused the building to be declared a problem building;
 - comply with any provision of this By-law.
- (e) The draft Land Use Enforcement policy is aligned with the parameters and definitions of the *draft Stellenbosch Municipality Integrated Zoning Scheme, 2017* to ensure consistency between the two documents.

-
- (f) Section 32 of the *Spatial Planning and Land Use Management Act, 2013* applies to the Enforcement of Land Use Schemes which in particular states that a municipality may pass by-laws aimed at enforcing its land use scheme.
- (g) Sections 68 -74 of the *Western Cape Land Use Planning Act, 2014* applies to Enforcement, Offences and Penalties.
- (h) Sections 85-99, Chapter IX of the *Stellenbosch Municipal Land Use Planning By-Law, October 2015* applies to Enforcement of the Municipality. Section 85 stipulates as follows:
- (1) *The Municipality must comply and enforce compliance with—*
- (a) *the provisions of this By-law;*
- (b) *the provisions of a zoning scheme;*
- (c) *conditions imposed in terms of this By-law or previous planning legislation;*
and
- (d) *title deed conditions.*
- (2) *The Municipality may not do anything that is in conflict with subsection (1).*

Chapter IX, consists of the following sections:

- Enforcement,
- Offences and penalties,
- Serving of compliance notices,
- Contents of compliance notice,
- Objections to compliance notice,
- Failure to comply with compliance notice,
- Compliance certificates,
- Urgent matters,
- General powers and functions of authorised employees,
- Powers of entry, search and seizure,
- Warrant of entry for enforcement purposes,
- Regard to decency and order and,
- Enforcement litigation.

This policy addresses the essential criteria as stipulated in the relevant land use planning legislation, required for the effective administrative procedures in order to guide the various departmental functions relating to land use enforcement.

6.3 Financial Implications

Standard costs are applicable in relation to the submission and approval of a Council Policy, by relevant statutory bodies.

6.4 Legal Implications

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

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk implications

The failure to bring about standardise processes and procedures with Land Use Enforcement, could result in the unequal application of land use enforcement processes.

6.8 Comments from Management

Supports item

MAYORAL COMMITTEE MEETING: 2019-05-21: ITEM 7.7.1

During deliberations on the matter, the following amendments were proposed and included on the Land Use Enforcement Policy:

Section 3: Complaints Process 3.1.1 (c) (Page 6 of 15)

Where it reads: "a formal letter must be faxed for the attention....." as mentioned in (c), additional methods of delivery were added.

Table 1: Land Use Contravention Category (Page 14 of 15)

Added a paragraph on air pollution and noise related matters (including reference to the applicable legislation).

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 7.7.1

- (a) that the draft Land Use Enforcement Policy for Stellenbosch Municipality, March 2019, be approved in principle; and
- (b) that the Land Use Enforcement Policy for Stellenbosch Municipality, March 2019, be advertised for public comment for a period of 60 days, whereafter same be submitted to Council for final consideration and subsequent adoption in terms of the Local Government Municipal Systems Act No. 32 of 2000.

ANNEXURES

Appendix 1: Draft Land Use Enforcement Policy, March 2019

Appendix 2: Land Use Enforcement Templates (10) for correspondence.

FOR FURTHER DETAILS CONTACT:

NAME	Errol Williams
POSITION	<i>Senior Land Use Inspector</i>
DIRECTORATE	PLANNING and ECONOMIC DEVELOPMENT SERVICES
CONTACT NUMBERS	021 - 808 8688
E-MAIL ADDRESS	<i>Errol.Williams@stellenbosch.gov.za</i>
REPORT DATE	021 808 8688

APPENDIX 1



STELLENBOSCH
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LAND USE ENFORCEMENT POLICY

(FOR INTERNAL USE)

STELLENBOSCH MUNICIPALITY (WC024)

APPROVED BY COUNCIL : _____

DATE EFFECTIVE : _____

DISCLAIMER

This draft policy reflects the preliminary views of the Stellenbosch Municipality. It should be noted that the document has been created to facilitate an effective system with uniform and transparent approaches to land use enforcement within the Stellenbosch WC024 area.

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SECTION 1: DEFINITIONS AND POLICY OUTLINE

1.1 Definitions

1.1.1 “Authorised employee” / “Inspector”

Means a municipal employee who is authorised in terms of delegated or sub-delegated authority by the Municipality to exercise a power or perform a duty in terms of this Policy or to inspect land and buildings in order to enforce compliance with the By-Law (2015) or the zoning scheme.

1.1.2 “Business Owners/Operators”

Persons operating and owning the business operating on the applicable land/property.

1.1.3 “Compliance”

Means conforming to the applicable rule, policy or law, i.e. notices, zoning schemes and By Laws applicable to land use enforcement.

1.1.4 “Enforcement”

The process of ensuring compliance with laws, by-laws, rules and/or legislation applicable to land use regulation and the use of land.

1.1.5 “Enforcement Spreadsheet”

A document used to record and save all information regarding land use complaints.

1.1.6 “Land”

Means any erf or farm or portion thereof, and includes any improvement or building on the land and any real right in land within the boundaries of the Municipality of Stellenbosch.

1.1.7 “Land Use Contraventions”

The use of land which violates the permitted land use rights for which such land may be used.

1.1.8 “Land Use”

Means the purpose for which land is or may be utilised lawfully in terms of a zoning scheme or in terms of any other approval, permit or consent issued by a competent authority, and includes any conditions related to the land use.

1.1.9 “Land use applications”

An application submitted to the Municipality for the regularisation of the use of land.

1.1.10 “Land Use Planning Act”

Means the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014).

1.1.11 “Municipal area”

Means the area of jurisdiction of a municipality determined in terms of the Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998).

1.1.12 “Municipal Systems Act”

Means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

1.1.13 “Municipality”

Means the municipality of Stellenbosch established in terms of Section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), by Provincial Notice No. 479 dated 22 December 2000, and where the context so requires, includes:

- (a) the Council;
- (b) another political structure or a political office bearer of the Municipality, authorised or delegated to perform a function or exercise a power in terms of this By-Law;
- (c) the Tribunal authorised or delegated to perform a function or exercise a power in terms of this By-Law;
- (d) the Municipal Manager; and
- (e) an authorised employee.

1.1.14 “Offender”

Person or party who violates the rule of law by utilising land for an unauthorised purpose - this may be the property owner, tenant, or business owner.

1.1.15 “Owner”

Means the person registered in a deeds registry or title deed as the owner of land or who is the beneficial owner in law.

1.1.16 “Person”

Means any natural or juristic person, including an organ of state.

1.1.17 “By-Law (2015)”

Means Stellenbosch Municipality: Land Use Planning By-Law October (2015).

1.1.18 “SLA”

Service Level Agreement.

1.1.19 “Violations”

An act or instance of violating law or rule of law and especially a failure to do what is required or expected by a law, rule or agreement.

1.1.20 “WCO24”

The entire Municipal area of Stellenbosch.

1.1.21 “Zoning”

Means a land use category regulating the utilisation and development of land and setting out:

- (a) the purposes for which land may be utilised; and
- (b) the development parameters applicable to that land use category, as determined by the applicable zoning scheme.

1.1.22 “Zoning scheme”

System of land use management, in terms of legislation, which allocates legal rights to land within its area to develop and the erection and use of buildings within the ambit of specific conditions and control measures.

1.2 Policy Outline

- 1.2.1 This policy is aimed at setting out a uniform structure effectively addressing and solving all land use related complaints within the Stellenbosch Municipal (WC024) Area.
- 1.2.2 Land use enforcement has followed different forms and processes over the years and there has never been an approved policy guiding officials in dealing with illegal land use violations.
- 1.2.3 As with any municipality, Stellenbosch is plagued by various unauthorised activities. To solve these issues, a uniform methodology must be adopted that tackles land use enforcement in an assertive and structural manner within prescribed time frames, by authorized officials of the Planning and Economic Development Department.
- 1.2.4 The intention of the land use enforcement policy is to set out a transparent and uniform process in dealing with Land Use Contraventions of the applicable law. As people become more aware of the various duties of Municipalities, complaints pertaining to the use of land remains on the increase. Land use inspections also generate land use applications which are assessed by the Town Planning Department. These applications provide revenue in terms of costs related to applications.
- 1.2.5 The Stellenbosch Municipal Land Use Planning By-Law (2015) provides the mandate for a municipality to enforce planning legislation, but it does not provide guidelines to officials dealing with land use complaints.
- 1.2.6 As there is an obligation on Council to enforce compliance, the policy must guide officials in conducting their duties and in doing so make sure all complaints are dealt with in a transparent and amicable manner, so that future unauthorised activities are discouraged altogether and rate payers understand that these activities may have a detrimental effect on the neighbourhood and its surroundings.

SECTION 2: POLICY OBJECTIVES & LEGAL MANDATE

2.1 Objectives

- 2.1.1 The approach of the Policy is to provide guidelines to authorised employees dealing with Land Use Contraventions and to ensure that the unlawful activity stops (or dealt with in terms of other laws and regulations applicable) until such time as the appropriate land use rights are in place. An Owner and Offender will be given a reasonable time period to cease such activities; these times are determined by the official and are based on the categories provided in Table 1. It is to be noted that the submission of land use applications does not condone the continuation of such activities. The town planning and enforcement process may run concurrently but are dealt with on its own merits.
- 2.1.2 The enforcement policy places the following objectives on authorised employees investigating and dealing with land use complaints:

- 2.1.2.1 That land use complaints are dealt with and resolved within stipulated time frames;
- 2.1.2.2 That all complaints are dealt with in accordance with this policy and its guidelines in a consistent and transparent manner;
- 2.1.2.3 That members of the public are discouraged to continue or start using properties for unauthorised activities;
- 2.1.2.4 Authorised employees dealing with land use complaints adopt an effective and consistent approach to land use enforcement in the WC024 area.

2.2 Legal Mandate

- 2.2.1 Section 152 (1) of South African Constitution stipulates the five objectives of local government, which include the promotion of social and economic development as well as safe and healthy environments.
- 2.2.2 Section 32 (1) of the Spatial Planning and Land Use Management Act 2013 applies to the Enforcement of Land Use Scheme states '*A municipality may pass by-laws aimed at enforcing its land use scheme*'.
- 2.2.3 Part 3, Section 68 and 74 of the Western Cape Land Use Planning Act, 2014 (LUPA) applies to Enforcement, Offences and Penalties.
- 2.2.4 Chapter IX Stellenbosch Municipal Land Use Planning By-Law (2015) deals with Enforcement.
- 2.2.5 This policy is in accordance with the legal requirements as set out in the applicable By-law and Municipal Systems Acts which places a responsibility on the Municipality to enforce compliance with the By-Law and Zoning Scheme Regulations.

2.3 Offences & Penalties

Section 86 of the By-Law (2015) prescribes offences and penalties, which need to be adhered to and is applicable when enforcing this Policy. Such penalties can be a fine or imprisonment not exceeding 20 years or both a fine and such imprisonment when a person is guilty of an offence, as stipulated in section 86 of the By-Law (2015) and is liable on conviction.

SECTION 3: COMPLAINTS PROCESS

3.1 Process to Lodge Complaint

- 3.1.1 For record purposes all complaints must be submitted to the Municipality in writing as follows:
 - a) The standard land use complaint form, which is available on the Municipality's website under the Planning Portal tab: <http://www.stellenbosch.gov.za/> ;
 - b) Such form must be emailed to zoning.violations@stellenbosch.gov.za; or
 - c) A formal letter for the attention of the Director: Planning & Building Development Directorate, may be faxed (fax: 021 – 886 6899) or hand delivered or posted to the municipal offices at 17 Plein Street Stellenbosch, 7600 PO Box 17, Stellenbosch, 7599.
- 3.1.2 All complaints must contain sufficient information to enable the applicable department to investigate the matter. This includes:

- a) Full physical address of the offending property;
- b) Precise nature of the Land Use Contravention/s (such as dates, times, frequency, intensity/extent of the contravention, etc. (if possible));
- c) Photographs, if applicable;
- d) The effect/impact that the contravention/s is having on the Complainant and/or the neighborhood and its surroundings;
- e) Name, address, and contact details of the Complainant;
- f) Preferred method of communication.

3.1.3 It is the Municipality's duty to enforce compliance with the relevant by-laws and zoning scheme regulations, regardless of the source or location of the complaint. The Municipality will attempt to keep all information contained in the complaint form, letter, or email anonymous during investigations. (The Municipality cannot guarantee that the information will remain anonymous). The alleged Offender and/or Owner may request such information in terms of her/his constitutional rights and therefore may apply for such information via the normal processes pertaining to access to information.

3.1.4 Complaints may be lodged by any person whether or not residing in the Stellenbosch area or its surroundings.

3.1.5 The Complainant must be advised to respect the alleged Offender and Owner's privacy, by not trespassing on his/her property and not making defamatory statements.

3.2 Anonymous Complaints

3.2.1 The Municipality will not investigate anonymous complaints. The Complainant must be available for correspondence throughout the investigation of the case and must be made aware that they may need to provide evidence in court should they be required to do so.

3.2.2 All information related to a complaint must be saved on the erf file and the Land Use Contravention folder for record purposes.

3.3 Complaint Received and Inspection

3.3.1 Once a formal complaint is received, the authorised employee must determine if the matter is a Land Use Contravention. This can be done by conducting a desktop investigation on the property to check the zoning and current land use rights.

3.3.2 Complaints outside the ambit of the land use enforcement environment must be referred to the relevant department and the Complainant informed thereof. Proper record of referral must be kept and acknowledged by the relevant department.

3.3.3 Once the Land Use Contravention has been confirmed the authorised employee must:

3.3.3.1 Allocate a reference number and record the complaint and all particulars on the enforcement spreadsheet;

3.3.3.2 Send a written acknowledgement, indicating the reference number and the details of the authorised employee dealing with complaint, within 4 (four) working days of receiving the complaint either via email or registered post to the address provided for by the Complainant. If no physical or email address is available the authorised employee must make contact with the Complainant in order to acquire these details;

- 3.3.3.3 Compile a Land Use Contravention folder with all the relevant information in order for the official to conduct inspections. This includes:
- a) The formal complaint with all supporting documentation;
 - b) Ownership/windeed details;
 - c) Locality map indicating property location;
 - d) Copy of the acknowledgement-correspondence and all other correspondence related to the complaint;
 - e) Permitted zoning use rights applicable and/or existing use rights (if available, the zoning certificate);
 - f) Formulated notices (3 copies).
- 3.3.4 Refer completed Land Use Contravention folder to the authorized official for inspections within 4 (four) working days from the date the complaint was received.
- 3.3.5 The Land Use Contravention folder will then be checked and signed off by the authorised employee's supervisor/manager before it gets allocated to the land use Inspector to conduct inspections.
- 3.3.6 The land use Inspector must make the initial determination of whether the category of the complaint falls into Table 1 and indicate it as such. This determination may change after conducting a full investigation of the case.

3.4 Inspections

- 3.4.1 Section 93 of the By-Law (2015) stipulates the General Powers and Functions of Authorised Employees, such as:
- a) The authorised employee may enter the property **with the permission** of the Owner and/or alleged Offender, without a warrant and/or previous notice in order to ensure compliance with the By-Law (2015);
 - b) Identifying himself/herself as a designated authorised employee and indicating proof that he/she has been designated as an authorised employee for purposes of such inspection;
 - c) Being accompanied by a police officer or any other authorised third party (when need be) assisting the authorised employee with the inspection.
- 3.4.2 Once the Land Use Contravention folder has been allocated to the Inspector, he/she must:
- a) Inspect the property within 4 (four) working days of receipt of the file. Such inspection must be made with due diligence and respect to those staying on or using the property;
 - b) Identify themselves as authorised employees, provide identification indicating this and inform the alleged Offender and Owner of the property of the purpose of the site inspection, and request to conduct an inspection to verify the use of the property in accordance with the zoning scheme regulations and/or previous land use approvals and conditions;

- c) Make sure to obtain as much information as possible. Consider the evidence needed to institute legal proceedings, in the event of non-compliance of notices. Such as who is carrying out the Land Use Contravention, the time of the inspection, the nature and scale of the Land Use Contravention, how many people are on the property and how many are involved in the Land Use Contravention. Take photographs when necessary and check if the Complainant is available to depose to an affidavit;
- d) Advise the alleged Offender and Owner of section 86(1)(f) of the Stellenbosch Municipality Land Use Planning By-Law (2015) if the alleged Offender and/or Owner refuses access to the property (“A person is guilty of an offence and is liable on conviction to a fine or imprisonment not exceeding 20 years or to both a fine and such imprisonment if he or she hinders or interferes with an authorized employee in the exercise of any power or the performance of any duty of that employee”);
- e) Send a standard letter via registered post and hand deliver a copy at the property requesting access to the property within 7 (seven) working days. If access is still denied by the alleged Offender and they have failed to respond to such letter, it will result in the Inspector producing a legal docket for an offence in terms of section 86(1)(f) of the Stellenbosch Municipality Land Use Planning By-Law (2015);
- f) Keep the Complainant informed of progress via his/her preferred method of communication throughout all stages of the investigation.
- 3.4.3. Telephonic updates are not recommended as records of all correspondence and communication in respect of the matter must be kept on file. Email transmission is the preferred method of communication, but if no email address is available, registered post must be sent to the address provided by the Complainant.
- 3.4.4. An important part of conducting an inspection at any property is to provide guidance and advice to unauthorized land use operators, on how to regularize such uses. As a local authority, the Municipality promotes job creation, and needs to inform people of the way forward. Inform them of their entitlement to submit land use applications in order to conduct such activity from the property lawfully.
- 3.4.5. The submission of town planning applications does not offer the Offender and/or Owner temporary rights to continue with the unauthorised use of the land, the use must still cease within the prescribed time period as set out in the notice. It is only upon approval of applications that such use may operate.
- 3.5. Serving of Compliance Notices**
- 3.5.1 Once a Land Use Contravention has been confirmed by the Inspector, he/she must act in accordance with Section 87 of the Stellenbosch Municipality Land Use Planning By-Law (2015), which stipulates, inter alia, the following:
- 3.5.1.1 The Municipality must serve a compliance notice on the Offender if it has reasonable grounds to suspect that the Offender is guilty of an offence in terms of section 86 of the By-Law (2015), which compliance notice must instruct the Offender to cease the unlawful utilisation of land or construction activity or both, within the notice period provided by the Municipality, and in accordance with the Municipality’s instructions as stipulated in section 87 of the By-Law (2015), such as:
- a) demolish, remove or alter any building, structure or work unlawfully erected or constructed or to rehabilitate the land or restore the building concerned to its original form or to cease the activity, as the case may be, within the period determined by the Municipal Manager;

- b) submit an application for the approval of the utilisation of the land or construction activity in terms of this By-law within 30 days of the service of the compliance notice and to pay the contravention penalty within 30 days after approval of the utilisation; or
- c) rectify the contravention of or non-compliance with a condition of approval within a specified period.

3.5.1.2 An Offender who has received a compliance notice in terms of section 87 of the By-Law (2015), may object to such compliance notice by submitting written representations to the Municipality within 30 (thirty) days of receipt of the compliance notice.

3.5.2 The following additional Information must be taken into account when serving compliance notices:

- a) Serve the compliance notice on the Offender and Owner of the property. If he/she is not available at the time of service, it may be served on any other person over the age of 16 who resides or works at the premises;
- b) Make sure the compliance notice is addressed to the Offender and/or Owner/s as per the windeed printout;
- c) Indicate exactly how the compliance notice was served, who received and signed for it and/or if the Offender and/or any other person has refused to sign receipt thereof;
- d) If the Land Use Contravention has been confirmed, the Inspector must serve the compliance notice regardless of whether or not the Offender and/or any other persons wants to accept it.
- e) Copies of the compliance notices must also be sent via registered mail or email (if available) to the registered Owners, if they are not available at the time of inspection;
- f) Every effort must be made to serve the compliance notice personally before sending same via registered post. It is recommended that 3 (three) inspections be conducted at different times and days. If the Offender and/or Owner can still not be located, the Inspector must request assistance from their senior and only after all efforts have failed, send the notice via registered mail and also hand deliver at the property of the Owner and/or Offender.

3.6 Contents of compliance notice

3.6.1 Section **88** of the By-Law (2015) prescribes the contents of compliance notices, which contents are, inter alia, the following:

- a) Identify the person to whom the compliance notice is addressed;
- b) The unlawful use of the land and/or construction activity on the land must be described;
- c) Include a statement in the compliance notice that the use of the land and/or construction activity on the land is unlawful;
- d) Inform the Offender and/or Owner of the offence/s being committed, or which has been committed, by such Offender and/or Owner, as stipulated in section 86 of the By-Law (2015);
- e) State the steps that the Offender and/or Owner must take;
- f) State the time period in which such steps must be taken in each instance;
- g) State anything the Offender and/or Owner may do and may not do, as well as the time periods applicable;

- h) Make provision in the compliance notice for the Offender and/or Owner to make representations in accordance with section 89 of the By-Law (2015) and stipulate a contact person;
- i) State the applicable warning/s on the grounds that the Offender and/or Owner may be prosecuted and convicted (as stipulated in section 86 of the By-Law (2015) should the Offender and/or Owner not comply, and if convicted, be liable for a penalty in terms of an order of court, including but not limited to demolish, remove or alter any building, structure or work unlawfully erected or constructed or to rehabilitate the property/land or restore the building concerned or to cease the activity;
- j) Confirm that there is an obligation on the Offender and/or Owner on whom a compliance notice is served to comply with such compliance notice within the time period stated in the compliance notice, unless:
 - a. The Offender and/or Owner has objected to the notice in terms of section 89 of the By-Law, and
 - b. The Municipality has not decided on the matter in terms of that section, or
 - c. The Municipality has agreed to suspend the operation of the compliance notice in terms of section 89(2).

3.7 Objections to Compliance Notice

- 3.7.1 Objections may be lodged against compliance notices in accordance with Section **89** of the By-Law (2015), by making written representations to the Municipality within 30 (thirty) days of the date of the compliance notice.
- 3.7.2 The Municipality shall consider such objections or written representations, and any other further information provided, where after the Municipality, may:
 - 3.7.2.1 suspend,
 - 3.7.2.2 confirm,
 - 3.7.2.3 vary, or
 - 3.7.2.4 withdraw, such compliance notice or any part of such compliance notice; and
 - 3.7.2.5 must specify the time period within which the Offender and/or Owner to whom the compliance notice is addressed must comply with any part of the compliance notice that is confirmed or varied.

3.8 Failure to comply with compliance notice

- 3.8.1 Section **90** of the By-Law (2015) prescribes the consequences of the failure to comply with the compliance notices by the Offender and/or Owner, which are, inter alia, the following:
 - 3.8.1.1 Lay a criminal charge against the Offender and/or Owner;
 - 3.8.1.2 Apply to the High Court for an order to:
 - a) restrain the Offender and/or Owner from continuing the unlawful use of the land/property,
 - b) direct the Offender and/or Owner to demolish, remove or alter any building, structure or work unlawfully erected or constructed, and/or
 - c) direct the Offender and/or Owner to rehabilitate the land/property concern, without payment of compensation to the Offender and/or Owner.

3.9 Follow up Inspections

- 3.9.1 Once the time period stipulated in the compliance notice has expired, the Inspector must conduct a follow up inspection within 3 (three) working days of the expiry date in order to establish whether the Land Use Contravention has ceased.
- 3.9.2 In the event that the Land Use Contravention is still continuing, the Inspector must decide:
- 3.9.2.1 whether or not enough evidence exists to proceed with legal action against the Offender/s and/or Owner, and if so gather the required evidence;
- 3.9.2.2 whether or not to proceed on criminal or civil grounds taking into account the type of land use and its effects on the surrounding residents and neighborhood.
- 3.9.3 If in the view of the Inspector, the Land Use Contravention has ceased, he/she must conduct an additional follow-up inspection to confirm prior to closing the case. The Inspector must be sure that the Land Use Contravention has ceased in its entirety before closing the file. If not, the Inspector may request further information from the Complainant and allow a 30 day period to provide any evidence to this effect before proceeding any further with the matter.
- 3.9.4 Once the Complainant provides sufficient evidence within the time period stipulated, the matter must be referred to the legal department for further action. After all the relevant evidence has been gathered for legal action, the Inspector has 5 (five) working days to submit the legal docket to the legal department for comment/approval/refusal. A separate SLA must be entered into between the legal and the Planning and Building Development Management departments for time frames with regards to acceptance of dockets and court dates.

3.10 Requesting Additional Evidence

- 3.10.1 In the event that, after the inspections (at least 3 inspections at different times and days) were conducted by the official and he/she confirms that there is no Land Use Contravention, and/or insufficient evidence exists to proceed with the matter, he/she must inform the complainant of these findings in writing and afford him/her the opportunity to submit detailed information/evidence within 30 (thirty) days.
- 3.10.2 If the complaint was referred by another department, municipal employee or ward councilor the same procedure shall be applicable and adhered to as stipulated herein in respect of a Complainant.
- 3.10.3 The official's letter/correspondence, requesting such evidence, must be clear in advising the complainant or evidence bearer that they will be required to attest to such evidence in court as they witnessed the Land Use Contravention. In such cases the Inspector acts as a facilitator to obtain compliance.
- 3.10.4 Additional evidence by the Complainant and/or evidence bearer must be submitted in the form of a sworn affidavit. The Complainant must be informed that the details provided in the affidavit will form the basis of the case against the Offender and/or Owner.
- 3.10.5 If the Complainant refuses or fails to submit the requested evidence in the prescribed time frame the official will conduct a final inspection within 5 (five) days of expiration of such time frame before closing the case.

3.11 Compliance Certificates

- 3.11.1 When an authorised employee is duly satisfied that the Offender and/or Owner has complied with the compliance notice, a compliance certificate may be issued as determined by the Municipality as confirmation of such compliance.
- 3.11.2 The authorised employee is obliged to submit a monthly report of all Offender and/or Owner's compliance of such compliance notice and the issuing of the compliance certificates.

3.12 Exclusions

- 3.12.1 Any and all complaints related to a contravention of South African laws and regulations must be referred to the South African Police Services.
- 3.12.2 Shebeens/Taverns can be dealt with by authorised employees under this policy but the assistance of law enforcement can be requested when needed. If no assistance is forthcoming from law enforcement and or SAPS officials may follow due process by serving the relevant notices via registered post and conducting drive-by inspections.
- 3.12.3 This policy does not deal with contraventions of the National Building Regulations and Building Standards Act No 103 of 1977. All building related complaints must be referred to the Building Development Management Department for further investigation.

SECTION 4: COMPLAINT CATEGORIES

- 4.1 Unauthorised activities take many forms because of different social and economic backgrounds. The policy has outlined different categories in order for the Inspector to make informed decisions whilst dealing with Land Use Contravention complaints.
- 4.2 Important factors guiding the Inspector when conducting inspections and making decisions on Land Use Contraventions refers to:
- 4.2.1 The nature of the alleged unauthorised activity;
- 4.2.2 Safety aspects to users, employees, and surrounding residents of the alleged activity;
- 4.2.3 Direct impact on the surrounding neighbor's, neighborhood and environment.
- 4.3 After conducting the initial inspections, the Inspector must make a determination of the category the Land Use Contravention falls under. See Table 1 for list of categories, criteria, and time frames.

4.4 **Table 1: Land Use Contravention Category**

Contravention Category	Contravention Descriptions	Remedial Actions	Notice Times Frames	To note
A	In cases where there is a need to move and or relocate people, students, or children. If the use does not fall into any of the above criteria but requires movement of people, the Inspector along with the line manager must make the determination on the matter.	A 30 day cease notice applies but the Inspector may extend such notice for additional 90 days after considering all the facts. If extensions are granted, the owners/offenders must agree in writing and submit a written undertaking that they will cease by such date indicated in the further abovementioned notice.	30 days cease notice Maximum 90 days extension of time	Extensions can be granted after considering all the facts around the use. This together with consultations with the line manager and the complainants will determine whether such extension will be allowed. The Inspector may choose to allow an additional 30 or 60 days with a maximum of 90.
B	Where a Land Use Contravention poses a threat to life or has a material adverse effect on the community, land being used and surrounding environment.	Cease forthwith. The Inspector to approach legal department for urgent interdict application to interdict activity to cease.	Notice to cease immediately.	No extensions to be granted under this category.
C	Where Land Use Contraventions causes an adverse impact to the surrounding neighbourhood, residents, and amenity of the area such as noise nuisance, traffic and parking problems, affecting property values. Due consideration must be given to air pollution & noise related complaints. The Inspectorate responsible for investigating such complaints (in terms of the Noise Control Regulations PN200/2013, the National Environmental Act No. 107 of 1998 & Air Quality Control By-Law, 2018) must be notified immediately.	A 30 day ceases notice.	30 days to cease and comply. Extensions on notices must be referred to the courts.	If the property owner/alleged offender can prove that they will be relocating or cease by the required date in an extension request, i.e. new signed lease agreement, then a reasonable extension and/or further extension may be considered by the allocated Inspector/s in his/her discretion taking into account the merits and factors of each individual situation.
Contravention Category		Examples		
A		Schools, daycares, old age homes, stay in rehab facilities, etc.		
B		Any use as per category A that poses a danger to life, business using noxious materials such as gasses, chemicals, etc. Agriculture land used for storage or business use where large amounts of fuel or other noxious materials are kept.		
C		House shops, mechanical workshops, guest houses, function facilities, student accommodations, and or any other business not listed in category A & B that in the view of the Inspector causes an adverse impact on the surroundings.		

SECTION 5: COMMUNICATION**5.1 Communication Format**

All communication between the authorised employees and Complainants must take the form of standardised letters approved by the Municipality. All correspondence must be sent via registered post or email and detailed records must be kept at all times throughout the investigation.

For effective and speedy service delivery all communication must follow the below timeframes.

5.2 Table 2: Communication Timeframe Table

Communication Type	Number of Days
Complaint Acknowledgement Letter	Within 4 (four) working days of receipt of complaint
Notice Served Letter	Within 2 (two) working days after the notice was served
Request for further information	Within 2 (two) working days after the last inspection has been conducted
Closing Letter	Sent within 3 (Three) working days after the final inspection and confirmation of matter complied
Court Outcomes Letter	Sent within 3 (Three) working days of court outcome

5.3 Telephonic communication

Telephonic communication regarding cases is strongly prohibited as no records or calls can be recorded. Telephonic calls to Complainants must only be done in cases where no email or physical postal address for registered post exists. If so all conversations must be fully recorded by the authorised employee in the Land Use Contravention folder, i.e. time and date of call and what was discussed.

SECTION 6: APPLICABLE LEGISLATION

The following legislation applies to this policy.

6.1 Spatial Planning and Land Use Management Act, 2013: Section 32 applies to the Enforcement of Land Use Scheme. Section 32. (1) in particular states '*A municipality may pass by-laws aimed at enforcing its land use scheme*'.

6.2 Western Cape Land Use Planning Act, 2014: Part 3, section 68 -74 apply to Enforcement, Offences and Penalties.

6.3 Stellenbosch Municipal Land Use Planning By-Law (2015): Chapter IX, sections 85-99; Enforcement of the Municipality.

SECTION 7: POLICY COMPLIANCE

All authorized officials using this policy are expected to comply with the contents and guidelines provided herein. Employees who fail to comply must be subjected to disciplinary actions by line managers whilst offending parties will face civil or criminal litigation.

SECTION 8: APPROVAL & IMPLEMENTATION

The land use enforcement policy for the Stellenbosch Municipality has been approved by Council on the _____.

The policy comes into effect as of the date indicated above and will remain in place until such time that it is reviewed on an annual basis.

APPENDIX 2



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

File Reference Number:
Enquiries:
Contact No:
Email address:
Date:

PERSONAL SERVICE/REGISTERED MAIL/E MAIL

Name & Surname Recipient
Physical Address (registered mail or personal service)
E mail Address (via e mail)

Dear Sir/Madam

ALLEGED LAND USE CONTRAVENTION ON FARM/ERF/PHYSICAL ADDRESS
REQUEST FOR ACCESS TO PREMISES:

1. Please take note that on DATE a complaint was received against you for: DESCRIBE ACTIVITY
2. The allocated Inspector/s in respect of the Land Use Contravention on the premises was unable to gain access to the premises on DATE, in order to investigate a complaint/enquiry about an alleged Land Use Contravention in terms of the Stellenbosch Zoning Scheme Regulations promulgated in terms of the Stellenbosch Municipal Planning by-Law 2015.
3. Please take note of Section 86(1)(f) of the By-Law, which stipulates:
'A person is guilty of an offence and is liable on conviction to a fine or imprisonment not exceeding 20 years or to both a fine and such imprisonment if he or she hinders or interferes with an authorised employee in the exercise of any power or the performance of any duty of that employee.'
4. Take further note of Section 93 of the by-Law, which stipulates inter alia:
'(1) an authorised employee may, with the permission of the occupier or owner of land without a warrant and without previous notice, enter upon land or premises or either a building at any reasonable time for the purpose of ensuring compliance with this By-law. (2) An authorised employee must be in possession of proof that he or she has been designated as an authorised employee for the purposes of subsection (1). (3) An authorised employee may be accompanied by an interpreter, a police official or any other person who may be able to assist with the inspection.'
5. The allocated Inspector/s, INSPECTOR DETAILS will inspect your property on DATE. Kindly provide him/her with proper access to the property as required herein. Should the inspection for any valid reason not be possible on DATE at TIME, please inform the Inspector thereof within 5 (five) days of the date of this letter. The Inspector's telephone number is _____ and/or email at _____.
6. The Inspector is available between 08h00 and 16h00, Monday to Friday.

Yours faithfully

For DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Reference Number:

Enquiries:

Contact No:

Email Address:

Date:

PERSONAL SERVICE/REGISTERED MAIL/E MAIL

Name and Surname of recipient

Address (registered mail or personal service)

E mail address (via e mail)

Dear Sir/Madam

ALLEGED LAND USE CONTRAVENTION ON ERF/FARM/PHYSICAL ADDRESS
REQUEST FOR ADDITIONAL INFORMATION:

We refer to your complaint with REF NO. and we would like to confirm the following:

1. The allocated inspector has investigated your complaint and such investigation reveals that the abovementioned property is being used for INDICATE THE USE (as per zoning and/or approval) purposes.
2. Such land use is permitted in terms of Stellenbosch Zoning Scheme Regulations promulgated in terms of the Stellenbosch Municipal Planning By-Law 2015
3. However, if you have any evidence which indicates that the property is being used for a purpose other than that set out above or as per your complaint with REF NO., please furnish such evidence to our offices at the above address on or before DATE.
4. On receipt of such further evidence, this matter shall be further investigated. If no further information is received by the date mentioned herein, this matter will be closed.
5. Please take note of the following.
 - a) In order to achieve a successful prosecution, the person who witnessed the land use contravention needs to provide such evidence and give evidence in court. (the allocated inspector/s has not established a land use contravention on the premises and therefore you will need to provide the required evidence in order to proceed effectively)
 - b) Please provide inter alia accurate details of dates and times when the land use contravention happens as you will also be required to provide this evidence in court when requested to do so. Please only provide facts, and not what you suspect. If the activity involves cars, people or staff visiting or coming to and from the premises, please provide all the necessary details.
 - c) Please respect your neighbours right to privacy by not intruding on their personal space. If you require taking pictures, please do so from the comfort of your own premises or municipal areas outside such property's boundaries at which such alleged land use contravention takes place.
 - d) Please provide all evidence in the form of a sworn affidavit.**

Yours faithfully

For DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT



STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Our File Reference Number:
Enquiries:
Contact No:
Email address:
Date:

PERSONAL SERVICE/REGISTERED MAIL/E MAIL

Name and Surname of recipient
Address (registered mail or personal service)
E mail address (via e mail)

Dear Sir/Madam

ALLEGED LAND USE CONTRAVENTION ON PREMISES ERF/FARM/PHYSICAL ADDRESS

CLOSING OF COMPLAINT:

1. The Municipality refers to the complaint with REF_NO. and would like to confirm the following:
 - 1.1. The Municipality wishes to advise that the allocated Inspectors follow up inspection at the premises revealed that the land use contravention at the premises has ceased and/or the property owners/offenders have complied with the conditions of approval in respect of land use rights.
 - 1.2. Please feel free to contact the Municipality if the land use contravention resumes in terms of Stellenbosch Zoning Scheme Regulations promulgated in terms of the Stellenbosch Municipal Planning By-Law 2015.
2. Please note that as for the reasons mentioned above the matter is regarded as closed.

Yours faithfully

For DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT



STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Planning and Economic Development

Our File Reference Number:

Enquiries:

Contact No:

Email address:

Date:

PERSONAL SERVICE/REGISTERED MAIL/PER EMAIL

Name & Surname of recipient

Address (registered mail or personal service)

E mail address (via e mail)

Dear Sir/Madam

ALLEGED LAND USE CONTRAVENTION OF FARM/ERF/PHYSICAL ADDRESS

COMPLAINT ACKNOWLEDGEMENT:

With reference to your complaint received on DATE I wish to advise as follows:

1. Your complaint will be investigated in accordance with the Stellenbosch Municipality Land Use Planning By-Law (2015) and a detailed response will be directed to you in due course.
2. It has been referred to INSPECTOR NAME who will investigate the alleged land use contravention.
3. The Municipality will report back on the complaint within 30 days.
4. Please quote the following reference number for all queries related hereto: Farm 1077 Paarl.
5. You are advised that all communication with you will be done via e-mail unless you notify me in writing of an alternative preferred method of communication.

Yours faithfully

For DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Reference Number:
Enquiries:
Contact No:
Email address:
Date:

PERSONAL SERVICE/REGISTERED MAIL/E MAIL

Name and Surname of recipient
Address (registered mail or personal service)
E mail address (via e mail)

Dear Sir/Madam

ALLEGED LAND USE CONTRAVENTION ON PREMISES ERF/FARM/PHYSICAL ADDRESS

COMPLIANCE CERTIFICATE

COMPLIANCE CERTIFICATE: DESCRIPTION OF ACTIVITY

1. Our compliance notice dated refer(s).
2. This compliance certificate is issued in terms of section 91 of the Stellenbosch Municipal Land Use Planning By-law, 2015 to confirm you complied with the aforementioned compliance notice.

Yours faithfully

For DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT



STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Reference Number:
Enquiries:
Contact No:
Email Address:
Date:

PERSONAL SERVICE/REGISTERED MAIL/E MAIL

Dear Sir/Madam
Physical Address (registered mail or personal service)
E mail Address (via e mail)

ALLEGED LAND USE CONTRAVENTION OF PREMISES FARM/ERF/PHYSICAL ADDRESS

COURT OUTCOME:

We refer to your complaint with REF NO. and we would like to confirm the following:

1. Please be advised that NAME OF OFFENDER appeared in court on DATE , the outcome was as follow:

(INDICATE THE COURT OUTCOME)

(Delete sections not applicable, chose either 2 or 3)

2. You will be informed of any progress after the next court date.
3. This matter will be monitored accordingly, and if the land use contravention continues, further legal action will be instituted.

Yours faithfully

For DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT



STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Planning and Economic Development

Our File Reference Number:

Enquiries:

Contact No:

Email address:

Date:

PERSONAL SERVICE/REGISTERED MAIL/PER EMAIL

Name & Surname of recipient

Address (registered mail or personal service)

E mail address (via e mail)

Dear Sir/Madam

ALLEGED LAND USE CONTRAVENTION OF FARM/ERF/PHYSICAL ADDRESS

COMPLAINT ACKNOWLEDGEMENT:

With reference to your complaint received on DATE I wish to advise as follows:

1. Your complaint will be investigated in accordance with the Stellenbosch Municipality Land Use Planning By-Law (2015) and a detailed response will be directed to you in due course.
2. It has been referred to INSPECTOR NAME who will investigate the alleged land use contravention.
3. The Municipality will report back on the complaint within 30 days.
4. Please quote the following reference number for all queries related hereto: Farm 1077 Paarl.
5. You are advised that all communication with you will be done via e-mail unless you notify me in writing of an alternative preferred method of communication.

Yours faithfully

For DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT



Our Reference Number:

Enquiries:

Contact no:

Date:

PERSONAL SERVICE/REGISTERED MAIL/E MAIL

Name and Surname of recipient

Address (registered mail or personal service)

E mail address (via e mail)

Dear Sir/Madam

NOTIFICATION: ALLEGED LAND USE CONTRAVENTION ITO SECTION 87(2) OF THE STELLENBOSCH LAND USE PLANNING BY-LAW 2015: ERF/FARM/PHYSICAL ADDRESS

This Municipality has reasonable grounds to suspect that you are going to make yourself guilty of an offence(s) in terms of **Section 86 (1)** (make sure the correct section is quoted) of the Stellenbosch Municipal Land Use Planning By-law 2015 ('the By-Law):

'A person is guilty of an offence and is liable on conviction to a fine or imprisonment not exceeding 20 years or to both and such imprisonment if he or she –

(b) utilises land in a manner other than prescribed by a zoning scheme without the approval of the Municipality'

It has come to the attention of this office that an (STATE ACTIVITY) is planned on FARM/ERF/PHYSICAL ADDRESS, on the DATE as can be seen by (state where the information was obtained).

Please be informed that the zoning of the property in question is that of ZONING OF PROPERTY only. The property may not be utilised for purposes of (STATE THE ACTIVITY), without the necessary approval in terms of the Stellenbosch Municipal Land Use Planning By-law 2015.

An inspection of the property file indicated that no land use approval was granted (STATE THE ACTIVITY) at the property in question.

You are advised to take note of this warning and to cease any plans of proceeding with this anticipated activity without delay. Failure to comply will make you liable for possible prosecution in terms of the Stellenbosch Land Use Planning By-Law, 2015.

Yours faithfully

For **DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT**

Queries: (name & surname of inspector) / Senior Land Use Inspector

Tel: (contact details of inspector)

Email address of inspector



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Our Reference Number:

Enquiries: **Insp. Name & Surname**

Contact No: **Insp. contact details**

Name:

Address:

PERSONAL SERVICE/REGISTERED MAIL

Date:

Dear Sir/Madam

This is a true copy of the notice served on this ____ day
of _____2018, at _____ (time).

On: _____

Served by: **Errol Junior Williams**

Capacity of Server: **Senior Land Use Inspector**

Signature of Server _____

Person Receiving Document: _____ (Sign)

Capacity: _____

In the event the recipient of the notice refuses to sign or accept notice the server must indicate how notice was issued.

NOTIFICATION: ALLEGED LAND USE CONTRAVENTION IN TERMS OF SECTION 87(2) OF THE STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW 2015: ERF/FARM / PHYSICAL ADDRESS

1. Please take note that on **DATE** an inspection was done on the property.
2. This Municipality has reasonable grounds to suspect that you are guilty of an offence(s) in terms of **Section 86 (1) (b)** (**scrutinise the By Law and confirm which section is applicable in relation to the activity witnessed and complained about**) of the Stellenbosch Municipality Land Use Planning By-law 2015 ('the By-Law).
3. You are hereby instructed to cease the activity without delay in terms of section 87(2) of the Stellenbosch Municipality Land Use Planning By-law, 2015 or within 30 days, the unlawful utilisation of the property being the following: **DESCRIBE THE ACTIVITY**
4. You are further instructed in terms of Section 87(2) of the By-Law to cease the activity, as the case may be, within 30 days.
5. Please take note that by submitting an application in terms of section 87(2)(b) as read with section 87(4) of the By-Law does not indicate that the application will be approved, and if such application is refused, you must cease the unauthorised activity.
6. Please take further note that you may object to this compliance notice by submitting written representations to the municipality within 30 (thirty) days of receipt of this notice.
7. You are hereby warned that in the event that you fail or refuse to comply with this compliance notice, the Municipality shall proceed with legal action against you, which may include inter alia the following:
 - a. You can be prosecuted for and convicted of an offence contemplated in section 86 of the By-Law;
 - b. On conviction of an offence, you will be liable for the penalty as provided for in the By-Law;
 - c. You can be required by an order of court to demolish, remove or alter any building structure or work unlawfully erected or constructed or to rehabilitate the land or restore the building concerned or to cease the activity;
 - d. In the case of contravention relating to a consent use or temporary departure, such approval may be withdrawn; and/or
 - e. In the case of an application of the activity or development parameter, the contravention penalty in the amount as stated in the notice, including any costs incurred by the Municipality, may be imposed on you.

Yours faithfully

For DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

T: +27 21 808 8111 • F: +27 21 886 6899

Plein Street, Stellenbosch, 7600 • P O Box 17, Stellenbosch, 7599

www.stellenbosch.gov.za



STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Reference Number:
Enquiries:
Contact No:
Email address:
Date:

PERSONAL SERVICE/REGISTERED MAIL/PER E MAIL

Name/Surname of recipient
Address (registered mail or personal service)
E mail Address (via e mail)

Dear Sir/Madam

ALLEGED LAND USE CONTRAVENTION ON PREMISES ERF/FARM/PHYSICAL ADDRESS

RESPONSE TO OBJECTION/REPRESENTATION SUBMITTED TO NOTICE:

DESCRIPTION OF ILLEGAL ACTIVITY/PROPERTY DESCRIPTION

1. Our notice dated (_/_/_) and your subsequent written objection/representations to the compliance notice served in terms of section 87 of the Stellenbosch Municipal Land Use Planning By-law refer(s).
(delete which is not applicable)
2. We have considered your representation, and hereby:
 - (a) Suspend or confirm or vary or withdraw the compliance notice or any part of the compliance notice in terms of section 89 of the Stellenbosch Municipal Land Use Planning By-Law of the said legislation; in terms of section 89 of the Stellenbosch Municipal Land Use Planning By-law of the said legislation; and/or
 - (b) Confirm that you have specify time period to comply with any part of the compliance notice that is confirmed or varied.

Yours faithfully

For DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

Page 1 of 1

7.7.2	RECOMMENDATION AND FINDING IN RESPECT OF THE APPOINTMENT OF EXTERNAL MUNICIPAL PLANNING TRIBUNAL MEMBERS AS DETERMINED BY THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)
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Collaborator No: 644889
 IDP KPA Ref No: Good Governance and Compliance
 Meeting Date: 21 May 2019 (Mayco) and 29 May 2019 (Council)

1. SUBJECT: RECOMMENDATION AND FINDING IN RESPECT OF THE APPOINTMENT OF EXTERNAL MUNICIPAL PLANNING TRIBUNAL MEMBERS AS DETERMINED BY THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)

2. PURPOSE

To obtain the approval from Council by accepting the appointment of external Municipal Planning Tribunal members for a maximum period as determined by Council in terms of the Stellenbosch Municipal Land Use Planning By-law (2015) (herein after referred to as "the By-law").

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, 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 came to an end on 1 March 2019. Subsequently Council resolved, 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. Council recently resolved, 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.

On 27 March 2019 Council resolved that the invitation and call for nominations in terms of Section 72 (1)(b) of the By-law of 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) be approved (attached as **ANNEXURE F**).

In line with the above, adverts were placed in various local and regional newspapers on 4 April 2019, calling on nominations of suitably experienced and qualified professionals to serve on the Municipal Planning Tribunal. These adverts were placed on the Stellenbosch Municipal Website and in the following newspapers:

- Eikestadnuus
- Paarl Post
- Die Burger
- Cape Times

In total 21 nominations were received, which are attached as **ANNEXURE A**. The purpose of this report is to make recommendations to Council.

5. RECOMMENDATIONS

- (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:
- Christine Havenga
 - Jason Michael Juries
 - Hedwig Crooijmans-Lemmer
 - Dr Daniël Jakobus Du Plessis
 - Dr Ruida Pool-Stanvliet
 - Jacobus Eddie Delpport
 - Christiaan Klopper Rabie
- (b) that Council takes cognizance that the following Internal Municipal Planning Tribunal Members have been appointed in accordance with Council resolution (Item 7.3.3 (d)), dated 26-07-2017, which appointment memorandum is attached as **Annexure G**:
- (i) Manager: Spatial Planning, Directorate Planning and Economic Development;
 - (ii) Senior Manager: Infrastructure Planning, Development and Implementation, Directorate Infrastructure Services;
 - (iii) Senior Legal Advisor, Directorate Corporate Services;
 - (iv) Senior Manager: Community Services, Directorate Community and Protection Services;
 - (v) Senior Environmental Planner, Environmental Management, Directorate Community and Protection Services;
 - (vi) Manager: IDP and Performance Management, Department Governance, Office of the Municipal Manager;
 - (vii) Manager Infrastructure Implementation Services, Directorate Infrastructure Services; as well as
 - (viii) The Technical Advisor and *secundus* from the Department of Environmental Affairs and Development Planning;
- (c) that in terms of Section 72.10 (a) & (b) of the Stellenbosch Municipal Land Use Planning By-law, Council supports and approves the recommendation for the appointment of Dr Daniël Jakobus Du Plessis as Chairperson and Ms Christine Havenga as Deputy Chairperson;
- (d) that Council approves the invitation and call for nominees of suitably experienced and qualified external professionals from the legal fraternity specializing in Land Use Planning legislation to serve as members of the Municipal Planning Tribunal in terms of the provisions of the Stellenbosch Municipal Land Use Planning By-law (2015); and
- (e) that the Administration assists the existing evaluation panel, which panel consists of the Chairperson of the Planning Portfolio Committee and all the Directors, to evaluate in accordance with the terms of reference already determined by Mayco, the nominations from the legal fraternity for MPT membership as received by the Municipality and report back to Council.

6. DISCUSSION**6.1 Background****6.1.1 *Call for nominees' response***

As seen in **Annexure B** Council resolved on the 25th Council meeting dated 27 March 2019 (Item 7.7.4) inter alia that:

- (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;*

In line with the above, adverts were placed in various local and regional newspapers on 4 April 2019, calling on nominations of suitably experienced and qualified professionals to serve on the Municipal Planning Tribunal. These adverts were placed on the Stellenbosch Municipal Website and in the following newspapers:

- Eikestadnuus
- Paarl Post
- Die Burger
- Cape Times

In total twenty one (21) nominations were received as seen in Table 1 below (CV's of each candidate herewith attached as **ANNEXURE C**). The applicants submitted their nominations in line with the By-law (read with SPLUMA and its regulations) which included the following minimum criteria:

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

Table 1: Nominations received to serve as External Municipal Planning Tribunal Members

No	Name(s) and Surname	Highest Qualifications	Field of Expertise	Age	Gender	Years of Experience
1	Dr Ruida Pool-Stanvliet	Doctor of Natural Sciences & Master of Science (Botany); BSc Hons (Botany Ecology); BSc (Botany & Zoology)	Environment (Cape Nature / Land Use & Spatial Planning)	59	F	33
2	Karel Dampies	Could not accurately determine	Community representative (depicts himself as a Community Developer)	57	M	could not accurately determine
3	Dr P E Claassen	Doctor of Philosophy; Master of Town and Regional Planning; B Sc & B Eng (Civil)	Town Planning and Engineering	82	M	49
4	Christine Havenga	Master of Philosophy specialising in Conservation of the built Environment; Master of Town and Regional Planning; BA	Town and Regional Planner and Heritage Practitioner	52	F	29
5	Eric Peter McDonald	BSc Electrical Engineering; Incorporated Engineer; Diploma in Project Management	Energy (Electrical Engineering)	64	M	29
6	Adv Mandla Mdludlu	LLB; Bachelor of Law (Bluris)	Housing & Law	64	M	41
7	A M Du Plessis	B Proc	Law, Mediation & Realtor	60	M	39
8	Jeffrey Phil de Wet	BSc: Engineering; BSc	Civil Engineering, specialising in Urban Development	66	M	40
9	Hedwig Croijmans-Lemmer	Masters in Urban Design (M Urb) from AvBR (Rotterdam); Bachelors in Town & Regional Planning	Urban Design & Spatial Planner	53	F	30
10	Daniël Jakobus Du Plessis	Doctor of Philosophy (Geography and Environmental Studies B); Master of Science (Geography and Environmental Studies); Bachelors of Arts and Science (Planning)	Town Planning; Currently employed at the University of Stellenbosch	52	M	29
11	Berchtwald Paul Rode	Master of Town & Regional Planning; BA	Spatial Planning; Land Development applications; Urban Development Strategy	55	M	27
12	Francett Carmen Arendse	Law Secretarial National Certificate N6	Liaison, Receptionist Secretary Sales Manager	40	F	0
13	Christiaan Klopper Rabie	Master of Town & Regional Planning; Hons B (Public Administration); BA	Town Planner Environmental SPLUMA / LUPA / ROR	67	M	43
14	Jason Michael Juries	Master of City and Regional Planning; Bachelor of City Planning Honours; B Tech (Town & Regional Planning); National Diploma in Town & Regional Planning	Urban Planning Property Economist	29	M	9

15	Jacobus Eddie Delpont	B Sc Eng (Civil); B Eng (Hons) (Civil); Hons B & A (Executive); MBA	Civil Engineering	66	M	41
16	Michael Hendrik Veldman	LLB, BA	Law (Conveyancing Attorney) & housing (human settlements)	54	M	24
17	Jennifer Mary Todd	Master of City and Regional Planning, Hons BSc (Biochemistry); BSc	Environmental, Spatial and Town and Regional Planning	53	F	31
18	Cornelia Hendrika Smart	Master of Law Degree (LLM); B. Proc	Heritage and Law	51	F	24
19	Siphiwo Innocent Mavumengwana	Grade 12 (no other qualifications could be verified)	Serves in Council of Heritage Western Cape (No specific field of expertise could be verified)	42	M	0
20	Johannes Stephanus Boshoff	Post Graduate Certificate (Urban Management and Design); Master of Town and Regional Planning; BA (cum laude)	Urban Design and Spatial planning	59	M	35
21	Prof Lucien Paul le Grange	Master of Architecture (Urban Design); BA	Urban Design and Architecture	71	M	41

6.1.2 Terms of Reference

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.

The selection of criteria was presented to the Mayco, in respect of which they determined the final Terms of Reference to be used by the evaluation panel in the evaluation of external Municipal Planning Tribunal members, which are as follows:

- The proposed age of a member should be limited up to 75 years.
- Representation by organisations or constituencies will be up to the discretion of the evaluation panel.
- The specific expertise, personal qualities or experience required are that they 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. That they also should have an understanding of the local ethos of Stellenbosch (WC024).
- The following categories of people are legally disqualified from becoming a member:
 - (a) Any organisation or institution who is a Registered Interested and Affected party who comments on new land use applications, as they have a conflict of interest.
 - (b) If a person was *not nominated in accordance with the provisions of section 72(9) of the By-law*.

- (c) If a person *is disqualified from appointment as contemplated in section 74 of the By-law.*
- (d) If a person *does not possess the knowledge or experience required in terms of section 71(2) of the By-law.*
- (e) Disqualification from membership of Tribunal as set out in Section 74 of the Stellenbosch Municipal Land Use Planning By-law :
- (1) *A person may not be appointed or continue to serve as a member of the Tribunal if that person—*
- (a) *is not a citizen or permanent resident of the Republic of South Africa;*
- (b) *is a member of Parliament, a provincial legislature, a municipal Council or a House of Traditional Leaders;*
- (c) *is an unrehabilitated insolvent;*
- (d) *has been declared by a court of law to be mentally incompetent or has been detained under the Mental Health Care Act, 2002(Act 17 of 2002);*
- (e) *has at any time been convicted of an offence involving dishonesty;*
- (f) *has at any time been removed from an office of trust on account of misconduct;*
- (g) *has previously been removed from a tribunal for a breach of the Spatial Planning and Land Use Management Act or this By-law;*
- (h) *has been found guilty of misconduct, incapacity or incompetence; or*
- (i) *fails to comply with the Spatial Planning and Land Use Management Act or this By-law.*
- (2) *A member must vacate office if that member becomes subject to a disqualification as contemplated in subsection (1)”*
- In respect of the diversity of the tribunal, the members should be representative of a wide variety of related expertise, have an interest in Stellenbosch and as many as possible could reside within Stellenbosch.
 - A restriction is placed on current/past members to be appointed, in that a minimum of at least three of the current/past members should be replaced with new candidates.
 - No member may have a conflict of interest as defined in the By-law. Section 74 (3) and (4) of the Stellenbosch Municipality Land Use Planning By-law allows for the following : *“(3) A member of a Tribunal—*
- (a) *must make full disclosure of any conflict of interest, including any potential conflict; and*
- (b) *may not attend, participate or vote in any proceedings of the Tribunal in relation to any matter in respect of which the member has a conflict of interest.*
- (4) *For the purposes of this section, a member has a conflict of interest if-*

(a) the member, a family member, partner or business associate of the member is the applicant or has a pecuniary or other interest in the matter before the Tribunal;

(b) the member has any other interest that may preclude or may reasonably be perceived as precluding the member from performing the functions of the member in a fair, unbiased and proper manner;

(c) the member is an official in the employ of national, provincial or local government, if the department by which such an official is employed, has a direct or substantial interest in the outcome of the matter.”

- Skills such as Listening, Reading; Having Knowledge or Understanding of Community Issues and By-laws; Being Fair & Open-Minded; Being Prepared; Ability to Communicate; Analytic Ability; Relevant Experience are required for the post.

6.2 Discussion

6.2.1 *Evaluation Panel*

The Evaluation panel had its evaluation meeting on 26 April 2019 (minutes of the meeting attached as **Annexure D**) at which time it was agreed that the representation from a Legal sector was insufficient, as the candidates were not specialized enough in Land Use Planning legislation. A separate additional process will be followed to call for candidates specifically from the Legal sector specializing in Land Use Planning legislation and preferably outside the WCO24.

The Evaluation Panel consisted out of the following municipal representatives:

- Tabiso Mfeya – Director Planning and Economic Development
- Deon Louw - Director Infrastructure Services
- Gary Boshoff – Director Community and Protection Services
- Annalene De Beer – Director Corporate Services
- Kevin Carolus – Director Financial Services
- Cllr Esther Groenewald – Portfolio Councillor Planning and Economic Development

In line with the Terms of Reference the following candidates were shortlisted, but the panel decided that an interview process had to be arranged in order to enable to them to accurately gauge the skill sets of the candidates on the short list. Interviews of about 15-20 minutes per candidate were agreed upon.

Table 2: Shortlisted candidates invited for interviews

No	Name(s) and Surname	Highest Qualifications	Field of Expertise	Age	Gender	Years of Experience
1	Dr Ruida Pool-Stanvliet	Doctor of Natural Sciences & Master of Science (Botany); BSc Hons (Botany Ecology); BSc (Botany & Zoology)	Environment (Cape Nature / Land Use & Spatial Planning)	59	F	33
2	Christine Havenga	Master of Philosophy specialising in Conservation of the built Environment; Master of Town and Regional Planning; BA	Town and Regional Planner and Heritage Practitioner	52	F	29
3	Hedwig Crooijmans-Lemmer	Masters in Urban Design (M Urb) from AvBR (Rotterdam); Bachelors in Town & Regional Planning	Urban Design & Spatial Planner	53	F	30

4	Daniël Jakobus Du Plessis	Doctor of Philosophy (Geography and Environmental Studies B); Master of Science (Geography and Environmental Studies); Bachelors of Arts and Science (Planning)	Town Planning; Currently employed at the University of Stellenbosch	52	M	29
5	Berchtwald Paul Rode	Master of Town & Regional Planning; BA	Spatial Planning; Land Development applications; Urban Development Strategy	55	M	27
6	Christiaan Klopper Rabie	Master of Town & Regional Planning; Hons B (Public Administration); BA	Town Planner Environmental SPLUMA / LUPA / ROR	67	M	43
7	Jason Michael Juries	Master of City and Regional Planning; Bachelor of City Planning Honours; B Tech (Town & Regional Planning); National Diploma in Town & Regional Planning	Urban Planning Property Economist	29	M	9
8	Jacobus Eddie Delpont	B Sc Eng (Civil); B Eng (Hons) (Civil); Hons B & A (Executive); MBA	Civil Engineering	66	M	41
9	Jennifer Mary Todd	Master of City and Regional Planning, Hons BSc (Biochemistry); BSc	Environmental, Spatial and Town and Regional Planning	53	F	31
10	Johannes Stephanus Boshoff	Post Graduate Certificate (Urban Management and Design); Master of Town and Regional Planning; BA (cum laude)	Urban Design and Spatial planning	59	M	35
11	Prof Lucien Paul le Grange	Master of Architecture (Urban Design); BA	Urban Design and Architecture	71	M	41

An interview process was held on 10 May 2019, at which time the shortlisted candidates were interviewed by the Evaluation Panel. The minutes of the meeting are attached as **ANNEXURE E**.

6.2.1.1 The following candidates are recommended by the Evaluation Panel as a result of the evaluation process and the interviews held:

No	Name(s) and Surname	Highest Qualifications	Field of Expertise	Age	Gender	Years of Experience
1	Dr Ruida Pool- Stanvliet	Doctor of Natural Sciences & Master of Science (Botany); BSc Hons (Botany Ecology); BSc (Botany & Zoology)	Environment (Cape Nature / Land Use & Spatial Planning)	59	F	33
2	Christine Havenga	Master of Philosophy specialising in Conservation of the built Environment; Master of Town and Regional Planning; BA	Town and Regional Planner and Heritage Practitioner	52	F	29
3	Hedwig Crooijmans- Lemmer	Masters in Urban Design (M Urb) from AvBR (Rotterdam); Bachelors in Town & Regional Planning	Urban Design & Spatial Planner	53	F	30

4	Daniël Jakobus Du Plessis	Doctor of Philosophy (Geography and Environmental Studies B); Master of Science (Geography and Environmental Studies); Bachelors of Arts and Science (Planning)	Town Planning; Currently employed at the University of Stellenbosch	52	M	29
5	Christiaan Klopper Rabie	Master of Town & Regional Planning; Hons B (Public Administration); BA	Town Planner Environmental SPLUMA / LUPA / ROR	67	M	43
6	Jason Michael Juries	Master of City and Regional Planning; Bachelor of City Planning Honours; B Tech (Town & Regional Planning); National Diploma in Town & Regional Planning	Urban Planning Property Economist	29	M	9
7	Jacobus Eddie Delpont	B Sc Eng (Civil); B Eng (Hons) (Civil); Hons B & A (Executive); MBA	Civil Engineering	66	M	41

6.2.1.2 The following Internal Municipal Planning Tribunal Members have been appointed in accordance with Council resolution (Item 7.3.3 (d)), dated 26-07-2017, which appointment memorandum is attached as **ANNEXURE G**:

- (a) Manager: Spatial Planning, Directorate Planning and Economic Development;
- (b) Senior Manager: Infrastructure Planning, Development and Implementation, Directorate Infrastructure Services;
- (c) Senior Legal Advisor, Directorate Corporate Services;
- (d) Senior Manager : Community Services, Directorate Community and Protection Services;
- (e) Senior Environmental Planner, Environmental Management, Directorate Community and Protection Services;
- (f) Manager: IDP and Performance Management, Department Governance, Office of the Municipal Manager;
- (g) Manager Infrastructure Implementation Services, Directorate Infrastructure Services; as well as
- (h) The Technical Advisor and *secundus* from the Department of Environmental Affairs and Development Planning;

6.2.1.3 Chair and Deputy Chair of the Municipal Planning Tribunal

Section 72.10 (a) & (b) of the Stellenbosch Municipal Land Use Planning By-law, reads;

- (10) *The Council must designate from among the members of the Tribunal—*
 - (a) *the chairperson of the Tribunal; and*

(b) another member as deputy chairperson, to act as chairperson of the Tribunal when the chairperson is absent or unable to perform his or her duties.

The Evaluation Panel recommended that the following members be appointed as chairperson and deputy chairperson of the Municipal Planning Tribunal:

- Dr Daniël Jakobus Du Plessis as Chairperson; and
- Ms Christine Havenga as Deputy Chairperson

The above chair and deputy chairperson will also need to be approved in terms of Section 72.10 (a) & (b) of the By-law.

6.2.1.4 Invitation and call for nominees of members from the legal fraternity

In terms of the outcome of the evaluation of suitable candidates for the MPT, it should be recommended that Council approves the invitation and call for nominees of suitably experienced and qualified external professionals from the legal fraternity specializing in Land Use Planning legislation to serve as members of the Municipal Planning Tribunal in terms of the provisions of the Stellenbosch Municipal Land Use Planning By-law (2015).

That it further be recommended that the Administration assist the existing evaluation panel, which panel consists of the Chairperson of the Planning Portfolio Committee and all the Directors, to evaluate in accordance with the terms of reference already determined by Mayco, the nominations from the legal fraternity for MPT membership as received by the Municipality invited.

6.3 Financial Implications

The publication costs required for the publication of the notice in the Government Gazette have been budgeted for in the operational budget of 2018/2019 and sufficient funds are available. The remuneration of the external MPT members for the 2019/2020 year has been budgeted for and sufficient funds are available.

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.
- ✓ Item 7.7.3 of Council meeting 27 March 2019

6.7 Risk Implications

The recommendation will reduce the risk implications with regards 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.*

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 7.7.2

- (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:
- Christine Havenga
 - Jason Michael Juries
 - Hedwig Crooijmans-Lemmer
 - Dr Daniël Jakobus Du Plessis
 - Dr Ruida Pool-Stanvliet
 - Jacobus Eddie Delpport
 - Christiaan Klopper Rabie
- (b) that Council takes cognizance that the following Internal Municipal Planning Tribunal Members have been appointed in accordance with Council resolution (Item 7.3.3 (d)), dated 26-07-2017, which appointment memorandum is attached as **Annexure G**:
- (i) Manager: Spatial Planning, Directorate Planning and Economic Development;
 - (ii) Senior Manager: Infrastructure Planning, Development and Implementation, Directorate Infrastructure Services;
 - (iii) Senior Legal Advisor, Directorate Corporate Services;
 - (iv) Senior Manager: Community Services, Directorate Community and Protection Services;
 - (v) Senior Environmental Planner, Environmental Management, Directorate Community and Protection Services;
 - (vi) Manager: IDP and Performance Management, Department Governance, Office of the Municipal Manager;
 - (vii) Manager Infrastructure Implementation Services, Directorate Infrastructure Services; as well as
 - (viii) The Technical Advisor and *secundus* from the Department of Environmental Affairs and Development Planning;

-
- (c) that in terms of Section 72.10 (a) & (b) of the Stellenbosch Municipal Land Use Planning By-law, Council supports and approves the recommendation for the appointment of Dr Daniël Jakobus Du Plessis as Chairperson and Ms Christine Havenga as Deputy Chairperson.

ANNEXURES

- Annexure A:** List of Nominations and Applications Received
- Annexure B:** Item 7.7.4 of Council meeting dated 27 March 2019
- Annexure C:** Copies of CV's of applications received to serve as External Municipal Planning Tribunal Members
- Annexure D:** Action minutes of the Evaluation Panel dated 26 April 2019
- Annexure E:** Action minutes of the Evaluation Panel with recommendations and vote dated 10 May 2019
- Annexure F:** Item 7.3.3 of Council meeting dated 26 July 2017
- Annexure G:** Memorandum of appointment of Internal Members dated 16 May 2019

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@stellenbosch.gov.za
REPORT DATE	15 May 2019

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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7.10.1	REVISED PERFORMANCE MANAGEMENT POLICY
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 May 2019 (MayCo) and 29 May 2019 (Council)

1. SUBJECT: REVISED PERFORMANCE MANAGEMENT POLICY

2. PURPOSE

To submit the Revised Performance Management Policy for approval.

3. DELEGATED AUTHORITY

Municipal Council.

Stellenbosch Municipality has been mandated in terms of section 40 of the Local Government Municipal Systems Act, 32 of 2000 (MSA), to manage the development of a performance management system and submit it to Council for adoption.

4. EXECUTIVE SUMMARY

To table the revised Performance Management Policy for consideration and approval by Council. This policy has been revised to be applicable for the 2019/10 financial year to improve service excellence.

5. RECOMMENDATIONS

- (a) that the Mayoral Committee considers the Revised Performance Management Policy for referral to Council; and
- (b) that Council considers the Revised Performance Management Policy to release for public comment in terms of section 21A of the MSA.

6. DISCUSSION / CONTENTS

6.1 Background

The Performance Management Policy was previously known as the Performance Management Framework and served before Council annually since 2015.

Section 8 (2) of the MSA states that “a municipality has the right to do anything reasonably necessary for, or incidental to, the effective performance of its functions and the exercise of its powers.”

6.1.1 Legal Context

Section 11(2) of the MSA enables the Municipality to exercise executive and legislative authority to establish and implement a performance management system.

The establishment and implementation of a performance management system is of critical importance as confirmed by Section 3 of the MSA.

Section 38 of the MSA allows A municipality to-

“(a) establish a performance management system that is-

- (i) commensurate with its resources;
 - (ii) best suited to its circumstances; and
 - (iii) in line with the priorities, objectives, indicators and targets contained in its integrated development plan;
- (b) promote a culture of performance management among its political structures, political office bearers and councillors and in its administration; and
- (c) administer its affairs in an economical, effective, efficient and accountable manner.”

Section 41 of the MSA confirms the setting of regulations and guidelines which is required by the Performance Management System.

The Revised Performance Management Policy as **APPENDIX 1**.

6.2 Discussion

As legislated and required for good practice, revisions to the Performance Management Policy is encouraged to align to municipal practice and as may be necessitated from time to time.

The recommended revisions to the Performance Management Policy is highlighted in track changes for ease of references. The changes made is minimal, and mainly contains stylistic amendments to improve the flow of the document. In addition certain items which are reported on a monthly basis has been revised to quarterly to streamline the process for the administration. This does not remove the monthly processes, but merely minimises to the administrative compliance, which is not necessitated by legislation.

The Revised Performance Management Policy as **APPENDIX 1**.

6.3 Financial Implications

Costs incurred for advertising.

6.5 Legal Implications

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

6.6 Previous / Relevant Council Resolutions

This policy was revised annually since 2015.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 7.10.1

that Council considers the Revised Performance Management Policy for release for public comment in terms of section 21A of the MSA.

ANNEXURES

Appendix 1: Reviewed Performance Management Policy

FOR FURTHER DETAILS CONTACT:

NAME	Gurswin Cain
POSITION	<i>IDP Manager</i>
DIRECTORATE	<i>Office of the Municipal Manager</i>
CONTACT NUMBERS	<i>(021) 808-8174</i>
E-MAIL ADDRESS	<i>Gurswin.Cain@stellenbosch.gov.za</i>
REPORT DATE	<i>9 May 2019</i>

APPENDIX 1



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Performance Management Policy 2019/20

Compiled in terms of the Local Government: Municipal Systems
Act, 2000 (Act 32 of 2000) and Regulations R805

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List of acronyms

AG	: Auditor General
CCR	: Core Competency Requirement
IDP	: Integrated Development Plan
KPA	: Key Performance Areas
KPI	: Key Performance Indicators
LED	: Local Economic Development
MEC	: Member of the Executive Council
MFMA	: Municipal Finance Management Act
MSA	: Municipal Systems Act
MTEF	: Medium Term Expenditure Framework
PDP	: Personal Development Plan
PMS	: Performance Management System
POE	: Portfolio of Evidence
SALGA	: South African Local Government Association
SDBIP	: Service Delivery and Budget Implementation Plan
SFA	: Strategic Focus Area
SMART	: Specific, Measurable, Achievable, Realistic, Time-frame
TL SDBIP	: Top Layer Service Delivery Budget Implementation Plan
WSP	: Work Place Skills Plan

Glossary of terms

- **“accounting officer”**

- (a) in relation to a municipality, means the municipal official referred to in section 60 of the Municipal Systems Act; or
- (b) in relation to a municipal entity, means the official of the entity referred to in section 93, and includes a person acting as the accounting officer

- **“annual report”**

in relation to a municipality or municipal entity, means an annual report contemplated in section 121 of the Municipal Finance Management Act

- **“Auditor-General”**

means the person appointed as Auditor-General in terms of section 193 of the Constitution, and includes a person-

- (a) acting as Auditor-General
- (b) acting in terms of a delegation by the Auditor-General; or
- (c) designated by the Auditor-General to exercise a power or perform a duty of the Auditor-General

- **“basic municipal service”**

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

- **“backlogs”**

A backlog can be defined as quality of service/ goods that have accumulated over time that are still undelivered/unattended/still not produced. The backlogs in rural water, sanitation and electricity have been defined in official census figures, but vary (increase or decrease) from year to year due to migration patterns. Regardless, these backlogs are now being dealt with systematically (refer to baseline).

- **“baseline”**

the accurate and quantitative data at a stated point in time that marks the beginning of a trend.

- **“Councillor”**

means a member of a municipal council

- **“Section 57 employee”**

means a person employed by a municipality as a municipal manager or as a manager directly accountable to a municipal manager;

- **“employer”**

means the municipality employing a person as a municipal manager or as manager directly accountable to a municipal manager and as represented by the mayor, executive mayor or municipal manager as the case may be;

- **“employment contract”**

means a contract as contemplated in Section 57 of the Municipal Systems Act;

- **“external service provider”**

means an external mechanism referred to in section 76(b) of the Municipal Systems Act; which provides a municipal service for a municipality

- **“financial statements”**

in relation to municipality or municipal entity, means statements consisting of at least-

- a statement of financial position;
- a statement of financial performance;
- a cash-flow statement;
- any other statements that may be prescribed; and
- any notes to these statements

- **“financial year”**

means the financial year of municipalities that end on 30 June of each year

- **“input indicator”**

means an indicator that measures the costs, resources and time used to produce an output

- **“integrated development plan”**

means a plan envisaged in section 25 of the Municipal Systems Act

- **“local community” or “community”**

in relation to a municipality, means that body or persons comprising –

- the residents of the municipality
- the ratepayers of the municipality
- any civic organisations and non-governmental, private sector or labour organisations or bodies which are involved in local affairs within the municipality

- **“Mayor”**

in relation to –

- a municipality with an executive mayor, means the councillor elected as the executive mayor of the municipality in terms of section 55 of the Municipal Structures Act; or
- a municipality with an executive committee, means the councillor elected as the mayor of the municipality in terms of section 48 of that Act

- **“MEC for local government”**

means the MEC responsible for local government in a province

- **“Minister”**

means the national Minister responsible for local government

- **“municipality”**

when referred to as –

- an entity, means a municipality as described in section 2; and
- a geographical area, means a municipal area determined in terms of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998)

- **“municipal council” or “council”**

means a municipal council referred to in section 157(1) of the Constitution

- **“municipal entity”**

means –

- (a) a company, co-operative, trust fund or any other corporate entity established in terms of any applicable national or provincial legislation ward which operates under the ownership control of one or more municipalities, and includes, in the case of a company under such ownership control, any subsidiary of that company, a private company referred to in section 86B(1)(a); or
- (b) a service utility.
- (c) a multi-jurisdictional service utility

- **“Municipal Finance Management Act”**

means the Local Government: Municipal Finance Management Act, 2003, and any regulations made under that Act

- **“Municipal Manager”**

means a person appointed in terms of section 82 of the Municipal Structures Act

- **“municipal service”**

has the meaning assigned to it in section 1 of the Municipal Systems Act

- **“Municipal Structures Act”**

means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)

- **“Municipal Systems Act”**

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

- **“Outcome indicator”**

means an indicator that measures the quality and or impact of an output on achieving a particular objective

- **“Output indicator”**

means an indicator that measures the results of activities, processes and strategies of a program of a municipality

- **“parent municipality”**

- (a) in relation to a municipal entity which is a private company in respect of which effective control vests in a single municipality, means that municipality;
- (b) in relation to a municipal entity which is a private company in respect of which effective control vests in two or more municipalities collectively, means of those municipalities;
- (c) in relation to a municipal entity which is a service utility, means the municipality which established the entity; or
- (d) in relation to a municipal entity which is a multi-jurisdictional service utility, means each municipality which is a party to the agreement establishing the service utility

- **“private company”**

means a company referred to in section 19 and 20 of the Companies Act, 1973 (Act No. 61

of 1973)

- **“performance agreement”**

means an agreement as contemplated in Section 57 of the Municipal Systems Act which can be altered during the course of the financial year with the written consent from both the employer and employee. The performance agreement is guided by any change in the organisational structure.

- **“performance plan”**

means a part of the performance agreement which details the performance objectives and targets that must be met and time frame within which these must be met.

- **“prescribe”**

means prescribe by regulation or guidelines in terms of section 120 and **“prescribed”** has a corresponding meaning

- **“political office bearer”**

means the speaker, executive mayor, mayor, deputy mayor or member of the executive committee as referred to in the Municipal Structures Act

- **“political structure”**

in relation to a municipality, means the council of the municipality or any committee or other collective structure of a municipality elected, designated or appointed in terms of a specific provision of the Municipal Structures Act

- **“resident”**

in relation to a municipality, means a person who is ordinarily resident in the municipality

- **“senior manager”**

(a) in relation to a municipality, means a manager referred to in section 56 of the Municipal Systems Act; or

(b) in relation to a municipal entity, means a manager directly accountable to the chief executive officer of the entity

- **“service authority”**

means the power of a municipality to regulate the provision of a municipal service by a service provider

- **“service delivery agreement”**

means an agreement between a municipality and an institution or person mentioned in section 76(b) of the Municipal Systems Act in terms of which a municipal service is provided by that institution or person, either for its own account or on behalf of the municipality

- **“service delivery and budget implementation plan”**

means a detailed plan approved by the mayor of a municipality in terms of section 53(1)(c)(ii) of the Municipal Finance Management Act for implementing the municipality's delivery of municipal services and its annual budget, and which must indicate –

(a) projections for each month of –

- (i) revenue to be collected, by source; and
- (ii) operational and capital expenditure, by vote;
- (b) service delivery targets and performance indicators for each quarter; and
- (c) any other matters that may be prescribed,
and includes any revisions of such plan by the mayor in terms of section 54(1)(c) of the Municipal Finance Management Act

- **“service utility”**

means a municipal entity established in terms of section 82(1)(c), a body established in terms of section 86H of the Municipal Systems Act

- **“staff”**

in relation to a municipality, means the employees of the municipality, including the municipal manager.

1 Introduction

Performance Management is a process which measures the implementation of the organisation's strategy.

At local government level, performance management is institutionalised through the legislative requirements and policies of a municipality. Performance management provides the mechanism with which to measure targets set by the organisation and its employees to meet its strategic objectives.

The Constitution of South Africa (1996), section 152, dealing with the objectives of local government paves the way for performance management, with the requirements for an "accountable government". The democratic values and principles in terms of section 195 (1) are also linked with the concept of Performance management, with reference to the principles of inter alia:

- the promotion of efficient, economic and effective use of resources;
- accountable public administration;
- to be transparent by providing information;
- to be responsive to the needs of the community; and
- to facilitate a culture of public service and accountability amongst staff.

The Municipal Systems Act (MSA), 2000 requires municipalities to establish a performance management system. The MSA and the Municipal Finance Management Act (MFMA) further requires from the Integrated Development Plan (IDP) to be aligned to the municipal budget and to be monitored through the Service Delivery and the Budget Implementation Plan (SDBIP).

In addition, Regulation 7 (1) of the Local Government: Municipal Planning and Performance Management Regulations, 2001 states that "A Municipality's Performance Management System entails a framework that describes and represents how the municipality's cycle and processes of performance planning, monitoring, measurement, review, reporting and improvement will be conducted, organised and managed, including determining the roles of the different role players."

Section 57 makes the employment of the municipal manager and managers directly accountable to ~~her—the municipal manager~~ subject to a separate performance agreement concluded annually before the end of July. Section 67 regards the monitoring, measuring and evaluating of performance of staff as a platform to develop human resources and to hold municipal staff accountable to serve the public efficiently and effectively. Performance Management, therefore, is not only relevant to the organisation as a whole, but also to the individuals employed in the ~~organization-organisation~~ as well as the external service providers.

This policy therefore describes how the ~~Stellenbosch MM~~ Municipality's performance process, for the organisation as a whole will be conducted, organised and managed. It also has the following objectives:

- Clarify processes of implementation;
- Ensure compliance with legislation;
- Demonstrate how the system will be conducted;

- Define roles and responsibilities;
- Promote accountability and transparency; and
- Reflect the linkage between the IDP, Budget, SDF, SDBIP and individual and service provider performance.

The policy also take into consideration the -currently transition from the old organisational structure to the new organisational structure and supports the process that is underway to update and transfer [key performance indicators \(KPI's\)](#) in line with the new organisational structure.

2 Legislative Framework

2.1 The following legislation forms the foundation for the policy

- Constitution of the Republic Of South Africa (1996);
- Local Government: Municipal Systems Act (MSA) 2000 and its amendments;
- Government Gazette: Regulation gazette No.7146;
- Municipal Financial Management Act (MFMA) No.56 of 2003;
- Municipal Structures Act 1998;
- National Treasury: 2007 Framework for managing performance information;
- White Paper on Local Government (1998);
- Municipal Planning and Performance Regulation 796 (2001);
- Municipal Performance Regulation for Municipal Managers and Managers directly accountable to Municipal Managers (805 of 2006);
- MFMA Circular 11: Annual Reports;
- MFMA Circular 13: SDBIP;
- MFMA Circular 32: Oversight report;
- MFMA Circular 42: Funding of municipal budget; and
- MFMA Circular 54: Municipal budget circular.

3 Objectives and Benefits of a Performance Management System

3.1 Objectives

The objectives of the performance management system are to:

- Facilitate strategy development;
- Facilitate increased accountability;
- Facilitate learning and improvement;
- Provide early warning signals;
- Create a culture of best practices; and
- Facilitate decision-making.

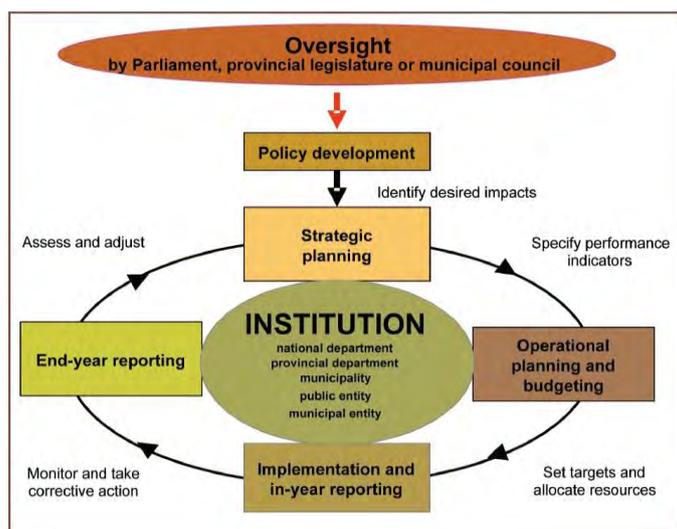
The above objectives are aligned with the [Local Government: Municipal Systems Act, 2000 \(Act No. 32 of 2000\) MSA](#) and the guidelines of the Department of Development Planning and Local Government.

4 Definitions and Key Steps in Performance Management

4.1 The Performance Cycles

The overall planning, budgeting and reporting cycle can be summarised as follows:

Figure 1: Performance Management Cycle



Source: Framework for Managing Programme Performance Information

The performance cycle can be summarised in the following diagram

Each of the above cycles can be explained as follows:

- **Performance Planning** ensures that the strategic direction of the Municipality more explicitly informs and aligns with the IDP planning, activities and resource decisions. This is the stage where Key Performance Areas (KPA's) and Key-Performance Indicators/KPI's are designed to address the IDP objectives.
- **Performance Measuring and Monitoring** is an ongoing process to determine whether performance targets have been met, exceeded or not met. Projections can also be made during the year as to whether the final target and future targets will be met. It occurs during key points in a process – for example, on a quarterly and annual basis.
- **Performance evaluation** analyses why there is under-performance or what the factors were, that allowed good performance in a particular area. Where targets have not been met, the reasons for this must be examined and corrective action recommended. Evidence to support the status is also reviewed at this stage. An additional component is the review of the indicators to determine if they are feasible and are measuring the key areas appropriately.
- **Performance Reporting** entails regular reporting to management, the performance audit committee, council and the public.
- **Performance review/auditing** is a key element of the monitoring and evaluation

process. This involves verifying that the measurement mechanisms are accurate and that proper procedures are followed to evaluate and improve performance. According to section 45, of the ~~Systems Act~~ MSA, results of the performance measurement must be audited as part of the municipality's internal auditing process and annually by the Auditor-General. The Municipality have therefore established frameworks and structures to evaluate the effectiveness of the municipality's internal performance measurement control systems. Areas of weak performance identified at year-end must be addressed during the following years planning phase.

The Performance Process for the entire financial year as follows:

Table 1: Performance Process for the financial year

	Planned Deliverables	Planned Events	Delegation	Report
July	Quarterly SDBIP report of the previous financial year to be finalised by the 12 th calendar day after the end of the quarter under review for the presentation to the Municipal Manager and the Executive Mayor. Monthly SDBIP & user report submitted to the MM by the 14th calendar day after the end of the month under review (Ignite system closure the previous day)	Quarterly SDBIP report: <ul style="list-style-type: none"> • Tabled at Council within one month after the end of the quarter; • Report submitted to Provincial Government and National Government; • Reported to Internal Audit unit; • Placed upon website; • Non-Financial Performance Measures reported to Provincial and National Government. 	Yes, signed quality certificate for quarterly report by MM and Executive Mayor	Quarter 4 report
	Planning, Consultation and Signing of Individual performance agreements, performance plans, managerial competencies and personal development plans with Senior Managers; Publish performance agreements on the website (Directors only); Submit performance agreements to National and Provincial Government. Monthly SDBIP & user report submitted to the MM by the 14th calendar day after the end of the month under review (Ignite system closure the previous day)	Signed agreements uploaded unto Municipal Website: <ul style="list-style-type: none"> - Agreements tabled at Council; Agreements submitted to Provincial Government. 	Municipal Manager in relation to Directors performance agreements; Executive Mayor in relation to the MM's performance agreement.	Upload of agreements of directors and Municipal Manager unto website. Confirm reaching of target unto the PMS system
	Monthly SDBIP & user report submitted to the MM by the 14th calendar day after the end of the month under review (Ignite system closure the previous day)	Interrogation of report by Directors and the Municipal Manager	Approval and signature of MM	Draft Process Plan. Monthly report for June submitted

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	Planned Deliverables	Planned Events	Delegation	Report
	Monthly SDBIP & user report submitted to the MM by the 14th calendar day after the end of the month under review (ignite system closure the previous day)	Interrogation of report by Directors and the Municipal Manager	Approval and signature of MM	Draft Process Plan. Monthly report for July submitted
August	Planning and Preparation of individual performance agreements and development plans by managers and heads of staff up to the 3 rd reporting line.	Signing of individual performance agreements and development plans by managers and heads	Yes, Immediate supervisor	Signed agreements delivered to the IDP/PMS unit
	Preparation of previous financial year annual performance report.	Submission of the performance annual performance report to the Auditor General by 31 August.	Yes, Municipal Manager	Version emailed by 31 August @ 24:00. Hardcopy version due on the 1st of September.
September	IDP and Budget consultation.	Public participation commences to determine the priorities of the new financial year. This priorities should form the basis of the new TL and Departmental SDBIP.	Yes, Municipal Manager	Community priorities
September	Monthly SDBIP & user report submitted to the MM by the 14th calendar day after the end of the month under review (ignite system closure the previous day)	Interrogation of report by Directors and the Municipal Manager	Yes, Municipal Manager	Monthly report for August submitted
October	Quarterly SDBIP report finalised by the 12 th calendar day after the end of the quarter under review for the presentation to the Municipal Manager and the Executive Mayor. Tabling of quarterly report for the attention of MayCo & Council;	<p>Informal Performance review of directors by the Municipal Manager</p> <p>Informal Performance review of managers and heads by immediate supervisors</p> <p>Quarterly SDBIP report:</p> <ul style="list-style-type: none"> • Tabled at Council within one month after the end of the quarter; • Reported submitted to Provincial Government; • Reported to Internal Audit unit • Placed upon website Provincial and National Government; and • Non-Financial Performance Measures reported to Provincial and National Government. 	Yes, signed quality certificate for quarterly report by MM and Executive Mayor.	Quarter 1 report; Signed attendance register as confirmation note for informal performance review with immediate subordinates.
November	TL and Departmental SDBIP review process.	Review sessions scheduled with each Directorate to review performance indicators and targets.	Yes, Municipal Manager.	Revised TL and Departmental SDBIP.

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	Planned Deliverables	Planned Events	Delegation	Report
December	Finalisation of the Draft Annual Report.	Draft Annual Report distributed to each Directorate for final input	Yes, Municipal Manager.	Draft Annual Report
January	Mid-year SDBIP report finalised by the 12th calendar day after the end of the month under review for the presentation to the Municipal Manager and the Executive Mayor.	<p>Informal Performance review of directors by the Municipal Manager</p> <p>Informal Performance review of managers and heads by immediate supervisors.</p> <p>Quarterly SDBIP report:</p> <ul style="list-style-type: none"> • Tabled at Council within 25 days after the end of the quarter; • Reported submitted to Provincial Government; National Treasury and CoGTA; • Reported to Internal Audit unit; • Placed upon website Provincial and National Government; and • Non-Financial Performance Measures reported to Provincial and National Government. 	Yes, signed quality certificate for quarterly report by MM and Executive Mayor	Mid-year report;
	Draft Annual Report	<ul style="list-style-type: none"> • Advertised on the Website • Reported submitted to Provincial Government; National Treasury and CoGTA • Invitation of written submissions from the public • Reported to Auditor General 	Yes, MM and Executive Mayor	Council Minutes which refers Draft report to the MPAC/Oversight Committee
February	Mid-year performance evaluations of the Municipal Manager and Directors	Mid-year performance assessments of the Municipal Manager and Directors conducted on or before 28 February	Yes, MM and Executive Mayor	Mid-year performance evaluation report of the Municipal Manager and Directors submitted to Council
March	Final Annual Report	<ul style="list-style-type: none"> • Tabled at Council; • Report submitted to Provincial Government; National Treasury and CoGTA • Report submitted to the Auditor General • Follow MPAC process as part of Oversight Process • Finalise Oversight Report and table in Council for approval. • Publish approved Annual Report and MPAC oversight report on the Municipal Website 	Yes, MM and Executive Mayor	Council Minutes which refers Final Annual Report and the MPAC Oversight Report with recommendation s; public submissions; AG report; AFS and Internal Audit report.

	Planned Deliverables	Planned Events	Delegation	Report
April	Quarterly SDBIP report finalised by the 12th calendar day after the end of the quarter under review for the presentation to the Municipal Manager and the Executive Mayor. Tabling of quarterly report for the attention of MayCo & Council;	Informal Performance review of directors by the Municipal Manager Informal Performance review of managers and heads by immediate supervisors Quarterly SDBIP report: <ul style="list-style-type: none"> • Tabled at Council within 25 days after end of month; • Reported submitted to Provincial Government; • Reported to Internal Audit unit • Placed upon website Provincial and National Government; and • Non-Financial Performance Measures reported to Provincial and National Government 	Yes, signed quality certificate for quarterly report by MM and Executive Mayor	Quarter 3 report; Signed attendance register as confirmation note for informal performance review with immediate subordinates. Monthly report for September submitted
May	Submission of the final IDP to Council.	Finalisation of the IDP and submission to Council.	Yes, MM and Executive Mayor.	Final IDP
June	Finalisation of the TL SDBIP and submission to the Executive Mayor.	Finalisation of the TL SDBIP and submission to the Executive Mayor.	Yes, MM and Executive Mayor.	Approved TL SDBIP.

4.2 Key Steps in Performance Management

The key steps in implementing the performance cycle are as follows:

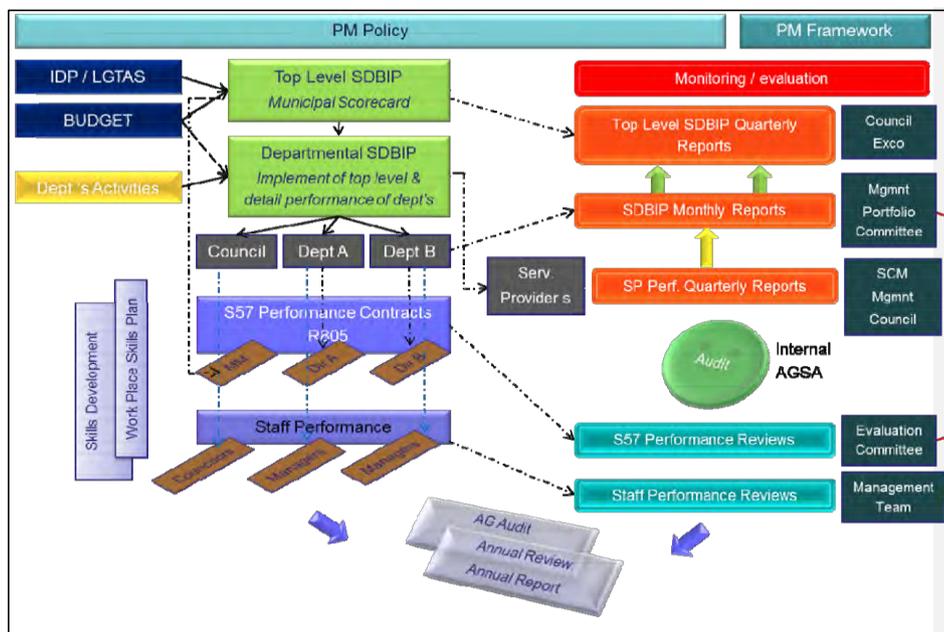
1. IDP consultation and strategic processes to determine
 - Strategic Objectives aligned with the National Agenda and local needs;
 - Establish the Municipal KPAs; and
 - Design Strategic Focus Areas;
2. Prioritise capital projects for budgeting purposes aligned with municipal strategy and approved methodology;
3. Identify key programmes for implementation as part of directorate deliverables;
4. Start with budget processes;
5. Determine organisational KPIs in terms of strategy, budget and MTAS;
6. Obtain baseline figures and past year performance;
7. Set multi-year performance target dates;
8. Determine steps/plans to achieve budget and KPIs;
9. Assign strategic focused KPIs to Senior Management (Top Layer SDBIP);
10. Assign organisational KPIs to directorates and members of management (Departmental SDBIP);
11. Prepare individual performance agreements aligned with budget and SDBIP (Section 57 and management);
12. Prepare performance plans for staff and align work place skills plan with development plans;
13. Provide monthly/quarterly status reports on progress with KPI implementation

14. Evaluate performance on individual (1/2 yearly) and organisational levels (quarterly);
15. Compilation of various performance reports;
16. Auditing of performance report and portfolio of evidence (POEs);
17. Appoint oversight committee to analyse and prepare report on improvement of performance; and
18. Submit year-end report to various stakeholders.

4.3 The Performance Management Model

The following section will explain the methodology of the adopted performance management model as depicted in the diagram below:

Figure 2: Performance Management Model



5 The Service Delivery and Budget Implementation Plan (SDBIP)

The IDP process and the performance management process must be seamlessly integrated. The IDP fulfils the planning stage of performance management. Performance management in turn, fulfils the implementation, management, monitoring and evaluation of the IDP.

The organisational performance will be evaluated by means of a municipal scorecard (Top Layer SDBIP) at organisational level and through the SDBIP at directorate and departmental levels.

The SDBIP is a plan that converts the IDP and budget into measurable criteria on how, where and when the strategies, objectives and normal business processes of the municipality

will be implemented. It also allocates responsibility to directorates to deliver the services in terms of the IDP and budget.

The MFMA Circular No.13 prescribes that:

- The IDP and budget must be aligned;
- The budget must address the strategic priorities;
- The SDBIP should indicate what the municipality is going to do during next 12 months
- The SDBIP should form the basis for measuring the performance against goals set during the budget /IDP processes.

The SDBIP needs to be prepared as described in the paragraphs below and submitted to the Executive Mayor within 14 days after the budget has been approved. The Executive Mayor needs to approve the SDBIP within 28 days after the budget has been approved.

For each indicator the scorecard will require that a responsible official be designated, usually the respective line manager. While this official will not necessarily be accountable for performance on this indicator, they will be responsible for conducting measurements of that indicator, analysing and reporting first to their respective superior who in turn will report to the Municipal Manager and the Executive Mayor on these for reviews.

The municipal performance must be measured monthly and analysed at least quarterly. Municipal performance will be measured during the mid-year review where after the performance scorecard can be adjusted and action plans be developed to address poor performance. The information of the annual review will be included in the Annual Report of the Municipality.

5-25.1 The Municipal Scorecard

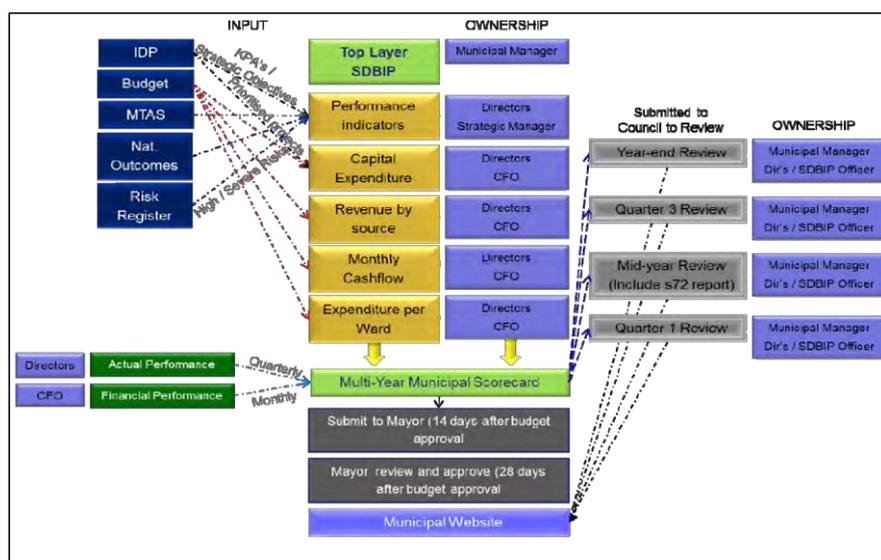
The municipal scorecard (Top Layer SDBIP) must consolidate service delivery targets set by Council / senior management and provide an overall picture of performance for the municipality as a whole, reflecting financial and non- financial performance on its strategic priorities.

The Components of the top-layer SDBIP includes:

- Monthly projections of revenue to be collected for each source;
- Expected revenue to be collected;
- Monthly projections of expenditure (operating and capital) and revenue for each vote
- Section 71 format (Monthly budget statements);
- Quarterly projections of service delivery targets and performance indicators for each vote;
- Non-financial measurable performance objectives in the form of targets and indicators;
- Output NOT input / internal management objectives;
- Level and standard of service being provided to the community;
- Ward information for expenditure and service delivery;
- Detailed capital project plan broken down by ward over three years.

The following diagram illustrates the establishment, components and review of the municipal scorecard (Top Layer SDBIP):

Figure 3: Establishment, components and review of the municipal scorecard



4.45.2 Update Actual Performance

The TL SDBIP will update automatically with the actual results reported in the departmental SDBIP.

The KPI owners should report on the results of the KPI by properly documenting the information in the performance response fields and make reference to where the POE can be found. In the instance of poor performance, corrective measures should be identified and documented. The POE should prove that the KPI was delivered and that the expected outcome / impact has been achieved.

The actual performance should be monitored quarterly in terms of the objectives, KPIs and targets set. In order to measure the outcomes of the KPIs, the outputs and performance evidence (POEs) should be evaluated and **documented**.

It is important to note that the municipal manager needs to implement the necessary systems and processes to provide the POEs for reporting and auditing purposes.

5.2.1 Quarterly Reviews

On a quarterly basis, the Executive Mayor should engage in an intensive review of municipal performance against both the directorate's scorecards and the municipal scorecard, as reported by the Municipal Manager. These reviews will take place in October (for the period July to end of September), January (for the period October to the end of December), April

(for the period January to the end of March) and July (for the period April to the end of June).

The review in January will coincide with the mid-year performance assessment as per section 72 of the Municipal Finance Management Act. Section 72 determines that by 25 January of each year the accounting officer must assess the performance of the municipality and report to the Council on inter alia its service delivery performance during the first half of the financial year and the service delivery targets and performance indicators set in the service delivery and budget implementation plan.

Many of the indicators in the municipal scorecard will only be measurable on an annual basis. The quarterly reviews should thus culminate in a comprehensive annual review of performance in terms of all the scorecards.

The Executive Mayor will need to ensure that targets committed to in the municipal scorecard are being met, where they are not, that satisfactory and sufficient reasons are provided and that the corrective action being proposed is sufficient to address the poor performance.

The review should also focus on reviewing the systematic compliance to the performance management system, by directorates, departments, Portfolio Councillors and the Municipal Manager. The review will also include:

- An evaluation of the validity and suitability of the Key Performance Indicators and recommending any changes;
- An evaluation of the annual and 5 year targets to determine whether the targets are over stated or understated. These changes need to be considered;
- Changes to KPIs and 5 year targets for submission to council for approval. (The reason for this is that the original KPIs and 5 year targets would have been published with the IDP, which would have been approved and adopted by council at the beginning of the financial year.)
- An analysis to determine whether the Municipality is performing adequately.

It is important that the Executive Mayor not only pay attention to poor performance but also to good performance. It is expected that the Executive Mayor will acknowledge good performance, where directorates or departments have successfully met targets in their directorate / departmental scorecards.

5.2.2 Council Reviews

At least annually, the Executive Mayor will be required to report to the full council on the overall municipal performance. It is proposed that this reporting take place using the municipal scorecard in an annual performance report format as per the Municipal Systems Act. The said annual performance report will form part of the Municipality's Annual Report as per section 121 of the Municipal Finance Management Act.

5.2.3 Public Reviews

The MSA as well as the MFMA requires the public to be given the opportunity to review municipal performance. Section 127 of the MFMA requires that the accounting officer (Municipal Manager) must immediately after the Annual Report is submitted to Council make the report public and invite the local community to submit representations with regards

to the Annual Report.

4.55.3 Roles and Responsibilities

The roles and responsibilities during the TL SDBIP process can be summarised as follows:

Table 2: Responsibilities during the TL SDBIP process

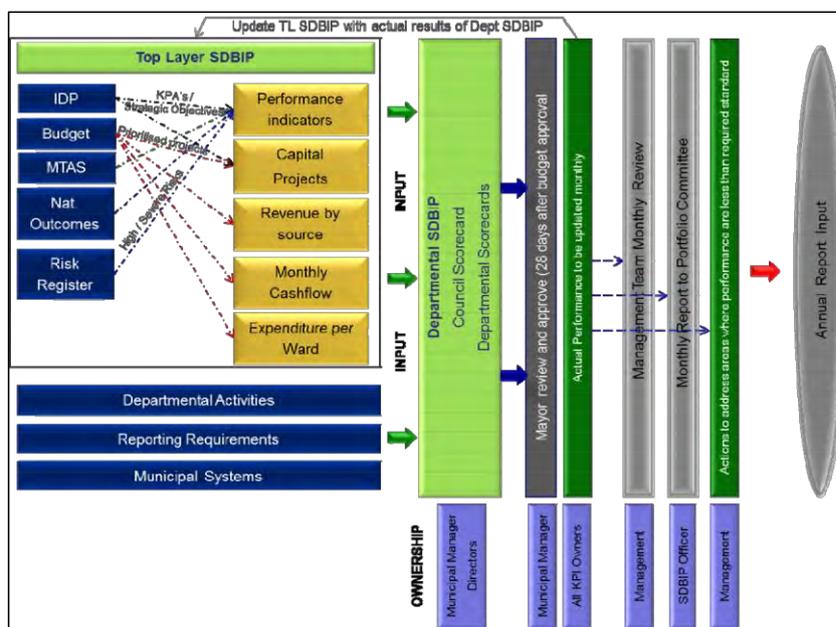
Role Player	Roles and Responsibilities
Executive Mayor	<ul style="list-style-type: none"> • Mayor is responsible for the performance and need to approve the TL SDBIP. • Quarterly review of performance and monitor implementation of corrective action. • Submit the mid-year and annual performance reports to Council.
Mayoral Committee	<ul style="list-style-type: none"> • Support to the Executive Mayor. • Provide strategic awareness and manage the development of the TL SDBIP.
Portfolio Councillor	<ul style="list-style-type: none"> • Monitor the implementation of the strategy. • Review and monitor the implementation of the TL SDBIP at Portfolio Committee level.
Council	<ul style="list-style-type: none"> • Oversight role to ensure that performance management processes are monitored.
Municipal Manager	<ul style="list-style-type: none"> • Drafting of the TL SDBIP • Ensure the implementation of the TL SDBIP. • Monitor the TL SDBIP and ensure that POEs proof performance exists. • Take corrective action where required. • Communicate with the Executive Mayor and Executive Management Team.
Senior Management Team	<ul style="list-style-type: none"> • Manage and report on departmental performance to be cascaded up to the TL SDBIP. • Plan Performance. • Integration role and ensure POEs exists to proof performance.
Internal Audit	Internal audit should quarterly audit the results reported and issue a report to the municipal manager / performance audit committee.
Auditor-General	Auditing of legal compliance and outcomes.
Performance Audit Committee	Independent oversight on municipal performance and legal compliance.

5.35.4 Departmental Scorecards

The directorate and departmental scorecards (detailed SDBIP) will capture the performance of each defined directorate or department. Unlike the municipal scorecard, which reflects on the strategic priorities of the municipality, the SDBIP will provide detail of each outcome for which top management are responsible for, in other words a comprehensive picture of the performance of that directorate/sub-directorate. It will be compiled by senior managers for his/her directorate and will consist of objectives, indicators and targets derived from the Municipality's annual service delivery and budget implementation plan and any annual business or services plan compiled for each directorate or department.

The following diagram illustrates the establishment, components and review of the departmental SDBIP:

Figure 4: Establishment, components and review of the departmental SDBIP



5.45.5 Preparing the Departmental SDBIP

KPIs should be developed for Council, the office of the Municipal Manager and for each Directorate. The KPIs should:

- Address the TL KPIs by means of KPIs for the relevant section responsible for the KPI.
- Add KPIs to address the key departmental activities.
- Each KPI should have clear targets and should be assigned to the person responsible for the KPI. KPIs should be SMART.

The number KPIs developed to address National KPAs, Municipal Strategic Focus Areas (SFAs) and strategic objectives should be spread amongst the aforementioned in terms of National and Local Agendas.

4.65.6 Approval of Departmental SDBIP

The Departmental SDBIP of each Directorate should be submitted to the Municipal Manager for approval by 31 August each year.

4.75.7 Update Actual Performance

An evaluation of the validity and sustainability of the KPIs should be done and the actual performance results of each target should be updated and evaluated on a monthly basis. In order to measure the input/output of the KPIs, the performance results and performance evidence (POEs) should be evaluated and documented. The KPI owners should report on the results of the KPI by documenting the following information on the performance system:

- The actual result in terms of the target set;
- The output/outcome of achieving the KPI;
- The calculation of the actual performance reported. (If %);
- The reasons if the target was not achieved; and
- Actions to improve the performance against the target set, if the target was not achieved.

The municipal manager and his/her senior management team needs to implement the necessary systems and processes to provide the POEs for reporting and auditing.

4.7.15.7.1 Monthly Reviews

The Directorates will update their performance monthly in terms of the SDBIP and report to the Municipal Manager. It is important that Directorates use these reviews as an opportunity for reflection on their goals and programmes and whether these are being achieved. The Portfolio Committee should have a standing agenda item to discuss at their monthly meetings. The SDBIP report submitted should be used to analyse and discuss performance.

5.4.15.7.2 Adjustments to KPIs

KPIs should only be adjusted after the mid-year assessment and/or after the adjustments budget has been approved. KPIs should be adjusted to be aligned with the adjustment estimate and the reason for the change in KPIs should be documented in a report to the Executive Mayor for approval.

Additional KPIs can be added during the year with the approval of the municipal manager. The approval documents should be safeguarded for audit purposes.

4.7.25.7.3 Roles and Responsibilities

The roles and responsibilities during the Departmental SDBIP process can be summarised as follows:

Table 3: Responsibilities during the Departmental SDBIP process

Role Player	Roles and Responsibilities
Executive Mayor	<ul style="list-style-type: none"> Responsible for the KPIs assigned to him/her and his/her committee. The mayor should update performance results monthly.
Mayoral Committee	<ul style="list-style-type: none"> Review the feedback received from Portfolio Councillors/ respective senior manager and monitor overall performance. Support the Executive Mayor.
Portfolio Councillor	<ul style="list-style-type: none"> Support the senior manager to implement the municipal strategy. Review and monitor progress at portfolio level. Report to the Mayoral Committee on performance review and progress. Assist senior management to take corrective action to improve performance.
Municipal Manager	<ul style="list-style-type: none"> Approval of the Departmental SDBIP. Monitor SDBIP and ensure that POEs exist. Review and monitor the implementation on the SDBIP. Ensure that KPIs address the municipal strategy and service delivery requirements. Ensure alignment with the IDP objectives/programmes and budgets. Take corrective actions where required. Communicate with the senior management team on performance progress and reporting. Ensure quarterly internal audit and take necessary action where required. Communicate results to the Portfolio Committee and Mayoral Committee.
All Managers	<ul style="list-style-type: none"> Design KPIs to address the TL SDBIP, operational needs, service delivery improvement and other key departmental activities. Plan performance and set targets. Assign KPIs to KPI owners. Ensure the implementation of the SDBIP. Monitor performance and document POEs. Take corrective action where required. Communicate performance results to the municipal manager and Portfolio Committee.
Internal Audit	<ul style="list-style-type: none"> Internal audit should quarterly audit the results reported and issue a report to the municipal manager / performance audit committee.
Auditor-General	<ul style="list-style-type: none"> Auditing of legal compliance and outcomes.
Performance Audit Committee	<ul style="list-style-type: none"> Independent oversight on municipal performance and legal compliance.

4.85.8 Individual Performance

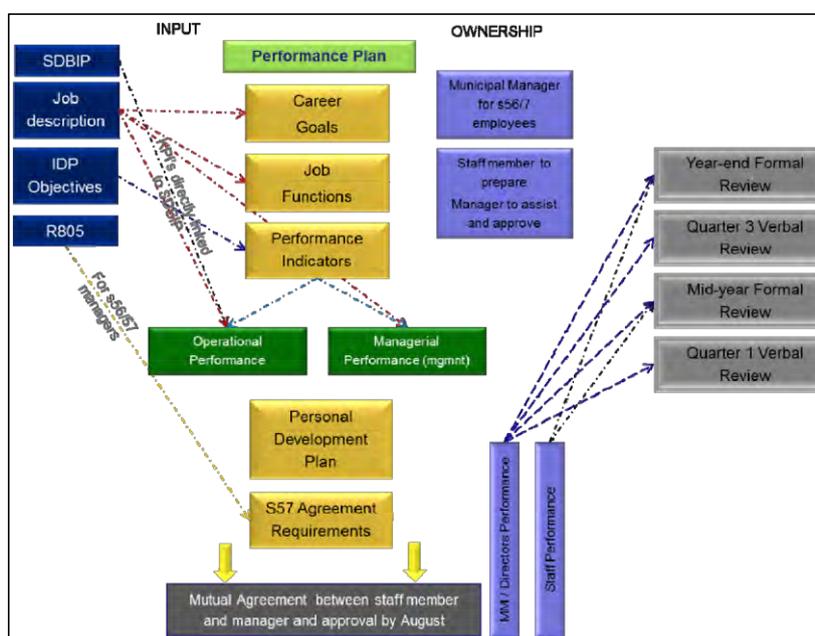
The performance of a municipality is integrally linked to that of staff. It is therefore important to link organisational performance to individual performance and to manage both at the same time, in separate processes. Although legislation requires that the municipal manager, and managers directly accountable to the municipal manager, sign formal performance contracts, it is also a requirement that all employees have performance plans. These should

be aligned with the individual performance plan of the head of the directorate and job descriptions. It is however the responsibility of the employer, to create an environment, which the employees can deliver the objectives and the targets set for them in their performance plans and job descriptions.

Performance contracts should be concluded with the Municipal Manager, Directors, Senior Managers and Managers. The rest of the performance contracts with the rest of the staff will be implemented with a phased in approach.

The following diagram illustrates the individual performance management processes:

Figure 5: The individual performance management processes



The Benefits of Individual Performance are to:

- Ensure alignment of individual goals and objectives with that of the organisation and to co-ordinate efforts in order to achieve those goals;
- Understand what is expected from the incumbents, by when it is expected and to what standard is expected;
- Understand the incumbent's key areas of accountability;
- Determine whether or not performance objectives are being met;
- Make qualified decisions within the incumbents level of competencies; and
- Avail the incumbents of learning and development opportunities to competently meet their performance targets.

5.45.9 Individual Scorecards (Municipal Manager and Section 56 Managers)

The MSA and Regulation 805 of August 2006 (Performance of the Municipal Manager and the Managers reporting directly to the Municipal Manager) require the Municipal Manager and the Managers reporting directly to the Municipal Manager to enter into annual Performance Agreements. The Performance Agreements of the Municipal Manager and other MSA Section 56/57 Managers should be directly linked to their employment contract. Performance will be reviewed quarterly of which the mid-year and year-end performance will be formal evaluations. These Performance Agreements consist of three distinct parts:

- **Performance Agreement:** This is an agreement between the MSA Section 56/57 Manager and the Municipality, which regulates the performance required for a particular position and the consequences of the performance. The Agreement deals with only one aspect of the employment relationship, namely performance. This agreement must be reviewed and renewed annually, subject to the individual's annual performance. This agreement can be altered during the course of the financial year with the written consent from both the employer and employee. The performance agreement is guided by any change in the organisational structure.
- A performance bonus may be paid as agreed in the performance agreement.
- **Performance Plan:** The Performance Plan is an Annexure to the Performance Agreement and stipulates in detail the performance requirements for a single financial year. The SDBIP transcends into the Performance Plan/s of the respective Section 56/57 Managers according to their areas of responsibility.
- **Personal Development Plan:** The plan is an Annexure to the Performance Agreement and addresses the developmental needs/requirements of the manager indicating actions and timeframes.

The list of Core Managerial Criteria are tabled as follows:

Table 4: List of Core Managerial Criteria

Skills	Measurement
Strategic and direction leadership	Provide and direct a vision for the institution, and inspire and deploy others to deliver on the strategic institutional mandate
Programme and project management	Able to understand programme and project management methodology; plan, manage, monitor and evaluate specific activities in order to deliver on set objectives.
Financial Management	Able to compile, plan and manage budgets, control cash flow, institute financial risk management and administer procurement processes in accordance with recognised financial practices. Further to ensure that all financial transactions are managed in an ethical manner.
Change Leadership	Able to direct and initiate institutional transformation on all levels in order to successfully drive and implement new initiatives and deliver professional and quality services to the community.
Knowledge and information management	Able to promote the generation and sharing of knowledge and information through various processes and media, in order to enhance the collective knowledge base of local government.
Analysis and innovation	Able to critically analyse information, challenges and trends to establish and implement fact-based solutions that are innovative to improve institutional processes in order to achieve key strategic objectives.
People management	Must be able to manage and encourage people, optimise their outputs and effectively manage relationships in order to achieve the municipality's goals.
Communication	Able to share information, knowledge and ideas in a clear, focused and concise manner appropriate for the audience in order to effectively convey, persuade and influence stakeholders to achieve the desired outcome.

Skills	Measurement
Governance Leadership	Able to promote, direct and apply professionalism in managing risk and compliance requirements and apply a thorough understanding of governance practices and obligations. Further, able to direct the conceptualisation of relevant policies and enhance cooperative governance relationships.
Results and quality focus	Able to maintain high quality standards, focus on achieving results and objectives while consistently striving to exceed expectations and encourage others to meet quality standards. Further, to actively monitor and measure results and quality against identified objectives.

The agreements must be finalised by August every year and be agreed and approved by the respective senior manager. The process on how to prepare performance plans is documented in the Performance Management System Manual.

4.95.10 Individual Scorecards (rest of staff)

The introduction of individual performance is applicable to all staff including those appointed on a temporary basis.

The data obtained from Directorate scorecards (detailed SDBIP), will provide the user with the respective Individual performance contracts for managers reporting to the S57 managers.

Performance Plans are agreed with each employee as part of his/her career development plan and should include the following:

- Qualifications – a record of formal and informal training and experience;
- Job functions – key focus areas for the year;
- Career goals - long term and intermediate career goals;
- Key performance indicators linked to the SDBIP – KPIs in the SDBIP that are the responsibility of the respective manager and KPIs aligned to the job description of the manager.
- Managerial KPIs – the core managerial competencies that the manager will be evaluated on.
- A list of the core managerial competencies (CMCs) is provided for the evaluation of managerial skills.
- Weightings show the relative importance of input or output against another input or output. Every input or output in the performance agreement must be assigned to a weighting. The weightings / ratings and the distribution of the ratings per level need to be determined by the management team in the beginning of each financial year and agreed with the employer or group of employers. (employee or group of employees)
- Development needs and learning plan.

4.105.11 Skills Development Plan

The skills development plan needs to be compiled / updated with the information obtained from the performance agreements and the development plans. The human resources manager together with the respective line manager is responsible to facilitate the implementation of the skills development plan.

4.115.12 Informal and Formal performance reviews

Monthly monitoring of the departmental SDBIP takes place and performance is discussed with

relevant staff as and when required.

Although performance should be managed on a daily basis, performance reviews should be done by the respective supervisor quarterly of which two is formal and two informal. The objective review should be based on actual performance and performance evidence. The responsibility to maintain and present a portfolio of evidence file at the performance assessment is with the subordinate. The supervisor and employee needs to prepare for the review and discuss the performance during a focused performance meeting. The review should be documented on the performance system as set out in the Performance Management System Manual. Feedback should be provided during the review on the employee's ability to render the allocated tasks including measures to improve on set targets

The Mid-year performance evaluations should be completed by end February for the period July to December and August for the period January to June.

Please note that performance and growth is the responsibility of each individual employee and employees should ensure that his / her performance plan is executed. Performance measurement is an ongoing process and should not only be addressed during the formal reviewing sessions.

Performance should be moderated per department per task level / group level after the performance evaluation of all staff has been finalised. The moderation should be conducted in terms of the Performance Management Manual to ensure objectivity and fairness.

Unacceptable performance needs to be addressed and action plans to improve the performance must be prepared and agreed with the employee who did not perform. The performance against the action plans must be reviewed on a monthly basis.

5.5.13 Appeals Process

5.5.15.13.1 Section 56/57-Employees

The Appeals process as prescribed in R805 of August 2006 and as agreed in the employment and performance contracts of the Section 56/57-Managers will be applicable in instances where they are not in agreement with their final performance evaluations.

4.11.15.13.2 Employees reporting to the Directors and the Municipal Manager

Should employees not agree with the contents of their performance agreement after the performance discussions or with the final scores that are allocated to them, they may elect to follow the municipality's normal grievance procedures for the resolution by the Municipal Manager.

5.5.25.13.3 Reward and Recognition

The performance scores will be finalised during the moderation where after it must be approved by the moderation committee (fish-bowl). These scores will be used to recognised excellent performance in terms of the Council's Reward and Recognition Policy (Currently in draft format).

4.125.14 Service Providers

A municipal service can be provided by the Municipality by entering into a Service Delivery Agreement in terms of Section 76(b) of the Municipal System Act with an external service provider. The Municipality is responsible for monitoring and assessing the implementation of the agreement, including the performance of the service provider in accordance with section 41 of the Municipal Systems Act.

This section sets out the guidelines on the monitoring and reporting on the performance of service providers in terms of Chapter 8 of the Municipal Systems Act and Section 116 of the Municipal Finance Management Act.

External Service providers will be evaluated on the following criteria by the service departments on a monthly basis:

Table 5: Criteria to be used in evaluating external service providers

Performance rating	Objective Measures to Assess Service Provider Performance
3	<ul style="list-style-type: none"> - Quality of Service delivery as agreed; Deviations are managed as mutually agreed; - 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	<ul style="list-style-type: none"> - Quality of Service delivery not in full compliance with Agreement; Requires more management and focus from Service Provider: - 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.
1	<ul style="list-style-type: none"> - 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.

5.5.35.14.1 Notification of Service Providers upon Appointment

All service providers must be informed of:

- The assessment and reporting of the service provider's performance;
- setting of performance criteria in terms of the tender, the required deliverables and service level agreement;
- the exchange of information on service provider performance reports between government units/departments.

5.5.45.14.2 Evaluating the Performance of Service Providers

Thresholds (size and types of service provider contracts in line that need to comply with the requirements of the SCM policy should be allowed to. The thresholds that need to be reviewed include:

- Contracts larger than R200 000; and
- Contracts where the service providers is required to deliver a service (not goods and products).

Contracts must be signed by service providers and sign a service level agreement indicating:

- The services to be delivered;
- the timeframes and
- the evaluation methodology.

The service provider's performance must be assessed in the context of the project as a whole. The respective roles and obligations of the Municipality and service provider under the contract must be taken into account.

Persons preparing or reviewing the performance of a service provider must consider whether satisfactory progress or completion of a project has been affected by any matters which are:

- Outside the service provider's control; or
- The result of some action by the Municipality.

The service provider's performance must therefore be evaluated against set performance criteria, after taking into account matters beyond the service provider's control.

5.5.55.14.3 Prescribed Procedures to Evaluate Service Providers

The following procedures need to be followed:

- The requirements of this policy must be included in the contract of the service provider.
- The performance of the service providers under the contract or service level agreement contracts to be included in a clause must be assessed monthly by the Reporting Officer.
- The assessment must be filed in the contract file or captured onto the database
- The Reporting Officer must complete the Service Provider Assessment Form on the database at the end of each month and on completion or termination of the contract.
- The quarterly assessment must be completed within 15 working days after the end of each quarter.
- The Reporting Officer must provide a copy of the assessment to the Service Provider at the end of each quarterly assessment period and on completion or termination of the contract.
- Supply Chain Management Unit will review the quarterly Service Provider assessments within 20 days after the end of each quarter and submit a summary report to Council.
- The Accounting Officer need to develop the necessary forms and report structures to be utilised to manage the above processes. The forms and reporting requirements need to be reviewed on a regular basis.
- In the instance of under-performance:
 - The Municipality will facilitate support interventions to service providers in the identified areas of underperformance.
 - Service providers who have been identified as under-performing in identified areas must be informed of these support interventions.
 - The impact of support interventions must be monitored by the Reporting Officer.
 - The records of the support interventions must be documented, signed by both parties and appropriately filed.

5.45.15 Evaluation and Improvement of the Performance Management System

The Municipal Systems Act requires the municipality to annually evaluate its performance management system. It is proposed that after the full cycle of the annual review is complete; the Municipal Manager will initiate an evaluation report annually, taking into account the input provided by directorates and departments. This report will then be discussed by the Management Team and finally submitted to the Council for discussion and approval. The evaluation should assess:

- The adherence of the performance management system to the Municipal Systems Act.
- The fulfilment of the objectives for a performance management system.
- The adherence of the performance management system to the objectives and principles.
- Opportunities for improvement and a proposed action plan.

While good and excellent performance must also be constantly improved to meet the needs of citizens and improve their quality of life, it is poor performance in particular that needs to be improved as a priority. In order to do this, it is important that the causal and contributing reasons for poor performance are analysed. Poor performance may arise out of one or more of the following:

- Poor systems and processes;
- Inappropriate structures;
- Lack of skills and capacity;
- Inappropriate organisational culture; and
- Absence of appropriate strategy.

To improve performance, the appropriate response strategy should be chosen:

- Restructuring is a possible solution for an inappropriate structure;
- Process and system improvement will remedy poor systems and processes;
- Training and sourcing additional capacity can be useful where skills and capacity are lacking;
- Change management and education programmes can address organisational culture issues;
- The revision of strategy by key decision-makers can address shortcomings in this regard; and
- Consideration of alternative service delivery strategies should be explored.

Performance analysis is a requirement in order to identify poor performance. The Municipal Manager will implement the appropriate response strategy to improve performance.

56 Governance

The governance structure was established to offer credibility to the overall performance processes. The audit of performance information and system should comply with section 166 of the Municipal Finance Management Act and Regulation 14 of the Municipal Planning and Performance Management Regulations (2001).

6.1 Governance Framework for the Performance Management system

The performance management system is web-based and used for administering the SDBIP which is available on the internet on a 24 hour/7 days a week/356 days a year interval. The maintenance are done on a weekly basis from 14:00 – 18:00 on a Sunday.

6.1.1 Continuous quality control and co-ordination

Directorates are required to co-ordinate and ensure good quality of performance reporting and reviews on an ongoing basis. It is their role to ensure conformity to reporting formats and verify the reliability of reported information, where possible.

The Municipal Manager must review overall performance monthly while the Senior Manager: Governance should support him/her in verifying the performance data and prepare the performance reports.

6.2 Performance investigations

The Executive Mayor or Performance Audit Committee should be able to commission in-depth performance investigations where there is either continued poor performance, a lack of reliability in the information being provided or on a random ad-hoc basis. Performance investigations should assess:

- The reliability of reported information;
- The extent of performance gaps from targets;
- The reasons for performance gaps; and
- Corrective action and improvement strategies.

While the internal audit function may be used to conduct these investigations, it is preferable that external service providers, who are experts in the area to be audited, should be used. Clear terms of reference will need to be adopted by the Executive Mayor for such investigation.

6.3 Internal Audit

Section 165 of the MFMA requires that each municipality must have an internal audit unit however such function may be outsourced.

The municipality's internal audit function will need to be continuously involved in auditing the performance reports based on the organisational and directorate/departmental scorecards. As required by Regulation, they will be required to produce an audit report on a quarterly basis, to be submitted to the Municipal Manager and Performance Audit Committee.

The audit should include an assessment of the:

- functionality of the municipality's performance management system;
- adherence of the system to the Municipal Systems Act; and
- the extent to which performance measurements are reliable.

6.4 Performance Audit Committee

The MFMA and the Municipal Planning and Performance Management Regulations require that the municipal council establish an audit committee consisting of a minimum of three

members, where the majority of members are not employees of the municipality. No Councillor may be a member of an audit committee. Council shall also appoint a chairperson who is not an employee.

The Regulations give municipalities the option to establish a separate performance audit committee whereas the MFMA provides only for a single audit committee. The operation of this audit committee is governed by section 14 (2-3) of the regulations.

According to the regulations, the performance audit committee must:

- review the quarterly reports submitted to it by the internal audit unit.
- review the municipality's performance management system and make recommendations in this regard to the council of that municipality.
- assess whether the performance indicators are sufficient.
- at least twice during a financial year submit an audit report to the municipal council.

It is further proposed that the audit committee be tasked with assessing the reliability of information reported.

In order to fulfil their function a performance audit committee may, according to the MFMA and the regulations,

- communicate directly with the council, municipal manager or the internal and external auditors of the municipality concerned;
- access any municipal records containing information that is needed to perform its duties or exercise its powers;
- request any relevant person to attend any of its meetings, and, if necessary, to provide information requested by the committee; and
- investigate any matter it deems necessary for the performance of its duties and the exercise of its powers.

7 Performance Reporting

Performance must be reported in terms of the MSA, MFMA and the regulations and circulars issued in terms of the aforementioned legislation. These reports include the reports listed below.

7.1 Quarterly Reports

Quarterly reporting of departmental KPIs that is linked to Top Layer KPIs is due on the 12th day after the end of the quarter, irrespective if the due date falls on a weekend. Directors (secondary users) will have the opportunity to review the updates of the relevant directorate between the 8th and 10th day after the end of the quarter. [Supporting proof of evidence should be uploaded to the system to substantiate performance against the key performance indicator.](#)

Reports on the performance of the TL SDBIP should be generated from the system and submitted to Council. This report should also be published on the municipal website.

Actuals are to be updated in relation to the unit of measurement as follows:

Table 6: unit of measurement

Units	If the Unit of measurement is in	The Actual must also be in # unit
Number (#)	Number	Number
Percentage (%)	Percentage	Percentage
Rand (R)	Rand	Rand

7.2 Mid-year Assessment

The performance of the first 6 months of the financial year should be assessed and reported on in terms of section 72 of the MFMA. This assessment must include the measurement of performance, the identification of corrective actions and recommendations for the adjustments of KPIs, if necessary. [Supporting proof of evidence should be uploaded to the system to substantiate performance against the key performance indicator.](#)

The format of the report must comply with the section 72 requirements. This report must be submitted to Council on or before 31 January of each year.

7.3 Annual Performance Report

The annual performance report must be completed by the end of August and submitted with the financial statements. This report must be based on the performance reported in the SDBIP [supported by the relevant proof of evidence](#). Reports should be generated from the system, ~~and~~ reviewed and updated in the performance comments field for reporting purposes.

7.4 Annual Report

The annual report should be prepared and submitted as per MFMA Circular 11. The update of the Annual report commences on the 1st of July annually whereby service departments are required to submit narratives that address the highlights, challenges experienced during the previous financial year

Submission of the First Draft Annual Report to Council: Within 7 months after the end of the financial year.

Section 121(1) states that every municipality and every municipal entity must for each financial year prepare an annual report in accordance with this Chapter. The council of a municipality must within nine months after the end of a 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.

Submission of the Final Draft Annual Report to Council: Within 9 months after the end of the financial year.

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

- (a) has approved the annual report with or without reservations;

- (b) has rejected the annual report; or
 (c) has referred the annual report back for revision of those components that can be revised."

8 Legislative Reporting Requirements

The legislative requirements regarding reporting processes are summarised in the following table:

Table 7: legislative requirements regarding reporting processes

Time frame	MSA/ MFMA Reporting on PMS	Section
Quarterly reporting	The municipal manager collates the information and draft the organisational performance report, which is submitted to Internal Audit. The Internal Auditors (IA) must submit quarterly audited reports to the Municipal Manager and to the Performance Audit Committee The Municipal Manager submits the reports to the Council.	MSA Regulation 14(1)(c)
Bi-annual reporting	The Performance Audit Committee must review the PMS and make recommendations to council The Performance Audit Committee must submit a report at least twice during the year a report to Council The Municipality must report to Council at least twice a year. The Accounting officer must by 25 January of each year assess the performance of the municipality and submit a report to the Mayor, National Treasury and the relevant Provincial Treasury.	MSA Regulation 14(4)(a) MSA Regulation 14(4)(a) MSA Regulation 13(2)(a) MFMA S72
Annual reporting	The annual report of a municipality must include the annual performance report and any recommendations of the municipality's audit committee The accounting officer of a municipality must submit the performance report to the Auditor-General for auditing within two months after the end of the financial year to which that report relate The Auditor-General must audit the performance report and submit the report to the accounting officer within three months of receipt of the performance report The Mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality The Auditor-General may submit the performance report and audit report of a municipality directly to the municipal council, the National Treasury, the relevant provincial treasury, the MEC responsible for local government in the province and any prescribed organ of the state Immediately after an annual report is tabled in the council, the accounting officer of the municipality must submit the annual report to the Auditor-General, the relevant provincial treasury and the provincial department responsible for local government in the province. The council of the municipality must consider the annual report by no later than two months from the date on which the annual report was tabled, adopt an oversight report containing council's comments on the annual report The meetings of a municipal council at which an annual report is to be discussed or at which decisions concerning an annual	MFMA S121 (3)(c)(j) & MSA S46 MFMA S126 1(a) MFMA S126 (3)(a)(b) MFMA S127(2) MFMA S127 (4)(a) MFMA S127 (5)(b) MFMA S129 (1) MFMA S130 (1)

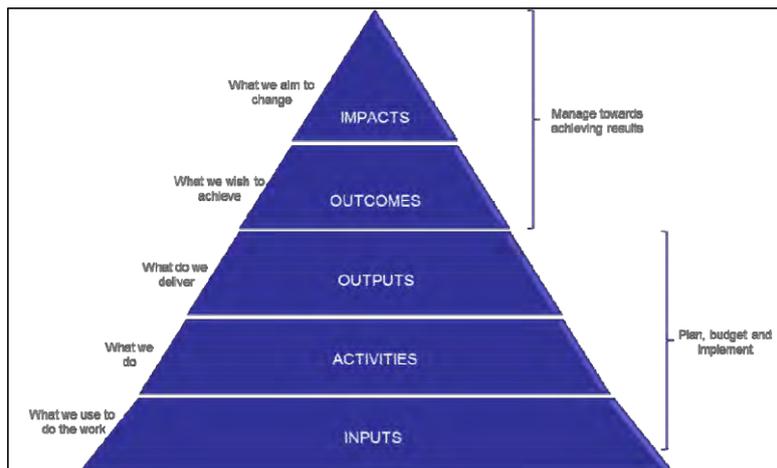
Time frame	MSA/ MFMA Reporting on PMS	Section
	<p>report are to be taken, must be open to the public and any organ of the state</p> <p>The Cabinet member responsible for local government must annually report to Parliament on actions taken by the MECs for local government to address issues raised by the Auditor-General</p>	MFMA S134
Contracts and contract Management	<p>(1) A contract or agreement procured through the supply chain management system of a municipality or municipal entity must-</p> <ul style="list-style-type: none"> (a) be in writing; (b) stipulate the terms and conditions of the contract or agreement, which must include provisions providing for- <ul style="list-style-type: none"> (i) the termination of the contract or agreement in the case of non- or underperformance; (ii) dispute resolution mechanisms to settle disputes between the parties; (iii) a periodic review of the contract or agreement once every three years in the case of a contract or agreement for longer than three years; and (iv) any other matters that may be prescribed. <p>(2) The accounting officer of a municipality or municipal entity must-</p> <ul style="list-style-type: none"> (a) take all reasonable steps to ensure that a contract or agreement procured through the supply chain management policy of the municipality or municipal entity is properly enforced; (b) monitor on a monthly basis the performance of the contractor under the contract or agreement; (c) establish capacity in the administration of the municipality or municipal entity- <ul style="list-style-type: none"> (i) to assist the accounting officer in carrying out the duties set out in paragraphs (a) and (b); and (ii) to oversee the day-to-day management of the contract or agreement; and (d) regularly report to the council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contractor. <p>(3) A contract or agreement procured through the supply chain management policy of the municipality or municipal entity may be amended by the parties, but only after-</p> <ul style="list-style-type: none"> (a) the reasons for the proposed amendment have been tabled in the council of the municipality or, in the case of a municipal entity, in the council of its parent municipality; and (b) the local community- <ul style="list-style-type: none"> (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. 	MFMA 116

9 Design of Key Performance Indicators and Targets

8-19.1 Setting Indicators

In setting indicators it is important that one understands the key performance concepts and the relationship between the core performance information concepts illustrated below.

Figure 6: The key performance concepts and the relationship between the core performance information



The following aspects must also be considered:

- The key priorities and objectives of the Municipality set in the IDP, which have been determined during the public participation process at ward committees.
- The scope of sector plans to be evaluated to reach the key priorities and objectives of the Municipality during the next financial year.
- The activities and processes identified in the IDP for achieving the developmental objectives as well as the earmarked resources.
- Baseline and performance standard information for each indicator.
- The risks identified during the risk review of the municipality that needs to be addressed with specific actions.
- The indicators listed in the Municipal Turnaround Strategy (MTAS).
- Compliance and reporting requirements in terms of legislation.
- Core departmental activities that need to be measured to improve municipal effectiveness and efficiency.
- The alignment of departmental activities and capital projects identified in the IDP with the budget.
- Whether measurement tools (system and data) to measure the performance of the indicators are available or can be developed.
- In the event that measurement tools do not exist, then it is advisable that a KPI be set which would measure the design and implementation of such a system. Once the measurement tool has been implemented, then the KPI measuring the output from the tool can then be included in the scorecard.
- The cost involved in setting up measurement tools needs to be considered.

- The time frame for the implementation of measurement tools is also important.
- It is important that the responsibility for the KPI needs to be allocated to the appropriate person who will be required to measure the output/outcome on the KPIs.
- The timeframes for measuring and reporting actual performance against target set.

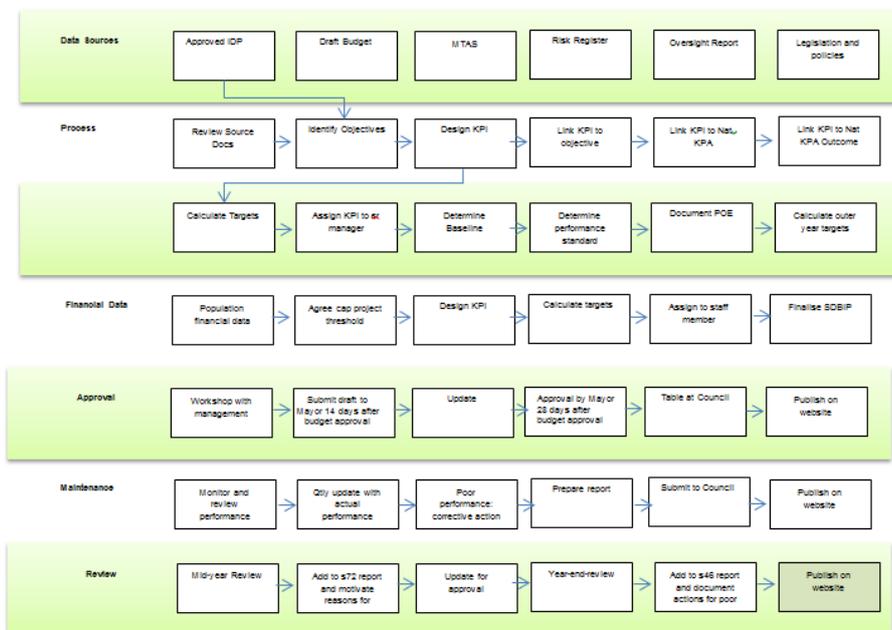
The following steps should be followed to develop a performance indicator:

- Identify the strategic objectives defined in the IDP and the key activities in the department that need to be measured.
- Agree on what you are aiming to achieve by considering the end result (outcome / impact) of each strategic objective and define the critical processes to achieve each of the strategic objectives.
- Specify the outputs, activities and inputs in order to achieve the outcomes and impacts.
- In the instance where performance indicators for individuals needs to be developed you also need to consider key job requirements (job description).
- For each activity, confirm that it will assist in achieving the objectives and determine what the proof of evidence will be that the activity has been delivered.
- Determine what resources you will require to be able to deliver the activity and confirm availability for such resources, e.g. you cannot establish a play park without the necessary financial resources.
- Determine the timeframes by when the activities need to be achieved.
- Decide which department and individual will take responsibility for the activities.
- Draft the KPI by explaining what will be done, how it will be done and what will be achieved.
- Link it to timeframes indicating by when the activity should be delivered as well as to the National KPAs, National Outcomes and the objective to be achieved.
- Formulate how the activity will be measured and what the proof will be that the activity has been delivered (how will the activity be measured).
- Add the baseline for the indicator (the level where we are before we start with the work).
- Determine and add the performance standard for the target (minimum or ideal level of performance).
- Allocate responsibility for delivering the activity to a department and individual (who will be responsible for delivery and reporting on the target).
- Set the targets to be achieved per month / quarter in order to deliver the indicator (targets should as far as possible comply with the SMART principle).
- Agree the finally formulated indicator with the respective department / manager / staff member.

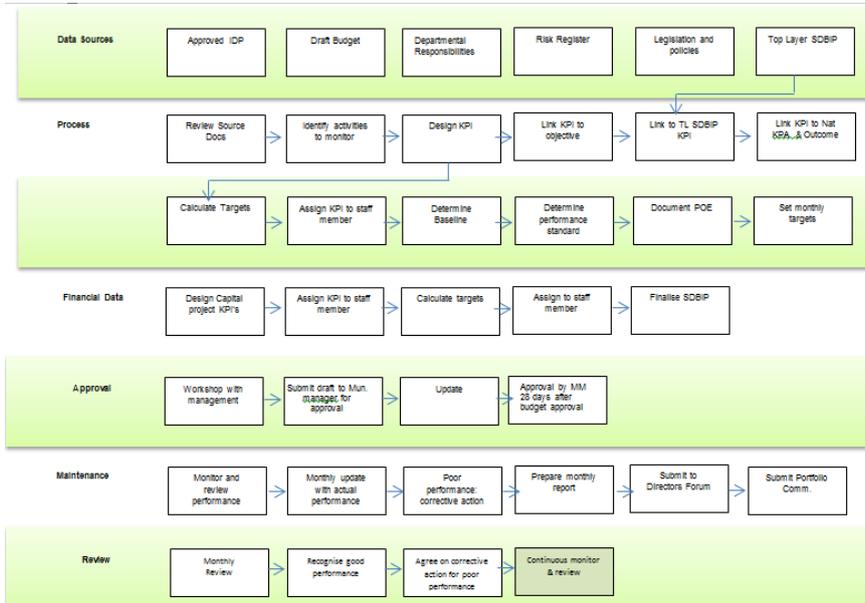
9.19.2 Performance Process Maps

The following process maps summarise the key operational and individual performance processes. These process maps should be read with the sections dealing with these performance processes.

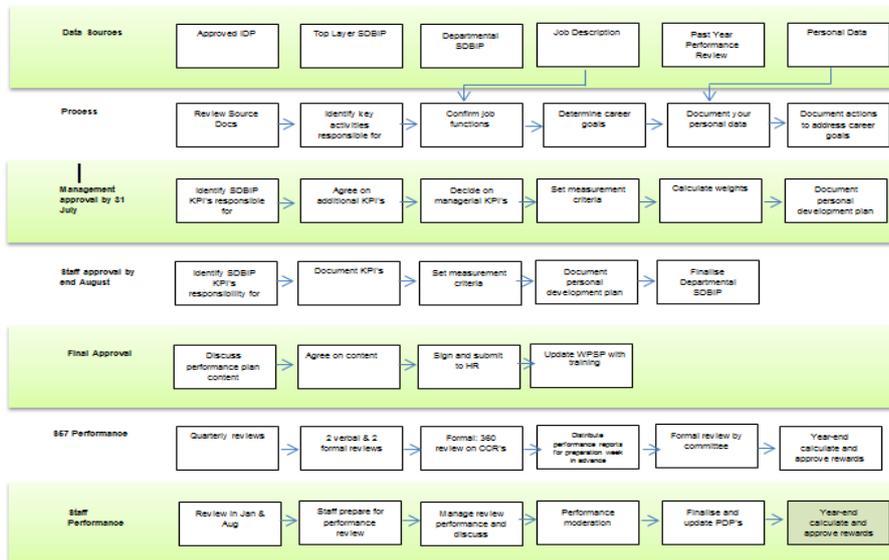
9.1.19.2.1 Top Layer SDBIP



5.1.19.2.2 Departmental SDBIP



9.2.3 Individual Performance



5.29.3 Role and Responsibilities of Stakeholders

The following table sets out a summary of the roles and responsibilities of the various stakeholders in the PMS within each of the management components:

Table 8: Role and Responsibilities of Stakeholders

Stakeholders	Involvement	Benefits
	Administrative Oversight	
Executive Mayor	<ul style="list-style-type: none"> Facilitate the development of a long term Vision regarding IDP and PMS. Mayor is responsible for the performance and need to approve the SDBIP and submit the annual performance report to Council. Approval of municipal manager performance plan and evaluate and report on municipal performance. 	Optimum and equitable service delivery.
Mayoral Committee	Support to the Executive Mayor. Provide strategic awareness and manage the development of the IDP and PMS.	Promotes public awareness and satisfaction.

Stakeholders	Involvement	Benefits
	Administrative Oversight	
Portfolio Councillor	<ul style="list-style-type: none"> Monitor the implementation of the strategy. Review and monitor the implementation of the IDP and the PMS. Evaluate performance of senior management, where applicable. 	Facilitates the process of benchmarking and collaboration with other municipalities.
Council	<ul style="list-style-type: none"> Adopt the PMS policy and approve the IDP. Approve performance rewards Oversight role to ensure that performance management processes are monitored. 	Provides a mechanism for the implementation and review of PMS and IDP achievement.

Stakeholders	Involvement	Benefits
	Implementers	
Municipal Manager	<ul style="list-style-type: none"> Ensure the implementation of the IDP and the PMS. Communicate with the Executive Mayor and Senior Management Team. 	Clarifies goals, targets and work expectations of the executive management team, other senior managers, line managers and individual employees.
Senior Management Team	<ul style="list-style-type: none"> Manage Departmental and individual performance. Review and report on performance. 	Facilitates the identification of training and development needs at different levels in the municipality.
All Other Managers	<ul style="list-style-type: none"> Implement the departmental business / operational plans and monitor the Individual Performance Plans. 	Provides an objective basis upon which to reward good performance and correcting under performance.

Stakeholders	Involvement	Benefits
	Implementers	
Individual Employees	<ul style="list-style-type: none"> Execute individual performance plans. 	Mechanism for early warning indicators to check and ensure compliance.
Reporting Officer (for service provider evaluations)	<ul style="list-style-type: none"> Line Departments Monitor and assess work done or service provided as per the service delivery agreement or contract. Report on the performance of the service 	Ensure quality and effective performance of service providers.
Supply Chain Management	<ul style="list-style-type: none"> Manage the performance monitoring process of service providers. Report on contract management and service provider performance to Council quarterly. Report to Council annually on the performance of service providers. Investigate and report on the impact of the interventions. 	<p>Enhances service delivery and performance.</p> <p>Addresses weak performance timeously.</p> <p>Effective reporting.</p>
Internal Audit	<ul style="list-style-type: none"> Assess the functionality, integrity, effectiveness and legal compliance with the PMS. 	<ul style="list-style-type: none"> Enhances the credibility of the PMS and the IDP enhances the status and role of Internal Audit.

STAKEHOLDERS	INVOLVEMENT	BENEFITS
	OVERSIGHT	
Representative Forums / Ward Committees	<ul style="list-style-type: none"> Inform the identification of community priorities. Public involvement in service delivery of the municipality. 	Provide a platform for the public / communities to inform and communicate with Council.
Auditor-General	Audit legal compliance and performance processes.	Provides warning signals of under-performance which can provide pro-active and timely interventions.
Performance Audit Committee	Independent oversight on legal compliance.	Provides warning signals of under-performance.
MPAC/Oversight Committee	Review Annual Report and suggest corrective action to address shortfalls.	Improved performance

10 Policy Review

This policy will be reviewed as and when required.

611 Conclusion

This policy describes how the municipality's performance process, for the organisation as a whole will be conducted, organised and managed.

It is important to note that a Performance Management Policy is dynamic and will change and develop over time to reflect the unique features of the municipality. The municipality environment is no exception to this phenomenon and this policy lends itself to improvement and positive changes with even more focused alignment to the municipality's strategic objectives and performance levels.

7.10.2	PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP OF VAALDRAAI (ELSENBURG) FROM PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

21 May 2019 (Mayco) and 29 May 2019 (Council)

1. SUBJECT: PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP OF VAALDRAAI (ELSENBURG) FROM PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY

2. PURPOSE

To consider an application from the Provincial Department of Transport and Public Works, requesting that Stellenbosch Municipality take over the management of Vaaldraai with the view of township establishment and ultimate transfer of ownership to individual residents / beneficiaries.

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

On 2010-04-13 Council considered a request from the Provincial Department of Transport and Public Works to take over the Management of Vaaldraai, with the view of attending to the township establishment and ultimate transfer of land to residents/beneficiaries. Having considered the report, Council (at the time) decided not to approve of the application but to advise the Provincial Government to attend to the township establishment themselves. A new request has now been received, for consideration by Council.

5. RECOMMENDATIONS

- (a) that Council, in principle, agrees to take over the Management of the Vaaldraai Settlement, as an interim arrangement;
- (b) that Council, in principle, agrees to attend to the township establishment of Vaaldraai, subject thereto that additional land be made available, the detail to be agreed upon;
- (c) that before any final decision in this regard is made (i.e. (a) and (b) above) the DP&ED be requested to conduct a feasibility study, which study must also attend to the availability (or not) of bulk infrastructure as well as the identification of additional land to be transferred, taking into account the number of residents/backyard dwellers already on the property; and
- (d) that, following the feasibility study, a progress report be submitted to Council with the view of making a final determination on the matter.

6. DISCUSSION / CONTENT

6.1 Background

6.1.1 Previous Council resolution

On 2010-04-13 Council considered a request from the Provincial Department of Transport and Public Works to take over the Management of Vaaldraai, with the view

of attending to the township establishment and ultimate transfer of land to residents/beneficiaries.

Having considered the request, Council resolved as follows:

- "a) *that the relevant Provincial Department be informed to proceed with the Township Establishment process, including the upgrading of infrastructure, at their cost. We would then "take over" the services once township establishment has taken place, after upgrading of services and individual properties have been transferred to occupants; and*
- b) *that, should Council approve recommendation (a) (supra), the Municipal Manager be authorised to conclude a Service Agreement".*

A copy of the agenda item that served before Council is attached as **APPENDIX 1**. The Department was informed accordingly. To date, however, they have not attended to the actual township establishment, as envisaged at the time.

6.1.2 New application

Hereto attached as **APPENDIX 2** a self-explanatory letter received from the Provincial Department of Transport and Public Works, addressed to the Executive Mayor, *inter alia* indicating their willingness to enter into the required agreement(s) to have the property transferred to Stellenbosch Municipality, with the view of township establishment, rendering of services on an interim basis, and eventual transfer of home ownership to the residents (See paragraph 2 of the letter).

Also hereto attached as **APPENDIX 3** a POA issued by the Provincial Government, authorising Stellenbosch Municipality to do a feasibility study.

6.2. Discussion

6.2.1 Location and context

The Vaaldraai Settlement is situated on a portion of Farm 34, Stellenbosch (Eisenburg), as indicated on Fig 1-3, below.



Fig 1. Location and regional context



Fig 2. Location and local context



Fig 3. Lay-out of Vaaldraai

6.2.2 Availability of services

Water is currently supplied to the settlement via the Elsenburg reservoir, which is the property of Elsenburg. Should the settlement be taken over, a dedicated line would have to be installed to separate the settlement from the reticulation of the rest of Elsenburg.

The sewage of the settlement is currently purified at the Elsenburg plant. A contract will have to be entered into should the settlement be taken over, to ensure the continuance of this arrangement.

There is no solid waste removal in place from the Municipality at present, but Vaaldraai could be accommodated.

6.2.3 Extent of area

The area consists of 100 houses and a number of open spaces.

6.2.4 Additional land to be transferred to deal with future needs

Should township establishment be approved for Vaaldraai, one can assume that there would be a (future) demand for the extension of the area and to cater for existing backyard dwellers. Should Council approve the application (in principle), it should be subject to further negotiations regarding additional land to be transferred to Stellenbosch Municipality.

6.3 Financial Implications

The financial implication can only be qualified once the feasibility study has been finalised.

6.4 Legal Implications

None at this stage

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

See par. 6.1 above

6.7 Risk Implications

There are no risks at this stage.

6.8 Comments from Senior Management

None requested at this stage

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-05-21: ITEM 7.10.2

- (a) that Council, in principle, agrees to take over the Management of the Vaaldraai Settlement, as an interim arrangement;
- (b) that Council, in principle, agrees to attend to the township establishment of Vaaldraai, subject thereto that additional land be made available, the detail to be agreed upon;
- (c) that before any final decision in this regard is made (i.e. (a) and (b) above) the Department: Planning and Economic Development be requested to conduct a feasibility study, which study must also attend to the availability (or not) of bulk infrastructure as well as the identification of additional land to be transferred, taking into account the number of residents/backyard dwellers already on the property; and
- (d) that, following the feasibility study, a progress report be submitted to Council with the view of making a final determination on the matter.

FOR FURTHER DETAILS CONTACT:

NAME	
POSITION	<i>Municipal Manager</i>
DIRECTORATE	<i>Municipal Manager</i>
CONTACT NUMBERS	<i>021-8088025</i>
E-MAIL ADDRESS	
REPORT DATE	<i>16 May 2019</i>

APPENDIX 1

Lucas ab.
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6.1.1.4 PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP:
VAALDRAAI (ELSENBURG): FROM PROVINCIAL GOVERNMENT OF
THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY

File number : 7/2/2/1
Report by : Office of the Municipal Manager
Compiled by : Manager: Property Management
Delegated Authority : Council

1. PURPOSE OF REPORT

The purpose of this report is to consider an application from the Provincial Department of Transport and Public works, requesting that Stellenbosch Municipality take over the management of Vaaldraai with the view of township establishment and ultimate transfer of ownership.

2. BACKGROUND

2.1 Initial discussions

During initial discussions with the Department of Transport and Public Works (the Department), we have indicated our willingness to take over the responsibility of managing the Vaaldraai Settlement, **on condition that the Department would be responsible for any shortfall** (i.e difference between actual expenditure and income). It was further stated that the taking over of the management would be seen as an **interim arrangement, awaiting township establishment**, with the view of transferring ownership of the houses to current occupants, at which point we would become liable (in terms of the Structures Act) to render services. However, **before township establishment could take place, all services would have to be upgraded to a standard that would meet our demands**. The Department was to take responsibility for such upgrading of services and for the costs relating to the township establishment (rezoning and subdivision).

2.2 Application

A formal application has now been received from the Department, requesting that Stellenbosch Municipality would take over the management of Vaaldraai, as per a Draft Management Agreement. Should Stellenbosch Municipality agree to such request, they will seek the approval of the Provincial Cabinet for the envisaged transfer of ownership of the land to Stellenbosch Municipality, with the view "to promote home ownership of the current occupants". A copy of the application is attached as **APPENDIX 1**.

3. DISCUSSION

3.1 Location and context

The Vaaldraai Settlement is situated on a portion of Farm 34, Stellenbosch (Eisenburg), as indicated on Fig 1-3, hereunder.

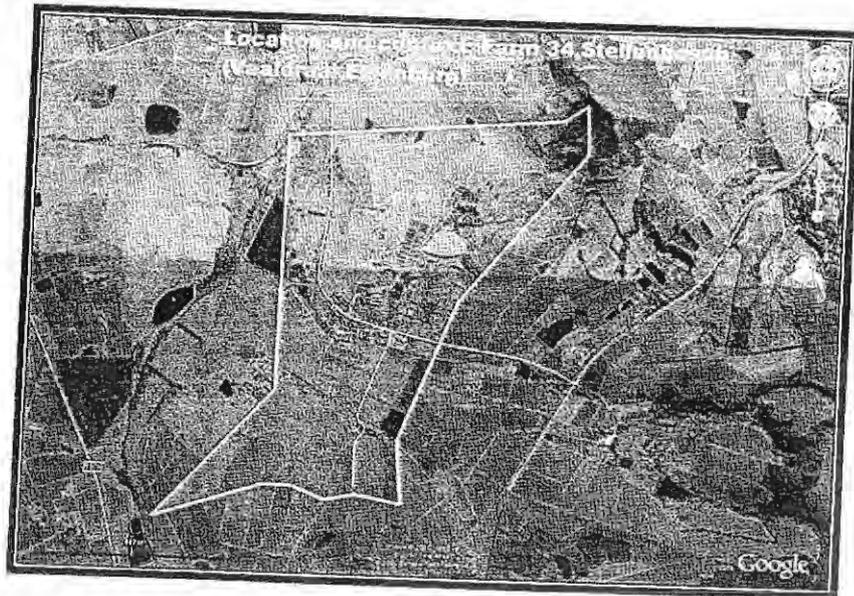


Fig 1. Location and regional context

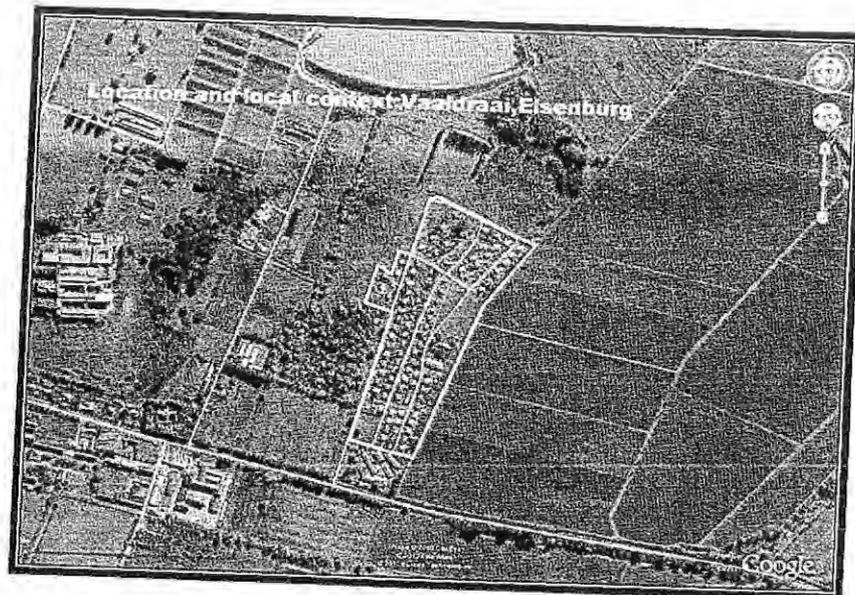


Fig 2. Location and local context



Fig 3. Lay-out of Vaaldraai

3.2 Availability of services

According to the Acting Director: Civil Engineering Services water is currently supplied to the settlement via the Elsenburg reservoir, which is the property of Elsenburg. Should the settlement be taken over, a dedicated line would have to be installed to separate the settlement from the reticulation of the rest of Elsenburg.

The sewage of the settlement is currently purified at the Elsenburg plant. A contract will have to be entered into should the settlement be taken over, to ensure the continuance of this arrangement.

There is no solid waste removal in place from the Municipality at present, but Vaaldraai could be accommodated.

3.3 Extent of area

The area consists of 100 houses and a number of open spaces.

3.4 Draft Memorandum of Agreement

In terms of the Draft Memorandum of Agreement:-

- (a) Stellenbosch Municipality, as local authority within whose jurisdiction Vaaldraai is situated, is the competent authority best suited to manage the property on behalf of the Department (See clause 2);
- (b) Stellenbosch Municipality agrees to manage the property on behalf of the Department, i.e. manage the rental stock and provide services (see clause 3);
- (c) The Department shall pay the Municipality (short-fall in budget) on the following sliding scale:

Year 1	:	100% cost
Year 2	:	67% cost
Year 3	:	33% cost

- (d) The duration of the Agreement would be for 3 years.

The Draft Agreement, however, is silent on the following matters:

- (a) Extent of bulk services to be "taken over";
- (b) Responsibility of the Department pertaining the upgrading of services;
- (c) The responsibility of Stellenbosch Municipality *vis-à-vis* that of the Department, pertaining the Township Establishment to be undertaken;
- (d) Responsibility of the Department pertaining cost associated with Township Establishment;
- (e) The responsibility of the Department regarding payments, should the Agreement be renewed after the initial 3 year term;
- (f) The transfer of ownership to current occupant (principles).

3.5 Problems experienced with similar arrangements

Stellenbosch Municipality has approved 3 similar applications in the past, i.e. Maasdorp, Meerlust and Jonkershoek. Following the approval of these applications (National Department of Public Works), the Department has not yet made available/allocate **any** funds to start with the initial planning process.

3.6 Conditions

Should Council approve the application, it should be subject thereto that:

- (a) A consultant be appointed by the Department to compile a status report on the current state of services as well as an indication of services that need to be upgraded (internal services as well as bulk services);
- (b) Following the report referred to in paragraph (a), the Department stand in for any short-fall in the maintenance budget, and not on a sliding scale as suggested in the current Draft Agreement (see clause 4.2).

Alternatively, the Department should proceed with the Township Establishment process, including the upgrading of infrastructure, at their cost. We would then "take over" the services once township establishment has taken place, after upgrading of services and individual properties have been transferred to occupants.

3.7 Additional land to be transferred to deal with future needs

Should township establishment be approved for Vaaldraai, one can assume that there would be a (future) demand for the extension of the area. Should Council approve the application (in principle), it should be subject to further negotiations regarding additional land to be transferred to Stellenbosch Municipality.

4. COMMENTS BY RELEVANT DEPARTMENTS

4.1 Community Services

On the aerial photo it is clear that there are several open spaces that could/should be managed as such. The Department must bear the costs for the management thereof as Council did not budget for it. I agree that a consultant should first establish the exact state of all the services including amenities available such as halls, cemeteries, a library, recreational facilities, public open spaces, play parks, sports facilities. As soon as town establishment has taken place the residents will look to the Municipality to provide all these facilities. We already received numerous requests for a library at Elsenburg as they are very far from the nearest library in Cloetesville.

The Municipality should not take over unfounded mandates or facilities that is in a bad condition.

4.2 Planning & Development Services

The Planning and Development Directorate has no objection to the application as proposed.

4.3 CFO

None

4.4 Legal Department

None

4.5 Engineering & Technical Services

A status report on the Availability of Services was compiled by Sippel and de Lange, but might be outdated, as it was compiled 5 years ago. This department support the recommendations contained in the report, on condition that a services be upgraded to a standard acceptable to this department.

5. CONCLUSION

Until such time as a status report on services is compiled, it is difficult to make an informed decision.

It is therefore

RECOMMENDED

- (a) that Council, in principle, confirm its willingness to take over the management of Vaaidraai, subject to the following conditions:
 - i) A consultant must be appointed by the Department to compile a status report on the current state of services as well as an indication of services that need to be upgraded (internal services as well as bulk services);
 - ii) Following the report referred to in paragraph (a), the Department must stand in for any short-fall in the maintenance budget, and not on a sliding scale as suggested in the current Draft Agreement (see clause 4.2).
- (b) that alternatively, the Department proceed with the Township Establishment process, including the upgrading of infrastructure, at their cost. We would then "take over" the services once township establishment has taken place, after upgrading of services and individual properties have been transferred to occupants; and
- (c) that, should Council approve recommendation (a) (*supra*), the Municipal Manager be authorized to conclude a Service Agreement.

**FINANCE AND CORPORATE SERVICES COMMITTEE MEETING:
2010-04-13: ITEM 6.1.1.4**

RECOMMENDED

- (a) that the relevant Provincial Department be informed to proceed with the Township Establishment process, including the upgrading of infrastructure, at their cost. We would then "take over" the services once township establishment has taken place, after upgrading of services and individual properties have been transferred to occupants; and
- (b) that, should Council approve recommendation (a) (*supra*), the Municipal Manager be authorized to conclude a Service Agreement.

(-)



DEPARTMENT OF TRANSPORT AND PUBLIC WORKS
 DEPARTEMENT VAN VERVOER EN OPENBARE WERKE
 ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU

Reference:
 Verwysing: 10/RJ
 Isalathiso:
 Enquiries:
 Navrae: S Hindley
 Imibuzo:

The Actg Municipal Manager
 Stellenbosch Municipality
 PO Box 17
 STELLENBOSCH
 7599

By Fax – No. 021 808 8200

(Attention: Mr P Smit)

Sir

**VAALDRAAI: TRANSFER OF MANAGEMENT AND OWNERSHIP: PROVINCIAL
 GOVERNMENT OF THE WESTERN CAPE (PGWC) TO STELLENBOSCH MUNICIPALITY**

Previous engagements in the above-mentioned regard refer.

In terms of these engagements the following proposals are to be pursued with regard to the future of the Vaaldraai Settlement.

- (1) The Stellenbosch Municipality to take over the management of Vaaldraai from the PGWC, as per the enclosed draft management agreement as soon as possible, but no later than 1 July 2010.
- (2) The Department of Transport and Public Works to seek the approval of the Provincial Cabinet for the envisaged transfer of ownership of the Vaaldraai Settlement to Stellenbosch Municipality with a view to the promotion of home ownership of the current occupants

It will be appreciated if you could obtain your Council's formal resolution in order to take this matter forward.

With kind regards

Actg ASSISTANT EXECUTIVE MANAGER: PROPERTY MANAGEMENT

DATE: 19 March 2010

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Kamer 4-15, Dorpsstraat 9, KAAPSTAD 8001
 68 Private Bag X9160, KAAPSTAD 8000

Room 4-15, 9 Dorp Street, CAPE TOWN 8001
 68 Private Bag X 9160, CAPE TOWN 8000

☎ (021) 483-5549 @ (021) 483-5144
 E-post/E-mail: hindley@tpw.gov.za

DRAFT DISCUSSION DOCUMENT

1.3 The following expressions bear the meanings assigned to them below and cognate expressions bear corresponding meanings:

1.3.1 "**the Municipality**" means the Stellenbosch Municipality, a municipality constituted in terms of the Local Government Municipal Structures Act of 1998, or its legal successor in title.

1.3.2 "**the Province**" means the Provincial Government Western Cape of 7 Wale Street, Cape Town, as represented herein by its Departments of Transport and Public Works and Agriculture.

1.3.3 "**the Property**" means Vaaldraai situated on a portion of Farm Eisenburg A No 34 Stellenbosch Rural District as indicated on the attached diagram - marked as **Annexure A**.

1.3 In this agreement and in the annexures thereto, the "**agreement**" refers to this agreement and the words "**clause**" or "**clauses**" and "**annexures**" refer to clauses in, and annexures to, this agreement.

1.4 this agreement includes the annexures.

2. COMPETENT AUTHORITY

The parties agree that, as local authority within whose jurisdiction the **Property** is situated, the Municipality is the competent authority best suited to manage the **Property** on behalf of the Province through the administration of leases and the provision of municipal services.

3. MUNICIPALITY'S OBLIGATIONS

3.1 MANAGEMENT OF THE PROPERTY AND ASSETS

3.1.1 There are 100 houses on the **Property** that are occupied by tenants in terms of lease arrangements concluded between the occupants and the Province. The following other buildings/facilities also situated on the **Property** must also be managed by the Municipality:

- (i) Community Hall
- (ii) Rugby Field

3.1.3 The Municipality agrees to manage the **Property** in a responsible and effective manner, through the management and administration of the houses and other buildings in terms of the lease agreements, which shall include but not be limited to -

- (i) The issuing of invoices/statements for rental and municipal services consumed, in accordance with tariff structures, such as rental and service tariffs, agreed upon between the Municipality and the Province. A list of such tariffs is attached as **Annexure B**.
- (ii) The procurement of prospective tenants for vacant premises that should be forwarded to the Province's Assistant Executive Manager: Property Management for acceptance and approval.
- (iii) The Province will furnish the Municipality with a waiting list, and the people on the waiting list shall be considered as part of the Municipality's integrated waiting list, if and when any of the houses becomes available.

DRAFT DISCUSSION DOCUMENT

- (iv) The Municipality must manage the non-payment of rental and services in terms of its Credit Policy with effect from _____ (date to be agreed upon)

3.2 MANAGEMENT OF SERVICES

3.2.1 The Municipality agrees to render and manage the services in a responsible and effective manner.

3.2.2 The Municipality must draft and submit a budget for the management, acquisition, rendering and disposal of services, which consist of the following:

- (i) Maintenance of roads
- (ii) Maintenance of public open spaces and vacant land on the Property
- (iii) Maintenance of Water Works
- (iv) Procurement and distribution of Water
- (v) Maintenance of Sewer Works and Sewer Network
- (vi) Procurement and distribution of Electricity and Insurance of transformers
- (vii) Refuse removal
- (viii) Provision of a Library Service
- (ix) The prevention of illegal occupation of the Property

3.2.3 The Municipality must submit a reconciliation statement of the budgeted and actual expenditure and income in respect of these services on a monthly basis to the Province until (Subject to negotiation).

3.2.4 Any income derived from municipal services rendered in term of clause 3.2.2, (will be deducted from amounts payable by the Province) must be paid over to the Province on a monthly basis as provided for in clause 3.1.3(i).

4. OBLIGATIONS OF PROVINCE

4.1 The building complexes which the Province will continue to utilise for provincial purposes will remain the responsibility of the Province. The Institutions accommodated in these complexes, as indicated on the attached diagram – marked as Annexure C, shall be liable to the Municipality for the payment of services rendered.

4.2 The Province shall pay the Municipality in terms of the approved budget provided for in terms of clause 3.2.2, on submission of an invoice to the Department Agriculture, on the following sliding scale over three years:

4.2.1 Year one at 100% of costs

4.2.2 Year two at 67% of costs

4.2.3 Year three at 33% of costs

5. DURATION OF AGREEMENT

This agreement shall commence on (to be agreed upon) and shall endure for a period of **three (3) years** (to be agreed upon) until, or for a further period as will be agreed to by both parties in writing.

6. PROVISIONS APPLICABLE HEREIN TO APPLY TO ALL SERVICES

6.1 The Province shall not be liable for the failure of the Municipality to provide electricity or water, or for any defect in equipment servicing the property.

DRAFT DISCUSSION DOCUMENT

- 8.2 The Province shall not be responsible for any damage to, or loss of, any stock in trade, equipment, machines, raw materials, papers, furniture, household goods and effects, clothing, personal effects or other articles, goods and possessions of whatsoever nature kept on **the Property** by reason of rain, hail, earthquake, lightning or fire or by reason of riot, strikes or state enemies or as a result of theft or burglary, with or without force of entry, or through any defective condition or disrepair in **the Property** or through any other cause whatsoever (save for the negligent act of or act of omission or omission amounting to negligence, by the Province or its agents or servants) nor shall the Province be responsible for any personal injury which may be sustained in or about **the Property** by any of the directors, servants, agents, customers, sub-tenants or invitees of the Municipality or by any other person whomsoever, howsoever such injury may be caused (save for the negligent act of or act of commission or omission amounting to negligence by the Province or its agents or servants) and the Municipality hereby indemnifies the Province against any claim of whatsoever nature which may be made against the Province by any of the directors, servants, agents, sub-tenants, customers or invitees of the Municipality or by anyone else whomsoever in respect of personal injuries so sustained or in respect of the loss of, or damage to, anything on the premises, arising from any such cause aforesaid.

7. BREACH

- 7.1 In the event of any party ("guilty party") failing to fulfil any of its obligations in terms of this agreement and remaining in breach for a period of 21 days after the other party ("innocent party") has posted by pre-paid registered post to the guilty party a reminder calling upon it to remedy such breach, the innocent party shall be entitled (without prejudice to any other rights which it may have at law) either to:
- 7.1.1 hold the guilty party to the Agreement and the enforcement of the provisions of this Agreement; or
- 7.1.2 cancel the Agreement and claim for damages suffered by reason of the said breach.

8. CO-OPERATIVE GOVERNANCE

The parties enter into this agreement adhering to the principles of co-operative governance as set out in Chapter 3 of the Constitution. These provisions are, *inter alia*, quoted for ease of reference:

"All spheres of government and all organs of state within each sphere must co-operate with one another in mutual trust and good faith by -

- (a) fostering friendly relations;
- (b) assisting and supporting one another;
- (c) informing one another of, and consulting one another on, matters of common interest;
- (c) co-ordinating their actions and legislation with one another;
- (d) adhering to agreed procedures; and
- (e) avoiding legal proceedings against one another."

9 DISPUTE RESOLUTION

In the event of a dispute between the parties, it is herewith agreed that the dispute resolution procedure as set out in the Intergovernmental Relations Framework Act, 13 of 2005, shall be followed, to resolve the said dispute.

DRAFT DISCUSSION DOCUMENT

10 ADDRESS OF NOTICE

The Province:

(i) The Chief Director: Property Management
Department of Transport and Public Works
9 Dorp Street
Cape Town
80001

(iii) The Head
Department of Agriculture
Eisenburg Road
Eisenburg

The Municipality:

The Municipal Manager

_____ Street

STELLENBOSCH

II GENERAL

This agreement sets out the entire agreement and understanding of the parties with regard to the subject matter hereof.

No party shall be bound by an express or implied term, representation, warranty, promise of the like, not recorded herein.

No addition to, variation or consensual cancellation of this Agreement shall be of any force or effect unless in writing and signed by or on behalf of both parties.

APPENDIX 2



Our Reference: TPW 12/R-25
Enquiries: Jacqui Gooch, 021 483 2826

The Executive Mayor
Stellenbosch Municipality
14 Plein Street
STELLENBOSCH
7600

ATTENTION: Adv GMM van Deventer

Dear Adv van Deventer

OUTSTANDING MATTERS

Your letter Ref: 16/3/6 dated 2019-02-21 has reference.

1. De Novo

The De Novo site has been allocated by the DTPW to the Department of Human Settlements (DHS) for the development of a human settlement. A Power of Attorney has consequently been issued to enable the DHS to attend to the required planning and repairs to the residences situated on the site. It is currently the intention to transfer custodianship of the property from the DTPW to the DHS, and as a result progress reports should be requested from them.

2. Vaaldraai, Elsenburg, Kromme Rhee & Helderfontein

Elsenburg, Kromme Rhee and Helderfontein are all sites that are still required in terms of the Western Cape Government's service delivery objectives. The DTPW is prepared to enter into appropriate lease agreements with the residents at these properties, with the view to regularizing their tenancy. The DTPW will engage the Stellenbosch Municipality with regard to the rendering of services to these communities.

Insofar as Vaaldraai is concerned, it is hereby confirmed that the WCG is prepared to enter into the required agreement(s) to have the site transferred to the Stellenbosch Municipality, with the view to township establishment, rendering of services by the Municipality as well as eventual transfer of home ownership to the residents.

3. **Regarding the R44 and the R304:**

Traffic congestion problems on these roads are similar to those on numerous other roads in the Province and, unfortunately, Stellenbosch is not unique as far as such traffic congestion is concerned. The Department of Transport and Public Works has to plan for dualling of the main roads leading to and from Stellenbosch. That is what is being done but there are insufficient funds to implement such projects.

With previous projects on the R44 and the R310 neither the municipality nor the public have been cooperative or supportive of planned projects. Public transport is a municipal function which may be supported by the Provincial Government.

Regarding speed limits and traffic congestion in Franschhoek: We have stated before that appropriate speed limits are determined by using accepted national guidelines prepared by traffic engineering specialists. Inappropriate speed limits do not necessarily contribute to safer roads but rather lead to disregard for the law. Law enforcement of appropriate speed limits remains the answer.

Traffic congestion in Franschhoek can only refer to the main road (MR191) through the town. In this, Franschhoek is a victim of its own success. The main road was made an activity spine through the town and is a tourist attraction. However, it is narrow, allows parking on both sides, and heavy vehicles are prohibited from using any other parallel side street and are thereby forced to use the main road to get through the town.

The idea of an alternative route through the town is not practical, affordable or economically justifiable, while a bypass along DR1351 is also not practical. Any other "new" route will have to be proclaimed and expropriated through the town. If the municipality has such a "corridor" in mind, they are welcome to engage with my Head of Department, Ms Jacqueline Gooch. This may, however, spark a major environmental and public outcry.

I have been told that the most logical interim solution to increase mobility, from an engineering point of view, would be to rebuild the main road to better standards and remove all parking from it.

I have been advised by my Head of Department that as far as road matters are concerned there have indeed been many discussions with the municipality over many months regarding various issues. It is not accurate to make the general statement that no feedback or response was received. The Pass and the Wemmershoek road were not mentioned in the letter. However, both these roads have projects in the planning phase.

4. We are unfortunately not able to assist in this matter. It is suggested you contact Mr Dhaya Govender on dhaya.govender@transport.gov.za from National Public Works.

With reference to a new concern raised in your letter please refer to the attached notes on NaTIS equipment matters in preparation for the meeting that I had with the City of Cape Town on Thursday, 7 March 2019. I will prioritise the Stellenbosch requirements in terms of the priority plan referred to in paragraphs 2.1.3 and 2.2.3 of my notes.

I also attach email correspondence between Mr Michael Gallant, Director: Vehicle Administration and Licensing, of my Department and Mr Kevin Kara-Vala of the RTMC as well as an email that he sent to Mr A Royi of Stellenbosch on the matter. Mr Kara-Vala had been copied in on this initial response to Stellenbosch.

Yours sincerely

A handwritten signature in black ink, appearing to read 'DAC Grant', written in a cursive style.

MR DAC GRANT

PROVINCIAL MINISTER OF TRANSPORT AND PUBLIC WORKS

Date: *26 March 2019*

APPENDIX 3

POWER OF ATTORNEY

1. I, the undersigned, **Shane Hindley**, in my capacity as **Head of the Component: Immovable Asset Management** in the **Department of Transport and Public Works** and duly authorised thereto, assign special power of attorney **Stellenbosch Municipality** to act for and on behalf of the **Western Cape Government**, the owner of the property known as **Portion of Farm 34, Stellenbosch** (the property), as its lawful agent with full power and authority and in its name and benefits in fulfilling the following:
 - 1.1 To act as Agent in the name of the Western Cape Government as the owner, in order to do a feasibility study at Vaaldraai.
- 2 Any cost incurred from the actions identified in Clause 1.1 above, will be for the account of the Agent.
- 3 Furthermore, the Agent has free and full access to the property to attain the actions identified in Clause 1.1 above.
- 4 This Power of Attorney may, in the sole and unfettered discretion of the Western Cape Government, be withdrawn at any time.
- 5 I further validate and ratify everything the Agent shall do or purport by virtue of this Power of Attorney on behalf of the Western Cape Government.



Signed at CAPE TOWN on this 16TH day of MAY 2019 in the presence of the undersigned witnesses.

FOR THE WESTERN CAPE GOVERNMENT

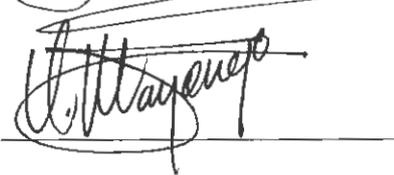


S HINDLEY

HEAD OF COMPONENT: IMMOVABLE ASSET MANAGEMENT

AS WITNESSES

1. 

2. 

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 2016/2017 FINANCIAL YEAR

Collaborator No: 641872
IDP KPA Ref No: Good Governance
Meeting Date: 10 May 2019

1. SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO THE 2016/2017 FINANCIAL YEAR

2. PURPOSE OF REPORT

To provide information regarding the unauthorised expenditure incurred in the 2016/17 financial year, and to be recommended to and considered by Council to certify the expenditure as irrecoverable and that it be written off by Council.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Section 32(2)(a) of the Municipal Finance Management, 2003 (Act 56 of 2003) (MFMA) requires 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 unauthorised expenditure, is authorised in an adjustment budget, or certified by the municipal council, after investigation by a council committee, as irrecoverable and written off by the council.

Overspending of non-cash line items were identified in the 2016/17 financial year which was not aligned with Council-approved policies and the Municipal Financial Management Act. These line items were budgeted for, but expenditure was more than anticipated. Moreover, this expenditure was incurred in the 2016/17 financial year and was only reported in the 2017/18 financial statements.

5. RECOMMENDATIONS

- (a) that Council writes off the unauthorised expenditure to the value of R2 175; and
- (b) that Council notes the explanations given by the administration and that corrective measures be implemented.

6. DISCUSSION

Overspending of non-cash line items were identified in the 2016/17 financial year which was not aligned with Council approved policies and the Municipal Financial Management Act. Depreciation, Debt Impairment and Contributions to Provisions is what contributed to the overspending per vote for the 2016/17 financial year.

These line items were budgeted for, but expenditure was more than anticipated. This does not constitute physical outflows of cash, but is merely deemed unauthorised in terms of National Treasury MFMA Circular no. 68: Unauthorised, Irregular, Fruitless and Wasteful Expenditure dated 10 May 2013.

Capital items were erroneously purchased on the operational budget. To rectify this, funds had to be re-allocated to the capital budget to adhere to the GRAP 17 accounting standards. Moreover, this expenditure was incurred in the 2016/17 financial year and was only reported in the 2017/18 financial statements. The administration is requesting Council to write off the unauthorised expenditure with the explanations and recommendation given.

7. FINANCIAL IMPLICATIONS

Financial implications relating to unauthorised expenditure that was incurred during the 2016/17 financial year.

8. LEGAL IMPLICATIONS

Municipal Management Finance Act

9. RISK IMPLICATIONS

Reporting unauthorised expenditure timeously.

10. MUNICIPAL MANAGER'S COMMENT

Better control systems should be implemented to prevent unauthorised expenditure. It should be noted that this expenditure was incurred in the 2016/17 financial year and was only reported in the 2017/18 financial statements. The Municipal Manager was not aware of any material event which occurred after the reporting date until the date of this report. Corrective measures were implemented to ensure purchases are done against the correct budget allocations.

MPAC MEETING: 2019-05-10: ITEM 5.1

During the discussion of the above-mentioned matter, the following questions for clarity were raised by MPAC; the Municipal Manager's responses are included in brackets:

1. *Were corrective measures instituted?* (Yes, corrective measure were implemented in the form of monthly monitoring of expenditure to ensure that expenditure are correctly allocated.
2. *What was the outcome of the corrective measures?* (No similar unauthorised expenditure occurred subsequently. It is important to note that supply chain management processes were followed and authorised in terms of council approved delegation. What went wrong is that the expenditure was allocated wrongly against the operational budget instead of the capital budget, which, in terms of the definition of unauthorised expenditure, is classified as such.

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2019-05-10: ITEM 5.1

- (a) that Council takes note of the explanations given by the Municipal Manager and the corrective measures as provided in the report; and
- (b) that, in terms of the MFMA Section 32(2), Council certifies the unauthorised expenditure of R2 175.00 as irrecoverable, and that this amount be written off.

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	30 April 2019

APPENDIX 1

Stellenbosch Municipality

Annual Financial Statements for the year ended 30 June 2018

Notes to the Annual Financial Statements

55. Events after the reporting date

Management is not aware of any material event which occurred after the reporting date and up to the date of this report.

56. Unauthorised expenditure

Opening balance	2 175	-
Municipal Manager	-	2 175
	<u>2 175</u>	<u>2 175</u>

Overspending on non-cash items namely Depreciation, Debt Impairment and Contributions to Provisions contributed to the overspending per vote for the year under review. These line items were budgeted for but expenditure was more than anticipated, this does not constitute physical outflows of cash but is deemed unauthorised in terms of National Treasury MFMA Circular no 68: Unauthorised, Irregular, Fruitless and Wasteful Expenditure dated 10 May 2013.



Regards,

Jessica Samson

Internal Auditor

Office of the Municipal Manager

T: +27 21 808 8711

Plein Street, Stellenbosch, 7600

www.stellenbosch.gov.za



VS-F003R Votes Balance & Budget Enquiry

Local Authority	STB	Stellenbosch Municipality	Exit/Cancel
Financial Year	2016	2016/2017	LookUp/Search
Vote No.	511000191	5 1100 019 1	Previous
Opening Balance		VAT Indicator (V02)	012 (V03) 012
Actual Balance	37174.85	Locked onto	A
Shadow Balance		Asset ID	2572774
Balance Total	37174.85		08-0027a FURNITURE, TOOLS AND EQU
Provisional Costs		Job-costing type	
Amended Budget	35000.00	Unallocated Job Budget	
Available	2174.85		
Metro	STELLENBOSCH MUN	Function	
Type of A/C	Capital Suspense Accounts		
Service	MAIN LEDGER	N.T.Item	
Department	MUNICIPAL MANAGER		
Sub-Section :	NON CURRENT ASSETS - PPE		
Item	08-0027a FURNITURE, TOOLS AND		
Sub-Item	VOORLOPIGE KAPITAALUITGAWES	Closed?	N

Full Detail

Summarised Transactions

Shadow Transactions

Amended Budget Changes

Provisional Cost

Attached Job Codes

Attached Vehicle Codes

Provisional Budget

Budget/Actual Comparison

SCOA BreakDown

8.1.2	CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY AFFIRMATIVE PORTFOLIOS (PTY) LTD
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Collaborator No: 642258
IDP KPA Ref No: Good Governance
Meeting Date: 10 May 2019

1. SUBJECT: CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY AFFIRMATIVE PORTFOLIOS (PTY) LTD

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to write-off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2). The irregular expenditure with regard to the procurement of services for the hire of labour as and when required for Solid Waste Management during the months of January - April 2018 is regarded as irregular because it breached the procurement process.

3. DELEGATED AUTHORITY

Council.

Council to write off the irregular expenditure as the specific nature of the breach is a breach of the procurement process, not impacting in any significant way on the essential fairness, equity, transparency, competitiveness or cost effectiveness for the payment of Affirmative Portfolios (Pty) LTD.

4. EXECUTIVE SUMMARY

The Solid Waste Management Department required an external service provider for the hiring of labour as and when required. Affirmative Portfolios were appointed through a Formal Quotation process to a maximum value of R200 000.

The Superintendent: Collections failed to check whether the FQ was exceeded, and booked workers on incorrect days (Sundays and Public Holidays) which increased the service provider's cost, also causing it to exceed the FQ value.

5. RECOMMENDATIONS

- (a) that the Committee takes note of the circumstances as provided in the report and recommend to Council to write-off of the irregular expenditure as irrecoverable to the amount of R29 723.60 VAT inclusive to Affirmative Portfolios (Pty) LTD; and
- (b) that Council writes off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2).

6. DISCUSSION

The Solid Waste Management Department required an external service provider for the hiring of labour as and when required. Formal Quotation (FQ) 108/18 was awarded to Affirmative Portfolios (Pty) Ltd on 18 December 2017 for the hire of labour as and when required. An order number 345077 was generated for an hourly flat rate of R34.07 per labourer. The order was generated to the maximum amount of R200 000.

These temporary labourers at times had to work overtime to complete the refuse collection services. The FQ did not include overtime, resulting in the maximum amount of R200 000 being exceeded by R28 179.36. In addition to the aforesaid, the timesheets were also completed incorrectly by the Superintendent, resulting in workers being paid on a Sunday and Public Holiday rates at the cost of R1544.24.

The service of refuse collection requires a minimum of 5 staff members per truck, as per ruling by former Municipal Manager Christa Liebenberg at the time. If waste is not collected it has the potential to pose a health risk to residents. Due to a high number of vacancies in the General Worker category, additional staff needed to be hired to address the shortfall. The work performed was based on the previous order and using the same rates.

A mistake by the Superintendent: Collections led to the breach as he did not check whether the FQ maximum amount was exceeded, and that an incorrect overtime rate was being allocated to the labourers.

The intent of the irregular expenditure was done in good faith, in the interest of continued service delivery.

While the process was admittedly flawed, it is agreed that there were no *male fide*, or personal gain for the individual, and it is requested that consideration be given to certify the irregular expenditure as irrecoverable and that it be written off.

As recommended in similar recent instances, the need is recognized for improvement and correct procedures in general, with the need for a training program for all level of managers undertaking financial transactions on behalf of Council to be trained or retrained. It is especially important for staff to be informed of correct procedures and the implications of latest financial circulars, changes to policy, etc. The administration is currently drafting the necessary SOP's in the corporate SOP project, which will also assist in removing the risk of a reoccurrence. Further steps will be taken by the Department to conduct a disciplinary enquiry against the Superintendent for negligence, to avoid future reoccurrence.

7. FINANCIAL IMPLICATIONS

Provision has been made from U-Key 20180711006344 in the 2018/19 budget for the amount of R29 723.60 (VAT included).

8. LEGAL IMPLICATIONS

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

Supply Chain Management Policy, 4.36.1a (i)
Supply Chain Management Policy, 4.36.b
Supply Chain Regulation 36(1)
MFMA Section 32(2)

9. RISK IMPLICATIONS

All intent was in good faith; the breach can be attributed to the failure to check that the required financial compliances are adhered to.

10. CONCLUSION

It is acknowledged that there were breaches of the procurement processes, and there was no intentional disregard of Council's procurement processes. It is therefore requested that the irregular expenditure be written off as irrecoverable because the services were rendered.

11. COMMENTS FROM THE MUNICIPAL MANAGER

Consequence management must be put in place as all officials involved in SCM value chain were informed through workshop meetings etc. So this seems to be a recurring issue within the same department. Disciplinary action to be instituted against officials concerned.

MPAC MEETING: 2019-05-10: ITEM 5.2

During the discussion of the above-mentioned matter, the following questions for clarity were raised by MPAC; the Director Infrastructure's responses are included in brackets:

1. *Were investigations done, keeping in mind the time lapsed?* (Meeting was held with Service Provider, Project Manager and Superintendent to determine the reasons for the irregular expenditure)
2. *Were corrective measures instituted, and what was the outcome of those corrective measures?* (Busy to initiate disciplinary process; the outcome to be advised once the disciplinary process has been finalized).

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2019-05-10: ITEM 5.2

- (a) that Council takes note of the circumstances as provided in the report;
- (b) that, in terms of the MFMA Section 32(2), Council writes off the irregular expenditure of R29 723.60 (VAT inclusive) to Affirmative Portfolios (Pty) LTD as irrecoverable;
- (c) that the Administration implements consequence management; and
- (d) that the disciplinary action as proposed be condoned and that MPAC be informed after finalization of the disciplinary process.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	Director: Infrastructure Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Deon.louw@Stellenbosch.gov.za
REPORT DATE	2018/08/27

Affirmative Portfolios Pty LTD
P.O. Box 5017
Pencarrow Park 4019

Tel 031-566 6474
Tel 031-566 6493
Co. Reg. # 2015/155978/07



AFFIRMATIVE PORTFOLIOS
recruitment consultants

VAT Reg :4130180575

Stellenbosch Municipality
Plein Street
VAT # 4700102181
Stellenbosch

Tax Invoice No.: STM019

Your Reference		Banking Details:	Week ended:	Our Vat Number	DATE	Page
		FNB, Account Number 62091305427, Branch Code 210554		VAT Reg :4130180575	05/08/2018	1
Hours	Empl No.	Description	Rate	Total		
2.45	W0016766	Temp for week ending on 14 Jan 2018: MR LA KORO - OT1	51.11	125.22		
0.45	W0016766	Temp for week ending on 14 Jan 2018: MR LA KORO - OT1	51.11	23.00		
2.45	W0016767	Temp for week ending on 14 Jan 2018: MR EA MGIJIMA - OT1	51.11	125.22		
0.45	W0016771	Temp for week ending on 14 Jan 2018: MR DJ ARIES - OT1	51.11	23.00		
2.45	W0016782	Temp for week ending on 14 Jan 2018: MR AM WILLEMSE - OT1	51.11	125.22		
0.45	W0016798	Temp for week ending on 14 Jan 2018: MR BR MATWA - OT1	51.11	23.00		
2.25	W0016765	Temp for week ending on 21 Jan 2018: MR N MABUSELA - OT1	51.11	115.00		
3.75	W0016765	Temp for week ending on 21 Jan 2018: MR N MABUSELA - OT1	51.11	191.66		
3.75	W0016766	Temp for week ending on 21 Jan 2018: MR LA KORO - OT1	51.11	191.66		
2.25	W0016767	Temp for week ending on 21 Jan 2018: MR EA MGIJIMA - OT1	51.11	115.00		
2.25	W0016782	Temp for week ending on 21 Jan 2018: MR AM WILLEMSE - OT1	51.11	115.00		
3.75	W0016765	Temp for week ending on 28 Jan 2018: MR N MABUSELA - OT1	51.11	191.66		
3.75	W0016767	Temp for week ending on 28 Jan 2018: MR EA MGIJIMA - OT1	51.11	191.66		
3.75	W0016770	Temp for week ending on 28 Jan 2018: MR SA MAGALELA - OT1	51.11	191.66		
6.25	W0016770	Temp for week ending on 28 Jan 2018: MR SA MAGALELA - OT1	51.11	319.44		
6.25	W0016798	Temp for week ending on 28 Jan 2018: MR BR MATWA - OT1	51.11	319.44		
2.75	W0016765	Temp for week ending on 04 Feb 2018: MR N MABUSELA - OT1	51.11	140.55		
1.75	W0016766	Temp for week ending on 04 Feb 2018: MR LA KORO - OT1	51.11	89.44		
4.75	W0016767	Temp for week ending on 04 Feb 2018: MR EA MGIJIMA - OT1	51.11	242.77		
5.75	W0016767	Temp for week ending on 04 Feb 2018: MR EA MGIJIMA - OT1	51.11	293.88		
4.75	W0016768	Temp for week ending on 04 Feb 2018: MR G MALGAS - OT1	51.11	242.77		
5.75	W0016768	Temp for week ending on 04 Feb 2018: MR G MALGAS - OT1	51.11	293.88		
1.75	W0016769	Temp for week ending on 04 Feb 2018: MR VM MAVUMBA - OT1	51.11	89.44		
4.75	W0016786	Temp for week ending on 04 Feb 2018: MR O BOKUVA - OT1	51.11	242.77		
5.75	W0016786	Temp for week ending on 04 Feb 2018: MR O BOKUVA - OT1	51.11	293.88		
Notes			Sub-Total			
Temp for week ending on 14 Jan 2018: MR LA KORO - OT1			VAT			
			Gross Amount Paid to Date			
Your invoice is encrypted in order to comply with SARS requirements that invoices and statements sent electronically are tamperproof.			AMOUNT DUE			

Affirmative Portfolios Pty LTD
P.O. Box 5017
Pencarrow Park 4019

Tel 031-566 6474
Tel 031-566 6493
Co. Reg. # 2015/155978/07



AFFIRMATIVE PORTFOLIOS

recruitment consultants.

VAT Reg :4130180575

Stellenbosch Municipality
Plein Street
VAT # 4700102181
Stellenbosch

Tax Invoice No.: STM019

Your Reference		Banking Details:	Week ended:	Our Vat Number	DATE	Page
		FNB, Account Number 62091305427, Branch Code 210554		VAT Reg :4130180575	05/08/2018	3
Hours	Empl No.	Description	Rate	Total		
3.25	W0016786	Temp for week ending on 18 Feb 2018: MR O BOKUVA - OT1	51.11	166.11		
3.25	W0016786	Temp for week ending on 18 Feb 2018: MR O BOKUVA - OT1	51.11	166.11		
3.25	W0016798	Temp for week ending on 18 Feb 2018: MR BR MATWA - OT1	51.11	166.11		
3.25	W0016798	Temp for week ending on 18 Feb 2018: MR BR MATWA - OT1	51.11	166.11		
2.75	W0016913	Temp for week ending on 18 Feb 2018: MR JJ MULLER - OT1	51.11	140.55		
11.25	W0016915	Temp for week ending on 18 Feb 2018: MR RC APRIL - OT1	51.11	574.99		
3.25	W0016915	Temp for week ending on 18 Feb 2018: MR RC APRIL - OT1	51.11	166.11		
2.25	W0016766	Temp for week ending on 25 Feb 2018: MR LA KORO - OT1	51.11	115.00		
2.25	W0016768	Temp for week ending on 25 Feb 2018: MR G MALGAS - OT1	51.11	115.00		
2.25	W0016782	Temp for week ending on 25 Feb 2018: MR AM WILLEMSE - OT1	51.11	115.00		
2.25	W0016915	Temp for week ending on 25 Feb 2018: MR RC APRIL - OT1	51.11	115.00		
2.25	W0016766	Temp for week ending on 04 Mar 2018: MR LA KORO - OT1	51.11	115.00		
1.75	W0016769	Temp for week ending on 04 Mar 2018: MR VM MAVUMBA - OT1	51.11	89.44		
2.25	W0016771	Temp for week ending on 04 Mar 2018: MR DJ ARIES - OT1	51.11	115.00		
2.25	W0016786	Temp for week ending on 04 Mar 2018: MR O BOKUVA - OT1	51.11	115.00		
2.25	W0016798	Temp for week ending on 04 Mar 2018: MR BR MATWA - OT1	51.11	115.00		
1.75	W0016895	Temp for week ending on 04 Mar 2018: MR ZA MBULWANA - OT1	51.11	89.44		
1.5	W0016913	Temp for week ending on 04 Mar 2018: MR JJ MULLER - OT1	51.11	76.67		
1.25	W0016914	Temp for week ending on 04 Mar 2018: MR RB MULLER - OT1	51.11	63.89		
2	W0016767	Temp for week ending on 11 Mar 2018: MR EA MGIJIMA - OT1	51.11	102.22		
2	W0016771	Temp for week ending on 11 Mar 2018: MR DJ ARIES - OT1	51.11	102.22		
2	W0016786	Temp for week ending on 11 Mar 2018: MR O BOKUVA - OT1	51.11	102.22		
2	W0016798	Temp for week ending on 11 Mar 2018: MR BR MATWA - OT1	51.11	102.22		
2	W0016913	Temp for week ending on 11 Mar 2018: MR JJ MULLER - OT1	51.11	102.22		
8	W0016913	Temp for week ending on 18 Mar 2018: MR JJ MULLER - OT1	51.11	408.88		
8	W0016769	Temp for week ending on 01 Apr 2018: MR VM MAVUMBA - OT1	51.11	408.88		
Notes			Sub-Total			
Temp for week ending on 14 Jan 2016: MR LA KORO - OT1			VAT			
			Gross Amount Paid to Date			
Your invoice is encrypted in order to comply with SARS requirements that invoices and statements sent electronically are tamperproof.					AMOUNT DUE	

Affirmative Portfolios Pty LTD
P.O. Box 5017
Pencarrow Park 4019

Tel 031-566 6474
Tel 031-566 6493
Co. Reg. # 2015/155978/07



AFFIRMATIVE PORTFOLIOS
recruitment consultants

VAT Reg. 4130180575

Stellenbosch Municipality
Plein Street
VAT # 4700102181
Stellenbosch

Tax Invoice No.: STM020

Your Reference		Banking Details:	Week ended:	Our Vat Number	DATE	Page
		FNB, Account Number 62091305427, Branch Code 210554		VAT Reg :4130180575	05/08/2018	1
Hours	Empl No.	Description	Rate	Total		
0.45	W0016766	Temp for week ending on 14 Jan 2018: MR LA KORO - OT2	17.03	7.66		
0.45	W0016771	Temp for week ending on 14 Jan 2018: MR DJ ARIES - OT2	17.03	7.66		
0.45	W0016798	Temp for week ending on 14 Jan 2018: MR BR MATWA - OT2	17.03	7.66		
3.75	W0016765	Temp for week ending on 21 Jan 2018: MR N MABUSELA - OT2	17.03	63.86		
6.25	W0016770	Temp for week ending on 28 Jan 2018: MR SA MAGALELA - OT2	17.03	106.44		
1.75	W0016766	Temp for week ending on 04 Feb 2018: MR LA KORO - OT2	17.03	29.80		
5.75	W0016767	Temp for week ending on 04 Feb 2018: MR EA MGIJIMA - OT2	17.03	97.92		
5.75	W0016768	Temp for week ending on 04 Feb 2018: MR G MALGAS - OT2	17.03	97.92		
1.75	W0016769	Temp for week ending on 04 Feb 2018: MR VM MAVUMBA - OT2	17.03	29.80		
5.75	W0016786	Temp for week ending on 04 Feb 2018: MR O BOKUVA - OT2	17.03	97.92		
5.75	W0016896	Temp for week ending on 04 Feb 2018: MR SL MAKAMOLE - OT2	17.03	97.92		
1.5	W0016769	Temp for week ending on 11 Feb 2018: MR VM MAVUMBA - OT2	17.03	25.55		
2.25	W0016770	Temp for week ending on 11 Feb 2018: MR SA MAGALELA - OT2	17.03	38.32		
2.25	W0016896	Temp for week ending on 11 Feb 2018: MR SL MAKAMOLE - OT2	17.03	38.32		
3.25	W0016766	Temp for week ending on 18 Feb 2018: MR LA KORO - OT2	17.03	55.35		
3.25	W0016767	Temp for week ending on 18 Feb 2018: MR EA MGIJIMA - OT2	17.03	55.35		
3.25	W0016768	Temp for week ending on 18 Feb 2018: MR G MALGAS - OT2	17.03	55.35		
3.25	W0016782	Temp for week ending on 18 Feb 2018: MR AM WILLEMSE - OT2	17.03	55.35		
3.25	W0016786	Temp for week ending on 18 Feb 2018: MR O BOKUVA - OT2	17.03	55.35		
3.25	W0016798	Temp for week ending on 18 Feb 2018: MR BR MATWA - OT2	17.03	55.35		
2.75	W0016913	Temp for week ending on 18 Feb 2018: MR JJ MULLER - OT2	17.03	46.83		
3.25	W0016915	Temp for week ending on 18 Feb 2018: MR RC APRIL - OT2	17.03	55.35		
2.25	W0016766	Temp for week ending on 04 Mar 2018: MR LA KORO - OT2	17.03	38.32		
Notes			Sub-Total			
Temp for week ending on 14 Jan 2018: MR LA KORO - OT2			VAT			
			Gross Amount Paid to Date			
Your invoice is encrypted in order to comply with SARS requirements that invoices and statements sent electronically are tamperproof.			AMOUNT DUE			



FQ/SM 108/18

Notice is hereby given that quotations are invited from accredited suitably qualified service provider for the Hiring of labourers with PPE as and when needed for a period until 30 June 2018 (or up to a maximum value of R200 000.00)

No Formal Quotation will be awarded to a bidder who is not registered on the Centralised Supplier Database (CSD) and on the Stellenbosch Municipality's Supplier Database (SMSD).

The CSD supplier number starting with (MAAA) number is automatically generated by the Central Database System after successful registration and validation of a prospective service provider. This number is now a mandatory requirement, as referred to in regulation 14(1) (b) of the Municipal Supply Chain Management Regulations, as part of the listing criteria for accrediting a prospective service provider. Prospective suppliers should self – register on the CSD website at www.csd.gov.za. Registration on the CSD will be compulsory in order to conduct business with the STELLENBOSCH MUNICIPALITY. Registration on SMSD can be done by contacting 021 808 8594 or Nicolene.Hamilton@stellenbosch.gov.za

This tender document is available **free of charge** on our website at www.stellenbosch.gov.za, however a non-refundable deposit of R50.00 per document is payable to the Stellenbosch Municipality if **collecting the same document**, during office hours, from The Supply Chain Management Unit, Stellenbosch Municipality, 1st Floor, Room no.121, 17 Plein Street, Stellenbosch.

Bid documents may be collected from Mondays to Fridays from 08H00 to 16H30 from the Supply Chain Management Unit, 1st Floor, Room no.121, Plein Street, Stellenbosch. Queries relating to these documents may be addressed to Mr. G. Kraukamp, tel no. 021 808 8519, or Gerald.kraukamp@stellenbosch.gov.za

Technical queries relating to this bid must be addressed to Clayton Hendricks at 0218088228 or 0731344912 or Clayton.hendricks@stellenbosch.gov.za

Sealed quotations endorsed with the corresponding description, "FQ 108/18 Hiring of labourers" to be placed in the bid box at the Stellenbosch Municipality, 17 Plein Street, Stellenbosch before or on 17 November 2017 at 11:00.

Quotations will be evaluated according to Functionality (where bidders had to score a minimum of 70%) and afterwards on the 80/20 point system of the PPPFA.

The specific contract participation goals are as follows:

Preferences are offered to tenderers for their Broad-Based Black Economic Empowerment (B-BBEE) Status

Level of Contributor as follows:

1) Price	80 points
2) B-BBEE Status level of Contributor	20 points
Total	100

Late, electronic format or faxed bids will not be considered and the Council does not bind itself to accept the lowest part of or any bid

Proposals are subject to the General Contract Conditions of National Treasury

Municipal Manager
Stellenbosch Municipality
6 November 2017.





AFFIRMATIVE PORTFOLIOS

recruitment consultants

13 November 2017
Mr. Gerald Kraukamp
Stellenbosch Municipality
Stellenbosch

Gerald.kraukamp@stellenbosch.co.za

Dear Mr. Gerald Kraukamp,

WAGE RATES : STATUTORY BENEFITS : CHARGE OUT RATES

We detail the above in respect of :-

TEMPORARY SERVICES: Hiring of Labourers with PPE

Hourly wage paid to temp. staff	21,58
Add <u>Statutory Benefits</u>	
Severance Pay	0,43
Paid Public Holidays	1,27
Leave Pay	1,38
Sick Leave	0,93
PPE	2,15
Family Leave	0,28
UIF Company Portion	0,22
WCA	0,86
SDL	0,22
	29,27
Bank Charges & Payroll Costs	0,36
Sub Total	29,63
Commission	4,44
Charge out rate (excl. VAT)	34,07
Charge out rate (incl. VAT)	38,84

Yours faithfully

Janine Kammies
Branch Manager

ACCEPTANCE OF QUOTATION

I hereby accept the rate quoted above and warrant that I am duly authorised to do so.

Name & Surname	Signature	Designation	Date	Order Number
----------------	-----------	-------------	------	--------------

Members : N Bote (Mrs) , N P Xaba ,N E Xaba (Mrs)

1st Floor
6 Pencoed Park
La Lucia Ridge
Office Estate

P.O. Box 5017
Pencoed Park
4018

Reg.2015/15567807

Telephone: 031 566 8474
Fax : 031 566 8495

E-Mail: info@affirm.co.za
www.affirmativeportfolios.co.za

8.1.3	CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY ENGAR WASTE SERVICES T/A WASTE CARRIERS
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Collaborator No: 642262
IDP KPA Ref No: Good Governance
Meeting Date: 10 May 2019

1. SUBJECT: CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY ENGAR WASTE SERVICES T/A WASTE CARRIERS

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to write off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2). The irregular expenditure with regard to the procurement of services for the transport of containerized waste for Solid Waste Management during the months of March - August 2018 is regarded as irregular because it breached the procurement process.

3. DELEGATED AUTHORITY

Council.

Council to write off the irregular expenditure as irrecoverable as the specific nature of the breach is a breach of the procurement process, not impacting in any significant way on the essential fairness, equity, transparency, competitiveness or cost effectiveness for the payment of Engar Waste Services t/a Waste Carriers.

4. EXECUTIVE SUMMARY

The initial procurement for a service provider was done via an FQ process, and Engar Waste Services t/a Waste Carriers was the successful service provider. This order was generated on 4 January 2018, but due to the additional tasks of Area Cleaning, which were transferred to Solid Waste Management on 1 January 2018, this FQ was exhausted quicker than anticipated. The Manager: Solid Waste Management requested that a deviation be drafted, as well as a formal tender process to procure the services. Although the tender process was followed as requested, problems were experienced with the deviation process due to a number of reasons outlined below.

The intent of the irregular expenditure was done in good faith, in the interest of continued service delivery, and the expenditure of the service received was in line with the rates of the original SCM process followed, viz the Formal Quotation.

While the process was admittedly flawed, it is agreed that there were no *male fide*, personal gain or loss for Council, and it is requested that consideration be given to certify the irregular expenditure as irrecoverable and that it be written off.

5. RECOMMENDATIONS

- (a) that the Committee takes note of the circumstances as provided in the report and recommend to Council to write off the irregular expenditure as irrecoverable to the amount of R578 047.30 VAT inclusive to Engar Waste Services t/a Waste Carriers; and
- (b) that Council writes off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2).

6. DISCUSSION

The Solid Waste Management Department requires an external service provider for the collection of containerised waste from Klapmuts and Franschhoek. Waste collection and transport thereof remains a core functional activity for continued service delivery, and it is thus essential that timeous removal of waste dropped off at these remote sites to Devon Valley Landfill site be effected. Failure to deliver the service will lead to adverse health effects, and fill up the sites which can then no longer serve the public.

FQ 126/18 was awarded to Engar Waste Services t/a Waste Carriers on 22 December 2017 for the transportation of containerized waste from Klapmuts and Franschhoek for Solid Waste Management. Order number 345139 was generated on 4 January 2018 for a total amount of R163 248 (incl VAT). By 28 February 2018, the value of the order was exhausted due to more waste collected and transported with the inclusion of Area Cleaning, effective 1 January 2018. The service could not cease, as the waste generated needed to be collected and transported, as it has the potential to pose a health risk at the municipal facilities.

The Principal Technician: Waste Minimisation and Disposal, Ms C Nell, informed the Manager: Solid Waste Management about the exhaustion of funds, to which the Manager requested that a Deviation be drafted for Engar Waste Services to continue, and a formal tender process also be initiated. Ms Nell informed the Foreman: Disposal, Mr N Heckrath to receive quotations from Engar Waste Services in order that the Deviation be drafted and supported with the quotations. The Deviation was returned by Supply Chain Management official as they wanted more compelling evidence how the Area Cleaning inclusion affected the contract value, and a total approximate amount rather than just a rates-based total. Whilst this was returned and attended to, Ms Nell resigned and left the employment of the municipality, and Mr Heckrath took on some of her workload, in addition to being the co-ordinator of Area Cleaning. The Manager guided Mr Heckrath in terms of what Supply Chain Management wanted, but the deviation was not completed. In the meantime, the tender process commenced at the time of the instruction. The specifications were drafted by 05 March 2018, served at BSC on 12 April 2018, and again on 10 May 2018, advertised on 21 May 2018, closing date for advertisement on 22 June 2018, evaluated by 6 July 2018, and served at BEC on 6 August 2018, and BAC on 24 August 2018. Engar Waste Services was the recommended bidder for BSM 93/18, and the MBD 7.2 document was signed on 21 September 2018 and the contract on 25 September 2018.

The intent of the irregular expenditure was done in good faith, in the interest of continued service delivery, and the irregular expenditure of the service received was equivalent to the original SCM process followed, viz the Formal Quotation process. While the process was admittedly flawed, it is agreed that there were no *male fide*, personal gain or loss for Council, and it is requested that consideration be given to certify the irregular expenditure as irrecoverable and that it be written off.

As recommended in similar recent instances, the need is recognized for improvement and correct procedures in general, with the need for a training program for all level of managers undertaking financial transactions on behalf of Council to be trained or retrained. It is especially important for staff to be informed of correct procedures and the implications of latest financial circulars, changes to policy, etc. The administration is currently drafting the necessary SOP's in the corporate SOP project, which will also assist in removing the risk of a recurrence. The Manager: Solid Waste Management had also instructed the staff not to let service providers provide services without an official order number, and gave same message to service providers as well, to avoid future recurrence.

7. FINANCIAL IMPLICATIONS

Provision has been made from 20180711007195 in the 2018/19 budget for the amount of R578 047.30 VAT incl.

8. LEGAL IMPLICATIONS

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

Supply Chain Management Policy, 4.36.1a (i)

Supply Chain Management Policy, 4.36.b

Supply Chain Regulation 36(1)

MFMA Section 32(2)

9. RISK IMPLICATIONS

All intent was in good faith; the breach can be attributed to the initial planning processes and the lack of capacity with regard to ensuring required financial compliances are adhered to.

10. CONCLUSION

It is acknowledged that there were minor breaches of the procurement processes. If the process was followed correctly however, the outcome and cost would have been identical. Council incurred no loss during this process and there was no intentional disregard of Council's procurement processes. It is therefore requested that the irregular expenditure be written off because the services were rendered.

11. COMMENTS FROM THE MUNICIPAL MANAGER

The Manager responsible admitted that he was aware and was informed about the exhaustion of funds and has a responsibility in terms of Section 78 of the MFMA to manage his budget effectively and efficiently. He should have monitored and ensured that the deviation was in place and that proper procurement processes are followed, as he was the one who requested that the deviation be drafted. The process was started, but not followed through. Disciplinary action recommended against officials concerned.

MPAC MEETING: 2019-05-10: ITEM 5.3

During the discussion of the above-mentioned matter, the following questions for clarity were raised by MPAC; the Director infrastructure's responses are included in brackets:

1. *Why was SCM not consulted throughout the procurement process?* (Procurement was initiated through SCM. Deviation was returned by SCM; the service (the removal of waste) had to continue to avert a health hazard).
2. *What happened to the rendering of the service between March and September 2018?* (The service was rendered without an order, as per instruction from the Foreman. This was done to ensure service delivery and to avert a health hazard. No formal or proper hand-over to the next level of supervision was done).

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2019-05-10: ITEM 5.3

- (a) that Council takes note of the circumstances as provided in the report;
- (b) that, in terms of the MFMA Section 32(2), Council writes off the irregular expenditure of R578 047.30 (VAT inclusive) to Engar Waste Services t/a Waste Carriers as irrecoverable; and
- (c) that the Administration institutes disciplinary action against the officials concerned and inform MPAC of the sanctions instituted.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	<i>Director: Infrastructure Services</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8213</i>
E-MAIL ADDRESS	Deon.louw@ Stellenbosch.gov.za
REPORT DATE	<i>2018/08/27</i>



Stellenbosch

**AMPELLIKE BESTELLING
OFFICIAL ORDER**

Stellenbosch

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

17 STELLENBOSCH 7599
021 882 9520
021 882 9566

BESTEL NR. / ORDER NO.
846139

DATUM / DATE
04-07-2018

**KREDITEUR NR.
CREDITORS NO.**
012909

KONTAK PERSOON / CONTACT PERSON
M. DE VRIES, COORDINATOR
Tel: 021 882 1000

FOOD AND BEVERAGE SERVICES FOR WASTY
AT ALBION HOUSE
FRONTVIEW FARM
7795

HEKWIJSIE LYN REDISTRIBUTIENOMMER	VOORRAAD NR. STOCK NO.	BESKRYWING / DESCRIPTION	POS NR. / VOTE NO.	HOEVEELHEID QUANTITY	PRYS SINDER BTW PRICES WITHOUT VAT	BTW/VAT	TOTALE PRYS TOTAL PRICE
		FOOD SERVICE - TRANSPORT OF CONTAINERISED WASTE	FROM FRANS	1433	00.00	169245.00	
TOTAAL TOTAL							169245.00

NAMENS / FOR:
STELLENBOSCH

[Handwritten Signature]

4-1-2018

AMPELLIKE
SIGNATURE
DECLARATION



Engar Waste Services t/a Waste Carriers
 VAT NO: 4160268910
 PO BOX 719, Westgate Mall, Cape Town Western Cape
 7785
 admin@wastecarriers.co.za
 www.wastecarriers.co.za

Statement

TO
 STELLENBOSCH
 MUNICIPALITY-SOLID
 WASTE
 VAT NO: 4700 102 181

STATEMENT NO. 1123
 DATE 06/07/2018
 TOTAL DUE **R361,272.30**
 ENCLOSED

DATE	DESCRIPTION	AMOUNT	BALANCE
31/05/2018	Balance Forward		61,496.05
01/06/2018	Invoice No.1220	317,285.00	378,781.05
01/06/2018	Invoice No.1221	10,350.00	389,131.05
25/06/2018	Payment	-27,858.75	361,272.30

Current Due	1-30 Days Past Due	31-60 Days Past Due	61-90 Days Past Due	90+ Days Past Due	Amount Due
0.00	327,635.00	0.00	0.00	33,637.30	R361,272.30

BANKING DETAILS
 ACCOUNT NO: 071034889
 STANDARD BANK
 SEA POINT
 CURRENT ACCOUNT

Co. Reg. No 2014/126482/07
Vat Reg. No. 416 026 8910

Engar Waste Services (Pty) Ltd
T/A Waste Carriers
P O Box 719,
Westgate Mall, 7802
Tel: 021 370 0149
www.wastecarriers.co.za

Copy Tax Invoice

Date	01/03/18
Page	1
Document No	IN104029

STELLENBOSCH MUNICIPALITY-WWTW
VAT NO:4700 102 181

Deliver to

Account	Your Reference	Tax Exempt	Tax Reference	Sales Code	Exclusive
STL001	PO 347285	N			

Code	Description	Quantity	Unit	Unit Price	Disc%	Tax	Nett Price
CONT01	TRANSPORT OF CONTAINERISED WASTE SERVICE DATES SEE SPREADSHEET D/NOTES SEE SPREADSHEET FRANSHOEK	11.00		1,950.00		14.00%	21,450.00
RENTAL	Monthly Skip Bin Rental Fee	3.00		600.00		14.00%	1,800.00
CONT01	TRANSPORT OF CONTAINERISED WASTE SERVICE DATES SEE SPREADSHEET D/NOTES SEE SPREADSHEET KLAPMUTS	5.00		1,450.00		14.00%	7,250.00
RENTAL	Monthly Skip Bin Rental Fee	2.00		600.00		14.00%	1,200.00



Bank Details
Standard Bank, Ac/No 071034889
Current Acc. Branch: Sea Point

Received in good order

Signed _____ Date _____

Sub Total	31,700.00
Discount @ 0.00%	0.00
Amount Excl Tax	31,700.00
Tax	4,438.00
Total	36,138.00

Unpaid



Engar Waste Services t/a Waste Carriers
 VAT NO: 4160268910
 PO BOX 719, Westgate Mall, Cape Town Western Cape
 7785
 admin@wastecarriers.co.za
 www.wastecarriers.co.za

INVOICE TO
 STELLENBOSCH
 MUNICIPALITY-SOLID
 WASTE
 VAT NO: 4700 102 181
 Tax Registration No. VAT NO:
 4700 102 181

DATE
 01/06/2018

PLEASE PAY
 R317,285.00

DUE DATE
 01/07/2018

PO NUMBER
 347285

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	TAX	AMOUNT
01/04/2018	SKIP BIN REPLACEMENT	BALANCE OF MARCH FRANSHOEK	22	1,950.00	Standard	42,900.00
01/04/2018	SKIP BIN REPLACEMENT	BALANCE OF MARCH KLAPMUTS	6	1,450.00	Standard	8,700.00
01/04/2018		SEE ATTACHED SPREADSHEET FOR DETAILS OF SERVICE DATES AND DNOTE				
30/04/2018	SKIP BIN REPLACEMENT	FRANSHOEK SERVICE MONTH OF APRIL	37	1,950.00	Standard	72,150.00
30/04/2018	SKIP BIN REPLACEMENT	KLAPMUTS SERVICE MONTH OF APRIL	11	1,450.00	Standard	15,950.00
30/04/2018		SEE ATTACHED SPREADSHEET FOR DETAILS OF SERVICE DATES AND DNOTES				
31/05/2018	SKIP BIN REPLACEMENT	FRANSHOEK SERVICE MONTH OF MAY	22	1,950.00	Standard	42,900.00
31/05/2018	SKIP BIN REPLACEMENT	KLAPMUTS SERVICE MONTH OF MAY	11	1,450.00	Standard	15,950.00
31/05/2018		SEE ATTACHED SPREADSHEET FOR DETAILS OF SERVICE DATES AND DNOTES				
30/06/2018	SKIP BIN REPLACEMENT	FRANSHOEK SERVICE FOR MONTH OF JUNE	30	1,950.00	Standard	58,500.00
30/06/2018	SKIP BIN REPLACEMENT	KLAPMUTS SERVICE FOR MONTH OF JUNE	13	1,450.00	Standard	18,850.00

BANKING DETAILS
 ACCOUNT NO: 071034889
 STANDARD BANK
 SEA POINT
 CURRENT ACCOUNT

Tax Invoice 1221



Engar Waste Services t/a Waste Carriers
 VAT NO: 4160268910
 PO BOX 719, Westgate Mall, Cape Town Western Cape
 7785
 admin@wastecarriers.co.za
 www.wastecarriers.co.za

INVOICE TO
 STELLENBOSCH
 MUNICIPALITY-SOLID
 WASTE
 VAT NO: 4700 102 181
 Tax Registration No. VAT NO:
 4700 102 181
 PO NUMBER
 347285

DATE
01/06/2018

PLEASE PAY
R10,350.00

DUE DATE
01/07/2016

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	TAX	AMOUNT
30/04/2018	MONTHLY SKIP BIN RENTAL	FRANSHOEK	3	600.00	Standard	1,800.00
30/04/2018	MONTHLY SKIP BIN RENTAL	KLAPMUTS	2	600.00	Standard	1,200.00
31/05/2018	MONTHLY SKIP BIN RENTAL	FRANSHOEK	3	600.00	Standard	1,800.00
31/05/2018	MONTHLY SKIP BIN RENTAL	KLAPMUTS	2	600.00	Standard	1,200.00
30/06/2018	MONTHLY SKIP BIN RENTAL	FRANSHOEK	3	600.00	Standard	1,800.00
30/06/2018	MONTHLY SKIP BIN RENTAL	KLAPMUTS	2	600.00	Standard	1,200.00
SUBTOTAL						9,000.00
TAX						1,350.00
TOTAL						10,350.00
TOTAL DUE						R10,350.00

THANK YOU.

TAX SUMMARY

RATE	TAX	NET
VAT @ 15%	1,350.00	9,000.00

BANKING DETAILS
 ACCOUNT NO: 071034889
 STANDARD BANK
 SEA POINT
 CURRENT ACCOUNT

WASH

DATE	FACILITY	VEHICLE REG	DRIVER	D/NOTE	BIN TYPE	WASTE TYPE	BIN SIZE	CHARGE WEIGHT	DROPPED	COLLECTED	COMMENT
01-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10158	0	MIX WASTE	30	1480KG	1	1	LANDFILL
01-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10159	0	MIX WASTE	15	1940KG	1	1	LANDFILL
01-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10160	0	MIX WASTE	30	2280KG	1	1	LANDFILL
03-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10167	0	MIX WASTE	30	260KG	1	1	LANDFILL
03-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10168	0	MIX WASTE	30	3060KG	1	1	LANDFILL
03-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10169	0	MIX WASTE	15	3680KG	1	1	LANDFILL
06-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10178	0	MIX WASTE	30	2520KG	1	1	LANDFILL
07-Mar	FRANSHOEK	BY60YXGP	RED	10009	0	MIX WASTE	18	13000KG	1	1	LANDFILL
07-Mar	FRANSHOEK	BY60YXGP	RED	10010	0	MIX WASTE	30	8320KG	1	1	LANDFILL
07-Mar	FRANSHOEK	BY60YXGP	RED	10011	0	MIX WASTE	30	8680KG	1	1	LANDFILL
09-Mar	FRANSHOEK	BY60YXGP	RED	10012	0	RUBBLE	15	0	1	1	LANDFILL
09-Mar	FRANSHOEK	BY60YXGP	RED	10013	0	MIX WASTE	30	0	1	1	LANDFILL
09-Mar	FRANSHOEK	BY60YXGP	RED	10014	0	MIX WASTE	30	0	1	1	LANDFILL
13-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10181	0	MIX WASTE	30	3320KG	1	1	LANDFILL
13-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10182	0	MIX WASTE	30	5500KG	1	1	LANDFILL
13-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10183	0	MIX WASTE	15	2700KG	1	1	LANDFILL
15-Mar	FRANSHOEK	CA941705	JOSEF	7251	RO RO BIN	GENERAL WASTE	15	7900KG	1	1	WASTE CARRIERS
15-Mar	FRANSHOEK	CA941705	JOSEF	7250	RO RO BIN	GENERAL WASTE	35	9380KG	1	1	WASTE CARRIERS
15-Mar	FRANSHOEK	CA941705	JOSEF	7249	RO RO BIN	GENERAL WASTE	35	8900KG	1	1	WASTE CARRIERS
16-Mar	FRANSHOEK	CA941705	JOSEF	7253	RO RO BIN	GENERAL WASTE	35	8200KG	1	1	WASTE CARRIERS
16-Mar	FRANSHOEK	CA941705	JOSEF	7252	RO RO BIN	GENERAL WASTE	35	6200KG	1	1	WASTE CARRIERS
17-Mar	FRANSHOEK	CA941705	JOSEF	7256	RO RO BIN	GENERAL WASTE	35	6920KG	1	1	WASTE CARRIERS
17-Mar	FRANSHOEK	CA941705	JOSEF	7257	RO RO BIN	GENERAL WASTE	35	7700KG	1	1	WASTE CARRIERS
20-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10189	0	MIX WASTE	30	7840KG	1	1	LANDFILL
20-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10190	0	MIX WASTE	15	2940KG	1	1	LANDFILL
20-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10191	0	MIX WASTE	30	2880KG	1	1	LANDFILL
22-Mar	FRANSHOEK	HG40PBGP	ASHLEY	10202	0	MIX WASTE	30	2760KG	1	1	LANDFILL
23-Mar	FRANSHOEK	CA941705	JOSEF	7265	RO RO BIN	GENERAL WASTE	35	0	1	1	WASTE CARRIERS
24-Mar	FRANSHOEK	CA941705	JOSEF	7254	RO RO BIN	GENERAL WASTE	15	9060KG	1	1	WASTE CARRIERS
24-Mar	FRANSHOEK	CA941705	JOSEF	7267	RO RO BIN	GENERAL WASTE	35	12240KG	1	1	WASTE CARRIERS
27-Mar	FRANSHOEK	CA138864	DEON	6816	RO RO BIN	GENERAL WASTE	15	4720KG	1	1	WASTE CARRIERS
27-Mar	FRANSHOEK	CA138864	DEON	6814	RO RO BIN	GENERAL WASTE	35	4400KG	1	1	WASTE CARRIERS
27-Mar	FRANSHOEK	CA138864	DEON	6815	RO RO BIN	GENERAL WASTE	35	4580KG	1	1	WASTE CARRIERS
02-Mar	KLAPMUTS	HG40PBGP	ASHLEY	6814	0	MIX WASTE	30	3170KG	1	1	LANDFILL
02-Mar	KLAPMUTS	HG40PBGP	ASHLEY	6814	0	MIX WASTE	30	3160KG	1	1	LANDFILL
06-Mar	KLAPMUTS	HG40PBGP	ASHLEY	6814	0	MIX WASTE	30	2100KG	1	1	LANDFILL
09-Mar	KLAPMUTS	BY60YXGP	RED	6814	0	MIX WASTE	30	8340KG	1	1	LANDFILL
13-Mar	KLAPMUTS	BY60YXGP	RED	6814	0	MIX WASTE	30	7600KG	1	1	LANDFILL
13-Mar	KLAPMUTS	BY60YXGP	RED	6814	0	MIX WASTE	30	8040KG	1	1	LANDFILL
17-Mar	KLAPMUTS	CA941705	JOSEF	6814	RO RO BIN	GENERAL WASTE	35	7840KG	1	1	WASTE CARRIERS
19-Mar	KLAPMUTS	HG40PBGP	ASHLEY	6814	0	MIX WASTE	30	2640KG	1	1	LANDFILL
22-Mar	KLAPMUTS	HG40PBGP	ASHLEY	6814	0	MIX WASTE	30	2960KG	1	1	LANDFILL
							908			33	11 5mw 104029

24-Mar	KLAPMUTS	CA941705	JOSEF	6814	RD RD BIN	GENERAL WASTE	35	8200KG	1	1	WASTE CARRIERS
28-Mar	KLAPMUTS	CA138864	DEON	6817	RD RD BIN	GENERAL WASTE	35	4220KG	1	1	WASTE CARRIERS
							345		11	5	5 200004029

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DATE	FACILITY	VEHICLE REG	DRIVER	D/NOTE	BIN TYPE	WASTE TYPE	BIN SIZE	CHARGE WEIGHT	DROPPED	COLLECTED	COMMENT
29-Mar	FRANSHOEK	CA941705	JOSEF	7273	RORO BIN	GENERAL WASTE	35	8920KG	1	1	WASTE CARRIERS
29-Mar	FRANSHOEK	CA941705	JOSEF	7274	RORO BIN	GENERAL WASTE	35	7420KG	1	1	WASTE CARRIERS
29-Mar	FRANSHOEK	CA941705	JOSEF	7275	RORO BIN	GENERAL WASTE	15	7460KG	1	1	WASTE CARRIERS
04-Apr	FRANSHOEK	CA941705	JOSEF	7279	RORO BIN	GENERAL WASTE	35	8660KG	1	1	WASTE CARRIERS
04-Apr	FRANSHOEK	CA941705	JOSEF	7280	RORO BIN	GENERAL WASTE	35	8740KG	1	1	WASTE CARRIERS
04-Apr	FRANSHOEK	CA941705	JOSEF	7281	RORO BIN	GENERAL WASTE	15	10200KG	1	1	WASTE CARRIERS
05-Apr	FRANSHOEK	CA941705	JOSEF	7284	RORO BIN	GENERAL WASTE	35	8500KG	1	1	WASTE CARRIERS
05-Apr	FRANSHOEK	CA941705	JOSEF	7285	RORO BIN	GENERAL WASTE	35	8240KG	1	1	WASTE CARRIERS
05-Apr	FRANSHOEK	CA941705	JOSEF	7286	RORO BIN	GENERAL WASTE	15	6800KG	1	1	WASTE CARRIERS
07-Apr	FRANSHOEK	CA75418	BONKE	6819	0	GENERAL WASTE	35	2360KG	1	1	WASTE CARRIERS
07-Apr	FRANSHOEK	CA75418	BONKE	6820	0	GENERAL WASTE	35	4480KG	1	1	WASTE CARRIERS
11-Apr	FRANSHOEK	CA941705	JOSEF	7289	RORO BIN	GENERAL WASTE	35	13800KG	1	1	WASTE CARRIERS
11-Apr	FRANSHOEK	CA941705	JOSEF	7291	RORO BIN	GENERAL WASTE	15	9720KG	1	1	WASTE CARRIERS
11-Apr	FRANSHOEK	CA941705	JOSEF	7290	RORO BIN	GENERAL WASTE	35	7240KG	1	1	WASTE CARRIERS
13-Apr	FRANSHOEK	CA941705	JOSEF	7295	RORO BIN	GENERAL WASTE	35	12400KG	1	1	WASTE CARRIERS
13-Apr	FRANSHOEK	CA941705	JOSEF	7297	RORO BIN	GENERAL WASTE	35	8000KG	1	1	WASTE CARRIERS
13-Apr	FRANSHOEK	CA941705	JOSEF	7298	RORO BIN	GENERAL WASTE	15	8620KG	1	1	WASTE CARRIERS
14-Apr	FRANSHOEK	CA941705	JOSEF	7529	RORO BIN	GENERAL WASTE	35	7620KG	1	1	WASTE CARRIERS
14-Apr	FRANSHOEK	CA941705	JOSEF	7531	RORO BIN	GENERAL WASTE	35	10800KG	1	1	WASTE CARRIERS
14-Apr	FRANSHOEK	CA941705	JOSEF	7532	RORO BIN	GENERAL WASTE	35	12500KG	1	1	WASTE CARRIERS
17-Apr	FRANSHOEK	CA941705	JOSEF	7299	RORO BIN	GENERAL WASTE	35	7860KG	1	1	WASTE CARRIERS
17-Apr	FRANSHOEK	CA941705	JOSEF	7300	RORO BIN	GENERAL WASTE	35	9340KG	1	1	WASTE CARRIERS
17-Apr	FRANSHOEK	CA941705	JOSEF	7601	RORO BIN	GENERAL WASTE	15	10000KG	1	1	WASTE CARRIERS
19-Apr	FRANSHOEK	CA941705	JOSEF	7608	RORO BIN	GENERAL WASTE	35	8480KG	1	1	WASTE CARRIERS
19-Apr	FRANSHOEK	CA941705	JOSEF	7609	RORO BIN	GENERAL WASTE	35	8360KG	1	1	WASTE CARRIERS
19-Apr	FRANSHOEK	CA941705	JOSEF	7610	RORO BIN	GENERAL WASTE	15	6760KG	1	1	WASTE CARRIERS
21-Apr	FRANSHOEK	CA941705	JOSEF	7612	RORO BIN	GENERAL WASTE	35	10040KG	1	1	WASTE CARRIERS
21-Apr	FRANSHOEK	CA941705	JOSEF	7613	RORO BIN	GENERAL WASTE	35	8020KG	1	1	WASTE CARRIERS
21-Apr	FRANSHOEK	CA941705	JOSEF	7614	RORO BIN	GENERAL WASTE	15	7160KG	1	1	WASTE CARRIERS
21-Apr	FRANSHOEK	CA941705	JOSEF	7615	RORO BIN	GENERAL WASTE	35	9800KG	1	1	WASTE CARRIERS
25-Apr	FRANSHOEK	CA941705	JOSEF	7620	RORO BIN	GENERAL WASTE	35	18560KG	1	1	WASTE CARRIERS
25-Apr	FRANSHOEK	CA941705	JOSEF	7621	RORO BIN	GENERAL WASTE	35	10600KG	1	1	WASTE CARRIERS
25-Apr	FRANSHOEK	CA941705	JOSEF	7622	RORO BIN	GENERAL WASTE	15	7920KG	1	1	WASTE CARRIERS
27-Apr	FRANSHOEK	CA941705	JOSEF	7629	RORO BIN	GENERAL WASTE	35	8000KG	1	1	WASTE CARRIERS
27-Apr	FRANSHOEK	CA941705	JOSEF	7630	RORO BIN	GENERAL WASTE	35	17000KG	1	1	WASTE CARRIERS
27-Apr	FRANSHOEK	CA941705	JOSEF	7631	RORO BIN	GENERAL WASTE	15	8820KG	1	1	WASTE CARRIERS
03-Apr	KLAPMUTS	HG40P0GP	ASHLEY	10206	0	GENERAL WASTE	30	2380KG	1	1	LANDFILL CONSULT
04-Apr	KLAPMUTS	CA941705	JOSEF	7282	RORO BIN	GENERAL WASTE	35	8160KG	1	1	WASTE CARRIERS
05-Apr	KLAPMUTS	CA75418	BONKE	6826	0	GENERAL WASTE	35	2620KG	1	1	WASTE CARRIERS
09-Apr	KLAPMUTS	CA75418	BONKE	6825	0	GENERAL WASTE	35	3660KG	1	1	WASTE CARRIERS
12-Apr	KLAPMUTS	CA138864	DEON	7526	RORO BIN	GENERAL WASTE	35	4120KG	1	1	WASTE CARRIERS
14-Apr	KLAPMUTS	CA941705	JOSEF	7530	RORO BIN	GENERAL WASTE	35	8300KG	1	1	WASTE CARRIERS
19-Apr	KLAPMUTS	CA941705	JOSEF	7606	RORO BIN	GENERAL WASTE	35	9520KG	1	1	WASTE CARRIERS
19-Apr	KLAPMUTS	CA941705	JOSEF	7607	RORO BIN	GENERAL WASTE	35	8300KG	1	1	WASTE CARRIERS
25-Apr	KLAPMUTS	CA941705	JOSEF	7623	RORO BIN	GENERAL WASTE	35	4908KG	1	1	WASTE CARRIERS

30-Apr	KLAPMUTS	CA941705	JOSLI	7632	HONO BIN	GENERAL WASTE	35	9420KG	1	1	WASTE CARRIERS
30-Apr	KLAPMUTS	CA941705	JOSEF	7633	RORO BIN	GENERAL WASTE	35	7940KG	1	1	WASTE CARRIERS

DATE	FACILITY	VEHICLE REG	DRIVER	D/ NOTE	BIN TYPE	WASTE TYPE	BIN SIZE	CHARGE WEIGHT	DROPPED	COLLECTED	COMMENT
01-May	FRANSHOEK	CA75418	BONKE	6848	0	GENERAL	35	3060KG	1	1	0
01-May	FRANSHOEK	CA75418	BONKE	6849	0	GENERAL	15	2940KG	1	1	0
01-May	FRANSHOEK	CA75418	BONKE	6850	0	GENERAL	35	2980KG	1	1	0
03-May	FRANSHOEK	CA941705	JOSEF	7639	RORO	GENERAL	35	10180KG	1	1	0
03-May	FRANSHOEK	CA941705	JOSEF	7640	RORO	GENERAL	35	8640KG	1	1	0
03-May	FRANSHOEK	CA941705	JOSEF	7641	RORO	GENERAL	15	7700KG	1	1	0
07-May	FRANSHOEK	CA941705	JOSEF	7644	RORO	GENERAL	15	6260KG	1	1	0
07-May	FRANSHOEK	CA941705	JOSEF	7645	RORO	GENERAL	35	8360KG	1	1	0
07-May	FRANSHOEK	CA941705	JOSEF	7646	RORO	GENERAL	35	7960KG	1	1	0
09-May	FRANSHOEK	CA941705	JOSEF	7655	RORO	GENERAL	35	8880KG	1	1	0
09-May	FRANSHOEK	CA941705	JOSEF	7656	RORO	GENERAL	35	8880KG	1	1	0
09-May	FRANSHOEK	CA941705	JOSEF	7658	RORO	GENERAL	15	8200KG	1	1	0
11-May	FRANSHOEK	CA941705	JOSEF	7661	RORO	GENERAL	35	14280KG	1	1	0
11-May	FRANSHOEK	CA941705	JOSEF	7662	RORO	GENERAL	35	9120KG	1	1	0
11-May	FRANSHOEK	CA941705	JOSEF	7663	RORO	GENERAL	15	8860KG	1	1	0
14-May	FRANSHOEK	CA941705	JOSEF	7665	RORO	GENERAL	35	8480KG	1	1	0
14-May	FRANSHOEK	CA941705	JOSEF	7666	RORO	GENERAL	35	8860KG	1	1	0
14-May	FRANSHOEK	CA941705	JOSEF	7667	RORO	GENERAL	15	7580KG	1	1	0
17-May	FRANSHOEK	CA941705	JOSEF	7672	RORO	GENERAL	35	11000KG	1	1	0
17-May	FRANSHOEK	CA941705	JOSEF	7673	RORO	GENERAL	35	9160KG	1	1	0
17-May	FRANSHOEK	CA941705	JOSEF	7676	RORO	GENERAL	15	9380KG	1	1	0
18-May	FRANSHOEK	CA138864	BONKE	6877	RORO	GENERAL	35	4960KG	1	1	0
18-May	FRANSHOEK	CA138864	BONKE	6878	RORO	GENERAL	35	5740KG	1	1	0
18-May	FRANSHOEK	CA138864	BONKE	6879	RORO	GENERAL	15	4960KG	1	1	0
24-May	FRANSHOEK	CA941705	JOSEF	7688	RORO	GENERAL	35	12520KG	1	1	0
24-May	FRANSHOEK	CA941705	JOSEF	7689	RORO	GENERAL	35	11300KG	1	1	0
24-May	FRANSHOEK	CA941705	JOSEF	7690	RORO	GENERAL	15	11080KG	1	1	0
25-May	FRANSHOEK	CA941705	JOSEF	7693	RORO	GENERAL	15	8780KG	1	1	0
26-May	FRANSHOEK	CA941705	JOSEF	7691	RORO	GENERAL	35	10040KG	1	1	0
26-May	FRANSHOEK	CA941705	JOSEF	7692	RORO	GENERAL	35	8300KG	1	1	0
29-May	FRANSHOEK	CA941705	JOSEF	7694	RORO	GENERAL	35	1820KG	1	1	ON 1 DISPOSAL 1820KG
29-May	FRANSHOEK	CA941705	JOSEF	7695	RORO	GENERAL	35		1	1	ON 1 DISPOSAL 1820KG
29-May	FRANSHOEK	CA941705	JOSEF	7696	RORO	GENERAL	15	9480KG	1	1	0
04-May	KLAPMUTS	CA941705	JOSEF	7642	RORO	GENERAL	35	8320KG	1	1	0
04-May	KLAPMUTS	CA941705	JOSEF	7643	RORO	GENERAL	35	8400KG	1	1	0
09-May	KLAPMUTS	CA941705	JOSEF	7659	RORO	GENERAL	35	7220KG	1	1	0
09-May	KLAPMUTS	CA941705	JOSEF	7660	RORO	GENERAL	35	7780KG	1	1	0
14-May	KLAPMUTS	CA941705	JOSEF	7668	RORO	GENERAL	35	6880KG	1	1	0
15-May	KLAPMUTS	CA941705	JOSEF	7670	RORO	GENERAL	35	8780KG	1	1	0
17-May	KLAPMUTS	CA941705	JOSEF	7678	RORO	GENERAL	35	8320KG	1	1	0
22-May	KLAPMUTS	CA941705	JOSEF	7686	RORO	GENERAL	35	9000KG	1	1	0
22-May	KLAPMUTS	CA941705	JOSEF	7687	RORO	GENERAL	35	7360KG	1	1	0
29-May	KLAPMUTS	CA941705	JOSEF	7697	RORO	GENERAL	35	8800KG	1	1	0

Z9-MAY	KLAPMUTS	CA911705	JOSEF	7698	RORO	GENERAL	35	8420KG	1	1	0
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DATE	FACILITY	VEHICLE REG	DRIVER	D/NOTE	BIN TYPE	WASTE TYPE	BIN SIZE	CHARGE WEIGHT	DROPPED	COLLECTED	COMMENT
01-Jun	FRANSHOEK	CA941705	JOSEF	8104	RORO	GENERAL	35	13800KG	1	1	0
01-Jun	FRANSHOEK	CA941705	JOSEF	8105	RORO	GENERAL	35	9960KG	1	1	0
01-Jun	FRANSHOEK	CA941705	JOSEF	8106	RORO	GENERAL	15	9740KG	1	1	0
01-Jun	FRANSHOEK	CA941705	JOSEF	8107	RORO	GENERAL	35	11280KG	1	1	0
05-Jun	FRANSHOEK	CA941705	JOSEF	8108	RORO	GENERAL	35	9400KG	1	1	0
05-Jun	FRANSHOEK	CA941705	JOSEF	8109	RORO	GENERAL	15	8700KG	1	1	0
05-Jun	FRANSHOEK	CA941705	JOSEF	8116	RORO	GENERAL	35	8440KG	1	1	0
07-Jun	FRANSHOEK	CA941705	JOSEF	8117	RORO	GENERAL	35	11760KG	1	1	0
07-Jun	FRANSHOEK	CA941705	JOSEF	8118	RORO	GENERAL	15	7620KG	1	1	0
08-Jun	FRANSHOEK	CA941705	JOSEF	8119	RORO	GENERAL	35	8620KG	1	1	0
08-Jun	FRANSHOEK	CA941705	JOSEF	8120	RORO	GENERAL	35	12800KG	1	1	0
08-Jun	FRANSHOEK	CA941705	JOSEF	8121	RORO	GENERAL	15	8180KG	1	1	0
08-Jun	FRANSHOEK	CA941705	JOSEF	8125	RORO	GENERAL	35	11500KG	1	1	0
13-Jun	FRANSHOEK	CA941705	JOSEF	8126	RORO	GENERAL	35	14220KG	1	1	0
13-Jun	FRANSHOEK	CA941705	JOSEF	8129	RORO	GENERAL	15	6800KG	1	1	0
13-Jun	FRANSHOEK	CA941705	JOSEF	8133	RORO	GENERAL	35	10200KG	1	1	0
19-Jun	FRANSHOEK	CA941705	JOSEF	8134	RORO	GENERAL	35	8600KG	1	1	0
19-Jun	FRANSHOEK	CA941705	JOSEF	8135	RORO	GENERAL	15	10120KG	1	1	0
22-Jun	FRANSHOEK	CA941705	JOSEF	9143	RORO	GENERAL	35	11860KG	1	1	0
22-Jun	FRANSHOEK	CA941705	JOSEF	8144	RORO	GENERAL	35	13780KG	1	1	0
22-Jun	FRANSHOEK	CA941705	JOSEF	8145	RORO	GENERAL	15	10460KG	1	1	0
22-Jun	FRANSHOEK	CA941705	JOSEF	8147	RORO	GENERAL	35	13940KG	1	1	0
26-Jun	FRANSHOEK	CA941705	JOSEF	8148	RORO	GENERAL	35	9480KG	1	1	0
26-Jun	FRANSHOEK	CA941705	JOSEF	8149	RORO	GENERAL	15	9360KG	1	1	0
26-Jun	FRANSHOEK	CA941705	JOSEF	8154	RORO	GENERAL	35	11720KG	1	1	0
28-Jun	FRANSHOEK	CA941705	JOSEF	8155	RORO	GENERAL	35	10800KG	1	1	0
28-Jun	FRANSHOEK	CA941705	JOSEF	8156	RORO	GENERAL	15	7900KG	1	1	0
30-Jun	FRANSHOEK	CA941705	JOSEF	8160	RORO	GENERAL	35	10640KG	1	1	0
30-Jun	FRANSHOEK	CA941705	JOSEF	8161	RORO	GENERAL	35	9020KG	1	1	0
30-Jun	FRANSHOEK	CA941705	JOSEF	8162	RORO	GENERAL	15	8400KG	1	1	0
05-Jun	KLAPMUTS	CA941705	JOSEF	8110	RORO	GENERAL	35	9880KG	1	1	0
05-Jun	KLAPMUTS	CA941705	JOSEF	8111	RORO	GENERAL	35	8400KG	1	1	0
09-Jun	KLAPMUTS	CA941705	JOSEF	8124	RORO	GENERAL	35	8300KG	1	1	0
13-Jun	KLAPMUTS	CA941705	JOSEF	8127	RORO	GENERAL	35	8720KG	1	1	0
13-Jun	KLAPMUTS	CA941705	JOSEF	8128	RORO	GENERAL	35	8880KG	1	1	0
19-Jun	KLAPMUTS	CA941705	JOSEF	8136	RORO	GENERAL	35	10520KG	1	1	0
19-Jun	KLAPMUTS	CA941705	JOSEF	8137	RORO	GENERAL	35	10720KG	1	1	0
26-Jun	KLAPMUTS	CA941705	JOSEF	8150	RORO	GENERAL	35	8720KG	1	1	0
26-Jun	KLAPMUTS	CA941705	JOSEF	8151	RORO	GENERAL	35	8860KG	1	1	0
28-Jun	KLAPMUTS	CA941705	JOSEF	8152	RORO	GENERAL	35	8020KG	1	1	0
28-Jun	KLAPMUTS	CA941705	JOSEF	8153	RORO	GENERAL	35	15020KG	1	1	0

30-Jun	KLAPMUTS	CAG41705	JOSEF	8158	RORO	GENERAL	35	12740KG	1	1	0
30-Jun	KLAPMUTS	CAG41705	JOSEF	8159	RORO	GENERAL	35	11720KG	1	1	0



Engar Waste Services t/a Waste Carriers
 VAT NO: 4160268910
 PO BOX 719, Westgate Mall, Cape Town Western Cape
 7785
 admin@wastecarriers.co.za
 www.wastecarriers.co.za

Statement

TO
 STELLENBOSCH
 MUNICIPALITY-SOLID
 WASTE
 VAT NO: 4700 102 181

STATEMENT NO. 1378
 DATE 31/08/2018
 TOTAL DUE R578,047.30
 ENCLOSED

DATE	DESCRIPTION	AMOUNT	BALANCE
31/05/2018	Balance Forward		61,496.05
01/06/2018	Invoice No.1220	317,285.00	378,781.05
01/06/2018	Invoice No.1221	10,350.00	389,131.05
25/06/2018	Payment	-27,858.75	361,272.30
31/07/2018	Invoice No.1255	97,750.00	459,022.30
31/08/2018	Invoice No.1314	119,025.00	578,047.30

Current Due	1-30 Days Past Due	31-60 Days Past Due	61-90 Days Past Due	90+ Days Past Due	Amount Due
119,025.00	97,750.00	0.00	327,635.00	33,637.30	R578,047.30

BANKING DETAILS
 ACCOUNT NO: 071034889
 STANDARD BANK
 SEA POINT
 CURRENT ACCOUNT



STELLENBOSCH
STRALINGSBACH • PLEIN • FRANSCHHOEK
 MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

MEMORANDUM

Supply Chain Management

TO : BID ADJUDICATION COMMITTEE

RE : TRANSPORT OF CONTAINERISED WASTE FROM KLAPMUTS AND
FRANSCHHOEK FOR A CONTRACT PERIOD ENDING 30 JUNE 2021

BID NO : B/SM 93/18

1. PURPOSE

To obtain approval in terms of Regulations 29 (1) (a) and (b) (i) of the Municipal Supply Chain Management Regulations and paragraph 2.4 of the Stellenbosch Municipal Supply Chain Management Policy for the appointment of a suitable qualified service provider for the transport of containerised waste from Klappmuts and Franschoek for a contract period ending 30 June 2021.

2. BACKGROUND

Stellenbosch Municipality is currently outsourcing the collection of containerised waste through a competitive bidding process. The Contractor shall be responsible for general maintenance of containers to ensure that the containers remain in good operational condition. The contractor will ensure that there are always at least 4 x 30^{m³} containers available on site at Klappmuts Transfer Station and 1 x 15m³ and 3 x 30m³ containers at the Franschoek Drop-off Facility, unless otherwise instructed by Stellenbosch Municipality in writing. Regular inspections will be carried out by the Municipality to ensure that the maintenance conditions, as described above, are adhered to.

3. DISCUSSION

The bid was advertised on **21 May 2018** in "Die Burger", The Cape Argus, E-portal, the Stellenbosch Municipal website and the notice board, based on the 80/20 preference point system. A compulsory briefing session was held on **Tuesday, 29 May 2018** at Stellenbosch Municipality, 71 Plein Street, Ecclesia Building, Boardroom A, Stellenbosch, 7600 at 10h00, to give potential bidders the opportunity to acquaint themselves with the particulars of the bid. Closing time and date for bid submissions were 12:00 on **22 June 2018**. The technical report and bid documents was submitted to the SCM offices on Tuesday, 17 July 2018.

6. BID RESPONSIVENESS

6.1 Introduction

The bid technical evaluation and report was prepared by S Halder (Manager: Solid Waste Management), and C Hendricks (Principal Technician: Solid Waste Management), who examined the bids in terms of its compliance with the stipulated minimum requirements.

This bid is subject to bidders scoring a minimum of 70 points for technical functionality in order to be further evaluated in terms of price and B-BBEE.

Functionality:

No	Bidders	Contractor's Experience	Individual's Experience	Plant & Equipment	Total Points (MAX 100 POINTS)
1.	Averda South Africa	20	20	44	84
2.	Engar Waste Services t/a Waste Carriers	20	27	36	83
3.	Landfill Consult	18	12	32	62
4.	Waste Control	20	17.50	20	57.50
5.	Waste Mart	20	23	44	87

6.2 PROPOSALS NOT CONSIDERED FOR FURTHER EVALUATION DUE TO THE FOLLOWING REASONS (Legislation Applicable and Non-Responsiveness):

NO	BIDDERS	REASONS
3.	Landfill Consult	Non-compliant, did not score the minimum of 70 points for functionality.
4.	Waste Control	Non-compliant, did not score the minimum of 70 points for functionality.

7. EVALUATION

7.1 BID SPECIFICATION COMMITTEE

The specifications committee consisted of A De Beer (Director Strategic and Corporate Services), M Wüst (Chief Financial Officer), D Louw (Director Infrastructure Services) and G Esau (Director Community and Protection Services)

Additional Officials: B Louw (SCM: Demand and Value for Money), I Thesen (SCM Official), S Davids (SCM Official), N Heckrath (Solid Waste Management).

SCM Regulation 27 (1): "A bid specification committee must **compile** the specifications for the procurement of goods or services by the municipality."

Item	Description	Unit	Quantity (Lifts) per month *estimates	Rate per lift (excl. VAT)	
Klapmuts Transfer Station					
1.	a) Transport of containers from the Klapmuts Transfer Station to Devon Valley Landfill Site.	(30m ³)	20	R 1200,00	R 24,000,00
	b) Rental per month.	(30m ³)	4	R 250,00	R 1000,00
Franschhoek Drop-off					
2.	a) Transport of containers from Franschhoek to Devon Valley Landfill Site	(4 x 30m ³ and 1 x 15 m ³)	40	R 1400,00	R 56,000,00
	b) Rental	(15m ³)	1	R 250,00	R 250,00
	c) Rental	(30m ³)	4	R 250,00	R 1000,00
Total (excl. VAT)					R 82,250,00
15% VAT					R 12,337,50
Total (incl. VAT)					R 94587,50

8. FINANCIAL IMPLICATIONS

8.1 The recommended envisaged expenditure monthly amount of **R 94,587.50** (VAT Included) for the contract period will be financed from the following vote as depicted in the below table.

Ukey	Description	Budget
20180711006343	Outsourced Services: Refuse Removal	R1 073 823.40

Provision for year 1 and year 2 is part of the operational budget.

4. TENDER TO BE ADJUDICATION:

4.1 TENDER BSM 93/18: TRANSPORT OF CONTAINERISED WASTE FROM KLAPMUTS AND FRANSCHHOEK FOR A CONTRACT PERIOD ENDING 30 JUNE 2021

9. RECOMMENDATION TO THE BAC:

9.1 That the offer and rates of Engar Waste Services t/a Waste Carriers (PTY) LTD be accepted and approved for transport of containerised waste from Klappmuts and Franschhoek for a contract period ending 30 June 2021.

NOTE: They completed their MBD4, MBD8, MBD9 documents and their Tax Clearance Certificate was verified and found to be compliant. They submitted their municipal account. The details of the proposed bidders was also verified to be not listed on either National Treasury's Register for Tender Defaulters or the Database of Restricted Suppliers and the directors were found not to be in the service of the state

DISCUSSION

Mrs. Sasca Davids gave an overview on the tender. She explains that Stellenbosch Municipality is currently outsourcing the collection of containerized waste through a competitive bidding process. The Contractor shall be responsible for general maintenance of containers to ensure that the containers remain in good operational condition. The contractor will ensure that there are always at least 4 x 30m³ containers available on site at Klappmuts Transfer Station and 1 x 15m³ and 3 x 30m³ containers at the Franschhoek Drop-off Facility, unless otherwise instructed by Stellenbosch Municipality in writing. Regular inspections will be carried out by the Municipality to ensure that the maintenance conditions, as described above, are adhered to.

On the closing date five (5) offers were received and subsequently opened in public. This bid is subject to bidders scoring a minimum of 70 points for technical functionality in order to be further evaluated in terms of price and B-BBEE.

2 Proposals were not considered for further evaluation due to Non-compliant, did not score the minimum of 70 points for functionality. (Legislation applicable and non-responsiveness):

The recommended envisaged expenditure monthly amount of R 94,587.50 (VAT included) for the contract period will be financed from the following vote as depicted in the below table.

Ukey	20180711006343
Description	Outsourced Services: Refuse Removal
Budget	R1 073 823.40

Provision for year 1 and year 2 is part of the operational budget

Mr. Saliem Heider also confirmed that the prices are market related, as Engar Waste Services t/a Waste Carriers (PTY) Ltd they are the current service provider on site.

RESOLVED:

That the offer and rates of Engar Waste Services t/a Waste Carriers (PTY) LTD for Tender BSM 93/18: Transport of containerised waste from Klappmuts and Franschhoek for a contract period ending 30 June 2021, be accepted and approved.



Engar Waste Services t/a Waste Carriers
 VAT NO: 4160268910
 PO BOX 719, Westgate Mall, Cape Town Western Cape
 7785
 admin@wastecarriers.co.za
 www.wastecarriers.co.za

Tax Invoice 1220

INVOICE TO
 STELLENBOSCH
 MUNICIPALITY-SOLID
 WASTE
 VAT NO: 4700 102 181
 VAT Registration No. VAT NO:
 4700 102 181

DATE
01/06/2018

PLEASE PAY
R317,285.00

DUE DATE
01/07/2018

PO NUMBER
347285

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	TAX	AMOUNT
01/04/2018	SKIP BIN REPLACEMENT	BALANCE OF MARCH FRANSHOEK	22	1,950.00	Standard	42,900.00
01/04/2018	SKIP BIN REPLACEMENT	BALANCE OF MARCH KLAPMUTS	6	1,450.00	Standard	8,700.00
01/04/2018		SEE ATTACHED SPREADSHEET FOR DETAILS OF SERVICE DATES AND DNOTE				
30/04/2018	SKIP BIN REPLACEMENT	FRANSHOEK SERVICE MONTH OF APRIL	37	1,950.00	Standard	72,150.00
30/04/2018	SKIP BIN REPLACEMENT	KLAPMUTS SERVICE MONTH OF APRIL	11	1,450.00	Standard	15,950.00
30/04/2018		SEE ATTACHED SPREADSHEET FOR DETAILS OF SERVICE DATES AND DNOTES				
31/05/2018	SKIP BIN REPLACEMENT	FRANSHOEK SERVICE MONTH OF MAY	22	1,950.00	Standard	42,900.00
31/05/2018	SKIP BIN REPLACEMENT	KLAPMUTS SERVICE MONTH OF MAY	11	1,450.00	Standard	15,950.00
31/05/2018		SEE ATTACHED SPREADSHEET FOR DETAILS OF SERVICE DATES AND DNOTES				
30/06/2018	SKIP BIN REPLACEMENT	FRANSHOEK SERVICE FOR MONTH OF JUNE	30	1,950.00	Standard	58,500.00
30/06/2018	SKIP BIN REPLACEMENT	KLAPMUTS SERVICE FOR MONTH OF JUNE	13	1,450.00	Standard	18,850.00

BANKING DETAILS
 ACCOUNT NO: 071034889
 STANDARD BANK
 SEA POINT
 CURRENT ACCOUNT

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	TAX	AMOUNT
30/06/2018		SEE ATTACHED SPREADSHEET FOR DETAILS OF SERVICE DATES AND DNOTES				
						SUBTOTAL 275,900.00
						TAX 41,385.00
						TOTAL 317,285.00
						TOTAL DUE R317,285.00

THANK YOU.

TAX SUMMARY

	RATE	TAX	NET
VAT @ 15%		41,385.00	275,900.00

BANKING DETAILS
ACCOUNT NO: 071034889
STANDARD BANK
SEA POINT
CURRENT ACCOUNT



Engar Waste Services t/a Waste Carriers

VAT NO: 4160268910

PO BOX 719, Westgate Mall, Cape Town Western Cape
7785

admin@wastecarriers.co.za

www.wastecarriers.co.za

Tax Invoice 1221

INVOICE TO

STELLENBOSCH
MUNICIPALITY-SOLID
WASTE

VAT NO: 4700 102 181

VAT Registration No. VAT NO:

4700 102 181

PO NUMBER

347285

DATE
01/06/2018PLEASE PAY
R10,350.00DUE DATE
01/07/2018

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	TAX	AMOUNT
30/04/2018	MONTHLY SKIP BIN RENTAL	FRANSHOEK	3	600.00	Standard	1,800.00
30/04/2018	MONTHLY SKIP BIN RENTAL	KLAPMUTS	2	600.00	Standard	1,200.00
31/05/2018	MONTHLY SKIP BIN RENTAL	FRANSHOEK	3	600.00	Standard	1,800.00
31/05/2018	MONTHLY SKIP BIN RENTAL	KLAPMUTS	2	600.00	Standard	1,200.00
30/06/2018	MONTHLY SKIP BIN RENTAL	FRANSHOEK	3	600.00	Standard	1,800.00
30/06/2018	MONTHLY SKIP BIN RENTAL	KLAPMUTS	2	600.00	Standard	1,200.00

SUBTOTAL	9,000.00
TAX	1,350.00
TOTAL	10,350.00

TOTAL DUE	R10,350.00
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THANK YOU

TAX SUMMARY

	RATE	TAX	NET
VAT @ 15%		1,350.00	9,000.00

BANKING DETAILS
ACCOUNT NO: 071034889
STANDARD BANK
SEA POINT
CURRENT ACCOUNT



Engar Waste Services t/a Waste Carriers

VAT NO: 4160268910

PO BOX 719, Westgate Mall, Cape Town Western Cape
7785

admin@wastecarriers.co.za

www.wastecarriers.co.za

Tax Invoice 1255

INVOICE TO

STELLENBOSCH
MUNICIPALITY-SOLID
WASTE

VAT NO: 4700 102 181

VAT Registration No. VAT NO:

4700 102 181

PO NUMBER

345632

DATE
31/07/2018PLEASE PAY
R97,750.00DUE DATE
30/08/2018

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	TAX	AMOUNT
31/07/2018	SKIP BIN REPLACEMENT	FRANSHOEK SERVICE MONTH- JULY	25	1,950.00	Standard	48,750.00
31/07/2018		SEE ATTACHED SPREADSHEET FOR DETAILS OF SERVICE DATES AND DNOTES				
31/07/2018	SKIP BIN REPLACEMENT	KLAPMUTS SERVICE MONTH JULY	25	1,450.00	Standard	36,250.00
31/07/2018		SEE ATTACHED SPREADSHEET FOR DETAILS OF SERVICE DATES AND DNOTES				
SUBTOTAL						85,000.00
TAX						12,750.00
TOTAL						97,750.00
TOTAL DUE						R97,750.00

THANK YOU

TAX SUMMARY

RATE	TAX	NET
VAT @ 15%	12,750.00	85,000.00

BANKING DETAILS
ACCOUNT NO: 071034889
STANDARD BANK
SEA POINT
CURRENT ACCOUNT



Engar Waste Services t/a Waste Carriers

VAT NO: 4160268910

PO BOX 719, Westgate Mall, Cape Town Western Cape
7785

admin@wastecarriers.co.za

www.wastecarriers.co.za

Tax Invoice 1314

INVOICE TO

STELLENBOSCH
MUNICIPALITY-SOLID
WASTE

VAT NO: 4700 102 181

VAT Registration No. VAT NO:

4700 102 181

PO NUMBER

347285

DATE
31/08/2018PLEASE PAY
R119,025.00DUE DATE
30/09/2018

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	TAX	AMOUNT
30/08/2018	SKIP BIN REPLACEMENT	FRANSHOEK SERVICE MONTH OF AUGUST	33	1,950.00	Standard	64,350.00
30/08/2018		SPREADSHEET ATTACHED FOR DNOTES AND SERVICE DATES				
30/08/2018	SKIP BIN REPLACEMENT	KLAPMUTS SERVICE MONTH OF AUGUST	27	1,450.00	Standard	39,150.00
30/08/2018		SPREADSHEET ATTACHED FOR DNOTES AND SERVICE DATES				
SUBTOTAL						103,500.00
TAX						15,525.00
TOTAL						119,025.00
TOTAL DUE						R119,025.00

THANK YOU

TAX SUMMARY

RATE	TAX	NET
VAT @ 15%	15,525.00	103,500.00

BANKING DETAILS
ACCOUNT NO: 071034889
STANDARD BANK
SEA POINT
CURRENT ACCOUNT

8.1.4	CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY HYDRENCO (PTY) LTD FOR REPAIRS TO REFUSE TRUCK
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Collaborator No: 642261
 IDP KPA Ref No: Good Governance
 Meeting Date: 10 May 2019

1. SUBJECT: CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY HYDRENCO (PTY) LTD FOR REPAIRS TO REFUSE TRUCK

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to write off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2). The irregular expenditure with regards to the repairs of a refuse truck by Hydrenco (Pty) Ltd for Solid Waste Management during September 2017 is regarded as irregular because it breached the procurement process.

3. DELEGATED AUTHORITY

Council.

Council to write off the irregular expenditure as the specific nature of the breach is a breach of the procurement process, not impacting in any significant way on the essential fairness, equity, transparency, competitiveness or cost effectiveness for the payment of Hydrenco (Pty) Ltd for repairs to a refuse truck.

4. EXECUTIVE SUMMARY

On 26 September 2017 the Solid Waste Management's refuse truck (CL 27933) experienced a mechanical breakdown. The breakdown was as a result of an oil leak that needed to be attended to urgently. The vehicle was taken to a service provider Hydrenco (Pty) Ltd to be stripped to assess the damage and to quote for the repairs. The vehicle was stripped and a quote for R 12 734.70 was generated on 29 September 2017.

The service provider proceeded with the repairs and returned the vehicle to the Municipality. The Department did not load a requisition and no purchase order was generated for the work.

The Department recently became aware of the non-payment and would like to rectify this.

The intent of the irregular expenditure was done in good faith, in the interest of continued service delivery, and the expenditure of the service received was in line with the rates of the original SCM process followed, viz the Formal Quotation.

While the process was admittedly flawed, it is agreed that there were no *male fide*, personal gain or loss for Council, and it is requested that consideration be given to certify the expenditure as irrecoverable and that it be written off.

5. RECOMMENDATIONS

- (a) that the Committee takes note of the circumstances as provided in the report and recommend to Council to write off of the irregular expenditure to the amount of R12 734.70 VAT included to Hydrenco (Pty) Ltd; and
- (b) that Council writes off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2).

6. DISCUSSION

On 26 September 2017 the Solid Waste Management's refuse truck (CL 27933) experienced a mechanical breakdown. The breakdown was as a result of an oil leak that needed to be attended to urgently. The vehicle was taken to a service provider Hydrenco (Pty) Ltd to be stripped to assess the damage and to quote for the repairs. The vehicle was stripped and a quote for R 12 734.70 was generated on 29 September 2017.

The service provider proceeded with the repairs and returned the vehicle to the Municipality. The Department did not load a requisition and no purchase order was generated for the work.

The Department recently became aware of the non-payment and would like to correct this.

7. FINANCIAL IMPLICATIONS

Provision has been made from U-key: 20180711007195 in the 2018/19 budget for the amount of R12 734.70 VAT incl.

8. LEGAL IMPLICATIONS

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

Supply Chain Management Policy, 4.36.1a (i)
Supply Chain Management Policy, 4.36.b
Supply Chain Regulation 36(1)
MFMA Section 32(2)

9. RISK IMPLICATIONS

All intent was in good faith; the breach can be attributed to the initial planning processes and the lack of capacity with regard to ensuring required financial compliances are adhered to.

10. CONCLUSION

It is acknowledged that there were minor breaches of the procurement processes. If the process was followed correctly however, the outcome and cost would have been identical. Council incurred no loss during this process and there was no intentional disregard of Council's procurement processes. It is therefore requested that the irregular expenditure be written off as irregular because the services were rendered.

11. COMMENTS FROM THE MUNICIPAL MANAGER

Consequence management, controls must be implemented. The late submission is also a concern.

It is common cause that suppliers can't proceed with any work without an official order. This is a straightforward matter and well-known throughout the municipality.

The fact that an order was not obtained by the official concerned, amounts to gross negligence. Therefore, disciplinary action against the official concerned **must** be implemented with immediate effect.

MPAC MEETING: 2019-05-10: ITEM 5.4

During the discussion of the above-mentioned matter, the following questions for clarity were raised by MPAC; the Administration's responses are included in brackets:

1. *Why was the non-payment only raised a year later?* (The non-payment was only brought to the attention of the Administration a year later; regrettably, proper procurement processes were not followed).
2. *When was the truck repaired?* (29 September 2017)
3. *What were the disciplinary actions after it was realised that this transaction was not uploaded onto the system?* (In the process of initiating disciplinary action).

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2019-05-10: ITEM 5.4

- (a) that Council takes note of the circumstances as provided in the report;
- (b) that, in terms of the MFMA Section 32(2), Council writes off the irregular expenditure of R12 734.70 (VAT included) to Hydrenco (Pty) Ltd as irrecoverable;
- (c) that the Administration implements consequence management; and
- (d) that disciplinary action be instituted against the official concerned and that MPAC be informed of the outcome of it within the next 6 months.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	Director: Infrastructure Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Deon.louw@stellenbosch.gov.za
REPORT DATE	2018/08/27



HYDRENCO (PTY) LTD

Hydraulic Repairs * Manufacturing * Installation

REG NR 2007/031583/09
 PO BOX 98 SANLAMINGE 7532
 1 BRIDGE ROAD STEKLAND 7530
 TEL: 021 949 0517 FAX: 086 610 2466

"BBBEE Status Level 4" CSD NR: MAAA0169992

VAT No: 4220245205

Client VAT no: 4970102781

Original Tax Invoice

Doc no: **17617**
 Date: 29/04/2018
 Page: 1

Acc no: 50053 Area: D Terms: 30
STELLENBOSCH TOWN COUNCIL
 P O BOX 17
 STELLENBOSCH
 7599
 Tel: 021 8088102 Fax: 021 808 8200
 Cell: Contact: SUPPLY CHAIN

Make/model:
 Reg no: GL27923 Odometer:
 Job no: 18355 Order no:

Item code	Description	Qty	Unit sale	Total
AW0 ALBFL	REMOVE CREW CAP TO REPAIR HOSES AND STEEL FITTS	9,00	385,00	3465,00
			SubTotal	3465,00
	35MM LIGHT OILY RITE GIANT	9,00	49,18	447,39
	STEEL POPE WITH FITTING	3,00	3087,44	9087,66
	JIS NIPPLE	3,00	1451,25	1451,25
	HOSE RPS	3,00	587,03	587,03
	HOSE RPS	4,00	938,38	938,38
	CONSUMABLES	3,00	425,00	425,00
1051880	HYSETN AW5 16 ALL	35,00	38,35	992,25
			SubTotal	7608,66
ROUND OFF	ROUND OFF	3,00	0,01	0,01
			SubTotal	-0,01

Job Summary:
 ATC TO OIL LEAKS
 SubTotal: 11071,65
 Tax: 1601,05
Total: 12734,70

Report:

Ownership of all goods supplied or fitted shall remain the property of Hydrenco (PTY) LTD until payment has been received in full.

- Notes - Only pre-approved accounts qualify for 10 days credit and all overdue accounts will be charged interest at 24%
- Cash on Delivery accounts require a 24% deposit for all parts to be paid in advance.
- A delivery note signed by the person collecting the goods on the customer's behalf shall be deemed as acknowledgment of delivery.

Please choose carefully. We do not normally give refunds or accept return of goods if you simply change your mind or make the wrong decision. You can choose between a refund, exchange or repair, where goods are defective within the warranty period or within 10 business days the product are wrongly described, different from the sample shown to you or do not perform. If the product are installed, affixed or unboxed we will not accept a return of the product, unless defective. We may charge a handling fee of up to 20% if the return is accepted by management. Goods may not be sent back without authorization.

Banking details:

Bank: Nedbank
 Branch: Tygervalley
 Branch Code: 103 910 00
 Acc Number: 106 308 4695

Please fax proof of payment / remittance to 086 610 2466 or email antoinette@hydrenco.com

Date _____ Name _____ Signature _____



Always Trade with Integrity and Responsibility

Company Reg No: 2007/031583/0
Tel: 021 949 0517
Fax2mail: 086 610 2466
Fax: 021 949 4562

STATEMENT

Date 31/10/18

Page 1

Account Number STE001

Hydrenco (Pty) Ltd
P O Box 98
Sanlamhof
7532

Stellenbosch Town Council
P O Box 17
Stellenbosch
7599

Hydrenco (Pty) Ltd
P O Box 98
Sanlamhof
7532

Account	Date	Page		
STE001	31/10/18	1		
Date	Reference	Description	Debit	Credit
23/04/18	H17617	-CL27923	12.734.70	

Account	Date	Page		
STE001	31/10/18	1		
Date	Reference	Amount		
23/04/18	H17617	12.734.70D		

120+ Days	90 Days	60 Days	30 Days	Current
12,734.70	0.00	0.00	0.00	0.00
				Total Due
				12,734.70

Amount Due 12,734.70

Amount Paid:

Comments:

Bank: NEDBANK TYGERVALLEY
Branch Code: 103 910 00
Acc. Nr: 108 308 4695

Company Reg No: 2007/031583/0
Tel: 021 949 0517
Fax/mail: 086 610 2466
Fax: 021 949 4562

Hydreco (Pty) Ltd
P O Box 98
Sanlamhof
7532

STATEMENT	
Date	30/06/18
Page	1
Account Number	STE001

Stellenbosch Town Council
P O Box 17
Stellenbosch
7599

Hydreco (Pty) Ltd
P O Box 98
Sanlamhof
7532

Account	Date	Page			
STE001	30/06/18	1			
Date	Reference	Description	Debit	Credit	
27/11/17	H17067	344062-CL45835	1,927.10		
15/06/18	NED-074	Payment Thank you - H17067		1,927.10	
20/12/17	H17152	344288-CL26685	500.00		
15/06/18	NED-074	Payment Thank you - H17152		500.00	
23/04/18	H17617	-CL27923	12,734.70		
25/05/18	H17737	347211-INVOICE	508,173.50		
29/06/18	NED-078	Payment Thank you - H17737		508,173.50	

Account	Date	Page			
STE001	30/06/18	1			
Date	Reference	Amount			
27/11/17	H17067	1,927.10D			
15/06/18	NED-074	1,927.10C			
20/12/17	H17152	500.00D			
15/06/18	NED-074	500.00C			
23/04/18	H17617	12,734.70D			
25/05/18	H17737	508,173.50D			
29/06/18	NED-078	508,173.50C			

120+ Days	90 Days	60 Days	30 Days	Current	Total Due
0.00	0.00	12,734.70	0.00	0.00	12,734.70

Bank: NEDBANK TYGERVALLEY
Branch Code: 103 910 00
Acc. Nr. 106 308 4595

Amount Due	12,734.70
Amount Paid:	510,600.60
Comments:	

8.1.5	CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY RESOURCE INNOVATIONS FOR HIRING OF GENSET
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Collaborator No: 642260
IDP KPA Ref No: Good Governance
Meeting Date: 10 May 2019

1. SUBJECT: CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY RESOURCE INNOVATIONS FOR HIRING OF GENSET

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to write off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2). The irregular expenditure with regard to the hiring of a Genset to supply electricity to the baling equipment used by Resource Innovations for Solid Waste Management during the months of July 2017 and December 2017 until June 2018 is regarded as irregular because it breached the procurement process.

3. DELEGATED AUTHORITY

Council.

Council to write off the irregular expenditure as irrecoverable as the specific nature of the breach is a breach of the procurement process, not impacting in any significant way on the essential fairness, equity, transparency, competitiveness or cost effectiveness for the payment of Resource Innovations for the hiring of a Genset.

4. EXECUTIVE SUMMARY

Resource Innovations was the successful bidder for B/SM 18/17 for the collection and processing of recyclables in the WCO24, and was appointed on 1 December 2016 for a period of 1 year, with the option to extend the contract for another 12 months. As part of the conditions of the bid, Stellenbosch Municipality had to provide a concrete platform to work from, and 3-phase power for the bidder to utilize their baling equipment, in order to compress all recyclables and minimize voids for transport.

Over the period of time that the service provider rendered the services, no problems were encountered in terms of the primary orders made out for the collection and processing of recyclables.

The biggest problem encountered was for the hiring of a Genset, for the cost to the municipality, due to the inability of the municipality to supply sufficient electricity to the service provider.

The initial problem was due to loss of power due to distance traversed (and vandalism and theft), and thereafter, failure to install mini-substation within the initial envisaged time period. When this was completed in January 2018, further time delays were experienced for the short connection of power from the mini-substation to the connection point from where the balers would be operating. All electricity was finally in place by 30 November 2018.

The intent of the irregular expenditure was done in good faith, in the interest of continued service delivery, and the expenditure of the service received was in line with the rates of the original SCM process followed, viz the Formal Quotation.

While the process was admittedly flawed, it is agreed that there were no *male fide*, personal gain or loss for Council, and it is requested that consideration be given to certify the expenditure as irrecoverable and that it be written off.

5. RECOMMENDATIONS

- (a) that the Committee takes note of the circumstances as provided in the report and recommend to Council the ratification of the irregular expenditure to the amount of R183 000 VAT inclusive to Resource Innovations; and
- (b) that Council writes off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2).

6. DISCUSSION

Resource Innovations was the successful bidder for B/SM 18/17 for the collection and processing of recyclables in the WCO24, and was appointed on 1 December 2016 for a period of 1 year, with the option to extend the contract for another 12 months. As part of the conditions of the bid, Stellenbosch Municipality had to provide a concrete platform to work from, and 3-phase power for the bidder to utilize their baling equipment, in order to compress all recyclables and minimize voids for transport.

Order number 331703 was generated for a value of R656 453. This was utilized appropriately for the collections and processing of recyclables, and all paid by 30 June 2017 for the initial 7 month period. However, the power supplied by the municipality was insufficient to operate the balers, mainly due to the distance from generation (wastewater treatment works) to point source being too great (approximately 400m), causing the power to drop significantly by the time it reached the point source. Other reasons included vandalism and theft of cable and Resource Innovations equipment by vandals. It is necessary to have recyclables crushed and baled by service providers, in order to optimize transport of material.

The first Variation Order (VO1) was requested for the hiring of a Genset to supply electricity for the period January 2017 until August 2017 for a value of R182 400. However, the BAC decision was that this request only be approved for a period of 3 months to a value of R68 400, and that the department should procure a Genset as it would be more cost-effective. The order was never adjusted in line with the BAC ruling, and was made out for the full total. The department had in the meantime two failed attempts to procure a Genset, viz FQ 265/17 (9 March 2017), and FQ 368/17 (30 May 2017). This was followed by an attempted Deviation to procure the Genset, but was stopped by the Director: Engineering Services (as it was not in the best interest of the municipality), and that a more permanent electricity solution be implemented by ensuring that the municipality provide a mini-substation on the MRF premises, and ensure that this is then utilized to supply power to the nearest point where the baling equipment will be utilized. This mini-substation would also be available as a power source when the MRF is constructed.

However, the order was cancelled at year-end (30 June 2017), and this affected the remaining two months as per original request (July and August 2017).

Resource Innovations was issued with a new order number 340 844 for operations effective 1 July 2017 until 30 November 2017, for an amount of R468 895. Once again, there were no issues with this order and it was paid correctly for the duration. There was no order for the hiring of a Genset in July 2017 (year-end cancellation), and the suppliers

carried on during that month, whilst under the impression that they still had a valid order for two months. A variation order was then requested, and the Director: Engineering Services recommended that the VO2 be for one month only, due to the fact that the municipality must conclude the electricity supply at the MRF. VO2 was then approved and an order (339835) was generated for one month only to the value of R22 800. This was invoiced and paid in August 2017. No payment was made for the hiring in July 2017, for R22 800.

The municipality was still unable to supply electricity at this stage and Variation Order 3 had to be requested for 3 months, and was approved. Order 344 258 was generated and paid for in full (Invoice No 8020) for R68 400.

The option to renew clause was triggered, and Resource Innovations was reappointed for the period 1 December 2017 to 30 June 2018. Order number 345 182 was issued for an amount of R695 840.18 for the operations. Again no issues were experienced and they were invoiced and paid in full over this period by 30 June 2018. However, the municipality was still unable to supply electricity to the service provider, and no provision for the hiring of a Genset was made over this period. The mini-substation was nearing completion, but it also required for a provision of a connection line from mini-substation to baling equipment power source. None of this was finalized over the 7 months and the service provider continued to utilize the Genset during this period. They repeatedly raised their concern about the fact that there was no order number covering them over this period. **The project leader (from the municipality) erroneously asked them to proceed, and that this will be rectified through a ratification. This procedure had since been stopped by SCM, as it was reported that this was an incorrect process previously followed by this municipality.** Resource Innovations was thus not paid for the period 1 December 2017 until 30 June 2018, and invoiced the municipality on 28 August 2018, for R160 200 plus the R22 800 from July 2017, for a total of R183 000 (VAT incl).

Resource Innovations was then appointed from 1 July 2018 until 30 June 2019 on Deviation DSM 07/19. An order was issued for the operations for R1 780 669.20, with a rates-based allowance for the hiring of a Genset (at R20 000 plus VAT/month). The latter was exercised from 1 July 2018 until 30 November 2018, invoiced and paid. The service provider was also informed not to hire a Genset from 1 December 2018, as all electricity issues have been resolved and the municipality was able to supply the required power from this date onwards.

7. FINANCIAL IMPLICATIONS

Provision has been made in 2018/19 budget for amount of R183 000 VAT incl.

8. LEGAL IMPLICATIONS

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

Supply Chain Management Policy, 4.36.1a (i)
Supply Chain Management Policy, 4.36.b
Supply Chain Regulation 36(1)
MFMA Section 32(2)

9. RISK IMPLICATIONS

All intent was in good faith; the breach can be attributed to the initial planning processes and the lack of capacity with regard to ensuring required financial compliances are adhered to.

10. CONCLUSION

It is acknowledged that there were minor breaches of the procurement processes. If the process was followed correctly however, the outcome and cost would have been identical. Council incurred no loss during this process and there was no intentional disregard of Council's procurement processes. It is therefore requested that the irregular expenditure be written off as irrecoverable because the services were rendered.

11. COMMENTS FROM THE MUNICIPAL MANAGER

All officials involved in the Supply Chain Management Value Chain are aware of the correct process. Various workshops were held by the SCM Unit to ensure that all officials are aware of the correct process. Planning to prevent re-occurrence should address this. The Department to institute disciplinary process against the officials concerned. Feedback on process to be provided to Municipal Manager's Office.

MPAC MEETING: 2019-05-10: ITEM 5.5

During the discussion of the above-mentioned matter, the following questions and concerns were raised by MPAC; Administration's responses are included in brackets:

1. *Were the officials aware of the requirements in rendering the service at the site in question? Are the technicians properly trained?* (Officials were not aware that the electricity supply would not be adequate to accommodate 3-phase supply, as required. When the supply was switched on, it was discovered that the extended distance caused a voltage drop).
2. *Proper planning seems to be lacking: Who was the project team and what roles did they play during the whole project?* (Project Lead – Miss C Nell (ex-employee); Senior Manager – Mr Saliem Haider (ad hoc); Service Provider – Resource Innovations).

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2019-05-10: ITEM 5.5

- (a) that Council takes note of the circumstances as provided in the report;
- (b) that Council ratifies the irregular expenditure of R183 000 (VAT inclusive) to Resource Innovations, and that this amount be written off as irrecoverable in terms of the MFMA Section 32(2); and
- (c) that the Administration institutes disciplinary action against the officials concerned and inform MPAC of the outcome within 6 months.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	Director: Infrastructure Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Deon.louw@stellenbosch.gov.za
REPORT DATE	2018/08/27



RESOURCE INNOVATIONS

Client: Stellenbosch Municipality
 Meeting Title: Mini MRF Monthly Feedback Meeting
 Meeting Date: 06-12-2017
 Meeting Location: Huis Horison Boardroom, Stellenbosch
 Meeting No: 12/2017

Present at Meeting		Absent With Apology	
Jacques Burness	JB	Sallem Haider	SH
Charlotte Nel	CN	Darrin McComb	DMC
Lamees - Area Cleaning	Lamees		

Item No	Minute / Discussion / Action	Responsible Person
1	MRF Electricity : (1) CN confirmed that Municipality is installing substation. JB explained that the electricity is a crucial part of operations at MRF. (2) CN also handed PO to JB for invoicing to be done on the Generator Rental for 3 months.	CN
2	Bags Distribution : (1) CN confirmed that she is meeting with committee to discuss a deviation order on Monday. Feedback will be emailed afterwards.	CN
3	MRF Security : JB explained that he met with Stallion Security on site and it was confirmed that they will have 2 guards on duty on night shift and over weekends at MRF. RI will monitor this.	JB
4	Reporting : JB showed CN different reporting methods and she confirmed that RI can go ahead with new template.	JB
6	Landfill Haz Waste Container : JB to follow-up with Vissershok re Disposal Method and give feedback.	JB
8	Area Cleaning Involvement : Lamees was present at the meeting and the Area cleaning team's involvement was discussed, JB mentioned that working together is not an issue, as RI and them can assist each other in achieving a common goal.	All

Resource Innovations Site Performance Tracker

2 OUT OF 3



RESOURCE INNOVATIONS

Client: Stellenbosch Municipality
 Meeting Title: Mini MRF Monthly Feedback Meeting
 Meeting Date: 23-01-2018
 Meeting Location: Electrical Boardroom, Stellenbosch
 Meeting No: 01/2018

Present at Meeting		Absent With Apology	
Darcin McComb	DMC		
Saleem Haider	SH		
Jacques Burness	JB		
Charlotte Nell	CN		
Mr Coetzee	MC		

Item No	Minute / Discussion / Action	Responsible Person	Due Date
1	MRF Electricity : MC was introduced to RI. It was discussed and agreed that Stellenbosch Municipality is responsible to supply 3 phase power for RI Machinery, so MC will see that electricity gets connected to existing distribution box. RI will then be responsible only for plugging into and ensuring safe electrical supply from the distribution box to the machinery being powered. First point of action is for RI to send specs of electrical needs for on site machinery. Thereafter MC will be responsible for ensuring electrical supply is ready and available for use by RI within one month. It was also noted that all cabling must be installed underground to stop cable theft as far as possible. This might lead to some complications when new MRF is being constructed, but that bridge will be crossed then.	MC	1 Month
2	New MRF Construction : It was noted by SH that construction will most probably be starting in June / July 2018. Consideration should be given at next couple of meetings to how this will be affecting RI operations at current Mini-MRF.	All	Noted
3	MRF Security : Firstly it was discussed that Security is an issue during night and weekends. JB noted that he has met with Interwaste (Patrick) and Stallion Security (Johan) and it was confirmed that there will be 2 guards on duty every night, 7 days a week, dedicated to the MRF. However, since then it has been reported multiple times by RI Site Supervisor that there is no Security present at 18h15 in the evenings when RI Staff leaves site. DMC noted that RI could potentially look at having own security, after confirmation of available funds from Stellenbosch Municipality, but this should be investigated and Interwaste will have to avail themselves for a meeting to discuss this. SH noted that DMC can draw up a letter with all claims owed to RI, because of theft incidents, due to lack of security. DMC also noted that should there be any queries as to whether these claims are valid, RI is willing to polygraph the relevant employees.	DMC & JB	31-01-2018
4	Health & Safety : JB apologised for the overdue Incident Reports. SH & CN noted that there should be an on-site file, also containing a book with all incidents recorded within. JB will take responsibility for this and ensure this is in place quickly, as CN needs a report in writing no longer than 48hrs after incident occurred.	JB	31-01-2018
5	MRF External Audit : SH noted that within three weeks there will be an external audit taking place at MRF and RI should have the site in an acceptable condition.	JB	31-01-2018
6	Formal Letter To Municipal Manager : DMC noted he was satisfied with the response.	DMC	Noted
7	Waste Reporting : CN noted that new template of reporting is much more insightful, although more attention should be given to New Opportunities that has been taken and is working, i.e. ASARA, Eikestad Primary etc. A list of all recyclers / participants should be compiled and sent through.	JB	31-01-2018
8	EPWP : DMC noted that RI staff has been earning a bit more and he is happy with progress and the difference this project is making in these employees' lives. RI and CN needs to discuss and get going again with the EPWP reporting monthly.	CN & JB	31-01-2018
9	Logistics : No significant issues reported, except the fact that collections is being done late at night. An end of collections time should be discussed and agreed upon, to be communicated to residents, as after dark collections is a nuisance to residents.	All	31-01-2018

Resource Innovations Africa (Pty) Ltd / E-mail info@riafrica.co.za / Tel +27 (0) 21 302 5509 / Fax +27 (0) 86 665 7828 / www.riafrica.co.za

VAT Registration No. 4420322284 / Company Registration No. 2013/232956/07 / Mail PO Box 504, Eppendorf, 7475, Cape Town, South Africa

Non-Executive Directors: J Miller (C.A.S.A.), L Bekker / Directors: Darcin McComb (Pr. Nat. Sci. (Micro), M.A. (O.L.), B.Sc. Hon. (Biochem)), Nathi Mbuyazi, Rachelle Arendalff



Client: Stellenbosch Municipality
Meeting Title: Mini MRF Monthly Feedback Meeting
Meeting Date: 14-02-2018
Meeting Location: Electrical Boardroom, Stellenbosch
Meeting No: 02/2018

Present at Meeting		Absent With Apology	
Jacques Bunnus	JB	Salim Haider	SH
Charlotte Nell	CN	Darrin McComb	DMC
Masonwe Gziya	MG		

Item No	Minute / Discussion / Action	Responsible Person	Due Date
1	Electricity Supply : Weekly reminder has been created. It was noted by JB that RI's generator has been repaired and will be in use soon. RI then awaits feedback from Municipality on when permanent electrical supply will be available.	Stellenbosch Municipality	23/02/2018
2	New MRF : Still looking at commencing with construction around June / July 2018.	Stellenbosch Municipality	N/A
3	MRF Security : Has improved, as Wendy house has been installed and Security has on occasion been on site when RI Staff leaves, however, often Security is not on site at 18h00. CN noted that MG must just ensure that container and office is locked at night when site is left to Security.	Stellenbosch Municipality & MG	On-Going
4	MRF Staffing : JB explained new wage structure and staff being paid weekly. CN noted that EPWP reporting should start again, urgently.	RI	On-Going
5	MRF Aesthetics : CN noted that she has not been on site lately, but JB mentioned that aesthetics has improved, however, the storage cages will assist in this regard. CN noted that RFQ will be put out ASAP.	CN	N/A
6	Theft & Loss On Site : DMC has sent quote & invoice to SH & CN. SH will be giving feedback.	SH	N/A
7	Health & Safety : JB noted that SHE Investigations has been sent with one outstanding due to information not obtained. CN noted that JB should send anyway.	JB	20/02/2018
8	New Tender : RI's tender officially ends on 30/06/2018, but will likely be extended to ensure new tender is awarded and operations do not get interrupted. CN noted that Municipality is busy preparing new tender.	All	On-Going
9	Collections : CN noted that no major complaints was received, except for the "lamp issue" and RI should just ensure that staff wears correct easily identifiable vests etc, so CN can confidently say it was RI staff if an issue arises or vice versa. CN also noted that RI should look into branded vehicles.	JB	On-Going
10	Reporting : CN noted that she is happy with all reporting, JB noted that "list of new collections" will be updated every month and sent as part of the normal report.	JB	On-Going
11	Monthly Evaluation : RI was scored a 2 out of 3	All	On-Going
12	Street Cleaning Project : JB noted that he did meet with Lameez and asked CN if it can be arranged that Lameez weigh all recycling at Weighbridge perhaps, as RI might not be able to offer better pricing on recyclables as what Lameez is getting at the moment. JB will discuss with Lameez and revert.	JB	20/02/2018



RESOURCE INNOVATIONS

Client: Stellenbosch Municipality
 Meeting Title: Mini MRF Monthly Feedback Meeting
 Meeting Date: 20-03-2018
 Meeting Location: Electrical Boardroom, Stellenbosch
 Meeting No: 03/2018

Present at Meeting		Absent With Apology	
Jacques Burness	JB	Saliem Haider	SH
Charlotte Nell	CN	Darrin McComb	DMC
		Masuwabe Gxiya	MG

Item No	Minute / Discussion / Action	Responsible Person	Due Date
1	Electricity Supply : No electricity is supplied, but RI has made repairs to the Generator and will be baling for now. JB to check and quote on Generator Rental for March 2018 and going forward.	Stellenbosch Municipality	22/03/2018
2	New MRF : Specs has not been finalised and sent through. Still looking at start of construction during June / July 2018.	Stellenbosch Municipality	N/A
3	MRF Security : No complaints for March 2018 thus far and no incidents noticed or reported.	Stellenbosch Municipality	On-Going
4	MRF Staffing : EPWP Report has been submitted. To be monitored monthly.	RI	On-Going
5	MRF Aesthetics : It was noted that site aesthetics has improved significantly and CN happy with how site is currently being kept.	CN	N/A
6	Theft & Loss On Site : No feedback yet. DMC has sent through all communications needed from RI.	SH	ASAP
7	Health & Safety : One incident report outstanding. JB to send ASAP.	JB	ASAP
8	New Tender : CN noted that it is very likely that RI will be asked to extend operations on a month-to-month basis until tender is awarded. RI will have to quote for the monthly operation.	All	On-Going
9	Collections : No complaints or issues in past month. All agreed collections is going well.	JB	On-Going
10	Reporting : CN happy with reporting.	JB	On-Going
11	Monthly Evaluation : RI was scored a 3 out of 3.	All	On-Going
12	Street Cleaning Project : JB explained RI can not offer better pricing, but CN will ask Lameez to report on tonnage.	CN	On-Going
13	Weighbridge : JB noted that RO managers has complained that weighbridge sometimes note that they can not weigh after 15h30. This is an issue, as they are supposed to be open till 17h00 daily. CN & JB discussed averages used, it was noted that reporting then not always 100% accurate, but JB explained that RI's recycling going off site does line up with tonnage coming in, so averages are not too far out. The reason averages are used is that due to schedule in place, RI does finish later than weighbridge operation hours on Tuesdays.	All	Noted
14	Site Visit : 10 – 12 April there will be a conference on waste in Stellenbosch and CN noted that a representative from RI should attend and walk attendees through site to explain operation, challenges etc.	JB	11/04/2018



RESOURCE INNOVATIONS

Client: Stellenbosch Municipality
 Meeting Title: Mini MRF Monthly Feedback Meeting
 Meeting Date: 13-04-2018
 Meeting Location: Electrical Boardroom, Stellenbosch
 Meeting No: 04/2018

Present at Meeting		Absent With Apology	
Jacques Barnes	JB	Darrin McComb	DMC
Charlotte Nell	CN	Masonwe Gulya	MG
Sahem Haider	SH		

Item No	Minute / Discussion / Action	Responsible Person	Due Date
1	Electricity Supply : No electricity is supplied, but RI has made repairs to the Generator and will be baling for now. JB to check and quote on Generator Rental for March 2018 and going forward. Supply Chain to follow up on order number.	Stellenbosch Municipality	22/03/2018
2	New MRF : Specs has not been finalised and sent through. Still looking at start of construction during June / July 2018.	Stellenbosch Municipality	N/A
3	MRF Security : No complaints for March 2018 thus far and no incidents noticed or reported.	Stellenbosch Municipality	On-Going
4	MRF Staffing : EPWP Report has been submitted. To be monitored monthly. Follow up every month.	RI	On-Going
5	MRF Aesthetics : It was noted that site aesthetics has improved significantly and CN happy with how site is currently being kept.	CN	N/A
6	Theft & Loss On Site : Meeting will be held with RI & Interwaste present.	SH	ASAP
7	Health & Safety : One incident report outstanding. JB to send ASAP. CAPA sent.	JB	ASAP
8	New Tender : CN noted that it is very likely that RI will be asked to extend operations on a month-to-month basis until tender is awarded. RI will have to quote for the monthly operation.	All	On-Going
9	Collections : No complaints or issues in past month. All agreed collections is going well. One or two struggles, but sorted out. Tare issue email.	JB	On-Going
10	Reporting : CN happy with reporting. Lisel sent newly added emails.	JB	On-Going
11	Monthly Evaluation : RI was scored a 3 out of 3.	All	On-Going
12	Street Cleaning Project : JB explained RI can not offer better pricing, but CN will ask Lameez to report on tonnage.	CN	On-Going
13	Weighbridge : JB noted that RO managers has complained that weighbridge sometimes note that they can not weigh after 15h30. This is an issue, as they are supposed to be open till 17h00 daily. CN & JB discussed averages used, it was noted that reporting then not always 100% accurate, but JB explained that RI's recycling going off site does line up with tonnage coming in, so averages are not too far out. The reason averages are used is that due to schedule in place, RI does finish later than weighbridge operation hours on Tuesdays.	All	Noted
14	Site Visit : 10 – 12 April there will be a conference on waste in Stellenbosch and CN noted that a representative from RI should attend and walk attendees through site to explain operation, challenges etc.	JB	11/04/2018
15	CN Leaving : Neville will take charge in her absence.	All	Noted
16	Toolbox Talk : No waste removable from site by RI Staff.	JB	Noted

Resource Innovations Africa (Pty) Ltd / E-mail info@riafrika.co.za / Tel +27 (0) 21 802 5509 / Fax +27 (0) 26 665 7821 / www.riafrika.co.za

VAT Registration No: 4420232284 / Company Registration No: 2013/232956/07 / Mail PO Box 504, Eppindust, 7475, Cape Town, South Africa

Non-Executive Directors: J Müller CA, SA, L Bekker / Directors: Darrin McComb Pr. Nat. Sci. (Micro), M.A. (O.L.), B. Sc. Hon (Biochem), Nathi Mbuyazi, Roshelle Arendoff



RESOURCE INNOVATIONS

Client: Stellenbosch Municipality
 Meeting Title: Mini MRF Monthly Feedback Meeting
 Meeting Date: 24-08-2018
 Meeting Location: Electrical Boardroom, Stellenbosch
 Meeting No: 06/2018

Present at Meeting		Absent With Apology	
Jacques Barnes	JB		
Darrin McComb	DMC		
Salim Haider	SH		
Neville Heckrath	NH		

Item No	Minnte / Discussion / Action	Responsible Person	Due Date
1	Electricity Supply : SH noted that the Electrical Dept already has order. This should be sorted out in the next month. Municipality does not want to rent a Genset if permanent supply is an option. JB to get feedback from Rochelle on outstanding months to invoice on Genset rental.	Stellenbosch Municipality	24/09/2018
2	New MRF : Construction should definitely start by Mid January 2019. Site will effectively be a Construction Site, so before start of construction, RI will have to be notified how this will affect the MRF Operation, so RI can plan accordingly.	All	01/2019
3	MRF Security : SH noted that current Security Supplier has been given notice and Protea Coin Security will be taking over from September 2019. The Security at MRF will still be managed by Interwaste. It was noted that Security was contracted on condition that they will be responsible for paying all damages / theft losses incurred due to their negligence.	Stellenbosch Municipality	01/09/2019
4	MRF Staffing : JB to follow up with RI Africa Admin Staff regarding reporting of the EPWP every month. It was also noted that should RI need staff, the EPWP Dept should be contacted to supply people from their database.	RI	On-Going
5	MRF Aesthetics : All agreed that Aesthetics has been good. One formal complaint from ASARA regarding plastics against their border fence. JB to follow up and resolve.	JB	01/09/2019
6	Theft & Loss On Site : DMC to email Leon from Interwaste to sort out invoicing details for claim approved by Mandla.	DMC	ASAP
7	Health & Safety : PPE / Visible RI Staff designation to be attended to. Proof to be sent to SH and NH. JB to ensure staff at MRF has appropriate PPE for the job function.	JB	ASAP
9	Collections : JB apologised for miss understanding the Farm Collections Budget approval. JB to contact Berry and ensure it gets up and running again. There was also a complaint regarding Jan Marais Igloos, but it has been sorted out. Jan marais will be serviced on Mindays & Thursdays going forward.	JB	On-Going
10	Reporting : Interwaste figures from weighbridge was discussed and all agreed there is definitely issues with the figures. JB & NH to find a solution and monitor going forward. Recycling Volumes per ward will also be put in place and reported on going forward. DMC noted that RI is busy setting up an agreement with De Zalze, so will be reflecting figures soon.	JB & NH	ASAP
11	Monthly Evaluation : RI was scored a 3 out of 3	NH	24/08/2018
12	Weighbridge : JB noted that Tuesdays and some other days RI finishes collections later than weighbridge closes, therefore average weights are being used. NH noted that Logistics notify him when late loads are done, so he can ensure weighbridge stays open / attended to make sure that real weights are used and reported.	Logistics	On-Going
13	Jan Marais : Issue has been sorted out. Logistics to cc SH and NH in communications.	Logistics	On-Going
14	Events Waste Management : NH noted that he serves on board to approve events and often gets request for who to use for Waste Management at events in Stellenbosch. Going forward DMC noted he can give RI details.	JB	On-Going

/Resource Innovations Africa (Pty) Ltd / E-mail info@riafrica.co.za / Tel +27 (0) 21 802 3509 / Fax +27 (0) 86 665 7825 / www.riafrika.co.za

/VAT Registration No: 4420232284 / Company Registration No. 2013/232956/07 / Mail PO Box 504, Eppingindust. 7471, Cape Town, South Africa

Non-Executive Director: / Muller CA SA, L Bekker / Directors: Darrin McComb Pr. Nat. Sci. (Micro), M.A. (O.L.), B. Sc. Hon (Biosciem), Nathi Mbuyazi, Rochelle Aratsoho



RESOURCE INNOVATIONS

Client: Stellenbosch Municipality
Meeting Title: Mini MRF Monthly Feedback Meeting
Meeting Date: 14/01/2019
Meeting Location: Electrical Boardroom, Stellenbosch
Meeting No: 01/2019

Present at Meeting		Absent With Apology	
Jacques Buisson	JB	Durrin McComb	DMC
Sallim Halder	SH		
Neville Heekath	NH		
Silvia Pretorius	SP		

Item No	Minute / Discussion / Action	Responsible Person	Due Date
1	Electricity Supply : Supply has been done by Municipality. RI to confirm when baler is connected and this needs to happen before end of January.	JB	31/01/2018
2	New MRF : SH noted that there was some issues with the Engineers being far under the real cost with the Tender Preparation, so this is the hold up. MRF should be in construction around March 2019. RI's contract is coming to an end on 30/06/2019, SH noted that contract will go out on tender before then again and will be for a period of 12 months.	RI	30/06/2019
3	MRF Security : No Security Incidents have been reported or experienced within December 2018.	All	On-Going
4	MRF Staffing : EPWP Reporting being submitted on a monthly basis by RI. JB noted that no issues has been communicated, so RI will keep on reporting.	RI	On-Going
5	MRF Aesthetics : (1) NH noted that too much recycling was being stored on site and poses a fire risk. JB noted that plans will be made to reduce stored recyclables, however, for it to be economically viable, some storage of recyclables will always happen. (2) NH noted that grass on site will also be cut to reduce fire risk. (3) SH noted that no sorting should take place too close to the fence, as this causes the public to complain. JB will communicate this to the Site Supervisor.	NH & JB	01/2019
6	Health & Safety : An Audit was done in December by SH and NH, where it was found that the employee crushing the glass was not wearing his full PPE. He had no mask / goggles and no gloves on. JB explained that PPE is issued and record was kept of this, but Eduardo, the Site Supervisor should be enforcing the PPE wearing and JB will have a chat with him.	JB	ASAP
7	Collections : Complaints Register will be sent to NH & SH to check, but a couple of complaints was received during December / January period. All resolved very quickly.	JB	ASAP
8	Reporting : NH noted that RI and Interwaste Figures do align, however, JB noted that there was at least 4 / 5 loads that had to be offloaded, as there was loadshedding and Interwaste could not weigh the loads. NH noted that Interwaste have been asked to get a Generator for future occurrence of loadshedding.	All	Noted
9	Monthly Evaluation : RI was scored a 2 out of 3.	All	Noted
10	Landfill Scavenger Recycling : NH and JB investigated and found that the guys on the Landfill recycled about +/- 600kgs from the Landfill in 12/2018. It was previously noted that there was 100 + tonnes recycled per month from the Landfill, so NH noted that this can be checked monthly to compare against RI recycling figures.	All	Noted

/Resource Innovations Africa (Pty) Ltd / E-mail info@riafica.co.za / Tel +27 (0) 21 802 5509 / Fax +27 (0) 86 665 7828 / www.riafica.co.za

/VAT Registration No. 4420232284 / Company Registration No. 2013/232956/07 / Mail PO Box 504, Eppindam, 7475, Cape Town, South Africa

Non-Executive Directors / Miller CA SA, L Bekker / Directors Durrin McComb Pt. Nat. Sci. (Macro), M.A. (O.L.), B. Sc. Hon (Biochem), Nathi Mbuyazi, Rochelle Arendseff



RESOURCE INNOVATIONS

Client: Stellenbosch Municipality
Meeting Title: Mini MRF Monthly Feedback Meeting
Meeting Date: 19/02/2019
Meeting Location: Boardroom, Stellenbosch
Meeting No: 02/2019

Present at Meeting		Absent With Apology	
Jacques Bunnus	JB		
Salim Haider	SH		
Neville Heerkath	NH		
Peter?			
Darrin McComb	DMC		

Item No	Minute / Discussion / Action	Responsible Person	Due Date
1	Electricity Supply : Supply has been working. JB noted that RI had some issues with baler, because of loadshedding surges, but this was dealt with and baler working now again.	JB	Noted
2	New MRF : Municipality still finalising some financial matters and then contract will be awarded after appeal period. JB noted that RI just needs to be notified two weeks in advance of start of building works, so RI can be prepared for some disruption at Temporary MRF.	RI	30/06/2019
3	MRF Security : JB noted that no incidents was recorded in the last month. NH did note that he found a guy walking the streets with a shopping trolley full of Clear Bags. DMC noted that we can polygraph our staff should this be necessary, as our bags do get counted and stock is kept on a daily basis.	All	Noted
4	MRF Staffing : EPWP Reporting being submitted on a monthly basis by RI. JB noted that no issues has been communicated, so RI will keep on reporting.	RI	On-Going
5	MRF Aesthetics : SH noted that the site was quite full of unbaled recyclables on the 18/02/2019. JB explained that the baler was out of action for a while due to a breakdown, but RI has repaired and is catching up now with the backlog. JB noted that the grass has not yet been cut and as discussed in the previous meeting, this does pose a fire risk, so should be done asap. DMC suggested that JB just keeps an eye on the terrain again, with winter approaching, filling up with boiler ash can be required again. SH suggested that RI should first wait with filling material, as building works on the new MRF might just undo the filling again.	JB	Noted
6	Health & Safety : SH visited the site this week and found the Glass Handler to be working without all the necessary PPE again, specifically the face visor, which is a non-conformance and should be dealt with swiftly, as the Municipality can not accept responsibility if injuries occur due to lack of compliance with health & Safety. DMC suggested that JB develop a separate SWP for glass handling and get the staff trained and signed off.	JB	ASAP
7	Collections & Bag Distribution : For the month of January 2019, there was : 14 Collections complaints and 157 Bags requests. JB noted that 96 of the 157 Bag requests occurred in the period of 04/01/2019 up to and including 21/01/2019, when there was unfortunately no bags in stock. JB noted that what happens also is that unauthorised collectors do collections of recyclables and then obviously do not deliver empty bags and with RI's protocol of "an empty bag for a full bag", residents do not get empty bags in return when putting out full ones for collection if the full ones is collected by unauthorised collectors.	JB	Monthly
8	Reporting : RI collected a 112 ton in January 2019.	All	Noted
9	Landfill Scavenger Recycling : JB asked that the figure for January Landfill recycling please be communicated to RI, so it can be compared to the tonnage done at MRF. NH noted that he can not share this information with JB at this time.	All	Noted

/Resource Innovations Africa (Pty) Ltd / E-mail info@riafrika.co.za / Tel +27 (0) 21 802 5509 / Fax +27 (0) 86 685 7828 / www.riafrika.co.za

/VAT Registration No. 4420212284 / Company Registration No. 2013/212956/07 / Mail PO Box 504, Eppindur, 7475, Cape Town, South Africa.

Non-Executive Directors / Miller C.A.S.A, L Bekke; / Directors: Darrin McComb Pr. Nat. Sci. (Micro), M.A. (O.L.), B. Sc. Hon (Biochem), Nathi Mbuyazi, Rochelle Arendolff



Quotation

Quote No.: Q010955
 Order Date: 2017-06-22
 Customer ID: STE-017

BILL TO:	Company Details
Stellenbosch Municipality PO Box 17 Stellenbosch 7599 SOUTH AFRICA Attn: Charlotte Nell	The Generator King (Pty) Ltd 50 Falcon Lane Lanseria Corporate Estate Lanseria 1739 Phone: 0861113847 Web: www.ganking.co.za

Item	Description	QTY	Unit Price	Amount
GK03-40 INC-ATS	* 37 KVA Prime Power Outback Range Three Phase Diesel Generator - FAW Engine * 40 KVA Standby Power Outback Range Three Phase Diesel Generator * Includes Sound Proof Canopy *Includes Automatic Transfer Switch *	1.00	99,900.00	99,900.00
TRANSPORTSTD	Transportation with rigging vehicle and crew to Stellenbosch (Standard rigging only. If special rigging is required a supplementary invoice will be applicable)	1.00	7,000.00	7,000.00

<p>Conditions of Sale</p> <p>1. Prices quoted are valid for 14 days, based on the current exchange rate to the US Dollar, any variations in exchange rate may be adjusted for.</p> <p>2. Our terms of trade are payment in full prior to collection, if not available ex stock a 50% deposit is payable.</p> <p>3. Prices quoted are ex works Lanseria, excluding transport, installation and first fill of diesel.</p> <p>4. If transport is quoted, the rate excludes goods in transit insurance and it is the purchaser's responsibility to arrange insurance.</p> <p>5. All power ratings are quoted at maximum engine output for 1 hour in every 12 hours at sea level, power derating will be applicable at altitude and for site specific conditions.</p> <p>6. Generator sets should run continuously at a maximum of 80% power derated load.</p> <p>7. The warranty on the generator is earlier of 1 year / 1000 hours on defective parts only. (labour and travel are excluded).</p> <p>8. No warranty is applicable on the sale of spare parts or service work undertaken.</p> <p>9. Payments for parts and generators are non-refundable.</p> <p>10. The Generator King (Pty) Ltd is not liable for any consequential damage or obligation derived from the use of the products provided.</p> <p>11. All goods offered for sale are subject to The Generator King (Pty) Ltd Standard Terms & Conditions which are available on request.</p> <p>12. All generators and parts are sold subject to reservation of ownership and shall remain the property of The Generator King (Pty) Ltd until they are paid in full.</p> <p>13. The Generator King (Pty) Ltd reserves the right to make changes in model, technical specifications, colour equipment and accessories without prior notice.</p>	Subtotal	106,900.00
	VAT Total	14,966.00
	Total (ZAR)	121,866.00

Charlotte Nell

From: Saliem Haider
Sent: 22 June 2017 09:21 AM
To: Charlotte Nell
Subject: FW: Diesel Genset for your Compactor
Attachments: MECC ALTE LOAD CALCULATION SHEET.PDF; AJP_InSight3250_F007_W.PDF; CA3-AJ33-D2-20160922-EN.PDF; CA3-AJ44-D2-20170216-EN.PDF; ATI-CTI Brochure.pdf

Saliem Haider

Manager: Solid Waste Management

Directorate: Engineering Services

T: +27 21 808 8274 / +27 21 808 8241 • C: +27 72 855 4870 • F: +27 21 883 9874

71 Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599

www.stellenbosch.gov.za



STELLENBOSCH
 STELLENBOSCH • BIEEL • FRANSKORREK
 MUNISIPALITEIT • URKESPAK • MUNICIPALITY



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link: http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: Ames Martin [mailto:ames.martin@sustainpower.co.za]

Sent: 21 June 2017 03:01 PM

To: Saliem Haider

Cc: Tobias Hobbach

Subject: [EX] Diesel Genset for your Compactor

Good Day Saliem,

I was able to find the below genset options on the shelf. If you'd like to proceed, we are more than happy to assist. Please feel free to call me on my mobile number listed below anytime.

Output Ratings

Set Option 1 - The set on offer is a **AJ Power Model AJ33 "Sound Proof"** generator set with DUETZ Diesel Engine, this set is rated to deliver a continuous output of **30kVA** at 0.8pf, 1500rpm / 50Hz, 400v 3 phase and is capable of delivering a maximum output of **33kVA** for one hour in every 12 hours of consecutive operation at sea level.

Set Option 2 - The set on offer is a **AJ Power Model AJ44 "Sound Proof"** generator set with DUETZ Diesel Engine, this set is rated to deliver a continuous output of **40kVA** at 0.8pf, 1500rpm / 50Hz, 400v 3 phase and is capable of delivering a maximum output of **44kVA** for one hour in every 12 hours of consecutive operation at sea level.

Scope of Supply

The sets on offer would be supplied with the following equipment as standard;

- Diesel engine close coupled to single bearing Alternator.
- Base frame with anti-vibration mountings
- Dry type Air Cleaner
- Internal Exhaust Silencer with vertical outlet
- Diesel fuel tank situated in the base frame (**100 L**) with filler cap and level gauge + low level alarm

- Starter Battery with cables (Notel - Dry Charged, requires acid fill & high rate charging before use)
- Set mounted InSight 3250 Control panel fitted with Mains powered battery charger
- Alternator Circuit breaker 3 pole
- Series 3 - Sound attenuated enclosure with lockable side doors.
- One set of operation & maintenance manuals + electrical drawings
- **"Optional"** - Supply of **CTI- 63A** Load Transfer switch (4 pole motorised type in free standing Enclosure)

Price of Equipment on offer.

Set Option 1 - Supply of **AJ 33** Sound Proof Type set as detailed above would beUS Dollars \$ **9,580.00** (Approximately **R 125,490.00** if converted at spot rate of R13.10 = 1\$ excluding VAT)

Set Option 2 - Supply of **AJ 44** Sound Proof Type set as detailed above would beUS Dollars \$ **10,400.00** (Approximately **R 136,240.00** if converted at spot rate of R13.10 = 1\$ excluding VAT)

"Optional" - Supply of **CTI-63A** load transfer switch US Dollars \$ **1,050.00** (Approximately **R 13,755.00** if converted at spot rate of R13.10 = 1\$ excluding VAT)

Price Basis - The above pricing would be ex our works Cape Town / Johannesburg excludes VAT and is subject to exchange rate variation.

Terms of Payment - Full payment prior to release for shipment

Delivery /Availability - We currently have the followings units in stock.

- 1 x AJ33 set is ex Johannesburg
- 1 x AJ44 set is ex Cape Town, sets are on offer subject to prior sale.

Technical Data - Refer to the attached sheets.

Generator set selection - Please see the attached step load calculation sheet, this shows that if one uses a 20kVA set to start the 4.6kW Motor Direct online the transient volt dip will be in the order of 28.9% (which is high), the larger the alternator the smaller / lower the volt drop will be.

Exclusions - Delivery & crane truck, all builders work, cable supply & installation

Ames W. Martin
Head of Operations



SUSTAINPOWER

Sustainable Power Generation (Pty) Ltd,
152-156 Gurners Circle, Epping Industrial Area
7460, Cape Town
South Africa
T: +27 21 835 7953
C: +27 82 861 3918
US: +1 702 475 5355
ames.martin@sustainpower.co.za
www.sustainpower.co.za

Langford Power (Pty) Ltd

**LANGFORD
POWER**

- Set mounted control DSE
- Set mounted breaker 3-pole 63Amp with power cable between alternator and breaker
- 12v battery system consisting of 1 x 12v 100Ah sealed lead acid batteries with battery cable
- 12v starting system and charging alternator.
- 12v trickle charger
- Factory works tests (this can be witnessed on request)
- Operation and maintenance manuals (one set)

Canopy

- Sound-attenuated, weather-proof housing
- stainless steel powder-coated white
- Lockable latch type stainless steel door handles
- Flame proof insulation with sonic liner

LS automatic transfer switch

- Steel panel with powder-coated finish
- ABB OTM 3-pole motorized switch
- Back board and wiring to suit set mounted controller

Set mounting of ATS

- Channel steel frame painted black
- Interconnecting power and control cabling between set and ATS

Utility side breaker

- Circuit breaker 3-pole with amp rating equal to the ATS
- Mounted in the LS ATS panel
- Power cable between the breaker and source one of the motorized switch

Delivery

- Gen set 5 working days
- Trailer 4 weeks (set will need to be decommissioned for approximately 6 hrs to fit trailer)

These dates are based on current factory lead time and are subject to change without notice and are subject to prior sale of stock.

Furthermore this is subject to current engine stock not being sold

Terms

- 60% deposit on order
- Balance on factory acceptance testing

Terms and conditions

This offer is subject to Langford Power standard terms and conditions of sale, copy available on request.

Discounts

Director: **Timber Langford**

Reg: 2004/09 04071 | Vat No: 419651770
 Suite 2010, Power Rd, 201, Aggeneys, 6001
 17 Wood Street, Swinburg Park 6, Markham, Gous, 6001
 Tel: +27 (0) 21 961 1111 | Fax: +27 (0) 21 961 1111 | Email: info@langfordpower.com
 www.langfordpower.com

Langford Power (Pty) Ltd

**LANGFORD
POWER**

Discounts of any nature whatsoever are neither inferred nor to be construed. Early settlements are not cause for discount unless otherwise agreed in writing.

Transfer of ownership

The equipment will remain the property of the Langford Power and transfer of ownership will only pass on receipt of full and final payment. Payments will be considered complete upon confirmation by our bankers.

Validity

This offer will remain valid for orders placed within 15 days of the date of this quotation.

All prices quoted are subject to prior sale of current stock.

We trust that this offer meets with your approval and should you require any further information please do not hesitate to contact the undersigned.

Kind regards
Tauben Langford
+27846006699

Director: Tauben Langford

100 Langford Road, Southway Park 2, Boksburg, East Rand, 1460
Tel: +27 84 600 6699, +27 11 401 7017 Email: info@langfordpower.com
www.langfordpower.com



MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

To - Aant: SUPPLY CHAIN MANAGEMENT

Att Aandag: Israel Saunders

From - Van: Salim Haider

Datum: 19 January 2017

Our Ref - Ons Verw: B/SM 18/17

Re - Insaak: VARIATION ORDER: ~~GENSETHIRE~~ RESOURCE INNOVATIONS
AFRIKA (PTY) LTD

1. PURPOSE

To allow for a 10.01% variation order on B/SM 18/17 amounting to a total of R 182,400.00 (incl VAT).

2. BACKGROUND

Resource Innovations was appointed through tender B/SM 18/17 as the service provider responsible for the collection of recyclables and the operation of the mini-Materials Recovery Facility (MRF) on Adam Tas Road in Stellenbosch.

Preparation to ensure maximum operational efficiency at the mini-MRF included the construction of a floor slab through FQ 79/15 as well as the installation of an electrical distribution panel through FQ 248/15.

The power supply to the mini-MRF is fed from the adjacent Waste Water Treatment Works via a 300m buried power cable. A drop in voltage is experienced over this long distance and as such the 3-phase power does not work on site.

The success of the operation depends heavily on the use of a baling machine that runs solely off 3-phase power, and as such it is crucial for Resource Innovations to hire a 3-phase generator to serve as the power source in the interim until the electricity supply is fixed.

At this stage it is not known by the Solid Waste Management Department how long it will take to fix the power supply to the site. Currently it is evident that it will be more feasible to contact Eskom to provide power directly to the site so that electricity can be readily

VARIATION ORDER: RI - GENSET

available when the construction and implementation of the Major MRF commences which is planned on the same site.

For this reason a variation order is requested for the hiring of a GenSet for a period of eight months at R22,800.00 per month as per the attached quotation from Resource Innovations.

3. FINANCIAL IMPLICATION

The estimated envisaged expenditure for tender B/SM 18/17 is R 93,779.00 (VAT included) per month for 12 months = R 1,125,348.00, thereafter with CPI escalation ($\pm 6\%$) for 7 months = \pm R695,840.18 financed from vote 1/6535/1560.

Additional funding amounting to R 182,400.00 is requested through this Variation Order (10.01% variation).

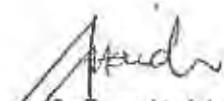
Detail of B/SM 18/17 and proposed variation order is shown below:

B/SM 18/17 total (incl VAT)	\pm R 1,821,188.18
Amount for Variation Order (incl VAT) (R 22,800.00 per month x 8 months)	R 182,400.00
Total Amount (Incl VAT)	\pm R 2,003,588.18

Additional funding is available from vote 1/6535/1560 on the 2016/17 budget for this purpose.

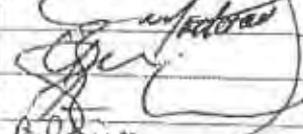
4. RECOMMENDATION

That the variation order to the value of R 182,400.00 (incl VAT) (10.01%) in favour of Resource Innovations be approved.


Safem Haider
Manager: Solid Waste Management

19/01/2017
Date

RECOMMENDATION SUPPORTED APPROVED / NOT APPROVED BY THE FOLLOWING
BOSCH MUNICIPALITY BID ADJUDICATION COMMITTEE

NAME	SIGNATURE	DATE
T. MEYER		27/01/2017
W. PRETORIUS		27/01/2017
G. ESALA		27/01/2017
A. Louw-Bronck		27/01/2017
P. RIBEIRO		27.01.2017
CHAZA PEFISON		only for three (3) months DATE 27/01/2017



STELLENBOSCH

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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

BID ADJUDICATION COMMITTEE Stellenbosch Municipality

ATTENDANCE REGISTER AND UNDERTAKING OF CONFIDENTIALITY AND IMPARTIALITY

MEETING NUMBER:

VO BSM 18/17

VO BSM 98/15

vo BSM 21/16

DATE: 27 January 2017

I, the undersigned, hereby declare:

- that all information, documentation and decisions regarding any matter before the committee are confidential and undertake not to make known anything in this regard
- that I will treat all providers and potential providers equitably and will not purposefully favour or prejudice anybody
- that I will make known details of any private or business interest which I, or any close family member, partner or associate may have in any proposed procurement or disposal process of, or in any award or contract and that I will immediately withdraw from participating in any manner whatsoever.

NAME	DEPARTMENT / SECTION	SIGNATURE
I Saunders	Acting Chief Financial Officer	
T Mfeya	Human Settlements And Property Management	
V Bowers	Strategic And Corporate Service	 A/20/057
D Lombaard	Planning And Economic Development	
Willem Pretorius	Engineering Services	
P Ribeiro	Finance / Supply Chain Management	
G Esau	Community and Protection Services	
D Van Taak	Engineering Services	

Israel Saunders

From: Rochelle Nichols
Sent: 27 January 2017 08:28 AM
To: Directors PAs
Cc: Directors Group; Scm Internl (Renae Bergstedt); Israel Saunders; Gerald Kraukamp; Theo Rhode
Subject: Acting CFO

Good day,

Please be advised that Israel Saunders will act as CFO from 8:30 – 9:30 today, 27 January 2017.

Kind regards

Rochelle Nichols
 Directorate: Finance



rochelle.nichols@stellenbosch.gov.za
 T: +27 21 808 8528 | F: +27 21 886 6757
www.stellenbosch.gov.za



www.facebook.com/stellenboschmunicipality



twitter.com/StellMun

Ground floor Meetingstels, Plein Street, Stellenbosch, 7000
 PO Box 17, Stellenbosch, 7599

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CHECK BEFORE SUBMISSION	YES	NO
REGISTERED ON SCM DATABASE If answer is NO follow the next step: - Register on SCM Database - Creditors form (SAMRAS)		
LETTER - SOLE SUPPLIER (if applicable)		
ORIGINAL VALID TAX CERTIFICATE		
QUOTE INVOICE ATTACHED		
BUDGET (SAMRAS)		
CASHFLOW		
SIGNATURES		



MEMORANDUM

Solid Waste Management Department

To Aan: MUNICIPAL MANAGER

From Van: Saliem Haider

Job Title: Manager: Solid Waste Management

Date Datum: 27 June 2018

Re Insake: **DEVIATION: Collection of recyclables from appointed areas within the Stellenbosch Municipal area and the processing thereof at the mini-MRF situated in Adam Tas Road, Stellenbosch**

1. PURPOSE

To obtain approval in terms of Supply Chain Management Policy, to deviate from the official procurement process, 4.36.1(a)(i) and 4.36.1(a)(v).

REASON FOR DEVIATION: (Mark with x where applicable)	
1. Emergency.	
2. Goods or services are produced or available from a single provider.	
3. Acquisition of special works of art or historical objects where specifications are difficult to compile.	
4. Acquisition of animals for zoos and /or nature and game reserves.	
5. Exceptional case and it is impractical or impossible to follow the official procurement processes.	x

2. SUBSTANTIATE WHY SCM PROCESS COULD NOT BE FOLLOWED (TO BE REPORTED TO COUNCIL)

The construction of the Material Recovery Facility (MRF) and Drop-off facility for Stellenbosch will commence and possibly be completed in the 2018/19 financial year. This will render the current mini-MRF site to be within a construction zone and it is therefore not practical to follow a formal tender process whilst construction is in progress.

3. BACKGROUND

The current tender B/SM 18/17 expires on 30 June 2018. Resource Innovations were appointed through a formal tender process, which commenced on 1 December 2016. The municipality embarked on a rudimentary system to receive and process recyclable waste (commonly referred to as a mini-MRF) prior to the establishment of the MRF and Drop-off facility earmarked for the region. This was done in order to save significant costs, particularly on transportation of the collected waste stream,

which was previously taken to the licensed Kraaifontein Integrated Waste Management Facility. Despite the high costs of running a separation-at-source programme, the residents of Stellenbosch Municipality bought into this concept, and stopping it (even temporarily) will break momentum and make it more difficult to re-establish in future. The need for a MRF within the WCO24 was thus identified, and an engineered- designed facility will be constructed during the 2018/2019 financial year, with anticipated commencement of such construction in November 2018. The current facility will still be utilised, with high levels of interruption, until the completion of the formalized MRF. Recycling at source is playing a significant role in saving valuable airspace at the Devon Valley Landfill site, as there is currently 11 months of airspace left at the Landfill site.

4. DISCUSSION

Stellenbosch Municipality operates the Mini MRF as an interim measure whilst the new facility is being constructed. A significant volume of waste (80 tons per month) is being diverted away from the Landfill site due to this operation, and will increase once the dedicated facility is completed, and supplementary programmes rolled out as planned.

It is extremely difficult to award a formalised tender whilst the site will be a construction zone, and for this reason a deviation to the normal procurement processes are requested to continue with the appointment of Resource Innovations, until the formalised MRF is in place, which is expected to be completed by June 2019.

5. FINANCIAL IMPLICATIONS

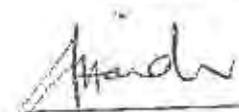
Resource Innovations have quoted a rate of R129 034/month (Excl VAT) to service the Stellenbosch Municipal area. Should the electricity not be in place as yet, the hire of a Genset will add an additional R20 000 (Excl VAT) to the monthly service fee.

6. RECOMMENDATION

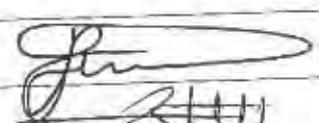
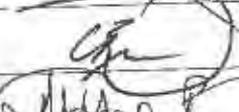
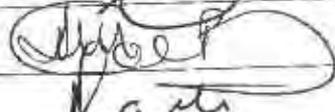
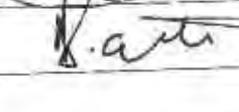
It is recommended that:

6.1 That the approval be granted in terms of the Municipality's Supply Chain Management Policy 4.32.1(a)(v) - in any other exceptional case where it is impractical or impossible to follow the official procurement process to extend the appointment of Resource Innovations from 1 July 2018 until the new MRF has been completed.

6.2 That the approval, from U-key from the 2018/2019 financial year be granted in terms of the Municipality Supply Chain Management Policy 4.36.1(a)(v) - in any other exceptional case where it is impractical or impossible to follow the official procurement process in an emergency for the deviation of payment, which amounts to R1 548 408 (excl VAT).


 M S Haider
 Solid Waste Management

Date: 20/07/2018

RECOMMENDATION SUPPORTED / NOT SUPPORTED BY THE STELLENBOSCH MUNICIPAL BID ADJUDICATION COMMITTEE		
Name	Signature	Date
D. Louw		3/8/2018
T. MFEYA		3/8/2018
G. Edan		3/8/2018
A. M. C. de Beer		3/8/18
D. Jacobs		3/8/18
Comments: <u>Nothing to be done. Rates are based on previous tender with escalation clause is electricity dependent.</u>  CHAIRPERSON..... DATE <u>3/8/18</u>		

APPENDIX B: ABOVE R 200 000

RECOMMENDATION FROM BID ADJUDICATION COMMITTEE APPROVED BY THE ACCOUNTING OFFICER		
Name	Signature	Date
Geraldine Mettler		7/8/5

as per comment of Chairperson 

Quote



RESOURCE INNOVATIONS

VAT No: 4420232284

PO Box 504
Eppindust
Cape Town

7475

Unit C24, Pinelands Business Park
New Mill Road
Pinelands
Cape Town
7405

Number: QUO0000180
Date: 07/06/2018
Page: 1/1
Reference: Monthly Services Quote
Expiry Date: 07/07/2018

Stellenbosch Municipality

Customer VAT No: 4700102181

PO Box 17
Stellenbosch

1 Plein Street
Stellenbosch

7599

7600

Description	Quantity	Excl. Price	Disc %	VAT %	Exclusive Total	Inclusive Total
Rec - Stellenbosch Recycling Programme	1.00	R 129,034.00	0.00%	15.00%	R 129,034.00	R 148,389.10

Resource Innovations Africa (Pty) Ltd
First National Bank
Branch - Eppindust
Branch Code - 200810
Acc Number - 62207728646

Total Exclusive: R 129,034.00
Total VAT: R 19,355.10
Sub Total: R 148,389.10
Total: R 148,389.10

Resource Innovations Africa (Pty) Ltd • E-mail: info@riafra.co.za • Tel: +27 (0) 87 806 2690 • Fax: +27 (0) 86 665 7828 • www.riafra.co.za
 • VAT Registration No. 4420232284 • Company Registration No. 2013/232956/07 • Mail: PO Box 504, Eppindust, 7475, Cape Town, South Africa
 • Directors: D McComb Fr. Nat. Sci. (Micro), M.A. (O.L.), CEM, N Mbuyazi, P Ramchander (B.Tech Chem Eng)
 • Non-Executive Directors: J Miller DR SA, L Bekke

Quote



RESOURCE INNOVATIONS

VAT No: 4420232284

PO Box 504
Eppindust
Cape Town

Unit C24, Pinelands Business Park
New Mill Road
Pinelands
Cape Town
7405

Number: QU0000178
Date: 07/06/2018
Page: 1/1
Reference: Genset rental - 1 month
Expiry Date: 07/07/2018

Stellenbosch Municipality

Customer VAT No: 4700102181

PO Box 17
Stellenbosch

1 Plain Street
Stellenbosch

7599

7600

Description	Quantity	Excl. Price	Disc %	VAT %	Exclusive Total	Inclusive Total
Rec - Rental of Genset	1.00	R 20,000.00	0.00%	15.00%	R 20,000.00	R 23,000.00

Resource Innovations Africa (Pty) Ltd
First National Bank
Branch - Eppindust
Branch Code - 200810
Acc Number - 62207728645

Total Exclusive: R 20,000.00
Total VAT: R 3,000.00
Sub Total: R 23,000.00
Total: R 23,000.00

Resource Innovations Africa (Pty) Ltd • E-mail info@riafica.co.za • Tel - 27 (0) 87 608 2690 • Fax - 27 (0) 86 665 7828 • www.riafica.co.za
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 • Directors: D McComb Fr. Nat. Sci. (Micro), M.A. (O.L.), CEM, N Mbuyazi, P Ramchander (BTech Chem Eng)
 • Non-Executive Directors: J Miller CA SA, L Bekker



RESOURCE INNOVATIONS



+27 (0) 87 806 2490 | +27 (0) 86 665 7828 | info@riafica.co.za | PO Box 504, Eppindust, 7475 | Cape Town, South Africa

MR SALIEM HAIDER
MANAGER : WASTE MANAGEMENT
STELLENBOSCH MUNICIPALITY

BY E-MAIL: SALIEM HAIDER SALIEM.HAIDER@STELLENBOSCH.GOV.ZA

Dear Sir

SUBJECT: MONTHLY BUDGET FOR CURB-SIDE RECYCLING PROGRAMME

As per our discussions at the Stellenbosch Municipality waste offices today (6 June 2018), We have noted that our contract officially ends 30 June 2018. We were requested to compile a formal quotation for continued operation of the Curb-Side Recycling Programme.

The following factors that were not factored into the original costing have significantly escalated our collection costs with regards to the collection of the recyclables:

1. Having the bulk of the material collected on Tuesday has required the deployment of additional vehicles to keep within normal work hours.
2. Weighing the materials after each collection.
3. Collections at swap shops, farms and schools

In addition to the above, the RFA rate has escalated to R14.10 (see appendices – concept 2 drop side) from the R12.50 initially budgeted for which translates to 12.8% transport inflationary escalation based on the October 2017 RFA schedule.

The inflationary and service requirements have seen a cost escalation of roughly **R48 887 / month** which RI Africa has absorbed (see attached appendices). This does not include losses incurred on

the MRF itself as outlined in a previous letter to Mandlenkosi as a result of vandalism and power issues.

To continue servicing the account at the current service levels with the proposed 25% margin would see a monthly fee of **R143 371 excl VAT**. Our cost price for collections using the RFA rates is **R114 697 excl VAT**. We would propose a compromise monthly fee of **R129 034 excl VAT** (12.5% margin). A large portion of this increase is related to the need to having a second dedicated vehicle which adds roughly **R30 000** overheads to the monthly costs. It will not be possible to service the programme effectively with only one vehicle unfortunately.

The monthly cost can be reduced by through the following changes:

1. Servicing farmers / schools and swap shops – **R5 000 / month**
2. Distribute collections evenly over the week as per the initial proposal – **R8 500 / month**
3. Weighing all loads at the weighbridge – **R3 000 / month**

The MRF itself must have power and as such we have provided a quote for the monthly genset operation and rental.

I have attached the various quotes in the email communication for your referral.

I look forward to hearing from you.

Yours sincerely

Darren McComb

Managing Director

Resource Innovations Africa (Pty) Ltd

Appendices

Projected costs from original proposal

No.	Area	Households per 2011 Census	Kg's per suburb/month	Kg's / load	Num. Ber. of loads	Services per month	km / month	RFA Rate	Cost per Suburb / month	Including 25% margin
3	Dalsig (incl. Welgelegen & Bo Dalsig)	486	2 832	2 500	2	4.3	200	R 12.50	R 2 502	R 3 128
	Brandwacht	91	591	2 500	1	4.3	84	R 12.50	R 1 045	R 1 306
	Die Boord - SF	878	6 352	2 500	3	4.3	287	R 12.50	R 3 583	R 4 478
	Onderpappagaalberg (incl. Devon Valley, Devon Park, Kleinvallei)	483	3 137	2 500	2	4.3	290	R 12.50	R 3 628	R 4 535
SUBTOTAL		1 988	12 912	2 500	8	4.3	861	R 12.50	R 10 757	R 13 447
2	Paradyskloof (incl. Technopark, Schulpflaam, Lieberheimo, Anesta, Eden, La Pastorale)	694	3 658	2 500	2	4.3	264	R 12.50	R 3 302	R 4 127
	Kylemore	994	6 456	2 500	3	4.3	260	R 12.50	R 3 248	R 4 059
	Jamstown	602	3 810	2 500	2	4.3	253	R 12.50	R 3 157	R 3 946
	SUBTOTAL		2 190	14 224	2 500	7	4.3	777	R 12.50	R 9 706
3	Cloetesville (incl. Weltevrede)	3 204	20 810	2 500	9	4.3	679	R 12.50	R 10 987	R 13 734
	Welgevonden	1 071	8 956	2 500	3	4.3	247	R 12.50	R 3 085	R 3 856
	SUBTOTAL		4 275	29 766	2 500	12	4.3	926	R 12.50	R 14 072
4	Stellenbosch Central (incl. Dennesig)	5 404	35 099	2 500	15	4.3	697	R 12.50	R 8 714	R 10 893
	SUBTOTAL		5 404	35 099	2 500	15	4.3	697	R 12.50	R 8 714
5	La Colline	505	3 280	2 500	2	4.3	165	R 12.50	R 2 057	R 2 571
	Idas Valley (incl. Unifida & Arbeidsius)	2 127	13 815	2 500	6	4.3	658	R 12.50	R 8 227	R 10 284
	Uniepark (Simonswyk & Moscardsdrift)	292	1 703	2 500	1	4.3	94	R 12.50	R 1 180	R 1 475
	Rozendal (Aanhou Wan & Kaifindal & Jonkershoek)	253	1 643	2 500	1	4.3	191	R 12.50	R 2 382	R 2 977
	Universeitets Oord	3 118	20 249	2 500	9	4.3	607	R 12.50	R 8 734	R 10 893
SUBTOTAL		6 285	40 690	2 500	19	4.3	1 805	R 12.50	R 22 555	R 28 199
TOTAL		17 932	130 691	0	54	4.3	5265		R 65 810	R 82 267

Current expenditure at cost price (Using RFA Rates)

All vehicles Incl. Additional Vehicles			
Month	Total Tonnage Collected	Total Cost Of Collections	Cost per Kg Collected
01-2018	109.98	R126 302.60	R1.15
02-2018	91.47	R114 145.60	R1.25
03-2018	94.47	R106 861.36	R1.13
04-2018	74.32	R111 456.69	R1.50
Totals	370.24	R458 788.25	
Averages	92.56	R114 697.06	R1.24

Estimated additional costs due to additional service requirements

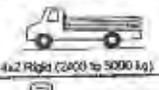
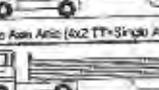
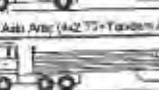
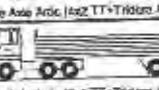
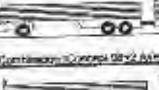
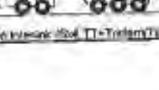
Additional Vehicles Only (Swop Shops & Tuesdays & Farmers)			
Month	Total Tonnage Collected	Total Cost Of Collections	Cost per Kg Collected
01-2018	56.27	R79 870.48	R1.42
02-2018	48.08	R71 267.33	R1.65
03-2018	49.22	R58 926.94	R1.20
04-2018	16.09	R27 567.26	R1.71
Totals	169.66	R237 632.01	
Averages	41.16	R59 408.00	R1.44

Estimated additional costs due to second vehicle / Tuesday

02		Annual km	48,000.00	Monthly km	2,632.50
		Fixed Cost - R/Day	2,199.00		
		Fixed Cost - c/km	1,031.00	Fixed Cost	1,568.57
		Variable Cost - c/km	379.10	Variable Cost	379.10
		Total Cost - c/km	1,410.00	Total Cost	1,945.67

1 vehicle at 4000km / month would attract a rate of R14.10 per km. Two vehicles at 2632.5km / month would see the average rate per km increase to R19.46 / km. This is due to the fixed cost component of each vehicle (costs without doing any mileage).

RFA Rate - see concept 02

ROAD FREIGHT ASSOCIATION		VEHICLE COST SCHEDULE										Page 0	
Edition 56		Oct-17		VEHICLE COST SUMMARY									
VEHICLE CONCEPT		Drop Side	Van	Fst Brd	Tracer	Tractor	Fridge	Lowbed	PMA				
01		Annual km	48,000	48,000	-	-	-	-	-	-	-	-	
		Fixed Cost - R/Day	1,148	1,202	-	-	-	-	-	-	-	-	
		Fixed Cost - cpk	538.2	577.4	-	-	-	-	-	-	-	-	
		Variable Cost - cpk	282.0	304.1	-	-	-	-	-	-	-	-	
		Total Cost - cpk	820.2	881.5	-	-	-	-	-	-	-	-	
02		Annual km	48,000	48,000	-	-	-	-	-	-	-	-	
		Fixed Cost - R/Day	2,199	2,245	-	-	-	-	-	-	-	-	
		Fixed Cost - cpk	1,031.0	1,062.5	-	-	-	-	-	-	-	-	
		Variable Cost - cpk	370.1	382.2	-	-	-	-	-	-	-	-	
		Total Cost - cpk	1,401.1	1,444.7	-	-	-	-	-	-	-	-	
03		Annual km	48,000	48,000	-	-	-	-	-	-	-	-	
		Fixed Cost - R/Day	2,290	2,369	-	-	-	-	-	-	-	-	
		Fixed Cost - cpk	1,078.1	1,110.5	-	-	-	-	-	-	-	-	
		Variable Cost - cpk	528.0	532.1	-	-	-	-	-	-	-	-	
		Total Cost - cpk	1,606.1	1,642.6	-	-	-	-	-	-	-	-	
04		Annual km	48,000	48,000	-	-	-	-	-	-	-	-	
		Fixed Cost - R/Day	2,705	2,832	-	-	-	-	-	-	-	-	
		Fixed Cost - cpk	1,267.9	1,313.4	-	-	-	-	-	-	-	-	
		Variable Cost - cpk	654.7	686.1	-	-	-	-	-	-	-	-	
		Total Cost - cpk	1,922.6	2,000.5	-	-	-	-	-	-	-	-	
05		Annual km	48,000	48,000	48,000	54,000	48,000	48,000	-	48,000	-	-	
		Fixed Cost - R/Day	2,859	2,941	2,759	3,324	3,445	3,589	-	3,789	-	-	
		Fixed Cost - cpk	1,344.9	1,378.6	1,261.5	1,551.5	1,614.6	1,670.0	-	1,814.0	-	-	
		Variable Cost - cpk	626.1	632.8	622.9	671.5	684.8	671.3	-	693.2	-	-	
		Total Cost - cpk	2,017.1	2,044.2	1,915.3	2,223.5	2,299.4	2,341.3	-	2,507.2	-	-	
06		Annual km	48,000	48,000	48,000	54,000	48,000	48,000	-	48,000	-	-	
		Fixed Cost - R/Day	3,624	3,760	3,529	4,384	4,327	4,685	-	4,885	-	-	
		Fixed Cost - cpk	1,698.6	1,762.0	1,650.2	1,901.5	2,007.2	2,289.8	-	2,444.4	-	-	
		Variable Cost - cpk	1,172.3	1,182.0	1,167.4	1,234.4	1,230.7	1,240.4	-	1,240.4	-	-	
		Total Cost - cpk	2,870.9	2,944.0	2,817.6	3,135.9	3,237.9	3,530.2	-	3,684.8	-	-	
07		Annual km	78,000	78,000	78,000	-	-	-	-	-	-	-	
		Fixed Cost - R/Day	3,489	3,648	3,379	-	-	-	-	-	-	-	
		Fixed Cost - cpk	1,000.6	1,052.8	974.7	-	-	-	-	-	-	-	
		Variable Cost - cpk	921.3	926.2	918.8	-	-	-	-	-	-	-	
		Total Cost - cpk	1,921.9	1,979.0	1,893.5	-	-	-	-	-	-	-	
08		Annual km	110,000	110,000	110,000	54,000	110,000	-	-	-	50,000	-	
		Fixed Cost - R/Day	4,388	4,603	4,298	4,209	5,160	-	-	-	10,215	-	
		Fixed Cost - cpk	977.4	1,025.2	957.2	1,753.9	1,150.7	-	-	-	2,043.8	-	
		Variable Cost - cpk	1,027.4	1,032.7	1,024.5	1,429.1	1,080.1	-	-	-	1,090.7	-	
		Total Cost - cpk	2,004.8	2,057.9	1,981.7	3,183.0	2,230.7	-	-	-	3,134.5	-	
09		Annual km	110,000	110,000	110,000	54,000	110,000	110,000	-	67,500	-	-	
		Fixed Cost - R/Day	4,775	4,990	4,672	4,516	6,428	6,869	8,513	-	8,513	-	
		Fixed Cost - cpk	1,063.5	1,111.3	1,040.5	1,041.7	1,431.6	1,529.0	1,929.0	-	2,190.9	-	
		Variable Cost - cpk	1,180.2	1,198.5	1,189.1	1,641.0	1,229.7	1,235.5	1,489.0	-	1,489.0	-	
		Total Cost - cpk	2,243.7	2,309.8	2,229.6	2,682.7	2,660.7	2,764.5	3,418.0	-	3,679.9	-	
10		Annual km	110,000	110,000	110,000	54,000	110,000	110,000	-	67,500	-	-	
		Fixed Cost - R/Day	4,741	5,004	4,603	4,300	6,428	6,842	8,342	-	8,342	-	
		Fixed Cost - cpk	1,066.1	1,118.9	1,031.0	1,285.7	1,438.2	1,472.0	1,912.0	-	1,912.0	-	
		Variable Cost - cpk	1,112.8	1,118.3	1,199.9	1,377.7	1,147.0	1,132.7	1,355.2	-	1,355.2	-	
		Total Cost - cpk	2,178.9	2,237.2	2,230.9	2,663.4	2,585.2	2,604.7	3,267.2	-	3,267.2	-	
11		Annual km	110,000	110,000	110,000	54,000	110,000	110,000	-	67,500	-	-	
		Fixed Cost - R/Day	4,987	5,274	4,865	5,043	7,013	7,336	8,513	-	8,513	-	
		Fixed Cost - cpk	1,116.6	1,174.9	1,083.5	1,209.7	1,317.0	1,561.9	1,924.3	-	2,045.3	-	
		Variable Cost - cpk	1,379.2	1,385.9	1,275.9	1,757.1	1,315.4	1,385.1	1,505.5	-	1,505.5	-	
		Total Cost - cpk	2,495.8	2,560.8	2,359.4	2,966.8	2,632.4	2,946.4	3,429.8	-	3,550.8	-	
12		Annual km	48,000	48,000	48,000	-	-	-	-	-	-	-	
		Fixed Cost - R/Day	4,220	4,520	4,067	-	-	-	-	-	-	-	
		Fixed Cost - cpk	1,977.9	2,120.0	1,906.4	-	-	-	-	-	-	-	
		Variable Cost - cpk	1,093.5	1,106.1	1,094.9	-	-	-	-	-	-	-	
		Total Cost - cpk	3,071.4	3,226.1	3,001.3	-	-	-	-	-	-	-	
13		Annual km	78,000	78,000	78,000	-	-	-	-	-	-	-	
		Fixed Cost - R/Day	4,884	5,288	4,704	-	-	-	-	-	-	-	
		Fixed Cost - cpk	1,436.0	1,535.5	1,366.8	-	-	-	-	-	-	-	
		Variable Cost - cpk	1,263.8	1,271.0	1,280.0	-	-	-	-	-	-	-	
		Total Cost - cpk	2,699.8	2,796.5	2,646.8	-	-	-	-	-	-	-	
14		Annual km	140,000	140,000	140,000	-	-	-	-	-	-	-	
		Fixed Cost - R/Day	5,271	5,685	5,073	-	-	-	-	-	-	-	
		Fixed Cost - cpk	997.8	1,058.0	950.3	-	-	-	-	-	-	-	
		Variable Cost - cpk	1,355.7	1,362.9	1,352.1	-	-	-	-	-	-	-	
		Total Cost - cpk	2,353.5	2,420.9	2,302.4	-	-	-	-	-	-	-	
15		Annual km	110,000	110,000	110,000	-	-	-	-	-	85,000	-	
		Fixed Cost - R/Day	4,378	4,385	4,719	-	-	-	-	-	11,585	-	
		Fixed Cost - cpk	1,088.5	1,199.5	1,050.9	-	-	-	-	-	2,061.3	-	
		Variable Cost - cpk	1,127.1	1,133.1	1,124.1	-	-	-	-	-	1,204.5	-	
		Total Cost - cpk	2,215.6	2,332.6	2,175.0	-	-	-	-	-	3,265.8	-	
16		Annual km	140,000	140,000	140,000	-	-	-	-	-	-	-	
		Fixed Cost - R/Day	4,904	5,299	4,770	-	-	-	-	-	-	-	
		Fixed Cost - cpk	923.3	1,003.1	902.8	-	-	-	-	-	-	-	
		Variable Cost - cpk	1,203.5	1,209.0	1,200.3	-	-	-	-	-	-	-	
		Total Cost - cpk	2,126.8	2,212.1	2,103.1	-	-	-	-	-	-	-	
17		Annual km	140,000	140,000	140,000	84,000	110,000	-	-	-	-	-	
		Fixed Cost - R/Day	5,763	6,158	5,826	6,359	8,198	-	-	-	-	-	
		Fixed Cost - cpk	1,090.6	1,163.8	1,065.3	1,433.8	1,825.4	-	-	-	-	-	
		Variable Cost - cpk	1,341.0	1,347.9	1,337.5	1,704.4	1,502.7	-	-	-	-	-	
		Total Cost - cpk	2,431.6	2,511.7	2,402.8	3,138.2	3,328.1	-	-	-	-	-	
18		Annual km	140,000	140,000	140,000	110,000	110,000	140,000	-	-	-	-	
		Fixed Cost - R/Day	5,763	6,173	5,619	5,651	8,083	8,244	-	-	-	-	
		Fixed Cost - cpk	1,088.9	1,368.5	1,063.5	1,267.4	1,799.9	1,660.5	-	-	-	-	
		Variable Cost - cpk	1,341.0	1,347.9	1,337.5	1,501.2	1,502.7	1,369.5	-	-	-	-	
		Total Cost - cpk	2,429.9	2,516.4	2,401.0	2,768.7	3,298.8	3,030.0	-	-	-	-	
19		Annual km	140,000	140,000	140,000	-	-	-	-	-	-	-	
		Fixed Cost - R/Day	5,831	6,222	5,643	-	-	-	-	-	-	-	
		Fixed Cost - cpk	1,103.8	1,177.7	1,077.0	-	-	-	-	-	-	-	
		Variable Cost - cpk	1,388.6	1,405.8	1,395.2	-	-	-	-	-	-	-	
		Total Cost - cpk	2,492.4	2,583.5	2,472.2	-	-	-	-	-	-	-	

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Stellenbosch

AMPTELIKE BESTELLING
OFFICIAL ORDER

Stellenbosch

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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

BESTEL NR. / ORDER NO. 3445

DATUM / DATE 10-01-2013

KREDITEUR NR. / CREDITORS NO. 012101

KONTAK PERSOON / CONTACT PERSON
Charlotte Cronje
Requisition No. 1016709

BLISSBOEF ENVOYAFLEINS AFBLOK CP
W 0 BEV 504
FRIENDS OF ST
CAPE TOWN

REKVISIE (LYN) REQUISITION LINE	VOORRAAD NR. STOCK NO.	BESKRYWING / DESCRIPTION	POS NR. / VOTE NO.	HOEVEELHEID QUANTITY	PRYSE SONDER BTW PRICES WITHOUT VAT	BTW/VAT	TOTAAL PRYS TOTAL PRICE	
		MRF AND RECYCLING COLL W CPI ESC DEC			85454.05	6955.13	92409.18	
TOTAAL							92409.18	92409.18

NAMENS / FOR: *[Signature]*
STADSRAAD / TOWN COUNCIL: **STELLENBOSCH**
HANTERENDE DEPARTMENT / SIGNATURE DEPARTMENT



STELLENBOSCH

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MUNISIPALITEIT • UMASHALA • MUNICIPALITY

REQUEST FOR ORDER ON TENDERS/VARIATION ORDERS/DEVIATIONS/REGULATION 32/RATIFICATION/ FORMAL QUOTATION

APPROVAL REQUEST FOR PROCESS:

TENDER

TENDER NUMBER

BSM18/17

FRONTIER REQUEST NUMBER

1046769

USER DEPARTMENT

ENGINEERING SERVICES: SOLID WASTE

REQUESTOR

CHARLOTTE NELL

RESPONSIBLE SCM OFFICIAL

RODNEY LOEKS

VERIFICATION OF TENDER BY RESPONSIBLE SCM OFFICIAL

- | | | |
|---|---|-----|
| 1 | RATES/PRICES/QUANTITIES IN ACCORDANCE WITH THE TENDER | YES |
| 2 | THE PREFERENCE POINTS CALCULATION WAS DONE AND VERIFIED | YES |
| 3 | THE TENDER IS STILL VALID/ HAS NOT EXPIRED | YES |
| 4 | CALCULATIONS ARE ATTACHED (PRICE AND PREFERENCE) | YES |

APPROVED SERVICE PROVIDER

RESOURCE INNOVATIONS AFRICA (PTY) LTD

APPROVED AMOUNT

R 695 840,18

SIGNATURE

DATE

2018/01/03
12:38PM

VERIFICATION BY SCM OFFICIAL: CONTRACT MANAGEMENT

FOR THE SERVICE PROVIDER AND AMOUNT APPROVED ABOVE, I HEREBY CONFIRM THAT:

1. THAT THE TOTAL OF THE TENDER/CONTRACT WILL NOT BE EXCEEDED
2. THAT THE 80/20 THRESHOLD WILL NOT BE EXCEEDED (IF APPLICABLE)
3. THAT THE 10 MILLION DELEGATION THRESHOLD WILL NOT BE EXCEEDED (IF APPLICABLE)
4. THAT THE APPROVED AMOUNT ABOVE IS CAPTURED ON THE CONTRACT REGISTER
5. AN ORDER CAN BE ISSUED

SIGNATURE

DATE

10-1-2017

NAME

P. Ribeiro

Scm Contract

From: Charlotte Nell
Sent: Monday, 11 December 2017 1:20 PM
To: Paula Ribeiro
Cc: Lindsay Linders
Subject: RE: B/SM 18/17 - Please increase order number 340844 Resource Innovations Africa

Thanks Paula, will do. To be authorised when Saliem returns on Wednesday 13/12/2017.

Kind regards,



Charlotte Nell

Waste Management and Disposal
Engineering Services

T: +27 21 808 8216 / 8224
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za



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http://www.stellenbosch.gov.za/main_pages/discclaimerpage.htm

From: Paula Ribeiro
Sent: 11 December 2017 01:10 PM
To: Charlotte Nell
Cc: Lindsay Linders
Subject: RE: B/SM 18/17 - Please increase order number 340844 Resource Innovations Africa
Importance: High

Good day Charlotte,

Invoice has been delivered for payment already.

Please load a new request giving reference to order and period 1 December 2017 – 30 June 2018 (CPI 6%) = R 695 840,18. (Authorisation to be completed as well.)



Kind regards,

Paula Ribeiro

Supply Chain Management
Financial Services

T: +27 21 808 8069
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link: http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: Paula Ribeiro
Sent: 08 December 2017 09:14 AM
To: Lindsay Linders; Bentley Louw; Charlotte Nell
Cc: Saliem Haider; Engineering Scm (Gert Wepener)
Subject: RE: B/SM 18/17 - Please increase order number 340844

Good day,

Verification: Contract Management:

I hereby confirm that:

- The increased amount is captured on the Contract Register
- The order can be increased

Contract Reference Number:	Winning Supplier	Description of Tender	Start Date	End Date
BSM 018 17	Resource Innovations Africa (Pty) Ltd	Collection of recyclables and mini materials recovery facility (MRF) operations for a contract period ending 30 June 2018	2016/12/02	2018/06/30

Request Number	Order Number	Supplier Name	Description	Amount Paid Including VAT	Order Progress
1027401	331703	Resource Innovations Africa (Pty) Ltd	B/SM 18/17. Recycling Coll & sorting (1 December 2016 - 30 June 2017)	R. 656 453.00	
1028006	332212	Resource Innovations Africa (Pty) Ltd	B/SM 18/17. Variation order - Hiring of genset	R. 68 400.00	<u>19.01.2017</u>
1038584	340844	Resource Innovations Africa (Pty) Ltd	BSM 18/17: Recyclables and mini materials recovery facility (MRF). (1 July - 30 November 2017)	R. 468 895.00	<u>25.08.2017</u>
		Resource Innovations Africa (Pty) Ltd	INCREASE ORDER: 340844 - BSM 18/17 Recyclables and mini materials recovery facility (MRF) (CPI escalation 1 December 2017 - 30 June 2018)	R. 695 840.18	<u>08.12.2017</u>
1038585	339835	Resource Innovations Africa (Pty) Ltd	BSM 18/17: Recyclables and mini materials recovery facility (MRF)	R. 22 800.00	
1044058	344258	Resource Innovations Africa (Pty) Ltd	B/SM 18/17. Variation order - Hiring of genset.	R. 68 400.00	<u>27.11.2017</u>

Total value of orders: R 1 980 788.18

INCREASE ORDER: R 695 840.18

Total commitment (VAT Incl & 6% CPI escalation (7months) and variation orders): R 1 980 788.18

Remaining Contract Amount (Incl.VAT): R 0.00

Total Expenditure: R 1 122 769.00

Over-expenditure: None



Kind regards,

Paula Ribeiro

Supply Chain Management

Financial Services

T: +27 21 808 8069
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link: http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: Charlotte Nell
Sent: 06 December 2017 11:06 AM
To: Paula Ribeiro
Cc: Saliem Haider; Engineering Scm (Gert Wepener)
Subject: B/SM 18/17 - Please increase order number 340844

Good day Paula,

The screenshot extracted from B/SM 18/17's item refer:

8. FINANCIAL IMPLICATIONS

The estimated envisaged expenditure rate of R93 779.00 (VAT Included) per month for 12 months = R1 125 348.00, thereafter with CPI escalation ($\pm 6\%$) for 7 months = \pm R695 840.18 and will be financed from the following vote:

Vote number	Description	Balance on	Budget for	Budget for
		11 October 2016		
		2016/2017	2016/2017	2017/2018
165351560	Agency Services	R3 776 585.89	R10 000 000	R10 500 000

9. RECOMMENDATION FROM BEC:

9.1 That the rate of R93 779.00 (including VAT) per month of Resource Innovations Africa (Pty) Ltd be accepted and approved for a period of 12 months, with the possibility of the contract being extended on a month to month basis with CPI escalation applicable until 30 June 2018 for the collection of recyclables and mini recovery facility (MRF) operations for the Stellenbosch Municipality, until 30 June 2018, as they scored the highest points.

We have completed the first 12 months of contract B/SM 18/17 and we have decided to continue the contract until 30 June 2018 with CPI escalation as per tender agreement.

I would therefore like to request an increase of order number 340844 as follows:

Item	Amount (incl VAT)
Monthly rate	R 93,779.00

CPI escalation per month (6%)	R 5,626.74
Total per month with 6% CPI escalation	R 99,405.74

Provision must please be made for this increased rate (estimated at 6% CPI escalation) for the period 01 December 2017 – 30 June 2018 therefore seven calendar months. $R 99,405.74 \text{ per month} \times 7 \text{ months} = R 695,840.18$ (incl VAT).

Please note: The service provider will invoice monthly in terms of ACTUAL CPI escalation. The balance left on the order after 30 June 2018 can then be cancelled.

Please let me know whether this is sufficient information required to process this request or whether any additional information is required.

Kind regards,



Charlotte Nell

Waste Management and Disposal
Engineering Services

T: +27 21 808 8216 / 8224
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za



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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

MEMORANDUM
Supply Chain Management

TO/AAN	:	BID ADJUDICATION COMMITTEE
Re/Insake	:	COLLECTION OF RECYCLABLES AND MINI MATERIALS RECOVERY FACILITY (MRF) OPERATIONS FOR A CONTRACT PERIOD OF TWO (2) YEARS, ENDING 30 JUNE 2018.
BID NR:/BOD NO	:	B/SM 18/17

1. PURPOSE

To obtain approval in terms of Regulations 29 (1) (a) and (b) (i) of the Municipal Supply Chain Management Regulations and paragraph 2.4 of the Stellenbosch Municipal Supply Chain Management Policy for the appointment of a service provider for the collection of recyclables and mini materials recovery facility operations until 30 June 2018.

2. BACKGROUND

Stellenbosch Municipality introduced a separation-at-source programme in certain wards in Stellenbosch in order to separate recyclables from general refuse in an attempt to minimise waste disposed at the Devon Valley Landfill Site. In spite of all the good intentions behind the initiative, the following factors led to control deficiencies in the recycling initiative, low participation rate and the project not being customer focused:

- It is an added-on service to staff working on a Task-to-Finish program,
- No licensed processing facility was in place to add value to the co-mingled waste stream;
- No user-friendly system is in place to ensure recycling bags are delivered and collected in a cost-effective, timeous, consistent and practical manner to date;
- The indifferent manner in which recycling has been conducted broke down the confidence and enthusiasm of residents participating in the program,
- and unrestricted access to co-mingled recyclables.

Recyclables are currently transported long distances to Kraaifontein Materials Recovery Facility (MRF) and is also sorted at other facilities. In view of a Stellenbosch MRF that will be constructed in the 2017/18 financial year for the processing of this material to enhance the recycling efforts, a pilot project will be conducted utilising a mini-MRF to enhance the recycling efforts and assist in realising the Municipality's vision of a "Green Municipality". The location of the mini-MRF would be off the Adam Tas Road where the pilot brick-making project was previously undertaken..

3. DISCUSSION

The bid was advertised on 19 August 2016 in The Cape Argus and Die Burger on the Stellenbosch municipal website and municipal notice boards based on the 90/10 Preference Points System. A compulsory site meeting was held on the 29 August 2016 at 11h00 to give

potential bidders the opportunity to acquaint themselves with the particulars of the bid. Closing time and date for bid submission was 12h00 on 23 September 2016

4. DOCUMENTS COLLECTION

4.1 Document collection, briefing session and bid submissions are depicted as follows:

NO	BIDDERS	COLLECTED DOCUMENTS	BRIEFING SESSION	SUBMITTED BIDS
1	Resource Innovations Africa (Pty) Ltd	√	√	√
2	Inter-Waste (Pty) Ltd	√	√	√
3	Machalu	√	√	√
4	U-Save Waste Services	√	√	X
5	Waste Carriers	√	√	X
6	Tedcor	√	√	X
7	Waste Want	√	√	X
8	DP Truck Hire	√	√	X
9	G.Abel Labour Services	√	√	X
10	Stridalong	√	√	X

4.2 On the closing date 2 offers were received and opened in public

NO	BIDDERS	MONTHLY RATE AS PER BID DOCUMENT (INCLUDING VAT)
1	Resource Innovations Africa (Pty) Ltd	R93 779.00
2	Inter-Waste (Pty) Ltd	R138 655.17

5. SUPPLY CHAIN MANAGEMENT COMPLIANCE CHECK

NO	BIDDERS	ORIGINAL VALID TAX CLEARANCE CERTIFICATE	MBD4-DECLARATION OF INTEREST	MBD8-PAST SCM PRACTICES	MBD9-CERTIFICATE INDEPENDENT BID DETERMINATION
1	Resource Innovations Africa (Pty) Ltd	YES	YES	YES	YES
2	Inter-Waste (Pty) Ltd	YES	YES	YES	YES

6. BID RESPONSIVENESS

6.1 Introduction

The bid technical evaluation and report was prepared by Mr. S. Haider (Manager: Solid Waste Management) and Ms. Charlotte Nel (Principle Technician: Solid Waste Management), who examined the bids in terms of its compliance with the stipulated technical requirements

The Functionality Proposal was evaluated on the criteria below, to determine whether the project proposal is practical and useful. The minimum score for Functionality was 70% to be further evaluated. The components and scoring of functionality were:

No	Functionality / Quality criteria	Contractors Experience	Individual's Experience	Plant and Equipment	Project Approach And Methodology	Legal Requirements	Maximum score for quality
	Max points	30	20	20	20	10	100
1	Resource Innovations Africa (Pty) Ltd	30.00	17.20	16.40	18.20	10.00	91.80
2	Inter-Waste (Pty) Ltd	12.00	8.00	10.40	4.20	10.00	44.60

Please refer to **Annexure A** for the technical report that will address any further technical enquiries.

6.2 PROPOSALS NOT CONSIDERED FOR FURTHER EVALUATION DUE TO THE FOLLOWING REASONS FOR (LEGISLATION AND REASONS APPLICABLE)

NO	BIDDERS	REASONS
2	Inter-Waste (Pty) Ltd	Non-compliant. Did not score the minimum of 70% for functionality.

7. EVALUATION

7.1 BID SPECIFICATION COMMITTEE

SCM regulation 27 (1): "A bid specification committee must compile the specifications for each procurement of goods or services by the Municipality"

SCM Regulations 27 (2) (g): "Specifications must be approved by the accounting officer prior to the publications of the invitations for bids - Relevant power has been delegated to the Head, Supply Chain Management in terms of the approved system of Delegations for SCM.

The specifications committee consisted of Ms. Charlotte Nel (Principle Technician: Solid Waste Management), Mr L.D. Van Vuuren (LED Officer), Mr K. Michalowski (Fairbridges & Ardene Attorneys), Mr B. D'Oliveira (Demand Management & Value for Money Procurement), Ms I. Thesen (SCM Administrator) and Rodney Loeks (SCM Practitioner), who were responsible for the development and compilation of the specification.

7.2 BID EVALUATION COMMITTEE

The evaluation committee consisted of Mr T. Rhode (Senior Accountant SCM), R Loeks (Supply Chain Practitioner), Mr. S. Haider (Manager: Solid Waste Management) and Ms. Charlotte Nel (Principle Technician: Solid Waste Management).

The 90/10 points system was utilized. The procedure for the evaluation of responsive tenders is **Method 2 (Financial Offer and Preference)**.

NO	BIDDERS	TENDER		TENDER EVALUATION POINTS		
		TENDER AMOUNT (VAT incl.)	BBBEE STATUS	PRICE (90)	PREFERENCE (10)	TOTAL POINTS (100)
1	Resource Innovations Africa (Pty) Ltd	R93 779.00	3	90.00	8	98.00

8 FINANCIAL IMPLICATIONS

The estimated envisaged expenditure rate of R93 779.00 (VAT Included) per month for 12 months = R1 125 348.00, thereafter with CPI escalation (±6%) for 7 months = ± R895 840.78 and will be financed from the following vote:

Vote number	Description	Balance on	Budget for	Budget for
		11 October 2016		
		2016/2017	2016/2017	2017/2018
165351560	Agency Services	R3 776 585.89	R10 000 000	R10 500 000

9. RECOMMENDATION FROM BEC:

9.1 That the rate of R93 779.00 (including VAT) per month of Resource Innovations Africa (Pty) Ltd be accepted and approved for a period of 12 months, with the possibility of the contract being extended on a month to month basis with CPI escalation applicable until 30 June 2018 for the collection of recyclables and mini recovery facility (MRF) operations for the Stellenbosch Municipality, until 30 June 2018, as they scored the highest points

9.2 They completed their MBD 4, MBD 8 and MBD 9 forms, their Tax Clearance Certificate was verified and found to be compliant. They submitted copies of their municipal accounts. The details of the proposed bidder was also verified to be not listed on either National Treasury's Register for Tender Defaulters or the Database of Restricted Suppliers and the directors were found not to be in the service of the state.

.....
CHAIRPERSON: EVALUATION COMMITTEE

28/10/2016
.....
DATE

RECOMMENDATION APPROVED BY THE STELLENBOSCH MUNICIPAL BID ADJUDICATION COMMITTEE

Name	Signature	Date
DUPRÉ LOMBARD		28/10/2016
GERALD ESCAN		28/10/2016
Brian Mcaza		28/10/2016
WILLEM PEETORIUS		28/10/2016
I SAUNDERS		28.10.2016

Comments

.....
.....

CHAIR PERSON

28/10/16
.....
DATE

STELLENBOSCH MUNICIPALITY
SUPPLY CHAIN MANAGEMENT

2016 -09-



RID OPEN

STELLENBOSCH

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MUNICIPALITY • UMASIPATA • MUNISIPALITEIT

PRICING
SCHEDULE



Table 4: Monthly operational fees

Description of items	Qty	Unit price	Total per month
Supervisor	1	R 5,500	R 5,500
Labour	10	R 3,500	R 35,000
Runners	2	R 3,500	R 3,500
Portable toilet	1	R650	R 650
Vehicle(s) (wet rate including driver(s))	1	R82,262	R 82,262
Public relations (marketing and awareness raising)	1	R2,500	R 2,500
Sarting tables	3	R200	R 600
6m lockable containers	3	R800	R 2,400
Baler	1	R5,500	R 5,500
Tarp	1	R60	R 60
Shade sail	1	R600	R 600
Protective clothing (refer to 3.20.6)	1	R2,000	R 2,000
Water provision	1	R500	R 500
Mechanism to lift/move bales	1	R500	R 500
Additional Items	Qty	Unit Price	Total per month
			R 141,572
			R
			R
			R
Less: selling of recyclables per month	Qty	Unit Price	Total per month
			+ R 59,390
Subtotal			R 82,262
Plus 14% VAT			R 11,517
Total monthly operational fees			R 93,779

SIGNATURE:		NAME (PRINT):	Darrin McComb
CAPACITY:	Managing Director	DATE:	20 September 2016
NAME OF FIRM:	Resource Innovations Africa (Pty) Ltd		

Reference No: B/SM 18/17

RECOMMENDATION FROM BEC:

That the rate of R93 779.00 (including VAT) per month of Resource Innovations Africa (Pty) Ltd be accepted and approved for a period of 12 months, with the possibility of the contract being extended on a month to month basis with CPI escalation applicable until 30 June 2018 for the collection of recyclables and mini recovery facility (MRF) operations for the Stellenbosch Municipality, until 30 June 2018, as they scored the highest points

They completed their MBD 4, MBD 8 and MBD 9 forms, their Tax Clearance Certificate was verified and found to be compliant. They submitted copies of their municipal accounts. The details of the proposed bidder was also verified to be not listed on either National Treasury's Register for Tender Defaulters or the Database of Restricted Suppliers and the directors were found not to be in the service of the state.

APPROVAL:

Bid B/SM 18/17 was approved by the Bid Adjudication Committee on 28 October 2016.

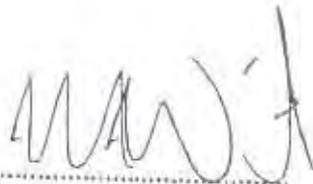
General

Adjournment

Meeting adjourned at 09:10

Minutes compiled by L Jansen (Ms)

Date: 28 October 2016



Chairperson
M Wüst



Date



Report Date:

10 Jan 2018 03:32:13 PM

Report Ran By:

lindsay.linders@stellenbosch.gov.za

CSD REGISTRATION REPORT

SUPPLIER IDENTIFICATION

Supplier number	MAAA0060402	South African company/CC registration number	2013/232956/07
Is supplier active?	Yes	Have Bank Account	Yes
Supplier type	CIPC Company	Registration date	17 Dec 2013 00:00:00:000
Supplier sub-type	Private Company (Pty)(Ltd)	Created by	darrin@riafrika.co.za
Legal name	RESOURCE INNOVATIONS AFRICA	Created date	17 Mar 2016 17:10:38:000
Identification type	South African Company/Close Corporation Registration Number	Edit by	darrin@riafrika.co.za
Government breakdown	Private Companies (Pty) (Ltd)	Edit date	13 Jan 2017 21:43:00:823
Business status	In Business	Restricted Supplier	No
Country of origin	South Africa	Restriction Last Verification Date	10 Jan 2018 15:32:01:430

SUPPLIER CONTACT INFORMATION

CONTACT 1

Contact type	Finance	Cellphone number	0724713035
Is this your preferred Contact?	No	Fax number	0865725096
Name(s)	Rochelle Maria	Website address	www.riafrika.co.za
Surname	Arendoiff	Do you want this contact to also be a CSD user ?	Yes
Identification type	South African Identification Number	Created by	darrin@riafrika.co.za
Prefer communication via email	Yes	Created date	17 Mar 2016 11:53:26:000
Email address	rochelle@riafrika.co.za	Edit by	darrin@riafrika.co.za
Telephone number	0218025509	Edit date	17 Mar 2016 11:53:26:000

CONTACT 2

Contact type	Administration	Cellphone number	0728567828
Is this your preferred Contact?	Yes	Fax number	0866257828
Name(s)	Darrin Gary	Website address	www.riafrika.co.za
Surname	McComb	Do you want this contact to also be a CSD user ?	Yes
Identification type	South African Identification Number	Created by	darrin@riafrika.co.za
Prefer communication via email	Yes	Created date	17 Mar 2016 11:47:20:000





Report Date:	10 Jan 2018 03:32:14 PM
Report Ran By:	lindsay.linders@stellenbosch.gov.za

CSD REGISTRATION REPORT

Bank Verification Response: Incorrect Company Name/
Surname

TAX INFORMATION

Income tax number	9480903153	Would you like to receive notifications?	Yes
Income Tax Status	Compliant tax status Verified	Overall Tax Status	Tax Compliant
VAT number	4420232284	Created by	darrin@riafrica.co.za
VAT Status	Compliant tax status Verified	Created date	15 Apr 2016 01:31:06:000
Is this supplier a VAT vendor?	Yes	Edit by	darrin@riafrica.co.za
Are you Registered with SARS?	Yes	Edit date	19 Jul 2017 11:04:24:000
Last validation date	10 Jan 2018 15:32:00:000		

COMPANY COMMODITIES INFORMATION

COMMODITY 1

Name	Waste Management Services	Created date	17 Mar 2016 12:19:58:000
Description	On site waste management and consultancy services	Edit by	darrin@riafrica.co.za
Commodity family	Environmental management	Edit date	17 Mar 2016 12:29:40:000
Created by	darrin@riafrica.co.za	Location	NationWide

COMMODITY 2

Name	Waste Management Services	Created date	17 Mar 2016 12:19:58:000
Description	On site waste management and consultancy services	Edit by	darrin@riafrica.co.za
Commodity family	Management advisory services	Edit date	17 Mar 2016 12:29:40:000
Created by	darrin@riafrica.co.za	Location	NationWide

ACCREDITATION INFORMATION

ACCREDITATION DETAILS 1





Report Date:	10 Jan 2018 03:32:14 PM
Report Ran By:	lindsay.linders@stellenbosch.gov.za

CSD REGISTRATION REPORT

Director status	Active	Edit by	darrin@iafrica.co.za
Name(s)	DARRIN GARY	Edit date	20 Jul 2016 23:30:49:000
Surname	MCCOMB	Restricted Supplier	No
Country	South Africa	Restriction Last Verification Date	10 Jan 2018 15:32:01:460
Identification type	South African Identification Number	Government Employee	No
South African Identification number	7502215035088	Government Employee Last Verification Date	10 Jan 2018 15:32:01:087
Work permit	0000000	SA identification number Verified	Yes
Appointment date	17 Dec 2013 00:00:00:000	SA identification number verification date	10 Jan 2018 15:32:01:147
Owner	No	Companies involved in	MAAA0559056;
Created by	darrin@iafrica.co.za		

DIRECTOR/ MEMBER 2

Director type	Director	Created date	20 Jul 2016 23:30:54:000
Director status	Active	Edit by	darrin@iafrica.co.za
Name(s)	NKOSINATHI DUMISANI	Edit date	20 Jul 2016 23:30:54:000
Surname	MBUYAZI	Restricted Supplier	No
Country	South Africa	Restriction Last Verification Date	10 Jan 2018 15:32:01:477
Identification type	South African Identification Number	Government Employee	No
South African Identification number	7801055378081	Government Employee Last Verification Date	10 Jan 2018 15:32:01:087
Work permit	0000000	SA identification number Verified	Yes
Appointment date	17 Dec 2013 00:00:00:000	SA identification number verification date	10 Jan 2018 15:32:01:193
Owner	No	Companies involved in	MAAA0524286;
Created by	darrin@iafrica.co.za		

DIRECTOR/ MEMBER 3

Director type	Director	Created by	darrin@iafrica.co.za
Director status	Active	Created date	20 Jul 2016 23:31:01:000
Name(s)	ROCHELLE MARIA	Edit by	darrin@iafrica.co.za
Surname	ARENDOLFF	Edit date	20 Jul 2016 23:31:01:000
Country	South Africa	Restricted Supplier	No
Identification type	South African Identification Number	Restriction Last Verification Date	10 Jan 2018 15:32:01:477
South African identification number	7502190128080	Government Employee	No



Report Date:	10 Jan 2018 03:32:14 PM
Report Ran By:	lindsay.linders@stellenbosch.gov.za

CSD REGISTRATION REPORT

Director status	Active	Created date	20 Jul 2016 23:31:16:000
Name(s)	LEDN JOHANN	Edit by	darrin@riafrica.co.za
Surname	BEKKER	Edit date	20 Jul 2016 23:31:16:000
Country	South Africa	Restricted Supplier	No
Identification type	South African Identification Number	Restriction Last Verification Date	10 Jan 2018 15:32:01:507
South African identification number	5512145048087	Government Employee	No
Work permit	0000000	Government Employee Last Verification Date	10 Jan 2018 15:32:01:117
Appointment date	27 Nov 2014 00:00:00:000	SA identification number Verified	Yes
Owner	No	SA identification number verification date	10 Jan 2018 15:32:01:430
		Companies involved in	MAAA0455903;

The CSD does not automatically verify foreign company registration number, international securities identification number, foreign identification numbers, foreign passport numbers, work permit numbers, foreign bank accounts, B-BBEE, demographic and accreditation information. Organs of State are required to manually verify this information with the applicable verification institutions as per their current policies and procedures.





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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

MEMORANDUM

Supply Chain Management

TO/AAN	:	BID ADJUDICATION COMMITTEE
Re/Insake	:	COLLECTION OF RECYCLABLES AND MINI MATERIALS RECOVERY FACILITY (MRF) OPERATIONS FOR A CONTRACT PERIOD OF TWO (2) YEARS, ENDING 30 JUNE 2018.
BID NR./BOD NO	:	B/SM 18/17

1. PURPOSE

To obtain approval in terms of Regulations 29 (1) (a) and (b) (i) of the Municipal Supply Chain Management Regulations and paragraph 2.4 of the Stellenbosch Municipal Supply Chain Management Policy for the appointment of a service provider for the collection of recyclables and mini materials recovery facility operations until 30 June 2018.

2. BACKGROUND

Stellenbosch Municipality introduced a separation-at-source programme in certain wards in Stellenbosch in order to separate recyclables from general refuse in an attempt to minimise waste disposed at the Devon Valley Landfill Site. In spite of all the good intentions behind the initiative, the following factors led to control deficiencies in the recycling initiative, low participation rate and the project not being customer focused:

- It is an added-on service to staff working on a Task-to-Finish program,
- No licensed processing facility was in place to add value to the co-mingled waste stream;
- No user-friendly system is in place to ensure recycling bags are delivered and collected in a cost-effective, timeous, consistent and practical manner to date;
- The indifferent manner in which recycling has been conducted broke down the confidence and enthusiasm of residents participating in the program,
- and unrestricted access to co-mingled recyclables.

Recyclables are currently transported long distances to Kraaifontein Materials Recovery Facility (MRF) and is also sorted at other facilities. In view of a Stellenbosch MRF that will be constructed in the 2017/18 financial year for the processing of this material to enhance the recycling efforts, a pilot project will be conducted utilising a mini-MRF to enhance the recycling efforts and assist in realising the Municipality's vision of a "Green Municipality". The location of the mini-MRF would be off the Adam Tas Road where the pilot brick-making project was previously undertaken..

3. DISCUSSION

The bid was advertised on **19 August 2016** in The Cape Argus and Die Burger on the Stellenbosch municipal website and municipal notice boards based on the 90/10 Preference Points System. A compulsory site meeting was held on the **29 August 2016 at 11h00** to give

potential bidders the opportunity to acquaint themselves with the particulars of the bid. Closing time and date for bid submission was 12h00 on 23 September 2016.

4. DOCUMENTS COLLECTION

4.1 Document collection, briefing session and bid submissions are depicted as follows:

NO	BIDDERS	COLLECTED DOCUMENTS	BRIEFING SESSION	SUBMITTED BIDS
1	Resource Innovations Africa (Pty) Ltd	√	√	√
2	Inter-Waste (Pty) Ltd	√	√	√
3	Machalu	√	√	X
4	U-Save Waste Services	√	√	X
5	Waste Carriers	√	√	X
6	Tedcor	√	√	X
7	Waste Want	√	√	X
8	DP Truck Hire	√	√	X
9	G.Abel Labour Services	√	√	X
10	Stridalong	√	√	X

4.2 On the closing date 2 offers were received and opened in public.

NO	BIDDERS	MONTHLY RATE AS PER BID DOCUMENT (INCLUDING VAT)
1	Resource Innovations Africa (Pty) Ltd	R93 779.00
2	Inter-Waste (Pty) Ltd	R138 655.17

5. SUPPLY CHAIN MANAGEMENT COMPLIANCE CHECK

NO	BIDDERS	ORIGINAL VALID TAX CLEARANCE CERTIFICATE	MBD4-DECLARATION OF INTEREST	MBD8-PAST SCM PRACTICES	MBD9-CERTIFICATE INDEPENDENT BID DETERMINATION
1	Resource Innovations Africa (Pty) Ltd	YES	YES	YES	YES
2	Inter-Waste (Pty) Ltd	YES	YES	YES	YES

6. BID RESPONSIVENESS

6.1 Introduction

The bid technical evaluation and report was prepared by Mr. S. Haider (Manager: Solid Waste Management) and Ms. Charlotte Nel (Principle Technician: Solid Waste Management), who examined the bids in terms of its compliance with the stipulated technical requirements.

The Functionality Proposal was evaluated on the criteria below, to determine whether the project proposal is practical and useful. The minimum score for Functionality was 70% to be further evaluated. The components and scoring of functionality were:

No	Functionality / Quality criteria	Contractors Experience	Individual's Experience	Plant and Equipment	Project Approach And Methodology	Legal Requirements	Maximum score for quality
	Max points	30	20	20	20	10	100
1	Resource Innovations Africa (Pty) Ltd	30.00	17.20	16.40	18.20	10.00	91.80
2	Inter-Waste (Pty) Ltd	12.00	8.00	10.40	4.20	10.00	44.60

Please refer to **Annexure A** for the technical report that will address any further technical enquiries.

6.2 PROPOSALS NOT CONSIDERED FOR FURTHER EVALUATION DUE TO THE FOLLOWING REASONS FOR (LEGISLATION AND REASONS APPLICABLE)

NO	BIDDERS	REASONS
2	Inter-Waste (Pty) Ltd	Non-compliant. Did not score the minimum of 70% for functionality.

7. EVALUATION

7.1 BID SPECIFICATION COMMITTEE

SCM regulation 27 (1): "A bid specification committee must compile the specifications for each procurement of goods or services by the Municipality."

SCM Regulations 27 (2) (g): "Specifications must be approved by the accounting officer prior to the publications of the invitations for bids – Relevant power has been delegated to the Head; Supply Chain Management in terms of the approved system of Delegations for SCM."

The specifications committee consisted of Ms. Charlotte Nel (Principle Technician: Solid Waste Management), Mr L.D. Van Vuuren (LED Officer), Mr K. Michalowski (Fairbridges & Ardene Attorneys), Mr B. D'Oliveira (Demand Management & Value for Money Procurement), Ms I. Thesen (SCM Administrator) and Rodney Loeks (SCM Practitioner), who were responsible for the development and compilation of the specification.

7.2 BID EVALUATION COMMITTEE

The evaluation committee consisted of Mr. T. Rhode (Senior Accountant SCM), R Loeks (Supply Chain Practitioner), Mr. S. Haider (Manager: Solid Waste Management) and Ms. Charlotte Nel (Principle Technician: Solid Waste Management).

The 90/10 points system was utilized. The procedure for the evaluation of responsive tenders is **Method 2 (Financial Offer and Preference)**.

NO	BIDDERS	TENDER		TENDER EVALUATION POINTS		
		TENDER AMOUNT (VAT incl.)	BBBEE STATUS	PRICE (90)	PREFERENCE (10)	TOTAL POINTS (100)
1	Resource Innovations Africa (Pty) Ltd	R93 779.00	3	90.00	8	98.00

8. FINANCIAL IMPLICATIONS

The estimated envisaged expenditure rate of R93 779.00 (VAT Included) per month for 12 months = R1 125 348.00, thereafter with CPI escalation ($\pm 6\%$) for 7 months = \pm R695 840.18 and will be financed from the following vote:

Vote number	Description	Balance on 11 October 2016	Budget for 2016/2017	Budget for 2017/2018
		2016/2017		
165351560	Agency Services	R3 776 585.89	R10 000 000	R10 500 000

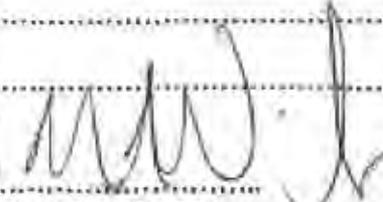
9. RECOMMENDATION FROM BEC:

9.1 That the rate of R93 779.00 (including VAT) per month of Resource Innovations Africa (Pty) Ltd be accepted and approved for a period of 12 months, with the possibility of the contract being extended on a month to month basis with CPI escalation applicable until 30 June 2018 for the collection of recyclables and mini recovery facility (MRF) operations for the Stellenbosch Municipality, until 30 June 2018, as they scored the highest points

9.2 They completed their MBD 4, MBD 8 and MBD 9 forms, their Tax Clearance Certificate was verified and found to be compliant. They submitted copies of their municipal accounts. The details of the proposed bidder was also verified to be not listed on either National Treasury's Register for Tender Defaulters or the Database of Restricted Suppliers and the directors were found not to be in the service of the state.

.....
CHAIRPERSON: EVALUATION COMMITTEE

28.10.2016
.....
DATE

RECOMMENDATION APPROVED BY THE STELLENBOSCH MUNICIPAL BID ADJUDICATION COMMITTEE		
Name	Signature	Date
DUPRÉ LOUBAARD		28/10/2016
GERARD ESAN		28/10/2016
Brian Mkoza		28/10/2016
WILLEM PRETORIUS		28/10/2016
I SAU-SENS		28.10.2016
Comments		
.....  CHAIR PERSON		
		28/10/16 DATE

Saliem Haider

From: Foreman Disposal
Sent: 30 November 2018 06:52 AM
To: Jacques Burness (jacques@riafrika.co.za); dmccomb@innovations.za.net
(darrin@riafrika.co.za)
Cc: Saliem Haider
Subject: Generator at the MRF.

Good morning.
The generator at the MRF must be booked off today.
We will not pay for any extended time after today.

Kind Regards

Neville Heckrath
Project Co ordinator:
Waste Management.

T: +27 21 808 8227 • C: +27 82 775 6706
71 Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za



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MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

To - Aan: SUPPLY CHAIN MANAGEMENT

Aff Aandag: Israel Saunders

From - Van: Saliem Haider

Datum: 19 January 2017

Our Ref - Ons Verw: B/SM 18/17

Re - Insake: VARIATION ORDER: GENSET HIRE

1. PURPOSE

To allow for a 10.01% variation order on B/SM 18/17 amounting to a total of R 182,400.00 (incl VAT).

2. BACKGROUND

Resource Innovations was appointed through tender B/SM 18/17 as the service provider responsible for the collection of recyclables and the operation of the mini-Materials Recovery Facility (MRF) on Adam Tas Road in Stellenbosch.

Preparation to ensure maximum operational efficiency at the mini-MRF included the construction of a floor slab through FQ 79/15 as well as the installation of an electrical distribution panel through FQ 248/15.

The power supply to the mini-MRF is fed from the adjacent Waste Water Treatment Works via a 300m buried power cable. A drop in voltage is experienced over this long distance and as such the 3-phase power does not work on site.

The success of the operation depends heavily on the use of a baling machine that runs solely off 3-phase power, and as such it is crucial for Resource Innovations to hire a 3-phase generator to serve as the power source in the interim until the electricity supply is fixed.

At this stage it is not known by the Solid Waste Management Department how long it will take to fix the power supply to the site. Currently it is evident that it will be more feasible to contact Eskom to provide power directly to the site so that electricity can be readily

The power supply to the mini-MRF is fed from the adjacent Waste Water Treatment Works via a 300m buried power cable. A drop in voltage is experienced over this long distance and as such the 3-phase power does not work on site.

The success of the operation depends heavily on the use of a baling machine that runs solely off 3-phase power, and as such it was crucial for Resource Innovations to hire a 3-phase generator to serve as the power source in the interim until the electricity supply is fixed. The hiring of such GenSet was approved by BAC on 21 January 2017 on condition that a GenSet is procured by this Department to avoid fruitless and wasteful expenditure.

In compliance with this instruction, the Solid Waste Management Department advertised the procurement of a GenSet through a Formal Quotation (FQ) process after receiving a quotation from an esteemed service provider. This quotation indicated that a tender process does not need to be followed, but that a GenSet would cost less than R200,000.00 (Incl VAT), and as such, an FQ process was initiated.

FQ 265/17 was advertised on the municipal website with a closing date of 9 March 2017. Six bids were received of which only two bids did not exceed the maximum FQ value. Of these two bids, only one service provider – Goodall Industrial - met the minimum functionality requirements. The process could, however, not be finalised because their tax clearance was not in order. The Municipality gave the service provider two weeks' time to address the problem, but no tax clearance certificate was brought forward. As such, the FQ was cancelled and readvertised through FQ 368/17.

FQ 368/17 was advertised on the municipal website with a closing date of 30 May 2017. Eight bids were received of which only two bids did not exceed the maximum FQ value. Of these two bids, neither of the service providers were able to meet the minimum functionality requirements and as such, the FQ was cancelled.

3. DISCUSSION

To date, two attempts to procure a GenSet through Formal Quotation processes have been unsuccessful. Resource Innovations cannot continue with their operations without a 40kvA GenSet on site.

In addition, funds from vote 5/6530/0581 (2016/2017 financial year) were specifically allocated for the procurement of a GenSet. It is important for this Department to ensure that these capital funds are spent by 30 June 2017 as planned.

VARIATION ORDER: RI - GENSET

available when the construction and implementation of the Major MRF commences which is planned on the same site.

For this reason a variation order is requested for the hiring of a GenSet for a period of eight months at R22,800.00 per month as per the attached quotation from Resource Innovations.

3. FINANCIAL IMPLICATION

The estimated envisaged expenditure for tender B/SM 18/17 is R 93,779.00 (VAT included) per month for 12 months = R 1,125,348.00, thereafter with CPI escalation ($\pm 6\%$) for 7 months = \pm R695,840.18 financed from vote 1/6535/1560.

Additional funding amounting to R 182,400.00 is requested through this Variation Order (10.01% variation),

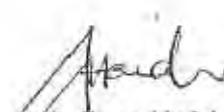
Detail of B/SM 18/17 and proposed variation order is shown below:

B/SM 18/17 total (Incl VAT)	\pm R 1,821,188.18
Amount for Variation Order (incl VAT) (R 22,800.00 per month x 8 months)	R 182,400.00
Total Amount (Incl VAT)	\pm R 2,003,588.18

Additional funding is available from vote 1/6535/1560 on the 2016/17 budget for this purpose.

4. RECOMMENDATION

That the variation order to the value of R 182,400.00 (incl VAT) (10.01%) in favour of Resource Innovations be approved.


(Saleem Haider
Manager: Solid Waste Management

19/01/2017
Date

Quote



RESOURCE INNOVATIONS

VAT No: 4420232284

PO Box 504
Eppindus

Cape Town
7475

Unit C24, Pinelands Business Park
New Mill Road

Pinelands
Cape Town
7405

Number: QUO0000032
Date: 09/01/2017
Page: 1/1
Reference: Quote #473 Gensel
Rental Cost
Expiry Date: 31/01/2017

Stellenbosch Municipality

Customer VAT No: 4700102181

PO Box 17
Stellenbosch

1 Plain Street
Stellenbosch

7599

7600

Description	Quantity	Excl. Price	Disc %	VAT %	Exclusive Total	Inclusive Total
Rental Cost of Gensel - Jan 2017		R 20,000.00	0.00%	14.00%	R 20,000.00	R 22,800.00

Resource Innovations Africa (Pty) Ltd
First National Bank
Branch - Eppindus
Branch Code - 200810
Acc Number - 62207728645

Total Exclusive: R 20,000.00
Total VAT: R 2,800.00
Sub Total: R 22,800.00
Total: R 22,800.00

Charlotte Nell

From: Charlotte Nell
Sent: 19 January 2017 11:07 AM
To: Charlotte Nell
Subject: Your Request 1028006 Has Been Registered But Requires Authorization

Request Number : 1028006 (Initial request)
Authorization Ref. : 0
Archiving document :
Contract ID : 0
Request Type : Normal SCM process

Application Date : 19/01/2017
Applicant : CHARLOTTE CHARLOTTE CRONJE
Contact details:- Extension Number 8216
Cellphone Number 0724482992
Fax Number

Captured by : CHARLOTTE CHARLOTTE CRONJE
Authorized by : SALIEM SALIEM HAIDER AWAITING AUTHORIZATION

Required by : 24/01/2017

Preferred supplier 1: 012104 RESOURCE INNOVATIONS AFRICA (PTY) LTD
Reason : B/SM 18/17

Preferred supplier 2: Not yet determined
Reason :

Preferred supplier 3: Not yet determined
Reason :

Delivery Instructions: MINI MRF

Total reserved value : 182400.00
Provisional SCM process : FQ Formal Quotation Process >R30000 <R200000

STB B/SM 18/17; VARIATION ORDER - HIRING OF GENSET

Costcode : 2016 165351560 Qty.: 8,000 Value : 182400.00
DUMPING SITE : GENERAL EXPENSES OTHER : AGENCY SERVICES

Delivered By SamMail-Java [SS-F410]



MEMORANDUM

DIRECTORATE: ENGINEERING SERVICES

To - Aan: MUNICIPAL MANAGER
From - Van: Saleem Haider
Job Title: Manager: Solid Waste Management
Date - Datum: 22 June 2017
Re - Insake: **DEVIATION:** PROCUREMENT OF A GENSET

1. PURPOSE

To obtain approval in terms of Supply Chain Management Policy, to deviate from the official procurement process, 4.36.1(a)

REASON FOR DEVIATION: (Mark with x where applicable)	
1. Emergency.	
2. Goods or services are produced or available from a single provider.	
3. Acquisition of special works of art or historical objects where specifications are difficult to compile.	
4. Acquisition of animals for zoos and /or nature and game reserves.	
5. Exceptional case and it is impractical or impossible to follow the official procurement processes.	x

1. PURPOSE

To obtain approval, in terms of clause 4.36.1(a)(v) – in any other exceptional case where it is impractical or impossible to follow the official procurement process – of Council's Supply Chain Policy on procurement, and for deviation to procure a GenSet.

2. BACKGROUND

Resource Innovations was appointed through tender B/SM 18/17 as the service provider responsible for the collection of recyclables and the operation of the mini-Materials Recovery Facility (MRF) on Adam Tas Road in Stellenbosch.

4. FINANCIAL IMPLICATIONS

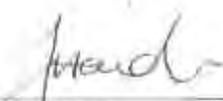
Four quotations have been received from various suppliers with the following details:

Name of the Service Provider	Price (incl VAT)
Recor 2 x 20kVA Generators	R 183,768.00
Sustainable Power Generation (Pty) Ltd 40kVA Generator	R 153,313.60
Generator King 40 kVA Generator	R 121,866.00
Langford Power (Pty) Ltd 40kVA Generator	R 138,544.20

During the evaluation of both FQs 265/17 and 368/17 it was evident that most bidders sourced the generator from Generator King, acting as middle man. By procuring the generator directly from Generator King, unnecessary costs will be spared.

5. RECOMMENDATION

- 5.1 That the approval be granted in terms of the Municipality's Supply Chain Management Policy 4.32.1 (a)(v) - in any other exceptional case where it is impractical or impossible to follow the official procurement process to procure a GenSet via deviation through Generator King.
- 5.2 That the approval, from vote 5/6530/0581 be granted in terms of the Municipality Supply Chain Management Policy 4.36.1 (a)(v) - in any other exceptional case where it is impractical or impossible to follow the official procurement process in an emergency for the deviation of payment, which amounts to R 121,866.00.



Saliem Haider
MANAGER: SOLID WASTE MANAGEMENT

Date: 23/06/2017

Supported: Yes No



Dean Louw
DIRECTOR: ENGINEERING SERVICES

Date: 20/6/2017

Please note that approval must be sought from Eskom to install a generator within their part of the Electricity licensed area

Supported: Yes No

Israel Saunders
HEAD: SUPPLY CHAIN MANAGEMENT

Date: _____

Recommended: Yes No

Elizabeth Williams
SENIOR LEGAL ADVISOR

Date: _____

Recommended: Yes No

Date: _____

Marius Wüst
CHIEF FINANCIAL OFFICER

Approved: Yes No

Date: _____

Geraldine Mettler
MUNICIPAL MANAGER

CHECK BEFORE SUBMISSION	YES	NO
REGISTERED ON SCM DATABASE If answer is NO follow the next step: - Register on SCM Database - Creditors form (SAMRAS)		
Letter - SOLE SUPPLIER if Applicable		
Original valid Tax Certificate		
Quote/Invoice Attached		
Budget (SAMRAS)		
Cashflow		
Signatures		

8.1.6	CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY CPI CONSORTIUM (PTY) LTD
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Collaborator No: 642259
 IDP KPA Ref No: Good Governance
 Meeting Date: 10 May 2019

1. SUBJECT: CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY CPI CONSORTIUM (PTY) LTD

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to write off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2). The irregular expenditure with regard to the procurement of services for the hire of labour as and when required for Solid Waste Management during the month of May 2018 is regarded as irregular because it breached the procurement process.

3. DELEGATED AUTHORITY

Council.

Council to write off the irregular expenditure as irrecoverable as the specific nature of the breach is a breach of the procurement process, not impacting in any significant way on the essential fairness, equity, transparency, competitiveness or cost effectiveness for the payment of CPI Consortium (Pty) Ltd.

4. EXECUTIVE SUMMARY

The Solid Waste Management Department required an external service provider for the hire of labour as and when required. CPI Consortium (Pty) Ltd were appointed through a three quotation system to a maximum value of R30 000.

The Superintendent: Collections failed to check whether the order was exceeded and booked labour for the month of May 2018, also causing it to exceed the R30 000 order value. This was due to staff shortages, and as there were many unfilled vacancies, made continuous use of the service provider in order to render waste collection services.

5. RECOMMENDATIONS

- (a) that the Committee takes note of the circumstances as provided in the report and recommend to Council the write-off of the irregular expenditure as irrecoverable to the amount of R16 027.19 (VAT incl) to CPI Consortium (Pty) Ltd; and
- (b) that Council writes off the irregular expenditure as irrecoverable in terms of the MFMA Section 32 (2).

6. DISCUSSION

The Solid Waste Management Department required an external service provider for the hire of labour as and when required. A three quotation system was used, and this was awarded to CPI Consortium (Pty) Ltd on 11 April 2018 for the hire of labour as and

when required. An order number 347368 was generated for an hourly flat rate per labourer. The order was generated to the maximum amount of R30 000.

This order was exhausted by 27 April 2018, because of staff shortages and the need to hire labour on public holidays. The Superintendent: Collections could not resolve the staffing problems in the month of May and continued with CPI Consortium (Pty) Ltd's services to allow for continuous service delivery.

The service of refuse collection requires a minimum of 5 staff members per truck, as per ruling by former Municipal Manager Christa Liebenberg at the time. If waste is not collected it has the potential to pose a health risk to residents. Due to a high number of vacancies in the General Worker category, additional staff needed to be hired to address the shortfall. The work performed was based on the previous order and using the same rates.

A mistake by the Superintendent: Collections led to the breach as he did not check whether the order value was exceeded.

The intent of the irregular expenditure was done in good faith, in the interest of continued service delivery.

While the process was admittedly flawed, it is agreed that there were no *male fide*, or personal gain for the individual, and it is requested that consideration be given to certify the irregular expenditure as irrecoverable and that it be written off.

As recommended in similar recent instances, the need is recognised for improvement and correct procedures in general, with the need for a training program for all level of managers undertaking financial transactions on behalf of Council to be trained or retrained. It is especially important for staff to be informed of correct procedures and the implications of latest financial circulars, changes to policy, etc. The administration is currently drafting the necessary SOP's in the corporate SOP project, which will also assist in removing the risk of a recurrence. Further steps will be taken by the Department to conduct a disciplinary enquiry against the Superintendent for negligence, to avoid future recurrence.

7. FINANCIAL IMPLICATIONS

Provision has been made from U-Key 20180711009669 in the 2018/19 budget for the amount of R16 027.19 (VAT incl).

8. LEGAL IMPLICATIONS

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

Supply Chain Management Policy, 4.36.1a (i)
Supply Chain Management Policy, 4.36.b
Supply Chain Regulation 36(1)
MFMA Section 32(2)

9. RISK IMPLICATIONS

All intent was in good faith; the breach can be attributed to the failure to check that the required financial compliances are adhered to.

10. CONCLUSION

It is acknowledged that there were breaches of the procurement processes, and there was no intentional disregard of Council's procurement processes. It is therefore requested that the irregular expenditure be written off as irrecoverable because the services were rendered.

11. COMMENTS FROM THE MUNICIPAL MANAGER

The Municipality did receive value for money and service was delivered. However, all officials in the SCM value chain are fully aware of the threshold; and non-compliance is a result of negligence and lack of proper oversight. The department recommends a disciplinary enquiry, which is supported, to ensure proper consequence management.

MPAC MEETING: 2019-05-10: ITEM 5.6

During the discussion of the above-mentioned matter, the following questions for clarity were raised by MPAC; the Administration's responses are included in brackets:

1. *Were investigations done, bearing in mind the time lapsed? (Attempts to do a round-table discussion to determine the reasons for the irregular expenditure was not successful as the service provider did not avail itself for a meeting).*
2. *Was the superintendent in item 5.6 and 5.2 the same individual? (Yes).*
3. *Does the ruling of the then Municipal Manager in terms of the size of the work-team still apply? (The microstructure makes provision for 5 workers per truck. The Department is busy with a work study for optimising the service, and the outcome will determine whether the status quo will remain or would have to be changed).*

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2019-05-10: ITEM 5.6

- (a) that Council takes note of the circumstances as provided in the report;
- (b) that, in terms of the MFMA Section 32(2), Council writes off the irregular expenditure of R16 027.19 (VAT incl) to CPI Consortium (Pty) Ltd as irrecoverable;
- (c) that the Administration implements consequence management; and
- (d) that a disciplinary enquiry be lodged and that MPAC be informed of the outcome of the enquiry within 6 months.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	Director: Infrastructure Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Deon.louw@ Stellenbosch.gov.za
REPORT DATE	2018/08/27



core to success

TAX INVOICE

Your detail:

Stellenbosch Municipality
PO Box 17
Stellenbosch
7599
VAT Number:
4700102181

Invoice detail:

Invoice Date
Account Number
Invoice Number
Reference

10 May 2018

STE001

INV-0008

AWAITING NEW PO

Our detail:

CPI Consortium (Pty) Ltd
Unit 105, Millennium Business Park
19 Edison Way
Century City
Cape Town

Our banking detail:

Bank FNB
Branch Code: 230234
Account Number: 62689468025
Company Registration Number: 2016/348431/07
VAT Number: 4090276785

Description	Quantity	Unit Price	VAT	Amount ZAR
Stellenbosch Municipality Beltana Solid Waste Depot				
Beltana Run 4 (30-4 May 2018) General Workers per day 36 Days worked by 12 employees	36.00	223.60	15%	8,049.60
8 hours Public Holidays @ Normal rate - (Public Holiday 1 May 2018 not worked by 1 employees)	0.94	223.60	15%	210.18
10.35 hours Public Holidays @ 2.00 rate - (Public Holiday 1 May 2018 worked by 11 employees / 8 hrs per day)	10.35	310.85	15%	3,217.30
			Subtotal	11,477.08
			Total Standard Rate Sales (excluding capital goods) 15%	1,721.57
			Invoice Total	13,198.65
			Total Net Payments	0.00
			Amount Due	13,198.65

Due Date: 01 Jun 2018



enre to indices

Employee Name	Sydwell - Makamole
Employee Nr	CPI
ID Number	750617 5999 089
Cell phone Nr	071 97 60608
Male / Female	MALE
Address	Sesi bini STREET
	Postal Code
Employee Job Title	
Bank Name	CAPITEC BANK
Account Nr	1365760688

CPI Consultant	ANGA XASA
CPI Consultant Cell Nr	0824327861
Fax Nr	
Email	
Office Nr	
Client	STELL / MUV
Order nr	

Monthly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
13/05/18		7:00			15:45		7.45			<i>[Signature]</i>
01/05/18		7:00			15:00			7		<i>[Signature]</i>
02/05/18		7:00			15:45		7.45			<i>[Signature]</i>
03/05/18		7:00			15:45		7.45			<i>[Signature]</i>
04/05/18		7:00			15:45		7.45			<i>[Signature]</i>
						Total	30.8	21.8	7	

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters)	S.P.O	Employee Signature	<i>[Signature]</i>
Client Signature	<i>[Signature]</i>	Date	2018-04-20/18
Date	2018/05/07	Consultant Signature	<i>[Signature]</i>

Employee Name	Richard Matwig		
Employee Nr	CPI		
ID Number	7508126042089		
Cell phone Nr	0634722170		
Male / Female	Male		
Address	045 ^c Luyolo Street		
	Kayamondi	Postal Code	7600
Employee Job Title			
Bank Name	STANDARD BANK		
Account Nr	278117546		

2



CPI Consultant	
CPI Consultant Cell Nr	
Fax Nr	
Email	
Office Nr	
Client	
Order nr	

Monthly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
30/04	7:00				18:45		7.45			<i>[Signature]</i>
01/05/18	7:00				15:00				1	<i>[Signature]</i>
02/05/18	7:00				18:45		7.45			<i>[Signature]</i>
03/05/18	7:00				18:45		7.45			<i>[Signature]</i>
04/05/18	7:00				18:45		7.45			<i>[Signature]</i>
						Total	36.8	29.8	7	

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters)	Sipo	Employee Signature	<i>[Signature]</i>
Client Signature	<i>[Signature]</i>	Date	30.04.2018
Date	2018/05/07	Consultant Signature	

4
Employee's Job Title: General Work
Bank Name: Nedbank
Account Nr: 1158909276
Employee's Job Title: General Work
Bank Name: Nedbank
Account Nr: 1158909276

Employee's Job Title: General Work
Bank Name: Nedbank
Account Nr: 1158909276
Employee's Job Title: General Work
Bank Name: Nedbank
Account Nr: 1158909276



Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
30/04/18	Monday	7:00			15:45	7.45				[Signature]
01/05/18	Tuesday	7:00			15:00	7.45			7	[Signature]
02/05/18	Wednesday	7:00			15:45	7.45				[Signature]
03/05/18	Thursday	7:00			15:45	7.45				[Signature]
04/05/18	Friday	7:00			15:45	7.45				[Signature]
	Saturday									
	Sunday									
						Total	36.8	29.8	7	

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS

Client Name (Block Letters)

Client Signature

Date

Employee Signature

Date

Consultant Signature

30/04/18

[Signature]

C

Employee Name	Nyeno Adolomba		
Employee Nr	CPI		
ID Number	830615 5728 085		
Cell phone Nr	073 054 2101		
Male / Female	Male		
Address	44 Sesihonke Street Kayamandi		
Costalard	Postal Code	7600	
Employee Job Title	G.W		
Bank Name	Capitec bank		
Account Nr	1346 5322 12		



CPI Consultant	ANCA MASA
CPI Consultant Cell Nr	024 327861
Fax Nr	
Email	
Office Nr	
Client	STELL/MUN
Order nr	

Monthly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
30/04/18		7:00			15:45	7.45				
01/05/18		7:00			15:00			7.00		
02/05/18		7:00			15:06	7.45				
04/05/18		7:00			15:06	7.45				
						Total	29.35	27.8	7.00	

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters)	SIP	Employee Signature	
Client Signature		Date	20.04.2018
Date	2018/05/07	Consultant Signature	

Employee Name	Enoch Andile MGIJIMA		
Employee Nr	Cpi		
ID Number	8410165553085		
Cell phone Nr	021 8896764		
Male / Female	Male		
Address	73 Luyolo street		
	Kayamand Stellenbosch	Postal Code	7600
Employee Job Title	G.W		
Bank Name	Capitec		
Account Nr	1202386311		



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CPI Consultant	Christie Beeslaar
CPI Consultant Cell Nr	082 380 0006
Fax Nr	086 608 9828
Email	christie@cpiworld.co.za
Office Nr	051 436 0127
Client	
Order nr	

Monthly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
30-04-2018		7:00			15:05	7.45				[Signature]
01/05/18		7:00			15:00			7.00		[Signature]
02/05/18		7:00			15:45	7.45				[Signature]
04/05/18		7:00			15:05	7.45				[Signature]
						Total	29.8	22.35	7.45	

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters)	S.P.O	Employee Signature	[Signature]
Client Signature	[Signature]	Date	30-04-2018
Date	2018/05/07	Consultant Signature	[Signature]

Olwethu Bokuwa
 C.P.I.
 8509075169 083
 084 3084 638
 Mafie
 44 Ekugala str eastward
 Kanyanda: Stellenbosch Postal Code 7600

Pringleover full rate
 Bank Name: General worker
 NAB Bank
 Account Nr: 1132520005

CPI Consultant: Anja
 CPI Consultant Cell Nr: 082 432 7841
 Fax Nr: 086 008 9829
 Email: niresh@cpiworld.co.za
 Office Nr: 051 436 0127
 Client: STEEL/MLN
 Order nr:



card to submit

Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
30/04/18	Monday	07:00			15:45	7.45	7.45			[Signature]
01/05/18	Tuesday	7:00			15:00			7		[Signature]
02/05/18	Wednesday	7:00			15:00		7.45			[Signature]
04/05/18	Friday	7:00			15:45		7.45			[Signature]
	Saturday									
	Sunday									
						29.35	22.8		7	

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters)

Client Signature

Date

Employee Signature

Date

Consultant Signature

[Signature]
 30/04/18
 [Signature]



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Employee Name	George MALGAS	
Employee Nr	CPIU	
ID Number	7006205244080	
Cell phone Nr	0634802635	
Male / Female	Male	
Address	52 1ST STR. COSTA MESA	
	KAY WARD'S	Postal Code
Employee Job Title	Ct. Worker	
Bank Name	CAPITEC	
Account Nr	1362511992	

CPI Consultant	
CPI Consultant Cell Nr	
Fax Nr	
Email	
Office Nr	
Client	
Order nr	

Monthly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
30/4/18	MON.	7:00			15:45					[Signature]
02/05/18		7:00			15:45				7.00	[Signature]
						Total	14.45	7.45	7.00	

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters)	S.P.O
Client Signature	[Signature]
Date	2018/05/07

Employee Signature	[Signature]
Date	30/4/18
Consultant Signature	[Signature]

9

Employee Name: LEONARDUS KORO
 Employee Nr: _____
 ID Number: 8111215728087
 Call phone Nr: _____
 Male / Female: MALE
 Address: I 123 MAKOPULA STREET
Kororua Road, S.D. Beach Postal Code 7608

Employee Job Title: G-W
 Bank Name: CAPITEC
 Account Nr: 1537165590

CPI Consultant: ANGA XHASO
 CPI Consultant Cell Nr: 0824321841
 Fax Nr: _____
 Email: _____
 Office Nr: _____
 Client: STEEC/MAN
 Order nr: _____



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Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
<u>30-04-18</u>	Monday	<u>7:00</u>			<u>15:00</u>					
<u>01/05/18</u>	Tuesday	<u>7:00</u>			<u>15:45</u>		<u>7.45</u>			
<u>02/05/18</u>	Wednesday	<u>7:00</u>			<u>15:45</u>		<u>7.45</u>			
<u>03/05/18</u>	Thursday	<u>7:00</u>			<u>15:45</u>		<u>7.45</u>			
<u>04/05/18</u>	Friday	<u>7:00</u>			<u>15:45</u>		<u>7.45</u>			
	Saturday									
	Sunday									
Total						<u>29.35</u>	<u>72.8</u>		<u>7</u>	

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters): S.P.O
 Client Signature: [Signature]
 Date: 30/04/08

Employee Signature: [Signature]
 Date: 30-04-2018
 Consultant Signature: [Signature]



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TAX INVOICE

Your detail:

Stellenbosch Municipality
 PO Box 17
 Stellenbosch
 7599
 VAT Number:
 4700102181

Invoice detail:

Invoice Date: 17 May 2018
 Account Number: STE001
 Invoice Number: INV-0009
 Reference: AWAITING NEW PO 2

Our detail:

CPI Consortium (Pty) Ltd
 Unit 105, Millennium Business Park
 19 Edison Way
 Century City
 Cape Town

Our banking detail:

Bank: FNB
 Branch Code: 230234
 Account Number: 62689468025
 Company Registration Number: 2016/348431/07
 VAT Number: 4090276785

Description	Quantity	Unit Price	VAT	Amount ZAR
Stellenbosch Municipality Beltana Solid Waste Depot				
Beltana Run 5 (7 May 2018) General Workers per day 11 Days worked by 11 employees	11.00	223.60	15%	2,459.60
Subtotal				2,459.60
Total Standard Rate Sales (excluding capital goods) 15%				368.94
Invoice Total				2,828.54
Total Net Payments				0.00
Amount Due				2,828.54

Due Date: 01 Jun 2018

[Handwritten mark]

[Handwritten signature]

Employee Name: **JOHNILEE MILLER**
 Employee Nr: **CPI**
 ID Number: **8411105222087**
 Cell phone Nr: **0607996435**
 Male / Female: **MALE**
 Address: **19 MADOUXEFIE STR.**
 Postal Code: _____

Employee Job Title: **C.M**
 Bank Name: **CAPITEC**
 Account Nr: **1328252567**

CPI Consultant: **ANISA MASA**
 CPI Consultant Cell Nr: **082 432 7841**
 Fax Nr: **086 206 1784**
 Email: _____
 Office Nr: **021 830 5834 / 5835**
 Client: **PERIC N. PAJ**
 Order nr: _____



Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
01-05-2018	Monday	7:00			16:45					<i>[Signature]</i>
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
					Total					

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters): **SrPe**
 Client Signature: *[Signature]*
 Date: **2018/05/16**

Employee Signature: **MILLER**
 Date: **07/05-2018**
 Consultant Signature: *[Signature]*

Employee Name: ANUSIK WASHIM
 Employee Nr: CPI
 ID Number: 8410165553085
 Cell phone Nr: 0218896764
 Male / Female: MALE
 Address: 73 LU 1010 STREET
 Postal Code: KATAMANDU

Employee Job Title: CPI
 Bank Name: CPI TEC
 Account Nr: 1209386311



CPI Consultant: ANCA KHARAT
 CPI Consultant Cell Nr: 9824527841
 Fax Nr:
 Email:
 Office Nr:
 Client: STELL/MAN
 Order nr:

Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
01-05-2018	Monday	7:00			15:45					<i>[Signature]</i>
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
Total										

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters): S/Pe
 Client Signature: *[Signature]*
 Date: 01/05/18

Employee Signature: *[Signature]*
 Date: 01/05-2018
 Consultant Signature: *[Signature]*

Employee Name: **VUSUMZI MAUMBA**
 Employee Nr: **CPI**
 ID Number: **7606265731080**
 Call phone Nr: **0837531809**
 Male / Female: **MALE**
 Address: **93 MANN AND STR.**
 Postal Code: _____

Employee Job Title: **C W**
 Bank Name: **NED BANK**
 ACCOUNT NR: **11589092216**
11589092216



CPI Consultant: **ANCA XHUSA**
 CPI Consultant Cell Nr: **0824327811**
 Fax Nr: _____
 Email: _____
 Office Nr: _____
 Client: **STELL/MAUN**
 Order nr: _____

Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
01-05-2008	Monday	7:00			15:00					<i>[Signature]</i>
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
	Total									

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters): **S/R**
 Client Signature: *[Signature]*
 Date: **2008/05/16**

Employee Signature: **MAUMBA**
 Date: **01-05-2008**
 Consultant Signature: *[Signature]*

Employee Name OLWETHU BOKUYA
 Employee Nr CPI
 ID Number 2009015469083
 Cell phone Nr 084 3064 638
 Male / Female Male
 Address 144 Postal Code 1600

Employee Job Title CW
 Bank Name NED BANK
 Account Nr 430200005



CPI Consultant ANZO XUNSA
 CPI Consultant Cell Nr 082 84 32841
 Fax Nr
 Email
 Office Nr STELL MUN
 Client
 Order nr

Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
07-08-2015	Monday	7:00			15:05					
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
	Total									

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters) S/Re
 Client Signature [Signature]
 Date 07/08/16

Employee Signature OLWETHU
 Date 07-08-2015
 Consultant Signature [Signature]

Employee Name: **RONALD APPEL**
 Employee ID: **88**
 ID Number: **8110205028050**
 Cell Phone Nr: **0763645474**
 Male/ Female: **MALE**
 Address: **15 NEWMAN STREET**
 Postal Code: **7600**

Employee Job Title: **C. WORKER**
 Bank Name: **CAPITEC**
 Account Nr: **1367441109**



CPI Consultant: **ANGA XIMES**
 CPI Consultant Cell Nr:
 Fax Nr:
 Email:
 Office Nr:
 Client: **STEC/MUN**
 Order nr:
 Manager Signature: **[Signature]**

Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1,0	O/Time 1,5	O/Time 2,0	Manager Signature
07-05-2008	Monday	7:00			15:45					[Signature]
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
	Total									

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters): **SINO**
 Client Signature: **[Signature]**
 Date: **2008/05/16**

Employee Signature: **APPEL**
 Date: **07-05-2008**
 Consultant Signature: **[Signature]**

Employee Name **RICHARD MATINA**
 Employee Nr **CPI**
 ID Number **7508126042089**
 Cell phone Nr **0634722130**
 Male / Female **MALE**
 Address **045 LUYSLD**
 Postal Code **7600**

Employee Job Title
 Bank Name **STD BANK**
 Account Nr **278117546**

CPI Consultant **ANITA XELASS**
 CPI Consultant Cell Nr
 Fax Nr
 Email
 Office Nr
 Client **STEC/MUN**
 Order nr



Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
01-05-2018	Monday	7:00			16:45					<i>[Signature]</i>
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
	Total									

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters) **S/P**
 Client Signature *[Signature]*
 Date **2018/05/16**

Employee Signature **MATINA**
 Date **01-05-2018**
 Consultant Signature *[Signature]*

Employee Name SYWELL
 Employee Nr CPI
 ID Number 7506175992087
 Cell phone Nr 01192606083
 Male / Female MALE
 Address ZO SESIBINI STR
 Postal Code 1600

Employee Job Title Q M
 Bank Name CAPITEC
 Account Nr 136756683

CPI Consultant ANCA
 CPI Consultant Cell Nr 0824327041
 Fax Nr
 Email
 Office Nr
 Client STEL/MUN
 Order nr



Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
07-05-18	Monday	7:00			15:00					<i>[Signature]</i>
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
	Total									

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters) SIP
 Client Signature *[Signature]*
 Date 07/05/18

Employee Signature SYWELL
 Date 07-05-2018
 Consultant Signature *[Signature]*

Employee Name ANDRE WILLEDE
 Employee Nr CPI
 ID Number 8809045087083
 Cell phone Nr 0731462099
 Male / Female MALE
 Address SEIFE STR
 Postal Code 7600

Employee Job Title CAW
 Bank Name CAPITEC
 Account Nr 14128551470



CPI Consultant MARSHALL SO
 CPI Consultant Cell Nr 0524327061
 Fax Nr
 Email
 Office Nr
 Client STEELE/MANN
 Order nr

Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
01-05-2018	Monday	7:00			15:00					<i>[Signature]</i>
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
					Total					

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters) SIR
 Client Signature [Signature]
 Date 2018/05/16

Employee Signature ANDRE
 Date 01-05-2018
 Consultant Signature [Signature]

Employee Name LEBOHANI KORO
 Employee Nr CP
 ID Number 8112115728087
 Cell phone Nr 0833431353
 Male / Female MALE
 Address I 123 MARIPIUE
 Postal Code 7600
KNAMANDI

Employee Job Title SIW
 Bank Name CA PITEC
 Account Nr 1537145590



CPI Consultant ANCA YHABA
 CPI Consultant Cell Nr 0824321841
 Fax Nr
 Email
 Office Nr
 Client STELLMAN
 Order nr

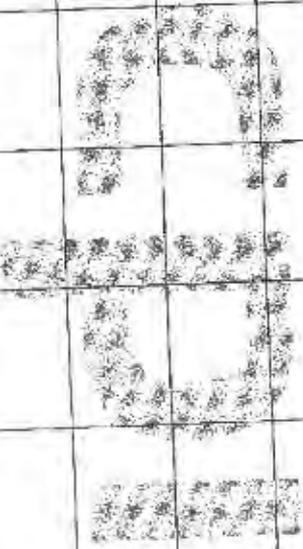
Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
01-05-2018	Monday	7:00			16:00					<i>[Signature]</i>
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
					Total					

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters) SIR
 Client Signature [Signature]
 Date 2018/01/01

Employee Signature
 Date 01-05-2018
 Consultant Signature [Signature]



Employee Name: NYANI SA MBOLOMBA
 Employee No: CPI
 ID Number: 06308155728085
 Cell phone Nr:
 Male / Female:
 Address:
 Postal Code:

Employee Job Title: W. G
 Bank Name: CAPITAL
 Account Nr: 1346532212



CPI Consultant: ANCA XUPAST
 CPI Consultant Cell Nr:
 Fax Nr:
 Email:
 Office Nr:
 Client: STELLMUN
 Order nr:

Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
07-05-18	Monday	7:00			15:45					<i>[Signature]</i>
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
	Total									

BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.

Client Name (Block Letters): SIRE
 Client Signature: *[Signature]*
 Date: 2018/05/18

Employee Signature: NYANI SA
 Date: 07-05-2018
 Consultant Signature: *[Signature]*

(17)

Employee Name	ADRIA TENSHELL FRANS	
Employee Nr	CPI	
ID Number	820627 5217086	
Cell phone Nr	-	
Male / Female	MALE	
Address	02 LLOETE	
	Postal Code	

Employee Job Title	C W
Bank Name	CAPITAL
Account Nr	133213593

CPI Consultant	ANGA XHASK
CPI Consultant Cell Nr	082 432 7841
Fax Nr	086 206 1784
Email	
Office Nr	021 830 5834 / 5835
Client	STELC/MUN
Order nr	STELC/MUN



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Weekly Time Record

Date	Day	Time In	Lunch Out	Lunch In	Time Out	Total Hours	N/Time 1.0	O/Time 1.5	O/Time 2.0	Manager Signature
07-05-2018	Monday	7:00			15:05					<i>[Signature]</i>
	Tuesday									
	Wednesday									
	Thursday									
	Friday									
	Saturday									
	Sunday									
BY SIGNING THIS DOCUMENT YOU ACKNOWLEDGE CPI RULES AND REGULATIONS.						Total				

Client Name (Block Letters)	Sipo
Client Signature	<i>[Signature]</i>
Date	2018/05/16

Employee Signature	ADRIA
Date	07-05-2018
Consultant Signature	<i>[Signature]</i>

8.1.7	CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY F.G. JACOBS TRANSPORT CC FOR THE HIRING OF A DIGGER LOADER
--------------	--

Collaborator No: 642265
IDP KPA Ref No: Good Governance
Meeting Date: 10 May 2019

1 SUBJECT: CONSIDERATION OF EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY F.G. JACOBS TRANSPORT CC FOR THE HIRING OF A DIGGER LOADER

2. PURPOSE OF REPORT

To provide information regarding the expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to ratify the expenditure in terms of the MFMA Section 32 (2). The expenditure with regard to the hiring of digger loader services from F.G. JACOBS TRANSPORT CC for services rendered to Water Services Department during February and March 2019 is regarded as irregular, because it breached the procurement process.

3. DELEGATED AUTHORITY

Council.

Council to ratify the expenditure as the specific nature of the breach is a breach of the procurement process, not impacting in any significant way on the essential fairness, equity, transparency, competitiveness or cost effectiveness for the payment to F.G. JACOBS TRANSPORT CC for digger loader services rendered.

4. EXECUTIVE SUMMARY

Water Services Department utilized the serviced of F.G. JACOBS TRANSPORT CC to hire a digger loader to provide essential services for excavations and to restore water supply to areas affected by the repairs of damaged water mains. Two consecutive formal appointments were done through a formal quotation and a quotation process. In the period awaiting the utilization of Tender BSM 111/18, F.G. JACOBS TRANSPORT CC continued to provide the much needed essential services during the month of February 2019 up until 22 March 2019.

An official purchase order for this service was only generated on 22 March 2019. The Department is aware of service provision without an official purchase order and would like to correct this.

The intent of the irregular expenditure was done in good faith, in the interest of continued service delivery, and the expenditure of the service received was in line with the rates of the original SCM process followed, viz the Formal Quotation.

While the process was admittedly flawed, it is agreed that there were no male fide, personal gain or loss for Council, and it is requested that consideration be given to certify the expenditure.

5. RECOMMENDATIONS

(a) that the Committee takes note of the circumstances as provided in the report and recommend to Council the ratification of the expenditure to the amount of R 95 550.00(Excl. VAT) to F.G. JACOBS TRANSPORT CC; and

(b) that Council ratifies the expenditure in terms of MFMA Section 32 (2).

6. DISCUSSION

Tender no. BSM 111/18 SUPPLY OF MATERIALS AND HIRING OF PLANT AND EQUIPMENT was advertised on 30 June 2018 and closed on 3 August 2018. Bids were evaluated and approved by BAC on 28 October 2018. However, this contract was not available for procurement up until February/March 2019.

In the absence of an approved tender, Water Services Department advertised Formal Quotation 22/19: HIRING OF A DIGGER LOADER through a transparent procurement process to allow for the hiring of plant until procurement from Tender BSM 111/18 was in place. FQ 22/19 was awarded to F.G. JACOBS TRANSPORT CC on 26 September 2018 via purchase order 350858. F.G. JACOBS TRANSPORT CC provided digger loader services, as per FQ 22/19 specifications, from the start of October 2018 up until 7 January 2019.

BSM 111/18 was still not available for procurement at the start of January 2019 and necessitated the procurement for the same services through a three quotation process. Purchase Order 352642, dated 11 January 2019 was issued through the three quotation process. It was envisaged that procurement from BSM 111/18 would be obtainable by end January 2019. However, no services could be procured from Tender BSM 111/18 due to Contract Agreements (MBD 7) only issued to successful service providers on 28 January 2019.

By the end of January 2019, Water Services Department requested another procurement process for the hiring of a digger loader, but SCM Department, refused another three quotations or formal quotation process. The reason being that tender BSM 111/18 had already been approved by BAC for the same services. However, at the same time SCM, Mrs Levita Pool, advised that no plant could be procured from this tender as yet, because the Contract Agreements had not been signed by the successful SP's at the time.

Stellenbosch Water Services department loaded Request 1058398 on 8 February 2019 for the hiring of a digger loader from BSM 111/18. This was the date that SCM department confirmed, MBD7 Contract Agreements had been signed by the parties involved. However, an official purchase order was only generated for this service on 22 March 2019.

During the time period February 2019 to 22 March 2019, F.G. JACOBS TRANSPORT CC continued to provide Water Services department with essential service delivery, including excavations to repair damaged water mains, integral to restore water supply to affected areas. The rate claimed (i.e. R350/hr excluding VAT) is based on the same approved hourly rate as per FQ 22/19 and the subsequent three quotation procurement process.

The Department is aware of the non-payment and would like to correct this as the essential services had been successfully delivered by the Service Provider.

7. FINANCIAL IMPLICATIONS

Provision has been made from U-Key 20180711011341 WATER NETWORK OPERATIONAL COST: HIRING CHARGES (Cost Code 16650223080000) in the 2018/19 budget for the amount of R95 550.00(Excl. VAT).

8. LEGAL IMPLICATIONS

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

Supply Chain Management Policy, 4.36.1a (i)
Supply Chain Management Policy, 4.36.b
Supply Chain Regulation 36(1)
MFMA Section 32(2)

9. RISK IMPLICATIONS

All intent was in good faith; the breach can be attributed to the lack of access to the approved Tender BSM111/18. However, Water Services' legal obligation to provide essential services necessitated this Directorate to render the services.

10. CONCLUSION

It is acknowledged that there were minor breaches of the procurement processes and Council incurred no loss during this process. The rates payable were initially procured on a free and fair basis following formal SCM procurement processes, were cost effective, value for money and there were no intentional disregard of Council's procurement processes.

11. MUNICIPAL MANAGER'S COMMENT

The department and SCM should give reasons as to why the tender BSM111/18 was not utilized. What is unclear is why official purchase orders were only generated on 22 March 2019 when the contract was already signed on 08 February 2019. There was therefore no need for this irregular expense. This irregular expense, given the above, cannot be justified and the responsible official should be kept accountable.

Consequence management to be implemented and MM's office to be given regular updates on implementation.

MPAC MEETING: 2019-05-10: ITEM 5.7

During the discussion of the above-mentioned matter, the following question for clarity was raised by MPAC; the Administration's response is included in brackets:

1. *Was there a possibility of double payment, i.e. against the tender as well as against the additional purchase order? (No double payment involved --- payment was only done against the tender).*

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2019-05-10: ITEM 5.7

- (a) that Council takes note of the circumstances as provided in the report;
- (b) that Council ratifies the expenditure of R 95 550.00 (Excl. VAT) to F.G. JACOBS TRANSPORT CC in terms of MFMA Section 32 (2); and
- (c) that the Administration implements consequence management.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	Director: Infrastructure Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Deon.louw@Stellenbosch.gov.za
REPORT DATE	2019/04/25

APPENDIX 1



MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)					
FQ NUMBER:	22/19	CLOSING DATE:	12 September 2018	CLOSING TIME:	11h00
DESCRIPTION	HIRING OF A 4 X 4 DIGGER LOADER (WET RATE).				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

BID RESPONSE DOCUMENTS MUST BE DEPOSITED IN THE TENDER BOX AT 17 PLEIN STREET, STELLENBOSCH

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes	<input type="checkbox"/> No

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	DATE	

CAPACITY UNDER WHICH THIS BID IS SIGNED

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	Supply Chain Management	CONTACT PERSON	Tracy Wehr
CONTACT PERSON	Gerald Kraukamp	TELEPHONE NUMBER	0218088240
TELEPHONE NUMBER	0218088519	FACSIMILE NUMBER	
FACSIMILE NUMBER	0218866903	E-MAIL ADDRESS	Tracy.Wehr@stellenbosch.gov.za

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B: 3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO
- 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.



STELLENBOSCH

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REQUEST FOR FORMAL WRITTEN PRICE QUOTATION

Requirements between R 30,000 (incl VAT) and R 200,000 (incl VAT)

FORMAL QUOTATION NUMBER: FQ/SM 22/19

FQ DESCRIPTION: HIRING OF A 4 X 4 DIGGER LOADER (WET RATE).

CLOSING DATE AND TIME: 12 SEPTEMBER 2018 AT 11H00.

NAME OF BIDDER	
TOTAL BID PRICE (INCL VAT) (ALL ITEMS)	

ISSUED BY:

Department: Finance
Supply Chain Management Unit, 1st
Floor, Plein Street, Stellenbosch

**TECHNICAL ENQUIRIES REGARDING THIS
FORMAL QUOTE**

Department: Infrastructure Services
Name: Tracy Wehr
Tel no.:0218088240

INDEX PAGE

PART A: REQUIREMENTS IN TERMS OF REGULATORY FRAMEWORK

1. Details of bidder
2. Invitation to bid (MBD 1)
3. Tax clearance certificate (MBD 2)
4. Declaration of interest (MBD 4)
5. Preference claim form in terms of the Preferential Procurement Regulations 2017 (MBD 6.1)
6. Declaration of bidder's past supply chain management practices (MBD 8)
7. Certificate of independent bid determination (MBD 9)
8. Municipal Account/lease agreement/Affidavit
9. Responsiveness criteria

PART B: TECHNICAL SPECIFICATIONS, PRICING SCHEDULE AND CHECKLIST

10. Technical specifications
11. Pricing schedule (MBD 3.1)
12. Checklist for completeness

Sharntell Poole

From: Tracy Wehr
Sent: 09 January 2019 11:09 AM
To: 'Jacobs Transport'
Cc: Angus Urquhart
Subject: FQ 22/19 Final Payment (Part Payment no.3)-Water Services digger loader hire

Good day Bridgette/Wayne,

As per our telephonic conversation yesterday, please forward FG JACOBS TRANSPORT final invoice (FQ 22/19: Part Payment No. 3) on Order No. 350858 for services rendered to date. Total Order Amount = R199 999.95 (inclusive of VAT) please ensure that the total amount claimed does not exceed this value. Digger loader services to cease as soon as total claimable hours are reached.

A Statement reflecting services rendered under Order no. 350858 (FQ 22/19) shall accompany your invoice.



Kind regards,

Tracy Wehr (B.Eng Civil, US)

Principal Tech: Water & Sewer Reticulation

Engineering Services: Water Services

T: +27 21 808 8240 C: +27 84 512 8938

F: +27 21 883 9874

Email: Tracy.Wehr@stellenbosch.gov.za

71 Plein Street, 1st Floor, Stellenbosch,
7600

www.stellenbosch.gov.za



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From: Tracy Wehr
Sent: 27 November 2018 02:20 PM
To: 'Jacobs Transport'
Cc: Angus Urquhart
Subject: RE: [EX] FW: statement with invoice

Good day Bridgette/Wayne,

Our telephonic conversation earlier refers.

Attached find increased Order No. 350858 for Stellenbosch FQ 22/19 Hiring of Digger Loader. Stellenbosch municipality wish to make use of your digger loader for a continuous period (minimum 8hr/day x 5 days/week) up to 31 December 2018 or until order amount is depleted.



Kind regards,
Tracy Wehr (B.Eng Civil, US)
Principal Tech: Water & Sewer Reticulation
Engineering Services: Water Services

T: +27 21 808 8240 C: +27 84 512 8938
F: +27 21 883 9874

Email: Tracy.Wehr@stellenbosch.gov.za
71 Plein Street, 1st Floor, Stellenbosch,
7600

www.stellenbosch.gov.za



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From: Jacobs Transport [mailto:jacobstransp@mweb.co.za]
Sent: 12 November 2018 10:49 AM
To: Tracy Wehr
Subject: [EX] FW: statement with invoice

From: Jacobs Transport [mailto:jacobstransp@mweb.co.za]
Sent: 12 November 2018 09:49 AM
To: 'Tracey.Wehr@stellenbosch.gov.za'
Subject: statement with invoice

Good day Tracey

Attached find statement with invoice for order nr 350858 with worksheets as requested.

Regards

Thank you

Bridgette



Virus-free. www.avast.com

Sharntell Poole

From: Tracy Wehr
Sent: 18 March 2019 03:52 PM
To: Janine Stanfield
Cc: Esias De Jager; Angus Urquhart; Bentley Louw; Theo Rhode; Scm Intern4 (Gavilan Roberto); Engineering Scm (Gert Wepener)
Subject: Hiring of 4X4 Digger loader: 3 Quotations plz
Attachments: FQ22 19 Hiring of a 4 x4 digger loader.pdf

Good day Janine/Theo,

Can you please assist with the procurement of 3 x quotations for the hiring of a 4X4 digger loader incl. operator? Refer to previous FQ22/19 Specs and Pricing Schedule attached.

Or is there a possibility to increase either Order No. 352642 (previous 3X Quotations) or Order No. 350852(previous FQ22/19) for the exact same service? Water Services is still battling to get SCM approval to procure plant and equipment from BSM 111/18 Part B.



Kind regards,
Tracy Wehr (B.Eng Civil, US)
Principal Tech: Water & Sewer Reticulation
Engineering Services: Water Services

T: +27 21 808 8240 C: +27 84 512 8938
F: +27 21 883 9874
Email: Tracy.Wehr@stellenbosch.gov.za
71 Plein Street, 1st Floor, Stellenbosch,
7600
www.stellenbosch.gov.za



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From: Tracy Wehr
Sent: 11 January 2019 09:39 AM
To: Scm Intern4 (Gavilan Roberto)
Cc: Janine Stanfield; Esias De Jager; Angus Urquhart
Subject: RE: Hiring of 4X4 Digger loader: 3 quotations plz

Apologies,

FQ 22/19 was not attached, see attached.

Regards,
Tracy

From: Tracy Wehr
Sent: 11 January 2019 09:35 AM
To: Scm Intern4 (Gavilan Roberto)
Cc: Janine Stanfield; Esias De Jager; Angus Urquhart
Subject: Hiring of 4X4 Digger loader: 3 quotations plz

Hi Gavilan/Janine,

My telephonic conversation earlier today with Gavilan refers.

Can you please assist with the procurement of 3 x quotations for the hiring of a 4X4 digger loader + operator? Refer to FQ 22/19 Specs and pricing schedule attached. Water Services urgently require these services A.S.A.P as BSM 111/18 for plant and materials is not in effect yet. 3 x water pipe burst have thus far been reported for the day and digger loader operations is crucial for services delivery in this regard.

FYI: FQ 22/19 was put in place since October 2018 as temporary measure for digger loader hiring until BSM 111/18 is in effect, but it seem that procurement from Tender BSM 111/18 is not available yet.



Kind regards,

Tracy Wehr (B.Eng Civil, US)

Principal Tech: Water & Sewer Reticulation

Engineering Services: Water Services

T: +27 21 808 8240 C: +27 84 512 8938

F: +27 21 883 9874

Email: Tracy.Wehr@stellenbosch.gov.za

71 Plein Street, 1st Floor, Stellenbosch,

7600

www.stellenbosch.gov.za



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Sharntell Poole

From: Scm Intern3 (Sascia Davids)
Sent: 22 March 2019 03:06 PM
To: Tracy Wehr
Subject: Your Request 1058398 Now Has An Order No Of 353924

Request Number : 1058398 [Initial request]
 Authorization Ref. : 0
 Archiving document : 1058398
 Contract ID : 0

Application Date : 08/02/2019
 Applicant : TRACYW TRACY WEHR
 Contact details:- Extension Number 8240
 Cellphone Number 0845128938
 Fax Number 0218839874
 Captured by : TRACYW TRACY WEHR
 Authorized by : ESIAS ESIAS DE JAGER AUTHORIZED

Required by : 13/02/2019

Supplier : 012039 ALTANTIC PLANT AND TRANSPORT (
 Contact : CLINT DANIELS
 Telephone No : 021 637 3353
 Fax Number : 021 637 3353

Delivery Instructions: INFRASTR: WATER SERVICES BELTANA, ANGUS XT. 8230

Total reserved value : 229080.00
 Provisional SCM process : TEN Tender Process Procurement > R200000

STB BSM 111/18 Item B1.1(b) DIGGER LOADER (WET RATE: C
 AT 428E,CASE 580, SIMILAR APPROVED)
 SpecificatREFER TO BAC BID APPROVAL FOR BSM 111/18, ITEM B1.1(B) DIGGER LOADER
 (4X4WD, WET RATE, INCL. OPERATOR)
 Costcode : 2018 16650223080000 Qty.: 60.000 Value : 193200.00
 STB BSM 111/18 Item B1.2 (a) TRANSPORT TO STELLENBOSCH
 , BELTANA LUMP SUM
 Costcode : 2018 16650223080000 Qty.: 1.000 Value : 1380.00
 STB BSM 111/18 Item B1.2(h) TRAVELLING BETWEEN SITES P
 ER KM
 Costcode : 2018 16650223080000 Qty.: 1200.000 Value : 34500.00

Delivered By SamMail-Java [CS-F401S]

Esias De Jager

From: Esias De Jager
Sent: 04 March 2019 06:01 PM
To: Dalleel Jacobs; Kevin Carolus
Cc: Deon Louw; Adriaan Kurtz
Subject: FW: Request 1058398: 4x4 Digger loader

Importance: High

Tracking:	Recipient	Delivery	Read
	Dalleel Jacobs	Delivered: 2019/03/04 06:02 PM	
	Kevin Carolus	Delivered: 2019/03/04 06:01 PM	Read: 2019/03/04 07:52 PM
	Deon Louw	Delivered: 2019/03/04 06:01 PM	
	Adriaan Kurtz	Delivered: 2019/03/04 06:02 PM	Read: 2019/03/06 09:54 AM

Sien aangeheg antwoord vanaf SCM in sake die huur van 'n Diggger Loader deur reeds goedgekeurde Tender BSM 111/18.

Hierdie betrokke Tender **BSM 111/18** wat aangewend word vir die huur van plant insluitend Digger Loaders, Excavators, vragmotors ens. se geskiedenis is as volg.

1. Advertensie is geplaas op **30 Junie 2018**.
2. Tender sluitingsdatum was **3 Augustus 2018**.
3. BAC goedkeuring het geskied op **26 Oktober 2018**.
4. Briewe aan suksesvolle tenderaars om appèl periode aan te kondig was gestuur (gedateer) op **16 November 2018**.
5. Eposse met "Contract agreement (MBD 7)" was gestuur op **28 Januarie 2019**.

Dis vandag die **4de Maart 2019**. Steeds kan ons nie 'n Digger Loader huur nie, wat staan ons te doen?

U dringende reaksie asb.

Esias De Jager

*Manager: Water Services, Reticulation
 Infrastructure Services*

T: +27 21 808 8212 • C: +27 84 620 6025 • F: +27 21 883 9874, F 2 Mail: 086 541 6927
 71 Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za



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From: Bentley Louw
Sent: 04 March 2019 03:12 PM
To: Tracy Wehr
Cc: Dalleel Jacobs; Johan Fullard; Esias De Jager; Engineering Scm (Gert Wepener); Scm Intern3 (Sascia Davids); Deon Louw
Subject: RE: Request 1058398: 4x4 Digger loader

Good day,

Mr Fullard is aware of the outstanding issues he has to sort out pertaining to the evaluation that was done on this tenders. SCM cannot issue orders on this item before it is resolved. Director Louw was also informed.

Regards
Bentley

From: Tracy Wehr
Sent: Monday, 04 March 2019 14:34
To: Bentley Louw
Cc: Dalleel Jacobs; Johan Fullard; Esias De Jager; Engineering Scm (Gert Wepener); Scm Intern3 (Sascia Davids)
Subject: RE: Request 1058398: 4x4 Digger loader

Good day Bentley,

What documentation is it that you require?

Refer to extract attached (highlighted in **YELLOW**) as provided by Johan Fullard and as discussed at your office on Friday, 1 March 2019. May the end user department contact suppliers to clarify the issues as you state that "**SCM cannot at this stage....**"?
Refer to your email also attached.

Water Services urgently require the services of a 4x4 digger loader as per FLEXGEN request #1058398. (i.e. BSM 111/18 items B1.1(b) and B1.2(a) & (h) including operator, lumps sum for transport to site and km travelling cost between sites)



Kind regards,
Tracy Wehr (B.Eng Civil, US)
Principal Tech: Water & Sewer Reticulation
Engineering Services: Water Services

T: +27 21 808 8240 C: +27 84 512 8938
F: +27 21 883 9874
Email: Tracy.Wehr@stellenbosch.gov.za
71 Plein Street, 1st Floor, Stellenbosch,
7600
www.stellenbosch.gov.za



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From: Bentley Louw
Sent: 04 March 2019 01:36 PM
To: Tracy Wehr
Cc: Dalleel Jacobs
Subject:

Hi Tracy,

Please speak to Mr Fullard, we are still awaiting his documentation to procure the Digger.



Regards,

Bentley Louw

SCM: Demand management and
value for money procurement

Tel: 021 808 8177

www.stellenbosch.gov.za

Esias De Jager

From: Esias De Jager
Sent: 08 March 2019 04:22 PM
To: Dalleel Jacobs; Kevin Carolus
Cc: Deon Louw; Adriaan Kurtz; Helena Priem
Subject: BSM 111/18: DRINGENDE AANDAG, HUUR VAN TOERUSTING.

Importance: High

Tracking:	Recipient	Delivery
	Dalleel Jacobs	Delivered: 2019/03/08 04:22 PM
	Kevin Carolus	Delivered: 2019/03/08 04:22 PM
	Deon Louw	Delivered: 2019/03/08 04:22 PM
	Adriaan Kurtz	Delivered: 2019/03/08 04:22 PM
	Helena Priem	Delivered: 2019/03/08 04:22 PM

Menere

Epos aangeheg het betrekking.

Waterdienste benodig baie dringend hierdie toerusting om ons rouwater inlaat in die Eersterivier, Jonkershoek, te onderhou. Ek moet hierdie werk so spoedig moontlik voltooi voordat dit begin reën. Indien die Eersterivier se vlak optel kan geen toerusting toegang tot die inlaat kry nie. Die gevolg is dat die rouwater inlaatstruktuur sal toe spoel na die eerste reënval en geen water sal voer na Idasvallei damme deur ons rouwater pypnetwerk nie. Die Eersterivier sak eers aan die einde van die jaar met die gevolg dat ons vir etlike maande geen rouwater sal kan voer na Idasvallei damme nie.

Ons water afkomstig vanuit Jonkershoek is hierdie dorp se lewensaar en hierdie vertraging veroorsaak 'n enorme risiko ten opsigte van volhoubare voorsiening van drinkwater vir hierdie dorp. In die geval van 'n kragonderbreking is Idasvallei watersuiweringswerke ook die enigste operasionele werke.

Hierdie afdeling kan regtig nie langer wag nie, u onmiddellike reaksie is nodig!

Esias De Jager

*Manager: Water Services, Reticulation
 Infrastructure Services*

T: +27 21 808 8212 • C: +27 84 620 6025 • F: +27 21 883 9874, F 2 Mail: 086 541 6927
 71 Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za



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From: Engineering Scm (Gert Wepener)
Sent: 27 February 2019 01:37 PM
To: Dalleel Jacobs
Cc: Tracy Wehr; Esias De Jager
Subject: Requests for urgent attention please
Importance: High

1058422	OPERATIONAL	TRACYW	TRACYW	11/02/2019	16/02/2019	R 59 800.00	TEN
1058426	OPERATIONAL	TRACYW	TRACYW	11/02/2019	16/02/2019	R 50 600.00	TEN
1058398	OPERATIONAL	TRACYW	TRACYW	08/02/2019	13/02/2019	R 229 080.00	TEN

Dalleel,

Is dit moontlik dat die rekwisities vir toegekende tenders vining afgehandel kan word vir bestellings asseblief.

By voorbaat dankie.

Gert

021 808 8218

8.1.8	CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY LITRONICS FOR SIMONSBURG HIGH SITE RENTAL
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Collaborator No: 642266
IDP KPA Ref No: Good Governance
Meeting Date: 10 May 2019

1. SUBJECT: CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO SERVICES RENDERED BY LITRONICS FOR SIMONSBURG HIGH SITE RENTAL

2. PURPOSE OF REPORT

To provide information regarding the irregular expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to ratify the irregular expenditure in terms of the MFMA Section 32 (2). The irregular expenditure occurred with regard to telemetry and repeater high site in order to facilitate communications to remotely monitor the electrical substation operations and relay operational data to the main offices to compile trends of performances.

3. DELEGATED AUTHORITY

Council.

Council to ratify the irregular expenditure as the specific nature of the breach is a breach of the procurement process, not impacting in any significant way on the essential fairness, equity, transparency, competitiveness or cost effectiveness, for the payment and continued service of Litronics Two Way Radios CC for the hiring of telemetry and repeater high site in order to facilitate communications to remotely monitor the electrical substation operations and relay operational data to the main offices to compile trends of performances.

4. EXECUTIVE SUMMARY

The Municipality requires a telemetry and repeater high site in order to facilitate communications for remotely monitor the electrical substation operations and relay operational data to the main offices to compile trends of performances. This is also used to relay any alarms from substations in an event which requires attention to be able to act in a preventative manner on the network. These alarms also indicate should there be an event of power failure, from which substation it occurred and the status of the equipment in the affected substation.

5. RECOMMENDATIONS

- (a) that the Committee takes note of the circumstances as provided in the report and recommend to Council the ratification of the expenditure from July 2018 until April 2019 that amounts to R11 078.26 (incl. VAT) as per the attached statement and for May 2019 until June 2019 that amounts to R 2 376.08 (incl. VAT). The total expenditure for ratification is R 13 454.34 (incl. VAT) for Litronics Two Way Radios CC; and
- (b) that Council ratifies the expenditure in terms of MFMA Section 32 (2).

6. DISCUSSION

A formal quotation is in the process to be advertised for the rental of this Simonsberg high site. It should be noted that the repeater on the high site on Simonsberg is used for a communication link for the telemetry system between Franschoek network substations and the main server at the offices in Stellenbosch. The telemetry and repeater equipment on this site is the property of the municipality and the owner of the site is providing lock-up and security facilities. The owner of the site is also maintaining the power supply to his property thus providing the Municipality's equipment with a constant power supply in case of power failures to the High site. This high site link is imperative for the electrical monitoring system to operate. This is due to the geographical outlay of the greater Stellenbosch and Franschoek areas.

7. FINANCIAL IMPLICATIONS

The expenditures from July 2018 until April 2019 amounts to R11 078.26 (incl. VAT) and for May 2019 until June 2019 amounts to R 2 376.08 (incl. VAT). The total expenditure for ratification is R 13 454.34 (incl. VAT) for the payment Litronics Two Way Radios CC. Funds are available from the Electrical Services u-key no 20180711011322 Hiring Services.

8. LEGAL IMPLICATIONS

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

Supply Chain Management Policy, 4.36.1a (i)
Supply Chain Management Policy, 4.36.b
Supply Chain Regulation 36(1)
MFMA Section 32(2)

9. RISK IMPLICATIONS

All intent was in good faith; the breach can be attributed to the initial planning processes and the lack of capacity with regard to ensuring required financial compliances are adhered to.

10. CONCLUSION

It is acknowledged that there were minor breaches of the procurement processes. If the process was followed correctly however, the outcome and cost would have been identical. Council incurred no loss during this process and there was no intentional disregard of Council's procurement processes.

11. COMMENTS FROM THE MUNICIPAL MANAGER

This sound like a single service of which we need confirmation from the service provider on a letter of company. Further to this, SCM should have been informed of this service from the inception. What is clear is that no SCM process was followed, hence no order numbers exist. The officials concerned explain why SCM was not involved or consulted. The officials concerned must be disciplined and my office must be informed of progress. Quotation to be included as an annexure to this.

MPAC MEETING: 2019-05-10: ITEM 5.8

During the discussion of the above-mentioned matter, the following concerns were raised by MPAC; the Administration's response is included in brackets:

1. *Officials seem to be either unaware of the due dates/expiry of FQs, or they are simply negligent when it comes to proper Contracts Management. Why was the breach of SCM processes not discovered much earlier?* (Contracts Management will be tightened up; Miscommunication between the I.T Department and the user department was the root cause of this irregular expenditure).

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2019-05-10: ITEM 5.8

- (a) that Council takes note of the circumstances as provided in the report;
- (b) that Council, in terms of MFMA Section 32 (2), ratifies the expenditure from July 2018 until April 2019 for the amount of R11 078.26 (incl. VAT) as per the attached statement and for May 2019 until June 2019 for the amount of R2 376.08 (incl. VAT), in total amounting to R 13 454.34 (incl. VAT) for Litronics Two Way Radios CC; and
- (c) that the Administration institutes disciplinary action against the officials concerned.

FOR FURTHER DETAILS CONTACT:

NAME	Deon Louw
POSITION	Director: Infrastructure Services
DIRECTORATE	Infrastructure Services
CONTACT NUMBERS	021 808 8213
E-MAIL ADDRESS	Deon.louw@stellenbosch.gov.za
REPORT DATE	2018/08/27

APPENDIX 1

DEVIATION: SIMONSBURG HIGH SITE RENTAL LITRONICS

CHECK BEFORE SUBMISSION	YES	NO
REGISTERED ON CSO DATABASE		
LETTER - SOLE SUPPLIER if applicable		
QUOTE/INVOICE ATTACHED		
BUDGET (SAMRAS)		
CASHFLOW		
SIGNATURES		



MEMORANDUM

Infrastructure Services (Electro technical)

To Aan: MUNICIPAL MANAGER
 From Van: LOURENS DE LANGE
 Job title: MANAGER: MAINTENANCE AND OPERATIONS
 Date datum: 26 APRIL 2019
 Re Insake: DEVIATION: SIMONSBURG HIGH SITE RENTAL LITRONICS

1. PURPOSE

To obtain approval in terms of Supply Chain Management Policy, to deviate from the official procurement process in terms of section 36 of the approved SCM Policy in order to appoint a service provider for the Simonberg high site rental for telemetry repeater and radio communication equipment.

REASON FOR DEVIATION: (Mark with x where applicable)		
1.	Emergency. "Emergency dispensation" means emergency as referred to in paragraph 36(1)(a)(i) of this policy under which one or more of the following is in existence that warrants an emergency dispensation;	
a	The possibility of human injury or death;	
b	The prevalence of human suffering or deprivation of rights;	
c	The possibility of damage to property, or suffering and death of livestock and animals;	
d	The interruption of essential services, including transportation and communication facilities or support services critical to the effective functioning of the municipality as a whole;	✓
e	The possibility of serious damage occurring to the natural environment;	
f	The possibility that failure to take necessary action may result in the municipality not being able to render an essential community service;	✓
g	The possibility that the security of the state could be compromised; or	
h	The prevailing situation, or imminent danger, should be of such a scale and nature that it could not readily be alleviated by interim measures, in order to allow time for the formal procurement process. Emergency dispensation shall not be granted in respect of circumstances other than those contemplated above.	
2.	Goods or services are produced or available from a single provider	✓
3.	Acquisition of special works of art or historical objects where specifications are difficult to compile.	
4.	Acquisition of animals for zoos and /or nature and game reserves	
5.	Exceptional case and it is impractical or impossible to follow the official procurement processes	

NB! All deviations i.r.o the amount will be tabled at the BAC Via the BEC.

DEVIATION: SIMONSBURG HIGH SITE RENTAL LITRONICS**2. SUBSTANTIATE WHY SCM PROCESS COULD NOT BE FOLLOWED (TO BE REPORT TO COUNCIL)**

The existing site on Simonsberg mountain is owned by Litronics Two-Way Radios CC and as such Litronics Two-Way Radios CC currently offers the rental service to the Municipality. This site was rented from them for the last few years. This high site is strategically important to serve both Stellenbosch and Franschhoek areas.

3. BACKGROUND

The Municipality require a telemetry and repeater high site in order to facilitate communications for remotely monitor the electrical substation operations and relay operational data to the main offices to compile trends of performances. This is also used to relay any alarms from substations in an event which requires attention to be able to act in a preventative manner on the network. These alarms also indicate should there be an event of power failure, from which substation it occurred and the status of the equipment in the affected substation.

4. DISCUSSION

A formal quotation is in the process to be advertised for the rental of this Simonsberg high site. It should be noted that the repeater on the high site on Simonsberg is used for a communication link for the telemetry system between Franschhoek network substations and the main server at the offices in Stellenbosch. The telemetry and repeater equipment on this site is the property of the municipality and the owner of the site is providing lock-up and security facilities. The owner of the site is also maintaining the power supply to his property thus providing the Municipality's equipment with a constant power supply in case of power failures to the High site.

This high site link is imperative for the electrical monitoring system to operate. This is due to the geographical outlay of the greater Stellenbosch and Franschhoek areas.

5. FINANCIAL IMPLICATIONS

The expenditures from July 2018 until April 2019 amounts to R11 078.26 (incl. VAT) and for May 2019 until June 2019 amounts to R 2376.08 (incl. VAT). The total expenditure for ratification is R 13 454.34 (incl. VAT) for the payment Litronics Two Way Radios CC. Funds are available from the Electrical Services u-key no 20180711011322 Hiring Services.

6. RECOMMENDATION

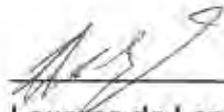
The Committee take note of the circumstances as provided in the report and approve the ratification of the expenditure from July 2018 until April 2019 that amounts to R11 078.26 (incl. VAT) as per the attached statement and for May 2019 until June 2019 that amounts to R 2376.08 (incl. VAT). The total expenditure for ratification is R 13 454.34 (incl. VAT) for Litronics Two Way Radios CC.

7. VALUE FOR MONEY (OTHER RATES/VALUES/...)

It is cost effective to rent this site due to its strategic location and the telemetry system is operating well with this in use. This site is used extensively by numerous communications operators and the current rental amount would be regarded as value for money given the terrain and the maintenance of the service provided to the Municipality.

NB! All deviations i.r.o the amount will be tabled at the BAC Via the BEC.

DEVIATION: SIMONSBURG HIGH SITE RENTAL LITRONICS



Lourens de Lange

Manager: Maintenance and Operations



Nombulelo Zwane

Snr Manager: Electro-Technical Services



D Louw
Infrastructure Services

Date: 20/04/19

NB! All deviations i.r.o the amount will be tabled at the BAC Via the BEC.

DEVIATION: SIMONSBERG HIGH SITE RENTAL LITRONICS

8. SUPPLY CHAIN MANAGEMENT COMMENTS:

9. APPROVAL:

RECOMMENDATION SUPPORTED / NOT SUPPORTED BY THE STELLENBOSCH MUNICIPAL BID ADJUDICATION COMMITTEE		
Name	Signature	Date
Comments:		
CHAIRPERSON.....		DATE
RECOMMENDATION FROM BID ADJUDICATION COMMITTEE APPROVED BY THE ACCOUNTING OFFICER		
Comments:		
ACCOUNTING OFFICER.....		DATE

NB! All deviations i.r.o the amount will be tabled at the BAC Via the BEC.

DEVIATION: SIMONSBURG HIGH SITE RENTAL LITRONICS**10. Supply Chain Management Process:**

Steps	Action
1.	User department initiates request to deviate using deviation template; document to be sent to Principal Clerk. (Renae Bergstedt)
2.	Principal Clerk (Renae Bergstedt) load information onto Deviation register with the following details:
3.	Information received to be sent to Database Administrator VIA assigned practitioner for Vetting of Supplier
4.	Completed documents to be sent to SCM Administrator via assigned Practitioner to be placed on the agenda for Bid Evaluation Committee (BEC)
5.	Recommendation of the BEC to be added on the agenda for Bid Adjudication Committee (BAC)
6.	Deviation as well as minutes sent for the approval by the Accounting Officer (MM)
7.	Office of Municipal Manager will contact SCM for the collection of the approved or not approved deviation
8.	Principal Clerk load information onto Deviation register
9.	Email sent to user- department with the approved minutes / deviation (Renae Bergstedt)
10.	Department initiates request on Flexgen
11.	Senior Buyer allocates the requisition to SCM Practitioner that dealt with the specific deviation
12.	SCM Practitioner completes order approval form
13.	Duly completed and signed order approval forms submitted to Paula Ribeiro to complete and update the contract register
14.	Order approval form is signed; contract register amended with approved amount, POE is scanned and saved on server.
15.	Fully completed, approved form is submitted to Senior buyer for order.

NB! All deviations i.r.o the amount will be tabled at the BAC Via the BEC.



LITRONICS TWO-WAY RADIOS CC

REG NO: CK 2003/080544/23

• SALES • SERVICES • MAINTENANCE •

EFM PARK, UNIT 3B, 67 LAUDA ROAD, KILLARNEY GARDENS / P.O. BOX 209, TABLE VIEW, 7439
TEL: (021) 557 - 9433 FAX: (021) 557 - 7982

S T A T E M E N T

STELLENBOSCH MUNICIPALITY
P.O. BOX 17
STELLENBOSCH
7599

STATEMENT DATE: 30/04/2019
ACCOUNT NR: 000555
TERMS: 30 Days

DATE	TRANSACTION	YOUR REF	DEBIT	CREDIT	BALANCE
BALANCE BROUGHT FORWARD					0.00
31/07/2018	INV48327	342743	1,028.95		1,028.95
31/08/2018	INV48406	342743	1,028.95		2,057.90
30/09/2018	INV48570	342743	1,028.95		3,086.85
31/10/2018	INV48746	342743	1,028.95		4,115.80
30/11/2018	INV49123		1,105.15		5,220.95
31/12/2018	INV49141		1,105.15		6,326.10
31/01/2019	INV49246		1,188.04		7,514.14
28/02/2019	INV49438		1,188.04		8,702.18
31/03/2019	INV49587		1,188.04		9,890.22
30/04/2019	INV49747		1,188.04		11,078.26

TOTAL: R 11,078.26

150 DAYS	120 DAYS	90 DAYS	60 DAYS	30 DAYS	CURRENT
1,105.15	1,105.15	1,188.04	1,188.04	1,188.04	1,188.04

TERMS: OWNERSHIP OF THE ABOVE GOODS SHALL NOT PASS UNTIL PAID IN FULL

NEDBANK TABLE VIEW ACCOUNT NR: 1088051383 BRANCH CODE: 10-88-09



LTRONICS TWO-WAY RADIOS CC

REG NO: CK 2003/080544/23

• SALES • SERVICES • MAINTENANCE •

EFM PARK, UNIT 3B, 67 LAUDA ROAD, KILLARNEY GARDENS / P.O. BOX 209, TABLE VIEW, 7439
TEL: (021) 557 - 9433 FAX: (021) 557 - 7982**QUOTATION: 9227**

STELLENBOSCH MUNICIPALITY

26TH APRIL 2019**ATT: LOURENS DE LANGE****RE: MONTHLY TELEMETRY RENTAL FOR HI-SITE**1 X Hi-Site Rental TELEMETRY for 2 months R 1 188.04 **R 2 376.08**
(MAY'19 & JUNE'19)

On confirmation of the above quotation, please sign this quote & re-send to us with an order number.

Due to the fluctuation of the Exchange Rate, this quote can only remain valid for 7 (**SEVEN**) working days from the above mentioned date.PLEASE NOTE: All prices quoted above **excludes** VAT @ 15 %.

Thank you for your enquiry.

Kind regards

MARTIN ESSL

8.2	OFFICE OF THE MUNICIPAL MANAGER
8.2.1	ADOPTION OF THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BY-LAW, 2019

Collaborator No: 644098
File No: LU1/1/1/40
IDP KPA Ref No: D534
Meeting Date: 29 May 2019

1. **SUBJECT: ADOPTION OF THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BY-LAW, 2019**
2. **PURPOSE OF REPORT**

To submit the Stellenbosch Municipal Zoning Scheme By-Law, 2019 for adoption by Council.

INTRODUCTION

The same report served on the Agenda of the Council meeting of 31st of October 2018. However, it was withdrawn by the Speaker.

In the meantime an Information session was held with the ward Councilors on the 29th of November 2018 to explain the proposed Stellenbosch Municipality Zoning Scheme By-Law, 2018 and give opportunity for clarification on the document.

During December 2018, the Executive Mayor was approached by a delegation of the Stellenbosch Agricultural Society to discuss the proposals in the document with regards to the definition of "Agricultural Industry". A meeting was scheduled with the administration on 4 April 2019. The minutes are attached as **ANNEXURE G**.

The main concern was the requirement in the above mentioned definition that in order for an Agricultural Industry to be approved, 50% of the produce should be produced on the farm. If not, a Land Use Application to Rezone had to be submitted.

However, it was proposed to take the respective requirement out of the definition and incorporate it as part of the development parameters in the Agriculture and Rural Zone. This will give the opportunity to submit a Departure application for the administration to assess, instead of a Rezoning. The document was amended accordingly.

- 2.1 To report back to Council on the public participation on the Draft Integrated Zoning Scheme By-law (Version 11) after Council authorised the Municipal Manager through Council Resolution 8.10 dated 30/08/2017, attached as **ANNEXURE A**, to embark on a second round of public participation;
- 2.2 To obtain approval from Council to adopt the Stellenbosch Municipality Zoning Scheme By-law, (Version 12), attached as **ANNEXURE B** in accordance with Section 156(2) of the Constitution read with Section 12 of the Municipal Systems Act, 2000 (Act 32 of 2000), Section 24(1) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), as well as Section 28 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014);
- 2.3 And to adopt the Zoning Maps numbered Map 01 to Map 25, dated October 2018 attached as **ANNEXURE C** and captured on the Municipality's GIS as the zoning maps adopted at the commencement of the Scheme in terms of Section 4(1) of the newly approved Stellenbosch Municipality Zoning Scheme.

-
- 2.4 To obtain approval from Council, for the proclamation of the Stellenbosch Zoning Scheme By-law, 2019 to be published in the Provincial Gazette in terms of Section 29(2) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) and Section 13(a) of the Municipal Systems Act, 2000 (Act 32 of 2000) for implementation on the 2nd of January 2019;
- 2.5 To obtain approval from Council to publish the decision to approve the zoning maps in terms of Section 29(2) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA);
- 2.6 To obtain approval for the Administration to notify the Premier in terms of Section 28 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) that the Stellenbosch Municipality Zoning Scheme was approved and to forward the relevant documentation as prescribed in LUPA to the Premier (Copy of the approved zoning scheme, together with the comments and responses document, attached as **ANNEXURE F**);
- 2.7 For Council to take cognisance that the additional Delegations for the implementation of the Stellenbosch Zoning Scheme By-Law, 2019, will be submitted to Council for approval accordingly;
- 2.8 To obtain permission from Council to embark on a tender process, in terms of the Municipal Finance Management Act to undertake a Zoning Audit in order to finalise the Zoning Scheme Register, according to the newly adopted Zoning Categories pertaining to this report. Distributed with this item is an extract of the current zoning register, attached as **ANNEXURE D**.

3. DELEGATED AUTHORITY FOR DECISION BY THE MUNICIPAL COUNCIL OF STELLENBOSCH

The adoption of the Stellenbosch Municipality Zoning Scheme By-law, 2019 is legally mandated by the Municipal Systems Act (2000), read together with the new planning dispensation, which includes the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA), the Spatial Planning and Land Use Planning Act, 2013 (Act 16 of 2013) (SPLUMA) and the Stellenbosch Municipal Land Use Planning By-Law (2015) (the By-law).

4. EXECUTIVE SUMMARY

Council resolved as follows:

11TH COUNCIL MEETING: 2017-08-30: ITEM 8.10 RESOLVED (majority vote with abstentions)

- (a) that Council authorises the Municipal Manager to:
- (i) proceed with re-advertising of the Draft IZS By-Law Annexure B for a period of 60 days; and
 - (ii) copies of the document (version 11), the draft converted zoning maps and zoning register be placed at all municipal libraries for a period of 60 days; and
- (b) that the Final Draft Integrated Zoning Scheme By-law be resubmitted to Council after the public participation process for final consideration.

Meeting:	11 th Council 2017-08-30	Submitted by Directorate:	Planning and Economic
Ref no:	1/1/1/40	Author:	Development
Collab:	535920	Referred from:	Manager: LUM

The Draft Integrated Zoning Scheme By-law (Version 11) was published for comments in the local newspapers on the 19th of October 2017 with the closing date for comments on the 20th of December 2017. Attached as **ANNEXURE E**, is the template for the invitation for comments as well as a copy of registered addresses of interested and affected parties to whom the invitations were sent. Certain external Departments were also informed of the opportunity to provide comments.

The following documents were made available for inspection and comment at the Municipal Building, Plein Street and all libraries in Stellenbosch as well as on the planning portal, municipal website:

- The updated Version 11 document of the Final Draft Stellenbosch Municipality Integrated Zoning Scheme By-law dated August 2017;
- The Public Participation report which indicates how the interested and affected organisation's comments were incorporated; and
- The Zoning Register and the Zoning Maps which have been converted and aligned with the Final Draft Integrated Zoning Scheme By-law (Version 11).

Following the aforementioned public participation process, written comments and inputs were received. Attached as **ANNEXURE F** is a summary of the comments with the Department's response.

Based on the comments received, the Department Land Use Management finalised the Stellenbosch Municipality Zoning Scheme By-law, 2019 (Version 12), and the Zoning Scheme Maps, (Map 01 to Map 25, dated October 2018).

Council should note that when the new Zoning Scheme By-Law is affected as per Government Gazette notice, the following existing Zoning Scheme Regulations and any related amendments will be repealed in terms of Section 33(4) of the Land Use Planning Act, 2014:

- LUPO Section 8 Scheme Regulations in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
- Stellenbosch Zoning Scheme regulations, July 1996, in terms of Section 7(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
- Franschoek Town Planning Scheme Regulations in terms of Section 7(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
- Kayamandi Town Planning Scheme, 1985 in terms of the Black Communities Development Act, 1984; and
- The Stellenbosch Municipality By-Law relating to the control of Boundary Walls and Fences, October 2009 in terms of the Municipal Systems Act, 2000.

After adoption by Council, the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (Version 12) and the decision to adopt the Zoning Scheme Maps, (Map 01 to Map 25, dated October 2018) must be published in the Provincial Gazette in terms of Section 29(2) of the Western Cape Land Use Planning Act, 2014 (LUPA).

Additional delegations in respect of new decisions and actions arising from the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (Version 12) will supplement the Systems of Delegations approved by Council on the 24th of June 2015 and will be submitted to Council accordingly.

The main principle in compiling the Zoning Maps was that zoning in terms of the new Stellenbosch Municipality Zoning Scheme By-law 2019 (SMZS) (Version 12) was allocated to property based on the closest matching equivalent zoning in the repealed scheme. Where a matching zone did not exist in the new SMZS, zoning was manually allocated based on the lawful land use and the intent of the purpose of each zone in the scheme. Where a lawful land use was undertaken or approved prior to the adoption of the new SMZS, and that use is now only permitted as a consent use, such consent is deemed to have been granted in terms of the new SMZS.

The existing zoning rights of a property therefore forms the basis on which the new zoning rights are allocated. No properties are rezoned through the adoption of the new SMZS. The Zoning conversion table, which sets out the basis on which the zonings were converted or manually allocated, is attached as Schedule 2 of the By-Law (pages 139 – 141).

The new SMZS in Section 5 makes provision for the correction of errors on the Zoning Map. The Land Use Department will investigate any complaint/enquiry from the public regarding the conversion / switch over from the existing zoning categories to the new zoning categories to ensure that the correct zoning is allocated based on the principles set out in this report and in Schedule 2. Where necessary, a zoning map correction as provided for in Section 5 of the Zoning Scheme By-Law will also be carried out to the satisfaction of the involved parties and this could be confirmed by issuing a Zoning Certificate upon request.

Updating the Zoning Maps and current Zoning Register is an ongoing process as changes in land uses occur through land use application approvals.

Although the Zoning Maps are displayed according to the newly adopted Zoning Categories, the zonings are based on the 2012 data and more recent approvals of rezonings and subdivisions have not been captured on the Municipality's GIS maps, due to a variety of reasons. It is for this reason that the Municipality is required to undertake a zoning audit of each and every property in the WC024 area to update the zoning data on the GIS database to ensure more recently registered cadastral properties included in the database and that each property's zoning is indeed correctly captured in accordance with its approval. The result will ensure that the cadastral base is updated and that each property is allocated the correct zoning or land use approval.

This information can also be used when the municipal valuation process is updated. All the information needs to be captured in a new Zoning Register, which will be submitted to Council for approval. In order to obtain these results, the Administration will need to embark on a new tender process for the zoning audit.

5. RECOMMENDATIONS

- (a) that Council adopts the Stellenbosch Municipality Zoning Scheme By-law, 2019 (Version 12), attached as **ANNEXURE B** in accordance with Section 156(2) of the Constitution read with Section 12 of the Municipal Systems Act, 2000 (Act 32 of 2000), Section 24(1) of the Spatial Planning and Land Use Management Act, 2013, (Act 16 of 2013) as well as Section 28 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014);
- (b) that Council approves the Zoning Scheme Maps, (Map 01 to Map 25, dated October 2018) attached as **ANNEXURE C** in terms of Section 4 of the newly approved Stellenbosch Municipality Zoning Scheme By-law;

-
- (c) that Council approves the proclamation of the Stellenbosch Municipality Zoning Scheme By-law, 2019 to be published in the Provincial Gazette in terms of Section 29(2) of the Western Cape Land Use Planning Act, 2014 (LUPA) for implementation and consents to the publication of its decision to approve the zoning maps at the same time;
- (d) that the following existing Zoning Scheme Regulations and any related amendments be repealed with implementation, in terms of Section 33(4) of the Land Use Planning Act, 2014:
- LUPO Section 8 Scheme Regulations in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
 - Stellenbosch Zoning Scheme regulations, July 1996, in terms of Section 7(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
 - Franschhoek Town Planning Scheme Regulations in terms of Section 7(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
 - Kayamandi Town Planning Scheme, 1985 in terms of the Black Communities Development Act, 1984;
 - The Stellenbosch Municipality By-Law relating to the control of Boundary Walls and Fences, October 2009 in terms of the Municipal Systems Act, 2000 (Act 32 of 2000), and
 - Relevant policies adopted by Council.
- (e) that consent is granted from Council to embark on a tender process, in terms of the Municipal Finance Management Act to undertake a Zoning Audit in order to finalise the Zoning Scheme Register, according to the newly adopted Zoning Categories pertaining to this report;
- (f) that the Zoning Scheme Register, after finalisation, be submitted to Council for approval whereafter it be published in the Provincial Gazette in terms of Section 29(2) of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) to be implemented with the already approved Stellenbosch Zoning Scheme By-Law, 2019;
- (g) that the additional delegations in respect of new decisions and actions arising from the implementation of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 be submitted to Council for approval accordingly;
- (h) that Council authorises the Administration to notify the Premier in terms of Section 28 of the Western Cape Land Use Planning Act, 2014 (LUPA) that the Stellenbosch Municipality Zoning Scheme was approved and to forward documentation as prescribed in LUPA to the Premier; and
- (i) that Council takes cognisance of the outcome of the meeting held with the Agricultural Society of Stellenbosch on the 4th of April 2019, attached as **ANNEXURE G** and the proposed amendments incorporated {(as explained in **6.2 Discussion (6.2.3)** of this report and Page 61-62 of the Public Participation Report attached as **ANNEXURE F**} and reference to **ANNEXURE H** (track changes) in the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (Version 12), attached as **ANNEXURE B**.

6. DISCUSSION / CONTENTS**6.1 Background**

Council resolved on 2017-08-30 per ITEM 8.10:

- (a) *To authorise the Municipal Manager to:*
- (i) *proceed with public participation of the Draft Integrated Zoning Scheme By-Law (Version 11) for a period of 60 days and;*
 - (ii) *to advertise the Version 11 document in the press and interested and affected parties whom commented and participated in the draft version 10.3a document for public participation, and*
- (b) *that the Draft Integrated Zoning Scheme By-Law be resubmitted to Council after the public participation process for final consideration.*

Stellenbosch Municipality implemented the new planning dispensation on the 1st of December 2015 through Provincial Gazette Notice 7539 by repealing the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) (LUPO). All applications submitted since the 1st of December 2015 have to be submitted in terms of the Land Use Planning By-Law (2015) which is aligned with the new planning dispensation (LUPA and SPLUMA).

Furthermore Council is mandated by both National and Provincial Legislation (SPLUMA and LUPA) to adopt a single zoning scheme by-law for its entire municipal area. The zoning scheme is a municipal law which allocates development rights to properties. It is therefore the rules which tell a land owner how they may use land, and how they may develop it.

A zoning scheme consists of three components which include:

- The document (**Zoning Scheme By-Law**) which describes how land may be used and developed. This provides for the zoning of land and the adoption of new zones. It should therefore provide for the different zones which determine how land may be used (e.g. residential, commercial, industrial, open space, etc.). It also contains development parameters which determine how land may be developed (e.g. building lines, height, coverage, parking etc.);
- Secondly a **Zoning Register** to record all planning applications approved by the municipality; and
- **Zoning map** which records the zoning of land (and all rezonings) on a map.

The purpose of a zoning scheme is to ensure the orderly development of an area and aims to promote and enable the implementation of the municipality's development vision. It must also be consistent with the National and Provincial Planning Legislation and development principles set out in SPLUMA and LUPA which include:

- Spatial justice - ability to redress imbalances of the past;
- Spatial sustainability - ability to address environmental, community, heritage and economic issues effectively;
- Spatial resilience - ability to respond to change and threats;
- Spatial efficiency - ability to choose the most efficient development options; and
- Good administration - ability to put effective and predictable processes in place.

Section 24 of SPLUMA stipulates various requirements for a Land Use Management Scheme, amongst others, it must give effect to the municipality's adopted Spatial Development Framework and other policies, as well as Provincial and National Policies, contain provisions to promote affordable housing and take cognisance of any adopted environmental management instrument.

Currently Stellenbosch Municipality has four Zoning Schemes Regulations which regulate the entire Municipal Area (WC024) with each one having different provisions applying to different areas. Some of these zoning schemes date back as far as the 1980s and have become outdated in a fast changing and developing municipality. The four existing zoning schemes include:

- Stellenbosch Zoning Scheme Regulations promulgated in 1996;
- Franschhoek Zoning Scheme Regulations promulgated in 1985 ;
- Kayamandi Zoning Scheme Regulations promulgated after 1985; and
- Section 8 Zoning Scheme Regulations promulgated in 1988.

Council authorised that the Land Use Planning Department proceed with the preparation of a new Zoning Scheme for Stellenbosch Municipality. During December 2014 a bid was advertised based on the 80/20 points system which closed on 12 January 2015. Through the Supply Chain Management process a tender was awarded to @Planning Town Planning consultants (B/SM 66/15) on the 24 April 2015 to proceed with the completion of the drafting of a Zoning Scheme for the entire Stellenbosch Municipal Area (WC024) in line with SPLUMA and LUPA. Work officially commenced on 02 September 2015. The draft Stellenbosch Municipality Zoning Scheme (Version 10.3a) was compiled, consisting of 16 new base zones and 4 new types of overlay zones, which were presented for public participation for a period of 90 days during 2016.

After considering the inputs received from interested and affected parties during the public participation process, the Land Use Department updated the Draft Integrated Zoning Scheme document from version 10.3a to Version 11 to include the considerations and recommendations submitted during the public participation. In response, Council authorised the Administration (Council Resolution 2017-08-30 per ITEM 8.10) to proceed with a second round of public participation (Version 11) for a period of 60 days which was advertised extensively (See **ANNEXURE F** for the full public participation report which also sets out the history of the zoning scheme prior to the adoption of SPLUMA and LUPA).

Based on the latest comments received, the Department Land Use Management finalised the Stellenbosch Municipality Zoning Scheme By-law, 2018 (Version 12), as well as the ancillary Zoning Scheme Maps, (Map 01 to Map 25, dated October 2018) by incorporating comments into the scheme and maps.

6.2 Discussion

6.2.1 Legislative requirements

Chapter 5 of SPLUMA, with specific reference to Section 24 requires that each Municipality must, after public consultation, adopt and approve a single land use scheme for its entire municipal area. Chapter 5 inter alia includes:

- 6.2.1.1 Role of the Executive Authority (section 23);
- 6.2.1.2 Land Use Scheme (Section 24);
- 6.2.1.3 Purpose and Content of a Land Use Scheme (Section 25);
- 6.2.1.4 Legal effect of a land Use Scheme (Section 26), and
- 6.2.1.5 Review and monitoring of a Land Use Scheme (Section 27).

In terms of LUPA Section 2, Municipalities are responsible for land use planning in their respective municipal areas under their jurisdiction. A Municipality must regulate the development, adoption, amendment and review of a zoning scheme for the municipal area. LUPA Section 22 requires that every local municipality must adopt a single zoning scheme for its municipal area and must comply with Chapter 4 part 1. Chapter 4 inter alia includes:

- 6.2.1.6 The purpose of the zoning scheme (Section 22);
- 6.2.1.7 Contents of zoning schemes (Section 24);
- 6.2.1.8 Compilation or amendment of a zoning scheme (Section 25);
- 6.2.1.9 Intergovernmental Steering Committee (Section 26);
- 6.2.1.10 Procedure without an Intergovernmental Steering Committee (Section 27), and
- 6.2.1.11 Submission of zoning schemes (Section 28).

6.2.2 Public participation conducted during November 2017 and December 2017

Under mentioned is a brief summary of the dates of the public participation process since 2015:

Commencement – Announce Commencement of the Project and invited I&AP to register of the interest, before 23 November 2015, to be notified in future of opportunities to comment.

- 2015-10-22 Eikestad Nuus
- 2015-10-22 Paarl Post
- 2015-10-26 Registered Mail Slips
- Notice placed on SM website
- Notice placed on SM Twitter

Round 1: Final Draft 10.3a advertised – closing date for comment 01 March 2017

- 26-10-2016: Council Minutes – Go ahead to advertise
- 02-11-2016: Councilors notified per e mail correspondence
- 02-11-2016: Registered Mail letters
- 03-11-2016: Paarl Post
- 03-11-2016: Eikestad Nuus
- 16-11-2016: Stellenbosch Municipality placed notice on SM Twitter account
- 18-11-2016: Provincial Gazette
- 01-12-2016: Franschhoek Tatler
- 22-11-2016: Open day @ Stellenbosch Library Hall
- 31-01-2017: Boland Gazette
- 02-02-2017: Eikestad Nuus
- 02-02-2017: Paarl Post

Round 2: Final Draft 11 advertised – closing date for comment 20 December 2017

- 09-10-2017 registered letters to Interested and Affected Parties who commented on Version 10.3a;
- 19-10-2017 Eikestad Nuus, Paarl Post, Boland Gazette;

- Notice and a hardcopy of the Version 11 was distributed to all the libraries of Stellenbosch WC024;
- Notice on the municipal website with all downloadable documents;
- Notice to the Provincial Minister in terms of Section 27 of LUPA; and relevant state departments.

As stated in the background of this report the full public participation report is herewith attached as **ANNEXURE F** after advertising the Draft Integrated Zoning Scheme (Version 11) by means of:

- Notices in the local press (Eikestad Nuus, Boland Gazette and Paarl Post);
- Notice and a hardcopy of the Version 11 was distributed to the libraries of Stellenbosch; Jamestown, Franschhoek, Klapmuts, Idasvallei, Cloetesville, Kayamandi and Pniel;
- Notice on the municipal website with all downloadable documents;
- Letters to Interested and Affected Parties who commented on Version 10.3a;
- Notice to the Provincial Minister in terms of Section 27 of LUPA; and relevant state departments whom included by example the Department of Heritage, National Department of Agriculture, etc.

(Note: During the first public comment period in 2016, one Open House day had also been conducted during November 2016 which gave members of the public an opportunity to engage with the project team and ask questions pertaining to the draft IZS (Version 10.3a) for public engagement.)

6.2.3 Summary of inputs received during public participation and key recommendations to Version 11 of the Draft IZS:

In terms of section 27 of LUPA, the draft scheme must be circulated to the Provincial Minister in the event that an Intergovernmental Steering Committee (ISC) was not established to prepare the scheme. Due to the advanced stage of the Stellenbosch Scheme at the commencement of work in 2015, and due to the fact that all government departments were previously involved and commented before on previous drafts, an ISC was not established. Consequently a draft scheme was submitted to the Provincial Minister and a number of other Government Departments for comment in 2016 and again in 2017.

Several departments commented and their comments were incorporated or responded to in the "Comments and response" document in **ANNEXURE F**. The Minister's response dated 2017-03-23 supports the adoption of the draft scheme. Further departmental responses and the Minister's response received during the second round of notification were positive and constructively suggested improvements which were incorporated.

Below is a summary of the main themes that were raised by the public during the final public participation process.

- Student accommodation in the town centre of Stellenbosch will have a negative impact on the character of the town;

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- Increasing coverage and height in the town centre of Stellenbosch will adversely affect the historical character of the town and height should be limited to 10 meters throughout;
 - Proposals for 50% coverage must be modelled so that the impact can be assessed;
 - Support is expressed for the measures to better manage the short-term letting of residential dwelling units;
 - A 30m building line should apply to roads in the rural area;
 - Compilers of the scheme have lost sight of the “Smart City” principles of promoting a mix of land uses, compact building design, a range of housing options, walkable neighbourhoods, preserving of farm land, open space and critical environmental areas;
 - The scheme does not add value to heritage conservation and further heritage conservation areas should be demarcated;
 - Support is expressed for the Urban and Rural Conservation overlay zone areas;
 - The parameters of Utility Zone is too restrictive and building lines should be 1m and coverage 75%;
 - Several parties commented on the definition of Agricultural Industry and they do not agree that the definition should require that at least 50% of the produce in an agricultural industry should be produced on the farm enterprise on which the industry is located. It is held forward that this is not feasible since producers need to import product from other areas to increase viability of the agricultural industry facilities;
 - Employee housing on farms must be unrestricted and a primary right;
 - Some commentators suggest that polytunnels be a primary right up to 5000m² and a consent use when it exceeds 5000m². Others commented that it should be unrestricted because farming is a primary right on land zoned agriculture;
 - The Scenic Route Overlay Zone will add significant burden to the municipality’s administration and clarity is sought who will approve the exemptions;
 - The University of Stellenbosch requested the incorporation of a University Overlay Zone to address issues of NMT, parking ratios, student transport, services contributions and so forth;
 - A number of detailed comments were made and corrections pointed out in the Zoning Scheme By-Law document out which are detailed in the **ANNEXURE F**.
 - Several De Zalze owners and the Home Owners Association commented on the conversion of zoning from Resort Zone II to the new Scheme;

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- Some owners and organisations submitted comment on the zoning of certain properties in the Zoning Map. Where errors were discovered on the map (either due to the incorrect original zoning, or the incorrect conversion thereof) these errors were corrected, as detailed in **ANNEXURE F**.

Some of the comments received in the second round of public participation were the same or similar to what was submitted in the first round of advertising.

Below is a summary of the response to the points raised above:

- In order to promote true mixed use in the town centre accommodation for students cannot be excluded. Accommodating all residents including students within walking distance promotes a vibrant town, reduces car dependency;
- The scheme currently allows 50% coverage and the floor area is also the same as per the existing scheme. The current scheme only imposes a 10m height on the 15m from a street and allows up to five storeys. The draft scheme was amended by inserting a height limited of 5 storeys (as opposed to 6 storeys) into the Stellenbosch Urban Conservation Overlay Zone, thereby maintaining the status quo with respect to the maximum envelope permitted by the current scheme.
- The 50% coverage proposals were indeed modelled in the original work undertaken prior to 2015;
- A 30m building line is an issue that was raised and addressed before. Scenic Route Overlay Zone protects important routes where character of the area should be protected.
- With regards to “Smart City” principles it is the opinion of the department that the commentator is not correct: each of the zones in the new scheme has a greater basket of primary and consent uses, than what was permitted in previous schemes, thereby promoting a greater mix of land uses, compact building design is promoted by appropriately increasing densities, infill (e.g. 2nd dwellings), a range of housing options (various formal and informal housing options and additional dwellings), walkable neighbourhoods (by compacting residential development and increasing mix of land uses, requiring active street interface and regulating visual permeable boundary walls), preserving of farm land (by e.g. preventing residential and industrial intrusion, and allowing only limited alternative agri-tourism) and protecting urban and rural heritage conservation areas and scenic routes;
- The scheme identifies areas for heritage conservation which have been enacted in previous schemes, or demarcated in terms of other laws (e.g. the National Heritage Resources Act, cultural landscapes, as well as in studies which have served before the Municipality at some previous time). The Scheme is policy based and thus only incorporates areas which have been identified in approved policies or demarcated areas (as is required in terms of section 24 of SPLUMA). It is acknowledged that the Municipality is in the process of undertaking more heritage studies, and once these have been duly considered by the Municipality, they should be incorporated into the scheme as Overlay areas. This can indeed take place since provision is made in the scheme for future areas to be determined. It is noted that support was expressed by a number of parties and organisations for the proposed Urban and Rural Conservation overlay zone areas;

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- Utility Zone parameters are incorporated to protect adjacent neighbours from the potential adverse impact these uses could have on neighbours and the character of the area;
 - This matter was comprehensively responded to in the first round of comment. Currently agricultural processing on farms can only be applied for via a rezoning, and it is a requirement that the facility may only process produce on the farm itself and may not import any produce at all. The SMZS (Version 12) proposes that Agricultural Industry up to 2000m² development area (including all surrounding vehicular circulation space and parking) may be conducted with technical approval as an additional use, and should the development area exceed 2000m² a consent use is required, provided that at least 50% of all produce is grown on the farming land unit. This is a significant relaxation of the current regulation. The Department is of the opinion that if more than 50% of produce is imported to the farm, the industry should be located in an industrial area in one of the urban areas, not on agricultural zoned land. If the proposed limitations are not adhered to, agricultural land will be at significant risk of being used for industrial processing.
 - After deliberations with the Stellenbosch Agricultural Society, it is proposed to amend the above mentioned condition by deleting it from the definition, but including it in the Zoning parameters in order to make provision for a Departure Application instead of a Rezoning application, where applicable.
 - The Municipality must implement measures to protect the agricultural assets from undesirable urban development, hence the provision that employee housing on farms can only be constructed with technical approval as an additional use, once an owner has confirmed it as bona fide employee housing and retains it as such. Due to the high land value in the area, farmers have in the past used the provision allowing the construction of employee housing as a primary right to obtain building plan approval for dwellings, only to then convert them to other land uses. This practice poses a serious threat to the agricultural integrity, protection of agricultural land and has a detrimental impact on towns by exacerbating traffic congestion (more cars driving into towns) and service delivery (either failure to do so, or expensive infrastructure);
 - Polytunnels and crop covers are structures which require the submission of building plans. Agriculture on open land is indeed a primary right and it significantly contributes to the agricultural landscape qualities which generate tourism (another important economic sector in the Municipality). The Municipality has an obligation to assess the potential impact of structures and regulate accordingly, hence the proposals that polytunnels exceeding 5000m² must require the Municipality's consent, which would allow adverse impacts (such as stormwater drainage, visual impact, heritage impact etc. to be mitigated);
 - The Scenic Route Overlay Zone has its origin in the approved SDF which requires protection of certain key strategic scenic routes. Certain additional categories of activities can be exempted by the Council, in which case an application is not required. The Department will put internal procedures in place for owners who want to undertake activities to confirm their exemption with the department;
 - The University did not submit any specific proposals for the creation of an Overlay Zone. Once they have developed their proposals and submitted it to the Municipality, an appropriate overlay zone can be created in future. At the moment insufficient information has been presented to the department on what the Overlay Zone should contain, to incorporate it into the scheme at this stage;

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- A number of detailed comments and corrections were incorporate into the Zoning Scheme By-Law document out which are detailed in the **ANNEXURE F**;
 - With regards to comments from De Zalze owners and the Home Owners Association the Department met with the appointed representative of the Owners Association and evaluated the proposals in detail. Agreement was largely reached with regards to the manual allocation of zoning in De Zalze;
 - Some owners and organisations submitted comments on the zoning of certain properties in the Zoning Map. Where errors were discovered on the map (either due to the incorrect original zoning, or the incorrect conversion thereof) these errors were corrected, as detailed in **ANNEXURE C**.

After considering the comments received during the public participation period, the draft document (Version 11) was updated by incorporating the points raised and in response developed the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (Version 12), where the department was in support of the comment. The Zoning Scheme Maps, (Map 01 to Map 25, dated October 2018) were also updated where there was agreement with the input.

6.3 Financial Implications

There will be financial implications should the recommendations as set out in 5.8 of this report be approved. This will be with regards to the tender process in terms of the Supply Chain Management Policy in order to undertake a Zoning Audit for the WC024 area.

6.4 Legal Implications

By adopting the SMZS the Council will comply with the provisions of SPLUMA, 2013 and LUPA, 2014 which requires that a Municipality prepares and adopts a new zoning scheme within five years of the promulgation of these aforementioned laws. The scheme is also consistent with the Stellenbosch Land Use Planning By-Law, October 2015 and will be an integral part of the Municipality's land use management system and legal framework.

6.5 Staff Implications

This report has no staff implications for the Municipality.

6.6 Previous / Relevant Council Resolutions

This item is to report back to Council on the public participation of the Draft Integrated Zoning Scheme By-Law (Version 11) after Council authorised the Municipal Manager through Council Resolution 2017-08-30 per ITEM 8.10, attached as **ANNEXURE A**, to commence with a second round of public participation.

6.7 Risk Implications

The report has no risk implications for the Municipality, should the recommendations as set out in the report be accepted.

ANNEXURES

- ANNEXURE A: Council Resolution 8.10 dated 30/08/2017;
- ANNEXURE B: Stellenbosch Municipality Zoning Scheme By-law, 2019 (Version 12);
- ANNEXURE C: Zoning Scheme Maps, (Map01 to Map25, dated October 2018);
- ANNEXURE D: Extract of the current zoning register;
- ANNEXURE E: The template for the invitation for comments as well as a copy of registered addresses of interested and affected parties to whom the invitation was sent; and
- ANNEXURE F: Summary of inputs received during public participation and key recommendations.
- ANNEXURE G: Minutes of the meeting with the Agricultural Society of SB, dated 4 April 2019
- ANNEXURE H: Track changes that informed the amended Stellenbosch Municipality Zoning Scheme By-Law dated 2019 (Version 12)

FOR FURTHER DETAILS CONTACT:

NAME	<i>Hedre Dednam</i>
POSITION	<i>Manager : Land Use Management</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	<i>021 808 8674</i>
E-MAIL ADDRESS	<i>hedre.dednam@stellenbosch.gov.za</i>
REPORT DATE	<i>15 April 2019</i>

DIRECTORATE PLANNING AND ECONOMIC DEVELOPMENT SERVICES

The contents of this report have been discussed with the Portfolio Committee Chairperson and the Councillor acknowledges that she read the report.

8.2.2	ANNUAL YOUTH DAY SPORT EVENT: MAYORAL CUP
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Collaborator No:

File No: 645108

IDP KPA Ref No:

Meeting Date: 29 May 2019

1. SUBJECT: ANNUAL YOUTH DAY SPORT EVENT: MAYORAL CUP

2. PURPOSE

To inform Council about the following:

- 2.1 The hosting of an annual Mayoral Cup for youth soccer teams, organized by the Directorate: Community and Protection Services.
- 2.2 This year (2019) the event will consist of a soccer tournament at the Jamestown Sport Facility.
- 2.3 The event will rotate annually between different, suitable sports facilities within WC024.
- 2.4 That the concept proposal for the Annual Youth Day Sport Event be accepted by Council.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

The need was identified for an annual youth day sport event, namely the Annual Mayoral Cup. The first event in this format took place in Cloeteville in 2018. The event will rotate between the suitable venues identified within WC024. This year's (2019) Annual Mayoral cup will be a Soccer Event hosted by Stellenbosch Municipality in collaboration with Stellenbosch Local Football Association (SLFA) and will be staged at the Jamestown Sports facility.

5. RECOMMENDATIONS

- (a) that the Mayoral Cup concept proposal be accepted by Council and that it be implemented effective June 2019; and
- (b) that the schedule of rotation between the different municipal sport facilities be approved.

6. DISCUSSION / CONTENTS

6.1 Background

The need was identified for an annual youth day sport event, in this instance, namely the Annual Mayoral Cup to be implemented and hosted effective June 2019. This will be a one-day event that will take place annually on a rotation basis. All wards within WC024 will form part of the aforementioned event that will take place every year. The format and/or criteria and possible sporting code additions may change each year. The municipality might partner with other stakeholders in future as well.

6.3 Discussion

The first Annual Mayoral Cup will be a Soccer Event comprising of boys and girls of u/11, u/12 and u/13. The games will be played in futsal format, where two matches are played on one field at a time (field divided in 2 equal halves). The teams will consist of 7 players and 3 substitutes for each team. Stellenbosch Municipality will partner with Stellenbosch Local Football Association (SLFA) for this event of 2019.

Upcoming annual sports day events will take place during the month of June ("Youth Month") and not necessarily on Youth Day, 16 June. The first matches will take place at Jamestown Sports Facility on Saturday, 15 June 2019.

Branding with regards to the event will be arranged by the Sport Section in consultation with the office of the Executive Mayor. Branding consists of T-shirts, floating trophies and medals. All participants will receive a T-shirt and medal as acknowledgement of participation. The winners of each age group will receive a floating trophy. Other "mini" trophies will be awarded for other categories, such as team spirit, neatness, discipline etc.

According to our events criteria, the following facilities qualify to host this event based on facility infrastructure:

YEAR	FACILITY
2019	Jamestown
2020	Groendal
2021	Kayamandi
2022	Klapmuts
2023	Ida's Valley
2024	Pniel
2025	Cloetesville
2026	Van der Stel
2027	Kylemore

Logistics with regards to transport and refreshments (food for participants and other organisational requirements) will be coordinated between the Sport- and Community Development Sections of the Stellenbosch Municipality.

The following are the roles and responsibilities of the LFA (for the year 2019)

1. Identify and liaise with schools within WC024 for participation in the soccer matches that will take place in 2019.
2. Identify criteria with regards to awards that will be handed to teams and participants.
3. Identify the format of the 2019 Sports Youth Day Event.
4. Provide the number of participating teams and total participants (players and support teams) to Stellenbosch Municipality timeously.

The following are the roles and responsibilities of Stellenbosch Municipality

1. Preparation of fields at sports facilities identified for this event.
2. Procurement of transport, refreshments, T-shirts, medals and trophies.
3. Submitting an events application for the event, where the internal municipal departments will be responsible for compliance to the events plan, safety, waste management etc.
4. The drafting of program for the event.
5. Submission of signed indemnity forms.

6.3 Financial Implications

The budget needed for the event will be made available by the Office of the Executive Mayor, Community Services and Community Development. At this stage, it is not possible to provide an estimate due to the number of participants that must still be finalised.

Overtime will be approved by the Director.

6.4 Legal Implications

None, however all parents and/or legal guardians must sign an indemnity form.

6.5 Staff Implications

Staff members of the Directorate: Community Services will be expected to assist/work on the day.

6.6 Previous / Relevant Council Resolutions

None.

6.7 Risk Implications

An events application as well as indemnity forms will be submitted to mitigate all possible risks.

6.8 COMMENTS FROM SENIOR MANAGEMENT**6.8.1 Director: Infrastructure Services**

No comments received.

6.8.2 Director: Planning and Economic Development

No comments received.

6.8.3 Director: Community and Protection Services

No comments received.

6.8.4 Director: Corporate Services

No comments received.

6.8.5 Chief Financial Officer

No comments received.

6.8.6 Municipal Manager

No comments received.

Annexures:

None

FOR FURTHER DETAILS CONTACT:

NAME	Albert van der Merwe
POSITION	Manager: Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8161
E-MAIL ADDRESS	albert.vandermerwe@stellenbosch .gov.za
REPORT DATE	30 April 2019

8.2.3	INTEGRATED DISASTER RISK FRAMEWORK
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Collaborator No:

File No:

IDP KPA Ref No:

Meeting Date: 29 May 2019

1. SUBJECT: INTEGRATED DISASTER RISK FRAMEWORK

2. PURPOSE

To obtain Council's approval for an Integrated Disaster Risk Framework for Stellenbosch municipality and for the implementation thereof.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The ultimate responsibility for Disaster risk management (DRM) in South Africa rests with government. In terms of Section 41(1)(b) of the Constitution of the Republic of South Africa, 1996 (Act No.108 of 1996), all spheres of government are required to "secure the wellbeing of the people of the Republic". According to Part A, Schedule 4, disaster management is a functional area of concurrent national and provincial legislative competence.

However, Section 156(4) of the Constitution does provide for the assignment of the administration of any matter listed in Part A Schedule 4 which necessarily relates to Local Government, if that matter would most effectively be administered locally and if the municipality has the capacity to administer it. The assignment of the function must however be by agreement and subject to any conditions.

In this context Schedules 4 and 5 of Part B of the Constitution require local government to provide for functions which are closely allied to DRM and in particular, section 152(1)(d) requires local government to 'ensure a safe and healthy environment.' The Stellenbosch Municipal Integrated Disaster Risk Management Framework (hereinafter referred to as the IDRMF) is herewith written under the authority given under section 53 of the Disaster Management Amendment Act, Act 16 of 2015.

5. RECOMMENDATIONS

that Council approves the Integrated Disaster Risk Framework for Stellenbosch municipality.

6. DISCUSSION / CONTENTS

6.1 Background

The term 'disaster risk management' refers to integrated, multisectoral and multidisciplinary administrative, organisational, and operational planning processes and capacities aimed at lessening the impacts of natural hazards and related environmental, technological and biological disasters. This broad definition encompasses the definition of 'disaster management' as it is used in the Disaster Management Act, 2002 (Act No. 57 of 2002).

The manner in which disaster risk is approached in South Africa has undergone major reform since 1994 when government took the decision to move away from the customary perception that disasters were inevitable and therefore could only be dealt with once they had occurred. As early as 1990 South Africa had aligned itself with global developments which focused on risk reduction strategies to build resilience and promote sustainable livelihoods amongst 'at risk' individuals, households, communities and environments. A wide process of consultation was embarked on which culminated in the publication firstly of the Green Paper in 1998 and then in 1999 the White Paper on Disaster Management was gazetted. The White Paper served to consolidate the reform process in disaster management in South Africa by setting out the following seven key policy proposals.

6.2 Discussion

The White Paper on Disaster Management served to consolidate the reform process in disaster management in South Africa by setting out the following seven key policy proposals:

- 6.2.1 The urgent integration of risk reduction strategies into development initiatives
- 6.2.2 The development of a strategy to reduce the vulnerability of South Africans especially poor and disadvantaged communities - to disasters
- 6.2.3 The establishment of a National Disaster Management Centre to:
 - 6.2.3.1 Ensure that an effective disaster management strategy is established and implemented
 - 6.2.3.2 Co-ordinate disaster management at various levels of government
 - 6.2.3.3 Promote and assist the implementation of disaster management activities in all sectors of society
- 6.2.4 The introduction of a new disaster management funding system which:
 - 6.2.4.1 Ensures that risk reduction measures are taken
 - 6.2.4.2 Builds sufficient capacity to respond to disasters
 - 6.2.4.3 Provides for adequate post-disaster recovery
- 6.2.5 The introduction and implementation of a new Disaster Management Act which:
 - 6.2.5.1 Brings about a uniform approach to disaster management
 - 6.2.5.2 Seeks to eliminate the confusion created by current legislation regarding declarations of disasters**
 - 6.2.5.3 Addresses legislative shortcomings by implementing key policy objectives outlined in this White Paper**
- 6.2.6 The establishment of a framework to enable communities to be informed, alert and self-reliant and capable of supporting and co-operating with government in disaster prevention and mitigation.

The seven policy proposals became the essence of the Disaster Management Act that was the promulgated in 2002 (hereinafter referred to as 'the Act').

In giving effect to the fact that disaster risk management (DRM) is the responsibility of a wide and diverse range of role players and stakeholders, the Act emphasises the need for uniformity in approach and the application of the principles of cooperative governance. In this regard it calls for integrated and coordinated DRM policy that focuses on risk reduction as its core philosophy, the establishment of Disaster Risk Management Centres

(DRMCs) in the three spheres of government to pursue the direction and execution of the DRM legislation and policy in South Africa. It places particular emphasis on the engagement of communities and on the recruitment, training and participation of volunteers in DRM.

In terms of a proclamation in Government Gazette No. 26228 of 31 March 2004, the President proclaimed 01 April 2004 as the date of commencement of the Act in the national and provincial spheres and 01 July 2004 in the municipal sphere.

In order to achieve consistency in approach and uniformity in its application, section 6 of the Act mandates the Minister to prescribe a national disaster management framework (NDMF) and in accordance with this mandate the National Disaster Management Framework was gazetted in April 2005.

In pursuance of the national objective each province as well as each district and metropolitan municipality is, in terms of sections 28 and 42 of the Act respectively, also mandated to "*establish and implement a framework for DRM aimed at ensuring an integrated and uniform approach to DRM*" in its jurisdiction by all provincial and municipal organs of state; statutory functionaries of provinces and municipalities; local municipalities; statutory functionaries of local municipalities in the area of the district municipality; all municipal entities operating in its area; non-governmental organisations involved in DRM; and by the private sector. Provincial and municipal policy frameworks must be consistent with the Act and with the NDMF.

Stellenbosch Municipality, as a local authority is thus obliged to give effect to these legislative imperatives. The purpose of this framework is therefore to provide a criteria to develop, implement and, maintain a programme to mitigate, prepare for, respond to, and recover from emergencies, disasters, and any situation that may pose a threat to the normal functioning of the Stellenbosch Municipality and its communities.

6.3 Financial Implications

None

6.4 Legal Implications

The recommendation in this report complies with Council's legislative mandate.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

None

6.8 Comments from Senior Management**6.8.1 Director: Infrastructure Services**

Circulated for comments

6.8.2 Director: Planning and Economic Development

Circulated for comments

6.8.3 Director: Community and Protection Services

Circulated for comments

6.8.4 Director: Strategic and Corporate Services

Circulated for comments

6.8.5 Chief Financial Officer:

Circulated for comments

6.8.6 Municipal Manager

Circulated for comments

ANNEXURES

Annexure A: Integrated Disaster Risk Framework

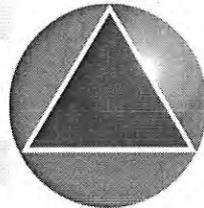
FOR FURTHER DETAILS CONTACT:

NAME	Wayne Smith
POSITION	Manager: Fire Services and Disaster Management
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	Ext 8771
E-MAIL ADDRESS	wayne.smith@ Stellenbosch.gov.za
REPORT DATE	15 May 2019

APPENDIX 1



INTEGRATED DISASTER RISK MANAGEMENT FRAMEWORK



INTEGRATED DISASTER RISK MANAGEMENT FRAMEWORK

Authority to Plan

The Stellenbosch Municipal Integrated Disaster Risk Management Framework (hereinafter referred to as the IDRMF) is herewith written under the authority given under section 53 of the Disaster Management Act, Act 57 of 2002.

Approval of Framework

For approval of council

Amendment register and version control

Other than the continual updating of the IDRMF by the Head of Centre; any proposed amendments to the IDRMF must be submitted in writing to the head of Centre either voluntarily or whenever the review cycle calls for such.

Integrated Disaster Risk Management Framework version control

Version	Date	Prepared by	Comments
1			New
2			Updated and reformatted

Distribution list

- IDP
- Municipal Registry
- Internal Audit
- All Heads of Departments
- PDMC

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PART A – INTRODUCTION

A.1. Scope

The intention of this framework will be to establish a common set of criteria of Disaster Management which will include Disaster Recovery and Business Continuity objectives for the Municipality.

A.2. Purpose

The purpose of this framework is to provide criteria to develop, implement and, maintain a programme to mitigate, prepare for, respond to, and recover from emergencies, disasters, and any situation that may pose a threat to the normal functioning of the Stellenbosch Municipality and its Communities.

A.3. Definitions

Damage Assessment – An appraisal or determination of the effects of a disaster on human, physical, economic and natural resources.

Emergency – A sudden state of danger affecting the functioning of the Municipality and the safety and integrity of its communities that requires immediate action and response.

Enabling Authority: The Head of the Emergency Operations and Disaster Management Centre

STM – refers to the Stellenbosch Municipality, its Council and includes any Municipal Entity or contracted External Agent acting on behalf of the Municipality.

Impact Analysis: A management level analysis that identifies the impact of losing resources that are integral to the Stellenbosch Municipality's functioning and purpose. The analysis measures the effects of resource loss and escalating losses over time in order to provide the Stellenbosch Municipality with reliable data upon which informed decisions can be made on hazard mitigation and continuity planning.

Incident Management System: The combination of facilities, equipment, personnel, procedures, and communications operating within a common organisational structure with the responsibility for the management of assigned resources to effectively accomplish stated objectives pertaining to an incident.

Integrated Disaster Risk Management Framework: A programme that implements the mission, vision, and strategic goals and objectives as well as the management framework for the municipality

Mitigation: Activities taken to eliminate or reduce the degree of risk to life, property, or health from hazards, either prior, during or after a defined emergency.

Mutual Aid Agreement: A pre-arranged agreement developed between other institutions, agencies or organisations that will enable easier facilitation of incidents by ensuring readily accessible assistance and support.

“Statutory Functionary” means a person performing a function assigned to that person by national, provincial or municipal legislation (Act 57 of 2002)

PART B – PROGRAMME MANAGEMENT

B.1. Policy

This framework serves as the defining policy for Integrated Disaster Risk Management for the Stellenbosch Municipality. It sets out the Programme Elements by which the municipality will strive to achieve its objectives in terms of the requirements of the Disaster Management Act, 57 of 2002. It is clear from this Policy that the Municipality considers Disaster Risk Management as inherent of responsibility of every line manager and it is therefore incumbent on every such manager to ensure alignment of departmental service delivery objectives in line with the principles of disaster risk management as promoted by the respective professions or as required by the Head of Centre. Emanating from this framework is the Disaster Risk Management Plan.

B.2. Head of Centre

The Head of Department for Fire, Rescue & Disaster Management (Chief Fire Officer) serves as the statutory functionary for Disaster Management and shall carry out the functions as Head of the Municipal Disaster Centre.

The Head of Centre shall in terms of Section 45 of the Act, be the enabling authority for Disaster Risk Management in the Municipality where, subject to the requirements of section 45 of the Disaster Management Act, he shall be duly authorised to:

- i) Administer and keep current the Disaster Management Plan in consultation with the IDMCC
- ii) Convene regular and/or extraordinary meetings of the DMCC
- iii) Liaise and consult on behalf of the Municipal Manager with the District and Provincial Disaster Management Centres on matters relating to disaster management.
- iv) To commandeer any municipal resource, including any municipal employee in the mitigation of any emergency, and
- v) Instruct any Head of Department regarding the compilation of any preparedness plan or element thereof for any identified risks that could or will affect the Stellenbosch Municipality.

B.3. Inter-Departmental Disaster Risk Management Coordination Committee (IDMCC)

In order to ensure appropriate and adequate disaster risk management and to promote better communication and coordination, thereby creating a more resilient municipality, an Inter-Departmental Disaster Management Coordinating Committee (IDMCC) shall be established. The IDMCC is through its convention is also in terms of its appropriate expertise and knowledge and authority, able to commit resources and assist in response to major incidents.

The composition of the IDMCC will be as follows:

- Executive Mayor
- Municipal Manager
- Chief Fire Officer (Head of Centre)
- Chief Financial Officer
- Municipal Electrical Engineer
- Municipal Engineer
- Head of Supply Chain Management Unit
- Heads of Engineering Departments
- Traffic Service Manager
- Head: Information and Communication Technology
- Head of Town Planning and Development Control
- Section 57 Appointments
- Portfolio Councillor/s

B.4. Municipal Disaster Management Advisory Forum

It is considered necessary that a Municipal Disaster Management Advisory Forum (DMAF) be established in order to ensure that there is adequate inputs into disaster risk management plan. Some of the participants of the DMAF can include:

- CWDM Disaster Management
- South African Police Service
- PAWC – Emergency Medical Services
- PAWC – Traffic Service
- Department of Correctional Services
- PAWC- Health Services
- CWDM Environmental Health Services
- CWDM Fire Protection Association
- Department of Agriculture
- Department of Water Affairs
- Department of Environmental Affairs & Development Planning
- Community Based Organisations
- Non-governmental Organisations
- Any other person or body so co-opted as a Secondary Stakeholder

B.5. Programme Assessment

A comprehensive assessment of the Disaster Management Programme Elements listed in Part **C** of this framework shall be conducted annually by the IDMCC to determine the overall effectiveness of the Programme and its alignment to the Key Performance Areas and related Enablers as envisaged in the respective National and Provincial Disaster Management Framework.

PART C – PROGRAMME ELEMENTS

C.1. General

The Disaster Management Programme shall include the following elements, the scope of which shall be determined by the potential hazards affecting the Municipality. These elements shall be applicable to the phase of mitigation, preparedness and recovery.

C.2. Laws and Authorities

The Disaster Management Programme shall comply with all applicable legislation, regulations and shall supersede any other Council Policy in terms of the definition of an Emergency as contained in this framework.

C.3 Hazard Identification and Risk Assessment

C3.1. The IDMCC shall identify hazards, the likelihood of their occurrence, and the vulnerability of people, property, environment and the capacity of the Municipality to deal with those hazards. Hazards to be considered at a minimum shall include but not limited to:

- a) Natural events
- b) Technological events
- c) Human events

C3.2. The IDMCC shall conduct an impact assessment analysis to determine the potential for detrimental impacts of the hazards on the following items, including but not limited to.

- a) Health and safety of persons in the affected area at the time of incident (injury and death)
- b) Health and safety of personnel responding and reacting to the incident
- c) Continuity of operations and services of the Municipality
- d) Property, facilities and infrastructure
- e) Delivery of services
- f) The Environment
- g) Economic and financial considerations and conditions
- h) Regulatory and contractual obligations
- i) Image and Reputation of the Municipality

C.4. Hazard Mitigation

C.4.1. The IDMCC shall conduct an impact assessment analysis to determine the potential for detrimental

C.4.2 The mitigation strategy shall be based on the results of hazard identification and risk assessment impact analysis, program assessment, operational experience, and cost- benefit analysis.

C.4.3 The mitigation strategy shall consider but not be limited to the following:

- a. The use of appropriate building construction standards and safer town planning guidelines.
- b. Hazard avoidance through appropriate land –use practices
- c. Relocation, retrofitting, or removal of structures at risk
- d. Removal or elimination of the hazard
- e. Reduction or limitation of the amount or size of the hazard.
- f. Segregation of the hazards from that, which is to be protected.
- g. Modification of the basic characteristics of the hazard.
- h. Control of the rate of release of the hazard.
- i. Provision of protective systems or equipment
- j. Establishment of hazard warning and communication procedures

k. Redundancy or duplication of critical systems, equipment, information, operations or materials.

C.5. Resource Management

C.5.1 The DMCC shall establish programme performance objectives for each hazard identified in Part C.3. The programme performance objectives shall consider but not be limited to the following: -

- a. Personnel, equipment, training, facilities, funding, expert knowledge, materials and the time frames within which they will be needed.
- b. Quantity, response time, capability, limitations, cost, and liability connected with using the involved resources

C.5.2 An assessment shall be conducted to identify the resource capability shortfalls and the steps necessary to overcome the identified shortfalls.

C.5.3 A current inventory of internal and external resources shall be maintained

C.5.4 The assessment shall address voluntary donations and contributions to the Stellenbosch Municipality

C.5.5 The need for any mutual aid assistance shall be determined and agreements shall be established. Where any mutual aid agreement is in force, such agreements shall be referenced in the Disaster Management Plan. Mutual aid agencies, organizations and persons that shall be considered shall include, but not be limited to the following: -

- a. Primary and Secondary care Health Facilities
- b. PAWC Emergency Medical Services
- c. District and Local Fire & Emergency Services
- d. The South African Police Services
- e. Provincial Authorities
- f. Medical Doctors
- g. Information Technology Suppliers
- h. Medical Equipment Suppliers
- i. South African Weather Services
- j. Tourism Bodies
- k. South African Radio League and its affiliates.
- l. Specialist Groups and Associations
- m. Specialist Equipment Suppliers
- n. Other Relevant Agencies as deemed necessary.

C.6. Planning

The IDRMF shall include the development of plans in accordance with Part B.1. and shall include but not be limited to strategic planning, emergency operations planning, and recovery planning.

C.7. Plans

C.7.1 The strategic plan shall define the vision, mission, goals, and objectives of the Disaster Management Programme and shall be referenced with the Disaster Management Plan

C.7.2 An emergency/operations response plan assigns responsibilities to organizations and individuals for carrying out specific actions at projected times and places in an emergency or disaster.

C.7.3 The Mitigation Plan shall establish interim and long- term actions to eliminate hazards or to reduce the impact of those hazards that cannot be eliminated.

C.7.4 The Recovery Plan shall identify the short term and long term priorities, processes, vital resources, acceptable timeframes, and procedures for restoration of services, facilities, programmes and infrastructure.

C.7.5 A continuity of operations plan shall identify the critical and time sensitive applications, processes and functions, to be recovered and continued, as well as the personnel and procedures necessary to do so, such as service impact analysis, business continuity management, et al.

C.8. Common Plan Elements

C.8.1 The Functional roles and responsibilities of internal and external agencies, organizations, departments, and individuals during mitigation, preparedness, response, and recovery should be identified.

C.8.2 The lines of authority for those agencies and persons shall be established or identified.

C.9. Direction, Control and Co-ordination

C.9.1 The DMCC shall develop the capability to direct, control, and co-ordinate response and recovery operations.

C.9.2 The Fire Services Incident Management & Command System shall be utilized in accordance with the purpose of this program.

C.9.3 The specific organizational, departmental and individual roles shall be identified for each for management function as specified in the IDRMF.

C.9.4 A mechanism shall be identified to determine the level of implementation of the incident management according to the scale and magnitude of the incident and the capabilities of the Stellenbosch Municipality.

C.9.5 Applicable policies and procedures for co-coordinating response, continuity and restoration activities with appropriate authorities and resources while ensuring compliance with regulations and standards.

C.10. Personnel Communications and Contact

C.10.1 A Personnel communications network system and shall be established to augment the purpose of the Disaster Management Programme.

C.10.2 The communications network system shall include but not be limited to: -

- a. An central communication centre
- b. An emergency call out priority list
- c. An emergency call out standby list
- d. An emergency paging /cellular / landline communication system
- e. An Alert Status System
- f. A Full Mobilization System

C.11. Operations and Procedures

C.11.1 The DMCC shall develop, coordinate and implement operational procedures to support the Emergency Management Programme.

C.11.2 Particular attention shall be paid to considerations of Life Safety.

C.11.3 Standard Operating Procedures shall be established and implemented for response and attention to those credible hazards identified in Section C.3, Part C.

C.11.4 a recovery situation analysis shall be conducted that includes a damage assessment and the identification resources needed to support recovery operations.

C.11.5 Procedures shall be established for maintaining the continuity of a level normal municipal functioning that must continue into recovery and mitigation.

C.11.6 Procedures shall be established for continuity of management should management be incapacitated or the attention of management needs to be focused entirely on the emergency.

C.12. Logistics and Facilities

C.12.1 The DMCC shall establish procedures to locate, acquire, distribute, and account for services, resources, materials, and facilities procured or donated to support the Disaster Management Plan

C.12.2 The Fire Services Headquarters (FBHQ) shall serve as the Stellenbosch Municipality Emergency Operations and Disaster Management Centre and shall be equipped and maintained so as to be capable of supporting response and recovery operations in partnership with the District Disaster Management Centre.

C.12.3 Provision shall be made for Physical Facilities to be made available and mobilized to cater for external demands during a disaster. This should include but not be limited to:

- a. The provision of beds
- b. The setting up of a Casualty Handling System (CHS)
- c. The provision of food and refreshment
- d. The provision of extra medical supplies
- e. The provision of blankets
- f. The possible re-allocation of areas to cater for large masses of people who may be affected by a disaster where this could include:-
 - i. sports grounds,
 - ii. Community and school halls
 - iii. Any other place capable of supporting mass accommodation of people.

C.13. Training

C.13.1 An assessment of training needs shall be performed and from this training/ educational support programmes shall be developed to support the IDRMF

C.13.2 The objective of the training shall be to create awareness and enhance the skills that will be required to sustain the IDRMF.

C.13.3. Frequency and scope of the training shall be identified by the Head: Disaster Management.

C.13.4 Records shall be maintained of all training activities.

C.14. Exercises, Evaluations and Corrective Actions

C.14.1 The DMCC shall evaluate the IDRMF plans, procedures and capabilities through periodic reviews, testing, post-incident reports of similar institutions, performance evaluations, and exercises.

C.14.2 Exercises shall be designed to test individual essential elements, inter-related elements, or the entire plan.

C.14.3 Procedures shall be established to ensure that corrective action is taken on any deficiency identified in the evaluation process and to revise the IDRMF.

C.15. Crisis Communications, Public Education and Information

C.15.1 The DMCC shall develop procedures to disseminate and respond to requests for pre-disaster, disaster information, including procedures to provide information to the media and deal with their enquiries according to protocol, if not already established.

C.16. Finance and Administration

C.16.1 Financial and administrative procedures shall be developed that will support the IDRMF before, during and after a defined emergency.

C.16.2 The allocation of financial resources in support of the IDRMF shall be clearly defined in a Financial Framework that reads with the National and Provincial Disaster Management Frameworks.

8.2.4	TABLING OF REPORT SEEKING AUTHORISATION FOR THE MUNICIPAL MANAGER TO ENTER INTO MULTI-STAKEHOLDER ENGAGEMENT TO EXPLORE POTENTIAL TO UNLOCK THE RE-GENERATION AND TRANSFORMATION POTENTIAL OF THE ADAM TAS CORRIDOR
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Collaborator No:

File No:

IDP KPA Ref No: Valley of Possibility

Meeting Date: 29 May 2019

1. SUBJECT: TABLING OF REPORT SEEKING AUTHORISATION FOR THE MUNICIPAL MANAGER TO ENTER INTO MULTI-STAKEHOLDER ENGAGEMENT TO EXPLORE POTENTIAL TO UNLOCK THE RE-GENERATION AND TRANSFORMATION POTENTIAL OF THE ADAM TAS CORRIDOR

2. PURPOSE

The purpose of the report is to:-

- (a) To inform Council of the proposed development concept between multi-stakeholder, national government, provincial government, and private stakeholders.
- (b) Seek the support from Council to authorize the Municipal Manager to enter into a multi-stakeholder engagement involving, the key national departments, relevant local government institutions, the university, private stakeholders, and various landowners;
- (c) Seek the support from Council to authorize the Municipal Manager to explore a public private partnership for the Adam Tas Re-generation Initiative; and
- (d) Seek the support from Council to authorize the Municipal Manager to undertake further work to explore the feasibility, dependencies, and risks associated, etc. in determining the appropriate path for unlocking the Adam Tas Corridor.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

Challenges highlighted during the State of the National Address included, 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. These were echoed by the Western Cape Premier who further reiterated the importance of finding ways to minimise unemployment by creating an environment that encourages job creation, through investment and growth. The proposed Adam Tas Corridor provide an unique opportunity for such an initiative to address these challenges through a private- public partnership. Furthermore, this proposed corridor is aligned to our draft Spatial Development Framework (SDF) currently under consideration. It provide a unique opportunity for the municipality to explore the potential for the re-generation and transformation of the Adam Tas Corridor. This initiative is aligned to the national and provincial vision of private- public partnerships to address community needs.. It is important to note that the recommendations below is are in line with the Draft Spatial Development Framework.

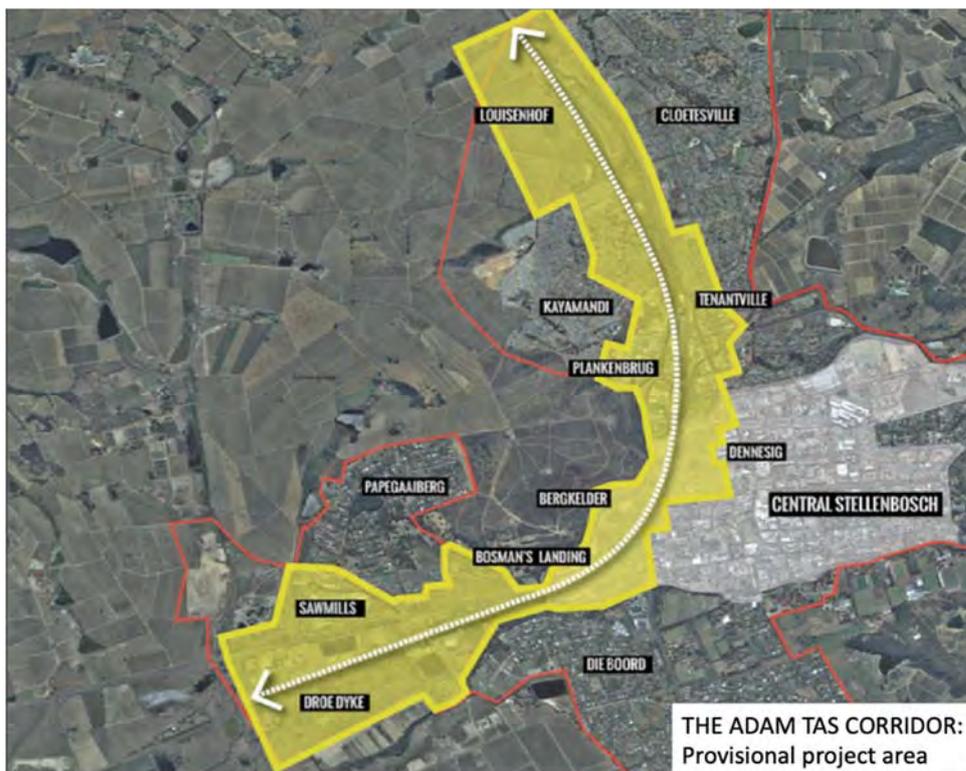
5. RECOMMENDATIONS

- (a) that Council authorizes the Municipal Manager to enter into a multi-stakeholder engagement involving the key national departments, relevant local government institutions, the university, private stakeholders, and various landowners;
- (b) that Council authorizes the Municipal Manager to explore a public private partnership for the Adam Tas Re-generation Initiative;
- (c) that Council authorizes the Municipal Manager to undertake further work to explore the feasibility, dependencies, and associated risks, etc. in determining the appropriate path for unlocking the Adam Tas Corridor; and
- (d) that the Municipal Manager provides feedback to Council.

6. DISCUSSION

The Adam Tas Corridor (ATC), comprises an area of some 400ha, stretching for 5 km along the R310 and R44 from the Cape Sawmills site to Kayamandi and Cloetesville.

The re-generation and transformation of the Adam Tas Corridor, previously utilised for light industrial activity, now forms the basis of a re-imagined future.



If we are to effectively respond to the challenges government face, we will need to find creative solutions and strong partnerships. The re-generation and transformation of the Adam Tas Corridor, previously utilised for light industrial activity, now forms the basis of a re-imagined future which ties up with a valley of opportunities.

The municipality has been approached by various stakeholders, supported by the University to engage in an initiative to guide a process on how best to unlock the development potential of the land and associated infrastructure. Following tradition and the norm, it is possible for any landowners in the area to do a project alone or attempt profitable development for alternative uses. However, it is believed that much can be

gained if the different landowners, large institutions, government, and communities in Stellenbosch explore, plan, and execute development of the land together, in a manner which best serves the broader public interest of Stellenbosch.

Only in this way is a scale of development achievable which will ensure affordability of required infrastructure to unlock the area to its full potential, and to achieve a full range of activities and benefits, including profitable initiatives, ones requiring subsidisation (supporting the needs of ordinary citizens, the large and the small). This development have the potential to bring about much needed spatial justice and transformation and can become Stellenbosch's truly integrated rainbow development.

FOR FURTHER DETAILS CONTACT:

NAME	Geraldine Mettler
POSITION	Municipal Manager
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 – 808 8025
E-MAIL ADDRESS	mm@stellenbosch.gov.za
REPORT DATE	22 May 2019

8.2.5	ADOPTION OF THE FINAL CAPITAL EXPENDITURE FRAMEWORK 2019
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Collaborator No: 645815
File No:
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 29 May 2019

1. SUBJECT: ADOPTION OF THE FINAL CAPITAL EXPENDITURE FRAMEWORK 2019

2. PURPOSE

For Council to adopt the Final Capital Expenditure Framework (CEF) and to obtain Council's approval for submission of the Final Capital Expenditure Framework (CEF) to the National Department of Cooperative Government.

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.

5. RECOMMENDATION

that the Final Capital Expenditure Framework be approved for submission to COGTA.

6. DISCUSSION/CONTENTS

6.1 Background

The business plan for the IUDG is a three-year capital programme that is aligned with a long-term CEF (10 year plan). The Final Capital Expenditure Framework must be submitted to the Department of Cooperative Governance (DCoG), before the end of the municipal financial year, 30 June 2019.

There are a number of key intentions in introducing the CEF as the basis for monitoring the IUDG:

- 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.

The key changes made to the Final CEF, include the following:

Section 2: Functional Area and Priority Development Area

- The spatial vision as defined in the SDF was incorporated in the CEF in order to strengthen the link between the intent of the SDF and the outcome of the CEF.
- Adam Tas Corridor was introduced.

Section 3: Socio Economic Profiles

- Maps was updated.

Section 5: Integrated Infrastructure Investment Framework

- The IIF demand was updated with the MTREF capital budget.
- An analysis regarding the Asset type and Sub-type was done, as requested by the CEF guidelines.

Section 8: Prioritisation

- Prioritisation model.

Section 9: Budget Scenario

- Budget Scenario envelope in line with the funding envelope to the Final MTREF totals.
- Adjustments in the first three years of the CEF in line with the Final MTREF budget.

Section 10: Programme Based Analysis

- A pro-poor analysis was incorporated to the CEF, as required by the CEF guidelines.

Section 11: Capital Expenditure Implementation Plan

- The CEIP was updated due to the new budget scenario outcomes.
- A ward level analysis was incorporated.

Section 12: Institutional Arrangements

- Updated Strategic alignment per project.

7. PREVIOUS COUNCIL RESOLUTION**25TH COUNCIL MEETING: 2019-03-27: ITEM 7.10.1****RESOLVED** (majority vote with abstentions)

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**Annexure A:** Stellenbosch Municipality – Final Capital Expenditure Framework**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.devisser @stellenbosch.gov.za
REPORT DATE	22 May 2019

8.2.6	INTEGRATED HUMAN SETTLEMENTS PLAN: STELLENBOSCH MUNICIPALITY
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

29 May 2019

1. SUBJECT: INTEGRATED HUMAN SETTLEMENTS PLAN: STELLENBOSCH MUNICIPALITY

2. PURPOSE

To provide Council with a draft Integrated Human Settlement Plan (IHSP) which follows the Urban Development Strategy (UDS) and a number of other national, provincial, regional and local *planning* studies.

The key objectives of this IHSP is to:

- Be compliant with relevant legislation and policy directives;
- Confirm and apply the following elements of human settlement addressed in the UDS:
 - a) Statement of vision;
 - b) Growth-and-development paths with specific reference to housing demand (land and units) including the social need for houses i.e. housing for the indigent;
 - c) Investment framework with specific reference to the dimensions of funds-flow that are of importance for the Stellenbosch Municipality; and
 - d) Management framework, i.e. guidelines to steer decision-making on the implementation of the preferred growth-and-development path(s);
- Review and consolidate housing supply (in particular, by government); and
- Facilitate dialogue about preferred interventions and preferred growth-and-development outcomes.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The Stellenbosch Municipality identified the need to set a 'new' growth-and-development path. A growth-and-development path essentially guides land development to effect change, i.e. to deal with urban challenges, opportunities and constraints. The Urban Development Strategy (UDS) attempts to ensure a principled response to the use and development of land over a 20-year period. In this context and following the UDS, the Integrated Human Settlement Plan (attached as **ANNEXURE A**) addresses the entire spectrum of housing across different socio-economic categories and price gradients. The 'rural' component of the growth-and-development path was, amongst others, informed by the Status Quo Report (dated March 2017) of the Rural Area Plan.

5. RECOMMENDATIONS

- (a) that Council approves the Integrated Human Settlements Plan (IHSP) attached as **ANNEXURE A**, in principle;
- (b) that the Integrated Human Settlement Plan (IHSP) be advertised for public input in accordance with Council's policy; and
- (c) that, should any inputs be received, same be considered by Council before a final decision is made.

6. DISCUSSION / CONTENTS**6.1 Background**

The Department of Planning and Economic Development of the Stellenbosch Municipality was tasked to commission the drafting of a Stellenbosch Municipal Urban Development Strategy, which included the drafting of the IHSP.

The focus of the UDS was to develop, assess and map growth-and-development path(s) and set guidelines to steer decision-making on the implementation of these paths. A designated growth-and-development path, if implemented, promotes/guides development to the preferred locations. These locations are conceptually designated in the UDS at town and/or local level (i.e. precinct).

The focus of the IHSP is to address the residential component of the growth-and-development path in sufficient detail and at the appropriate planning (and technical) level, viz. town, precinct and in some cases, at site-specific level. This is done by:

- a) Confirming and applying the UDS findings and proposals, e.g. the allocated growth in demand for residential land and units by scenario, by node and by type and expected rollout of potential development (including the flow of funds); and
- b) Addressing the (quantitative) supply of housing (or housing delivery), for example, in the lowest house-price class (entirely government-driven) and in the offering of a gradient of residential price classes in larger developments (viz. inclusionary housing).

The IHSP does not include business models to guide public- and private-sector co-investment and cross-subsidisation. The Municipality acknowledge that Council will be empowered in negotiating development outcomes with the private sector through such business models informed by investment strategies and parameters within the confines of the available housing programmes and which relate to the use of mechanisms such as development charges and incentives.

6.2 Discussion

The drafting of the IHSP follows the UDS and a number of other national, provincial, regional and local planning studies, and is but one component of this suite of plans. The aim of all these studies was to operationalise constitutional mandates (see Figure A1).

A key governance imperative is that these plans should be aligned in content, coordinated in process, integrated in output, transformative in outcomes and consistent in the monitoring and evaluation thereof. For example, the growth-and-development path set out in the UDS, implies a changed investment and (spatial) development framework, and therefore, necessitates a reassessment of market-related and

government-driven housing supply, with specific reference to the municipality’s housing pipeline.

The Municipal Integrated Development Plan (MIDP) is the primary directive for governance at local level (reviewed annually) and should include programmes and projects by all tiers of government (also see Figure A1). The purpose of the IHSP is to serve as an issue-specific informant (with a multi-year timeframe) of the MIDP.

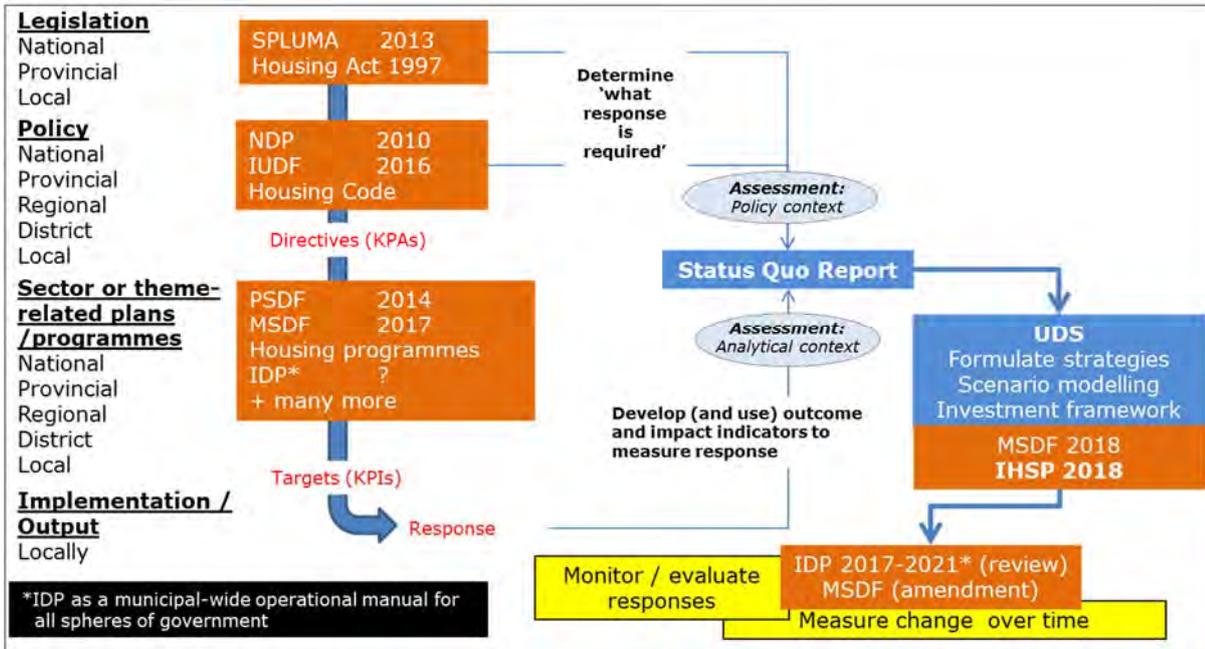


Figure A1: Planning and implementation path of Stellenbosch IHSP

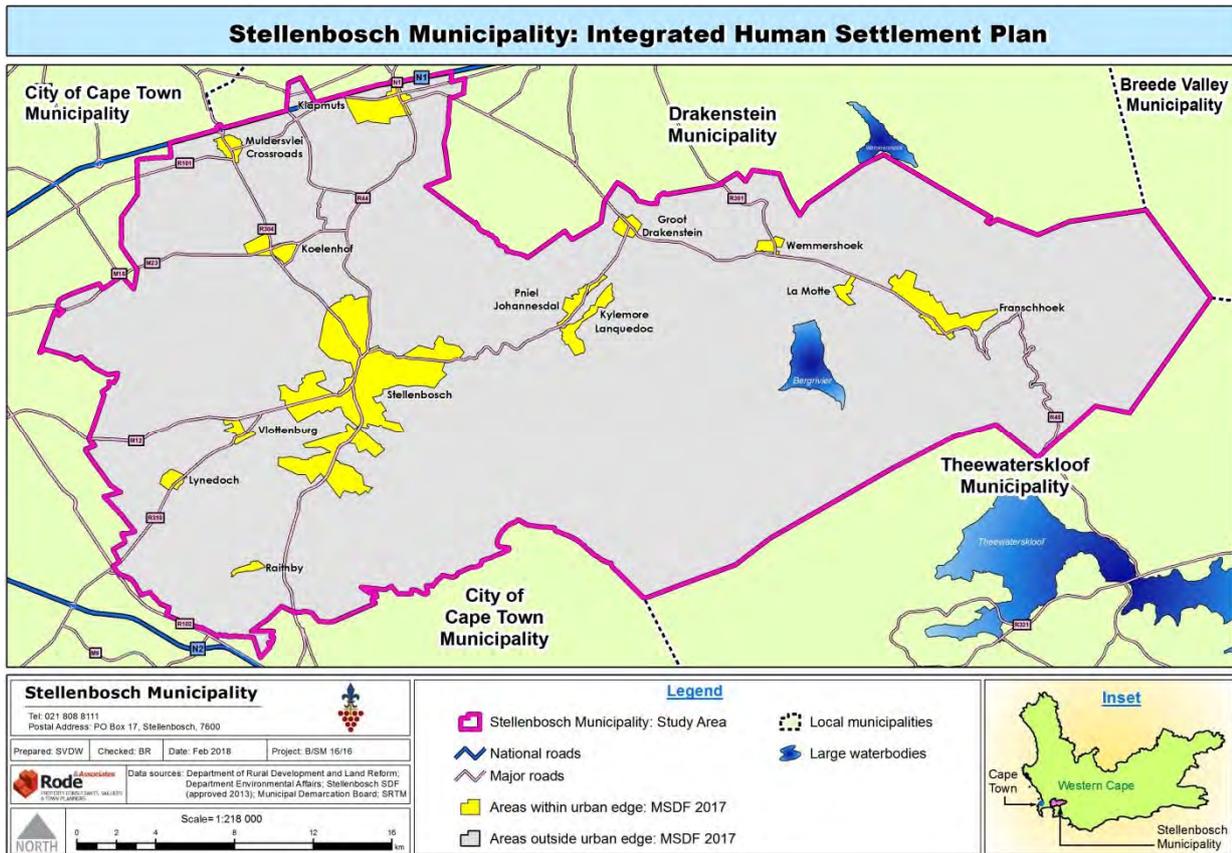
Strategic objectives

The Western Cape Government (WCG) has identified the development of sustainable human settlements as one of ten key objectives together with the following strategic goals (of which we only provide a reworded version of those goals relevant to this study):

- Improve the functionality, efficiencies and resilience of settlements;
- Accelerate the delivery of houses;
- Improve living conditions through the Upgrading of Informal Settlements Program (UISP), access to water and sanitation, and housing upgrades;
- Promote ownership of property;
- Enable increased supply of land for affordable housing and catalytic projects;
- Facilitate job creation and empowerment opportunities; and
- Promote innovation and the ‘better living’ concept.

Study area

The study area is the jurisdiction of the Stellenbosch Municipality (see Map A1 below). This includes the urban or settlement areas inside the respective urban edges - the study area of the UDS - and the rural areas outside these edges - the study area of the Rural Area Plan.



Map A1: Study area of the Integrated Human Settlement Plan

Planning approach

Professionals in different fields and politicians typically consider the following constraining factors when contemplating, in particular, spatial planning:

- a) Employment and unemployment patterns, including socio-economic trends and demographic shifts (for instance, bringing jobs to the people or vice versa).
- b) Availability of, or the potential to, provide efficient public transport, and transport in general.
- c) Capacity of existing infrastructure and the Municipality’s ability to spend capital on new infrastructure, as well as the maintenance thereof.
- d) Heritage and environmental constraints, including climate change.
- e) How much developable bulk is still available in existing developments (e.g. in Technopark, Nooitgedacht Village).
- f) How much potentially developable land (by potential land-use) is realistically available within, and just outside, the urban edge (the iron inventory), and the willingness of these landowners to sell to developers (i.e. land ownership).
- g) Developers’ preferences.
- h) Public opinion.

Chaos theory has brought a new perspective to understanding of cities as urban spaces. It has shown that factors that control the evolution of a city are self-organizing systems and as such are themselves uncontrollable.

Michael Batty, professor of Spatial Analysis and Planning at the University of London, states: *From this perspective follows a new type of action in the city, a new way of urban planning, which aims not to control but to participate. (emphasis added) (Sardar, p. 134).*

Thus, professionals should be sensitive to the signals that the market is transmitting when considering, amongst others, the 'ideal' location for non-indigent housing. The practical implication of this participation approach is that urban planning should be more flexible than current practise in SA. It should not only consider the ideal world (no inequality, everybody lives close to work opportunities in medium-to-high-density mixed-use and mixed-income urban environments, and has access to affordable and efficient public transport) but also what would be needed to make it worthwhile for the private sector to partner with the public sector. What is required is an open mind as there are important trade-offs in any business plan of this nature.

The provision of housing for the indigent adds further constraints such as beneficiaries, to the factors listed above. To ensure consistency in planning and decision-making, identified growth-and-development criteria to guide the use and development of land specific to each identified 'location'.

The planning approach adopted in preparing the UDS and the IHSP, was to make (urban) planning practical and to be sensitive to the signals that the market is transmitting (the market includes government - as a coach, player and referee in the market - private enterprise and households). This was done by:

- a) developing economic-growth scenarios (economic growth drives demand for built space);
- b) developing spatial strategies by notionally allocating expected new demand for land to various nodes, using the hub-and-spoke approach (i.e. setting development paths);
- c) applying financial placemaker modelling by node (i.e. setting growth paths); and
- d) designating preferred growth areas within nodes (i.e. land-development areas based on a specific investment rationale).

By their very nature, spatial development frameworks (and even 'housing or human settlement plans') have a qualitative development planning perspective, and tend to lack depth and understanding of financial, economic and social consequences related to implementation of future development scenarios (and associated strategies). In this regard, using positioning strategies based on the current socio-economic reality and the expected future sectoral growth of the economy to allocate the growth in demand for land (i.e. suggesting development paths). This allocation is aimed at, *inter alia*, optimally reflecting the market's preference for a certain land-use in a specific location.

By applying the placemaker model, we estimated the financial and economic implications of implementing these preferred development paths by node. In doing so, addressing the following elements of land development: the 'how much', the 'what type' and the 'when' (fully determined by the market, excluding housing for the indigent). The designation of preferred growth areas is an attempt to state 'where' growth and investment is preferred for future urban intensification/expansion.

6.3 Financial Implications

The housing project must reconcile with budget and provincial approvals as well as bulk infrastructure capacity.

6.4 Legal Implications

Administrative

The assignment to draft an Integrated Human Settlement Plan is guided by a council decision and legislative requirements. In this regard, the Stellenbosch municipal council decided in September 2016 to:

- (a) Proceed with the development of a Municipal Spatial Development Framework (MSDF) for Stellenbosch Municipality (WC024).
- (b) Establish an Intergovernmental Steering Committee (IGSC) to compile or amend its municipal spatial development framework in terms of Section 11 of the Land Use Planning Act.
- (c) Establish a project committee.
- (d) Proceed with all administrative functions to oversee the compilation of a first draft of the Stellenbosch Municipal Spatial Development Framework for council approval in terms of the Municipal Systems Act (2000), the Land Use Planning By-law (2015), Land Use Planning Act (2014) and the Spatial Planning Land Use Management Act (2013).
- (e) Use the MSDF as a platform to consider and align the following:
 - (i) Strategic Environmental Management Framework (SEMF);
 - (ii) Rural Area Plan (RAP);
 - (iii) Urban Development Strategy (UDS) leading to a Stellenbosch WCO24 MSDF;
 - (iv) Heritage Resources Inventory;
 - (v) Integrated Human Settlement Plan (IHSP) (this study);
 - (vi) Klapmuts Local Spatial Development Framework (LSDF);
 - (vii) Stellenbosch LSDF amendment to be compliant with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013); and
 - (viii) Jonkershoek LSDF amendment to be compliant with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).
- (f) Proceed with the amendment of the current approved MSDF to be aligned with the 2017/18 IDP.
- (g) To ensure that both the amendment of the existing MSDF and the compilation of the new MSDF run concurrently with the Integrated Development Planning cycle.

The Stellenbosch Municipality informed the Provincial Minister of Local Government, Environmental Affairs and Development Planning (letter dated 25 November 2016) and the relevant provincial Head of Department (letter dated 4 November 2016) of the council decision. The Head of Department was also informed about the procedures to invite representatives of the committee and to nominate a representative to the committee, the placement of public notifications and the attempt to integrate the drafting processes of the MSDF and the IDP of the Stellenbosch Municipality.

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

No risk implications foreseen.

6.8 Comments from Senior Management**6.8.1 Director: Infrastructure Services**

No comments received.

6.8.2 Director: Planning and Economic Development

No comments received.

6.8.3 Director: Community and Protection Services

None requested.

6.8.4 Director: Strategic and Corporate Services

None requested.

6.8.5 Chief Financial Officer

No comments received.

6.8.6 Municipal Manager

None requested.

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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>7 May 2019</i>

APPENDIX 1



Stellenbosch Municipality

INTEGRATED HUMAN SETTLEMENT PLAN (Draft)

2018

Stellenbosch Municipality:
Department of Human Settlements & Property Management

May 2018

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NOTE 1:

- The use of the word 'Stellenbosch' refers to the entire municipal area of Stellenbosch Municipality (WC024) which includes urban and rural areas, and
- The wording 'Stellenbosch (Town)' refers to the town of Stellenbosch.

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ABBREVIATIONS AND ACRONYMS

BNG:	Breaking New Ground (RDP or give-away houses)
CWDM:	Cape Winelands District Municipality
CPI:	Consumer price index
CRU:	Community residential units
CV:	Coefficient of variation
CWPPA:	Cape Winelands Professional Practices in Association
DC:	Development contribution (or charge)
FLISP:	Finance-Linked Individual Subsidy Programme
GBA:	Gross building area
GDP:	Gross domestic product
GLA:	Gross leasable area
GVA:	Gross value added
IGSC:	Intergovernmental Steering Committee
IHSP:	Integrated Human Settlement Plan
IRDP:	Integrated Residential Development Programme
KPA:	Key performance area
KPI:	Key performance indicator
LDA:	Land-development area
LOS:	Level of service
LSDF:	Local Spatial Development Framework
LUPA:	Western Cape Land Use Planning Act, 2014 (Act 3 of 2014)
MEC:	Member of Council [member of executive council of WCG]
MIDP:	Municipal Integrated Development Plan
MIG:	Municipal Infrastructure Grant
MSDF:	Municipal Spatial Development Framework
MTEF:	Medium Term Expenditure Framework
NMT:	Non-motorised transport
PHP:	People's Housing Project
PV:	Present value
r:	Correlation coefficient
RAP:	Rural Area Plan
RDP:	Reconstruction and Development Programme
Sapoa:	South African Property Owners Association
SDF:	Spatial Development Framework
SEMF:	Strategic Environmental Management Framework
SHI:	Social Housing Institution
SHRA:	Social Housing Regulatory Authority
SME:	Small, medium enterprises
SPLUMA:	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)
Stats SA:	Statistics South Africa
STOD:	Sustainable transit-oriented development
TOD:	Transit-oriented development
UDS:	Urban Development Strategy
UISP:	Upgrading of Informal Settlements Programme
VAT:	Value added tax
WCG:	Western Cape Government

GLOSSARY OF TERMS¹

Actual operating income

Actual operating income includes revenue foregone (deducted) and excludes grants, subsidies, and other income defined as follows: 'other income' includes interest on overdue accounts and on investments, public contributions and donations, and 'other income' as stated in the financial statements of the Municipality.

¹ Some of these definitions were obtained from the City of Johannesburg Metropolitan Council, *Spatial Development Framework*, 2040, and adapted to be more study-specific.

Affordable Housing

Housing for the non-indigent in the house price bands associated with household incomes between R3500 and R25 000 per month, and property values between R160 000 and R580 000; also known as the gap-house-price bands.

Backyard dwelling

Dwelling unit subsidiary to a main residential dwelling unit.

Capital expenditure (capex)

Expenditure on infrastructure and superstructure.

Change tool

A tool that could potentially drive change in attempting to guide preferred growth-and-development paths for the urban areas of the Stellenbosch Municipality.

Climate exposure

The nature and degree to which an area is exposed to significant climatic variations.

Climate sensitivity

The degree to which a system is affected, either adversely or beneficially, by climate-related stimuli, either directly or indirectly.

Climate adaptive capacity

The ability of a system to adjust to climate change, climate variability and extremes to moderate potential damages, take advantage of opportunities, or to cope with the consequences.

Coefficient of variation (CV)

In a data series, a coefficient of variation is a statistical measure of the dispersion of the data points around the mean.

Consolidation Zone

An area that is experiencing specific development pressure and where incremental approaches to development, regulation and the maintenance and upgrading of infrastructure will be considered to accommodate natural progression.

Construction area

'Construction area', as defined by Sapoa, includes non-rentable areas like lift wells, staircases and the width of outside walls. Put differently, it is the area of the building envelope times the number of storeys (but only where all storeys are of the same size). It is typically used for expressing building-construction costs per m².

Correlation coefficient

A number between +1 and -1 calculated so as to represent the linear interdependence of two variables or sets of data. The higher the number (close to +1 or -1), the higher the correlation between two variables. A minus sign in front of the number indicates an inverse relationship.

Demand

See Effective demand.

Densification

A process of development that intensifies urban land use within the area.

Developable land

Developable land means the land has a realistic potential of acquiring development rights. It includes 'brownfields' and 'greenfields' development.

Development contribution (or charge)

Development charges (DCs) serve to cover the capital costs of external services and infrastructure, the implementation of which is the responsibility of the Municipality.

Development path

Allocation of scenario-based growth in demand for developable land by type and by node based on the hub-and-spoke approach (with specific reference to the cumulative land demand by 2036).

Development strategy

Facilitating complementary and supplementary land uses aligned to a specific economic sector activity.

Dwelling density (gross)

The number of dwelling units in a given area, calculated as dwelling units per hectare (du/ha); 'gross' means that communal areas like streets and public open space (POS) is included.

Dwelling unit

Building structure in which people live (as per Eskom SPOT building count).

Economic-growth scenario

A forecast of the growth in demand for developable land based on an assumed macro-economic growth path for the country.

Economic-growth strategy

A nodal positioning strategy to guide the development of a preferred 20-year growth-and-development path.

Effective demand

Effective demand is demand that the consumer can actually afford. It is an economic concept that implies that the consumer has the financial wherewithal to afford that which he or she 'demands'. Give-away housing does not constitute 'demand' in the economic sense but rather a social need. Many sources erroneously refer to 'demand' when they mean 'social need'.

Funds-flow outcome

Funds-flow outcome = f(development path, growth trajectory).

Gross Building Area (GBA)

The area that represents the footprint of the building times the number of storeys (provided the storeys are all the same size of the footprint). Thus, GBA includes un-rentable areas like lift shafts, stairways and the breadth of the outer walls. This term equates to Construction Area, as proposed by Sapo.

Gross domestic product (GDP)

The total value of goods produced and services provided in a country during one year.

Gross value added (GVA)

The value of production or output within the borders of a specific area for any specific year.

Growth area

An area where land development is preferred (partially determined by the market).

Growth path

The 'how much' (in rands) and 'what type' of land development as well as 'when' it is likely to occur (fully determined by the market, excluding housing for the indigent and 'soft' and 'hard' infrastructure).

Growth-and-development path

This path essentially entails an approach to urban development that refers to the how much, when, where and what type of land development should be permissible to deal with the challenges,

opportunities and constraints associated with governance, spatial, social, economic and environmental factors as structural drivers prevalent in urban areas.

Growth trajectory

The mathematical curve that development investment could follow.

Highest and best use

The most probable use of a property that is physically possible, appropriately justified, legally permissible, financially feasible and which results in the highest value of the property being valued. (Source: International Valuation Standards Council, 2011). The Afrikaans term – *mees renderende gebruik* – is more descriptive.

Housing for the indigent

Housing in the lowest price class, including 'give-away' (or RDP) houses.

Inclusion zone

Areas outside the current urban edge with vested rights to use land *for an extended urban function (at scale and location)*.

Inclusionary housing

An intervention to encourage developers to offer a gradient of residential price classes in larger developments.

In-situ upgrading

Upgrading is a staged process of improvement of quality of life in informal settlements, based on incremental provision of services and tenure. It should seek to maximise in-situ development in appropriate areas and minimise relocation.

Iron inventory

The proportion of developable land that is permanently vacant and available for development in order to prevent pent-up demand developing. It can be compared with the minimum inventory that a trading company should have to prevent stock-outs.

Job-housing mismatch

A spatial distribution whereby the location of jobs is not 'easily' accessible from where people live (more so time-wise than distance-wise).

Land take-up

Increase in the urban built-up area.

Land-use diversification

A mixing of land uses.

Main-Place

For purposes of the population census, the country is divided into various geographical units. For instance (from large to small): Province → District Municipality or Metro → Local Municipality or Metro → Main-Place → Sub-Place (SP). As an example, Klapmuts is a Main-Place, with Sub-Places Bennetsville, Klapmuts SP, Weltevrede Park, Mandela City.

Municipal Infrastructure Grant (MIG)

The Municipal Infrastructure Grant is a municipal infrastructure funding arrangement. It combines all the existing capital grants for municipal infrastructure into a single consolidated grant.²

² Source: <http://www.cogta.gov.za/mig/docs/3.pdf> viewed on 3 October 2017.

Placemaker

The notion that each node has a specific focus (or marker) that differentiates it from another node. In this study, it relates to a specifically proposed economic focus of a node (for instance, being essentially tertiary or secondary sector in character). The placemaker concept consists of two parts, viz. location and economic focus (positioning).

Population density

The number of people in a given area, calculated as the number of people per km² or per ha.

Precinct plan

A plan that provides detailed development guidelines based on the growth-and-development criteria applicable to a Transformation Zone, taking directive from higher-order plans.

Primary sector of the economy

An economic sector that includes the following sub-sectors: agriculture, mining, forestry and fishing. See also: Secondary sector, Tertiary sector.

Restructuring Zone

A demarcated area to accommodate social housing projects.

Secondary sector of the economy

An economic sector that includes the following sub-sectors: manufacturing, electricity, gas and water supply as well as building and construction. See also Primary sector, Tertiary sector.

Social housing

Subsidised state programme of *rented* housing for households earning between R2500 and R7500 per month.

Social infrastructure

Assets that accommodate social services, such as schools, libraries, clinics and public facilities. Sometimes referred to as 'soft' services or infrastructure.

Sprawl

A development pattern that disperses development versus focusing/concentrating it.

Strategic land-development application

An application was categorised as strategic if the proposed land development relates to (mostly) large tracts of (vacant) land, inside or outside (if outside, then close to) the urban edge and considered as one-titled unit or grouped together.

Superstructure

Top structures or buildings.

Tertiary sector of the economy

An economic sector that includes the following sub-sectors: trade, repairs and hospitality, financial institutions, real estate and business services; community, social and personal services; and government services. Workers in this sector are typically housed in offices.

Theil's entropy index

The Theil index is a statistic primarily used to measure economic inequality and other economic phenomena, though it has also been used to measure racial segregation.

Transformation zone

Areas where coordinated public- and private-sector investment is prioritised (first tier) for urban intensification and/or expansion, i.e. *preferred growth areas*.

Transit-oriented development (TOD)

An approach to development that focuses and intensifies development around public transport facilities, such as public transit stations, and that promotes walkable, mixed-use, dense, urban form and a high-quality public environment.

Urban edge

A demarcated line that represents the outer limit of the urban expansion, with urban development not allowed beyond this limit. The urban edge is adopted as part of a **Municipality's Integrated Development Plan (IDP)**.

1 FOREWORD

To be completed

2 EXECUTIVE SUMMARY (15 pages)

2.1 PLANNING CONTEXT

All indications are that the current Stellenbosch (urban) growth-and-development path leads to inadequate responses by government, public enterprise and households. The responses by all three tiers of government stem from policy directives (as key performance areas) and the allocation of funds by the three tiers, while private enterprise is, unsurprisingly, driven by profitability. Responses by households vary along socio-economic class lines.

The Stellenbosch Municipality identified the need to set a 'new' (urban) growth-and-development path. A growth-and-development path essentially guides land development to effect change, i.e. to deal with urban challenges, opportunities and constraints. The *Urban Development Strategy* (UDS)³ attempts to ensure a principle-led response to the use and development of land over a 20-year period. In this context and following the UDS, the *Integrated Human Settlement Plan* (hereafter referred to as the IHSP, or *this study*) addresses the entire spectrum of housing across different socio-economic categories and price gradients.

The following are some of the urban challenges that were identified in the *Status Quo Report*.⁴

- Segregation along socio-economic class lines (in the form of a race-based urban spatial configuration).
- **Severe, structural poverty; more than half of all households in the municipality's urban areas have a monthly income of between R0–R3500.** In Franschoek and Klapmuts, this proportion is 70% (using Census 2011 data).
- Peripheral, disconnected mono-functional land developments occur in the form of low-density sprawl in nodes and in rural settlements to satisfy the demand for upmarket lifestyles.
- Job-housing mismatch, resulting in excessive commuting as a result of a deficit of affordably-priced housing close to job opportunities. The home affordability problem must be ascribed to a supply-side that has not been keeping up with demand, and the crucial question is, what has been restraining the supply of affordably-priced houses.
- Increased population densities mostly in neighbourhoods with sub-standard quality of services and urban environment. Worryingly, there is not a similar increase in the number of dwelling units in these areas with the possibility of overcrowding.
- Degradation of environmental, heritage and agricultural assets, e.g. pollution of rivers and use of agricultural land for ad-hoc and fragmented urban expansion or land banking.
- Lack of addressing the climate vulnerability of urban areas through adopting and implementing specific adaptation measures.
- Lack of tracking, monitoring and reporting on change over time. ***Change must be tracked and measured using appropriate metrics if change is to be properly managed.***

³ The Stellenbosch Municipality appointed Rode & Associates ('Rode') in August 2016 as lead consultants to draft the UDS. The (draft) *Urban Development Strategy* was completed by Rode in November 2017 as third project deliverable.

⁴ *Status Quo Report* completed by Rode in May 2017 as second project deliverable. Its purpose was to understand the current urban context by studying the directives and targets for development and service delivery and associated responses. The *Status Quo Report* included a socio-economic as well as a demographic analysis as specialist input. ***Both studies were presented as stand-alone reports.***

In recent times, 'new' responses are being shaped by 'new' relationships that exist between the organising elements of urban living and urban space — sometimes resulting in unplanned change. For example, in Stellenbosch (Town), (a) the unwillingness and/or inability to pay rent in Kayamandi led to the invasion of well-located municipality-owned land south and adjacent to Kayamandi, and (b) the reshaping of neighbourhoods through studentification.⁵ Another new phenomenon, albeit planned, is the partitioning of space to accommodate high-order developments, e.g. high-priced gated residential estates. The reasons for the popularity of these developments are security and the demand for upmarket lifestyles.

2.2 PLANNING APPROACH

The drafting of the IHSP follows the UDS and a number of other planning studies, and is but one component of this suite of plans. A key governance imperative is that these plans should be aligned in content, coordinated in process, integrated in output, transformative in outcomes and consistent in the monitoring and evaluation thereof. For example, the growth-and-development path set out in the UDS, implies a changed investment and spatial development framework, and therefore, necessitates a reassessment of market-related and government-driven housing supply (including densities, location, etc.).

The planning approach adopted in preparing the UDS *and the IHSP*, was to make (urban) planning practical and to be sensitive to the signals that the market is transmitting (the market includes government — as a coach, player and referee in the market — private enterprise and households). We did this by developing economic-growth scenarios and strategies, applying financial placemaker modelling and by designating preferred growth areas within nodes.

By applying the placemaker model, we estimated *the financial and economic implications* of implementing the preferred development paths by node. In doing so, we address the following elements of land development: the 'how much', the 'what type' and the 'when' (fully determined by the market, excluding housing for the indigent). The designation of preferred growth areas is an attempt to state *where* growth and investment is preferred for future urban intensification/ expansion.

This plan is not a diktat but an attempt to help government in decision-making and to chart a way forward for public- and private-sector (co-)investment. In this regard, we emphasise that it is crucially important to track and report on changes (and performance) over time; put differently, to measure qualitative outcomes in quantified terms.

Change tools

We mention the following identified change tools⁶ to potentially drive change in the urban areas of Stellenbosch municipality:

1. Integrate urban planning
2. Integrate transport modes, including its management
3. Promote, where practicable, greater socio-economic integration of human settlements
4. Steer appropriate land use and expected land development
5. Facilitate economic development
6. Efficient allocation of municipal resources

2.3 STATEMENT OF VISION

⁵ Loots, R., Sebitosi, B and Swilling, M. 2012. *Sustainable Stellenbosch – Opening Dialogues*. SUNPress, 2012.

⁶ Six change tools were identified in the UDS that formed the basis of effecting the vision for urban growth and development.

The UDS includes a vision, associated principles and nodal positioning strategies. *We propose these statements as part of this study.*

We propose the following vision for urban growth and development over the next 20 years:

'Compact, inclusive, sustainable and transformed towns'

The growth-and-development path is also based on applied *nodal positioning strategies* (or economic-growth strategies). By implication, to designate areas (by node) where the rollout of potential development over the 20-year period can occur based on a specific investment rationale. The selected nodes are: Stellenbosch (Town) as the hub, Klapmuts and Franschhoek as **primary nodes** and all **'other settlements'** combined as a **'secondary node'**.⁷

The nodal positioning strategies were developed to best **reflect the market's preference** for a certain land-use in a specific location, and by implication, shaping public- and private-sector investment in concert with mutual long-term interests. This investment rationale provided a hierarchy of nodes aligned to the rollout of potential development over the 20-year period. Stellenbosch (Town) received the highest priority for public-sector infrastructure spend followed by Klapmuts, Franschhoek and the other settlements combined (in that order).

Importantly, the vision is also supported by designating land-development areas where growth and investment is preferred within a node.

2.4 SCENARIO DEVELOPMENT

Development of three economic-growth scenarios

We forecast the demand for developable land by typology as informant to setting growth-and-development paths.⁸ The demand for land is significantly influenced by growth in the national and local economies, and hence, we did this by constructing three economic-growth scenarios. The three scenarios are:

- The **Business-as-usual** scenario is a mechanistic line-of-best-fit extrapolation over a 20-year period (2016–2036) of historic demand in Stellenbosch Municipality (1996–2015).
- The **Consensus** scenario is low-growth scenario based on the opinions of a panel of economists whom Rode polls every six months.
- The **Junk** scenario is in effect a very-low-growth macroeconomic scenario, constructed by Rode in December 2016.

Two of these scenarios, viz. **Consensus** and **Junk**, reflect respectively low and very-low economic growth in SA over the 20-year forecast period (until 2036). The third, viz. the **Business-as-usual** scenario, is based on the assumption that the historic average growth rate in the Stellenbosch Municipality **will be maintained, even though the country's economy** might decelerate. This latter scenario is quite likely in light of the popularity of the Western Cape in general and Stellenbosch in particular.

Forecast of residential and non-residential demand by scenario (net and gross land extent; municipality-wide)

We used these scenario-based models to forecast demand for residential⁹ and non-residential¹⁰ land over, first, a 5-year forecast period, viz. 2016 to 2021. From 2022 onwards,

⁷ The term **'other settlements'** includes the settlement areas of Dwarsrivier, Wemmershoek, La Motte, Groot Drakenstein, Raithby, Vlottenburg, Koelenhof, Lynedoch and Muldersvlei. The settlement area of Jonkershoek is also included under this term in the Integrated Human Settlement Plan.

⁸ Developable land means the land has a realistic potential of acquiring development rights. It includes **'brownfields'** and **'greenfields'** development.

⁹ Four distinct housing typologies, viz. **indigent housing** (the lowest house-price class, including **'give-away'** houses), **non-indigent houses <80 m²** (the gap/affordable house-price bands),⁹ **non-indigent**

we used the long-term trend in square metreage completed to extrapolate demand to the end of the 20-year forecast period, viz. 2036.

We converted the forecast demand for built space into a prognosticated net demand for *land* by type, at certain dwelling densities and specific to each scenario. Residential allocations are also converted to number of units. We calculated gross land extents (also by scenario) by doubling the net land extents to accommodate the remaining urban land uses such as streets, public open space, etc.

There are notable differences in net land extent required *by typology and by scenario*. The most notable is the land extent required to accommodate housing for the indigent and houses larger than 80 m². These differences are based on the forecast method applied.

The method to determine the net land extent required for housing for the indigent was based on eradicating backlogs and addressing future need (**Consensus** and **Junk** scenarios) and for the **Business-as-usual** scenario, on historic supply by government – a figure that is indicative of the past insufficient new supply of housing for the indigent by government. This method estimates a cumulative addition to the inventory of 7805 houses by the year 2036 (see box below). In order to wipe out the 2016 municipality-wide backlog of 11 618 *housing units for the indigent* and to cater for the growing need, 17 847 units need to be built between 2016 and 2036. This need forecast applies to both the **Consensus** and **Junk** scenarios.

What are the future needs for non-indigent housing?

We estimate that there will be a cumulative new demand for more than 20 000 *gap/affordable houses* in the municipal area by 2036.¹¹ In the price class above R580 000,¹² we estimate that by 2036, there will be a cumulative new demand for about 3000 stand-alone houses and a cumulative new demand of between 2500 and 3500 for flats/ townhouses, depending on the growth scenario used.

The total gross land area required by 2036 (cumulative, municipality-wide and including non-residential demand) under the **Business-as-usual** scenario is about 1338 ha, while the **Consensus** and **Junk** scenarios amount to about 995 ha and 740 ha respectively. Note that the municipality-wide historic land take-up (all land-uses combined) between 2000 and 2015 amounts to only about 481 ha in total.

Allocating the demand for land to nodes by land use

The next step was to create a development path by allocating the forecasts to the various nodes. For this, we used a hub-and-spoke approach, i.e. to designate nodes for a focused economic activity and to emphasise a specific land-utilisation outcome. Applied to the Stellenbosch economy, the town of Stellenbosch can be considered as the hub with Klapmuts and Franschhoek as (primary) nodes **and all 'other settlements' combined as a 'secondary node'**.

The following three methods of land allocation were considered by applying the hub-and-spoke approach:

- Proportional historic land take-up by node (historic analysis period 2000–2015)

houses >80 m² (middle to luxury house-price bands)⁹ and *flats/townhouses* (associated with all price bands).

¹⁰ Office, retail and industrial land use.

¹¹ Houses in the price bands associated with property values between R160 000 and R580 000.

¹² Note that the method used to determine the cumulative new demand for the Business-as-usual scenario, assumes growth in demand is impervious to the economy and would be similar to historic demand. The other two scenarios are based on assumed macro-economic growth that is lower than the historic average growth of the SA economy and, as a result, produced lower demand estimates.

We decided against using this method as we expect the split of land-uses between the nodes will change in future and that such an apportionment would not reflect the market's preference for a certain land type in a specific location.

- Reflecting the market's preference for a certain land-use in a specific location — *based on historic trends*.

This 'weighted' allocation was completed but was adjusted to reflect the economic-growth strategies or positioning strategies (see table below).

- Re-adjust allocation *based on the positioning strategies*

The 'reweighted' allocation also sums to the total demand for land by scenario across the municipal area (see table below).

Both allocations used are based on a normalised situation with respect to infrastructure and the stock of developable land.

Split by node and by scenario of cumulative growth in demand for land by 2036 (gross land extent in hectares, all land-uses combined, rounded)					
Based on historic trends					
	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Business-as-usual	999	153	47	138	1338
Consensus	705	158	46	85	995
Junk	517	124	36	62	740
Based on positioning strategies					
Business-as-usual	974	153	82	127	1338
Consensus	698	158	59	79	995
Junk	511	124	45	59	740

The cumulative land extent allocated by node does not differ much between the two methods. The allocation for Franschhoek remains the same. However, the allocation by land use reflects substantial differences in the expected new demand for *office and industrial space* in Stellenbosch (Town) and Klapmuts. This is in line with the positioning strategy to facilitate a services-oriented economy (new demand for offices with associated housing) in Stellenbosch (Town) and a focus on secondary-sector-orientated offerings in Klapmuts (new demand for industrial space).

2.5 PLACEMARKER MODEL

Steering the demand for land requires a quantified, holistic approach that includes spatial, social, financial, economic and environmental perspectives. In order to understand the implications of the scenario-based development paths (i.e. land-type allocation), the quantification of the funds-flow outcomes that results from each path, is required. *This is presented as the strategic investment framework.*

The model has two key drivers that influence future growth, viz. capital expenditure and the growth trajectory. The growth trajectory is the mathematical curve that development investment could follow over the period of 20 years (i.e. growth path by node). Although it is

impossible to forecast a growth trajectory, we opted for a *progressive growth trajectory* in Stellenbosch (Town), be it only for purposes of estimating the future need for infrastructure. We selected a *sustainable trajectory* and *constrained trajectory* for Klapmuts and Franschhoek, respectively. The difference between a 'progressive growth trajectory' and a 'sustainable trajectory' and a 'constrained trajectory' is the mathematical curve that capital expenditure is expected to follow. There is no science in this choice of curve.

The bottom-line outcome of the model is the funds-flow, which could be either a deficit or a surplus. Above the bottom-line are various items that reflect the direct flow of funds when selecting a certain development path coupled with a mathematical growth trajectory. Adjustments are made to the bottom line by considering the following factors:

- Economic impact (indirect impact)
- Employment impact (based on a current minimum wage escalated by 6% per annum)
- Climate change (probability of occurrence applied)
- Social indicators (not included other than employment)

The net result, after applying the adjustments, is a value deficit or surplus.

Through the model, the outcomes of certain variables would offer a direct comparison of the funds-flow outcomes attained for the hub or a particular node (see table below). The variables (of which the magnitudes differ in line with the specific growth trajectory) include the following:

- Development contributions and bulk service requirements (capital spending)
- Operational income
- Operational expenses
- Direct investment (private sector)
- Employment
- Other factors (e.g. climate change, environmental constraints, etc.)

Comparison of present value¹³ (R'million) from the application of the development paths by node and scenario

Item	Scenario		
	Business-as-usual	Consensus	Junk
Stellenbosch (Town)	19 234	17 420	12 266
Franschhoek	1 712	2 247	1 722
Klapmuts	2 006	1 370	987

Considering a 20-year period of assessment, the **Business-as-usual** scenario generates, in Stellenbosch (Town) and Klapmuts, a value surplus/deficit in current (PV) terms that is higher than the Consensus and Junk scenarios. In Franschhoek, the lower PV for the Business-as-usual scenario is ascribed to a doubling of the indigent and gap/affordable housing categories, both smaller than 80 m², which for the purposes of the analysis was combined, creating the higher funds flow.

Municipal perspective (until 2022/2023)

We also considered the strategic investment framework from a municipal perspective. We provided financial information regarding municipal infrastructure provision aligned to a specific scenario based on a preferred growth-and-development path.

¹³ 10% discount rate applied to calculate the present value (PV) (in order to standardise, for comparative purposes, cash flows that occur at different times in the future).

We addressed the following three dimensions of funds-flow that are of importance to the Stellenbosch municipality (as a combined figure by scenario for all three nodes):

- Direct investment in superstructure (top structures)
- Development contributions (2017) (which, for the purposes of interpretation, equate to the external service capital expenditure of the Municipality)
- Gross building area (m²) or bulk that equates to the GBA

For the purposes of planning, bulk infrastructure requirements as budgeted by the Municipality aligns with the development contributions (DCs) paid by developers. The crucial metric to consider, is the capital available for bulk infrastructure in a particular year. For the following three financial years, the Municipality has allocated the amounts stated below (ex MTEF) and we also list our forecast to 2022/2023:¹⁴

R331 million (2017/2018)

R249 million (2018/2019)

R184 million (2019/2020)

R255 million (2020/2021)

R255 million (2021/2022)

R255 million (2022/2023)

Business-as-usual scenario

We calculated that, given the accelerated increase in development, by 2022/2023 the net capital available for bulk service infrastructure is a deficit of R154 million. This implies that R668 million of DCs are required to cover the bulk service requirement, but the Municipality would have insufficient funds, including **the previous year's surplus**, to introduce bulk services, except if the developer advances at least a R154 million of the DCs, which would then result in a breakeven position with regard to the expenditure requirement for bulk service provision to accommodate development of R2 333 million and 765 000 m² of GBA.

Consensus scenario

The net capital available for bulk-service infrastructure is a deficit of R484 million (also by 2022/2023). This implies that R799 million of DCs are required to cover the bulk service requirement, but similar to the Business-as-usual scenario, the Municipality would have insufficient funds, to introduce bulk services, except if the developer advances at least a R484 million of the DCs, which would then result in a breakeven position with regard to the expenditure requirement for bulk-service provision to accommodate development of R1 983 million and 561 000 m² of GBA.

Junk scenario

The net capital available for bulk service infrastructure is a deficit of R46 million (also by 2022/2023). This implies that R625 million of DCs are required to cover the bulk service requirement. However, similar to the two other scenarios, the Municipality would have insufficient funds, to introduce bulk services, except if the developer advances at least a R46 million of the DCs, which would then result in a breakeven position with regard to the expenditure requirement for bulk service provision to accommodate development representing R1 339 million and 414 000 m² of GBA.

2.6 MANAGEMENT POLICY FRAMEWORK

Up to now, by applying the placemaker model, we have determined ***the financial and economic implications*** of implementing a selected economic-growth strategy with aligned scenario-based development paths by node; and by implication, the ability (in quantified terms) of the local economy to create jobs. In addition, the quantified and holistic approach to steer the growth in demand for land, also includes ***spatial, social and environmental***

¹⁴ The forecast is an average for the first three years and is assumed to remain constant for the latter three years.

perspectives. We consider these perspectives as part of preparing a *management framework* to (further) guide decision-making, i.e. responses by government to expected urban growth and development.

In the next section, we discuss, in brief, the following guidelines: spatial, land governance, housing, transport and mobility, infrastructure, climate change.

Spatial guidelines

Hierarchy of nodes

As part of the management framework, we effectively created *a hierarchy of nodes for growth and investment* by applying *nodal positioning strategies* and by using the *hub-and-spoke approach*. As mentioned, the selected nodes are: Stellenbosch (Town), Klapmuts, Franschhoek and the 'other settlements'. Stellenbosch (Town) is labelled as a first-tier priority-investment area. Klapmuts, Franschhoek and the 'other settlements', in that order, complete the hierarchy.

Land-development areas (LDAs)

Also as part of the management framework, we designate land-development areas with associated policies to guide the implementation of development paths *within a node*. The designated land-development areas are areas where growth and investment is preferred for future urban intensification/expansion. We also provide growth-and-development criteria for the use and development of land, land-utilisation outcome(s) and actions arising out of this policy statement, all specific to a particular designated LDA.

Four land-development areas were designated, viz. (a) Transformation Zone, (b) Consolidation Zone, (c) Inclusion Zone and (d) urban areas outside a designated zone.

The **Transformation Zones** are areas where coordinated public- and private-sector investment is prioritised (first-tier) for urban intensification and/or expansion. Only Stellenbosch (Town) has allocated Transformation Zones, viz. the precinct around the Stellenbosch Station/Adam Tas Corridor and the Droë Dyke/Libertas precinct. The envisaged land-utilization outcome is high-quality, high-performance, dense, mixed-use, connected and transit-oriented urban environments. A *precinct-planning project must be commissioned to plan future urban intensification/expansion in these areas*.

Consolidation Zones are areas that are experiencing specific development pressure, where incremental approaches to development, regulation and maintenance and upgrading of infrastructure will be considered to redress past development imbalances and to accommodate natural progression. In Stellenbosch (Town) these areas are second-tier priority for public-sector infrastructure spend, but first-tier priority for spending in Klapmuts (if inside urban edge), Franschhoek and the 'other settlements'. Note that this priority of spending is linked to the hierarchy of nodes.

The **Inclusion Zones** are areas outside the current urban edge with vested rights (historically approved) to use land *for an extended urban function (at scale and location)*. We propose that these areas (if inside the study area; except for Jonkershoek) be included within the relevant urban edge.

The areas outside a designated zone are areas with low priority for *public-sector infrastructure spend*, except for maintenance of infrastructure.

Urban edge

The IHSP confirms and apply the urban edges as demarcated in the UDS. The following principles apply to the various urban edges:

- Apply the designated land-development areas to steer the implementation of the preferred development path(s) within a node.
- Incorporate designated Inclusion Zones within an urban edge.
- The use and development of land must optimise the use of existing resources and infrastructure.
- Implement, as part of the annual review of the municipal Integrated Development Plan, a one-year review cycle of the urban-edge delineation. This means that areas outside the urban edge and *designated (or to be designated) as Consolidation Zones* can be considered for inclusion during the annual review process.¹⁵ However, the proposal to include these areas must be *motivated qualitatively and quantitatively by the applicant in terms of the relevant growth-and-development criteria and land-utilization outcomes*.

Densities

The dwelling densities have been increasing in Stellenbosch (Town), Klipmuts and Franschhoek but are still significantly lower than the targeted densities set in planning policy and studies.

Population densities also increased and are expected to increase by about 25% (to 4100 persons per km²) in 2031. This expected increase in the number of urban residents will mainly be absorbed in the three larger towns. We calculate that 91% of the people living in the *urban areas* of the municipality in 2031 will reside in Stellenbosch (Town), Klipmuts or Franschhoek. We caution that these increased population densities will occur in neighbourhoods that are currently characterised by sub-standard quality of services and urban environment. Worryingly, there has not been *an increase in the number of (recorded) dwelling units* in these neighbourhoods.

We consider varying dwelling densities when we convert the forecast demand for built space into a prognosticated (municipality-wide) net demand for land specific to each scenario. We calculated the net demand in both the **Consensus** and **Junk** scenarios based on achieving dwelling densities higher than the norm (general average).¹⁶ The **Business-as-usual** scenario is based on continued low-density sprawled growth,¹⁷ and as such can be regarded as the upper end of the expected demand for land.

The specified densities in the *Stellenbosch Water Master Plan* must be used as benchmark for future land development with the intent to achieve higher densities for all land-use types in all towns/settlements. However, given the land-utilisation outcome in a Transformation Zone, densification should be considered as 'strategic intensification to create a hierarchical network of high-density nodes interconnected with affordable and efficient mass transit, in which case **average densification becomes an emergent outcome, not a policy objective**'.¹⁸

Guidelines for land governance

The use of well-located public-owned land is a potential driver of spatial transformation. However, government-driven land development results mostly in marginal (and cheaper) land (owned by government, often on the periphery of urban areas) being used for subsidy

¹⁵ To be considered at a pre-application meeting and taken forward into the annual review process.

¹⁶ We used an erf size of 75 m² for houses <80 m² and 500 m² for houses >80 m².

¹⁷ We used an erf size of 120 m² for houses <80 m² and 700 m² for houses >80 m².

¹⁸ Swilling, M. ca. 2016. "Resource requirements of future urbanization", unpublished paper delivered at International Resource Panel (IRP) conference, convened by UNEP. Video accessed on 24 October 2017 at: <https://www.youtube.com/watch?v=X-jM7t-MFcc>. Eventually to be published as an IRP report and will be cited as: Swilling, M., Hajer, M. et al. Forthcoming. *The Weight of Cities: Resource Requirements of Future Urbanization*. A report for the International Resource Panel. Paris: United Nations Environment Program (UNEP). Collaborating Institutes: Utrecht University, CSIRO, Urban Morphology Institute, UCSB, UMN.

housing. This is owing to a trade-off between the upfront cost of land and life-cycle costs to the residents in far-off locations.

In a practical sense, state intervention can provide access to well-located land for the urban poor¹⁹ – but at a cost to either the landowner, the state (all spheres) or the developer (or a combination of these parties). It seems to us, it is unfair²⁰ to expect a private owner or developer to carry these costs, which leaves the spheres of state to foot the bill.

It is noted that the Stellenbosch Municipality owns 4 219,4 hectares of urban and rural land spread out in fragments across the entire municipal area. The tradability of this land, is by choice, low as the Municipality prefers long-term lease agreements as contractual arrangements with third parties rather than selling outright. Arguably, this is one of the reasons why house prices are so high in Stellenbosch (Town) (the supply side is artificially constrained).

Of particular concern in the context of using state-owned land for urban expansion in the Droë Dyke/Libertas Transformation Zone, is the very cumbersome nature of acquiring state-owned land. In this regard, we propose that the Municipality, after finalising and approving the commissioned land audit, determine site-specific development potential or highest-and-best use (for brownfields and greenfields development) in the preferred growth areas.^{21,22}

We do not provide detailed information about state-owned land in the municipal area, simply because accurate information is not available.

Transport and mobility guidelines

Better and coordinated transport and land-use planning would lead to, *inter alia*, a reduction of travel and transport needs. To this end, the concepts of interconnected nodes and transit-oriented development have been promoted in spatial plans. The goal was to achieve land-use/transport integration as a qualitative outcome.

However, current responses by private enterprise and households are not in line with this goal. For example, recent developments in Koelenhof and Klapmuts are still mono-functional residential developments with the private car as preferred transport mode between productive activities, i.e. forced commuting.²³ When considering land-use management, small gains have been forthcoming as some goals of the TOD approach were achieved (e.g. higher densities and a mix of housing types), but, crucially, the 'transport link' is missing. In this report, we address, amongst other issues, this 'link' through the growth-and-development criteria for the use and development of land in the designated land development areas (in particular, for Stellenbosch (Town)). The work to be done in facilitating the desired land-utilization outcomes in Transformation Zones, would allow for a *planning scope and scale* to consider the issue of land-use/transport integration at town level.

Infrastructure guidelines

The level of municipal infrastructure does indicate insufficient capacity to meet future demand for especially water, sewerage and solid waste disposal. However, sufficient infrastructure capacity is available for the expected development in the Droë Dyke/Libertas

¹⁹ Households earning less than R3500 per month.

²⁰ Thus, it may not pass muster of the Constitution.

²¹ This needs to be done for land in the urban and rural areas.

²² We propose the Municipality must immediately start with steps to acquire state-owned land in the Droë Dyke/Libertas Transformation Zone for urban development.

²³ There is a very low concentration of formal jobs in Koelenhof and that middle to high-income earners prefer to use private transport. The average monthly income of residents leasing property in Nootgedacht Village is more than R50 000 (Source: information provided in April 2017 by Ms C Brand, sales consultant in Nootgedacht Village).

precinct, except for the need to construct a R35 million water reservoir.²⁴ In this regard, funding and capacity constraints are a real and pertinent input for development within the towns/settlements.²⁵

Allocation in the budget of the Municipality links to infrastructure provision in the context of a supply or constraint due to available capacity. Planning and the availability of infrastructure capacity from any external source is beyond the control of the Municipality, but the supply of infrastructure and bulk services would rest **with the private party if the Municipality's funding** is constrained. Development charges (DCs) are, therefore, included to compensate for the requirements of the external bulk services. These contributions were dealt with in the placemaker modelling calculations.

With respect to solid waste, there is limited capacity at the current operating cell of the landfill in Devon Valley, and no alternative landfill option has been secured to date. Possible diversion technologies will greatly reduce the waste stream, but will not eliminate the need for landfill capacity. In this regard, the Municipality will have to transport waste that cannot be recovered, to another landfill site. A two-year window period exists for the Municipality to establish the required infrastructure to transfer and transport such waste.

Part of a long-term disposal solution, is to create additional capacity at the Devon Valley landfill by rerouting overhead electrical lines cross this area. This option will no doubt provide valuable airspace by linking the two mounds of waste. A high-level calculation indicates that some 1,2 million m³ of capacity could be provided by filling this area.

Climate change guidelines

The use and development of land are key determinants of climate vulnerability in urban areas. In this regard, the municipality must respond to climate change by adopting and implementing specific adaptation options, viz.

- avoid vulnerability to climate-change impacts or
- adjust the urban environment to minimise vulnerability.²⁶

The avoidance-driven strategy entails the choice of location for different land uses as the adaptive mechanism. The choice of location for the minimisation of impact should focus on criteria such as economic development, connectivity, attractiveness, etc. rather than climate change.

The primary adaptive mechanism in this case is optimisation of designs to lower sensitivity to climate change impacts. This can be done at varying scales through urban design and building design.

Housing guidelines

The following strategic guidelines are proposed to steer government-driven land development in the urban areas:

- Provide adequate, affordable, accessible, resource-efficient, safe, resilient, well-connected and well-located housing, with special attention to the proximity factor and the strengthening of the spatial relationship with the rest of the urban fabric and the surrounding functional areas.²⁷

²⁴ Comment made by Mr D Lombaard at a meeting held on 17 August 2017.

²⁵ Considered in the *Stellenbosch Water Master Plan*, December 2011.

²⁶ Roggema, R. (2009). *Adaptation to climate change. A spatial challenge*. Dordrecht, New York: Springer.

²⁷ United Nations, New Urban Agenda, January 2017 (*Resolution adopted by the General Assembly on 23 December 2016*).

- Residential (and associated non-residential) land development must be guided by the *'statement of vision'* as set out in **Part B** of this report and based on the specifications of the applicable land-development area.
- The following strategic guidelines are proposed to steer government-driven land development:
 - Prioritise the implementation of housing delivery programmes in accordance with the proposed investment framework, hierarchy of nodes and designated land-development areas.
 - Prioritise the implementation of the *Integrated Residential Development Programme* in the Droë Dyke/Libertas Transformation Zone and in the following Consolidation Zones (in order of priority): Kayamandi, Jamestown, Idas Valley, Cloetesville and Klapmuts.
 - Prioritise the implementation of the *Social Housing Programme* in the following Transformation Zones: Droë Dyke/Libertas and STOD (Adam Tas Corridor) and Consolidation Zones: Kayamandi, Jamestown, Idas Valley (more specifically, on erf 3363), Cloetesville, Klapmuts and Franschoek.
 - Prioritise the upgrading of informal settlements.
 - Implement an Emergency Housing Programme in Consolidation Zones in accordance with (a) the need of the beneficiaries and residents, as well as (b) the structure, (c) function, and (d) purpose of the specific area.²⁸
 - Provide and maintain municipal services and infrastructure in Inclusion Zones to set norms and standards for each service.
 - Conduct due diligence assessments and/or feasibility studies of proposed government-driven land developments.
- The following strategic guidelines are proposed to steer private-sector-driven land development in the urban areas:
 - Encourage developers to offer a gradient of residential price classes in larger developments in Transformation Zones and on well-located land outside these zones. This can include on-site or off-site inclusionary housing opportunities.
 - Prioritise high-density, mixed-use and transit-oriented development in Transformation Zones.
 - Create co-investment opportunities based on appropriate implementation and incentive plans and/or integrated business models.
 - Land-development applications should quantitatively and qualitatively consider the applicable growth-and-development criteria by land-development area (see **§16.2**).

In terms of these guidelines, the Transformation Zones are targeted to accommodate the bulk of new residential supply in the municipal area — the commissioning of a precinct-planning exercise to plan future urban intensification/expansion in these areas must follow the UDS study.

Land development guidelines applied by node

Stellenbosch (Town)

Up to now, we have addressed a number of issues related to the implementation of the 'new' growth-and-development path in Stellenbosch (Town). As one of the key criteria used to designate land-development areas (and as a change tool), we next discuss the availability of developable land in the town, and motivate designating two Transformation Zones.²⁹

The 20-year demand for land exceeds the developable land available (*as a conservative estimate*) inside the current urban edge. Hence, we identified the inclusion of designated land in the Droë Dyke/Libertas precinct. This notwithstanding, there is likely to be a shortage of

²⁸ The identification and planning of (new) emergency housing sites must be part the annual review of the MIDP.

²⁹ Developable land means the land has a realistic potential of acquiring development rights. It includes 'brownfields' and 'greenfields' development.

developable land at the specified densities, under the **Business-as-usual** (337 ha) and **Consensus** (90 ha) scenarios. The **Junk** scenario shows a surplus of 76 ha developable land.

Transformation Zone: STOD (Adam Tas Corridor)

The Sustainable Transit Oriented Development (STOD) approach features prominently in previous planning reports. These reports include a proposed implementation model that was considered as do-able over the short- to medium-term. As a result, a study was commissioned to investigate the role, function and character of the Adam Tas Corridor as a potential catalyst for change in the way the town works.³⁰ The area along the Adam Tas Corridor has been designated as a Transformation Zone in this study.

However, we caution that, from studying the literature,³¹ it is clear that public-transport ridership does not drive property-development decisions around transit nodes. Developers regard the transit node as a bonus, not an incentive. There is consensus that market forces ultimately drive the successful development of an area with profitability as the critical criterion and driver of a successful TOD. Also, the creation of a civic precinct at such a node, would not by itself provide the impetus for market-related land intensification.³²

Transformation Zone: Droë Dyke/Libertas

The site, mostly greenfields, lies between Technopark and the Stellenbosch Golf Course to the south, Die Boord to the east, Main Road 310 to the north and the proposed new Technopark Link Road to the west. We use the 16 (sixteen) growth-and-development criteria applicable to a Transformation Zone to motivate designating the site as a Transformation Zone.

From this, it is clear that on-site land development would be in line with the concept of 'opening up of new bio-regionally appropriate areas for urban expansion' stated in the 'Shaping Stellenbosch' initiative. Key criteria are (a) the positive investor sentiment (including the expression of interest by the Stellenbosch University), i.e. the opportunity to shape *public- and private-sector co-investment* in concert with mutual long-term interests, and (b) the site lending itself to achieving land use/transport integration, more so than any other location around Stellenbosch (Town).

Franschhoek

Like Stellenbosch (Town), we have already addressed a number of issues related to the **implementation of the 'new' growth-and-development** path in Franschhoek. The paragraph below includes reference to the availability of developable land in the town as one of the key criteria in designating land-development areas.³³

The 20-year demand for land under the **Business-as-usual** and **Consensus** scenarios, exceeds the developable land available (*as a conservative estimate*) inside the proposed urban edge. These scenarios show land shortages of 22 ha and 27 ha respectively at the specified densities. The **Junk** scenario shows a surplus of 6 ha of developable land.

Klapmuts

³⁰ *Sustainable Transit Oriented Development Study*: Adam Tas Corridor, June 2017.

³¹ For the literature review, the writer of this report is greatly indebted to Johan Gericke who generously allowed him to cite heavily from his unpublished paper titled Critical criteria for successful TDAs, dated 27.11.2014. Note that Transit Oriented Development (US) is also known as TDA = Transport Development Area (British).

³² There is mention of locating new municipal offices on the Van Der Stel Sportsgrounds (also see **§15.5**)

³³ Developable land means the land has a realistic potential of acquiring development rights. It includes 'brownfields' and 'greenfields' development.

We have already addressed a number of issues related to the implementation of the 'new' growth-and-development path in Klapmuts.

The entire area within the urban edge has been designated as a Consolidation Zone, excluding the two Inclusion Zones, viz. two separate portions of Portion 41 of Farm 748. Areas outside the urban edge have also been designated as Consolidation Zones, owing to 'specific development pressure'. Land-development applications involving these areas, should quantitatively and qualitatively consider the applicable growth-and-development criteria.

The 20-year demand for land under all three scenarios, is less than the developable land available (*as a conservative estimate*) inside the proposed urban edge.³⁴ At the specified densities, the surplus developable land is in the order of 63 ha (**Business-as-usual**), 86 ha (**Consensus**) and 101 ha (**Junk**). Furthermore, the historic land take-up of 56 ha (over the analysis period 2000—2015) in Klapmuts is not insignificant as we regard the town's growth potential as high. That is why we used a *sustainable growth trajectory* for secondary-sector economic activities.

Distance-wise, Klapmuts is actually slightly closer to Paarl (13,9 km, measured to the corner of Lady Grey and Main St) than to Stellenbosch town (16,6 km, measured to 84 Bird St). On top of that, Klapmuts straddles the border of the two municipalities. Thus, we propose that the Municipality, in collaboration with Drakenstein municipality, commission the *drafting of a long-term development strategy for Klapmuts and surrounds*. In this regard, we recommend an approach and methodology similar to the drafting of this report, but including a precinct-planning study.

'Other settlements'³⁵

We have already addressed a number of issues related to the implementation of the 'new' growth-and-development path in the 'other settlements'. These settlements, in their entirety, we designate as Consolidation Zones, except Muldersvlei, Koelenhof, Vlottenburg and Raithby. Mostly located in rural settings, with surrounding land of very high heritage, environmental and agriculture significance, the intent should be to use only developable land within the respective urban edges to create inclusive and sustainable settlements/neighbourhoods.

It is notable that about 60% of historic land take-up in these settlements (over the analysis period 2000—2015) was for residential development (with associated facilities and infrastructure). For example, Nooitgedacht Village constitutes the entire 6 hectare take-up in Koelenhof over the analysis period.

The 20-year demand for land under all three scenarios and for all settlements combined, is less than the developable land available (*as a conservative estimate*) inside the proposed urban edges.³⁶ The combined land required for development at the specified densities, is in the order of 128 ha (**Business-as-usual**), 80 ha (**Consensus**) and 59 ha (**Junk**).

Government-driven housing supply

It is stated that the municipal 'housing pipeline' serves as the housing strategy until the *2008 Integrated Human Settlement Plan* is reviewed and adopted — *the purpose of this study*. In this IHSP, we confirmed and applied the 20-year growth-and-development path set out in the

³⁴ Developable land means the land has a realistic potential of acquiring development rights. It includes 'brownfields' and 'greenfields' development.

³⁵ The term 'other settlements' includes the settlement areas of Dwarsrivier, Wemmershoek, La Motte, Groot Drakenstein, Raithby, Vlottenburg, Koelenhof, Lynedoch and Muldersvlei. The settlement area of Jonkershoek is also included under this term in the Integrated Human Settlement Plan.

³⁶ Developable land means the land has a realistic potential of acquiring development rights. It includes 'brownfields' and 'greenfields' development.

UDS. This led to a proposed pipeline to guide future delivery of government-driven housing in the Stellenbosch municipal area.

It is proposed that the Municipality continues with the Stellenbosch (Town) projects (except the Nietvoorbij project) and give a high priority to housing projects in the Transformation Zones: (a) Droë Dyke and (b) Van der Stel Sports complex precinct — both transit-oriented developments. Implement the *Integrated Residential Development Programme* in the Droë Dyke/Libertas Transformation Zone and the *Social Housing Programme* in demarcated Restructuring Zones in both Transformation Zones. The implementation of the *Integrated Residential Development Programme*, *Upgrading of Informal Settlement Programme* and *Social Housing Programme* should (also) receive a high priority in the following Consolidation Zones (in order of priority): Kayamandi, Jamestown, Idas Valley and Cloetesville. Considering the multi-year provincial allocation, the funds allocated to these projects amounts to about 78% of the total allocation — confirming the UDS investment rationale (by node).

We propose a high priority for the implementation of the UISP in Klapmuts and a medium priority in Franschhoek. About 18% of the multi-year provincial allocation has been allocated to implementing the programme in Klapmuts, but no funds have been allocated for Franschhoek.

We do not allocate any demand for indigent houses to the 'other settlements'. We propose that the planned delivery of housing to these settlements, be reprioritised in the context of the UDS growth-and-development path. However, we acknowledge that some of these settlements are experiencing specific development pressure, where incremental approaches to development, regulation and maintenance and upgrading of infrastructure can be considered to redress past development imbalances and to accommodate natural progression.

PART A: PLANNING CONTEXT

In **Part A** we state the background, purpose, context and methodology of the *Integrated Human Settlement Plan* and present our understanding of what has shaped the current urban (residential) scene. *Most of these findings are the coming-together of previous work contained in our Status Quo Report³⁷ and the Urban Development Strategy (UDS).³⁸*

Methodology (in brief):

Part A

- State the purpose of this study
- Consider legislative and policy context
- Report on the current urban residential scene

Part B

- Confirm and apply UDS statement of vision

Part C

- Confirm and apply UDS growth-and-development paths, i.e.
 - Three economic-growth scenarios
 - Forecast demand for residential land by 2036 and cumulative net (and gross) demand for residential land by scenario (municipality-wide)
 - Allocations of scenario-based growth in demand for residential land by type and by node
 - Application of the placemaker model to quantify the funds-flow outcome by scenario and by node (relevant to the provision of housing)

Part D

- Confirm and apply UDS guidelines to steer the implementation of growth-and-development paths within a node — e.g. apply designated land-development area(s) and associated housing guidelines
- Review and consolidate housing supply by government

3 BACKGROUND

3.1 INTRODUCTION

All indications are that the current Stellenbosch growth-and-development path leads to inadequate responses by government, public enterprise and households. The responses by all three tiers of government stem from policy directives (as key performance areas) and the allocation of funds by the three tiers, while private enterprise is, unsurprisingly, driven by profitability. Responses by households vary along socio-economic class lines.

The Stellenbosch Municipality identified the need to set a 'new' growth-and-development path. A growth-and-development path essentially guides land development to effect change, i.e. to deal with urban challenges, opportunities and constraints. The *Urban Development Strategy* (UDS) attempts to ensure a principle-led response to the use and development of land over a 20-year period. In this context and following the UDS, the *Integrated Human Settlement Plan* (hereafter referred to as the IHSP, or *this study*) addresses the entire spectrum of housing across different socio-economic categories and price gradients.³⁹ The 'rural' component of the growth-and-development path was, amongst others, informed by the Status Quo Report (dated March 2017) of the *Rural Area Plan*.⁴⁰

3.2 TERMS OF REFERENCE

The Department of Economic Development and Planning of the Stellenbosch Municipality was tasked to commission the drafting of a Stellenbosch Municipal Urban Development Strategy, *which included the drafting of the IHSP.*

³⁷ *Status Quo Report* completed by Rode in May 2017 as second project deliverable.

³⁸ (Draft) *Urban Development Strategy* completed by Rode in November 2017 as third project deliverable.

³⁹ Inclusive of housing demand in non-urban areas.

⁴⁰ A study known as the *Rural Area Plan* was commissioned by the Municipality. Its purpose was to mainly consider the urban-like pressures experienced in rural areas.

The Municipality appointed Rode & Associates ('Rode') in August 2016 as lead consultants to draft the UDS. Rode in turn appointed sub-consultants as part of the multi-disciplinary project team.

The completion of the *Status Quo Report* and the UDS as second and third project deliverables respectively, *are followed by the drafting of the IHSP*. The purpose of the *Status Quo Report* was to understand the current urban context by studying the directives and targets for development and service delivery. The *Status Quo Report* included a socio-economic and demographic analysis⁴¹ as specialist input. *Both these studies were presented as stand-alone reports.*

The focus of the UDS was to develop, assess and map *growth-and-development path(s)* and set *guidelines* to steer decision-making on the implementation of these paths. A designated growth-and-development path, if implemented, promotes/guides development to the preferred locations. These locations are conceptually designated in the UDS at town and/or local level (i.e. precinct).

The focus of the IHSP is to address the residential component of the growth-and-development path in sufficient detail and at the appropriate planning (and technical) level, viz. town, precinct and in some cases, at site-specific level. This is done by

- a. Confirming and applying the UDS findings and proposals, e.g. the allocated growth in demand for residential land and units by scenario, by node and by type and expected rollout of potential development (including the flow of funds)
- b. Addressing the (quantitative) supply of housing (or housing delivery), for example, in the lowest house-price class (entirely government-driven) and in the offering of a gradient of residential price classes in larger developments (viz. inclusionary housing).

The IHSP *does not include* business models to guide public- and private-sector co-investment and cross-subsidisation.⁴² We acknowledged that officials will be empowered in negotiating development outcomes with the private sector through such business models informed by investment strategies and parameters within the confines of the available housing programmes and which relate to the use of mechanisms such as development charges and incentives.

3.3 PURPOSE

The drafting of the IHSP follows the UDS and a number of other national, provincial, regional and local *planning* studies, and is but one component of this suite of plans. The aim of all these studies was to operationalise constitutional mandates (see **Figure A1**).

A key governance imperative is that these plans should be aligned in content, coordinated in process, integrated in output, transformative in outcomes and consistent in the monitoring and evaluation thereof. For example, the growth-and-development path set out in the UDS, implies a changed investment and (spatial) development framework, and therefore, necessitates a reassessment of market-related and government-driven housing supply, with **specific reference to the municipality's housing pipeline**.⁴³

The Municipal Integrated Development Plan (MIDP) is the primary directive for governance at local level (reviewed annually) and should include programmes and projects by all tiers of government (also see **Figure A1**). The purpose of the IHSP is to serve as an issue-specific informant (with a multi-year timeframe) of the MIDP.

⁴¹ *Socio-economic and Demographic Analysis Report* completed by Rode in February 2017.

⁴² Confirmed by officials from the Stellenbosch Municipality and the Western Cape Government at meetings held on 12 and 22 February 2018.

⁴³ Received from Mr L Welgemoed (Western Cape Government) on 17 January 2018.

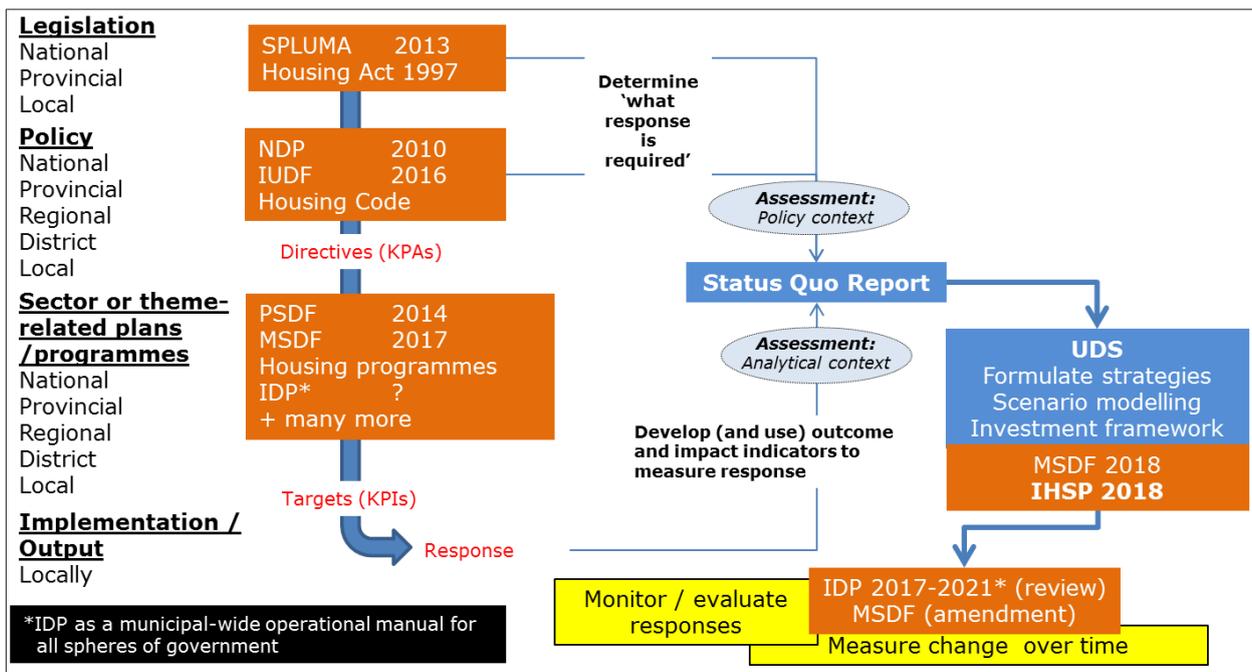


Figure A1: Planning and implementation path of Stellenbosch IHSP

3.4 OBJECTIVES

3.4.1 Study objectives

The key objectives of this study are to:

- Be compliant with relevant legislation and policy directives
- Confirm and apply the following elements of human settlement addressed in the UDS:
 - c. Statement of vision
 - d. Growth-and-development paths with specific reference to housing demand (land and units) including the social need for houses i.e. housing for the indigent
 - e. Investment framework with specific reference to the dimensions of funds-flow that are of importance for the Stellenbosch Municipality
 - f. Management framework, i.e. guidelines to steer decision-making on the implementation of the preferred growth-and-development path(s)
- Review and consolidate housing supply (in particular, by government)
- Facilitate dialogue about preferred interventions and preferred growth-and-development outcomes

3.4.2 Strategic objectives⁴⁴

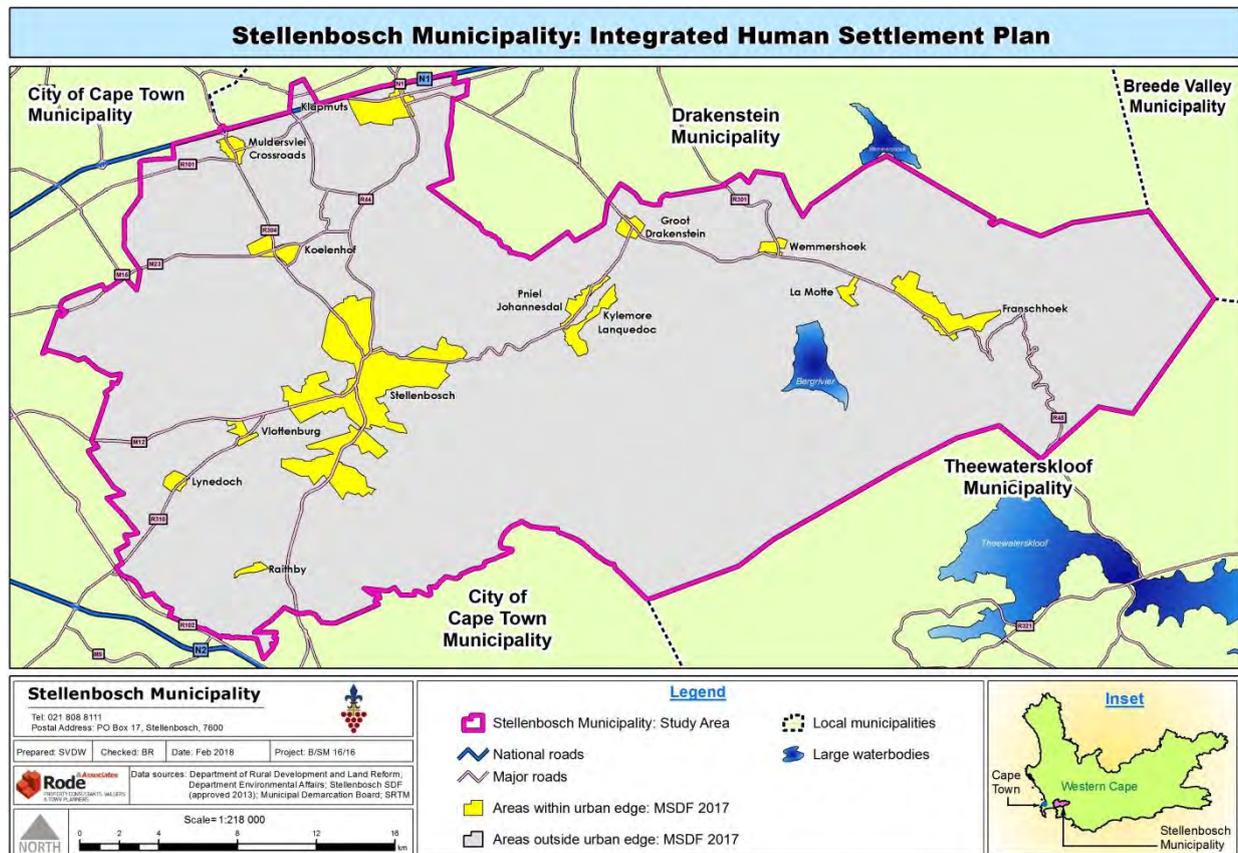
The Western Cape Government (WCG) has identified the development of sustainable human settlements as one of ten key objectives together with the following strategic goals (of which we only provide a reworded version of those goals relevant to this study):

- Improve the functionality, efficiencies and resilience of settlements
- Accelerate the delivery of houses
- Improve living conditions through the Upgrading of Informal Settlements Program (UISP), access to water and sanitation, and housing upgrades
- Promote ownership of property
- Enable increased supply of land for affordable housing and catalytic projects
- Facilitate job creation and empowerment opportunities
- Promote innovation and the 'better living' concept

⁴⁴ Received from Mr L Welgemoed (Western Cape Government) on 17 January 2018.

3.5 STUDY AREA

The study area is the jurisdiction of the Stellenbosch Municipality (see **Map A1** below). This includes the urban or settlement areas inside the respective urban edges — the study area of the UDS — and the rural areas outside these edges — the study area of the *Rural Area Plan*.



Map A1: Study area of the Integrated Human Settlement Plan

3.6 PARTICIPATION AND REVIEW

The drafting process of the UDS (and by implication, the IHSP) has been guided by an Intergovernmental Steering Committee (IGSC) and Project Committee. The provincial government, as member of the IGSC, commented on the draft UDS in a letter dated 6 February 2018.⁴⁵ The next paragraphs include a summary of the comment.

The alignment of the UDS proposals with provincial requirements and guidelines (in general) as well as the strategic direction provided for urban development was commended. However, the following two 'misalignments' were identified: (a) the UDS does not include project-specific planning and (b) conceptually, the planned *and prioritised* low-cost housing projects in the current housing pipeline are 'spatially allocated' to areas with low priority for public-sector infrastructure spend. The province also commented on, inter alia, the following:

- The proposed inclusion of Restructuring Zones in certain designated land-development areas requires a re-evaluation of the approved Restructuring Zone in Stellenbosch (Town).
- The average dwelling density should be 65 dwelling units/hectare. Our response: **Table 10** includes the average gross density under the **Consensus** and **Junk** scenarios as 65 du/ha.
- Consider the inclusion of backyarders in the formal housing market.

⁴⁵ Official comment by the Directorate: Planning (Department of Human Settlements Western Cape); with specific focus on alignment between the UDS and provincial requirements and guidelines regarding human settlement development.

3.7 PLANNING APPROACH

Planners and politicians typically consider the following constraining factors when contemplating, in particular, spatial planning:

- a. Employment and unemployment patterns, including socio-economic trends and demographic shifts (for instance, bringing jobs to the people or vice versa).
- b. Availability of, or the potential to, provide efficient public transport, and transport in general.
- c. Capacity of existing infrastructure and the **Municipality's ability to spend capital on new infrastructure**, as well as the maintenance thereof.
- d. Heritage and environmental constraints, including climate change.
- e. How much developable bulk is still available in existing developments (e.g. in Technopark, Nootgedacht Village).
- f. How much potentially developable land (by potential land-use) is realistically available within, and just outside, the urban edge (the iron inventory⁴⁶), and the willingness of these landowners to sell to developers (i.e. land ownership).
- g. **Developers' preferences.**
- h. Public opinion.

Thus, and also in contemplating the supply of non-indigent housing,⁴⁷ planners and politicians are typically dealt a complex hand of cards (factors a—h above) with which they have to **play, as a result of which their ability to influence the market through 'strategic interventions' to locate at an 'ideal' location or to invest in an 'ideal' land-use** is limited. Part of the reason for this is that planners and politicians can lead the horse (developers) to the water (the 'ideal' tract of land or the 'ideal' land-use), but they cannot make the horse drink.

Chaos theory has brought a new perspective to our understanding of cities as urban spaces. It has shown that factors that control the evolution of a city are self-organizing systems and as such are themselves uncontrollable. Michael Batty, professor of Spatial Analysis and Planning at the University of London, states:

From this perspective follows a new type of action in the city, a new way of urban planning, *which aims not to control but to participate*. (emphasis added) (Sardar, p. 134).

Thus, planners and politicians should be sensitive to the signals that the market is transmitting when considering, amongst others, the 'ideal' location for non-indigent housing. In our planning proposals, we follow the participation philosophy à la Batty. The practical implication of this participation approach is that urban planning should be more flexible than current practise in SA. It should not only consider the ideal world (no inequality, everybody lives close to work opportunities in medium-to-high-density mixed-use and mixed-income urban environments, and has access to affordable⁴⁸ and efficient public transport) but also what would be needed to make it worthwhile for the private sector to partner with the public sector. What is required is an open mind as there are important trade-offs in any business plan of this nature.

The provision of housing for the indigent⁴⁹ adds further constraints such as beneficiaries, to the factors listed above. To ensure consistency in planning and decision-making, we identified growth-and-development criteria to guide the use and development of land specific to each identified 'location'.

⁴⁶ The proportion of developable land that is permanently vacant and available for development in order to prevent pent-up demand developing.

⁴⁷ Affordable Housing above the lowest price class (the 'give-away' (RDP) bracket).

⁴⁸ Affordable to both users and the authority.

⁴⁹ Housing in the lowest price class, including 'give-away' (or RDP) houses.

The planning approach adopted in preparing the UDS *and the IHSP*, was to make (urban) planning practical and to be sensitive to the signals that the market is transmitting (the market includes government — as a coach, player and referee in the market — private enterprise and households). We did this by

- a. developing economic-growth scenarios (economic growth drives demand for built space)
- b. developing spatial strategies by notionally allocating expected new demand for land to various nodes, using the hub-and-spoke approach (i.e. setting development paths)
- c. applying financial placemaker modelling by node (i.e. setting growth paths)
- d. designating preferred growth areas within nodes (i.e. land-development areas based on a specific investment rationale).

By their very nature, spatial development frameworks (and even 'housing or human settlement plans') have a qualitative development planning perspective, and tend to lack depth and understanding of financial, economic and social consequences related to implementation of future development scenarios (and associated strategies). In this regard, we used positioning strategies based on the current socio-economic reality and the expected future sectoral growth of the economy to allocate the growth in demand for land (i.e. suggesting development paths). This allocation is aimed at, *inter alia*, optimally reflecting the **market's preference for a certain land-use** in a specific location; it is not a diktat but an attempt to help government in decision-making and to chart a way forward for public- and private-sector (co-)investment.

By applying the placemaker model, we estimated *the financial and economic implications* of implementing these preferred development paths by node. In doing so, we address the following elements of land development: the 'how much', the 'what type' and the 'when' (fully determined by the market, excluding housing for the indigent). The designation of preferred growth areas is an attempt to state 'where' growth and investment is preferred for future urban intensification/ expansion.

We emphasise that it is crucially important to track and report on changes (and performance) over time; put differently, to measure qualitative outcomes in quantified terms.

*We believe this approach would make the Municipality's shared vision and associated strategic focus areas more attainable and measurable.*⁵⁰

3.8 METHODOLOGY

In the UDS, we determined and mapped preferred growth-and-development path(s) as confirmation of the most appropriate urban development over the medium to longer term.⁵¹ In line with this statement of intent, we created a strategic investment framework by modelling the funds-flow outcomes that result from each path (at town level). We also provided guidelines to steer and track expected land development.

A growth-and-development path essentially entails an approach to development that refers to the 'how much', the 'when', the 'where' and 'what type' of land development should be permissible to deal with the challenges, opportunities and constraints associated with governance, spatial, social, economic and environmental factors as structural drivers prevalent in urban/rural areas. These include the need for urban transformation and the demands placed on the use of land as a result of in-migration, organic population growth, and the demand and supply of 'services'.

Figure A2 is a graphic illustration of the process followed in drafting the UDS (and by implication, the IHSP) and to determine the scenario-based growth-and-development

⁵⁰ See **Part B, §8**.

⁵¹ As per Section 21(b) and (c) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA).

path(s). In **Part C** of *this study*, under each relevant heading, we provide brief explanations of the methodology used in determining these path(s).⁵²

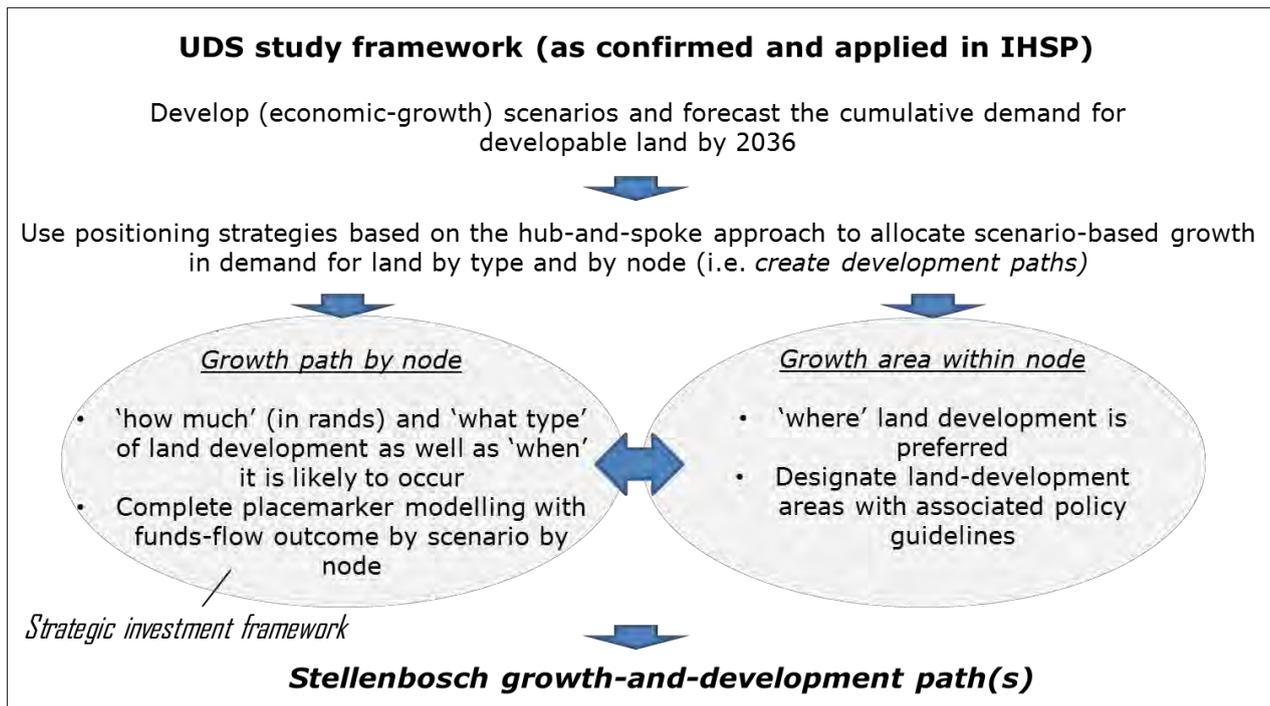


Figure A2: UDS study framework (as confirmed and applied in IHSP)

Three economic-growth scenarios

The setting of a growth-and-development path is based on the likely demand for developable land⁵³ by typology and by node. Since the future is uncertain, and is largely based on the growth of the national and local economy, we forecast the demand for land by constructing three economic-growth scenarios for the national economy, which in turn largely determines the local economy. We constructed the following three scenarios:

- The **Business-as-usual** scenario is a mechanistic line-of-best-fit extrapolation over a 20-year period (2016–2036) of historic demand in Stellenbosch Municipality (1996–2015).
- The **Consensus** scenario is low-growth scenario based on the opinions of a panel of economists whom Rode polls every six months.
- The **Junk** scenario is in effect a very-low-growth macroeconomic scenario, constructed by Rode in December 2016.

Two of these scenarios, viz. **Consensus** and **Junk**, reflect respectively low and very-low economic growth in SA over the 20-year forecast period (until 2036). The third, viz. the **Business-as-usual** scenario, is based on the assumption that the historic average growth rate in the Stellenbosch Municipality will be maintained, even though the country's economy might decelerate. This latter scenario is quite likely in light of the popularity of the Western Cape in general and Stellenbosch in particular.

The identified tools for effecting change guided the selection of the preferred growth-and-development paths by scenario and by node (see §9). In this regard, we created the nodal positioning strategies to underpin the envisaged outcome for each of the scenarios. We assessed the rollout of the paths in Stellenbosch (Town), Franschhoek and Klapmuts by applying time-based growth trajectories. These trajectories and funds-flow outcomes will help to prioritise public-sector spend (which will, hopefully, reflect the market's preference for a

⁵² The draft UDS includes *detailed* explanations of the methodology used in determining these path(s).

⁵³ Developable land means the land has a realistic potential of acquiring development rights. It includes 'brownfields' and 'greenfields' development.

certain land-use in a specific location). We also designated land-development areas with associated policy guidelines as preferred growth areas for the rollout of potential development over the 20-year forecast period.

3.9 PROJECT DELIVERABLES

In **Table A1**, the basket of reports as deliverables of this assignment and the associated completion dates, are provided:

Table A1			
Project deliverables and timelines			
No	Deliverable	Completion date	Status
1	Inception Report	October 2016	Completed
-	Socio-economic and Demographic Analysis Report	February 2017	Completed
2	Status Quo Report	May 2017	Completed
3	(Draft) UDS	November 2017	Draft completed
-	Integrated Human Settlement Plan	May 2018	Completed
4	Final Comprehensive UDS	May 2018	-

This report, viz. Stellenbosch Municipality's *Integrated Human Settlement Plan* follows the *Socio-economic and Demographic Analysis Report*, the *Status Quo Report* and the (draft) UDS as another stand-alone report.

3.10 LEGAL REQUIREMENTS

Administrative

The assignment to draft an *Integrated Human Settlement Plan* is guided by a council decision and legislative requirements. In this regard, the Stellenbosch municipal council decided in September 2016 to:⁵⁴

- a. Proceed with the development of a Municipal Spatial Development Framework (MSDF) for Stellenbosch Municipality (WCO24).
- b. Establish an Intergovernmental Steering Committee (IGSC) to compile or amend its municipal spatial development framework in terms of Section 11 of the Land Use Planning Act.
- c. Establish a project committee.
- d. Proceed with all administrative functions to oversee the compilation of a first draft of the Stellenbosch Municipal Spatial Development Framework for council approval in terms of the Municipal Systems Act (2000), the Land Use Planning By-law (2015), Land Use Planning Act (2014) and the Spatial Planning Land Use Management Act (2013).
- e. Use the MSDF as a platform to consider and align the following:
 - (i) Strategic Environmental Management Framework (SEMF)
 - (ii) Rural Area Plan (RAP)
 - (iii) Urban Development Strategy (UDS) leading to a Stellenbosch WCO24 MSDF;
 - (iv) Heritage Resources Inventory
 - (v) Integrated Human Settlement Plan (IHSP) (this study)**
 - (vi) Klapmuts Local Spatial Development Framework (LSDF)
 - (vii) Stellenbosch LSDF amendment to be compliant with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)
 - (viii) Jonkershoek LSDF amendment to be compliant with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)
- f. Proceed with the amendment of the current approved MSDF to be aligned with the 2017/18 IDP.

⁵⁴ 2nd Council meeting: 2016-10-05: Item 7.4.4.

- g. To ensure that both the amendment of the existing MSDF and the compilation of the new MSDF run concurrently with the Integrated Development Planning cycle.

The Stellenbosch Municipality informed the provincial Minister of Local Government, Environmental Affairs and Development Planning (letter dated 25 November 2016) and the relevant provincial Head of Department (letter dated 4 November 2016) of the council decision. The Head of Department was also informed about the procedures to invite representatives of the committee and to nominate a representative to the committee, the placement of public notifications⁵⁵ and the attempt to integrate the drafting processes of the MSDF and the IDP of the Stellenbosch Municipality.

3.11 REQUIREMENTS IDENTIFIED IN THE (DRAFT REVIEW) IDP 2017–2022

The following section includes a brief summary of the housing component in the *Draft Review Integrated Development Plan 2017–2022* (dated March 2018) with specific reference to the *Integrated Human Settlement Plan* (approved in 2008).

It is stated that the municipal 'housing pipeline' (annually presented to Council) serves as the housing strategy until the *2008 Integrated Human Settlement Plan* is reviewed and adopted – *the purpose of this study*.

A housing pipeline was approved by Council in August 2017. The current focus is to provide over a 10-year period and through a number of government-driven housing programmes, about 12 000 low-cost units (for ownership and rental) at an estimated cost of R9.5 billion — with social housing and the upgrading of informal settlements as priority programmes. The roll out of these programmes is planned for Jamestown, Kayamandi and Idas Valley as well as the informal settlements in Stellenbosch (Town) and Franschoek. Social housing is to be provided in the approved Restructuring Zones in Stellenbosch (Town).⁵⁶

It is stated that the IHSP must include directives to guide future planning with regard to:

- Settlement form, needs and affordability and, in particular, the demand for all housing typologies
- Special areas to apply overlay zones.

The term 'housing' is used in the MIDP in a few qualitative statements under various titles and subtitles and **listed as a 'ward priority' in some wards**. The MIDP does not include the housing need/demand/backlog measured in quantified terms. The only measurement of 'housing' is through the listing of a number of housing projects each linked to a three-year budget cycle.

3.12 REPORT STRUCTURE

In **Part A** we state the background, purpose, context and methodology of this study and present our understanding of what has shaped the current (residential) scene. *Most of these findings are the coming-together of previous work contained in our Status Quo Report and the Urban Development Strategy (UDS).*

In **Part B**, we confirm and apply the UDS statement of vision. **Part B** includes reference to the vision, principles, change tools and nodal positioning strategies that served as input in developing scenarios, formulating policy guidelines and creating preferred growth-and-

⁵⁵ Advertisements were placed in three local newspapers in November 2016.

⁵⁶ We, however, propose in this study that the designated Transformation Zones must include a Restructuring Zone, while a Consolidation Zone, if located in Stellenbosch (Town), Klappmuts or Franschoek, can also include a Restructuring Zone (see **§14.2.1**). This would imply a re-evaluation of the approved Restructuring Zones in Stellenbosch (Town).

development path(s). **Parts A** and **B** together, serves as the reference framework for preparing economic-growth scenarios.

In **Part C**, we confirm and apply the UDS growth-and-development paths. In this section, we reference the following:

- a. Economic-growth scenarios
- b. Forecast demand for superstructures
- c. Required quantum of developable land
- d. Allocated growth in demand for land to the selected nodes
- e. Findings of placemaker modelling

In **Part D**, we confirm and apply the UDS-developed policies and guidelines to steer the implementation of development paths within a node, *inter alia*, the designation (and mapping) of land-development areas. *We also review and consolidate government-driven housing supply.*

Table A2 Report structure		
	Task	Description
Part A	Planning context	State the purpose of the study and report on the current urban (residential) scene
Part B	Statement of vision	Confirm and apply the UDS statement of vision
Part C	Scenario development	Confirm and apply the UDS growth-and-development paths
Part D	Management policy framework	Confirm and apply the designated land-development areas with associated policy guidelines; Review and consolidate government-driven housing supply

4 SETTING THE SCENE

The municipal area is one of the ‘pearls’ of South Africa’s small-town sub-regions, characterised by a mix of unique and high-quality assets. These assets are value-forming attributes of growth and development. A key challenge is to conserve and enhance these assets in a change scenario.

The municipal area also includes disparate urban areas (in function and location) meshed together as an administrative unit. This has resulted to a degree in ‘value leakage’ of municipal investment. For example, Klapmuts is said to become “a regional node, and must be developed and managed⁵⁷ in a manner that spans the existing municipal boundaries of Stellenbosch and Drakenstein”.⁵⁸ This (possible) outcome is an important consideration in creating a 20-year growth-and-development path for Klapmuts based on a specific positioning strategy.

What about the structure and function of the respective urban areas? The spatial structure of most of the towns/settlements has been forming over centuries. However, in the second half of the previous century, *apartheid* spatial planning altered to a degree the urban configuration and functionality of some of the towns/settlements.

In recent times, ‘new’ responses are being shaped by ‘new’ relationships that exist between the organising elements of urban living and urban space — sometimes resulting in unplanned change. For example, in response to a need for housing and land, 47 families motivated by their unwillingness and/or inability to pay rent in Kayamandi, ‘invaded’ municipal land

⁵⁷ We understand that this includes the provision of services.

⁵⁸ *Klapmuts Special Development Area, Economic Feasibility Study*, Draft Report, June 2017.

adjacent to the township in 2006.⁵⁹ The 'occupied' area is called Enkanini (which means 'taken by force') and recently, a total of 3300 structures were counted. In response, the Municipality was forced to install infrastructure and provide services, albeit still inadequate to the area. Note that during the IDP roadshow in April 2017, some residents of Stellenbosch (Town) requested the formalising of Papagaaiberg Nature Reserve, i.e. potentially an 'opposing' response to a 'new' relationship. Other examples are the reshaping of neighbourhoods through studentification and the remaking of urban space (e.g. the Jamestown-Technopark node) by partitioning space to accommodate high-order developments, e.g. high-priced gated residential estates.⁶⁰ The reasons for the popularity of these types of residential developments are security and the demand for upmarket lifestyles.

The partitioning of urban space in Franschhoek resulted in two separate geographic entities where people live, viz. Groendal/Langrug and Franschhoek 'town'. There are vast differences between the two areas regarding, *inter alia*, socio-economic, demographic and built-environment elements.

5 LEGISLATIVE AND POLICY CONTEXT

The *Status Quo Report* includes a comprehensive synthesis of legislative, policy and theme-related directives as key performance areas of government. In the document, we report on how 'proper planning' is articulated through these directives and 'which responses are required' from the tiers of government to achieve integrated urban development.⁶¹ Areas of performance are articulated as qualitative outcomes, but not in quantifiable terms (i.e. performance metrics). Hence, local government is quite rightly reliant on its own interpretation of the local outcomes required in adhering to national directives.

The next section includes three aspects of the legislative and policy context for housing delivery, viz. directives, subsidies and housing segmentation (as discussed in the *Status Quo Report* and including any changes since May 2017).

5.1 Housing policy directives

The national housing policy for *government-subsidised housing* is set out in the National Housing Code in terms of Section 4 of the Housing Act, 1997 (Act 107 of 1997). The functions of local government are set out in Section 9 of the Act with a new and 'far-reaching' planning approach for the development of (residential) land introduced by the SPLUMA legislation.

Since 2000, various policy enhancements and amendments were effected. This necessitated a review of the Code in 2009 to mainly align it with the Comprehensive Plan for the Creation of Sustainable Human Settlements ("Breaking New Ground") that was adopted in 2004. The three core programmes of the revised Code implemented in the Western Cape are (see **Figure A3**):

1. The Integrated Residential Development Programme (IRDP)
2. The Upgrading of Informal Settlements Programme (UISP)
3. The Social Housing Programme

It is mainly within these programmes that the housing subsidy scheme is orchestrated by provincial government. In a discussion with officials⁶² of the Western Cape Government, it

⁵⁹ <http://www.sun.ac.za/cst/project/enkanini-informal-settlement/>, viewed on 15.5.2017.

⁶⁰ Loots, R., Sebitosi, B and Swilling, M. 2012. *Sustainable Stellenbosch – Opening Dialogues*, SUNPress, 2012.

⁶¹ We studied, *inter alia*, the following directives: United Nations, New Urban Agenda, January 2017, National Development Plan 2030 and Integrated Urban Development Framework, 2016.

⁶² Meetings with Mr L Welgemoed on 19 October 2016 and with Mr F de Wet on 25 October 2016.

was stated that the IRDP programme was the preferred programme, at the time, but that an even allocation of funds to this programme and to the UISP programme over the medium term, will level them out as priorities.

Note that the need for an Emergency Housing Programme has been emphasised in a recent judgment in the Western Cape High Court.⁶³

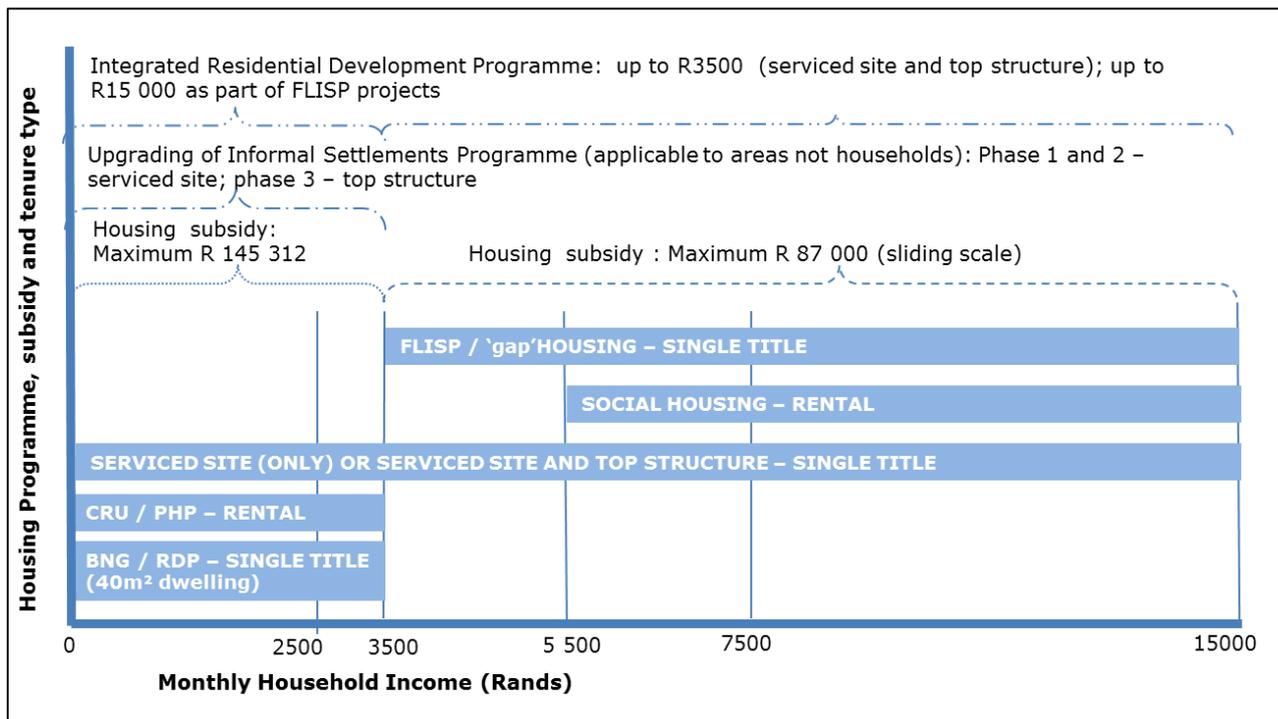


Figure A3: Composite graph of housing delivery context (May 2018)

5.2 Housing subsidy and quantum

A housing subsidy is a grant by government to qualifying beneficiaries for housing purposes. Access to these subsidies is governed by the Constitution, the Public Finance Management Act and the Housing Act, 1997, which requires the Minister to determine national housing policy, as set out in the National Housing Code.

Municipalities are required to annually submit to the provincial government “human settlement plans” (including a housing pipeline) as part of their municipal Integrated Development Plans. Based on the housing need expressed in these plans, and recommendations received from a provincial Project Planning Committee, the provincial MEC allocates housing subsidy funding to municipalities.

In brief, the *subsidy quantum* as allocated by the WCG can be explained as follows (also see **Figure A3**):⁶⁴

- Delivery of a 40 m² dwelling on a 122 m² (Grade A) serviced site at a cost of R145 312⁶⁵ per unit which excludes the cost of land, bulk and link services, provision of social amenities and holding costs (i.e. rates and taxes, maintenance, etc.). Note that although the mentioned size of a serviced site does not provide the required densities of 80 dwelling units per hectare,⁶⁶ it remains the preferred norm⁶⁷ as implemented by the WCG.

⁶³ Western Cape High Court, Case No: 9443/14, 30 August 2017.

⁶⁴ Applicable from 1 April 2018.

⁶⁵ Figure rounded and excluding an additional R5000 to cover possible geotechnical variances.

⁶⁶ WCG acknowledges that this density has not been scientifically proven as best practice.

⁶⁷ In accordance with the so-called ASLA layout.

- In addition to the subsidy amount, an allocation of R6 000 per unit is set aside for land acquisition (or raw-land cost).⁶⁸ The approximate cost of R145 312 to build the required 40 m² BNG house, comprises R21 534.27 (direct cost) plus R 6 910.32 (indirect cost) for (on-site) infrastructural development and R116 867 for the top structure.
- The subsidy amount for higher density housing typologies range from R133 147.82 for a double storey semi-detached unit to R180 104.38 for a three storey walk-up
- The subsidy quantum for an indigent housing unit is around R184 000.⁶⁹ This approximate cost comprises R120 000 (top structure), R45 000 (serviced site), R5 000 (geotech report) and a further R14 000 to cover installation of electricity.

The Western Cape Government has started to use the following criteria to prioritise the allocation of subsidies: Persons who fall within the following categories are favoured, viz. older than 35 years, child-headed households, persons with disabilities and military veterans.

6 URBAN DEVELOPMENT CHALLENGES

This section includes a synthesis of urban development challenges related to *residential* land development presented here as a municipality-wide assessment. Note that the *Status Quo Report* includes settlement area assessments for each town/settlement that is not repeated here. The challenges related to *non-residential* land development as described in the *Urban Development Strategy* is also not repeated here.

6.1 HUMAN SETTLEMENTS

Racial segregation

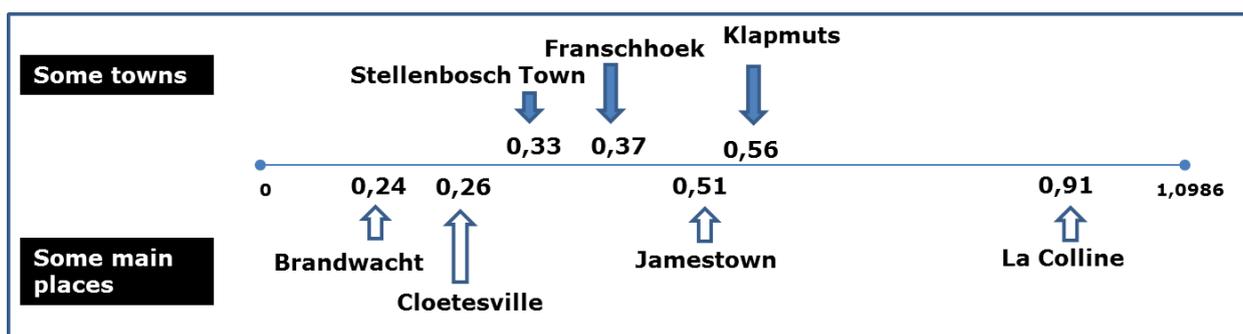


Figure A4: Diversity scores

Source: *Status Quo Report* by Rode, May 2017

We determined the extent of **racial segregation** in *urban areas* by calculating the diversity score for each 'small area' (as defined in Census 2011), as well as the mean and rank for each Main-Place, from large (high diversity) to small (low diversity).⁷⁰ We only considered the three main population groups (white, black and coloured) and a maximum diversity score of 1,0986 (which is $\ln(3)$) means that all three race groups have equal representation in an area. In this regard, the combined score for the *urban areas* is 0,47. **Figure A4** includes the diversity score of some towns and neighbourhoods (as 'Main-Places').

We also used **Theil's entropy index** to calculate the degree of racial segregation/integration.⁷¹ In this regard, the index value is 0,61 for Stellenbosch *municipal area*, compared with Overstrand, which has the highest value (0,72) of all local municipalities in

⁶⁸ To be confirmed.

⁶⁹ As explained by Mr Vanstavel at the meeting held on 12 February 2018.

⁷⁰ Only the three main population groups were considered, and a maximum diversity score of 1,0986 (which is $\ln(3)$) means that all three race groups have equal representation in an area.

⁷¹ The Theil Index is a statistic primarily used to measure economic inequality and other economic phenomena, though it has also been used to measure racial segregation.

South Africa. The entropy index value for Stellenbosch *municipal area* is an indication that (unsurprisingly) the different race groupings 'do live apart from each other'.

Socio-economic and demographic shifts⁷²

In terms of a **high-population-growth scenario**,⁷³ it is expected that the number of persons in the *municipal area* will increase to 232 289 by 2031, with 183 544 (79%) living in *urban areas* (see **Figures A5** and **A6**). However, this occurs within a slowing growth rate and declining net migration.⁷⁴

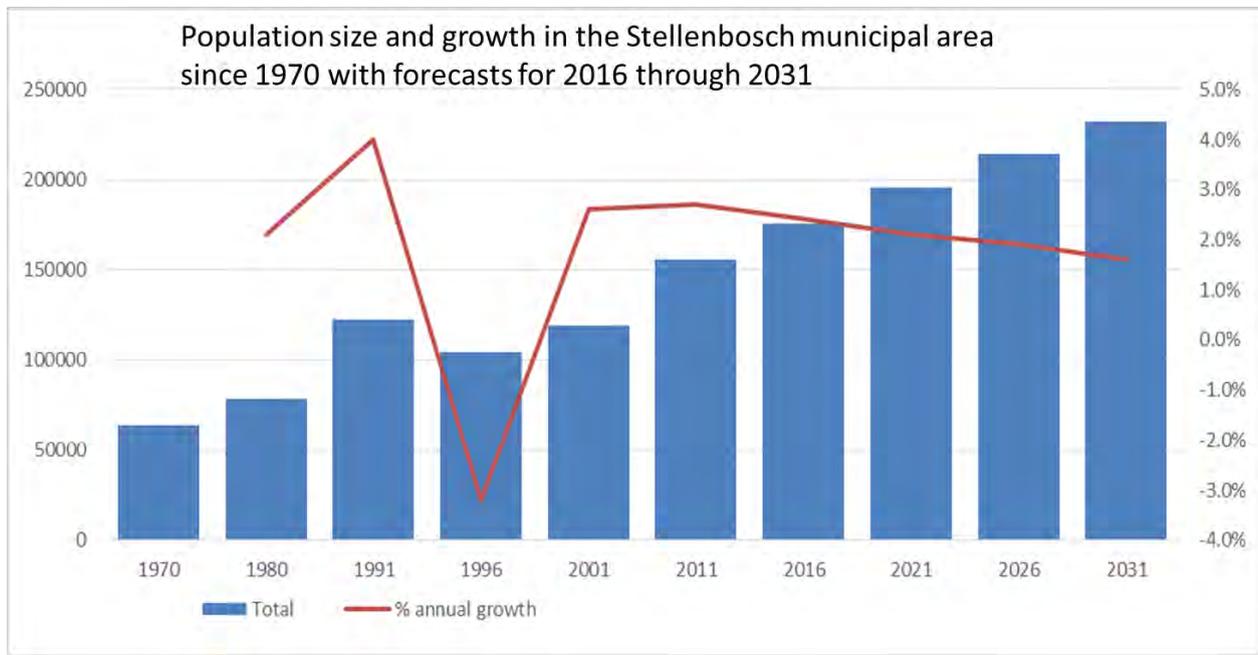


Figure A5: Population growth (municipal area)

Source: *Status Quo Report* by Rode, May 2017

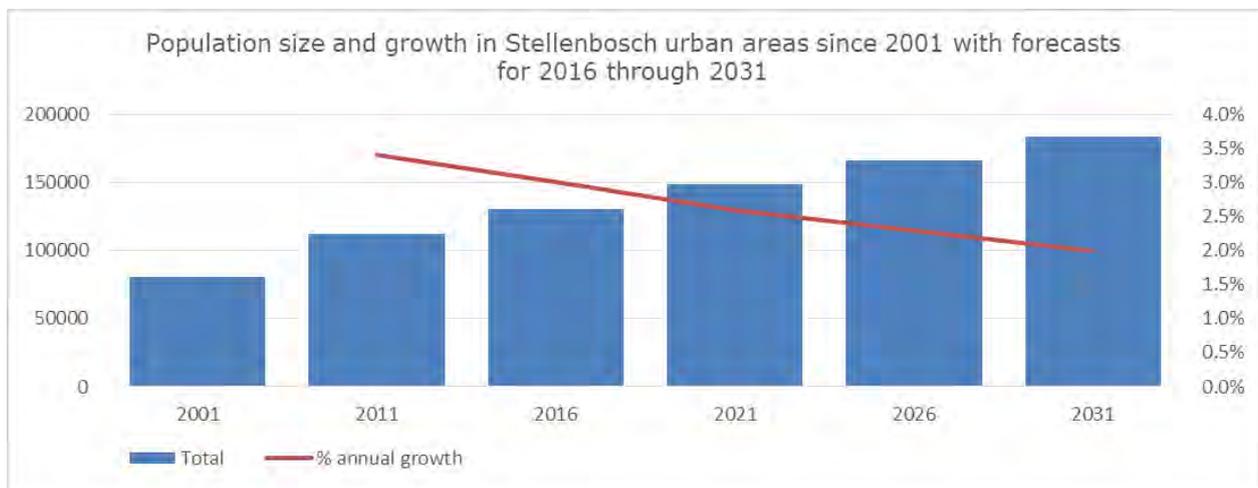


Figure A6: Population growth (urban areas)

Source: *Status Quo Report* by Rode, May 2017

⁷² Note that all relevant definitions as taken from the Census 2011 Metadata report (StatsSA, 2012), is listed in **Annexure 1** of the *Socio-economic and Demographic Analysis Report* and not repeated here.

⁷³ The migration experienced over the 2006-2011 period for all population groups is assumed to continue in the future in absolute terms (i.e. numbers), which implies a deceleration in the growth rate.

⁷⁴ Net migration is the difference between total migration into a region (immigration) and migration out of the same region (emigration).

It is important to also note (over this period) the composition of the population with specific reference to the Black-African and Coloured groupings. In this regard and using the high-growth scenario, the Black-African grouping was 20,4% of the *total population* in 2001, 28% in 2011, and considering the projected population, could contribute about 34,1% to the *total population* in 2021 and 38,3% in 2031. The Coloured grouping contributed 57,5% to the total population in 2001 which decreases, if measured for the same three intervals, to 52,2%, 48,4% and 45,7% respectively. In 2021 and 2031, these groupings will together comprise more than 80% of the total population, as well as the population residing in *urban areas*. Note that almost 94% of the Black-African grouping, which is 14% more than the number in 2001, are expected to reside in the *urban areas* by 2031. Hence, a key question in considering any future growth-and-development path for Stellenbosch should be the amount of resources used by, and allocated to, these groupings.⁷⁵ **Table A4** summarises the population projections for the Stellenbosch *urban areas*.

	2001	2011	2016	2021	2026	2031
Black-African	19 617	38 429	49 748	61 184	72 601	83891
(% annual growth)	-	6,7%	5,2%	4,1%	3,4%	2,9%
% share of population	24,4%	34,2%	38,1%	41,2%	43,6%	45,7%
Coloured	40 813	51 297	56 885	62 376	67 678	72 682
(% annual growth)	-	2,3%	2,1%	1,8%	1,6%	1,4%
% share of population	50,9%	45,6%	43,6%	42%	40,7%	39,5%
White	19 521	20 962	21 924	22 948	23 914	24 834
(% annual growth)	-	0,7%	0,9%	0,9%	0,8%	0,8%
% share of population	24,3%	18,6%	16,8%	15,4%	14,3%	13,5%
Asian	210	447	574	701	814	946
(% annual growth)	-	7,6%	5,0%	4,0%	3,0%	3,0%
% share of population	0,26%	0,3%	0,44%	0,04%	0,4%	0,05%
Unspecified		1191	1191	1191	1191	1191
Total	80 161	112 326	130 322	148 400	166 198	183 544
% annual growth		3,4%	3,0%	2,6%	2,3%	2,0%

Source: *Status Quo Report* by Rode, May 2017

The **urbanisation** trend is evidenced by the percentage share of the total population residing in *urban areas* and residential densities. In 2001, 67,5% of the total population in the *municipal area* lived within the *urban areas*. This percentage increased to 72,1% in 2011 and an estimated 74,2% in 2016. The percentage share of the total population living in *urban areas* could increase further to 76% by 2021 and to 79% by 2031. In this regard, the urban-rural ratio in 2001 was about 2:1 which changed to about 2,5:1 in 2011, and is envisaged to be about 3,1:1 by 2021 and 3,8:1 by 2031.

At the same time, population density was also increasing. The persons per km² in the *urban areas* increased steadily from 2509 in 2011 to 2911 in 2016.⁷⁷ The projected urban population figure of 183 544 in 2031 represents a density of 4100 persons per km² in *urban areas*. The persons per km² in the *municipal area* also increased steadily from 187 in 2011 to 211 in 2016, with a density of 279 persons per km² projected in 2031. The residential densities (dwelling units per hectare) measured in 2015 for Stellenbosch (Town), Franschhoek and Klapmuts were 8,17, 10,22 and 9,94 respectively.

⁷⁵ South Africa still lives in a race-based society, which makes categorisation by race a pragmatic approach. In an ideal world, the categorisation should rather be on a socio-economic basis.

⁷⁶ Using the high scenario (as one of three growth scenarios) to determine the population growth from 2011 onwards, i.e. the migration experienced over the 2006-2011 period for all population groups is assumed to continue in the future in absolute terms (i.e. numbers).

⁷⁷ We used the urban area as defined by the MSDF approved in 2013, as geographic measuring unit.

The average **household size** in the *municipal area* is 3,1. When considering the *urban areas*, the average number of persons per household is 3,0. This figure varies between 2,8 for Stellenbosch (Town) and 4,1 collectively for Dwarsrivier, Koelenhof and Wemmershoek. Of particular concern, is the possibility of **overcrowding** in Cloetesville, Franschhoek, Idas Valley, Kayamandi, Klappmuts, Lanquedoc and Wiesiesdraai because many households living in these towns consist of five or more persons.

In Stellenbosch *municipal area*, 55% of households have a monthly **household income** below R3500, and 82% of households earn less than R15 000 per month (using Census 2011 data). The 'Main-Places' of Kayamandi, Koelenhof, Klappmuts and Franschhoek, in this order, have most households in the R0–R3500 category. In numbers, the towns/settlements of Stellenbosch (Town), Franschhoek, Klappmuts and Dwarsrivier, in that order, have the most households with monthly incomes below R3500 (18 977 of 19 424 or 97%). About 67% of these households live in Stellenbosch (Town). The monthly household income in the R0–R3500 category of all the households living in the *urban areas*, is mostly less than R2500 (on average 85%, i.e. only 15% of households earning between R0 and R3500 have an income between R2500 and R3500).⁷⁸

Almost 59% of the **labour force** residing in the municipal area, live in Stellenbosch (Town) and Franschhoek.⁷⁹ This segment contributes more than 70% of the total GVA of the Stellenbosch economy and of this share, 75% is generated in the tertiary sector (employing highly skilled workers).

The provision of **social amenities** in the municipal area is adequate but under pressure. This pressure is owing to a growing population rather than accessibility, i.e. key social amenities are located within reasonable walking distances from users.

Housing need and affordability

We next consider the **need for houses** in the lowest house-price band in the *municipal area*.⁸⁰ Using 10 000 as a conservative estimate in 2011 and the population growth rates of all the *urban areas* combined, the unsatisfied need is conservatively estimated to be the following:

- 2016: about 11 618 based on a 3% annual growth between 2011 and 2016
- 2021: about 13 231 based on a 2,6% annual growth
- 2026: about 14 844 based on a 2,3% annual growth
- 2031: about 16 404 based on a 2% annual growth
- 2036: about 17 847 based on a 1.7% annual growth rate

In the *rural* and *urban areas* combined, the preference for home ownership in the lower income categories is (unsurprising) almost double that of renting. Also note the ratio between **owners and renters (applying to all types of tenure, excluding 'other')** of 1:1,9 in the *municipal area* and 1:1,5 in *urban areas*.

We estimated **housing affordability** in the *urban areas* by considering the relationship between household income and property values, and specifically in the lowest house-price class and in the <R3500 income bracket. This was done by comparing the value of the properties (as per municipal valuations in 2012 and 2016) with household income (as per Census 2011 and own inflation-adjusted calculations for 2016).⁸¹ We found the steep

⁷⁸ These rand amounts are all as in 2011.

⁷⁹ The calculation for Stellenbosch (Town) includes wards 7-17 and 22 and 50% of ward 21, and the calculation for Franschhoek includes wards 1 and 2.

⁸⁰ Property values between R0 and R160 000.

⁸¹ We estimated household income for 2016 by applying the growth in the Consumer Price Index (CPI) to the 2011 household income.

increase in property values between 2012 and 2016 resulted in the percentage of properties in the lowest house-price band decreasing significantly (see **Figure A7**).

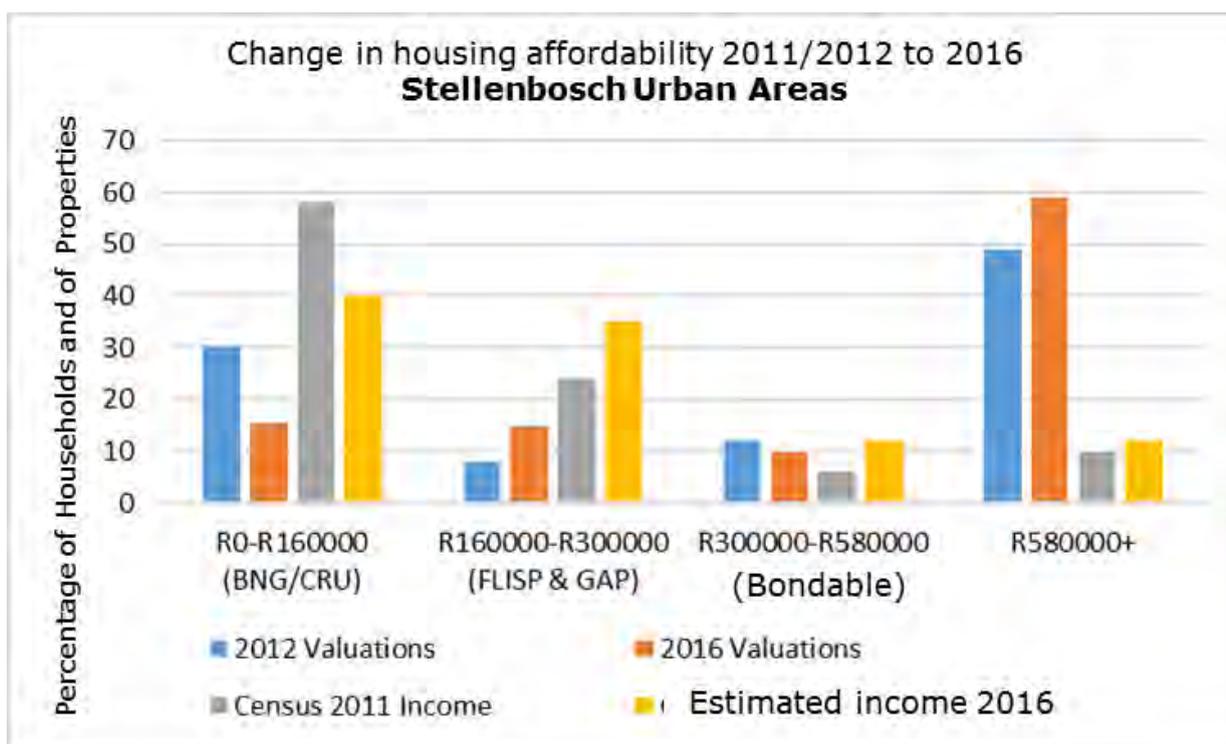


Figure A7: Change in affordability 2011/2012 to 2016 (market value of properties and household income): Stellenbosch urban areas

Source: *Status Quo Report* by Rode, May 2017

Property market

Considering all house-price bands in the *urban areas*, the **mean** and **median values** increased significantly in almost all areas between 2012 and 2016 (data ex the valuation rolls).⁸² The value increase of full-title and sectional-title properties combined in the *urban areas* was 47%, which equals an annual compound growth of 10%.

In interpreting the growth rates for smaller zones, one must bear in mind that one large new development could skew the mean or median substantially. For instance, the introduction of a more upmarket estate in a small, long-existing neighbourhood could push up the mean and median values, which does not mean that the *existing*, older stock in that zone has had a similar growth in market value.

We also determined the **coefficient of variation** (CV) in property values for the *urban areas* combined (data ex the valuation rolls). The price diversity increased from 141 in 2012 to 150 in 2016, i.e. property values became less homogeneous.

We next analyse **residential transfers** in the municipal area for the period 2005 to 2015 to determine the trends⁸³ pertaining to residential transfer activity for the various residential price bands (see **Figure A8**).⁸⁴ There were about 12 000 transfers during this period, with an average annual total of 1090.

⁸² Stellenbosch municipal valuation rolls (2013-2017 and 2017-2021).

⁸³ When we say we analysed the trend of a particular price segment, we mean the analysis was done in **constant 2015 rands**. This means we deflated previous years' prices using the Absa national house price index. In this way, we compared like with like over time.

⁸⁴ As this analysis was done in early 2017, we excluded 2016 transactions as the time delay between date of sale and registration at the Deeds Office would have meant that the 2016 data would have been incomplete.

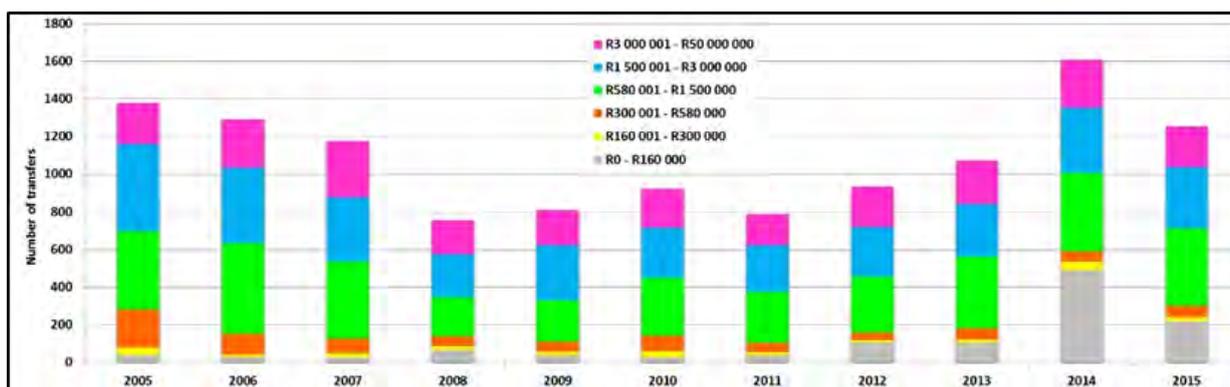


Figure A8: All residential transfers per price band in Stellenbosch Municipality (2005-2015)

Source: *Status Quo Report* by Rode, May 2017

Evident is the sharp downturn in residential transfers in 2008 due to the worldwide credit crunch. Also evident is the gradual uptick in residential transfers since then, combined with a substantial spike in 2014. This can be explained by the high number of transfers in the lowest price band (R0–R160 000) in 2014 in especially Klappmuts and Kayamandi. The increase in the number of transfers in this price band (compared to previous years) started in 2012 and has significantly changed the profile of specifically full-title residential transfers. The majority of sectional-title transfers during the study period occurred in the segment R580 001–R1,5 million.

Historic demand for land (all land-uses combined)

An increase in the built-up area in Stellenbosch (Town) has resulted in **land take-up** of 271 hectares between 2000 and 2015. This was about 60% of the relative share of total land take-up in urban areas over that period — all land-uses combined (see **Table A5**). The 10% share of Klappmuts is not insignificant.

Town/settlement	Land take-up (ha)	Percentage share (rounded to 10)
Stellenbosch (Town)	271	60
Franschhoek	82	20
Klappmuts	56	10
Other	72	10
Total	481	100

Source: *Status Quo Report* by Rode, May 2017 (input provided by Aurecon)

In Figure **A9**, **A10**, and **A11**, the historic land take-up between 2000 and 2015 within the respective urban edges of Stellenbosch (Town), Franschhoek and Klappmuts is shown spatially.⁸⁵

⁸⁵ We used the urban area as defined by the MSDF approved in 2013, as geographic measuring unit.

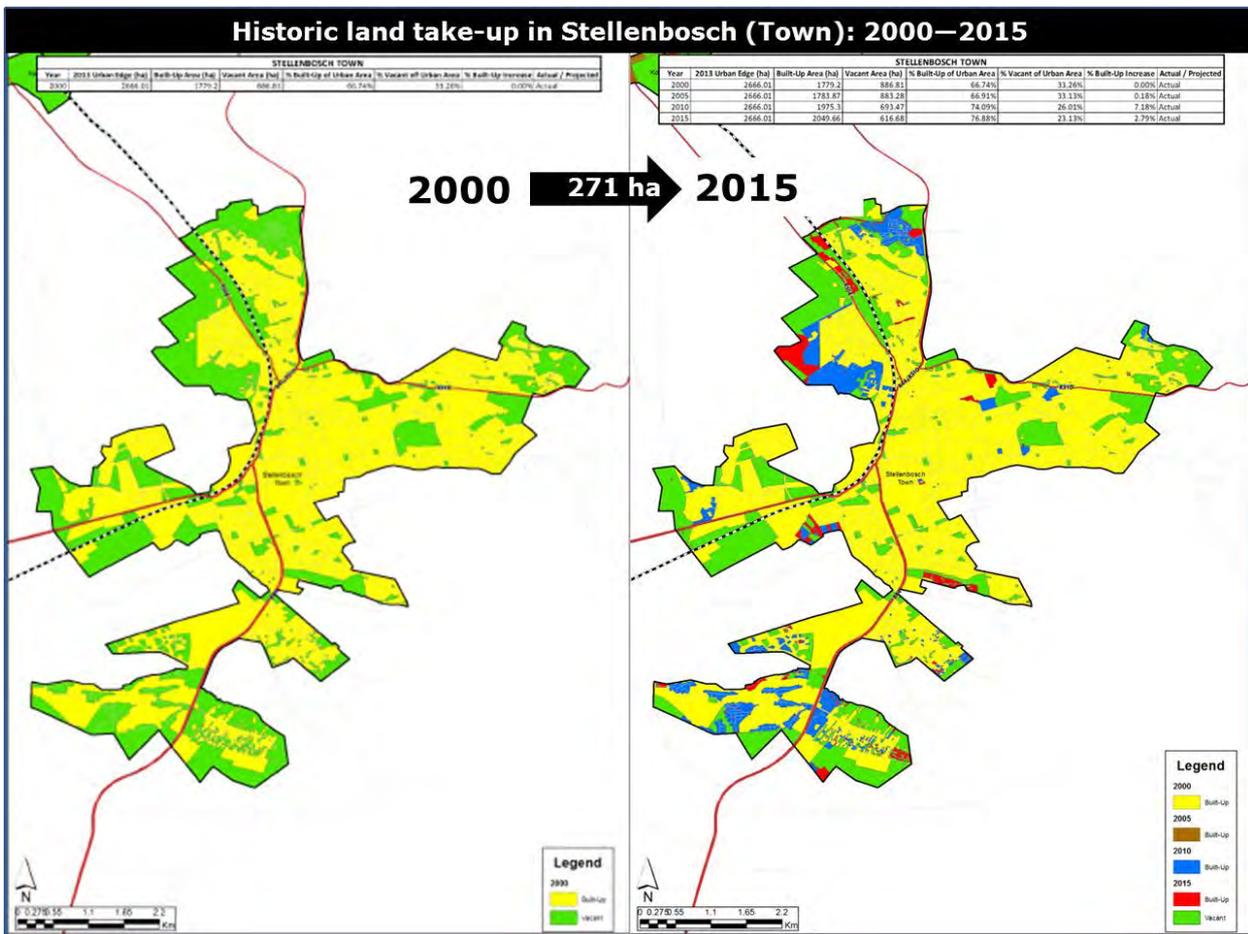


Figure A9: Land take-up between 2000 and 2015: Stellenbosch (Town)
 Source: *Status Quo Report* by Rode, May 2017 (input provided by Aurecon)

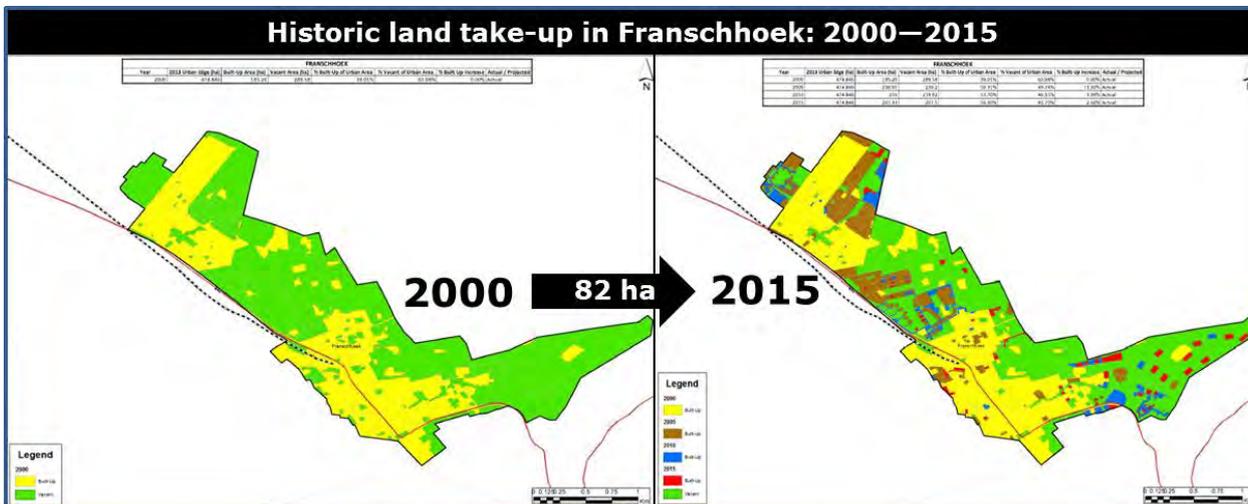


Figure A10: Land take-up between 2000 and 2015: Franschhoek
 Source: *Status Quo Report* by Rode, May 2017 (input provided by Aurecon)

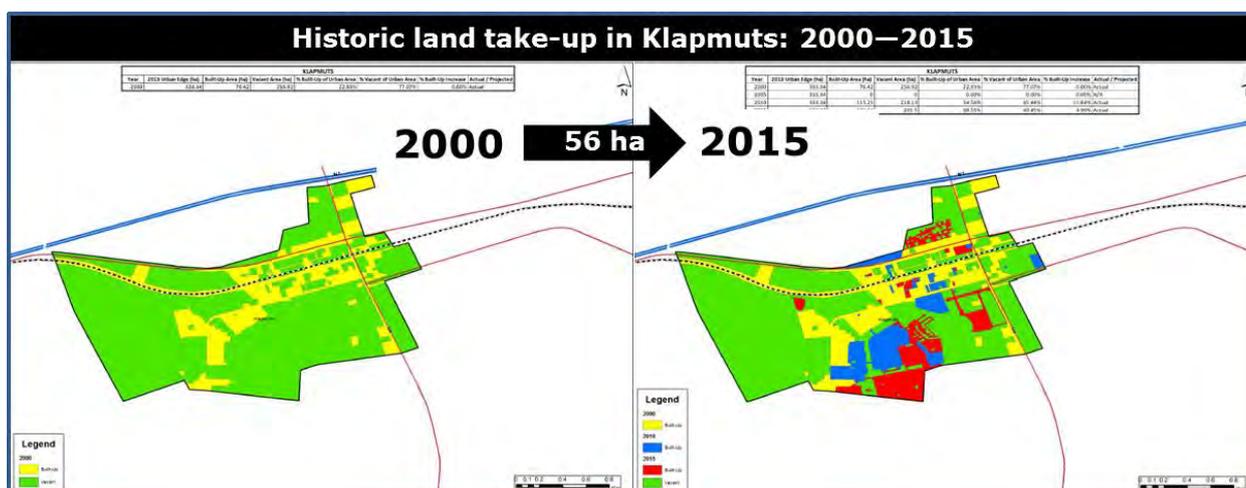


Figure A11: Land take-up between 2000 and 2015: Klapmuts
Source: *Status Quo Report* by Rode, May 2017 (input provided by Aurecon)

It is evident that (fragmented) urban sprawl has occurred over this period in Stellenbosch (Town). The urban growth in Franschoek was mainly infill development, while in Klapmuts, the built-up area expanded towards the south. *This growth (mainly market-driven) does not characterise a specific growth-path or the principles of a shared vision.* In Stellenbosch (Town), middle- to high-income residential development occurred within the urban edge, albeit *on the urban fringes*, while low-cost housing on 'well-located' land came about through land invasion.

Key trends can be identified when considering the **use (and development) of land** based on different types of land-development applications. Almost 70% of all recently submitted strategic land-development applications⁸⁶ had a peripheral location (i.e. contributing to urban sprawl with associated costs), and even more (89%) of these applications were greenfields developments. A very high number, viz. 55% of all land-development applications submitted to the Stellenbosch Municipality between 2007 and 2015, were for, or included, a permanent departure. This is evidence of a changing pattern in the use of land that is not yet accommodated in zoning schemes. Only about 25% of all land-development applications submitted to the Municipality pertains to rural land.

Historic demand for residential land⁸⁷

In the municipal area, the split by typology between 1996 and 2015 is: dwelling houses (74% of the total residential space developed), followed by flats (17%), other residential buildings (6%) and townhouses (3%). The number of houses greater than 80 m² completed since 1996 was about 134 per year, with an average size of about 260 m². Given our demand forecast of roughly 25 000 m² per annum to be completed over the 5-year forecast period (2016–2021) (in terms of our Consensus macro-economic scenario), demand for houses greater than 80 m² is expected to be roughly 96 units per annum (see **Figure A12**). **The inherent assumption in the model's forecast is that historically there has been enough developable land⁸⁸ available in the municipal area; in other words, we assume there was no supply constraint on take-up, which would have created pent-up demand. If this were not the case, the model's forecast would be too low compared to the potential future demand.**

⁸⁶ An application was categorised as strategic if the proposed land development relates to (mostly) large tracts of (vacant) land, inside or outside (if outside, then close to) the urban edge and considered as one-titled unit or grouped together. The factual information of applications is limited to that which has been made available by the municipal officials in Excel spreadsheets and through completion of a questionnaire regarding land development outcomes.

⁸⁷ See **Part C: Scenario Development** for the methodology used to estimate growth in demand for residential built space over a 20-year forecast period.

⁸⁸ Developable land means the land has a realistic potential of acquiring development rights. It includes 'brownfields' and 'greenfields' development.

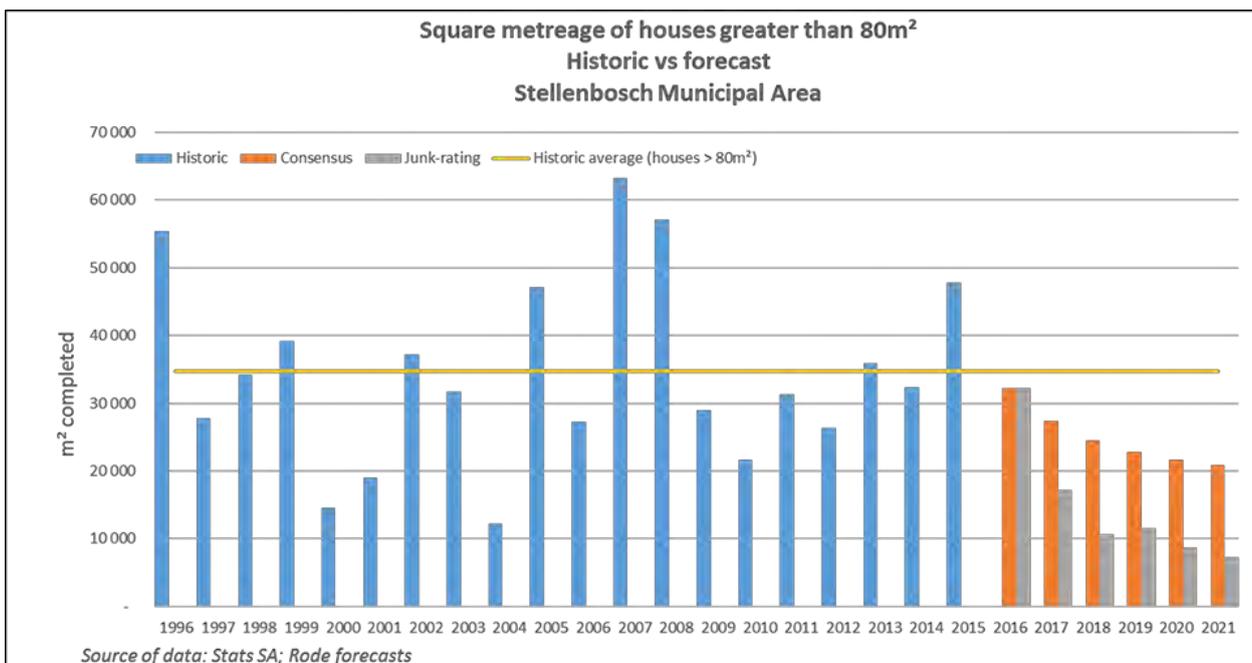
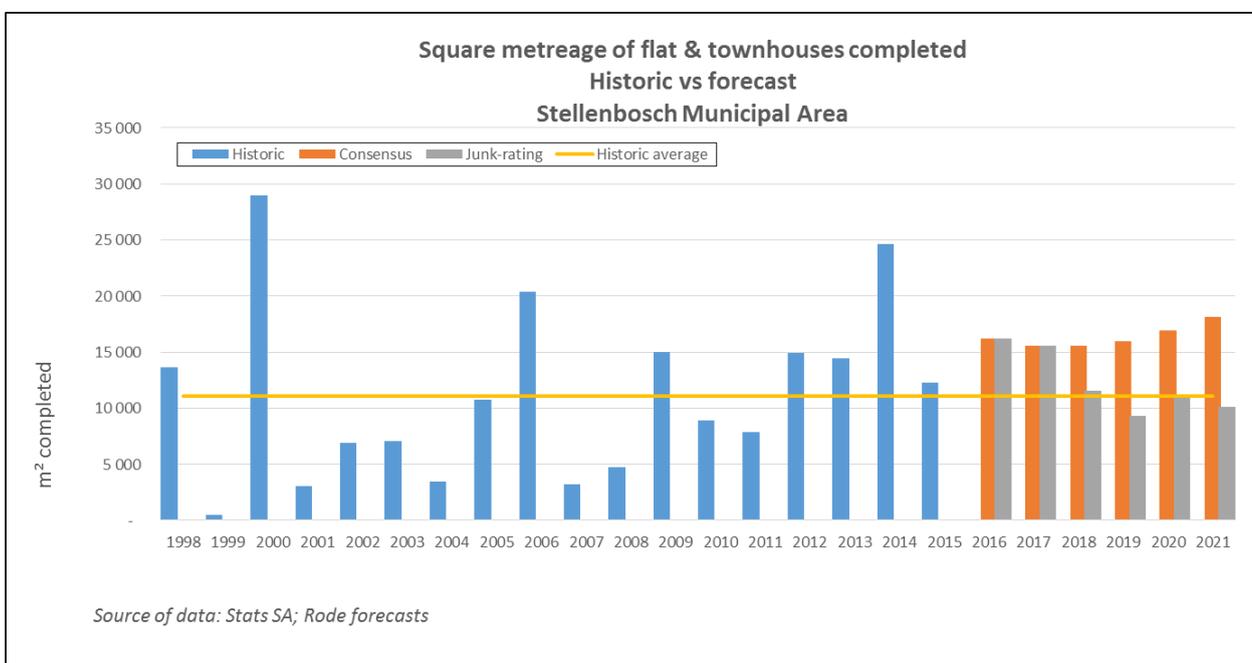


Figure A12: Square metrage of houses greater than 80 m² completed in municipal area – historic vs 5-year forecast

Source of data: StatsSA; forecast by Rode

See **Part C: Scenario development** for the method used to calculate historic demand for houses smaller than 80 m² (viz. housing for the indigent and gap/affordable housing).

The number of flats/townhouses completed since 1996 is about 137 flats/townhouses per year with an average size of about 78 m². Our new-demand forecast (in terms of our macro-economic Consensus scenario) of roughly 16 000 m² of superstructure per annum over the forecast period, implies demand for roughly 210 units per annum (see **Figure A13**).⁸⁹



⁸⁹ The inherent assumption in the model's forecast is that historically there has been enough developable land available in the municipal area; in other words, we assume there was no supply constraint on take-up. If this were not the case, the model's forecast would be too low compared to the potential future demand.

Figure A13: Square metreage of flats/townhouses completed in municipal area – historic actual vs 5-year forecast

Source of data: StatsSA; forecast by Rode

Over the eight-year period, between the first quarter of 2008 and the first quarter of 2017 nominal full-title **property rentals** in Stellenbosch (Town) showed growth of roughly 8,1% p.a., while sectional-title property rentals grew by about 10,5% p.a.⁹⁰ Over the same period, building costs (as measured by the CPI) showed growth of roughly 6% p.a. This implies that over the past eight years residential rentals in Stellenbosch were able to grow in *real* terms. This is a straw in the wind that the stock of rental housing is too small.

6.2 THE ECONOMY⁹¹

Over the past few decades, there has been a shift away from the primary sector (agriculture and mining) and the secondary sector (mainly manufacturing) to the tertiary sector (finance, insurance, real estate & trade). This happened in the developed world, and also in South Africa. In fact, this trend accelerated even further in South Africa after 1994, what with the demolition of tariff walls and the resultant crimping of local manufacturing. By 2016, the tertiary sector produced almost 70% of goods and services in South Africa (see **Figure A14**).

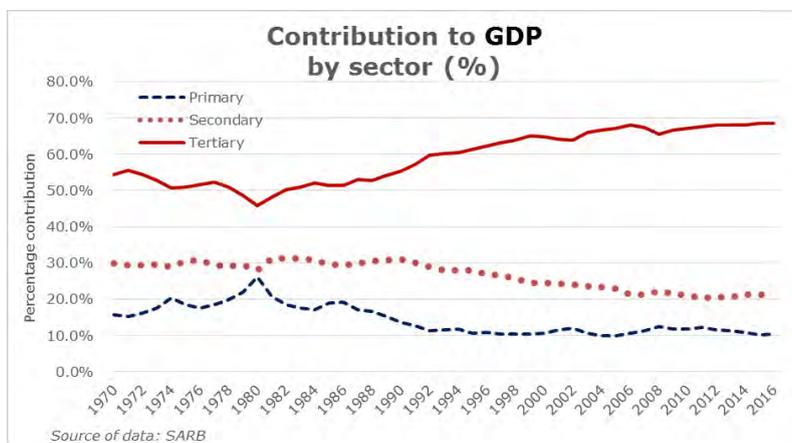


Figure A14: A changing SA economy

The **Western Cape** economy, as measured by gross value added (GVA)⁹² at constant 2010 prices, increased for the period 1993 to 2015 at an annual rate of 3,5% compared to 3% for the whole of South Africa. The **Stellenbosch** economy, also measured by GVA at constant 2010 prices, increased for the period 1993 to 2015 at an annual rate of 2,9% compared to 3,5% for Cape Town and 3,1% for the Cape Winelands District Municipality (CWDM). The GVA of the Stellenbosch economy accounted on average for 2,9% (or R10 460 million measured at constant 2010 prices) of the **Western Cape** economy for the period 1993 to 2015. As a comparison, the Cape Town economy accounted for 72,6% of the **Western Cape** economy over the same period, reaching R276 195 million in 2015.

The GVA trends relating to the primary, secondary and tertiary sectors of the **Stellenbosch** economy from 1993 to 2015, are presented in **Figure A15**. We observe that the primary and secondary sectors of the Stellenbosch economy measured by GVA are indicating declining trend patterns *in absolute terms*, while the tertiary sector has grown significantly, especially from 2002. This has resulted in a strong upward trend in the overall economy as the tertiary sector contributes more than two-thirds of the GVA generated in the Stellenbosch economy. In sum, the Stellenbosch economy is driven by the tertiary sector.

⁹⁰ Source of raw data: TPN.

⁹¹ Source: *Status Quo Report* by Rode, May 2017 (input provided by Multipurpose Business Solutions).

⁹² The value of production or output within the borders of the province for any specific year.

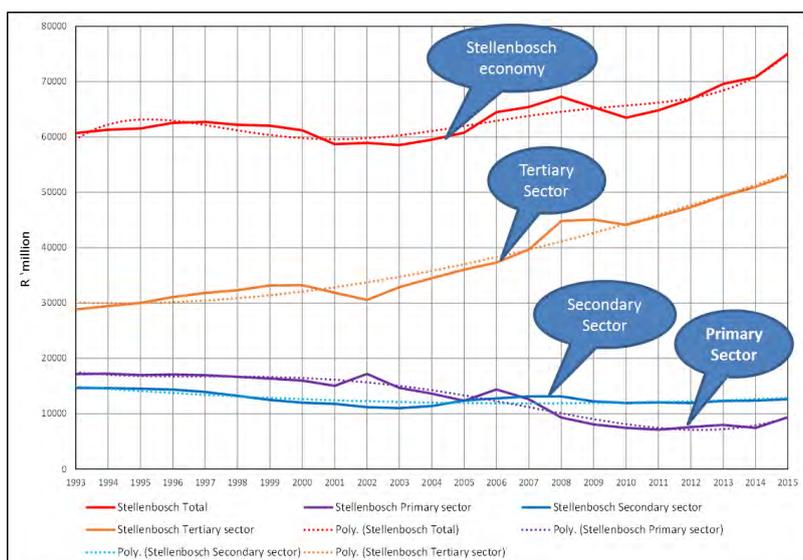


Figure A15: A comparison of the GVA trends (in 2010 constant prices) for the primary, secondary and tertiary sectors in the Stellenbosch Municipality
Source: Basic data extracted from Easydata.co.za; own calculations

The sub-sector contribution to the GVA of the **Stellenbosch** economy for 2015 is presented in **Table A6**. A comparison of the sector contributions to the GVA for 1995 and in 5-year increments up to 2015 is illustrated in **Figure A16**. It is interesting to note that the manufacturing share is decreasing and finance, insurance, real estate and business services and wholesale and retail trade (including catering and accommodation) are increasing, whereas agriculture, forestry and fishing are flat to decreasing. The high contribution of manufacturing (nearly 17%) can be attributed to, *inter alia*, wine making on the farms.

Table A6
Contribution of sectors to the GVA of the Stellenbosch economy at constant 2010 prices in 2015

Industry	GVA 2015, R'm	Avg annual % growth 1993-2015	% contribution to Stellenbosch economy, 2015
Agriculture, forestry and fishing	665	0,8	6,4
Mining	18	-3,9	0,2
Manufacturing	1 754	-0,2	16,8
Electricity and Water	103	2,7	1,0
Construction	418	5,7	4,0
Wholesale & retail trade; catering and accommodation	1 947	5,5	18,8
Transport & accommodation	1 065	7,8	10,2
Finance and business services	2 707	4,8	25,8
Community, social and other personal services	696	3,2	6,7
General government services	1 059	1,1	10,1
Total	10 460	3,2	100,0

Source: Basic data extracted from Easydata.co.za; own calculations

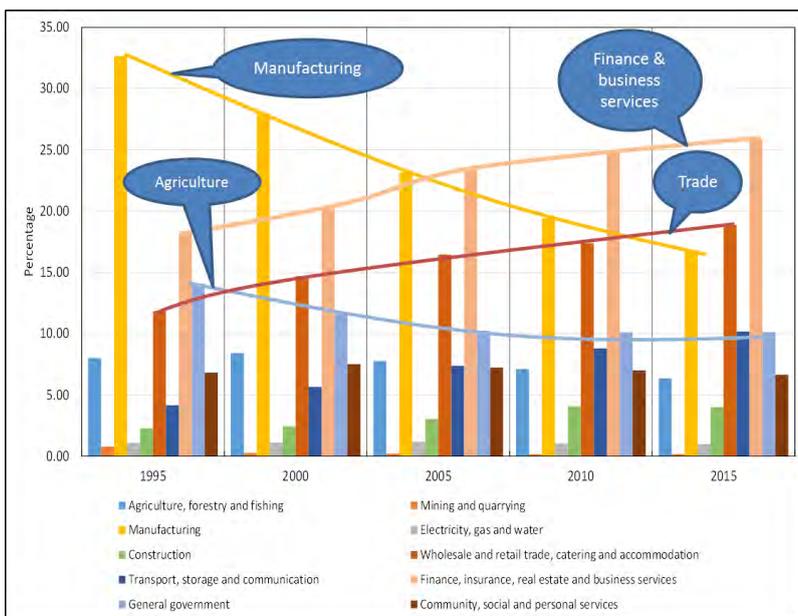


Figure A16: Sector contributions to the GVA of Stellenbosch for 1995 and 5-year increments to 2015

Source: Basic data extracted from Easydata.co.za; own calculations

We also considered sectoral employment by sector in the **Stellenbosch** economy (see **Table A7**). Wholesale and retail trade (including catering and accommodation) recorded the most employees, followed by finance, insurance, real estate and business services, agriculture, forestry and fishing, and manufacturing. An analysis of the shares indicate that the largest sector contributed 26,6% to total employment.

Table A7
Sectoral employment share of the Stellenbosch economy in 2015

Industry	Employment	Average annual % growth 1993-2015	% share of the Stellenbosch economy employment, 2015
Agriculture, forestry and fishing	9 334	-2,7	12,4
Mining	27	2,7	0,04
Manufacturing	7 694	-0,7	10,3
Electricity and water	142	2,2	0,2
Construction	4 789	-0,8	6,4
Wholesale & retail trade; catering and accomm.	19 994	2,8	26,6
Transport & accommodation	4 498	3,4	6,0
Finance and business services	11 354	5,0	15,1
Community, social and other personal services	9 642	2,4	12,8
General government services	7 565	0,9	10,1
Total	75 039	0,97	100

Source: Basic data extracted from Easydata.co.za; own calculations

In **Figure A17** we compare the unemployment rate (%) (blue line) with the contribution (%) to total GVA by selected nodes (orange line). We observe the following:

- One would intuitively expect a negative correlation between the two variables (higher contribution to GVA leads to lower unemployment). However, the opposite is true ($r=0,42$). Particularly noticeable is that the two main nodes that make the largest contribution to GVA – Stellenbosch Town (61%) and Franschhoek (10%) – also have the highest unemployment rates, viz. 17% and 21% respectively. The explanation for this must be that nodes with higher economic activity attract hopeful job seekers, who then generally do not find a job.

- b. An exception is Klapmuts, which has a low contribution to GVA (4%) but nevertheless has a high unemployment rate (16%). We understand this was brought about by a resettling programme of unemployed people some time ago.
- c. Nevertheless, the unemployment rates in all nodes are lower than in SA in general.
- d. But, with the driver of the economy being the tertiary sector, where higher knowledge and skills are required, the prospects for these job seekers finding employment must be rated slim. This has important political implications, as in the rest of SA. Spatial policy cannot solve this problem as the underlying problem is education and training, which is not a local competency.

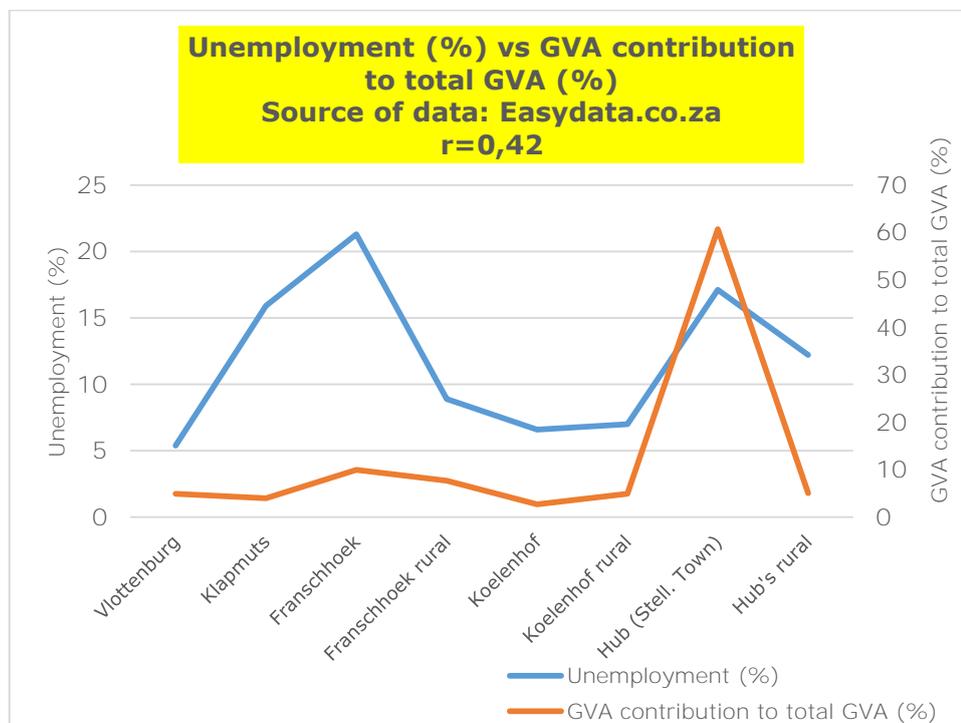


Figure A17: Comparing GVA contribution with unemployment by area within the Stellenbosch Municipality

Source: Basic data extracted from Easydata.co.za; own calculations

6.3 URBAN RESILIENCE (CLIMATE CHANGE)⁹³

Urban resilience is seen as a disaster-risk reduction and mitigation intervention in the planning and management of urban areas. Exposure to hazards such as floods, earthquakes, fires, infectious diseases, industrial accidents, etc. in urban areas is increasing as a result of high concentrations of people, buildings and infrastructure.

The following paragraphs present a high-level overview of the meteorological climate changes that are likely to occur over the urbanised areas within Stellenbosch municipal area over the next four decades.⁹⁴ Modelling was done with the aim of informing the decision-making processes regarding urban growth and development. Using climate projection data requires the acceptance of various uncertainties and would normally be part of drafting a climate change adaptation plan.

It is projected that there will be a general drying trend in the western part of the country over the period 2030–2045 (including the Stellenbosch municipal area) (see **Figure A18**).⁹⁵

⁹³ Source: *Status Quo Report* by Rode, May 2017 (input provided by Aurecon).

⁹⁴ The *Status Quo Report* includes more comprehensive reporting on the meteorological climate changes that are likely to occur over the urbanised areas within Stellenbosch municipal area over the next four decades.

⁹⁵ https://www.westerncape.gov.za/text/2015/march/western_cape_climate_change_response

There is some agreement that areas where either increasing or decreasing rainfall volumes are expected, rainfall will be focused into a shorter timeframe. Some areas are exhibiting a shifting in the rainfall onset and session timing. The rain season is decreasing in length; in the frontal areas of the western and southern areas of the country, winter rainfall is compressed and the dry summer is extended. While it is generally expected that there will be a decrease in the number of rainfall days each year, **it's highly likely that there will be an increase in precipitation intensity and the occurrence of more extreme events when it does rain.**

The following four risks were identified to allow the development and monitoring of climate-change indicators:

- Riverine flood risk in winter and risk to property and infrastructure
- Extreme storm and wind damage
- Extreme temperature and heat-wave risk
- Veld-fire risk

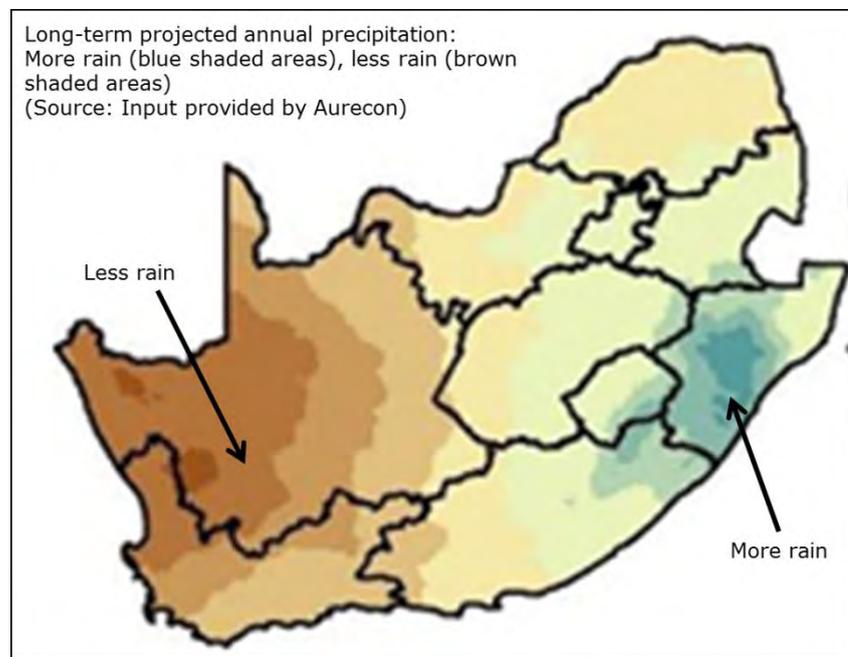


Figure A18: Projected annual precipitation

The indicators that were selected are an expression of the climate vulnerability of the urban areas in the Stellenbosch municipal area. The vulnerability comprises the current and future climate *exposure*, the *sensitivity* and the *adaptive capacity* of the urban areas.⁹⁶

All the urban areas will be potentially susceptible to the risk associated with flooding, storms, extreme temperatures and veld fires. This degree of susceptibility or climate vulnerability is a function of the current and projected changes to the risks as informed by the meteorological and situational exposure indices, and the societal resilience as measured by the sensitivity and adaptive capacity indices. In an area where there is a potentially higher sensitivity and a deficit in adaptive capacity, the existing as well as projected exposure will be amplified, presenting a greater climate vulnerability to each of the identified risks. Conversely, increased adaptive capacity and lowered sensitivity will act to mitigate the exposure and ultimately the climate vulnerability of each area to the climate risks.

strategy_2014.pdf.

⁹⁶ McCarthy, J.J. et al. (eds.). 2001. *Climate Change 2001: Impacts, Adaptation, and Vulnerability* – Contribution of Working Group II to the Third Assessment Report of the Intergovernmental Panel on Climate Change, Cambridge University Press, Cambridge, UK.

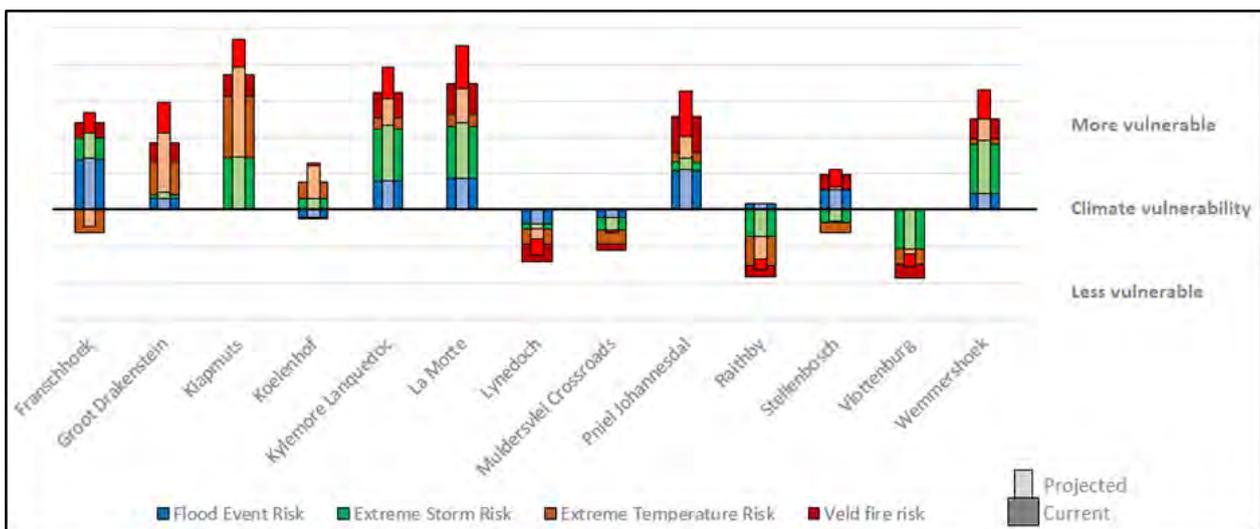


Figure A19: Climate vulnerability of the urban areas in the Stellenbosch municipal area

Source: *Status Quo Report* by Rode, May 2017 (input provided by Aurecon)

6.4 TRANSPORT AND MOBILITY

One of the greatest negative impacts on urban living is the time, cost and energy consumed when travelling between productive activities. These are typically classified as home, work, education, retail and leisure activities.

Stellenbosch (Town) has unacceptable traffic congestion, i.e. restricted mobility by private car (and minibus taxi), a lack of public transport and a lack of parking in the central business and University campus areas. Several factors contribute to this situation, with congestion occurring at different times and locations.

Better and coordinated transport and land-use planning would lead to a reduction of travel and transport needs, i.e. improved mobility. Achieving this (qualitative) outcome was the Municipality's intention by promoting, *inter alia*, the concept of 'inter-connected nodes'.⁹⁷ However, recent developments in Koelenhof and Klapmuts, does not achieve the intended land use/transport integration (see **Part B, §9.2**). In this regard, the following questions need to be asked about the travel characteristics of, particularly, rail and road users in the municipal area: Where do trips start and end, and what transport modes are used and why?

The urban form and transport system both have a direct impact on the efficiency of the other. A car-based transport system can only support lower-density urban form due to the substantial space required for roads and parking. High-density, mixed-use nodes (and corridors) not only ensure greater efficiency of higher occupancy public transport modes, but also enable walking and cycling due to the shorter distances between origin and destination.

It is an imperative that urban development, particularly in Stellenbosch (Town), be optimised around the transport sector to improve liveability for inhabitants and visitors. Planning for accessibility through low-cost and low-carbon transport would increase social and environmental sustainability. However, such a system must provide a similar Level of Service (LOS) as the private car does currently (and the extent to which it would be able to maintain this in future). This would also not only ensure, but possibly even improve, economic sustainability.

6.5 INFRASTRUCTURE

⁹⁷ This concept first appeared in the MSDF approved by Council in February 2013. Note that 'connectedness' is based on rail and road links.

In urban areas in the municipality, over 90% of households have access to piped **water** inside the house or on a community stand. The current bulk water input into the water network is 30,000 kilolitres per day (kl/d) with a **29% level of 'unaccounted for water' (UAW)**. The existing **water distribution systems** in Stellenbosch (Town), Franschhoek, Dwarsrivier, Klipmuts and Raithby, have insufficient capacity to provide for future growth. It was reported in 2011 that about 38,6% of the water (supply) infrastructure is in a poor or very poor condition and requires upgrading. This notwithstanding, four of the **Municipality's five water supply systems** have blue-drop status.

Flush toilets and **electricity** are available to more than 90% of households in the urban areas. A number of **waste-water treatment works** have recently been upgraded. According to the Electrical infrastructure Master Plan, most of the urban and peri-urban networks have adequate capacity for the current loading conditions.⁹⁸

The Stellenbosch Municipality disposes on average 9 992 tonnes of **waste** per month at its Devon Valley Landfill site. Note that on average 596 tonnes of garden waste and 2 963 **tonnes of builder's rubble have been diverted from landfilling due to chipping and crushing** respectively. Included in the disposed waste figures is some 5 673 tonnes of excavated soil that is received on average per month at the landfill for which no alternative use currently exist. **From the latest survey, the remaining life of this landfill is less than two years**. In addition, the collection service of the Municipality is under strain with 4 of the 10 collection vehicles out of service.

Water resource

The Municipality must ensure the sustainability of water resources through, *inter alia*, the following measures:

- Implement urban water conservation and demand management programmes
- Lessen dependence on inter-basin transfer
- **Assure supply levels of 'external' water sources**
- Ensure 10% additional capacity (headroom) when considering the maximum 24-hour water demand in the peak month of the year

The state of all of the rivers in the municipal area is of great concern. Regular sewage leaks and overflows into rivers and groundwater result in eutrophication, ecosystem degradation and the spread of disease. Storm water discharge into the sewer system is a massive problem during rainy winter months. It is proposed that water pollution reduction measures be instituted and to re-establish and protect indigenous riverine ecosystems.

6.6 HERITAGE

The Stellenbosch Municipality commissioned the Cape Winelands Professional Practices in Association (CWPPA) to prepare a Heritage Inventory of large-scale landscape areas in the rural domain of the municipal area informing proposed heritage areas. A **full 'Tangible Heritage Resources Inventory' (inclusive of all urban areas)** will be prepared. This inventory will be a key informant in the preparation of the next Municipal Spatial Development Framework and is not discussed in this study.

6.7 ENVIRONMENT⁹⁹

How did past urban land-use and management practices impact on the key ecological infrastructure assets and their ability to deliver services to society? In the assessment done as part of this study, we considered the following five aspects: agriculture, hydrology, vegetation, ecosystem status and protected areas.

⁹⁸ Electrical infrastructure Master Plan, June 2015.

⁹⁹ Source: **Status Quo Report** by Rode, May 2017 (input provided by Aurecon).

The approval of strategic land-development applications close to, and on either side of, the urban edge has resulted in the loss of agricultural land and associated landscapes. Private enterprise is also prepared to put its own equity at risk and to purchase agricultural land with development potential based on latent demand.

In Stellenbosch (Town) a total of about 214 hectares of land used for 'agricultural practices' (or about 8% of all land within the urban edge) was lost to urban development between 2000 and 2015. In Franschhoek, over the same period, a total of 50 ha of agricultural land (or 10% of all land within the urban edge) was lost and in Klapmuts, 33 ha or about 10% of all land within the urban edge.

Indigenous vegetation found in the urban areas is under great threat from urban sprawl, and to a lesser extent from agricultural activities. We believe that the legislated functions to regulate the use, weakening or destruction of water sources are not adequately performed in the urban areas. The responsibility to conserve or restore ecosystems, which provide cost-effective options for climate-change adaptation and disaster risk reduction, is not being taken either. Habitats have become fragmented and disturbed, resulting in poor ecosystem functioning and ecological connections.

Water pollution as a result of illegal waste disposal, the discharge of untreated grey water, chemicals from agricultural practices and excessive water abstraction, has caused damage to the river systems.

PART B: STATEMENT OF VISION

Part B includes the vision, principles, change tools and nodal positioning strategies as informants in developing scenarios and creating a preferred growth-and-development path. *This statement of vision is confirmation of previous work contained in the UDS.*¹⁰⁰

Methodology (in brief):

Part A

- State the purpose of this study
- Consider legislative and policy context
- Report on the current urban residential scene

Part B

- Confirm and apply UDS statement of vision

Part C

- Confirm and apply UDS growth-and-development paths, i.e.
 - Three economic-growth scenarios
 - Forecast demand for residential land by 2036 and cumulative net (and gross) demand for residential land by scenario (municipality-wide)
 - Allocations of scenario-based growth in demand for residential land by type and by node
 - Application of the placemaker model to quantify the funds-flow outcome by scenario and by node (relevant to the provision of housing)

Part D

- Confirm and apply UDS guidelines to steer the implementation of growth-and-development paths within a node — e.g. apply designated land-development area(s) and associated housing guidelines
- Review and consolidate housing supply by government

7 VISION

We mentioned that the Integrated Development Plan is the primary directive for governance at local level and that the IHSP serves as an issue-specific informant. The IHSP must therefore contribute to the realisation of a shared vision.

The (broad) shared vision titled *Valley of Opportunity and Innovation* is a declaration in the Stellenbosch Municipal **Integrated Development Plan (2017–2022)** of what it aims to achieve within the Stellenbosch municipal area. This vision is supported by the following five strategic focus areas, that is, 'how to get there':

1. Valley of possibility:
 - Involving three broad dimensions: provision of services, the internal working of the municipality, and efficient infrastructure and services.
2. Green and sustainable valley:
 - Involving three broad dimensions: ecology, economy and spatial elements.
3. Safe Valley:
 - Ensuring safety, law-abiding behaviour and cleanliness.
4. Dignified living:
 - Associated with access to shelter, sufficient choice in housing opportunity for different income groups and ethical administration of municipal housing.
5. Good governance and compliance:
 - Associated with appropriate policy- and decision-making structures, careful planning for the long and short term, synergy between the work of the political and administrative spheres of government, monitoring of processes and procedures, a skilled and customer-focused administration, regular performance management, and a sound financial basis.

In support of this shared vision and strategic focus areas, the following vision for urban growth and development over the next 20 years is confirmed in this study:

¹⁰⁰ Draft *Urban Development Strategy* completed by Rode in November 2017 as third project deliverable.

'Compact, inclusive, sustainable and transformed towns'

This vision is a slightly amended version of the spatial vision presented in the Shaping Stellenbosch project.¹⁰¹

As is evident from the previous chapters, government in general, and the Stellenbosch Municipality in particular, face numerous challenges in achieving this vision. However, as explained in **Part C**, the municipality is now in a position to adopt a specific growth-and-development path to effect change in the urban areas of Stellenbosch Municipality. The path is based on a positioning strategy that **reflects the market's preference for a certain land-use** in a specific location, and by implication, shaping public- and private-sector investment in concert with mutual long-term interests. **Importantly, the vision is supported by designating land-development areas where growth and investment is preferred.**

To facilitate the required change, the IHSP endorses the following interrelated concepts (or objectives) of the vision, which are also associated with the designated land-development areas:¹⁰²

Compact town: A high-quality, high-performance, dense, mixed-use, connected and transit-oriented urban environment supported by appropriate land-use-management policies and instruments.

Inclusive town: An urban environment where areas experiencing specific development pressure receive a high priority with respect to service delivery and to redress past development imbalances.

Sustainable town: An urban environment where natural ecosystems are restored and service delivery focuses on being viable, cost-effective and resource-efficient.

Transformed town: An urban environment where co-investment in 'ideal' land-uses at 'ideal' locations delivers optimum returns with respect to the local economy, society and the environment.

8 DEVELOPMENT PRINCIPLES

The Housing Act, 1997 (Act 107 of 1997) lays down general principles that apply to the development of housing by government. In addition, the IHSP is, as is the UDS, structured around the following five development principles as set out in the Spatial Planning and Land Use Management Act, 2013 (SPLUMA):

- a. Spatial justice
- b. Spatial sustainability
- c. Spatial resilience
- d. Efficiency
- e. Good administration

Thus, when considering any decision regarding the development or use of land, decision-takers should consider and weigh up these principles. However, SPLUMA does not translate the development principles into quantifiable outcomes — nor does any other act. There are also no guidelines to express how these development principles may be interpreted and applied.

¹⁰¹ *Stellenbosch Town Spatial Development Framework* (SPLUMA compliant; draft), May 2016 and *Stellenbosch Quo Vadis*, August 2014.

¹⁰² Based largely on descriptions of these concepts in the *Stellenbosch Town Spatial Development Framework* (SPLUMA compliant; draft), May 2016 and Integrated Urban Development Framework, 2016.

In the following section, we provide our understanding of each of the development principles. Note that these principles are not structured in any specific order of importance or prioritised against any specific outcome.

The principle of *spatial justice* must be achieved by redressing past spatial and other development imbalances, for example, by improving access, ownership and use of land. Spatial justice must prevail in decision-making, whereby, for example, a Municipal Planning Tribunal, considering an application, may not be impeded or restricted in the exercise of its discretion solely on the grounds that the value of nearby land or property is affected by the outcome of the application. This is an example of a statutory imperative that could be used to address spatial imbalances.

The development and use of land must be within the fiscal, institutional and administrative means of the Republic and it must be *spatially sustainable*, resulting in communities that are 'viable'. **Sustainability of land development must be entrenched in the spatial planning and land-use management systems.** This implies the following considerations:

- Protection of prime and unique agricultural land
- Consistency with environmental management instruments
- Promote and stimulate the effective and equitable functioning of land markets
- Consider the current and future costs to all parties for the provision of infrastructure and social services
- Promote land development in locations that are sustainable and limit urban sprawl

The principle of *efficiency* demands (a) the optimum use of resources and infrastructure and (b) procedural efficiency in decision-making. The latter refers to an efficient and streamlined process and adherence to timelines by all parties.

The principle of *spatial resilience* requires the elements of the system to be flexible enough to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. Note that this principle is not unpacked in any specific detail like the other four and, hence, would be difficult to consider and weigh-up in decision-making.

The final development principle applicable to the application of the spatial-planning and land-use management system is the principle of *good administration*. In this regard, the application of the system must represent an integrated and transparent approach involving all spheres of government and the public.

9 CHANGE TOOLS

The following tools that could potentially drive change as part of a specific growth-and-development path were identified:

- Integrate urban planning, e.g. to facilitate co-investment by the public- and private-sector in 'ideal' land-uses at 'ideal' locations delivering optimum returns.
- Integrate transport modes, including its management.
- Promote, where practicable, greater socio-economic integration of human settlements.
- Steer appropriate land use and expected land development (in accordance with the spatial vision and interrelated concepts, but without gratuitously inhibiting private-sector development).
- Facilitate economic development, e.g. the elimination of infrastructural constraints.
- Efficient allocation of municipal resources.

These change tools can form the basis of effecting the vision for urban growth and development.

10 STRATEGY DEVELOPMENT

The section below includes the nodal positioning strategies that informed the development of the preferred 20-year growth-and-development path. This part of the work is addressed by node and by using a number of key directives.

10.1 STELLENBOSCH (TOWN)

Town hierarchy

- In a provincial study, the town of Stellenbosch is placed as having the third highest growth potential of all towns in the province (after Paarl and George, excluding the City of Cape Town).¹⁰³
- Previous reference to a long-term goal for the town placed emphasis on building a green economy and being innovative in finding new technologies in the energy, waste, water and sanitation sectors and in managing traffic and mobility.¹⁰⁴
- **It is also stated that Stellenbosch (Town) 'could well become** the gravitational centre of the knowledge revolution that is required if South Africa is to transcend its dependence on mature resource- and energy-intensive industries'.¹⁰⁵

Key strengths (as competitive and/or comparative advantages)

- University town
- High standard of living and access to facilities (social amenities within walkable distances)
- Predictable land market and positive investor sentiment
- Preferred location for company head offices
- Diversified economy
- Considerable human and social capital
- Efficient and stable municipal administration
- High levels of municipal services and infrastructure in most neighbourhoods
- Unique scenic and historic character and value
- Strong linkages with rural economy
- Regional presence in the Cape Winelands district
- Low vulnerability to climate impacts

Key constraints

- Segregation along socio-economic class lines
- The expected doubling of the number of households in 2011 by 2031
- High population densities (people/ha) in certain areas
- Too few housing options (affordability, shortages and backlogs)
- Infrastructure capacity backlogs and sustainability of water supply system
- Traffic congestion and lack of parking in central business and University campus areas
- High house prices (presumably because of inelastic supply of land)
- Time-consuming processes to unlock land for development
- High potential agricultural land in and around town
- High percentage of all households earning less than R3500 per month (as in 2011)
- Limited access to opportunities, especially for the youth
- Urban activities threatening local ecosystems
- Safety concerns

Positioning strategy

¹⁰³ Western Cape Government, *Growth Potential Study*, 2014.

¹⁰⁴ Loots, R., Sebitosi, B and Swilling, M., 2012. *Sustainable Stellenbosch – Opening Dialogues*, SUN Press, 2012, p. xi.

¹⁰⁵ *ibid.*, p. 8.

Stellenbosch (Town) to facilitate a services-oriented economy in the urban area.

Development strategy

Facilitate complementary and supplementary land uses, viz. residential, commercial and a low-key industrial component aligned to, and focused on, tertiary-sector economic activity.

Growth trajectory

The growth trajectory (the mathematical curve that development investment could follow) is impossible to forecast, but for purposes of estimating the future need for infrastructure, we opted for a *progressive growth trajectory*. This implies exponential growth over a period of time, where after a saturation point is reached tapering off significantly thereafter to flatten out over the latter period of the assessment period.

Opting for a *progressive growth trajectory*, we label Stellenbosch (Town) a first-tier priority-investment area.

Alignment strategy

Strengthening cluster development initiatives in the tertiary sector to forge agglomeration benefits and reduce production costs (that is, transaction costs) through complementary and supplementary land-use options (residential and commercial in particular), innovation and transfer of knowledge.

10.2 FRANSCHHOEK

Town hierarchy

- In a provincial study, the town of Franschhoek is placed as having the 28th highest growth potential of all towns in the province (excluding the City of Cape Town).¹⁰⁶

Key strengths (as competitive and/or comparative advantages)

- High standard of living and access to opportunities and facilities (social amenities within walkable distances)
- Predictable land market
- Preferred location as tourism destination (particularly day visitors);
- Efficient and stable municipal administration
- High levels of municipal services and infrastructure in most neighbourhoods
- Unique scenic and historic character
- Strong linkages with rural economy

Key constraints

- Non-diversified economy
- Segregation along socio-economic class lines (vast differences between Groendal/Langrug and Franschhoek)
- Very high population densities (people/ha) in Groendal/Langrug in comparison to the rest of the town
- Doubling of the number of households as in 2011 by 2031
- Too few housing options (affordability, shortages and backlogs)
- Infrastructure backlogs and sustainability of water-supply system
- Main road through town centre
- High house prices (presumably because of inelastic supply of land)
- Time-consuming processes to unlock land for development

¹⁰⁶ Western Cape Government, *Growth Potential Study*, 2014.

- High-potential agricultural land in and around town
- High percentage of all households earning less than R3500 per month (as in 2011)
- Limited access to opportunities, especially for the youth
- Urban activities threatening local ecosystems
- High vulnerability to climate impacts

Positioning strategy

Franschhoek is to further its services-orientated economy, driven by tourism in particular.

Development strategy

Facilitate the establishment of land uses complementary to the tertiary-sector-focused economy, viz. residential and commercial developments.

Growth trajectory

The growth trajectory (the mathematical curve that development investment could follow) is impossible to forecast, but for purposes of estimating the future need for infrastructure, we opted for a *constrained growth trajectory*. This implies starting from a very low base of development that remains so for some time. Thereafter, development increases steadily to reflect a linear growth pattern, but declines sharply after reaching a pinnacle. This could represent a period of low activity followed by a boom in the property development.

Opting for a *constrained growth trajectory*, we label Franschhoek a third-tier priority-investment area.

Alignment strategy

Strengthening cluster development initiatives in the tertiary sector to forge agglomeration benefits and reduce production costs (transaction costs) through complementary and supplementary land-use options (residential and commercial in particular) that aligns with Stellenbosch (Town) as a linked tourism destination, which in turn offer tourists more to see and do.

10.3 KLAPMUTS

Town hierarchy

- The town of Klapmuts is placed as having the 51st highest growth potential of all towns in the province (excluding the City of Cape Town).¹⁰⁷ With our present knowledge, this 2014 ranking may prove to be conservative.

Key strengths (as competitive or comparative advantages)¹⁰⁸

- It offers an opportunity to develop into a regional industrial node based on its location, its existing land-use mix and standard of transport infrastructure
- Employment proximity
- Developable land (including the possibility of a future Stellenbosch University satellite campus)
- Gateway to Stellenbosch and Franschhoek winelands
- Acceptable standard of living and access to facilities (social amenities within walkable distances)
- Efficient and stable municipal administration

¹⁰⁷ Western Cape Government, *Growth Potential Study*, 2014.

¹⁰⁸ Some of these key strengths were identified in the study, *Klapmuts Special Development Area* (Draft Report), June 2017.

- High levels of municipal services and infrastructure

Key constraints

- Functional area spans a municipal boundary
- The growth path will be influenced by sub-regional growth and development
- Currently, a stagnant local economy and weak local business-investment climate
- Lowly-skilled workforce, mainly working in agricultural sector
- Limited access to work, education and training opportunities
- Almost doubling of the number of households as in 2011 by 2031
- Few housing options (affordability, shortages and backlogs)
- Infrastructure backlogs and sustainability of water-supply system
- Time consuming processes to unlock land for development
- High percentage of all households earning less than R3500 per month (as in 2011)
- Limited access to opportunities for youth
- Urban activities threatening local ecosystems
- Very high vulnerability to climate impacts

Positioning strategy

Klapmuts to provide for secondary-sector-orientated offerings, driven mainly by manufacturing as subsector activity.

Development strategy

Facilitate complementary and supplementary land uses, viz. industrial and residential to focused secondary-sector economic activity. Prioritise development that aligns with this product.

Growth trajectory

The growth trajectory (the mathematical curve that development investment could follow) is impossible to forecast, but for purposes of estimating the future need for infrastructure, we opted for a *sustainable growth trajectory*. This indicates a level of development that is relatively constant for the foreseeable future where after a significant increase (spike) occurs, which is short-lived with a strong tapering-off trend.

Opting for a *sustainable growth trajectory*, we label Klapmuts as a second-tier priority-investment area.

Alignment strategy

Promote cluster-development initiatives in the secondary sector to forge agglomeration benefits and reduce production costs (transaction costs) through complementary and supplementary land-use options (residential and commercial in particular). Liaise with Drakenstein municipality.

10.4 OTHER SETTLEMENTS¹⁰⁹

Areas that are experiencing specific development pressure where incremental approaches to development, regulation and maintenance and upgrading of infrastructure will be considered to accommodate natural progression.

¹⁰⁹ 'Other' settlement areas include the settlement areas of Dwarsrivier, Wemmershoek, La Motte, Groot Drakenstein, Raithby, Vlottenburg, Koelenhof, Lynedoch and Muldersvlei. The settlement area of Jonkershoek is also included under this term in the Integrated Human Settlement Plan.

PART C: SCENARIO DEVELOPMENT

The key elements of an (urban) growth-and-development path are addressed in **Part C** and **Part D** of this report. These are the 'how much', the 'what type' and the 'when' (fully determined by the market, excluding housing for the indigent) and the 'where' (partially determined by the market). The 'how much', the 'what type' and the 'when' of *land development* are referred to as the 'growth-path' in this report, the 'where' refers to the preferred growth areas.

We calculated the demand forecasts in square metres in order to be similar to the measurements used in calculating development contributions (DCs). Residential allocations are converted to number of units to align with the DC classification.

Part C is copied from previous work contained in the UDS with the focus on residential land development.

Methodology (in brief):

Part A

- State the purpose of this study
- Consider legislative and policy context
- Report on the current urban residential scene

Part B

- Confirm and apply UDS statement of vision

Part C

- Confirm and apply UDS growth-and-development paths, i.e.
 - Three economic-growth scenarios
 - Forecast demand for residential land by 2036 and cumulative net (and gross) demand for residential land by scenario (municipality-wide)
 - Allocations of scenario-based growth in demand for residential land by type and by node
 - Application of the placemaker model to quantify the funds-flow outcome by scenario and by node (relevant to the provision of housing)

Part D

- Confirm and apply UDS guidelines to steer the implementation of growth-and-development paths within a node — e.g. apply designated land-development area(s) and associated housing guidelines
- Review and consolidate housing supply by government

11. FORECAST OF LAND TAKE-UP BY NODE AND LAND-USE

11.1 DEVELOPMENT OF THREE ECONOMIC-GROWTH SCENARIOS

We forecast the demand for developable land by typology as informant to setting growth-and-development paths.¹¹⁰ The demand for land is significantly influenced by growth in the national and local economies, and hence, we did this by constructing three economic-growth scenarios. The three scenarios are:

- The **Business-as-usual** scenario is a mechanistic line-of-best-fit extrapolation over a 20-year period (2016–2036) of historic demand in Stellenbosch Municipality (1996–2015). This scenario implies the historic growth rate will be maintained, even though the country's economy might decelerate. This scenario is quite likely in light of the popularity of the Western Cape in general and Stellenbosch in particular.
- The **Consensus** scenario is based on the opinions of a panel of economists whom Rode polls every six months (the last survey was in December 2016, but the 6-monthly update became available in August – too late for inclusion in our forecasts for this study. In effect, the panel's Consensus forecast represents a low-growth scenario, compared with the average post-WWII GDP growth (which was 3–3½% p.a.).
- The **Junk** scenario is in effect a very-low-growth macroeconomic scenario, constructed by Rode in December 2016. As the tag implies, it assumes a worsening political and economic environment over the forecast period.

¹¹⁰ Developable land means the land has a realistic potential of acquiring development rights. It includes 'brownfields' and 'greenfields' development.

In both the **Consensus** and **Junk** scenarios, the macroeconomic forecasts serve as inputs to our econometric property models. For instance, the models capture the historic relationship between the square metreage of buildings completed and macroeconomic variables such as *real* GDP and interest rates.

These scenario-based models we used to forecast demand for land over the forecast period 2016 to 2021. From 2022 onwards, we used the long-term trend in square metreage completed to extrapolate demand to the end of the forecast period, viz. 2036.

In most instances, it is acceptable to use the square metreage of a typology completed (supply) as a proxy for demand, as vacancies are generally so small that new supply can be assumed to equal growth in demand.

11.2 HISTORIC RESIDENTIAL DEMAND

The method we used to calculate historic residential demand is explained in **Table C1**.

Table C1 How historic municipality-wide growth in residential demand was calculated
Indigent houses <80 m ² : historic supply (2005/2006–2015/2016)
Indigent houses <80 m ² : conservative need estimate for 2016
Non-indigent houses <80 m ² (gap/affordable): the relationship between property values and household income (2016)
Non-indigent houses >80 m ² : m ² of buildings completed (1996–2015)
Flats/townhouses: m ² of buildings completed (1996–2015)

We estimated residential demand (municipality-wide) for four distinct housing typologies, viz. *indigent housing* (the lowest house-price class, including 'give-away' houses), *non-indigent houses <80 m²* (the gap/affordable house-price bands),¹¹¹ *non-indigent houses >80 m²* (middle to luxury house-price bands)¹¹² and *flats/townhouses* (associated with all price bands).

Housing for the indigent

The social need¹¹³ for *houses <80 m²* we calculated by using Census 2011 data (e.g. type of dwelling, overcrowding) and the provincial housing-'demand' database.¹¹⁴ This provided a conservative need estimate of **11 618** houses for 2016, which includes the housing backlog at the time. We also estimated the historic annual net take-up of *land* for the indigent (*houses <80 m²*) between 2005/2006 and 2015/2016.¹¹⁵

Houses <80 m² for the non-indigent

¹¹¹ House-price bands associated with household incomes between R3500 and R25 000 per month and property values between R160 000 and R580 000.

¹¹² House-price bands associated with household incomes more than R25 000 per month and property values more than R580 000.

¹¹³ Many sources erroneously refer to 'demand' when they mean 'social need'. 'Demand' is an economic concept that implies that the consumer has the financial wherewithal to afford that which he or she 'demands'.

¹¹⁴ The Stellenbosch municipality has put out on tender (advertised on 29 May 2018) the procurement of services for the development, maintenance and support of an online housing demand database system and mobile application system to be hosted within the municipality's datacentre.

¹¹⁵ We estimated the historic annual net land take-up by dividing the annual budget spent over this period by the cost of R155 000 per unit and by multiplying this number by 120 as the square metreage of a single residential erf.

We estimated the demand for houses $<80\text{ m}^2$ associated with the gap/affordable house-price band by considering the relationship between property values¹¹⁶ and household income.¹¹⁷ This was done by comparing the number of properties in the house-price classes (R160 000–R300 000 and R300 000–R580 000) with the number of households in the corresponding income brackets, i.e. between R3 501 and R25 000. This provided a 2016 unfulfilled demand of **15 042** houses.

Non-indigent houses $>80\text{ m}^2$

We used Stats SA data on buildings completed to estimate the municipality-wide historic demand for *houses* $>80\text{ m}^2$ and *flats/townhouses*. The analysis period of residential square metreage completed in the Stellenbosch municipal area was 1996–2015.

The *annual* average square metreage¹¹⁸ delivered to the market between 1996 and 2015 for the following typologies are:

- Houses $>80\text{ m}^2$: 35 000 m^2
- Flats/townhouses: 12 000 m^2

Note that the analysis period 1996–2015 covers an exceptional boom and an exceptional slow-down. Thus, one hopes the annual average is representative of typical take-up.

11.3 FORECAST OF RESIDENTIAL DEMAND BY SCENARIO

Table C2 is a summary of how we forecast demand for residential land uses up to 2036.

Table C2 Forecast method of residential demand until 2036			
	Business-as-usual	Consensus	Junk
Houses $<80\text{ m}^2$ for the indigent	Extrapolate historic supply (2005/2006-2015/2016)	Apply population growth rates to conservative need estimate (2016)	Apply population growth rates to conservative need estimate (2016)
Houses $<80\text{ m}^2$ for the non-indigent (gap/affordable)	Apply population growth rates to demand estimate for 2016	Apply population growth rates to demand estimate for 2016	Apply population growth rates to demand estimate for 2016
Houses $>80\text{ m}^2$ for the non-indigent	Extrapolate historic demand (1996-2015)	Use econometric modelling (2016-2021) and extrapolate	Use econometric modelling (2016-2021) and extrapolate
Flats/townhouses	Extrapolate historic demand (1996-2015)	Use econometric modelling (2016-2021) and extrapolate	Use econometric modelling (2016-2021) and extrapolate

Housing for the indigent

We estimated the future social need for houses, municipality-wide, in the 'give-away' bracket by using the conservative estimate of 11 618 units in 2016, and, thereafter, by applying population growth rates to this base figure.

The forecast we expressed in 5-year increments, resulting in an estimated unfulfilled need of 17 847 houses by 2036, assuming that no houses for the indigent will be built between 2016 and 2036. Put differently, in an ideal world, in order to wipe out the 2016 backlog of 11 618

¹¹⁶ Using the 2016 municipal valuation roll.

¹¹⁷ Household incomes for 2016 were determined by applying the growth in the Consumer Price Index (CPI) to the 2011 household income, i.e. the nominal household incomes of 2011 were adjusted to 2016 values.

¹¹⁸ 'Construction' areas, as defined by Sapoa (i.e. it includes non-rentable areas like lift wells and staircases). Put differently, it is the area of the building envelope times the number of storeys (where all the storeys are of the same size).

and to cater for the growing need, 17 847 units for the indigent need to be built between 2016 and 2036.

This need forecast applies to both the **Consensus** and **Junk** scenarios. Note that the estimated backlog of need in 2016 (and its associated required net land extent) *is significantly, but predictably, higher* than the total of 1891 houses actually provided by government over the 10-year period ended 2015/16 that we used in the **Business-as-usual** scenario.

In the latter scenario, we assumed, the insufficient new supply of housing for the indigent over the decade ended 2015/16 will persist. Thus, we fitted a linear regression line through the historic annual net land take-up for give-away houses <80 m². This long-term trend line was then used to estimate the likely delivery of houses <80 m² for the indigent for the period 2016 to 2036. This mechanistic forecast method assumes that, over the forecast period, the supply will continue to grow at the growth rate implied by the fitted linear trend line. The method estimates a cumulative addition to the inventory of 7805 houses (or an additional net land demand of 936 658 m²) by the year 2036.

Houses for the non-indigent <80 m²

For all three scenarios, we used a method similar to the way we extrapolated the need for housing for the indigent.

We estimate that in 2016 there was a deficit of houses in this category of 15 042. We extrapolated this base figure by applying population growth rates. In this way, we estimate a cumulative backlog of **23 106** houses by 2036, assuming no new supply is added over this period. However, in light of our low-path macroeconomic forecasts, it is unlikely that all of this latent demand of 23 106 units will actually be converted to effective demand.¹¹⁹

Houses for the non-indigent >80 m² and flats/townhouses

Under the **Business-as-usual** scenario, we fitted linear regression lines through the historic data for the square metreage of completed flats/townhouses and houses >80 m². We then used these long-term trend lines to extrapolate the demand for these property types for the period 2016 to 2036. This mechanistic forecast method assumes that over the forecast period demand will continue to grow at the constant growth rate implied by the fitted linear trend lines. Put differently, the method assumes growth in the demand for space is impervious to the economy.

For the **Consensus** and **Junk** scenarios, we constructed econometric models to capture the historic relationship between the square metreage of completed flats/townhouses and dwellings >80 m² on the one hand and on the other macroeconomic variables such as *real* GDP and interest rates. We used the models to forecast demand for these property types for the period 2016 to 2021. For the forecasts beyond 2021, we used the long-term trend in completed flats/townhouses and houses >80 m² to extrapolate these trends until the end of the forecast period.

Note that the new-demand forecast until 2021 (in terms of the macro-economic **Consensus** and **Junk** scenarios) for houses >80 m² and flats/townhouses is subject to the inherent assumption that historically there has been enough developable land available in the municipal area; in other words, we assume there was no land-supply constraint on take-up. If this were not the case, the model's forecast would be too low compared to the potential future demand.

11.4 DETERMINING THE NET AND GROSS TAKE-UP OF RESIDENTIAL LAND

The next step was to convert the forecast demand for built space (measured in square metres) into a prognosticated net demand for residential land specific to each scenario. We

¹¹⁹ Effective demand is demand that the consumer can actually afford.

calculated the net demand in both the **Consensus** and **Junk** scenarios based on achieving residential densities higher than the norm.¹²⁰ The **Business-as-usual** scenario is based on continued low-density sprawled growth.¹²¹

5-year forecast

In **Table C3**, we provide the **net demand for residential land**¹²² in the *municipal area* over a 5-year forecast period (2016 to 2021). Excluded from this table is gap/affordable houses and below and non-residential land. This forecast is based on the macroeconomic Consensus scenario.

Table C3				
Take-up forecast 2016-2021				
Consensus scenario				
Type	Annual (square metres)			Cumulative required <i>net</i> land extent 2016–2021 (m ²)
	Demand (bulk m ²)	Required footprint	Required net land extent	
Flats/townhouses	16 394	6 011	12 023	72 138
Houses (>80 m ²)	24 908	n/a	47 900	287 402

With respect to the Consensus scenario, we calculated the annual net demand for land extents for the various typologies as follows:

- Flats: Bulk ÷3 (three storeys) x 1,1 x 2 (assuming 50% coverage, which includes provision for parking).
- Houses >80 m²: Total footprint x 1,92 (ratio of average erf size [500 m²] to average house size [260 m²]).

Note that the above calculations of *future required* residential land extent assume the demand for and supply of such land is currently in equilibrium, i.e. there is no significant pent-up demand (demand that cannot be satisfied because of a shortage of developable land). However, note that 'equilibrium' would implicitly assume that a proportion of developable land is permanently vacant and available for development in order to prevent pent-up demand developing (for residential and non-residential land) – we can call this the iron inventory of vacant land. This concept is analogous to an iron inventory of a retail business (or any business that has to keep inventory), viz. a required minimum stock level in order to prevent the business running out of stock from time to time. What exactly this iron vacancy of developable land for a municipality is or should be we do not know.

Table C4 shows the required net land extent to accommodate the estimated need for houses in the gap/affordable-and-below house-price band in the *municipal area* in 2021. We considered the 2021 need estimates for houses <80 m² based on the 2016 estimates as base figure and applying population growth rates. We calculated the net land extent as follows:

- Houses <80 m²: Total net land extent required = number of units x 75 m² erven.

Table C4
Estimated growth in demand in municipal area
Gap/affordable housing and below
Consensus scenario
2016-2021

¹²⁰ We used an erf size of 75 m² for houses <80 m² and 500 m² for houses >80 m².

¹²¹ We used an erf size of 120 m² for houses <80 m² and 700 m² for houses >80 m².

¹²² Net demand excludes common areas like streets, public/private open space, etc.

Type	No. of new units required by 2021	Erf size (m ²)	Cumulative net land extent required by 2021 (m ²)
Houses for indigent (<80 m ²)	13 231	75	992 325
Houses for non-indigent (<80 m ²)	17 130	75	1 284 750
Total	30 361	-	2 277 075

Note that if the backlog of houses <80 m² is not reduced, the unsatisfied need/demand for land would be 2 277 075 m² (228 ha) by 2021. The figure is cumulative and assumes no new supply will be added between 2016 and 2021.

The cumulative net land extent required in 2021 for the residential property categories mentioned in **Tables C3** and **C4** is 2 636 615 m² (263 ha). The **gross land extent required** associated with residential development is 5 273 230 m² (527 ha). This land extent includes 'other' urban land uses (like streets, public open space, etc.) and is determined by doubling¹²³ the land extent required for the categories mentioned in **Table C2**.

20-year forecast

We also converted the forecast demand for residential space and units and non-residential space into a longer-term prognosticated net demand for land specific to each of the three scenarios (measured in square metres).

We provide in **Table C5** the **net demand for land** by typology in the *municipal area* based on the **Business-as-usual**, **Consensus** and **Junk-rating** scenarios. The forecast period is 20 years, i.e. 2016 to 2036. The **gross** demand for land in 2036 (including all urban land uses) we estimated by **doubling** the sum total of the residential and non-residential typologies listed in **Table C5**.

We differentiated between the net land extent required for indigent and for gap/affordable housing in the **Consensus** and **Junk** scenarios by adding 10% (used in the **Consensus** scenario) and subtracting 10% (used in the **Junk** scenario) from the respective 2036 demand estimates (as base figure).

Also, note that we had to determine the number of flats and townhouses separately because different development contributions apply. In this regard, we allocated a share of 86% of the total net land extent required for flats/townhouse in 2036 to flats based on their share of historic demand. The number of flats required was determined by dividing this figure by 78, which is the average size (m²) of flats completed between 1996 and 2015. The number of townhouses was determined by dividing the remaining share of the net land extent required in 2036 by 200, which is the average size (m²) of townhouses completed between 1996 and 2015.

The estimated total cumulative gross land area required by scenario for development in the municipal area in 2036 is listed in **Table C5** (*including non-residential land*). To convert net to gross land area, we doubled the net land extents to accommodate the remaining urban land uses ('infrastructure areas' like streets, public open space, etc.) not mentioned in **Table C5**.

Tables C3 and C4 reflect the cumulative supply under the Consensus scenario that will be required to satisfy forecast demand by 2021, whereas **Table C5** show the forecast under the three scenarios until 2036.

¹²³ The factor of 2 was calculated by using the GIS "union" overlay method. It shows that 'other' urban land uses (like streets, public open space, etc.) cover about 49% of the built-up area within the urban edge of Franschhoek, 68% in Klapmuts and 65% in Stellenbosch (Town). In addition, the UN Habitat programme promotes the allocation of at least 50% of land to streets and public space at a neighbourhood scale.

Table C5
Demand/need forecast by scenario in the municipal area
by 2036

Type	Business-as-usual		Consensus		Junk	
	No. of units required	Cumulative net land extent required (m ²)	No. of units required	Cumulative net land extent required (m ²)	No. of units required	Cumulative net land extent required (m ²)
Indigent houses <80 m ²	7 805	936 658	19 631	1 472 341	16 062	1 204 643
Non-indigent houses <80 m ²	23 106	2 772 745	25 417	1 906 262	20 796	1 559 669
Non-indigent houses >80 m ²	3 057	2 139 739	2 018	1 009 128	1 117	558 739
Flats	2 886	261 739	3 220	292 031	2 370	214 964
Townhouses	183		204		150	
Retail	-	152 065	-	60 035	-	32 425
Industrial	-	314 838	-	122 902	-	76 198
Office	-	115 806	-	115 806	-	57 903
Sub-total (top-structure improvements)	-	6 693 590	-	4 978 506	-	3 704 541
Infrastructure area	-	6 693 590	-	4 978 506	-	3 704 541
Total gross land area required	-	13 387 180	-	9 957 012	-	7 409 081

There are notable differences in net land extent required (in m²) *by typology and by scenario*. The most notable is the land extent required to accommodate housing for the indigent and houses larger than 80 m². The net land extent required for housing for the indigent in the **Consensus** and **Junk** scenarios is significantly more than the extent required in the **Business-as-usual** scenario — even at higher residential densities. This is because demand in the **Consensus** and **Junk** scenarios is based on eradicating backlogs and addressing future need, whereas the land extent required in the other scenario is based on **historic supply of housing for the indigent by government** – a figure that is indicative of the past insufficient new supply of housing for the indigent by government.

The land extent required for houses larger than 80 m² in the **Business-as-usual** scenario is almost four times higher than the equivalent demand under the **Junk** scenario, and about double the demand in the **Consensus** scenario. These lower demand estimates is owing to higher densities and to economic variables not considered in the **Business-as-usual** scenario. Likewise, the **Consensus** and **Junk** scenarios depict much lower demand estimates for retail, industrial and office space than the **Business-as-usual** scenario.

11.5 ALLOCATING THE DEMAND FOR LAND TO NODES BY LAND-USE

Up to now, all calculations were done in respect of demand/need for all the urban areas *combined* – that is, in the municipality as a whole.¹²⁴ The next step is to allocate our forecasts to the various nodes with a view to where the Municipality should spend on

¹²⁴ We were forced to do our forecasts for the municipality as a whole because the Municipality does not compile statistics for the various nodes separately. This is a great pity, and could easily be rectified.

infrastructure and where extra developable land must be 'provided' for. The nodes are Stellenbosch (Town), Franschhoek, Klapmuts and 'Other' settlement areas.¹²⁵

Currently, there is some spare infrastructure capacity and a surplus of developable land within the urban edges of the nodes, but these we assume away — *for now*. Thus, the allocation formula discussed below, is based on a normalised¹²⁶ situation with respect to infrastructure and the stock of developable bulk, viz. we assume these are in equilibrium.

11.5.1 Allocation based on historic land take-up

We considered allocating the growth in demand for land to the various nodes based on their proportional historic land take-up (historic analysis period 2000–2015). **Table C6** shows the historic land take-up by node over the analysis period. We notice that Stellenbosch (Town) is dominant with 60% of the gross land take-up (all land-uses combined). The 10% share of Klapmuts is not insignificant. However, we decided against using this method as we expect the split of land-uses between the nodes will change in future and that such an apportionment would not reflect the market's preference for a certain land type in a specific location.

Town/settlement	Land take-up (ha)	Percentage share (rounded to 10)
Stellenbosch (Town)	271	60%
Franschhoek	82	20%
Klapmuts	56	10%
Other	72	10%
Total	481	100%

11.5.2 The hub-and-spoke approach

We use the hub-and-spoke approach to designate nodes for a focused economic activity (albeit with complementary and supplementary land uses) to emphasise a specific land-utilisation outcome (see **Figure C1**).

Being a type of economic agglomeration, clusters are formed by firms that conduct activities in the same field and in which innovation is an important force that fuels the competition and **the firm's development (Porter, 1998; Krugman, 1991)**. Based on the role of different cluster members and the interaction between them, we focus on the hub-and-spoke cluster model as a preferred model for Stellenbosch. Applied to the Stellenbosch economy, the town of Stellenbosch can be considered as the hub with linkages that are formed along the logical connecting roads to Klapmuts and Franschhoek (as 'primary' nodes) as well as Vlottenburg and Koelenhof. These links can be termed "spokes".

¹²⁵ 'Other' settlement areas include the settlement areas of Dwarsrivier, Wemmershoek, La Motte, Groot Drakenstein, Raithby, Vlottenburg, Koelenhof, Lynedoch and Muldersvlei.

¹²⁶ Normalised because it ignores backlogs and surpluses in infrastructure provision and available stock of developable bulk.

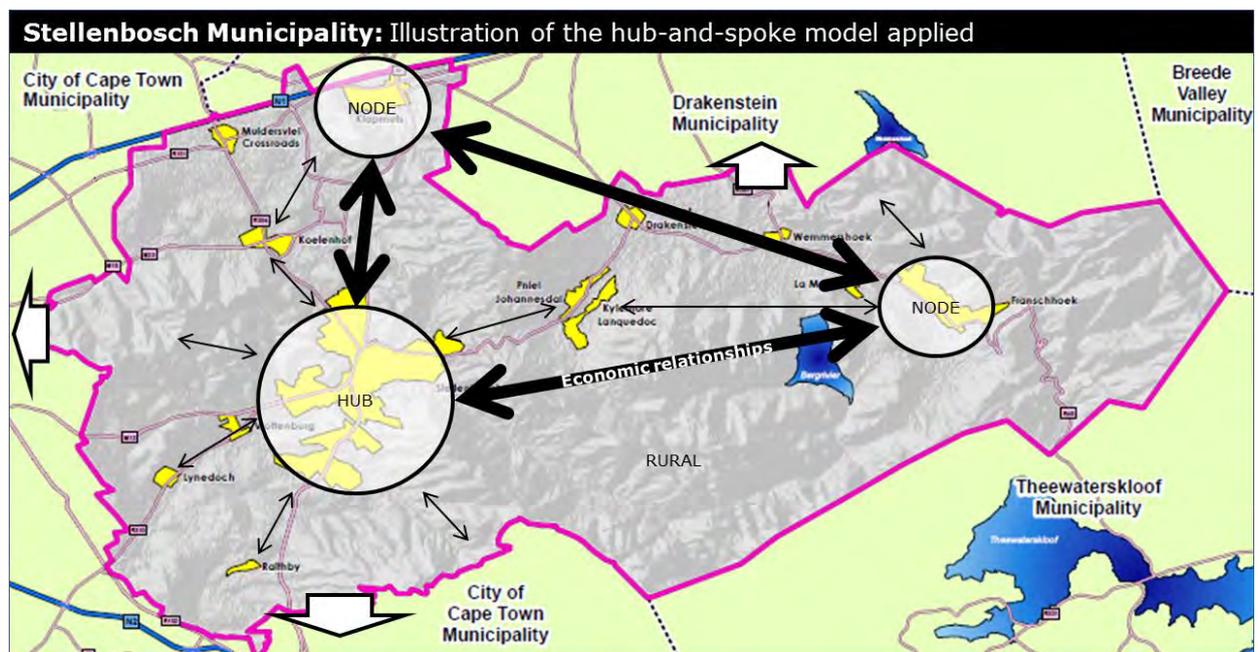


Figure C1: Hub-and-spoke model applied

We use the hub-and-spoke approach with the focus on disaggregating the Stellenbosch economy into geographic areas. Applying the hub-and-spoke model requires certain assumptions and context:

- The "hub" is defined as Stellenbosch (Town).
- "Nodes" are defined as *urban* areas within the larger Stellenbosch municipal area.
- "Rural area" is defined as the rest of the municipal area not included in the "hub" or specified "nodes", but is primarily agricultural area and **associated with a "node" or "hub"**.
- The "nodes" and associated "rural areas" are primarily involved in primary-sector GVA, except the Franschoek "node", which also has tertiary activity and some secondary activity.
- The "hub" is primarily producing GVA in the secondary and tertiary sectors of the economy.

If the assumptions hold as applied, a significant improvement in GVA levels and, therefore, employment will occur in certain geographical areas.

11.5.3 Allocation by using the hub-and-spoke approach

In **Tables C9-C14** below, the allocation of the forecast demand for various land-uses to various nodes is based on currently available market signals; it is not a diktat but an attempt to help the Municipality with planning infrastructure, urban-edge demarcation and zoning decisions.

Table C7 sets out the method used to allocate the municipality-wide growth in demand for land by type and node for all three scenarios, i.e. to **optimally reflect the market's preference** for a certain land-use in a specific location — *based on historic trends*. This 'weighted' allocation by land use and by node, should sum to the total demand for land by scenario across the municipal area (see **Tables C5** and **C8**).

Table C7 **Method of allocating cumulative growth in demand for land by node and typology**

Hub-and-spoke method applied to all three growth scenarios

Type	Method
Houses <80 m ² for the indigent	Use the proportional ratio of the estimated housing need for the indigent (by 2031) in Stellenbosch (Town), Franschhoek and Klapmuts. ¹²⁷ We do not allocate any demand for indigent houses to the 'Other' settlements. ¹²⁸
Houses <80 m ² for the non-indigent	Use the proportional ratio of the number of households by household income in the applicable housing category, i.e. monthly income between R7 501 and R15 000 — split between Stellenbosch (Town), Franschhoek, Klapmuts and other settlements (combined) (based on Census 2011 data).
Houses >80 m ² for non-indigent	The proportional ratio of the number of households by household income in the applicable housing category (bondable and higher priced values), i.e. monthly income above R15 000. Split between Stellenbosch (Town), Franschhoek, Klapmuts and 'Other settlements' based on Census 2011 data. ¹²⁹
Flats/townhouses	Same as 'houses >80 m ² for non-indigent'
Retail	Same as 'houses >80 m ² for non-indigent'
Industrial	The proportional ratio of GVA contribution in the secondary sector by 'hub' and 'node', viz. Stellenbosch (Town), Franschhoek, Klapmuts and 'Other' (Source: Basic data extracted from Easydata.co.za and own calculations). ¹³⁰
Offices	The proportional ratio of GVA contribution in the tertiary sector by 'hub' and 'node', viz. Stellenbosch (Town), Franschhoek, Klapmuts and 'Other' (Source: Basic data extracted from Easydata.co.za and own calculations). ¹³¹

We allocate our forecasts by land-use based on the 'weighted' allocation described in **Table C7** and by using the hub-and-spoke approach. The focus is, as previously stated, where the Municipality should spend on infrastructure and where extra developable land must be 'provided' for. The allocation was done for Stellenbosch (Town), Franschhoek, Klapmuts and 'Other' settlement areas, and the allocation formula is, as before, based on a normalised situation with respect to infrastructure and the stock of developable land.

Table C8 shows the percentage allocation (weighting) by land type and by node (applicable to all three scenarios).

Table C8 Allocation (as percentages) by node and land-use of cumulative growth in demand for land (m²) by 2036 This nodal split is applied to all three growth scenarios in Tables C9-C14					
Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	56%	35%	9%	-	100%
Houses <80 m ² for non-indigent	73%	9%	4%	14%	100%

¹²⁷ See **Table 77** in the *Socio-economic and Demographic Analysis Report*, February 2017, compiled by Rode.

¹²⁸ We acknowledge the possible need to provide houses for farm workers in some of the 'other settlements'.

¹²⁹ See **Table 23** in *Socio-economic and Demographic Analysis Report*, February 2017.

¹³⁰ We use 2015 data as actual data.

¹³¹ We use 2015 data as actual data.

Houses >80 m ² for non-indigent	85%	6%	1%	8%	100%
Flats/townhouses	85%	6%	1%	8%	100%
Retail	85%	6%	1%	8%	100%
Industrial	64%	7%	4%	25%	100%
Offices	67%	12%	3%	18%	100%

Tables C9, C10 and **C11** show the allocation of the growth in demand for each land-use type to the respective nodes. Each of these tables shows a different scenario.

Table C9
Split by node and land-use
of cumulative growth in demand for land (m²) by 2036

Business-as-usual scenario

Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	524 528	327 830	84 299	-	936 658
Houses <80 m ² for non-indigent	2 024 104	249 547	110 910	388 184	2 772 745
Houses >80 m ² for non-indigent	1 818 778	128 384	21 397	171 179	2 139 739
Flats/townhouses	222 478	15 704	2 617	20 939	261 739
Retail	129 255	9 124	1 521	12 165	152 065
Industrial	201 497	22 039	12 594	78 710	314 838
Office	77 590	13 897	3 474	20 845	115 806
Sub-total (of top-structure improvements)	4 998 230	766 525	236 812	692 022	6 693 590
Infrastructure area	4 998 230	766 525	236 812	692 022	6 693 590
Total gross land area required	9 996 460	1 533 051	473 624	1 384 045	13 387 180

Table C10
Split by node and land-use
of cumulative growth in demand for land (m²) by 2036

Consensus scenario

Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	824 511	515 319	132 511	-	1 472 341
Houses <80 m ² for non-indigent	1 391 572	171 564	76 250	266 877	1 906 262
Houses >80 m ² for non-indigent	857 759	60 548	10 091	80 730	1 009 128
Flats/townhouses	248 226	17 522	2 920	23 362	292 031
Retail	51 030	3 602	600	4 803	60 035
Industrial	78 658	8 603	4 916	30 726	122 902

Offices	77 590	13 897	3 474	20 845	115 806
Sub-total (of top-structure improvements)	3 529 345	791 055	230 763	427 343	4 978 506
Infrastructure area	3 529 345	791 055	230 763	427 343	4 978 506
Total gross land area required	7 058 690	1 582 109	461 527	854 686	9 957 012

Table C11
Split by node and land-use
of cumulative growth in demand for land (m²) by 2036

Junk scenario					
Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	674 600	421 625	108 418	-	1 204 643
Houses <80 m ² for non-indigent	1 138 559	140 370	62 387	218 354	1 559 669
Houses >80 m ² for non-indigent	474 928	33 524	5 587	44 699	558 739
Flats/townhouses	182 720	12 898	2 150	17 197	214 964
Retail	27 561	1 945	324	2 594	32 425
Industrial	48 767	5 334	3 048	19 050	76 198
Office	38 795	6 948	1 737	10 423	57 903
Sub-total (of top-structure improvements)	2 585 929	22 645	183 651	312 316	3 704 541
Infrastructure area	2 585 929	622 645	183 651	312 316	3 704 541
Total gross land area required	5 171 857	1 245 290	367 302	624 632	7 409 081

Tables C12, C13 and C14 show the allocation of the growth in demand for residential units to the respective nodes. Each of these tables shows a different scenario.

Table C12
Split by node and land-use
of cumulative growth in demand for residential units by 2036

Business-as-usual scenario					
Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	4371	2732	702	0	7805
Houses <80 m ² for non-indigent	16868	2080	924	3235	23106
Houses >80 m ² for non-indigent	2598	183	31	245	3057
Flats	2453	173	29	231	2886
Townhouses	156	11	2	15	183
TOTAL	26446	5179	1688	3725	37038

Table C13
Split by node and land-use
of cumulative growth in demand for residential units by 2036

Consensus scenario					
Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	10993	6871	1767	0	19631
Houses <80 m ² for non-indigent	18554	2288	1017	3558	25417
Houses >80 m ² for non-indigent	1716	121	20	161	2018
Flats	2737	193	32	258	3220
Townhouses	173	12	2	16	204
TOTAL	34174	9485	2838	3994	50490

Table C14
Split by node and land-use
of cumulative growth in demand for residential units by 2036

Junk scenario					
Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	8995	5622	1446	0	16062
Houses <80 m ² for non-indigent	15181	1872	832	2911	20796
Houses >80 m ² for non-indigent	950	67	11	89	1117
Flats	2015	142	24	190	2370
Townhouses	128	9	2	12	150
TOTAL	24297	8099	4050	4050	40495

12. DETERMINING GROWTH-AND-DEVELOPMENT PATHS

12.1 READJUSTED ALLOCATION BASED ON NODAL POSITIONING STRATEGIES

In the previous section, we allocated the growth in demand for land by type to the designated nodes in order to reflect market preferences *based on historic trends*. We now re-adjust this allocation (still adopting the hub-and-spoke approach) to reflect an inter-nodal split of land uses *based on the positioning strategy* described in **Part B** of this report. This allocation is also based on a normalised situation with respect to infrastructure and the stock of developable land.

We used the same method as before to allocate the residential and retail land typologies, but amended the method and percentage allocations for the office and industrial typologies (see **Table C15**).

Table C15
Method of allocating cumulative growth in demand for land
by node and typology

Based on the positioning strategy

Hub-and-spoke method applied to all three growth scenarios

Type	Method
Houses <80 m ² for the indigent	Same method used based on historic trends
Houses <80 m ² for non-indigent	Same method used based on historic trends
Houses >80 m ² for non-indigent	Same method used based on historic trends
Flats/townhouses	Same method used based on historic trends
Retail buildings	Same method used based on historic trends
Industrial buildings	Increased the percentage allocation of the cumulative demand to Klapmuts to facilitate complementary and supplementary land uses to the focussed secondary sector economic activity
Office buildings	Increased the percentage allocation of the cumulative demand to Stellenbosch (Town) to facilitate complementary and supplementary land uses to the focussed tertiary sector economic activity

Table C16 shows the percentage allocation by typology and by node for the three economic-growth scenarios based on the positioning strategy, i.e. compared with **Table C8**, it reflects changes to the allocation of the office and industrial land uses.

Table C16
Allocation (as percentages) by node and land-use
of cumulative growth in demand for land (m²) by 2036

Based on the positioning strategy

This nodal split is applied to all three growth scenarios
in Tables C17-C19

Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	56%	35%	9%	-	100%
Houses <80 m ² for non-indigent	73%	9%	4%	14%	100%
Houses >80 m ² for non-indigent	85%	6%	1%	8%	100%
Flats/townhouses	85%	6%	1%	8%	100%
Retail buildings	85%	6%	1%	8%	100%
Industrial buildings	20%	7%	60%	13%	100%
Office buildings	80%	12%	3%	5%	100%

Tables C17, C18 and **C19** show the allocation of the growth in demand for each land-use type to the respective nodes based on the positioning strategy. Each of these tables shows a different scenario.

Table C17
Split by node and land-use
of cumulative growth in demand for land (m²) by 2036

Based on positioning strategy

Business-as-usual scenario

Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	524 528	327 830	84 299	-	936 658
Houses <80 m ² for non-indigent	2 024 104	249 547	110 910	388 184	2 772 745
Houses >80 m ² for non-indigent	1 818 778	128 384	21 397	171 179	2 139 739
Flats/townhouses	222 478	15 704	2 617	20 939	261 739
Retail buildings	129 255	9 124	1 521	12 165	152 065
Industrial buildings	62 968	22 039	188 903	40 929	314 838
Office buildings	92 645	13 897	3 474	5 790	115 806
Sub-total (of top-structure improvements)	4 874 756	766 525	413 122	639 187	6 693 590
Infrastructure area	4 874 756	766 525	413 122	639 187	6 693 590
Total gross land area required	9 749 512	1 533 051	826 243	1 278 374	13 387 180

Table C18
Split by node and land-use
of cumulative growth in demand for land (m²) by 2036

Based on positioning strategy

Consensus scenario

Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	824 511	515 319	132 511	-	1 472 341
Houses <80 m ² for non-indigent	1 391 572	171 564	76 250	266 877	1 906 262
Houses >80 m ² for non-indigent	857 759	60 548	10 091	80 730	1 009 128
Flats/townhouses	248 226	17 522	2 920	23 362	292 031
Retail buildings	51 030	3 602	600	4 803	60 035
Industrial buildings	24 580	8 603	73 741	15 977	122 902
Office buildings	92 645	13 897	3 474	5 790	115 806

Sub-total (of top-structure improvements)	3 490 323	791 055	299 589	397 540	4 978 506
Infrastructure area	3 490 323	791 055	299 589	397 540	4 978 506
Total gross land area required	6 980 645	1 582 109	599 177	795 080	9 957 012

Table C19
Split by node and land-use
of cumulative growth in demand for land (m²) by 2036

Based on positioning strategy

Junk scenario

Type	Stellenbosch (Town)	Franschhoek	Klapmuts	Other settlement areas	TOTAL
Houses <80 m ² for the indigent	674 600	421 625	108 418	-	1 204 643
Houses <80 m ² for non-indigent	1 138 559	140 370	62 387	218 354	1 559 669
Houses >80 m ² for non-indigent	474 928	33 524	5 587	44 699	558 739
Flats/townhouses	182 720	12 898	2 150	17 197	214 964
Retail	27 561	1 945	324	2 594	32 425
Industrial buildings	15 240	5 334	45 719	9 906	76 198
Office buildings	46 322	6 948	1 737	2 895	57 903
Sub-total (of top-structure improvements)	2 559 929	622 645	226 322	295 645	3 704 541
Infrastructure area	2 559 929	622 645	226 322	295 645	3 704 541
Total gross land area required	5 119 858	1 245 290	452 644	591 290	7 409 081

Note that the allocation of the growth in demand for residential units to the respective nodes remains the same as the previous allocation because we used the same method for allocating the residential land typologies (see **Tables C12, C13** and **C14**).

12.2 PLACEMARKER MODEL

Steering the demand for land requires a quantified, holistic approach that includes spatial, social, financial, economic and environmental perspectives. In order to understand the implications of the scenario-based development paths (i.e. land-type allocation), the quantification of the funds-flow outcomes that results from each path, is required. *This is presented as the strategic investment framework.*

The following **variables** form the basis of the inputs for the model and are specific from a municipal-resource, private-sector-investment and social (jobs) perspective:

- Development contributions and bulk service requirements (capital spending)
- Operational income
- Operational expenses
- Direct investment (private sector)
- Employment
- Other factors (e.g. climate change, environmental constraints, etc.)

Through the model, the outcomes of these variables would offer a direct comparison of the funds-flow outcomes attained for the hub or a particular node. Thus, the intention with the model is to holistically understand the consequences of promoting a particular development path for a specific node or hub over the next 20 years.

Detailed explanations of some of the workings of the model contained in the UDS, such as objectives, principles and input required, are not repeated here.

12.2.1 Drivers of future growth

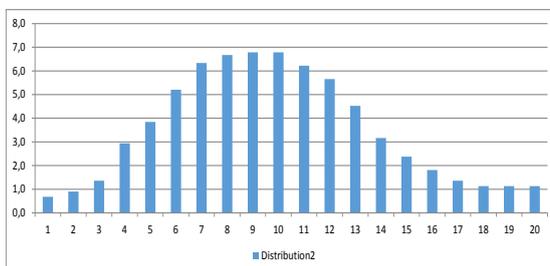
The model has several explicit drivers that influence future growth.

The first driver of the model is *capital expenditure (capex)* associated with the potential mix of land-uses for development in the hub or a node. The second driver of the model is the *selected growth trajectory* that depicts an envisaged growth path over the period of 20 years.

To this end, a mathematical curve (growth trajectory) is fitted to the expected future demand for land over the next 20 years. Capital expenditure and infrastructure spend mimics the rollout of the potential volume of development expressed in square metres in the future. Several curves representing a trajectory are illustrated below and applied to the capital and infrastructure capital spend calculated from the demand by land use for commercial space (GBA), or number of residential units. Note that these curves could represent the commencement of a phase in the current property and/or construction cycle and should, therefore, not be considered as having started from a zero base.

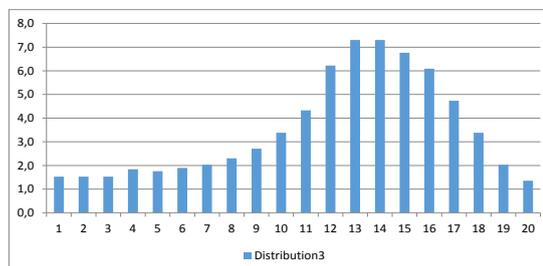
We list here the three trajectories we opted for as the expected growth trajectory for Stellenbosch (Town), Klapmuts and Franschhoek respectively.

Progressive trajectory (Distribution 1)



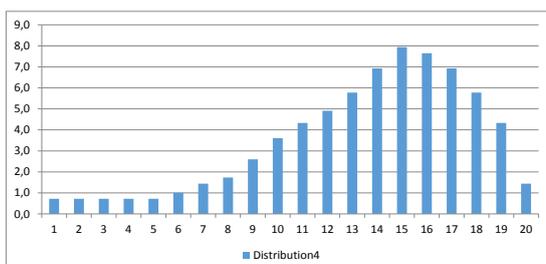
Progressive development implies exponential growth over a period of time, where after a saturation point is reached tapering off significantly thereafter to flatten out over the latter period of the assessment period.

Sustainable trajectory (Distribution 2)



The sustainable growth path indicates a level of development that is relatively constant for the foreseeable future where-after a significant increase (spike) occurs, which is short-lived with a strong tapering-off trend.

Constrained trajectory (Distribution 3)



Constrained development implies starting from a very low base of development that remains so for some time. Thereafter, development increases steadily to reflect a linear growth pattern, but

declines sharply after reaching a pinnacle. This could represent a period of low activity followed by a boom in the property development.

In order to apply a growth trajectory, the basis, as stated previously, is the aggregate demand for commercial uses (retail, industrial and offices) and the number of units associated with a typology of housing needs. In doing so, we accounted for legislative requirements (e.g. the urban edge), various constraints in terms of environmental sensitivity and limits on development, etc.

Funding and capacity constraints are a real and pertinent input for development within the hub or any other node. Allocation in the budget of the Municipality links to infrastructure provision in the context of a supply or infrastructure constraint due to available capacity. Planning and the availability of infrastructure capacity from any external source is beyond the control of the Municipality, but the supply of infrastructure and bulk services would rest with the private party if the Municipality's funding is constrained. Development charges (DCs) are therefore included to compensate for the requirements of the external bulk services.

All communities and social service needs are included. Various population thresholds calculated in an analysis by the CSIR,¹³² assist in determining – based on growth in the population – when future additional community facilities may be required. The number and costs associated with these facilities are included over the assessment period in five-year increments.

The Municipality also has waste management obligations as a basic service. Although these operating costs are considered for the purposes of assessment, they are normally recouped from households and businesses.

Rates income from property taxes is based on the cost to erect the buildings, which is used as a proxy for market value for municipal purposes¹³³. Maintenance of infrastructure, and community and social facilities are provided for in the operating cost. No replacement costs for infrastructure and community facilities are included over the assessment period.

The growth trajectory has three building blocks that are sequenced to unlock development of an area or location:¹³⁴

- External infrastructure and bulk services aligned with constraints
- Internal bulk services provision (site specific)
- Superstructure (construction of buildings in terms of land-use and zoning regulations, i.e. top structures)

The same curve is applied to the provision of both external and internal infrastructure, as well as superstructures. The curve can, however, be modified to reflect a slow or accelerated introduction of bulk services from a municipal perspective, independent of the trajectory associated with the introduction of internal services and top structures. External infrastructure is introduced first, and is assumed to take a year. During the second year, internal services are introduced on the site and construction of top structures commences in Year 3. The rollout follows the curve of the growth trajectory consistently, i.e. it is not phased and there is no step-up to reflect peaks or troughs of development (nor in demand for land) over time.

12.2.2 Model components: Outputs and outcomes

¹³² CSIR *Guidelines for the Provision of Social Facilities in South African Settlements*, August 2012.

¹³³ Note that building cost excludes market value of the land, whereas the Gross Value would include the value of the underlying land. It is not possible to obtain a market value for all the land included in the assessment and therefore the construction cost of the building is used as a proxy for the market value although it is a slight underestimation of market value for the purposes of applying municipal rates to the property.

¹³⁴ Planning processes are not considered in the model.

A synthesis of the model components provides a quantified bottom-line funds-flow figure that is derived from the capital expenditure (infrastructure and top structures) and operational income and costs for each year of the assessment period. This synthesis consists of applying the selected growth trajectory to determine the gross capital expenditure, the inclusion of external infrastructure, internal services, community and social infrastructure requirements (every five years based on population growth), waste management costs (recouped from households and businesses), property rates income, as well as an estimate of maintenance for infrastructure and community and social facilities.

As mentioned, the funds-flow bottom-line figure is adjusted for the following to reflect a value deficit or surplus:

- Economic impact (indirect impact)
- Employment impact (based on a current minimum wage escalated by 6% per annum),
- Climate change (probability of occurrence applied)
- Social indicators (not included other than employment)

13. PLACEMARKER MODEL APPLIED

To derive funds-flow output, we adjust the magnitudes of the variables mentioned in **Part C**, that align with the selected growth trajectory. In order to compare the outputs of different economic-growth scenarios, we adopted the following approach:

- Separate placemaker models were developed for each of three nodes (i.e. Stellenbosch (Town), Klapmuts and Franschhoek).
- The growth trajectory for each node was predetermined in terms of a positioning strategy.
- The Business-as-usual, Consensus and Junk economic-growth scenarios reflect the expected growth in demand for land coupled to the allocation of this demand to the various nodes.
- The growth trajectories stated in (b) are applied to the economic-growth scenarios.
- The outputs from the application of the trajectories to the different scenarios.

The following section includes a synopsis of the results from the application of the placemaker model *for each of the selected nodes (including the hub)*. For purposes of comparison, the *present value* (PV) of the value surplus/deficit figure should be the base figure from which further analysis of the development paths could be considered.

13.1 STELLENBOSCH (TOWN)¹³⁵

Considering a 20-year assessment period, the **Business-as-usual** scenario generates a value surplus/deficit in current terms of R54 421 million, which is 11,1% higher than the **Consensus** scenario. The **Consensus** scenario generates the highest development contributions, viz. R2,4 billion in nominal terms over 20 years. Rates income is also 36,1% higher for the **Business-as-usual** scenario when compared to the **Consensus** scenario. The **Business-as-usual** scenario generates 10,7% more jobs than the **Consensus** scenario, while this scenario generates 45,4% more job opportunities than the **Junk** scenario. Note that these jobs are construction job opportunities and not sustainable job opportunities generated through operations of any uses of land for commercial purposes.

Table C20 Synopsis of key outputs from the application of the development paths by scenario

¹³⁵ See **Annexure 2**.

A 20-year assessment for Stellenbosch (Town)			
Item	Scenario (R'million)		
	Business-as-usual	Consensus	Junk
Direct Investment ¹³⁶	14 351	12 352	8 260
Development contributions	1 971	2 338	1 827
Revenue from property rates ¹³⁷	84	62	39
Net fund flow (surplus/deficit) ¹³⁸	15 645	13 982	9 950
Value surplus/deficit	54 421	48 983	34 005
Multiplied increase in GVA (direct and indirect)	56 481	51 108	35 616
Employment (actual figures)			
With multipliers effects	372 091	336 235	231 305
Without multiplier effects	264 220	238 817	164 311
PV of surplus¹³⁹	19 234	17 420	12 266

13.2 FRANSCHHOEK¹⁴⁰

Considering a 20-year assessment period, the **Consensus** scenario generates a value surplus/deficit in current terms (present value or PV for short) of R2 524 million, which is 27,3% higher than the **Business-as-usual** scenario. The **Consensus** scenario generates the highest development contributions, viz. R584 million in nominal terms over 20 years. Rates income is also 6,6% higher for the **Consensus** scenario when compared to the **Business-as-usual** scenario but this is off a low base. The **Consensus** scenario also generates 32,8% more jobs than the **Business-as-usual**, while the **Business-as-usual** generates 0,6% more job opportunities than the Junk scenario. Note that these jobs are construction job opportunities and not sustainable job opportunities generated through operations of the commercial uses.

Table C21
Synopsis of key outputs from the application of the development paths by scenario

A 20-year assessment for Franschhoek			
Item	Scenario (R'million)		
	Business-as-usual	Consensus	Junk
Direct Investment ¹⁴¹	1 876	2 335	1 736
Development contributions	343	584	470
Revenue from property rates ¹⁴²	9	10	7

¹³⁶ The direct investment represents the investment in top structures by the private party (excludes internal services). The period of the investment is 20 years with the first two years for the introduction of external and internal bulk services.

¹³⁷ The market value of properties equates for the purposes of calculating the rates income to the construction cost (see footnote 98).

¹³⁸ Net funds flow represents all direct investment, community and social service facilities, as well as operating income and expenditure for the Municipality.

¹³⁹ 10% discount rate applied to calculate the present value (PV) (in order to standardise, for comparative purposes, cash flows that occur at different times in the future).

¹⁴⁰ See **Annexure 3**.

¹⁴¹ The direct investment represents the investment in top structures by the private party (excludes internal services). The period of the investment is 20 years with the first two years for the introduction of external and internal bulk services.

¹⁴² The market value of properties equates for the purposes of calculating the rates income to the construction cost (see footnote 98).

Net fund flow (surplus/deficit) ¹⁴³	1 983	2 524	1 939
Value surplus/deficit	6 621	8 692	6 610
Multiplied increase in GVA (direct and indirect)	7 000	9 231	7 032
Employment (actual figures)			
With multipliers effects	43 950	58 394	44 234
Without multiplier effects	30 337	40 402	30 613
PV of surplus¹⁴⁴	1 712	2 247	1 722

13.3 KLAPMUTS¹⁴⁵

Considering a 20-year period of assessment, the **Business-as-usual** scenario generates a value surplus/deficit in current (PV) terms of R7 140 million, which is 52,1% higher than the Consensus scenario. The **Business-as-usual** scenario generates the highest development contributions, viz. R222 million in nominal terms over 20 years. Rates income is also significantly higher for the **Business-as-usual** scenario when compared to the Consensus scenario but this is off a low base. The **Business-as-usual** scenario also generates 53,7% more jobs than the **Consensus**, while the **Consensus** generates 41,3% more job opportunities than the **Junk** scenario. As mentioned, these jobs are construction job opportunities and not sustainable job opportunities generated through operations of the commercial uses.

Table C22
Synopsis of key outputs from the application of the development paths by scenario

A 20-year assessment for Klapmutz

Item	Scenario (R-million)		
	Business-as-usual	Consensus	Junk
Direct Investment ¹⁴⁶	2 075	1 257	873
Development contributions	227	222	171
Revenue from property rates ¹⁴⁷	16	7	5
Net fund flow (surplus/deficit) ¹⁴⁸	2 005	1 357	1 005
Value surplus/deficit	7 140	4 693	2 265
Multiplied increase in GVA (direct and indirect)	7 535	4 938	3 538
Employment (actual figures)			
With multipliers effects	48 212	31 341	22 181
Without multiplier effects	33 774	21 969	15 551
PV of surplus¹⁴⁹	2 006	1 370	987

¹⁴³ Net funds flow represents all direct investment, community and social service facilities, as well as operating income and expenditure for the Municipality.

¹⁴⁴ 10% discount rate applied to calculate the present value (PV) (in order to standardise, for comparative purposes, cash flows that occur at different times in the future).

¹⁴⁵ See **Annexure 4**.

¹⁴⁶ The direct investment represents the investment in top structures by the private party (excludes internal services). The period of the investment is 20 years with the first two years for the introduction of external and internal bulk services.

¹⁴⁷ The market value of properties equates for the purposes of calculating the rates income to the construction cost (see footnote 98).

¹⁴⁸ Net funds flow represents all direct investment, community and social service facilities, as well as operating income and expenditure for the Municipality.

¹⁴⁹ 10% discount rate applied to calculate the present value (PV) (in order to standardise, for comparative purposes, cash flows that occur at different times in the future).

13.4 INVESTMENT FRAMEWORK: MUNICIPAL PERSPECTIVE¹⁵⁰

In the following section, we address three dimensions of funds-flow that are of importance for the Stellenbosch Municipality:

- Direct investment in superstructure (top structures)
- Development contributions (2017) (which, for the purposes of interpretation, equate to the external service capital expenditure of the Municipality)
- Gross building area (m²) or bulk that equates to the GBA

The tables below include information for the three scenarios (Business-as-usual, Consensus and Junk) on an annual and cumulative basis over the period 2017 to 2038. Note that the additional two years is based on the premise that the first two years are reserved for the introduction of bulk services by the Municipality and internal infrastructure by the private party.

*The findings below are the figure calculated for the rollout of potential residential development by scenario for all three nodes (combined).*¹⁵¹ The figure calculated for the rollout of potential *non-residential* land development is presented in the UDS and not repeated here.

Note that in the tables the rand values are indicated in R'million and the gross building area (GBA) in 0'000 m². The tables are sub-divided into 5-year increments to assist with planning.

13.4.1 Business-as-usual scenario

Table C23 includes the figure calculated for the rollout of potential *residential* development in accordance with the **Business-as-usual** scenario and the relevant growth trajectories for each of the nodes.

R' million	Residential - BAU – Stellenbosch (Town), Klapmuts, Franschhoek			Cumulative year-on-year		
Year	Super-structure	Development Contributions	GBA m ² ('000)	Super-structure	Development Contributions	GBA m ² ('000)
2017	0	22	0	0	22	0
2018	0	27	0	0	49	0
2019	158	39	57	158	88	57
2020	198	78	72	356	166	128
2021	279	100	101	635	265	229
2022	564	134	206	1199	399	435
2023	723	164	265	1922	563	701
2024	973	174	357	2895	737	1058
2025	1186	181	436	4082	918	1494
2026	1257	186	463	5338	1104	1957
2027	1303	177	480	6642	1282	2437
2028	1337	169	493	7979	1450	2930

¹⁵⁰ See **Annexure 1**.

¹⁵¹ The residential land use includes gap/affordable and housing for the indigent, housing for the non-indigent, townhouses, and flats.

2029	1266	146	466	9245	1597	3396
2030	1205	118	441	10450	1715	3837
2031	1039	103	379	11489	1818	4216
2032	826	87	302	12315	1905	4517
2033	703	71	259	13018	1975	4776
2034	587	58	217	13605	2033	4993
2035	471	50	175	14076	2083	5168
2036	385	36	144	14461	2119	5312
2037	332	0	125	14793	2119	5437
2038	254	0	93	15047	2119	5531

Over **five years**, it is estimated, based on the growth trajectories for each of the nodes, that investment in top structures could be R635 million, while the R265 million in Development Charges (DCs) is payable by the private party.¹⁵² The latter equates, for the purposes of planning, to the bulk infrastructure that the Municipality would provide to enable the scope of development envisaged by an investment of R635 million. In addition, over five years 229 000 m² of bulk or gross building area is envisaged.

Over the 20 years, including a further two years to make provision for actual 20 years of private- sector capital expenditure, a total capital investment in top structures of R15 047 million (or R15 billion) is achieved. Development contributions over this period are R2 119 million and the capital investment represents 5 531 000 m² of bulk or gross building area.

Alignment of growth and development path with municipal infrastructure provision: Business-as-usual scenario (including residential, commercial and industrial)

The Municipality allocates funds for capital spending in terms of its Medium-term Expenditure Framework (MTEF). These funds, which are of a capital nature, are also allocated for bulk service infrastructure. For the following three financial years, the Municipality has allocated the amounts stated below (ex MTEF):

R331 million (2017/2018)

R249 million (2018/2019)

R184 million (2019/2020)

For the purposes of planning, bulk infrastructure requirements as budgeted by the Municipality aligns with the development contributions (DCs) paid by developers. The crucial metric to consider, is the capital available for bulk infrastructure in a particular year. This metric we determined as follows:

Deduct from the balance of the **municipal bulk infrastructure budget in year "t-1" (previous year)**, the **DCs payable in year "t" (current year)** and add the **municipal bulk services budgeted spend in year "t" (current year)**. The equation is as follows:

$$\text{Net capital availability} = \text{capital}_{(t-1)} - \text{development contributions}_{(t)} + \text{capital budget allocation}_{(t)}$$

The 2017/2018 financial year available funds for bulk services is R420 million and includes an amount of R331 million budgeted by the Municipality plus an initial DC contribution of R89 million. For the 2018/2019 financial year, R108 million (DC contribution envisaged for the 2018/2019) is deducted from the R420 million and R249 million (municipal infrastructure budget for the year) is added to provide a net available figure for external bulk infrastructure of R561 million in 2018/2019. The same calculation is then rolled forward to future years. Thus it is possible to also equate the net bulk service requirement to the envisaged direct investment by the developers, which in the case of 2018/2019 represents R204 million and 64 000 m² of GBA.

¹⁵² For the purpose of interpretation, the service capital expenditure of the Municipality *to provide indigent housing* is included in the development contribution.

The analysis demonstrates that, given the accelerated increase in development, by 2022/2023 the net capital available for bulk service infrastructure is a deficit of R154 million. This implies that R668 million of DCs are required to cover the bulk service requirement, but the Municipality would have insufficient funds, including **the previous year's surplus**, to introduce bulk services, except if the developer advances at least a R154 million of the DCs, which would then result in a breakeven position with regard to the expenditure requirement for bulk service provision to accommodate development of R2 333 million and 765 000 m² of GBA (see **Table C24**).

Table C24						
Municipal infrastructure provision (R' million)¹⁵³						
Business-as-usual scenario						
Annual allocation over MTEF period (3-year budget) and forecast to 2022/2023		Municipal budget	Business-as-usual: DCs	Capital available (net effect)	Capital expenditure	GBA m ² ('000)
2017/2018	331	331	89	420	0	0
2018/2019	249	249	108	560	204	64
2019/2020	184	184	201	544	454	144
Total	764					
2020/2021	255	255	318	480	797	256
2021/2022	255	255	476	259	1 473	479
2022/2023	255	255	668	-154	2 333	765

13.4.2 Consensus scenario

Table C25 includes the figure calculated for the rollout of potential *residential* development in accordance with the **Consensus** scenario and the relevant growth trajectories for each of the nodes.

Table C25						
Consensus -- Residential:						
Stellenbosch (Town), Klappmuts and Franschhoek						
R' million	Residential - Consensus – Stellenbosch (Town), Klappmuts, Franschhoek			Cumulative year-on-year		
Year	Super-structure	Dev. Contributions	GBA m ² (0'000)	Super-structure	Dev. Contributions	GBA m ² (0'000)
2017	0	31	0	0	31	0
2018	0	38	0	0	69	0
2019	157	52	45	157	121	45
2020	194	103	56	351	224	101
2021	269	131	77	621	354	178
2022	536	176	153	1157	531	331
2023	685	215	196	1842	746	527
2024	921	229	264	2764	975	791
2025	1125	241	323	3889	1216	1114
2026	1194	250	343	5083	1466	1456
2027	1246	241	359	6329	1707	1815

¹⁵³ Infrastructure estimate for Stellenbosch municipality for next seven (7) years = R2 000 000 000.

2028	1288	232	372	7618	1939	2188
2029	1231	207	356	8849	2146	2544
2030	1182	173	342	10031	2319	2885
2031	1038	155	301	11069	2475	3186
2032	850	134	249	11918	2608	3435
2033	744	110	221	12662	2718	3656
2034	631	90	189	13294	2809	3845
2035	514	75	155	13808	2884	4000
2036	421	50	127	14229	2935	4128
2037	355	0	107	14584	2935	4235
2038	253	0	74	14837	2935	4309

Over **five years**, it is estimated, based on the growth trajectories for each of the nodes, that investment in top structures could be R621 million, while the R354 million in DCs is payable by the private party. The latter equates, for the purposes of planning, to the bulk infrastructure that the Municipality would provide to enable the scope of development envisaged by an investment of R635 million. In addition, over five years, 178 000 m² of bulk or GBA is envisaged.

Over the 20 years, including a further two years to make provision for actual 20 years of private- sector capital expenditure, a total capital investment in top structures of R14 837 million (or R15 billion) is achieved. Development contributions over this period are R2 935 million and the capital investment represents 4 309 000 m² of bulk or GBA.

Alignment of growth and development path with municipal infrastructure provision: Consensus scenario

Note that we do not repeat here the information and explanation provided in the previous section (under the Business-as-usual scenario) about the municipal budgeting process and how we calculated the capital available for bulk infrastructure in a particular year.

The 2018/2019 available funds for bulk services is R439 million (R331 million + R108 million) – R131 million + R249 million = R557 million. The same calculation is then rolled forward to future years. It is then possible to also equate the net bulk service requirement to the envisaged direct investment by the developers which in the case of 2018/2019 represents R171 million and 49 000 m² of GBA.

The analysis demonstrates that, given the accelerated increase in development, by 2022/2023 the net capital available for bulk-service infrastructure is a deficit of R484 million. This implies that R799 million of DCs are required to cover the bulk service requirement, but the Municipality would have insufficient funds, even **together with the previous year's surplus**, to introduce bulk services, except if the developer advances at least a R484 million of the DCs, which would then result in a breakeven position with regard to the expenditure requirement for bulk-service provision to accommodate development of R1 983 million and 561 000 m² of GBA (see **Table C26**).

Table C26					
Municipal infrastructure provision (R' million)¹⁵⁴					
Consensus scenario					
Annual allocation over MTEF period (3-year budget) and forecast to 2022/2023	Municipal budget	Consensus: DCs	Capital available (net effect)	Capital expenditure	GBA m ² ('000)

¹⁵⁴ Infrastructure estimate for Stellenbosch municipality for next seven (7) years = R2 000 000 000.

2017/2018	331	331	108	439	0	0
2018/2019	249	249	131	557	171	49
2019/2020	184	184	241	500	382	108
Total	764					
2020/2021	255	255	381	374	673	191
2021/2022	255	255	569	60	1 249	353
2022/2023	255	255	799	-484	1 983	561

13.4.3 Junk

Table C27 includes the figure calculated for the rollout of potential *residential* development in accordance with the **Junk** scenario and the relevant growth trajectories for each of the nodes.

Table C27						
Junk -- Residential:						
Stellenbosch (Town), Klapmuts and Franschhoek						
R'million	Residential - Junk – Stellenbosch (Town), Klapmuts, Franschhoek			Cumulative year-on-year		
Year	Super- structure	Development Contributions	GBA m ² (‘000)	Super- structure	Development Contributions	GBA m ² (‘000)
2017	0	25	0	0	25	0
2018	0	30	0	0	55	0
2019	110	42	34	110	97	34
2020	135	82	42	245	179	76
2021	187	104	58	432	283	134
2022	369	141	115	801	424	249
2023	471	172	146	1272	596	396
2024	633	183	197	1904	779	593
2025	772	192	241	2677	971	834
2026	821	200	256	3497	1172	1090
2027	859	193	269	4356	1365	1359
2028	890	186	279	5245	1551	1639
2029	853	166	268	6099	1716	1907
2030	822	139	258	6921	1856	2165
2031	727	125	228	7648	1981	2394
2032	601	108	191	8249	2089	2584
2033	530	89	170	8779	2178	2754
2034	453	73	146	9231	2251	2900
2035	370	61	120	9601	2311	3020
2036	303	40	99	9904	2352	3119
2037	254	0	83	10158	2352	3202
2038	177	0	56	10335	2352	3258

Over **five years**, it is estimated, based on the growth trajectories for each of the nodes, that investment in top structures could be R432 million, while the R283 million in Development Charges (DCs) is payable by the private party. The latter equates for the purposes of planning to the bulk infrastructure that the Municipality would provide to enable the scope of development envisaged by an investment of R432 million. In addition, over five years 134 000 m² of bulk or GBA is envisaged.

Over the 20 years, including a further two years to make provision for actual 20 years of private sector capital expenditure, a total capital investment in top structures of R10 335 million (or R10,3 billion) is achieved. Development contributions over this period are R2 352 million and the capital investment represents 3 258 000 m² of bulk or GBA.

Alignment of growth and development path with municipal infrastructure provision: Junk scenario

Note that we do not repeat here the information and explanation provided in a previous section (under the Business-as-usual scenario) about the municipal budgeting process and how we calculated the capital available for bulk infrastructure in a particular year.

The 2018/2019 available funds for bulk services is R416 million (R331 million + R85 million) – R102 million + R249 million = R562 million. The same calculation is then rolled forward to future years. It is then possible to also equate the net bulk service requirement to the envisaged direct investment by the developers, which in the case of 2018/2019 represents R117 million and 36 000 m² of GBA.

The analysis demonstrates that, given the accelerated increase in development, by 2022/2023 the net capital available for bulk service infrastructure is a deficit of R46 million. This implies that R625 million of DCs are required to cover the bulk service requirement, but the Municipality would have insufficient funds, even together **with the previous year's surplus**, to introduce bulk services, except if the developer advances at least a R46 million of the DCs, which would then result in a breakeven position with regard to the expenditure requirement for bulk service provision to accommodate development representing R1 339 million and 414 000 m² of GBA (see **Table C28**).

Annual allocation over MTEF period (3-year budget) and forecast to 2022/2023	Municipal budget	Junk: DCs	Capital available (net effect)	Capital expenditure	GBA m ² ('000)
2017/2018	331	85	416	0	0
2018/2019	249	102	562	117	36
2019/2020	184	189	557	261	81
Total	764				
2020/2021	255	298	514	458	142
2021/2022	255	445	324	846	261
2022/2023	255	625	-46	1 339	414

¹⁵⁵ Infrastructure estimate for Stellenbosch municipality for next seven (7) years = R2 000 000 000.

PART D: MANAGEMENT POLICY FRAMEWORK

Methodology (in brief):

Part A

- State the purpose of this study
- Consider legislative and policy context
- Report on the current urban residential scene

Part B

- Confirm and apply UDS statement of vision

Part C

- Confirm and apply UDS growth-and-development paths, i.e.
 - Three economic-growth scenarios
 - Forecast demand for residential land by 2036 and cumulative net (and gross) demand for residential land by scenario (municipality-wide)
 - Allocations of scenario-based growth in demand for residential land by type and by node
 - Application of the placemaker model to quantify the funds-flow outcome by scenario and by node (relevant to the provision of housing)

Part D

- Confirm and apply UDS guidelines to steer the implementation of growth-and-development paths within a node — e.g. apply designated land-development area(s) and associated housing guidelines
- Review and consolidate housing supply by government

The intent of the *Integrated Human Settlement Plan* is also to confirm and apply the UDS guidelines to steer decision-making on the implementation of the development paths *within a node*, i.e. to help the Municipality with, for example, planning infrastructure and providing housing for the indigent. This approach would make the Municipality's shared vision and associated strategic focus areas more attainable as well as measurable.

Part D includes previous work contained in the UDS with few additions and one additional section (viz. §23) in which we review and consolidate housing supply by government.

First, we provide a summary of the main findings of key local (and relevant) studies, followed by proposed land development guidelines which we then apply by node *at the appropriate planning level*. The last section details how the UDS investment rationale impacts on government-driven housing supply.

14. THEME-RELATED STUDIES¹⁵⁶

We next discuss the findings of some theme-related studies we considered *to designate priority land-development areas and formulating associated policy guidelines — to also guide housing supply by government*.

- Stellenbosch Municipal Spatial Development Framework, 2017¹⁵⁷
- Stellenbosch Town Spatial Development Framework, 2016
- Stellenbosch Water Master Plan, 2011
- Sustainable Transit-oriented Development Study: Adam Tas Corridor, 2017¹⁵⁸
- Northern Extension Draft Feasibility Report, January 2016
- Klappmuts Special Development Area (Draft Report), 2017
- Stellenbosch 2017 Housing Strategy
- Emergency Housing Assistance Policy (draft)
- Draft Informal Settlement Upgrading Policy and Strategy, March 2015
- Rental Housing Strategy and Plan, March 2016

14.1 STELLENBOSCH MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, MAY 2017

¹⁵⁶ Most of these studies were assessed in the *Status Quo Report* as policy directives. We now consider the latest version of each study made available to the writers of this report.

¹⁵⁷ Approved by Council in May 2017.

¹⁵⁸ Stellenbosch Municipality, *Transit-oriented Development: A concept for the town of Stellenbosch*, June 2017.

The *Stellenbosch Municipal Spatial Development Framework*, approved by Council in May 2017, is, except for *four* changes to the Stellenbosch (Town) urban edge, similar to the MSDF that was approved by Council in February 2013. The four changes to the Stellenbosch (Town) urban edge were in the northern and southern segments of the urban edge (see **Map D1**).



Map D1: Approved changes to the Stellenbosch (Town) urban edge in May 2017

The initial idea, which was not adopted, was for the MSDF approved by Council in May 2017 to have included substantial changes to the previous MSDF (see **Table D1** for some of the proposed changes related to residential land development).

Table D1	
Proposed (but not approved) changes to previous MSDF	
1	Significant densification of existing neighbourhoods located in the proximity of major transport infrastructure and Stellenbosch University
2	Establishment of an urban restructuring zone along the Helshoogte/Banhoek Road corridor for the development of high-density residential accommodation, together with relevant non-residential facilities
3	Identification of the Dennesig area bounded by Adam Tas Road/R44, Merriman Avenue, Bird Street and Molteno Road as a primary densification and development intensification area for the establishment of blocks of flats according to a predetermined pattern on clustered erven with heights of up to 6 storeys, subject to certain performance criteria mixed with non-residential facilities
4	The identification of Jonkershoek as a potential development node for the establishment of economic opportunities and limited residential accommodation, with only the basic provision of non-residential facilities to prevent future expansion of the residential area
5	Prioritising the development of the Koelenhof, Vlottenburg and Klapmuts nodes to ensure effective integrated human settlement development linked to major transport infrastructure
6	Creating new development areas to accommodate appropriate development for the northwards extension of Stellenbosch (Town)
7	Designation of heritage conservation areas and places
8	Accommodating the growth and development planning of the University of Stellenbosch

Source: MIDP 2017-2022 (May 2017)

The approved MSDF includes spatial proposals for each town/settlement based on the seven strategic perspectives and associated principles that were 'brought forward' from the MSDF approved in 2013. These proposals were also part of the 'Shaping Stellenbosch' initiative completed in 2014.¹⁵⁹

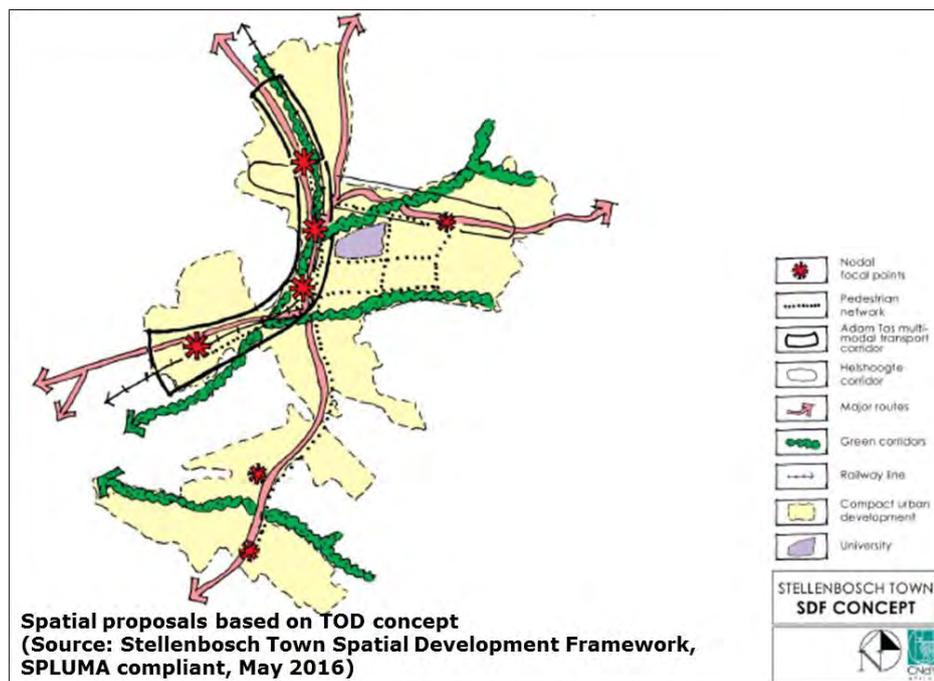
In the interests of brevity, we only mention the key spatial structuring element of 'interconnected nodes' as described in the current MSDF. This concept is based on a system

¹⁵⁹ Both these studies are discussed in detail in the *Status Quo Report* completed by Rode in May 2017.

of inter-connected, nodal, tightly constrained, dense, mixed-use settlements around primary station precincts — as a system that recognizes the primary and overarching TOD approach.¹⁶⁰ The 'implementation' of this notion was prioritised through municipal support for development in Koelenhof, Vlottenburg and Klapmuts to 'ensure effective integrated human settlement development linked to major transport infrastructure'.

14.2 STELLENBOSCH TOWN SPATIAL DEVELOPMENT FRAMEWORK, MAY 2016

This study includes, amongst others, reference to two development concepts, viz. the transit-oriented development (TOD) approach and 'green economic growth' as spatial structuring elements in the town of Stellenbosch. Although the TOD concept is described (and mapped) as central to redefining the future spatial development of Stellenbosch (Town) (see **Map D2**), this concept is not considered at any length in the MSDf approved in May 2017; there is also no reference to the concept of 'green economic growth'.



Map D2: Nodal focal points based on TOD approach in Stellenbosch (Town)

14.3 STELLENBOSCH WATER MASTER PLAN, DECEMBER 2011

The focus of the *Stellenbosch Water Master Plan* was to consider the link between providing infrastructure and future developments. **Table D2** includes the key findings of the plan.

Table D2
Key finding(s) of Stellenbosch Water Master Plan, 2011

Stellenbosch (Town)

- **Anticipated land use:** Single residential; flats; group housing; affordable housing; densification (res); business/commercial; industrial; other; informal upgraded; informal relocated
- **Area (ha):** 1 305
- **Density:** Single residential = between 13 and 25 du/ha; flats = 60 du/ha; group housing = between 35 and 50 du/ha; densification (res) = between 3 and 56 du/ha; Mixed = 25 du/ha; affordable housing = 40 du/ha; informal upgraded = 40 du/ha;
- **Number of units:** 26 649
- **Coverage (m² floor area):** Industrial = 55 700 m²; business/commercial = 99 000 m²
- **Time-related phasing:** up to 20 years

¹⁶⁰ Note that the connectedness is based on rail and road links.

Franschhoek

- **Anticipated land use:** Single residential; affordable housing; informal upgraded
- **Area (ha):** 238
- **Density:** Single residential = between 8 and 58 du/ha; affordable housing = 40 du/ha; informal upgrading: 104 du/ha
- **Number of units:** 7 324
- **Coverage (m² floor area):** 0
- **Time-related phasing:** up to 20 years

Klapmuts

- **Anticipated land use:** Single residential; affordable housing; business/commercial; industrial; mixed
- **Area (ha):** 843
- **Density:** Single residential = between 5 and 38 du/ha; affordable housing = 51 du/ha; mixed = between 11 and 17 du/ha
- **Number of units:** 7 570
- **Coverage (m² floor area):** Industrial = 36 100 m²; business/commercial = 86 100 m²
- **Time-related phasing:** up to 20 years

Dwarsrivier

- **Anticipated land use:** Single residential; affordable housing; business/commercial; industrial; other; retirement village
- **Area (ha):** 354
- **Density:** Single residential = between 1 and 25 du/ha; affordable housing = 40 du/ha; retirement village = 15 du/ha
- **Number of units:** 7 006
- **Coverage (m² floor area):** Business/commercial = 9 000 m²
- **Time-related phasing:** up to 20 years

14.4 SUSTAINABLE TRANSIT-ORIENTED DEVELOPMENT STUDY: ADAM TAS CORRIDOR

Table D3 includes a key finding of a study to investigate the role, function and character of the Adam Tas Corridor as a potential TOD catalyst for change in the way Stellenbosch (Town) works.

Table D3
Key finding of STOD study (Adam Tas Corridor)

Urban development potential¹⁶¹

- 400 000 m² GBA equalling 3 500 housing units plus 100 000 m² GBA commercial/ educational and health
- We calculated the gross demand for residential land (flats) to be about 14 ha¹⁶²
- We calculated the gross demand for non-residential land (offices) to be about 58 ha¹⁶³

The study recommends that a more detailed analysis be conducted to get a more accurate estimation of the economic benefits and cost of using the Adam Tas Corridor as a key spatial and economic restructuring intervention in Stellenbosch (Town). It proposes for the municipality to take the lead role in development by using certain municipal landholdings as catalyst for development (i.e. the Van Der Stel Sports grounds and parcels of land north of Merriman Avenue). This lead role also includes the following two steps (summarised):

1. Include and prioritise the implementation of the STOD concept in the Adam Tas Corridor in municipal planning
2. Initiate more detailed precinct planning for the study area¹⁶⁴

14.5 NORTHERN EXTENSION DRAFT FEASIBILITY REPORT, JANUARY 2016

¹⁶¹ Provided by Mr T Vermeulen via e-mail dated 12 September 2017.

¹⁶² We used the same method to calculate the net and gross land demand for potential development in the STOD (Adam Tas Corridor) study area as was used previously in this study (see **Part C, §12**).

¹⁶³ We used the same method to calculate the net and gross land demand for potential development in the STOD (Adam Tas Corridor) study area as was used previously in this study (see **Part C, §12**).

¹⁶⁴ Note that both these aspects are addressed in the draft UDS report.

The aim of the study was to conduct a due diligence assessment to establish whether it is suitable for the expansion of a mixed-use development to the north of Kayamandi. The key focus of the proposed development would be to provide different housing typologies (including flats) in the 'BNG, Lower-Gap, Gap and Upper-Gap' segments.

The study concluded that the planned residential¹⁶⁵ and non-residential land uses, to be provided within 87,6 ha,¹⁶⁶ would constitute a **relatively 'expensive low-cost housing development'**. However, it would be possible for the Municipality to recover a significant portion of the high land values and infrastructure-cost shortfall from the sale of non-residential land uses as well as from the increase in future rates and taxes. It was stated that the financial feasibility of the development should be considered in the context of the municipality's statutory obligation to provide housing and should not only consider monetary implications.

14.6 KLAPMUTS SPECIAL DEVELOPMENT AREA (DRAFT REPORT), JUNE 2017

The aim of the feasibility study was, first, to investigate the development of an innovation hub that would serve the region and that attracts unique commercial and high-technology (clean) industrial development that could in future qualify for the establishment of a Special Economic Zone (SEZ). Second, the purpose was to develop a road map for the development and growth of Klapmuts, based on a vision that should inspire and motivate all role players towards an agreed-upon future.

The study proposes a specific investment and development package for the Klapmuts area that comprises the following elements:

- Sustainable neighbourhood design in terms of movement, activity and open space
- Development programmes for business and community interventions
- A maintenance programme
- The promotion of a collaborative and collective investment approach

The investment approach is contextualised in 14 identified development opportunities as depicted in **Map D3**. The study states that, by taking the illustrated vision, the economic value assessment and land capability into account, it is clear that the existing urban edge **needs to be revised and a "right sizing" concept is required.**¹⁶⁷

¹⁶⁵ The residential component constitutes a total of 5 200 opportunities at a gross density of 57 du/ha.

¹⁶⁶ This gross land extent of the development proposal was confirmed by Mr D Lombaard at a meeting on 15.9.2017.

¹⁶⁷ Note that this UDS report includes demarcated Consolidation Zones to accommodate possible changes to the urban edge in Klapmuts (see **§14.3**).



Map D3: Klapmuts development opportunities

14.7 STELLENBOSCH 2017 HOUSING STRATEGY¹⁶⁸

A housing strategy (known as *Stellenbosch 2017 Housing Strategy*) was prepared and addressed the following issues of housing delivery: (a) strategic objectives, principles and mechanisms (b) spatial configuration (c) resources and institutional arrangements and (d) implementation. Below, we list, in brief, some aspects mentioned in the document:

- The housing need (for the indigent)¹⁶⁹ in 2008 was estimated to be 15 210 units (made up of 6 210 informal structures and 9 000 households living in overcrowded formal units). Our comment: We determined that a total of (only) 1891 houses were actually provided in the municipal area by government over the 10-year period ended 2015/16.
- An undetermined shortage of housing in rural areas.
- An estimated need of 20 546 units (made up of 9 791 housing units for the indigent and 10 755 non-indigent housing units). Our comment: We estimated the social need for houses, municipality-wide, in the 'give-away' bracket to have been 11 618 units in 2016.
- Delivery of houses preferred in compact, socially-mixed, integrated and sustainable neighbourhoods linked to priority spatial structuring areas such as corridors and nodes — and not in spatially segregated enclaves (which was the norm at the time).
- Delivery of houses through public- and private-sector co-investment.

The document includes funding mechanisms and a financial model (i.e. resource mobilization) to guide public- and private-sector investment over a 10-year period. Our comment: In order to develop business models for housing delivery, an understanding of the drivers and levers as well as what benefit would accrue from the implementation of these business models or combination of business models (utilisation of a hybrid approach), is key. In understanding what inputs are required to consider and develop various business models for housing delivery, we mention the following relevant inputs:

- a) Housing programmes of government, specifically the UISP and IRDP programmes
- b) The role of the private sector to achieve co-investment solutions and outcomes coupled with these housing programmes

¹⁶⁸ *Stellenbosch 2017 Housing Strategy, Final proposal*, undated.

¹⁶⁹ We assume this figure represents the social need for housing and not effective demand.

- c) Levers to achieve co-integration that relate to the use of, among others, the following mechanisms:
- Development charges (“mixing and matching”)
 - Incentives (zoning, development rights, bulk, etc.)
 - Land swops (win-win outcome).

14.8 EMERGENCY HOUSING ASSISTANCE POLICY (DRAFT)

The aim of this policy is to steer municipal decision-making in assisting persons who are destitute, in desperate need and crisis situations, i.e. assistance in the form of basic municipal engineering services and/or shelter. Note that an eviction order first had to be obtained from a competent court, before such persons will be assisted.

The policy document includes guidelines with regard to the funding and categories/ types of assistance.

14.9 DRAFT INFORMAL SETTLEMENT UPGRADING POLICY AND STRATEGY, MARCH 2015

An *Informal Settlement Upgrading Strategy* was prepared by the Stellenbosch Municipality. In the report, the number of structures in all existing informal settlements was estimated to be 7499 with a total of 3762 opportunities to be provided in certain of the settlements in the coming years. This intervention can be broken down as follows:

- 1499 in Langrug (Franschhoek)
- 1060 in Klapmuts (Erf 342)
- 570 in Jamestown (Farm 527)
- 440 in Idas Valley
- 193 in Kayamandi

The document also includes a step-by-step process to implement informal settlement upgrading and a synthesis of key legislative and policy directives. In general, the Upgrading of Informal Settlements Programme (UISP) is one of three core programmes implemented in the Western Cape. In the document, the UISP (as an incremental housing programme) is described as follows:

- Contributes towards achievement of the UN Millennium Goal to improve the lives of 100 million slum dwellers by 2020
- In the event that in situ upgrading is not feasible or desirable, communities can be resettled using the Emergency Housing Programme
- Resettlement assistance is provided
- An inclusive area- or community-wide planning approach is followed
- Community participation is funded
- Provides for emergency interventions by providing basic sanitation and water services as a first step
- Permanent services follow
- A choice of housing-tenure options (including rental and options to buy) is available in the last phase.

14.10 RENTAL HOUSING STRATEGY AND PLAN, MARCH 2016

In March 2016, the Stellenbosch Municipality approved the demarcation of Restructuring Zones and a Draft Affordable Rental Housing Strategy.

The following paragraphs were included in the minutes of the 39th meeting of the council of Stellenbosch Municipality:

“The strategy deals with all aspects of the affordable rental housing spectrum, with a focus on government-assisted affordable rental housing under the following broad headings:

- Confirmation of real demand,
- Supply factors:
 - Demarcated social housing Restructuring Zone (RZ),
 - Identified draft schedule of **available land and buildings with potential, within RZ’s** – final projects pipeline to be determined by the municipality and approved by Council after proper motivation to Council on a project by project basis,
 - Available financing for National Rental Housing Programmes,
 - Institutional readiness and organizational capacity to implement the strategy and plan – internal policies, staffing, and external delivery partner contractual arrangements, including overarching smart partner agreement framework, and project-specific performance agreements to be approved by Council on a later date,
- Strategic framework and action plan – programme of activities.

In addition to the strategic intent of the rental programme as outlined above, the implementation of the rental housing programme must be premised on the following main principles:

- a. Development and management of rental stock by external delivery agents/partners must contribute significantly to local and especially black economic development and empowerment. Adherence to this principle will be regulated through specific requirements in the written partnership and project performance agreements between the municipality and its chosen partners, to be approved by Council at a later date, and
- b. Re-development of any existing properties must not result in homelessness or displacement to backyards, informal settlements or any other form of inferior accommodation for existing residents. Any re-location necessitated by regularization of tenancy must make full use of all instruments available including fully or partly subsidized ownership or rental housing options, and indigent support policies and instruments.”

15 SPATIAL GUIDELINES

15.1 HIERARCHY OF NODES

We used the hub-and-spoke approach to designate nodes for a focused economic activity to emphasise a specific land-utilisation outcome. This effectively creates **a hierarchy of nodes for growth and investment** (see **Table D4**). In addition, the choice of growth trajectory (or funding path) aligned to a specific development path prioritises municipal spending by node.

In **Stellenbosch (Town)**, the strategy is to facilitate services-orientated offerings, driven by tertiary-sector development activity. The focus must be on facilitating complementary and supplementary land uses, viz. residential, commercial and a low-key industrial component aligned to, and focused on, tertiary-sector economic activity. Development can be incentivised to, *inter alia*, accelerate and facilitate private-sector investment (considering mix, timing and extent).

Opting for a **progressive growth trajectory**, we label Stellenbosch (Town) a first-tier priority-investment area.

Franschhoek is also well placed to provide services-orientated offerings in the tertiary sector, but with specific focus on tourism. The complementary and supplementary land uses are residential and commercial. Opting for a **constrained growth trajectory**, we label Franschhoek a third-tier priority-investment area.

In **Klapmuts**, the strategy is to provide for secondary-sector-orientated offerings driven by mainly manufacturing as subsector activity, with industrial and residential as complementary

and supplementary land uses. Opting for a *sustainable growth trajectory*, we label Klapmuts as a second-tier priority-investment area.

The 'other' settlement areas¹⁷⁰ are areas where incremental approaches to development, regulation and maintenance and upgrading of infrastructure will be considered to accommodate natural progression. These settlements are considered as the lowest priority for public-sector infrastructure spend.

Table D4
Investment rationale by node

Node	Priority public-sector infrastructure spend <i>by node</i>
Stellenbosch (Town)	First-tier
Klapmuts	Second-tier
Franschhoek	Third-tier
'Other settlements'	Lowest priority

15.2 LAND-DEVELOPMENT AREAS

We designate land-development areas (LDAs) with associated policies to guide the implementation of development paths *within a node*. In doing so, we state where growth and investment is preferred for future urban intensification/expansion. We do not allocate the 20-year demand for land by LDA. Rather, we use the cumulative gross land extent required by scenario, by node and by land type and the sum total of available developable land in LDAs, to determine the surplus/shortage of developable land (*as a conservative estimate*) inside the proposed urban edge by 2036.

We also identified growth-and-development criteria to guide the use and development of land specific to each designated land-development area. In this way, we ensure consistency in planning and decision-making.

15.2.1 Transformation Zone

Areas that should be designated for utilisation

These are areas where coordinated public- and private-sector investment is prioritised (first-tier) for urban intensification and/or expansion (see **Table D5**). Development may be incentivised.¹⁷¹ These areas *must* include a Restructuring Zone¹⁷² for the provision of social housing together with the implementation of the *Integrated Residential Development Programme* in the Droë Dyke/Libertas Transformation Zone.

Land-utilisation outcome

A high-quality, high-performance, dense, mixed-use, connected and transit-oriented urban environment in support of achieving the spatial vision.

Actions arising out of this policy statement

- Focus on high-density transit-oriented developments.
- Focus on coordinated public- and private-sector intervention (i.e. areas of co-investment).
- The local authority must prepare detailed precinct plans (considering applicable growth-and-development criteria). Note that the work to be done in facilitating the desired land-

¹⁷⁰ 'Other' settlement areas include the settlement areas of Dwarsrivier, Wemmershoek, La Motte, Groot Drakenstein, Raithby, Vlotenburg, Koelenhof, Lynedoch and Muldersvlei. The settlement area of Jonkershoek is also included under this term in the Integrated Human Settlement Plan.

¹⁷¹ Incentives can include density bonuses (conditional rezoning to allow more height and more bulk), payment of development charges (see Section 40(7)(b) of SPLUMA), etc.

¹⁷² The subsidised rental accommodation in this zone requires institutionalised management.

utilization outcomes in the two Transformation Zones, would allow for a *planning scope and scale* to consider most of the change tools at town level.¹⁷³

- Consider overlay zone(s).
- Prepare appropriate implementation and incentive plan(s) and/or integrated business model(s) (considering, *inter alia*, land acquisition/release; revenue enhancement mechanisms; implementation vehicle/agent).
- Land-development applications should quantitatively and qualitatively consider the applicable growth-and-development criteria.
- Track, monitor and report on change over time.

Growth-and-development criteria:

- Demand for residential and non-residential land
- Ownership, value and tradability of land (focus on the use of municipal- and state-owned properties)
- Housing typology (including inclusionary-housing options)
- Investor sentiment (i.e. market signals and location preferences)
- Economic opportunities
- Densities¹⁷⁴
- Accessibility and mobility (i.e. for all modes of transport; transport infrastructure)
- Land capacity (developable land)
- Land-use value/diversity/mix (**'highest and best' use**; co-locate compatible land uses)
- Urban edge options (considering, for example, the desirability of having an iron inventory in the three nodes)
- Infrastructure (optimise the use of existing infrastructure; invest in environmentally-friendly technologies and green infrastructure)
- Environmental sensitivities
- Climate change response options
- **Integration ('on-site' and with rest of town and region)**
- Architecture and urban design guidelines
- Implementation strategy (including new financial and institutional models)

15.2.2 Consolidation Zone (CZ)

Areas that should be designated for utilisation

These are areas that are experiencing specific development pressure, where incremental approaches to development, regulation and maintenance and upgrading of infrastructure will be considered to redress past development imbalances and to accommodate natural progression. These are mostly marginalised residential neighbourhoods characterised by the following:

- High percentages of households earning between R0 and R3500 per month (as in 2011)
- High rates of unemployment
- Very low concentration of formal jobs (i.e. job-housing mismatch)¹⁷⁵
- Relatively low median property values
- Relatively low levels of social infrastructure
- High population densities
- Reliance on minibus taxis as transport mode (or walking)
- Limited land-use diversity

Some of the areas are located in rural settings, with surrounding land of very high heritage, environmental and agriculture significance. ***Thus, the intent should not be to use peripheral***

¹⁷³ A Precinct Plan must be prepared in terms of Section 21(l)(i) of SPLUMA and approved, when completed, as part of (the annual review of) the MIDP.

¹⁷⁴ Proposed densities must be higher than the norm – see *Stellenbosch Water Master Plan*, December 2011.

¹⁷⁵ The job-housing mismatch is not so stark in more affluent neighbourhoods owing to the use of private vehicles, closeness of formal jobs and in particular, offices in relation to the homes of decision-makers.

land for urban expansion but rather to create inclusive and sustainable settlements/ neighbourhoods.

Second-tier priority for public-sector infrastructure spend, if within Stellenbosch (Town) (see **Table D5**). First-tier priority for spending in Klappmuts (if inside urban edge), Franschoek and the other settlements (see **Table D5**). *Note that this priority of spending is linked to the hierarchy of nodes* (see **Table D4**). These areas are outside a Transformation Zone and can include a Restructuring Zone for the provision of social housing if assigned to Stellenbosch (Town), Klappmuts or Franschoek; and can be located inside and outside the urban edge (if outside, then adjacent to).

Land-utilisation outcome

Dignified living, working and teaching areas by 'redefining' the structure, function and purpose of the area. This outcome would facilitate a changed urban environment (with specific reference to a more 'inclusive and sustainable town') in support of achieving the spatial vision.

Actions arising out of this policy statement:

- Prepare appropriate development guidelines (to address, for example, the use of vacant land, urban agriculture and land acquisition/release) and implementation plan(s) at neighbourhood and even site-specific level
- Consider designated areas for overlay zone(s) after the completion of studies to identify the extent and boundaries based on appropriate criteria
- Obtain buy-in from all relevant stakeholders (including affected community/ies) to proposed interventions
- Land-development applications should quantitatively and qualitatively consider the applicable growth-and-development criteria (see below)
- Track, monitor and report on changes over time

Growth-and-development criteria:

- Stellenbosch University Master Plan (if applicable).
- Prioritised (community) needs identified in the Stellenbosch Municipal Integrated Development Plan (using the P-Index).
- The same criteria considered for a Transformation Zone.¹⁷⁶

15.2.3 Inclusion Zone (IZ)

Areas that should be designated for utilisation

Areas outside the current urban edge with vested rights (historically approved) to use land *for an extended urban function (at scale and location)*. These areas are not a high priority for *public-sector infrastructure spend*, except where there is a need for municipal services/ infrastructure in terms of the vested right(s). These areas can be part of a Consolidation Zone.

Land-utilisation outcome

Area(s) should be included within an urban edge based on vested rights, viz. existing urban land used as extended urban function with approved land-use rights in terms of LUPO/LUPA. These are area(s) where infrastructure must be provided and maintained to set norms and standards for each service.

Evaluation criteria:

- Existing urban land use (e.g. education facility)
- Vested 'communal living' rights (e.g. 'bosdorpe')
- Approved residential land-use rights in terms of LUPO/LUPA

15.2.4 Urban areas outside designated zones

¹⁷⁶ Residential densities in certain Consolidation Zones should be carefully managed to obtain desired land-utilization outcomes, e.g. increasing densities or de-densification.

Areas that should be designated for utilisation

Areas outside the three designated zones but inside the urban edge. They are not a high priority for **public-sector infrastructure spend**, except for maintenance of infrastructure (see **Table D5**). Consider densification¹⁷⁷ in accordance with infrastructure capacity.

Land-utilisation outcome

Area(s) where infrastructure is maintained to set norms and standards for each service.

Table D5
Investment rationale *within node*

Priority public-sector infrastructure spend by land-development area linked to a nodal hierarchy

Node	Priority public-sector infrastructure spend <i>within node</i>			
	First-tier	Second-tier	Third-tier	Lowest
Stellenbosch (Town)	Transformation Zone	Consolidation Zone	Inclusion Zone	Urban areas outside designated zones
Klapmuts	Consolidation Zone (if inside urban edge)	Inclusion Zone	-	-
Franschhoek	Consolidation Zone	Inclusion Zone	Urban areas outside designated zones	-
'Other settlements'	Consolidation Zone	Inclusion Zone (if applicable)	-	-

15.3 URBAN EDGE¹⁷⁸

An Urban Edge must not be used to enforce spatial containment but rather as a management tool to **facilitate and monitor preferred urban growth and development**. It is important that monitoring is done in quantifiable terms and that facilitation should be sensitive to urban change.

The proposed changes to the various urban edges are based on the following principles:

- Apply the designated land-development areas to steer the implementation of the preferred development path(s) within a node. For example, to include the more or less 500 ha of land designated as the Droë Dyke/Libertas Transformation Zone in the Stellenbosch (Town) urban edge.
- Incorporate designated Inclusion Zones within an urban edge.
- The use and development of land must optimise the use of existing resources and infrastructure.
- Implement, as part of the annual review of the municipal Integrated Development Plan, a one-year review cycle of the urban-edge delineation. This means that areas outside the urban edge and **designated (or to be designated) as Consolidation Zones** can be considered for inclusion during the annual review process.¹⁷⁹ However, the proposal to include these areas must be **motivated qualitatively and quantitatively by the applicant in terms of the relevant growth-and-development criteria and land-utilization outcomes**.

¹⁷⁷ Proposed densities according to *Stellenbosch Water Master Plan*, December 2011. Densification can include second dwellings.

¹⁷⁸ A demarcated line that represents the outer limit of the urban expansion with urban development not allowed beyond this limit.

¹⁷⁹ To be considered at a pre-application meeting and taken forward into the annual review process.

In §22, we discuss the *implications* of implementing the preferred development path for the various nodes, as well as the urban edge.

15.4 DENSITIES

15.4.1 Current densities achieved

The MSDF, approved in May 2017, sets as target a gross dwelling density of approximately 15 dwelling units per hectare in small settlements and approximately 25 du/ha in large towns. **Table D6** includes the current gross dwelling densities in Stellenbosch (Town), Franschhoek and Klapmuts, measured in three-year increments between 2006 and 2015. The dwelling densities increased in all three towns but are still significantly lower than the targeted densities.

Table D6
Dwelling densities (gross) by selected node
(dwelling units per hectare)¹⁸⁰

Town	2006	2009	2012	2015
Stellenbosch (Town)	4,99	5,27	5,33	8,17
Franschhoek	5,95	6,53	7,22	10,22
Klapmuts	6,75	7,12	7,36	9,94

Source: Input provided by Aurecon

Table D7 includes the population densities for Stellenbosch (Town) and Franschhoek by using data from the two previous national surveys and the estimated population figure in 2016.¹⁸¹

Table D7
Population densities by selected node
(persons per hectare)

Town	2001	2011	2016
Stellenbosch (Town)	21,1	29,7	34,1
Franschhoek	17,8	31,1	36,8

Source: Input provided by Aurecon

In **Part A**, we mentioned the increase in (urban) population densities between 2011 and 2016 and the expected increase of about 25% (to 4100 persons per km²) in 2031. This expected increase in the number of urban residents will mainly be absorbed in the three larger towns. We calculated that 91% of the people living in the *urban areas* of the municipality in 2031 will reside in Stellenbosch (Town), Klapmuts or Franschhoek.

Historically, increased population densities in Stellenbosch (Town) and Franschhoek occurred only in certain neighbourhoods. Normally, town planners applaud increasing densities, but in these neighbourhoods, it was overdone in view of the sub-standard quality of services and urban environment. For example, in Kayamandi there was an alarming increase of persons per hectare to 174 in 2011 from an already very high density of 100 in 2001 but only a small increase in the dwelling density (9,2 dwellings per hectare in 2006 to 9,7 in 2016).¹⁸²

Other neighbourhoods in Stellenbosch (Town) which also experienced increased population densities over the same period were Cloeteville (an alarming increase), Idas Valley and Jamestown. Part of the explanation for this trend is that there has not been *an increase in*

¹⁸⁰ We used the 2006 and 2012 Eskom Spot Building Counts.

¹⁸¹ The urban edge in the MSDF approved in May 2017, was used as geographic measuring unit.

¹⁸² We used data from the 2001 and 2011 national surveys and the 2006 and 2012 Eskom Spot Building Counts.

the number of (recorded) dwelling units. These neighbourhoods we designate as Consolidation Zones (i.e. areas that are experiencing specific development pressures).

In Franschhoek, the population density in Groendal/Langrug was alarmingly high in 2011 (viz. 94 persons per hectare) with, in comparison, a very low density of about 6 persons per hectare in the rest of the town. Troublingly, the residential density in Groendal/Langrug increased only slightly from 9,18 dwellings per hectare in 2006 to 10,23 in 2016.¹⁸³ Groendal/Langrug is designated as a Consolidation Zone.

15.4.2 Densities used in calculating growth in demand for land (municipality-wide)

We considered varying dwelling densities when we converted the forecast demand for built space into a prognosticated (municipality-wide) net demand for *land* specific to each scenario.

We calculated the net demand in both the **Consensus** and **Junk** scenarios based on achieving dwelling densities higher than the norm (general average).¹⁸⁴ The **Business-as-usual** scenario is based on continued low-density sprawled growth,¹⁸⁵ and as such can be regarded as the upper end of the expected demand for land. **Table D8** includes the gross dwelling densities used by scenario, the proposed densities in the *Stellenbosch Water Master Plan* as well as the densities prescribed as 'use parameters' in the draft Integrated Zoning Scheme.

Table D8
Gross dwelling densities used (municipality-wide)¹⁸⁶

Type	UDS scenario			Stellenbosch Water Master Plan ¹⁸⁷	Integrated Zoning Scheme (Draft)
	Business-as-usual	Consensus	Junk		
Houses <80 m ² for the indigent and non-indigent	40 du/ha	65 du/ha	65 du/ha	40 du/ha ¹⁸⁸	-
Non-indigent houses >80 m ²	7 du/ha	10 du/ha	10 du/ha	25 du/ha ¹⁸⁹ , 13 du/ha ¹⁹⁰ , 8 du/ha ¹⁹¹	-
Flats	60 du/ha	60 du/ha	60 du/ha	60 du/ha	50 du/ha ¹⁹²
Townhouses	25 du/ha	25 du/ha	25 du/ha	35 du/ha ¹⁹³ , 50 du/ha ¹⁹⁴	25 du/ha ^{195,196} , 50 du/ha ¹⁹⁷

The growth-and-development path assumes achieving dwelling densities higher than the norm (current averages). In this regard, we propose that the specified densities in the

¹⁸³ Using the 2006 and 2012 Eskom Spot Building Counts.

¹⁸⁴ We used an erf size of 75 m² for houses <80 m² and 500 m² for houses >80 m².

¹⁸⁵ We used an erf size of 120 m² for houses <80 m² and 700 m² for houses >80 m².

¹⁸⁶ Approximate density.

¹⁸⁷ Source: **Fig. SW 4.1a** in *Stellenbosch Water Master Plan*.

¹⁸⁸ Listed as 'Affordable housing' and 'informal upgraded'.

¹⁸⁹ Listed as 'Single Residential 500'; meaning an erf size of 500 m².

¹⁹⁰ Listed as 'Single Residential 1000'; meaning an erf size of 1 000 m².

¹⁹¹ Listed as 'Single Residential 1500' in **Fig SW 4.1c** (Franschhoek) and **Fig.SW 4.1b** (Dwarsrivier); meaning an erf size of 1 500 m².

¹⁹² Densities applicable to flats in Multi-Unit Residential Zone.

¹⁹³ Listed as 'Group housing 30 to 40'.

¹⁹⁴ Listed as 'Group housing 40 to 60'.

¹⁹⁵ Densities applicable to group housing in Conventional Residential Zone (CR).

¹⁹⁶ Densities applicable to group housing in Less Formal Residential Zone.

¹⁹⁷ Densities applicable to group housing and retirement villages in Multi-Unit Residential Zone.

Stellenbosch Water Master Plan be used as benchmark, with the intent to achieve higher densities for all land use types in all towns/settlements. Note that we propose a count of 'dwelling units' in certain Consolidation Zones to confirm the dwelling densities provided in this report and to inform decision-making to effect land-utilization outcomes.¹⁹⁸

The above, is based on the use of average densities (by land use type) as policy objective (or targets). We would, however, by 'adding' two high-density nodes in Stellenbosch (Town) as Transformation Zones, consider densification as 'strategic intensification to create a hierarchical network of high-density nodes interconnected with affordable and efficient mass transit, in which case average densification becomes an emergent outcome, not a policy objective'.¹⁹⁹ In this regard, we emphasise that the work to be done in facilitating the desired land-utilization outcomes in the two Transformation Zones, would allow for a *planning scope and scale* to consider densification at precinct level (including the CBD as part of creating transport links).

In §23, we discuss the *implications* of implementing the preferred development path for the various nodes, as well as densities.

15.5 SOCIAL AMENITIES

The provision of social amenities in the municipal area is adequate but under pressure. This pressure is owing to a growing population rather than accessibility, i.e. key social amenities are located within reasonable walking distances from users in Stellenbosch (Town), Franschhoek and Klapmuts.

Note that the provision of social-service needs is included in the placemaker modelling. Various population thresholds calculated in an analysis by the CSIR,²⁰⁰ assist in determining – based on growth in the population – when future additional community facilities may be required. The number and costs associated with these facilities are included over the assessment period in five-year increments.

16 LAND GOVERNANCE GUIDELINES

16.1 HIGHEST-AND-BEST USE

Land is a finite resource and the way it is used is a potential driver of spatial transformation, particularly the use of well-located publicly-owned land. However, the housing-finance models used by government, result in marginal (and cheaper) land (owned by government, often on the periphery of urban areas) being used for subsidy housing.

In an ideal world, the poor should live in housing that is close to amenities and job opportunities, as these would reduce their long-term life-cycle costs of occupation – e.g. travelling and time costs. However, quite often land close to economic activity is also the most expensive, unless it is of slum-like quality, as in so many North American and Indian inner cities. There is, therefore, a trade-off between the upfront cost of land and life-cycle costs to the residents in far-off locations. One way to resolve this issue (without deliberately creating slums in the country's CBDs or inner cities) is the introduction of highly subsidized high-speed public transport from the peripheral low-cost housing schemes to work

¹⁹⁸ A count similar to the recent municipal count of shacks in three informal settlements.

¹⁹⁹ Swilling, M. ca. 2016. "Resource requirements of future urbanization", unpublished paper delivered at International Resource Panel (IRP) conference, convened by UNEP. Video accessed on 24 October 2017 at: <https://www.youtube.com/watch?v=X-jM7t-MFcc>. Eventually to be published as an IRP report and will be cited as: Swilling, M., Hajer, M. et al. Forthcoming. *The Weight of Cities: Resource Requirements of Future Urbanization*. A report for the International Resource Panel. Paris: United Nations Environment Program (UNEP). Collaborating Institutes: Utrecht University, CSIRO, Urban Morphology Institute, UCSB, UMN.

²⁰⁰ CSIR Guidelines for the Provision of Social Facilities in South African Settlements, August 2012.

opportunities. Note that with the above remarks, we do not imply that Stellenbosch (Town) is a city (with the transportation problems of a city), nor that its CBD should be turned into a slum!

In a practical sense, state intervention can provide access to well-located land for the urban poor²⁰¹ – but at a cost to either the landowner, the state (all spheres) or the developer (or a combination of these parties). It seems to us, it is unfair²⁰² to expect a private owner or developer to carry these costs, which leaves the spheres of state to foot the bill.

Developers of residential schemes naturally want to develop land to its highest-and-best use,²⁰³ which during boom times more often than not does not include Affordable Housing,²⁰⁴ as the profit margins are tighter in this segment. Expensive land is developable land that is well located by reason of (a) geography (for instance, attractive views or high-value farm land), (b) accessibility to amenities and jobs (maybe close to an *attractive* CBD like Stellenbosch (Town)), and (c) adjacent to high-income areas. However, all three these criteria need not apply.

Competition for land may also result in land banking, which in effect means the medium- to long-term sterilization of land with the potential for development (see previous comment on the need for an iron inventory (buffer stock) of raw developable land).

Notably, even marginal land in and around Stellenbosch (Town) is expensive to use for Affordable Housing and would require substantial subsidisation. A recent study²⁰⁵ concluded that, when considering peripheral municipal-owned land north of Kayamandi for housing, the **'land cost per opportunity'** of R56 266 is significantly higher than the indicative cost of serviced erven of R35 000 for a subsidy erf.

16.2 MUNICIPAL-OWNED LAND

The Stellenbosch Municipality owns 4 219,4 hectares of urban and rural land spread out in fragments across the entire municipal area.²⁰⁶ The management function of the land portfolio is performed in accordance with the Municipal Financial Management Act, 2003 (Act 56 of 2003) **but not as part of any plan or programme**. For example, the deliverables and potential returns of the portfolio have not been quantitatively or qualitatively assessed or analysed. Neither is the portfolio or segments thereof being managed with any consideration of market forces.

Only a handful of transactions of municipal-owned land have occurred or have been considered since 2000. The municipality prefers long-term lease agreements as contractual arrangements with third parties rather than selling outright. Barring three, all municipal lease agreements (64 in total) were concluded in the 1990s. The municipality is now considering **negotiating with certain leaseholders for the inclusion of an 'empowerment' stake or to do a buy-out**. We note that about 200 hectares of municipal-owned (agricultural) land have been lying fallow since 2007 owing to a lack of consensus in decision-making, which results in a loss of revenue to the municipality. Arguably, this is one of the reasons why house prices are so high in Stellenbosch (Town) (the supply side is artificially constrained).

²⁰¹ Households earning less than R3500 per month.

²⁰² Thus, it may not pass muster of the Constitution.

²⁰³ The most probable use of a property that is physically possible, appropriately justified, legally permissible, financially feasible and which results in the highest value of the property being valued. (Source: International Valuation Standards Council, 2011). **The Afrikaans term – *mees renderende gebruik* – is more descriptive.**

²⁰⁴ See definition under Glossary of Terms.

²⁰⁵ *Northern Extension Draft Feasibility Report*, January 2016.

²⁰⁶ Equivalent to 2473 land parcels (see *Stellenbosch Land Audit: Phase 1*, December 2017).

Of particular concern in the context of using state-owned land for urban expansion in the Droë Dyke/Libertas Transformation Zone, is the very cumbersome nature of acquiring state-owned land.

16.3 STATE-OWNED LAND

We do not provide detailed information about state-owned land in the municipal area, simply because accurate information is not available. This was the finding of a recent study to incorporate ownership data of state-owned land into a spatial geodatabase.²⁰⁷ For example, the study shows an alarming number of spatial discrepancies between the GISCOE geodatabase and the latest versions of the state-land audit shapefiles for the Western Cape.

16.4 GUIDELINES FOR THE GOVERNANCE OF MUNICIPAL- AND STATE-OWNED (URBAN) LAND

We propose the following guidelines in governing municipal- and state-owned (urban) land in the context of the preferred growth-and-development path:

- Ensure adequate resources (human and capital) to manage the municipal property portfolio.
- Finalise and approve the commissioned land-audit, and then determine site-specific development potential or highest-and-best use (for brownfields and greenfields development) in the preferred growth areas.
- The Municipality must immediately start with steps to acquire state-owned land in the Droë Dyke/Libertas Transformation Zone for urban development.
- Prioritise the drafting and implementation of a land-release and -acquisition programme to, *inter alia*, guide the use of municipal-owned land for the public good; in doing so, consider the following: UDS growth trajectories, benchmarks, target yields, release options, acquisition/ release timeframes, risk and change management, and market conditions.
- Establish a well-defined and user-friendly document/management information system (including datasets) that allows tracking, warning and reporting of performance and progress over time, i.e. to facilitate more informed decision-making.²⁰⁸

17 TRANSPORT AND MOBILITY GUIDELINES

Better and coordinated transport and land-use planning would lead to, *inter alia*, a reduction of travel and transport needs. To this end, the concepts of interconnected nodes and transit-oriented development have been promoted in spatial plans. The goal was to achieve land-use/transport integration as a qualitative outcome.

Current responses by private enterprise and households are, however, not in line with this goal. For example, and as mentioned, recent developments in Koelenhof and Klapmuts are still mono-functional residential developments with the private car as preferred transport mode between productive activities, i.e. forced commuting.²⁰⁹ When considering land-use management, small gains have been forthcoming as some goals of the TOD approach were achieved (e.g. higher densities and a mix of housing types), but, crucially, the 'transport link' is missing. In this report, we address, amongst other issues, this 'link' through the growth-

²⁰⁷ *Stellenbosch Land Audit: Phase 1*, December 2017.

²⁰⁸ As mentioned, we were forced to do our forecasts for the municipality as a whole because the Municipality does not compile statistics for the various nodes separately. This is a great pity, and could easily be rectified.

²⁰⁹ There is a very low concentration of formal jobs in Koelenhof and that middle to high-income earners prefer to use private transport. The average monthly income of residents leasing property in Nootgedacht Village is more than R50 000 (Source: information provided in April 2017 by Ms C Brand, sales consultant in Nootgedacht Village).

and-development criteria for the use and development of land in the designated land development areas (in particular, for Stellenbosch (Town)). The work to be done in facilitating the desired land-utilization outcomes in Transformation Zones, would allow for a **planning scope and scale** to consider the issue of land-use/transport integration at town level. Note that such work must address the 3Ds of transit, i.e. density, diversity and design²¹⁰ (see box below) and be guided by the findings and proposals in numerous transport-related studies.²¹¹

Considering these studies and those being drafted,²¹² the identified change tool of integrating transport modes, including its management, must be the focus of transport planning. In addition, the growth-and-development path set out in this report is a key planning directive to effect change — as a quantified (in land extent and type, cost and rollout) and spatially-designated path. For example, it would be an imperative to redo the modelling of scenarios in the Western Bypass study based on the changed land-use data.

The American academic and author, Robert Cervero, describes the basic requirements for sustainable transit (formalised public transport) as density, diversity and design (the 3Ds of transit). He shows that **density** alone is not adequate, as can be seen in the following example:

- Creating five times the residential and office **density** in any neighbourhood and the CBD would simply result in a spike in peak trips, while still requiring no travel between peaks. This would require substantially more buses during the peaks, and these buses would remain underutilised for the remainder of the day.
- Creating **diversity** could mean adding the same level of employment and offices (density) in both areas, to achieve an equal number of trips between these zones. This would still only result in peak utilisation of buses, but half the fleet is required as trips are shared between two directions of travel. Income would also double, since buses no longer return empty on the return leg of a trip.
- **Design** refers to the requirement to create the spaces between land parcels and the transport system to be conducive for walking and cycling. If done effectively, this would reduce the need to drive and park at bus stops, as it facilitates walking and cycling. Importantly, it would create the environment where people would become inclined to walk and cycle between all activities in an area, rather than by car.

The essence of any densification strategy must therefore be to ensure that an increasing number of short trips can be made by walking and cycling, while an increasing number of longer trips can be made by transit, rather than car.

18 INFRASTRUCTURE GUIDELINES

The level of municipal infrastructure does indicate insufficient capacity to meet future demand for especially water, sewerage and solid waste disposal. However, sufficient infrastructure capacity is available for the expected development in the Droë Dyke/Libertas precinct, except for the need to construct a R35 million water reservoir.²¹³ In this regard, funding and capacity constraints are a real and pertinent input for development within the towns/settlements.²¹⁴

²¹⁰ Cervero, R., Kockelman, K 1997. *Travel demand and the 3 Ds: Density, Diversity and Design*, Elsevier Science Ltd, 1997.

²¹¹ The intra- and inter-municipal or regional transport dynamics (e.g. the rail network and freight routes) must be addressed in the ongoing processes to draft the MSDF and certain transport-related studies.

²¹² For example, the research on improving access and mobility in Stellenbosch (Town) as part of the Provincial Sustainable Transport Programme.

²¹³ Comment made by Mr D Lombaard at a meeting held on 17 August 2017.

²¹⁴ Considered in the *Stellenbosch Water Master Plan*, December 2011.

Allocation in the budget of the Municipality links to infrastructure provision in the context of a supply or constraint due to available capacity. Planning and the availability of infrastructure capacity from any external source is beyond the control of the Municipality, but the supply of **infrastructure and bulk services would rest with the private party if the Municipality's funding** is constrained. Development charges (DCs) are therefore included to compensate for the requirements of the external bulk services. These contributions were dealt with in the placemaker modelling calculations.

The Municipality will have to address capacity constraints at the current operating cell of the landfill in Devon Valley. No alternative landfill option has been secured to date. This includes using planned and/or existing sites in Wellington, Cape Town or a regional site, and waste-to-energy alternatives. In addition, infrastructure and methods to maximise the reduction of waste such as a Material Recovery Facility (chipping of garden waste and the crushing of **builders' rubble, which is done on a limited scale) or treating organic waste, need to be implemented at scale.** These diversion technologies will greatly reduce the waste stream, but will not eliminate the need for landfill capacity. In this regard, the Municipality will have to transport waste that cannot be recovered, to another landfill site. A two-year window period exists for the Municipality to establish the required infrastructure to transfer and transport such waste.

The debate around the possible use of the area between the old and current cells of the **landfill has recently been 'reopened'**. Two major overhead electrical lines cross this area and, if rerouted, additional capacity will be created. If successful in rerouting the Eskom lines, a licence amendment must be applied for to include this area into the landfill footprint. This option will no doubt provide valuable airspace at the landfill by linking the two mounds of waste, but it will not provide Stellenbosch with a long-term disposal solution. A high-level calculation indicates that some 1,2 million m³ of capacity could be provided by filling this area and providing a medium-term solution, given that maximum diversion is achieved.

19 CLIMATE CHANGE GUIDELINES

In **Part A**, we addressed climate vulnerability of the urban areas in the Stellenbosch municipal area. The use and development of land are key determinants of such vulnerability. In this regard, the municipality must respond to climate change by adopting and implementing specific adaptation options, i.e. avoid vulnerability to climate-change impacts or adjust the urban environment to minimise vulnerability.²¹⁵

The avoidance-driven strategy entails the choice of location for different land uses as the adaptive mechanism. It entails (a) choosing locations where the effects of climate change will be minimal and (b) distributing land-use in such a way as to avoid climate change vulnerability. This approach also relies on the capacity of ecological infrastructure to absorb the negative impacts of climate change and prevent development from compromising this capacity.

The choice of location for the minimisation of impact should focus on criteria such as economic development, connectivity, attractiveness, etc. rather than climate change. The primary adaptive mechanism in this case is optimisation of designs to lower sensitivity to climate change impacts. This can be done at varying scales through urban design and building design.

The following response options are proposed in the context of this study:

Avoidance

²¹⁵ Roggema, R. (2009). *Adaptation to climate change. A spatial challenge.* Dordrecht, New York: Springer.

- Map vulnerable areas (flood lines, etc.) and do not allow development in areas with high vulnerability.
- Implement land-use planning and zoning mechanisms to avoid building and development of infrastructure in hazard-prone areas.
- Relocate existing development outside of areas with high vulnerability and high risk.
- Maintain and update drainage systems.
- Ensure proper urban planning to reduce incidence of unplanned settlements/growth.

Minimisation

- Implement building regulations to ensure efficiency in all new buildings – monitor, enforce and encourage best practice.
- Strengthen building code requirements to address possible impacts on building and infrastructure development projects.
- Ensure densification through zoning regulations.
- Consider permeable pavements, green roofs and rain tanks to increase on-site retention of storm water.

20 HOUSING GUIDELINES

We already mentioned that the SPLUMA legislation introduced a ‘far-reaching’ planning approach for the development of (residential) land. It is now required to consider the entire spectrum of housing across different socio-economic categories (and gradients)²¹⁶ when estimating demand and planning densities and location. However, the Act does not translate this approach into quantifiable outcomes, i.e. it does not provide any spatial targets and/or indicators — nor do any other act or the Housing Code.

The next two sections include a summary of the estimated housing demand (*across different socio-economic categories and gradients*) and strategic guidelines for land development.

20.1 FORECAST DEMAND FOR RESIDENTIAL UNITS (SUMMARISED)

We estimated housing affordability (see **Part A**), housing backlog as well as the future need for housing across all socio-economic categories and gradients (see **Part C**). In the next few paragraphs we summarise the relevant findings.

In order to wipe out the 2016 municipality-wide backlog of 11 618 *housing units for the indigent* and to cater for the growing need, 17 847 units need to be built between 2016 and 2036. Note that the government provided a total of 1891 subsidised opportunities over the 10-year period ended 2015/16.²¹⁷ Assuming that this deficit of new supply of housing for the indigent will persist, we estimate a cumulative addition to the inventory of only 7805 houses by the year 2036 — leaving a significant backlog or social need for housing associated with the lowest house-price class (the ‘give-away’ (RDP) bracket).

One answer to the ‘insufficient’ new supply of housing for the indigent would be that the housing development programmes still consider – after years of nearly 6% p.a. consumer inflation – household income levels of R0 to R3500 to be adequate to cater for indigent households’ housing.²¹⁸ As a result, through inflation, fewer and fewer households would have qualified. This is a policy decision at a national level, and the logic behind it is probably to encourage self-help on serviced sites, as the fiscus clearly cannot afford to give away houses to all those who cannot afford their own house. The implication of this is that the municipality should proactively provide site-and-service sites for the ever-growing need for shelter for the indigent. If not, unplanned invasions, driven by desperation, will occur, which will later create upgrading or relocation headaches.

²¹⁶ Own insertion.

²¹⁷ We estimated the historic supply of housing for the indigent by dividing the annual budget spent over the 10-year period by the cost of R155 000 per unit.

²¹⁸ This does not include social housing.

The social housing programme is characterised by the same dilemma of household income levels not keeping track with inflationary increases. However, the national government recently adjusted the household income thresholds applicable to this programme. The lower qualifying household income limit for the primary social housing market was raised from R3500 to R5500 per month and the upper limit from R7500 to R15 000 per month.²¹⁹ On the supply side, this would allow for greater responsiveness from Social Housing Institutions as the ability of tenants²²⁰ to pay rent would increase.

The recent supply of new houses for the indigent occurred mainly in Klapmuts. This is reflected in the number of transfers in 2014 and 2015 in the lowest price range (R0–R160 000), viz. 445, which constitutes 65% of all transfers in Klapmuts over the last 11 years. These transfers (together with similar transfers in Kayamandi) have significantly changed the profile of specifically full-title residential transfers in the municipal area.

In the municipal area, there has been a steep, far-above-inflation increase in house values between 2012 and 2016 (calculations based on the respective municipal valuation rolls). The value increase of full-title and sectional-title properties in the *urban areas* was a combined 47%, which equals an annual compound growth of 10% over this period. The implication is that not enough new stock had been produced on the supply side, i.e. the steep rise in values is the result of a disequilibrium between demand and supply. This is true for all areas except Klapmuts. In Klapmuts, the percentage of properties in the lowest house-price band is higher than the percentage of households in the lowest income category, implying there is sufficient housing stock in this band. In contrast, as in most urban areas, only a small percentage of households in the municipal area were able to move to a higher income bracket, with the effect that the housing affordability gap remains, and in some areas, even widened.²²¹

What are the future needs for non-indigent housing?

We estimate that there will be a cumulative new demand for more than 20 000 *gap/affordable houses* in the municipal area by 2036.²²² In the price class above R580 000,²²³ we estimate that by 2036, there will be a cumulative new demand for about 3000 stand-alone houses and a cumulative new demand of between 2500 and 3500 for flats/ townhouses, depending on the growth scenario used.

20.2 HOUSING MARKET SEGMENTATION

The main purpose of analysing (the segmentation of) the housing market, is to propose a rational list of housing sub-markets that take cognisance of the income, tenure and qualification dimensions to these sub-markets. These core dimensions relate to (a) affordability for different housing products (income), (b) the suitability to serve a particular **household's need** (tenure preference) and (c) the **household's ability to access state-housing assistance**.

We used the segmentation matrix developed by the WCG to categorise different housing options (tenure and rental) for different household income categories.²²⁴ **Table A3**

²¹⁹ <https://www.businesslive.co.za/bd/national/2017-11-30-plans-to-make-housing-accessible-to-the-missing-middle-gain-pace/>, viewed on 17.01.2018.

²²⁰ Tenants would be the so-called 'missing middle', i.e. South Africans who earn too much to qualify for subsidised housing and too little to get approved to buy a house on their own.

²²¹ It is well known that the incomes of the very-low-income segment are rising slower than the incomes of the high-income earners. This is an international phenomenon.

²²² Houses in the price bands associated with property values between R160 000 and R580 000.

²²³ Note that the method used to determine the cumulative new demand for the Business-as-usual scenario, assumes growth in demand is impervious to the economy and would be similar to historic demand. The other two scenarios are based on assumed macro-economic growth that is lower than the historic average growth of the SA economy and, as a result, produced lower demand estimates.

²²⁴ Western Cape Government, *A Human Settlement Demand Study in the Western Cape, Housing Market Segment Report, Final*, 2015.

categorises different housing options (ownership and rental) for different household income categories in the context of this study.²²⁵

Table A3
Summary of housing options (ownership and rental) based on household income and determined for selected geographic areas

Segment	Stellenbosch municipal area		Stellenbosch urban areas		Franschhoek		Klapmuts		Stellenbosch (Town)	
	Own	Rent	Own	Rent	Own	Rent	Own	Rent	Own	Rent
CRU	-	2919	-	2064	-	552	-	154	-	1306
Social housing	-	1821	-	1100	-	156	-	63	-	812
Normal rental	-	2992	-	1871	-	103	-	19	-	324
Subsidy	5662	-	4027	-	942	-	382	-	2401	-
Supply and credit gap	2413	-	1357	-	246	-	125	-	821	-
Credit gap	415	-	229	-	22	-	18	-	154	-
FLISP	882	-	487	-	46	-	38	-	327	-
Bondable	5137	-	3770	-	248	-	35	-	2738	-
Non qualifiers	14724	6682	12879	5575	1653	859	780	310	8931	4093
TOTAL	29 233	14 414	22 749	10 610	3 157	1 670	1 378	546	15 327	6 535
% of total by area	67%	33%	68%	32%	65%	35%	72%	28%	70%	30%

Source: *Socio-economic and Demographic Analysis Report* completed by Rode in February 2017 and *Status Quo Report* by Rode, May 2017

Note that the figures for the urban areas of Franschhoek, Klapmuts and Stellenbosch (Town) are reflected in both the urban area and municipal area figures, while the Stellenbosch urban areas are reflected in the municipal area figures.

Considering the total number of rental options (CRU and Social Housing) in the lowest household income bracket (monthly earnings less than R3500) in the three towns, the segment in Stellenbosch (Town) of about 70%, is significantly more than in Klapmuts and Franschhoek at 7% and 23%, respectively. The ownership option of subsidised housing in the same income bracket, measures almost the same proportions as the rental option, i.e. Stellenbosch (Town) 65%, 10% in Klapmuts and 25% in Franschhoek.

The housing market (irrespective of the sub-market and geographic unit analysed) can be apportioned (ownership and rental) as a ratio of about 65:35.

20.3 HOUSING STRATEGY

20.3.1 Social housing

Social Housing is subsidised rental accommodation in identified areas that is provided by Social Housing Institutions (SHIs), the Social Housing Regulatory Authority (SHRA), and the provincial Department of Human Settlements in conjunction with local municipalities. SHIs are entities formed to undertake the development of social housing projects, to own, facilitate and manage the properties, and to collect rentals and repay any loans secured to develop the units. The beneficiaries or potential tenants are low- and middle-income households earning between R5500 and R15 000 per month. All social housing projects must form part of a Restructuring Zone as a demarcated area.

There are mainly four funding streams for the application of this programme in the Western Cape:

²²⁵ The methodology used is explained in the *Socio-economic and Demographic Analysis Report* completed by Rode in February 2017.

- Institutional subsidy (source: Western Cape Government)
- Restructuring Capital Grant (source: National Government and SHRA)
- Local authorities (in the form of contributing land)
- Loan finance and equity (mainly from the private sector)

The Social Housing sector in South Africa is experiencing a rapid decline in delivery, and SHRA faces problems relating to its custodianship of the social housing sector, the regulation of social housing institutions, and the management of the investment of the Restructuring Capital Grant (RCG) subsidies.²²⁶ Additional problems identified are:

- Over time there had been a marked increase in the average per-unit cost.²²⁷
- Changes occurred in the proportionate allocation of each major source of finance.
- The Social Housing financing model is inherently complex for SHIs and the public sector to navigate.

We propose that a Transformation Zone must include a Restructuring Zone, while a Consolidation Zone, if located in Stellenbosch (Town), Klapmuts or Franschhoek, can include a Restructuring Zone.²²⁸ This would imply a re-evaluation of the approved Restructuring Zone in Stellenbosch (Town).

20.3.2 Informal settlements

About 17% of all households in the municipal area are living in an informal shack.²²⁹ Note that recent counts of shacks in three informal settlements, viz. Enkanini, Zone O and Langrug, established an increase in numbers since 2011 equivalent to a 5% annual growth rate. In other words, the combined number of shacks in informal settlements in the municipal area, increased from 6895 (in 2011) to 8800 in 2016 (see **Map D4** for the location of informal settlements in the municipal area).

The upgrading of informal settlements must receive a high priority. The Upgrading of Informal Settlements Programme must be implemented in the oldest informal settlements first, and must start by de-densifying the target area. The next step would be to complete in-situ upgrading by using the various housing options available to qualifying beneficiaries. The preferred product is a serviced site as part of a phased development approach. It is argued that a top structure should not be part of this programme in order to differentiate between the products of this programme and the Integrated Residential Development Programme (IRDP). **However, top structures are provided under the UISP to 'most deserving' individuals,** but then by relocating these people to other housing projects. In this regard, the de-densification of Enkanini and Langrug must be prioritised to provide alternative housing elsewhere for those that can afford such housing²³⁰ **and a certificate of 'ownership' to residents remaining in the area.** Note that the Enkanini settlement is located on municipal-owned land that was regarded by the community as *better located* than municipal-owned land to the north of Kayamandi.

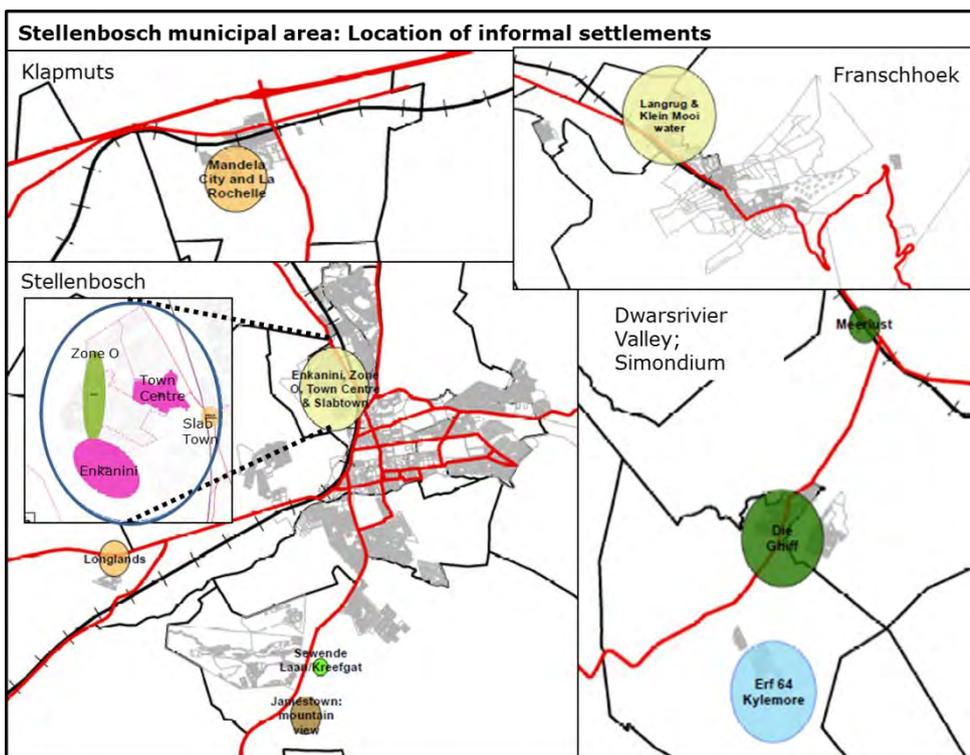
²²⁶ Department of Human Settlements, *Impact and Implementation Evaluation of the Social Housing Programme, Evaluation Report (second draft – V2.0)*, June 2015.

²²⁷ It is estimated that the current cost per unit is about R400 000 (source: WCG, 2016).

²²⁸ The land extent and location of a Restructuring Zone in a Transformation Zone must be determined as part of preparing a local precinct plan. A special study would be required to determine the land extent and location of a Restructuring Zone in a Consolidation Zone, e.g. Idas Valley.

²²⁹ Calculated by using Census 2011 data.

²³⁰ For example, affordable rental accommodation.



Map D4: Location of informal settlements in the Stellenbosch municipal area

20.3.3 Inclusionary housing

SPLUMA specifies the requirement to identify designated areas where a national or provincial inclusionary housing policy may be applicable. By design, inclusionary programmes link the production of low-spec housing to market-related housing production.

The Transformation Zones *and well-located land outside these zones* are designated as areas where, in larger developments, developers should be encouraged through moral suasion to offer a gradient of residential price classes, provided there is demonstrable demand for such price categories.

A programme to enforce inclusionary housing is risky as nobody knows what the unintended consequences will be. To residential developers, the biggest risk is that their sales tempo in new developments would be retarded to the extent that the development becomes unviable. **From the developers' point of view, the obvious part solution to this problem is to keep the price gradient between the various price classes within a development shallow.** For example, mix low-spec units with houses that do not cost more than, say, R500 000. However, the downside to such a reaction by the private sector would be (a) that the profit margins on low-priced houses are wafer thin and (b) that no more houses or residential units of more than R1 million would be constructed. Using economic theory and common sense, this would lead to spiralling house prices in these categories. In the USA, such policies have contributed very little to additional low-spec housing stock.²³¹ Thus, given the risk outlined above, a municipality should approach such a programme with the utmost sensitivity and care.

The following measures (in addition to the growth-and-development criteria as specified in a Transformation Zone) must be considered in the delivery of inclusionary housing opportunities:²³²

²³¹ Sturtevant, Lisa A. (2016). *Separating fact from fiction to design effective inclusionary housing programs*. Center for Housing Policy.

²³² Some of these measures have been cited from the Spatial Development Framework 2040, City of Johannesburg Metropolitan Municipality with permission received from Mr Herman Pienaar (official at the City Council) at a meeting held on 29 June 2017.

- Inclusionary housing **must** be addressed in Precinct Plans (providing detailed development guidelines) and land-development applications by price, type, extent, design, layout, location, and tradability.
- Provision of such housing opportunities can be on-site or off-site; if off-site, then on well-located land.
- Development incentives for on-site and off-site provision/supply can include density bonuses in addition to allowable dwelling densities.
- Ensure that the development of inclusionary units occur concurrently with the market-related units.²³³

20.3.4 Backyarders

We estimate that 5,6% (or 2 439 units) of all dwellings in the municipal area are informal shacks in backyards.^{234,235} About 77% of the households living in these shacks have a monthly income of less than R3500 (2011 rands). Flats in backyards are also used for accommodation.

It is clear that a large proportion of the people residing in, for example, Kayamandi and Cloeteville, make use of backyard dwellings. Of particular concern is also the possibility of **overcrowding** because many households living in these areas consist of five or more persons per household. In Franschhoek, shacks in backyards constitute about 11% of all dwellings in the town.²³⁶

Backyard-living must be acknowledged as a legitimate form of housing, provided it does not compromise safety and health standards. Also, not to be ignored, is the extra income that home owners earn in this manner.

20.3.5 Employer-assisted housing

Employer-assisted housing has been used in the municipal area as a housing delivery option to accommodate, mainly, farm workers and forestry workers in rural settlements. We propose **that all rural settlements with vested 'living' rights (historically approved) be designated as Inclusion Zones.**²³⁷

The form of assistance varies, but the most common form is the provision of (on-site) rental accommodation by the employer to the employee. In recent years, this option has also been used to provide housing in Stellenbosch (Town) owing to the job-housing mismatch and inadequate housing stock in all price bands.

20.3.6 Incremental densification

Incremental densification can occur as 'infill' development in established neighbourhoods outside the three designated zones.²³⁸ As mentioned, achieving higher densities in the STOD (Adam Tas Corridor) Transformation Zone is a priority, and (incremental) densification inside a Consolidation Zone should be carefully managed to obtain the desired land-utilization outcomes.

The subdivision of land must be in accordance with the zoning scheme by-law. Of particular importance is the application of the subdivision overlay zone.

²³³ This measure applies to both on-site and off-site provision/supply.

²³⁴ Calculated by using Census 2011 data.

²³⁵ Defined as 'shelter' in the draft Integrated Zoning Scheme.

²³⁶ Calculated by using Census 2011 data.

²³⁷ Note that these settlements are all outside the UDS study area, i.e. the implementation of the proposed designation as Inclusion Zones needs to be confirmed as part of the Rural Area Plan or MSDF 2018.

²³⁸ In accordance with the draft zoning scheme by-law.

20.3.7 Farmworker housing

It is reported that 'illegal farm evictions are on the rise in the Western Cape, especially in the Ceres, Somerset West and Worcester areas.²³⁹ We have already discussed two housing options to accommodate farm workers, i.e. emergency housing (for evicted farm workers) and employer-assisted housing. The former refers to assistance by Government in the form of basic municipal engineering services and/or shelter after a competent court issued an eviction order. Local government must plan and budget for such an eventuality and can be ordered by a court to provide emergency housing.²⁴⁰

The Stellenbosch municipality (in person Mr Robyn) acknowledge inadequate responses from all stakeholders to the challenge of providing (emergency) housing.²⁴¹ Timely notification of evictions and designated areas would enable a better municipal response.

In this study, we propose the implementation of an Emergency Housing Programme in Consolidation Zones in accordance with (a) the need of the beneficiaries and residents, as well as (b) the structure, (c) function, and (d) purpose of the specific area.²⁴²

20.3.8 Student housing

Studentification is defined as the process where the original residents in the vicinity of tertiary institutions are gradually displaced due to an in-migration of students causing spatial dysfunctionality where, eventually, only the needs of a student subculture are catered for.²⁴³

We already mentioned that studentification is reshaping almost every residential neighbourhood in Stellenbosch (Town) and, in particular, those close to campus. This process is shaped by responses from private enterprise, households (i.e. local residents), students and local government (e.g. through land use management). Note that the new Stellenbosch zoning scheme by-law (October 2016) allows student accommodation (off-campus) in most residential-related zoning categories (as primary and consent use) under the definition of 'boarding house'.

In 2016, the number of students on the Stellenbosch campus comprised about 28% of the estimated population in Stellenbosch (Town). This is more or less the same proportion as in 2011, i.e. minimal change in the ratio of students to population. However, the small change in the number of students does not reflect other factors pertaining to these students, for example changes in *accommodation requirements*, spending patterns and modes, times and distance of travel.

It is student accommodation requirements that lead to studentification as a result of pent-up demand, i.e. demand that cannot be satisfied because of a shortage of accommodation on campus. It is recommended that the Municipality (together with the Stellenbosch University) closely monitor this process at neighbourhood and town level to track changes in socio-spatial relations.

20.3.9 Strategic guidelines

- Provide adequate, affordable, accessible, resource-efficient, safe, resilient, well-connected and well-located housing, with special attention to the proximity factor and the

²³⁹ <https://www.iol.co.za/news/south-africa/spike-in-illegal-evictions-at-western-cape-farms-10300536>, viewed on 26 May 2018.

²⁴⁰ Western Cape High Court, Case No: 9443/14, 30 August 2017.

²⁴¹ Comment made by Mr Robyn at a meeting on 12 February 2018.

²⁴² The identification and planning of (new) emergency housing sites must be part the annual review of the MIDP.

²⁴³ Donaldson, R., Benn J., Campbell, M. and de Jager, A, 2014, *Reshaping urban space through studentification in two South African urban centres*, 2014.

strengthening of the spatial relationship with the rest of the urban fabric and the surrounding functional areas.²⁴⁴

- Residential (and associated non-residential) land development must be guided by the '*statement of vision*' as set out in **Part B** of this report and based on the specifications of the applicable land-development area.
- The following strategic guidelines are proposed to steer government-driven land development:
 - Prioritise the implementation of housing delivery programmes in accordance with the proposed investment framework, hierarchy of nodes and designated land-development areas.
 - Prioritise the implementation of the *Integrated Residential Development Programme* in the Droë Dyke/Libertas Transformation Zone and in the following Consolidation Zones (in order of priority): Kayamandi, Jamestown, Idas Valley, Cloetesville and Klapmuts.
 - Prioritise the implementation of the *Social Housing Programme* in the following Transformation Zones: Droë Dyke/Libertas and STOD (Adam Tas Corridor) and Consolidation Zones: Kayamandi, Jamestown, Idas Valley (more specifically, on erf 3363), Cloetesville, Klapmuts and Franschoek.
 - Prioritise the upgrading of informal settlements.
 - Implement an Emergency Housing Programme in Consolidation Zones in accordance with (a) the need of the beneficiaries and residents, as well as (b) the structure, (c) function, and (d) purpose of the specific area.²⁴⁵
 - Provide and maintain municipal services and infrastructure in Inclusion Zones to set norms and standards for each service.
 - Conduct due diligence assessments and/or feasibility studies of proposed government-driven land developments.
- The following strategic guidelines are proposed to steer private-sector-driven land development in the urban areas:
 - Encourage developers to offer a gradient of residential price classes in larger developments in Transformation Zones and on well-located land outside these zones. This can include on-site or off-site inclusionary housing opportunities.
 - Prioritise high-density, mixed-use and transit-oriented development in Transformation Zones.
 - Create co-investment opportunities based on appropriate implementation and incentive plans and/or integrated business models.
 - Land-development applications should quantitatively and qualitatively consider the applicable growth-and-development criteria by land-development area.

In terms of these guidelines, the Transformation Zones are targeted to accommodate the bulk of new residential supply (to be built between 2016 and 2036) in the municipal area — the commissioning of a precinct-planning exercise to plan future urban intensification/expansion in these areas must follow the UDS study.

21 MSDF (SPATIAL) GUIDELINES APPLIED (MUNICIPALITY-WIDE)

Table D9 references how we addressed the spatial guidelines identified as part of previous planning processes in a municipality-wide context.

Table D9 Application of MSDF spatial guidelines (municipality-wide)

²⁴⁴ United Nations, New Urban Agenda, January 2017 (*Resolution adopted by the General Assembly on 23 December 2016*).

²⁴⁵ The identification and planning of (new) emergency housing sites must be part the annual review of the MIDP.

Some of the proposed changes to 2013 MSDF (but not approved in 2017)		Proposed outcomes in UDS
1	Significant densification of existing neighbourhoods located in the proximity of major transport infrastructure and Stellenbosch University	Addressed as part of designated LDAs
2	Establishment of an urban restructuring zone along the Helshoogte/Banhoek Road corridor for the development of high-density residential accommodation, together with relevant non-residential facilities	Addressed as part of designated LDAs
3	Identification of the Denneisig area bounded by Adam Tas Road/R44, Merriman Avenue, Bird Street and Molteno Road as a primary densification and development intensification area for the establishment of blocks of flats according to a predetermined pattern on clustered erven with heights of up to 6 storeys, subject to certain performance criteria mixed with non-residential facilities	Addressed as part of designated LDAs
4	The identification of Jonkershoek as a potential development node for the establishment of economic opportunities and limited residential accommodation with only the basic provision of non-residential facilities to prevent future expansion of the residential area	Addressed through the Op-die-Bult housing project
5	Prioritising the development of the Koelenhof, Vlottenburg and Klapmuts nodes to ensure effective integrated human settlement development linked to major transport infrastructure	Addressed as part of designated LDAs linked to hierarchy of nodes
6	Creating new development areas to accommodate appropriate development for the northwards extension of Stellenbosch (Town)	'Northern Extension' addressed as part of designated LDAs and urban edge demarcation
7	Designation of heritage conservation areas and places	To be addressed in work done by heritage specialist
8	Accommodating the growth and development planning of the University of Stellenbosch	Addressed as part of designated LDAs

22 LAND DEVELOPMENT GUIDELINES APPLIED BY SELECTED NODE

The following section includes the application of the proposed land development guidelines by node (*i.e. at the appropriate planning level*).

22.1 STELLENBOSCH (TOWN)

The *Status Quo Report* includes a detailed settlement-area assessment of Stellenbosch (Town).²⁴⁶ The settlement-area assessment includes findings about, amongst others, the following organising elements of 'living' in the town:

- Population size and number of household
- Population densities
- Share of the population by grouping (and, by implication, racial segregation)
- Household income
- Ownership and housing affordability
- Property market analysis
- Provision of social amenities
- Provision and capacity of infrastructure
- Urban densities and footprint
- Environmental sensitivities (including the use of resources, e.g. agricultural land) as illustrated on a composite environmental map

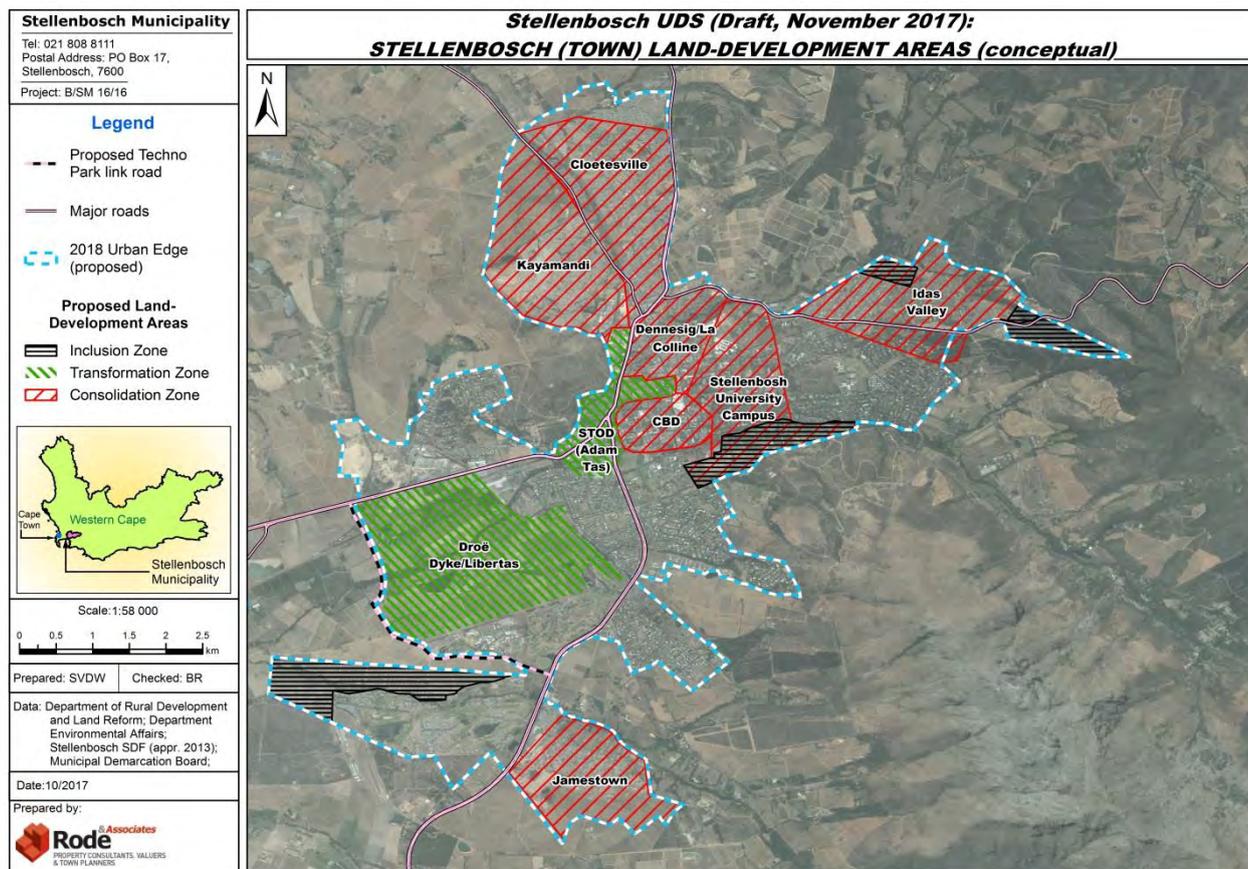
The *Status Quo Report* also includes the listing of all the prioritised community-identified needs.

²⁴⁶ See pages 191–201 in *Status Quo Report* by Rode, May 2017.

22.1.1 Land-development areas

We have categorised Stellenbosch (Town) in this report as the first-tier priority investment node in the municipal area. This investment rationale is reflected in the designation of all *types of land-development areas* in the town, i.e. priority investment in preferred growth areas. **Map D5** includes the designated land-development areas within the town of Stellenbosch, which are the following:

- Transformation Zones: Droë Dyke/Libertas and STOD (Adam Tas Corridor).
- Consolidation Zones: Kayamandi, Cloeteville, Idas Valley, Jamestown, Dennesig/La Colline, Stellenbosch University Campus area and the CBD.
- Inclusion Zones: Erf 4 (De Zalze); campus area south of the Eerste River; Portion 2 of Farm 490 (Stellenbosch Mountain Retreat); Portion 7 of Farm 490; and Portions 6 and 4 and Remainder of Farm 167.



Map D5: Stellenbosch (Town): Land-development areas (conceptual)

22.1.2 Urban edge

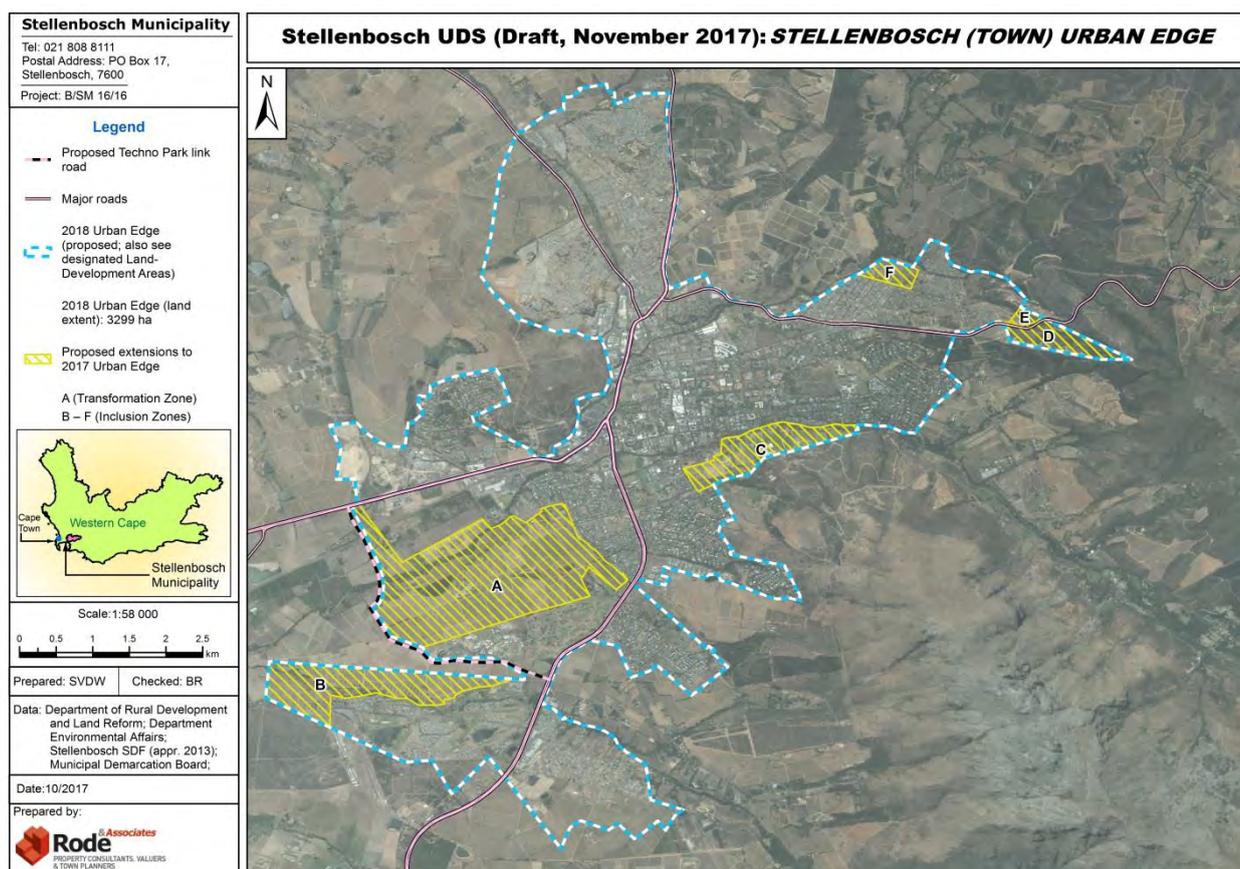
The proposed changes to the Stellenbosch (Town) urban edge are based on the principles mentioned in **§15.3**. **Map D6** and **Table D10** list these proposed changes, which includes the following extensions:

- Transformation Zone marked as 'A' on **Map D6**: Droë Dyke/Libertas - The designated land outside the current urban edge is included with the alignment of the proposed Technopark Link Road as allowable limit of urban development
- Inclusion Zone marked as 'B' on **Map D6**: Erf 4 (De Zalze)
- Inclusion Zone marked as 'C' on **Map D6**: Campus area south of the Eerste River
- Inclusion Zone marked as 'D' on **Map D6**: Portion 2 of Farm 490 (Stellenbosch Mountain Retreat)
- Inclusion Zone marked as 'E' on **Map D6**: Portion 7 of Farm 490

- Inclusion Zone marked as 'F' on **Map D6**: Portions 6 and 4 and Remainder of Farm 167

Table D10
Changes to urban edge: Stellenbosch (Town)²⁴⁷

Town	Inclusion	Exclusion	'Urban' land extent (ha)	
			Current	Proposed
Stellenbosch (Town)	Five (5) areas designated as Inclusion Zones ; One (1) area designated as Transformation Zone	-	2 666	3 299



Map D6: Stellenbosch (Town) urban edge

22.1.3 Land available for development

Table D11 includes the 20-year demand for land in Stellenbosch (Town) and the developable land available (*as a conservative estimate*) inside the proposed urban edge.

Table D11
Land surplus/shortage (ha) by scenario within proposed urban edge by 2036
Stellenbosch (Town)

	Business-as-usual	Consensus	Junk
Land Development Area	Developable land available by LDA		
Transformation Zone: Droë Dyke/Libertas	300	300	300

²⁴⁷ Reference to 'area' can include one or more cadastral units.

Transformation Zone: STOD (Adam Tas Corridor) ²⁴⁸	72	72	72
Consolidation Zone: Kayamandi ²⁴⁹	86	86	86
Consolidation Zone: Jamestown	60	60	60
Consolidation Zone: Idas Valley	20	20	20
Remaining area within current urban edge ²⁵⁰	100	70	50
Sum total of available developable land in LDAs	638	608	588
Cumulative gross land extent required by scenario²⁵¹	975	698	512
Gross land extent (surplus/shortage)	-337	-90	76

The **Business-as-usual** and **Consensus** scenarios show that by 2036, there is likely to be a shortage of developable land at the specified densities. Note that the sum of the developable land in the two transformation zones is more than double the available land in the other zones. The development strategy is to facilitate complementary and supplementary land uses, viz. residential, commercial and a low-key industrial component aligned to, and focused on, tertiary-sector economic activity (i.e. expected land take-up by the market).

We propose the implementation of the IRDP, Social Housing, UISP and emergency housing programmes in Stellenbosch (Town). The implementation of these programmes will provide much needed housing opportunities and *increase dwelling and population densities*.

In the next two sections, we provide the high-level analysis used to designate the two Transformation Zones. *This work must be followed by the proposed precinct-planning exercise to ensure the desired land-utilisation outcomes.*

22.1.4 Transformation Zone: STOD (Adam Tas Corridor)

The Sustainable Transit Orientated Development (STOD) approach to spatial planning was first introduced in the MSDF 2013 and stemmed from work done by the Integrated Infrastructure Committee (IIC). It also features prominently in two subsequent planning reports.²⁵² This approach was advocated to radically redefine the future spatial development of Stellenbosch (Town) around a set of high-density development nodes built around integrated public transport services, e.g. a formalised taxi service.

Taking this spatial concept forward, seven nodal focus points were identified in the planning reports: four along the Adam Tas Corridor, two next to the R44 on the southern side of Stellenbosch and one next to the Helshoogte Road near Idas Valley (see **Map D2**). Of these **seven, the municipality has pursued the Stellenbosch Station option as preferred 'start' to implementing the approach.** The proposed implementation model focused on development opportunities framed as 'urban acupuncture' points to catalyse wider infrastructure-led development and regeneration in line with the STOD vision and are do-able over the short- to medium-term. As a result, a study was commissioned to investigate the role, function and character of the Adam Tas Corridor as a potential catalyst for change in the way the town works.²⁵³

²⁴⁸ Source: E-mail correspondence received from Mr T Vermeulen (Royal HaskoningDHV) on 12 September 2017; We assume that developable land is available within the STOD study area to accommodate the estimated 'urban development potential'.

²⁴⁹ Source: *Northern Extension, Draft Feasibility Report*, January 2016 and confirmed at a meeting with Mr D Lombaard on 15.9.2017.

²⁵⁰ Assuming that about 10% of the gross demand for land can be accommodated as 'infill' development, except for industrial; includes backyard and second dwellings.

²⁵¹ Using the following densities: Business-as-usual scenario (Houses <80 m² for the indigent and non-indigent = 40 du/ha; Houses >80 m² for non-indigent = 7 du/ha; Flats = 60 du/ha; Townhouses = 25 du/ha); Consensus and Junk scenarios (Houses <80 m² for the indigent and non-indigent = 65 du/ha; Houses >80 m² for non-indigent = 10 du/ha; Flats = 60 du/ha; Townhouses = 25 du/ha).

²⁵² *Stellenbosch Town Spatial Development Framework* (SPLUMA compliant; draft), May 2016 and the *Stellenbosch Quo Vadis Report*, August 2014.

²⁵³ *Sustainable Transit Orientated Development Study: Adam Tas Corridor*, June 2017.

As mentioned, the findings of the STOD study are to obtain a more accurate estimation of the economic benefits and cost of using the Adam Tas Corridor as a key spatial- and economic-restructuring intervention in the town. It proposes for the municipality to take the lead role in developing its municipal landholdings (i.e. the Van Der Stel Sports grounds and parcels of land north of Merriman Ave) as catalyst for development. However, this role is further defined in the following two steps (summarised):

1. Include and prioritise in municipal planning the implementation of the STOD concept in the Adam Tas Corridor
2. Initiate more detailed precinct planning for the study area

Note that this area has been identified as a Transformation Zone, i.e. as a preferred growth area and the subject of a detailed precinct-planning exercise.

We caution that, from studying the literature,²⁵⁴ it is clear that public-transport ridership does not drive property-development decisions around transit nodes. Transit interchanges are merely an amenity that local residents and businesses require, not a driver of market demand and value. Developers regard the transit node as a bonus, not an incentive. There is consensus that, while TOD could give impetus to a node, market forces ultimately drive the successful development of an area. The TOD literature states categorically (and unsurprisingly) that profitability is the critical criterion and driver of a successful TOD.

We also caution that the creation of a civic precinct, e.g. to place new municipal offices on the Van Der Stel Sportsgrounds, would not by itself, provide the impetus for market-related land intensification.²⁵⁵ For example, the notion that the focus of public investment in a civic precinct will create opportunities for private-sector investment has not materialised in Wynberg CBD in Cape Town (even with Wynberg CBD being a key transit node).²⁵⁶

Furthermore, TOD has been found not to be successful in stagnating areas already in distress and in industrial dominant (blue-collar) areas and neighbourhoods that lack pre-existing strong property market demand, economic and population growth trends and urban consolidation (e.g. urban densification is happening anyway for reasons unrelated to transport).

22.1.5 Transformation Zone: Droë Dyke/Libertas

22.1.5.1 Study area ('the site')

The site, mostly greenfields, lies between Technopark and the Stellenbosch Golf Course to the south, Die Boord to the east, Main Road 310 to the north and the proposed new Technopark Link Road to the west.

22.1.5.2 Site-specific development rationale

We use the growth-and-development criteria applicable to a Transformation Zone to briefly outline the reasons for designating the site as a Transformation Zone. This is done in the order in which the criteria is presented in **§15.2. We consider available information at 'town level' and emphasise that a precinct-planning exercise must follow.**

²⁵⁴ For the literature review, the writer of this report is greatly indebted to Johan Gericke who generously allowed him to cite heavily from his unpublished paper titled Critical criteria for successful TDAs, dated 27.11.2014. Note that Transit Oriented Development (US) is also known as TDA = Transport Development Area (British).

²⁵⁵ There is mention of locating new municipal offices on the Van Der Stel Sportsgrounds (also see

§15.5)

²⁵⁶ Own research.

- **Demand for residential and non-residential land:** Urban expansion to accommodate new demand for land (in line with the concept of 'opening up of new bio-regionally appropriate areas for urban expansion' stated in the 'Shaping Stellenbosch' initiative).
- **Ownership, value and tradability of land (focus on the use of municipal- and state-owned properties):** properties include private- and public-owned land. Municipality to start immediately with steps to acquire state-owned land.
- **Housing typology (including inclusionary-housing options):** Affordable rental housing to be provided in Restructuring Zone; implement the *Integrated Residential Development Programme*; opportunity to create socio-economic integration by offering a gradient of residential price classes.
- **Investor sentiment (i.e. market signals and location preferences):** Positive investor sentiment, i.e. seen by the market as 'ideal' location to invest in 'ideal' land-use (of which the approved SawMill development and proposed Fleurbaai/Libertas development are testament); opportunity to shape *public- and private-sector co-investment* in concert with mutual long-term interests.
- **Economic opportunities:** Stellenbosch University expressed interest in using part of Fleurbaai/Libertas development for higher-education functions;²⁵⁷ opportunity to facilitate complementary and supplementary land uses, viz. residential, commercial and a light industrial component. See **Part C** for the economic and employment benefits derived from public- and private-sector investment in infrastructure and top structures.
- **Densities:** Opportunity to achieve high dwelling and population densities *within the precinct*.
- Accessibility and mobility (i.e. for all modes of transport; transport infrastructure).
- **Land capacity (developable land):** The site constitutes almost 50% of the identified developable land in and around Stellenbosch (Town).
- **Land-use value/diversity/mix ('highest and best' use; co-locate compatible land uses):** To be considered as part of precinct-planning exercise.
- **Urban-edge options (considering, for example, the iron inventory by node):** The designated land outside the current urban edge to be included with the alignment of the proposed Technopark Link Road as allowable limit of urban development; implement and monitor iron inventory of developable land to prevent pent-up demand and excessive house-price premiums developing.
- **Infrastructure (optimise the use of existing infrastructure; invest in environmentally-friendly technologies and green infrastructure):** Sufficient infrastructure capacity is available except for the need to construct a R35 million water reservoir.²⁵⁸
- **Heritage and environmental sensitivities:** High and moderate heritage significance;²⁵⁹ on-site biodiversity and ecological support areas not identified as 'developable land'.
- **Climate-change response options:** Westward expansion of Stellenbosch (Town) favoured in terms of vulnerability to climate change; opportunity for municipality to adopt and implement specific adaptation options.
- **Integration ('on-site' and with rest of town and region):** The precinct is well-located in the context of connectivity with key land-uses in Stellenbosch (Town) and Cape Town functional region; on-site and off-site land-use/transport integration to be considered as part of the precinct planning.
- **Architecture and urban design guidelines:** To be considered as part of precinct planning.
- **Implementation strategy (including new financial and institutional models):** To be considered as part of precinct planning.

As mentioned, the work to be done in facilitating the desired land-utilization outcomes in the two Transformation Zones, would allow for a *planning scope and scale* to consider most of the change tools at town level.

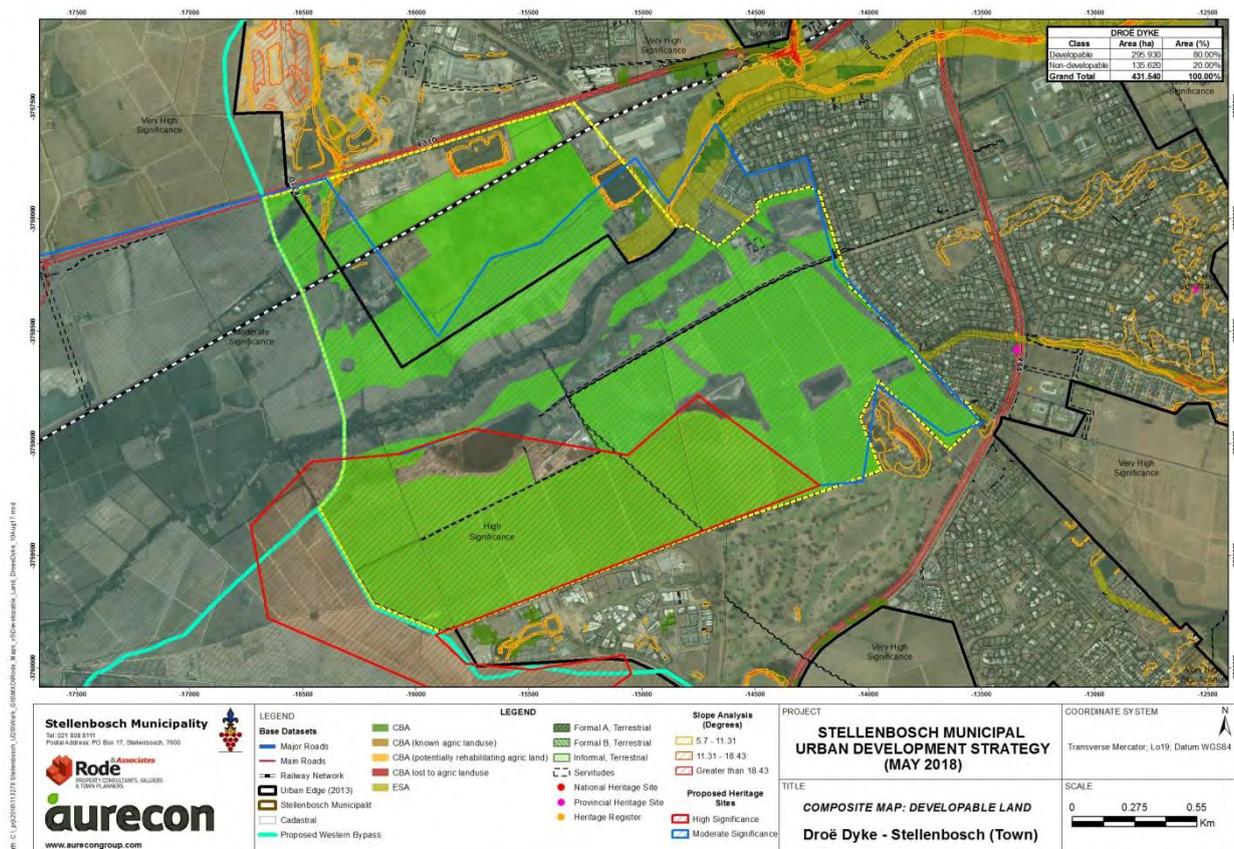
22.1.5.3 Site-specific land capacity

²⁵⁷ Unsigned letter dated 15 December 2016 from Stellenbosch University to Dr W Roux CEO, Fleurbaai (Pty) Ltd (Source: Stellenbosch Municipality)

²⁵⁸ Comment made by Mr D Lombaard at a meeting held on 17 August 2017.

²⁵⁹ Note that 'high significance' is in the bottom section of the specific ranking scale.

It is estimated (*as a conservative estimate*) that about 300 hectares of developable land is available on-site (see **Map D7**).



Map D7: Droë Dyke/Libertas Transformation Zone: Developable land (approximate)

22.1.5.4 Site-specific link between land-use and transport planning

The site lies in close proximity to and with easy access to all high-order land uses in Stellenbosch (Town). The Cape Town functional region is also easily accessible from the site via the existing road network. The development of an on-site transit-node with a railway station on the line that passes through the site, can add to this accessibility. The existing and planned road network also has the potential to accommodate (semi) dedicated right of way for public transport to the north, west and south of the site. The site, therefore, lends itself to achieving land use/transport integration, more so than any other location around Stellenbosch (Town).

Land use/transport integration must be a key focus area of precinct planning. In this regard, the following travel characteristics must be considered, viz. (a) where do trips start and end, and (b) what transport modes are used and why? Local trips could be maximised by developing residential units (trip producers or trip origins) for the full spectrum of people who would access the other on-site land uses (trip attractors or destinations). This includes social facilities such as schools, primary health care and places of worship, daily retail needs and basic leisure, such as open spaces. The Stellenbosch Municipality can also play a lead role by **locating 'new' municipal offices in this Transformation Zone**. The land-use mix should ensure minimal distances between various land uses, given other constraints. Adequate densities should be achieved to provide the thresholds required to make commercial and social facilities viable (as well as public transport).

Some activities that might not be available on the site are within comfortable walking and cycling (NMT) distance. For example, the office park (Technopark), hospital, industrial area, **convenience retail (e.g. the SawMill precinct) and Stellenbosch University facilities 'off-the-main-campus'**.

The essence of any densification strategy must be to ensure that an increasing number of short trips can be made by walking and cycling, while an increasing number of longer trips can be made by transit, rather than by car. The aim should be to accommodate as many trips as possible firstly by NMT, then by means of public or shared transport services. Shared services include ride sharing, Uber and related means of better utilising motorised vehicles. With the possibility of a new railway station in the vicinity of the SawMill Precinct, internal transport services should be designed in a radial manner to integrate access between the station and most land uses on the site. In addition, road-based public transport services should be designed to connect the site with major off-site trip generating zones, such as the **town's CBD, the University's main campus and even surrounding districts of Cape Town and Somerset West.**

Many of the possible on-site land uses would attract persons not living on the site. NMT infrastructure should be provided to also encourage on-site walking and cycling by these people. Ideally, the trips leaving from and arriving at the site by a particular mode should be balanced to optimise the utilisation of public transport capacity. For instance, if a full train arrives from the north and 200 persons disembark at the site, another 200 persons should board to replace their seats in the southbound direction.

22.2 FRANSCHHOEK

The *Status Quo Report* includes a detailed settlement-area assessment of Franschhoek.²⁶⁰ The settlement-area assessment includes findings about, amongst others, the following **organising elements of 'living' in the town:**

- Population size and number of household
- Population densities
- Share of the population by grouping (and, by implication, racial segregation)
- Household income
- Ownership and housing affordability
- Property market analysis
- Provision of social amenities
- Provision and capacity of infrastructure
- Urban densities and footprint
- Environmental sensitivities (including the use of resources, e.g. agricultural land) as illustrated on a composite environmental map

The *Status Quo Report* also includes the listing of all the prioritised community-identified needs and 2017/2018 budget allocations.

22.2.1 Land-development areas and urban edge

We have categorised Franschhoek in this report as a third-tier priority investment node in the municipal area. Note that, within Franschhoek, the Groendal/Langrug area has the highest priority for *public-sector infrastructure spend*. **Map D8** includes the designated land-development areas within Franschhoek, which are the following:

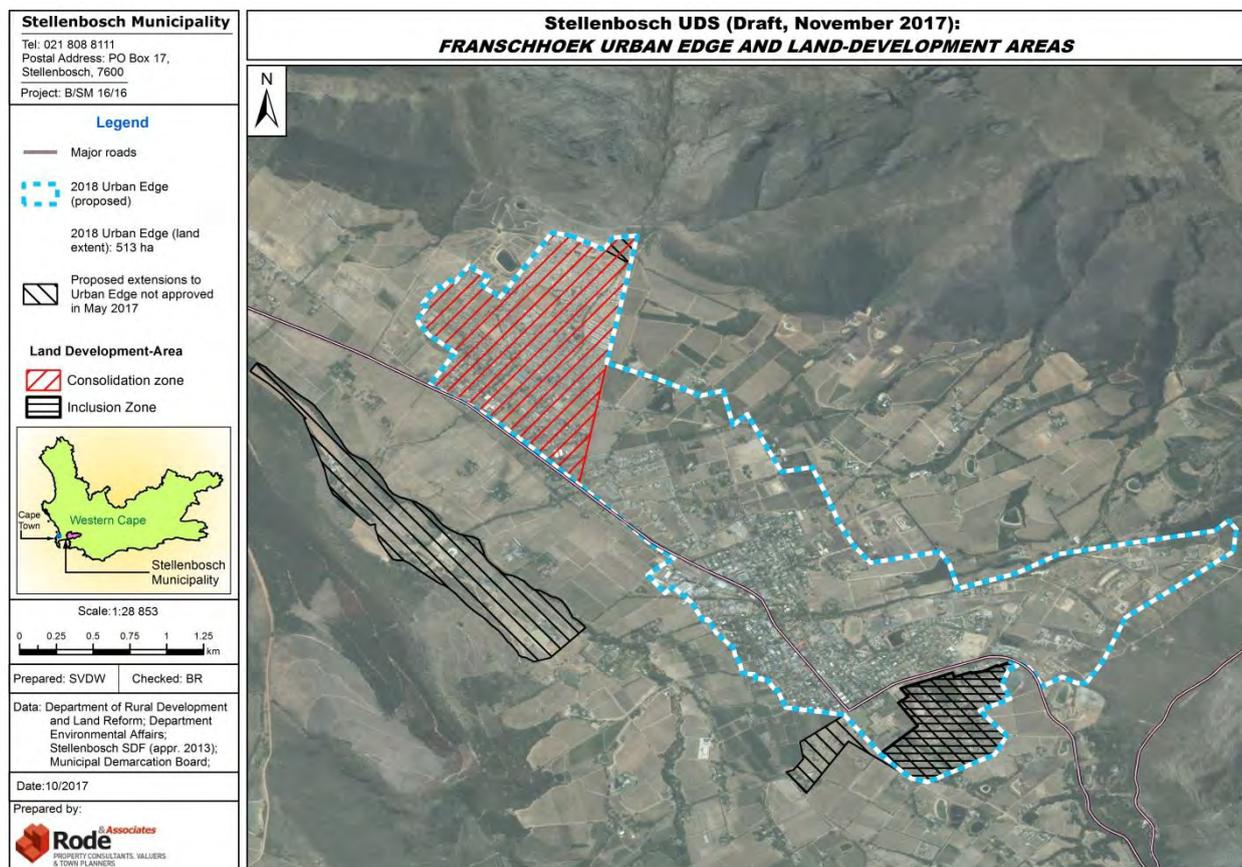
- Consolidation Zone: Groendal/Langrug
- Inclusion Zones: Farm 3227 (Dalubuhle Primary School) and erven south and east of Huguenot Monument.

The proposed changes to the Franschhoek urban edge are based on the principles mentioned in **§15.3**. **Map D8** and **Table D12** list these proposed changes, which includes the mentioned two Inclusion Zones as extensions.

²⁶⁰ See pages 202—211 in *Status Quo Report* by Rode, May 2017.

Table D12
Changes to urban edge: Franschhoek²⁶¹

Town	Inclusion	Exclusion	'Urban' land extent (ha)	
			Current	Proposed
Franschhoek	Two (2) areas designated as Inclusion Zones	-	474	513



Map D8: Franschhoek: Urban edge and land-development areas (conceptual)

22.2.2 Land available for development

Table D13 includes the 20-year demand for land in Franschhoek and the developable land available (*as a conservative estimate*) in the town and inside the current urban edge.

Table D13
Land surplus/shortage (ha) by scenario in Franschhoek by 2036

	Business-as-usual	Consensus	Junk
Sum total of available developable land	131	131	131
Cumulative gross land extent required by scenario ²⁶²	153	158	125
Gross land extent (surplus/shortage)	-22	-27	6

²⁶¹ Reference to 'area' can include one or more cadastral units.

²⁶² Using the following densities: Business-as-usual scenario (houses <80 m² for the indigent and non-indigent = 40 du/ha; houses >80 m² for non-indigent = 7 du/ha; flats = 60 du/ha; townhouses = 25 du/ha); Consensus and Junk scenarios (houses <80 m² for the indigent and non-indigent = 65 du/ha; Houses >80 m² for non-indigent = 10 du/ha; flats = 60 du/ha; townhouses = 25 du/ha).

The **Business-as-usual** and **Consensus** scenarios show that by 2036, there is likely to be a shortage of developable land at the specified densities. The development strategy is to facilitate the establishment of land uses complementary to the tertiary-sector-focused economy, viz. residential and commercial developments (i.e. expected land take-up by the market).

We propose the implementation of the Social Housing, UISP and emergency housing programmes in Franschhoek. The implementation of these programmes will provide much needed housing opportunities and *increase dwelling and population densities*.

22.2.3 Proposed planning intervention

We propose that any land-development application in Franschhoek, be considered as if within a Consolidation Zone.

22.3 KLAPMUTS

This section must be read together with the proposals in the Klapmuts Special Development Area (Draft Report).

The *Status Quo Report* includes a detailed settlement-area assessment of Klapmuts.²⁶³ The settlement-area assessment includes findings about, amongst others, the following **organising elements of 'living' in the town**:

- Population size and number of household
- Population densities
- Share of the population by grouping (and, by implication, racial segregation)
- Household income
- Ownership and housing affordability
- Property market analysis
- Provision of social amenities
- Provision and capacity of infrastructure
- Urban densities and footprint
- Environmental sensitivities (including the use of resources, e.g. agricultural land) as illustrated on a composite environmental map

The *Status Quo Report* also includes the listing of all the prioritised community-identified needs and 2017/2018 budget allocations.

22.3.1 Land-development areas and urban edge

We have categorised Klapmuts in this report as a second-tier priority investment node in the municipal area. **Map D21** includes the designated land-development areas at Klapmuts, which are the following:

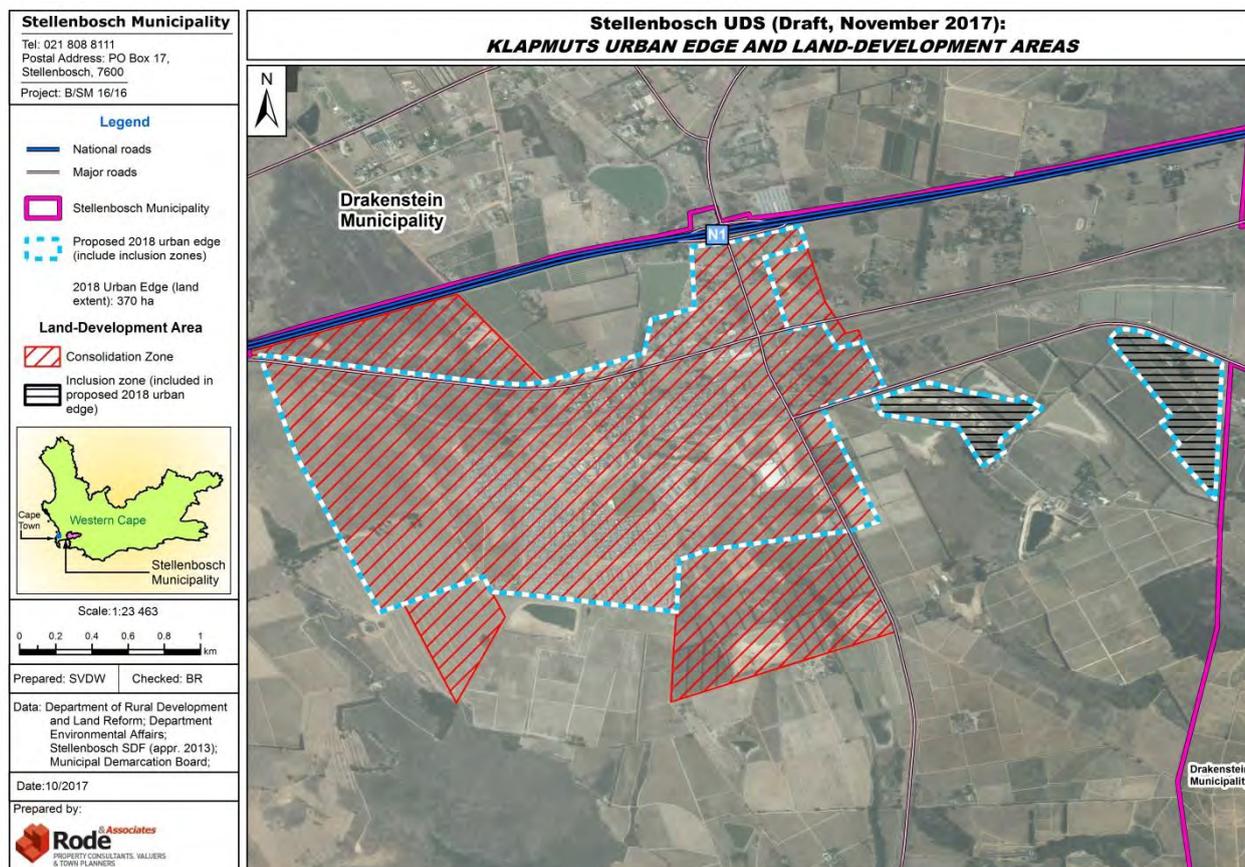
- Consolidation Zone (inside the urban edge): Entire urban area
- Consolidation Zone (outside the urban edge): 4 designated areas, viz. Farm 736, Portion 5 of Farm 742, Portion 2 of Farm 742 and Erf 768.
- Inclusion Zone: Two separate portions of Portion 41 of Farm 748.

Note that the designated Consolidation Zone within the urban edge has the highest priority for *public-sector infrastructure spend*. The proposed changes to the Klapmuts urban edge are based on the principles mentioned in **§15.3. Map D9** and **Table D14** list these proposed changes, which includes the Inclusion Zone as extension.

²⁶³ See pages 212–221 in *Status Quo Report* by Rode, May 2017.

Table D14
Changes to urban edge: Klappmuts²⁶⁴

Town	Inclusion	Exclusion	'Urban' land extent (ha)	
			Current	Proposed
Klappmuts	Two (2) areas designated as Inclusion Zone	-	333	370



Map D9: Klappmuts: Urban edge and land-development areas (conceptual)

22.3.2 Land available for development

Table D15 includes the 20-year demand for land in Klappmuts and the developable land available (*as a conservative estimate*) inside the current urban edge.

Table D15
Land surplus/shortage (ha) by scenario in Klappmuts by 2036

	Business-as-usual	Consensus	Junk
Sum total of available developable land	146	146	146
Cumulative gross land extent required by scenario ²⁶⁵	83	60	45
Gross land extent (surplus/shortage)	63	86	101

²⁶⁴ Reference to 'area' can include one or more cadastral units.

²⁶⁵ Using the following densities: Business-as-usual scenario (houses <80 m² for the indigent and non-indigent = 40 du/ha; houses >80 m² for non-indigent = 7 du/ha; flats = 60 du/ha; townhouses = 25 du/ha); Consensus and Junk scenarios (houses <80 m² for the indigent and non-indigent = 65 du/ha; houses >80 m² for non-indigent = 10 du/ha; flats = 60 du/ha; townhouses = 25 du/ha).

Table D15 shows that by 2036, there is likely to be a surplus of developable land when considering all three scenarios at the specified densities. The development strategy is to facilitate complementary and supplementary land uses, viz. industrial and residential to focused secondary-sector economic activity.

We propose the implementation of the IRDP, Social, UISP and emergency housing programmes in Klapmuts. The implementation of these programmes will provide much needed housing opportunities and *increase dwelling and population densities*.

22.3.3 Proposed planning intervention

Distance-wise, Klapmuts is actually slightly closer to Paarl (13,9 km, measured to the corner of Lady Grey and Main St) than to Stellenbosch town (16,6 km, measured to 84 Bird St). On top of that, Klapmuts straddles the border of the two municipalities. Thus, we propose that the Municipality, in collaboration with Drakenstein municipality, commission the *drafting of a long-term development strategy for Klapmuts and surrounds*. In this regard, we recommend an approach and methodology similar to the drafting of this report.

22.4 'OTHER SETTLEMENTS'

The term 'other settlements' includes the settlement areas of Dwarsrivier, Wemmershoek, La Motte, Groot Drakenstein, Raithby, Vlottenburg, Koelenhof, Lynedoch and Muldersvlei. The settlement area of Jonkershoek is also included under this term in the Integrated Human Settlement Plan.

These settlements are recognised as areas that are experiencing specific development pressure where incremental approaches to development, regulation and maintenance and upgrading of infrastructure must be considered to accommodate natural progression. In this regard, we designate the entire area within the respective urban edges of all the settlements, except Muldersvlei, Koelenhof, Vlottenburg and Raithby, as Consolidation Zones. *Note that the priority of spending within the Consolidation Zones is linked to the hierarchy of nodes* (see **Table D4**).

The *Status Quo Report* includes detailed settlement-area assessments with findings about, amongst others, the following organising elements of 'living' in these settlements:

- Population size and number of household
- Population densities
- Share of the population by grouping (and, by implication, racial segregation)
- Household income
- Ownership and housing affordability
- Property market analysis
- Provision of social amenities
- Provision and capacity of infrastructure
- Urban densities and footprint
- Environmental sensitivities (including the use of resources, e.g. agricultural land) as illustrated on a composite environmental map

The *Status Quo Report* also includes the listing of all the prioritised community-identified needs and 2017/2018 budget allocations for each settlement.

In the next sections, we discuss certain aspects of historic land development in these settlements in the context of the growth-and-development paths created in **Part C** of this report.

22.4.1 Land take-up

Table D16 lists the total take-up of land within the respective urban edges of the settlements between 2000 and 2015. This combined figure shows a lower demand for land, over this period, than in Stellenbosch (Town) and Franschhoek. Although the combined figure is higher than the corresponding figure for Klapmuts (viz. 56 ha), the land take-up in Klapmuts is not insignificant as we regard the town's growth potential as high with a *sustainable growth trajectory* for secondary-sector economic activities.

Table D16 Historic gross land take-up by settlement 2000-2015		
Settlement	Land take-up (ha) (rounded to 1)	Percentage share (rounded to 1)
Groot Drakenstein	1	1
Dwarsrivier	28	39
La Motte	12	17
Lynedoch	3	4
Muldersvlei	9	13
Raithby	3	4
Vlottenburg	5	7
Wemmershoek	5	7
Koelenhof	6	8
Total	72	100

Source: *Status Quo Report* by Rode, May 2017 (input provided by Aurecon)

It is notable that, except for non-residential development in Muldersvlei — almost 40% of all land take-up — the remaining land development was residential (with associated facilities and infrastructure). For example, Nooitgedacht Village constitutes the entire 6 hectare take-up in Koelenhof over the analysis period.

22.4.2 Allocation based on positioning strategy

Table **D17** shows the allocation of the growth in demand for each land-use type (land extent and residential units) to the 'other settlements' by scenario and based on the applied positioning strategy.

Table D17 Allocation of cumulative growth in demand for land by 2036 to 'other settlements' By scenario and based on positioning strategy						
Type	Business-as-usual		Consensus		Junk	
	Land m ²	Units	Land m ²	Units	Land m ²	Units
Houses <80 m ² for the indigent	-	-	-	-	-	-
Houses <80 m ² for non-indigent	388 184	3235	266 877	3558	218 354	2911
Houses >80 m ² for non-indigent	171 179	245	80 730	161	44 699	89
Flats	20 939	231	23 362	258	17 197	190
Townhouses		15				
Retail buildings	12 165	-	4 803	-	2 594	-
Industrial buildings	40 929	-	15 977	-	9 906	-

Office buildings	5 790	-	5 790	-	2 895	-
Sub-total (of top-structure improvements)	639 187	-	397 540	-	295 645	-
Infrastructure area	639 187	-	397 540	-	295 645	-
Total gross land area required (m²)	1 278 374		795 080		591 290	

The above allocation does not include the provision of houses for the indigent in any of the settlements.

22.4.3 Land available for development

Table D18 includes the 20-year demand for land in the settlements and the developable land available (*combined, and as a conservative estimate*) inside the respective urban edges.

Table D18			
Land surplus/shortage (ha) by scenario in 'other settlements' by 2036			
	Business-as-usual	Consensus	Junk
Sum total of available developable land	453	453	453
Cumulative gross land extent required by scenario ²⁶⁶	128	80	59
Gross land extent (surplus/shortage)	325	373	394

Table D13: Land available for development: 'other settlements'

Needless to point out that by 2036, there is likely to be a significant surplus of developable land (as a combined figure) available to accommodate new demand. As mentioned, most of these settlements are located in rural settings, with surrounding land of very high heritage, environmental and agriculture significance. *Thus, the intent should be to use developable land within the respective urban edges to create inclusive and sustainable settlements/neighbourhoods.* Note the key considerations of climate change adaptation and infrastructure capacity (with associated priority of spending), in achieving the land-utilization outcome per settlement.

The MSDF 2017 proposed a (future) dwelling unit density of 25 du/ha in these settlements; a figure with which we concur given the rural settings, character and sense of place.

22.4.4 Urban edges

Table D19 includes the proposed changes to the respective urban edges of the settlements. These are based on the principles mentioned in **§15.3**. The changes to extend the urban edge, are exclusively to include areas with historically approved land-use rights *for an extended urban function (at scale and location)*.

Table D19	
Proposed urban edge changes in the 'other settlements'²⁶⁷	
	'Urban' land extent (ha)

²⁶⁶ Using the following densities: Business-as-usual scenario (houses <80 m² for the non-indigent = 40 du/ha; houses >80 m² for non-indigent = 7 du/ha; flats = 60 du/ha; townhouses = 25 du/ha); Consensus and Junk scenarios (houses <80 m² for the non-indigent = 65 du/ha; houses >80 m² for non-indigent = 10 du/ha; flats = 60 du/ha; townhouses = 25 du/ha). Figures rounded.

²⁶⁷ Reference to 'area' can include one or more cadastral units.

Town	Inclusion	Exclusion	Current	Proposed
Groot Drakenstein	Two (2) areas designated as Inclusion Zones	-	96	126
Dwarsrivier	One (1) area designated as Inclusion Zone	-	296	310
Raithby	One (1) area designated as Inclusion Zone	-	44	56
Vlottenburg	One (1) area designated as Inclusion Zone	-	76	150
Koelenhof	One (1) area designated as Inclusion Zone	-	178	267
La Motte ²⁶⁸	-	Two environmentally sensitive areas	67	51
Wemmershoek	-	One environmentally sensitive area	64	47
Lynedoch	-	Area surrounding proposed urban edge	75	12
Muldersvlei	-	No urban edge demarcated	103	0
Jonkershoek	Settlement area designated as Inclusion and Consolidation Zone			

23 GOVERNMENT-DRIVEN HOUSING SUPPLY

This section details how the UDS investment rationale impacts on government-driven housing supply in the municipal area. We summarise the municipal housing pipelines approved by Council since 2016 and propose a new pipeline.

The use of the wording 'Droë Dyke' in this section refers to the site description and development rationale described in **§22.1.5**.

23.1 Housing pipeline 2016

A housing pipeline was approved by Council on 15 June 2016 and submitted to the provincial Department of Human Settlements in a letter dated 28 July 2016. The pipeline covered a 10-year planning horizon but the identified projects was not conceptualised as part of an Integrated Human Settlement Plan, i.e. aligned to strategic goals for human settlement development.²⁶⁹

The *housing 'backlog'* in the provincial Housing Demand Database was stated as 21 098 units with an expected annual increase of 1% to 22 671 units in 2024. The planned delivery of houses by 2023/2024 was set at approximately 8361 sites and 3847 units in five different towns/settlements (see **Table D20**). More than half of these opportunities were to be provided in Stellenbosch (Town) with the bulk, i.e. more than 80% of the total number, to be

²⁶⁸ Note that we designated Maasdorp (Portion 28 of Farm 1041 and Portion 27 of Farm 1041) as an Inclusion Zone.

²⁶⁹ Meeting with Messrs T Mfeya (Director), D Lombaard (Director), L Vanstavel, P Smit, K Mculu and L Kemp on 6 October 2016.

provided in the latter years. The housing typologies included opportunities to buy or rent in the 'give-away' bracket and lower house-price classes. Based on own calculations, and if the cost to provide a serviced site and a housing unit (top structure on an already serviced site) is considered to be R59 000 (including the installation of electricity) and R125 000 (including the cost for a geotech report),²⁷⁰ respectively, the sum total of the planned delivery until 2023/2024 amounts to about R974 million.

Table D21 includes the provincially-allocated medium-term housing budget for the Stellenbosch municipal area until 2019/2020.²⁷¹ The allocated amount to eleven projects (including the provincially-driven De Novo project) is R116,8 million. Considering that these funds **also include 'pre-construction' funding,**²⁷² the number of units that can be provided is limited.

²⁷⁰ As explained by Mr Vanstavel at the meeting held on 12 February 2018.

²⁷¹ Information provided by Mr L Welgemoed (WCG) on 16 November 2016 with reference to a meeting with representatives from the Stellenbosch Municipality on 14 November 2016.

²⁷² The funding includes tasks such as pre-feasibility studies and obtaining the required development rights.

Table D20: Housing pipeline 2016 – Funds requested by Stellenbosch Municipality: 28 July 2016																			
No	Start	Project name	Town	Erf / Farm no.	Land-owner	Size (ha)	Housing prog.	Housing type	No. of units	No. of sites	TOTAL	Budget cycle							
												2015 /16	2016 /17	2017 /18	2018 /19	2019 /20	2020 /21	Longer	
1	Current	Watergang: Kayamandi	Stellenbosch	-	-	-	UISP	-	-	295	295	X	X						
2	Current	Watergang: Kayamandi	Stellenbosch	-	-	-	IRDP	-	193	-	193	X	X						
3	Current	Jamestown	Stellenbosch	-	-	-	IRDP	-	162	42	162	X	X			X			
4	Current	Longlands: Vlottenburg	Vlottenburg	-	-	-	IRDP	-	144	-	144		X	X	X	X			
5	2018/19	Town Centre Kayamandi	Stellenbosch	-	-	-	UISP / Inst.	-	700	-	700				X	X	X	X	
6	Current	Zone O: Kayamandi	Stellenbosch	-	-	-	UISP	-	-	541	541		X	X	X	X	X		
7	2018/19	Langrug: Franschhoek	Franschhoek	-	-	-	UISP	-	-	1200	1200			X		X	X	X	
8	Current	Phase 4: Klapmuts	Klapmuts	-	-	-	IRDP	-	-	219	219		X	X	X				
9	2019/20	Kylemore	Kylemore	-	-	-	IRDP	-	-	-	171					X			
10	2019/20	Meerlust: Stellenbosch	Stellenbosch	-	-	-	IRDP	-	-	-	200					X	X		
11	Current	Enkanini: Kayamandi	Stellenbosch	-	-	-	UISP	-	-	1300	1300		X			X	X	X	
12	Current	Idas Valley	Stellenbosch	E13300	-	-	IRDP / FLISP	-	-	240	240		X	X					
13	2018/19	La Motte: Old Forest Station	Franschhoek	-	-	-	IRDP / FLISP	-	-	-	430				X	X	X		
14	2020/21	Lanquedoc	Lanquedoc	-	-	-	IRDP / FLISP	-	600	700	1300						X	X	
15	-	Jamestown (phase 2)	Stellenbosch	-	-	-	IRDP / FLISP	-	-	-	133						X		
16	-	Jonkershoek		-	-	-	IRDP	-	-	-	-								
17	2017/18	Idas Valley (Lindida)	Stellenbosch	-	-	-	IRDP / FLISP	-	-	220	220			X					
18		La Motte	Franschhoek	E2			IRDP				70								
19	2020/21	Infill dev: Idas Valley	Stellenbosch	P3/F1075	Stel Mun	6	IRDP / FLISP	Subsidy	126	-	126						X		
20	After 2020/21	Greenfield: Jamestown	Stellenbosch	Re/F527	Stel Mun	27,6	FLISP / IRDP / UISP	'Gap' housing / Subsidy	-	288	288					X		X	
21	After 2020/21	Greenfield: Klapmuts	Klapmuts	Re/P2/F744	Private	10,3	-IRDP / FLISP		100	350	350								X
22	After 2020/21	Greenfield: Kylemore	Kylemore	P4/F153 Re/P1/153	Private	29,4	IRDP / FLISP		170	-	170								X
23	2019/20	Infill dev: Cloetesville	Stellenbosch	E7001	Stel Mun	5,8	IRDP / FLISP		200	-	200					X			
24	After 2020/21	Greenfield: Droedyke	Stellenbosch	-	Private / Gov	64,1 / 128,2	UISP		-	-	4000								X
25	-	Nietvoorbij: Stellenbosch	Stellenbosch	-	Gov.	30,26	-		-	700	-								
26	After 2020/21	Northern Ext: Stellenbosch	Stellenbosch	-	Private / Stel Mun	270	IRDP / FLISP		-	6000	-	6000							X
27	2018/19	Restructuring Zone	Stellenbosch	-	Private / Stel Mun	-	SH / CRU	-	100	-	100				X				
28	De Novo	This project is not included in the Stellenbosch Municipality's Housing Pipeline. It is, however, part of the provincial funding allocation.																	

Table D21: Housing pipeline 2016 – Funds allocated by WCG: 14 November 2016																	
No	Project name	Town	No. of units	No. of sites	TOTAL	Budget cycle (number of opportunities)											
						2016/17			2017/2018			2018/2019			2019/2020		
						sites	units	Funding ('000)	sites	units	Funding ('000)	sites	units	Funding ('000)	sites	units	Funding ('000)
1	Watergang: Kayamandi	Stellenbosch	-	295	295	258		7610									
2	Watergang: Kayamandi	Stellenbosch	193	-	193*			10230								100	12000
3	Jamestown	Stellenbosch	162	42	162			9793									
4	Longlands: Vlottenburg	Vlottenburg	144	-	144												
5	Town Centre Regeneration Kayamandi	Stellenbosch	700	-	700			1385				250		12500		100	12000
6	Zone O: Kayamandi	Stellenbosch	-	541	541			1390	200	100	22000	100	100	17000			
7	Langrug: Franschoek	Franschoek	-	1200	1200*												
8	Phase 4: Klapmuts	Klapmuts	-	219	219*												
9	Kylemore	Kylemore	-		171												
10	Meerlust: Stellenbosch	Stellenbosch	-	-	200			200									
11	Enkanini: Kayamandi	Stellenbosch	-	1300	1300			1300									
12	Idas Valley	Stellenbosch	-	240	240*												
13	La Motte: Old Forest Station	Franschoek	-	-	430			442			2600						
14	Lanquedoc	Lanquedoc	-	-	700												
15	Jamestown (phase 2)	Stellenbosch	-	-	133												
16	Jonkershoek		-	-	-												
17	Idas Valley (Lindida)	Stellenbosch	-	220	220*			400									
18	La Motte	Franschoek			70												
19	Infill dev: Idas Valley	Stellenbosch	126	-	126												
20	Greenfield: Jamestown	Stellenbosch	-	288	288*												
21	Greenfield: Klapmuts	Klapmuts	100	350	350						350						
22	Greenfield: Kylemore	Kylemore	170	-	170												
23	Infill dev: Cloetesville	Stellenbosch	200	-	200												
24	Greenfield: Droëdyke	Stellenbosch	-	-	4000												
25	Nietvoorbij: Stellenbosch	Stellenbosch	700	-													
26	Northern Ext: Stellenbosch	Stellenbosch	6000	-	6000												
27	Restructuring Zone	Stellenbosch	100	-	100												
28	De Novo	-	-	-	3000			1600			2000			2000			
						34350			26950			31500			24000		

* An Informal Settlement Upgrading Strategy, dated April 2015 was prepared for the Stellenbosch Municipality. In the report it was stated that the following opportunities will be funded: 1499 in Langrug (Franschoek), 1060 in Klappmuts (Erf 342), 570 in Jamestown (Farm 527), 440 in Idas Valley and 193 in Kayamandi. However, please note the actual funding allocations as itemised in the most recent information received from WCG.

23.2 Housing pipeline 2017

In 2017, the municipality prepared another housing pipeline that estimated a housing backlog of 18 298 applications.²⁷³ This housing pipeline listed a large number of housing projects and referenced work done since June 2016. In the next section we briefly describe the prioritised projects as well as those projects rolled over from 2016 (see **Tables D22** and **D23**).

Table D22 Projects in 2017 housing pipeline (annual review 2017–2020) ²⁷⁴		
Rollover projects	Prioritised projects	Projects with lower priority
Idas Vallley: • Erf 11300 • Erf 9445 (Lindida)	Northern Extension	Nietvoorbij
Kayamandi: • Housing project (187) • Temporary housing units • Town Centre	Jamestown (Portion 4 of Farm 527 and Portion of Remainder of Farm 527)	Droë Dyke
	Vlottenburg Nodal Development	De Novo ²⁷⁵
	Stellenbosch Transit-oriented Development (STOD)	
	Botmaskop Work Yard (Beltana; Erf 3363)	
	Upgrading of informal settlements	
	'Bosdorpe' – Op-die-Bult (Jonkershoek), La Motte, Maasdorp, Meerlust	

Prioritised projects

23.2.1 Northern Extension

The proposed western-bypass, limited infill-opportunities in low-income areas, and available vacant municipal-owned land are regarded as the catalysts behind the intention to provide almost 5 200 opportunities on an 86 ha land extent earmarked for mixed-use development (but overwhelmingly residential) (also see **§14.5**).

The proposed multi-faceted development would be packaged as one land development application with all land-owners to pro-rata contribute to cost and share in yields, i.e. a coordinated public- and private-sector intervention; an arrangement that is difficult and time consuming to finalise. Thus, the commencement of the project remains uncertain.

Bulk infrastructure capacity will be required, not least, a new waste water system and water reservoir.

23.2.2 Jamestown (Portion 4 of Farm 527 and Portion of Remainder of Farm 527)²⁷⁶

²⁷³ The writers of this report are unsure of what this 'backlog' represents.

²⁷⁴ Project names are those used in the housing pipeline.

²⁷⁵ Implementation of this project has been put on hold until the land is transferred from the Department of Transport and Public Works to the provincial department.

²⁷⁶ Portion 4 of Farm 527 has been deregistered as erven and the Remainder of Portion 7 of Farm 527 (570 housing opportunities; 14.91 ha; designated as Phases 2 and 3).

The proposed Jamestown development constitutes 570 and 850 housing opportunities respectively, on two properties which encircle almost the entire southern side of the neighbourhood. Commencement and completion of the project on Remainder of Portion 7 of Farm 527, is short- to medium-term but an informal settlement on a piece of the land earmarked for formal housing, presents upgrading or relocation headaches. These timelines are subject to bulk-service availability and road access. Development rights has not yet been obtained for the Remainder of Farm 527 (850 housing opportunities; 84.24 ha). Portions of this area are subject to lease agreements.

The intention is to package the Jamestown development proposal as an inclusionary housing and incentivised turnkey project, e.g. rebates on development contributions, but with land cost as possible off-set to be contributed by the end-user.

23.2.3 Vlottenburg nodal development

The development in Vlottenburg comprises the following three distinct settlement areas:

- Digteby low-cost housing: 20 units; completed but not transferred
- Ash-farm low-cost housing (Digteby phase 2): planned high-density residential development
- Longlands low-cost housing: 144 planned low-cost housing opportunities

There is an impasse in development owing to uncertainty about road access. The cost to provide bulk infrastructure amounts to approximately R50 million.

23.2.4 STOD (Adam Tas Corridor)

See **§14.4**.

23.2.5 Botmaskop Work Yard (Beltana)

Residential development (and in particular, social housing) is proposed on about 40 ha of municipal-owned land opposite Idas Valley and next to and on the southern side of the Helshoogte Road. This proposed development is subject to a due diligence assessment and/or feasibility study.

23.2.6 Upgrading of informal settlements

The following projects are completed and/or considered under this programme:

- Franschhoek: Langrug Enhanced Services (1200 services)
- Stellenbosch: Kayamandi Watergang (295 services)
- Stellenbosch: Kayamandi Zone O (\pm 711 services)
- Stellenbosch: Kayamandi Enkanini (Pilot project) and Enkanini Enhanced Services
- Klapmuts: Phase 4 (298 services & units)

23.2.7 'Bosdorp'

Op-die-Bult (Jonkershoek)

The Stellenbosch Municipality initiated a process to consider township establishment on (currently) state-owned land in a designated mixed-use precinct. It is envisaged that this process may take 2 – 3 years to be concluded.

La Motte

A residential development of 1000 units on serviced sites is the subject of a land development application and a land transfer (i.e. from the national Department of Transport and Public Works to Stellenbosch Municipality).

Maasdorp

The Maasdorp settlement is located on Portions 27 and 28 of Farm 1041, and is the subject of township establishment coupled to the transfer of land from national government to the Stellenbosch Municipality.

Meerlust

Meerlust consists of 33 households residing in forestry houses on state-owned land and is the subject of the transfer of land and houses.

Rollover projects

a) Idas Valley

The land development applications for the following two Idas Valley projects were approved at the Municipal Tribunal meeting held on 3 November 2017.

- Erf 11330:
 - 1 general residential opportunity (60 units in a 3-storey block of flats)
 - 203 single residential opportunities (subsidised and gap/affordable housing)
 - 30 freestanding single storey units; 47 m² dwelling size
 - 10 freestanding single storey units; 35 m² dwelling size
 - 8 semi-detached single storey units; 40 m² dwelling size
 - 66 semi-detached double storey units; 45 m² dwelling size
 - 84 semi-detached double storey units; 44 m² dwelling size
 - 5 freestanding single storey units; 40 m² dwelling size
- Erf 9445 (Lindida):
 - 166 single residential opportunities (subsidised and gap/affordable housing)
 - 92 semi-detached single storey units
 - 54 semi-detached double storey units
 - 20 freestanding single storey units

b) Kayamandi

The following projects in Kayamandi are to be supported by Council in accordance with provincial approval, available funds and bulk infrastructure.

- Housing project (187): 20 houses will be built and completed in the 2017/18 financial year
- Temporary housing units: the provision of temporary units in order to decant and upgrade Zone O will be financed in 2017/2018
- Town Centre: The relevant study which is solution driven will be concluded in the first quarter of the 2017/18 financial year

**Table D23
Housing pipeline 2017 (annual review 2017–2020)**

Project name	Type	No. of sites	No. of units	No. of sites	No. of units	No. of sites	No. of units	Longer term
Stellenbosch (Town)								
*Idas Valley (166 services) (Lindida)	IRDP / FLISP	166			166			
Idas Valley (263 services) (Erf 13300)	IRDP			263	89		174	
*Jamestown Farm 527 (Phases 2)	IRDP			100		165		
Jamestown (265 services/ 265 units)								
Jamestown (156 services/ 156 units)								
Jamestown (Re of Farm 527)								x
*Kayamandi Watergang (295 services)	UISP		300					
*Kayamandi Watergang (187 units)	IRDP		20					
*Kayamandi Zone O (±711 services)	UISP			100		100		
*Kayamandi Enkanini Enhanced Services								x
*Kayamandi Enkanini (Pilot project)	UISP						Provision of services	x
*Kayamandi Town Centre Regeneration (700 units)								
^Botmaskop	IRDP/ SH							x
^Van der Stel Sports complex precinct	IRDP							x
Rectification of existing units in Smartie Town					106			
^Cloetesville (erf 7001)	IRDP/ FLISP							
Jonkershoek (150 services/ 150 units)								x
Northern Extension								x
Droë Dyke (4000 services/ 4000 units)								x
Nietvoorbij								x
Klapmuts								
*Phase 4 (298 services & units)	UISP	100		100				
Re of Farm 744, Weltevreden								x
Franschhoek								
*Langrug Enhanced Services (1200 services)	UISP							
*La Motte Old Forest Station (430 services & 430 units)	IRDP/ FLISP/ 'gap'					50		
^Erf 2, La Motte (±70 services)	IRDP							
Meerlust (200 services/ 200 units)								x
Vlottenburg								
*Longlands (144 Services and units)	IRDP			50		94		
Kylemore/ Pniel/ Lanquedoc/ Johannesdal								
*Kylemore (171 services & 171 units)	IRDP					100		
Kylemore (P4 and Re of P 1 of Farm 153)								x
Lanquedoc (700 services/ 700 units)	IRDP							x
TOTAL		266	320	613	361	509	174	

*donates projects supported by Council in accordance with provincial approval, available funds and bulk infrastructure

^donates projects for in-principle support by Council to commence with pre-feasibility studies

We next list the four recommendations in the 2017 housing pipeline presented to Council for consideration:

- Council to support the identified projects (13 in total) in accordance with provincial approval, available funds and bulk infrastructure (see **Table 23**)
- Council to support (in-principle) the commencement with pre-feasibility studies for identified 4 projects (see **Table 23**)

- Reports have to be submitted to Council for consideration after completion of the pre-feasibility studies of the identified projects
- The housing pipeline be reviewed on an annual basis to align the project readiness with the DORA allocation

23.3 Housing pipeline 2018 (based on provincial government funding allocations)²⁷⁷

Table D24 (presented as the 2018 housing pipeline) includes the *provincially funded* (2018/2019—2020/2021) and unfunded projects brought forward from the 2017 pipeline. We also provide a UDS ranking²⁷⁸ for each project and comment on the (spatial) alignment of the WCG funded projects with the preferred 20-year growth-and-development path, *i.e. the investment rationale linked to preferred growth areas*.

Table D24												
Housing pipeline 2018 based on provincial funding allocations²⁷⁹												
(2018/2019 – 2020/2021)												
Project name	2017 status	UDS ranking (by LDA by node and by funding/ rollover status)	Type	No. of sites/ units	Funding R '000			No. of sites/ units	Funding R '000	No. of sites/ units	Funding R '000	Is funded projects spatially aligned with UDS growth-and-development path (yes/ no)
					2018/2019	2019/2020	2020/2021					
Stellenbosch (Town)												
*Idas Valley (166 services) (Lindida)	Rollover	High priority	IRDP / FLISP	265	15 900	100	13 000	100	13 000	100	13 000	Yes
Idas Valley (263 services) (Erf 13300)	Rollover	High priority	IRDP									
*Jamestown Farm 527 (Phases 2)	Priority	High priority	IRDP		600	133	7 980	100	13 000			Yes
Jamestown (265 services/ 265 units)	Priority	Medium priority										
Jamestown (156 services/ 156 units)	Priority	Medium priority										
Jamestown (Re of Farm 527)	Priority	Medium priority										
*Kayamandi Watergang (295 services)	Rollover	High priority	UISP		860							Yes
*Kayamandi Watergang (187 units)	Rollover	High priority	IRDP									
*Kayamandi Zone O (±711 services)	Rollover	High priority	UISP		5 000	100	6 000	100	6 000			Yes
*Kayamandi Enkanini Enhanced Services	Rollover	High priority	EHP		1 000							Yes
*Kayamandi Enkanini (Pilot project)	Rollover	High priority	UISP		2 400		1 500					Yes
*Kayamandi Town Centre Regeneration (700 units)	Rollover	High priority					1 800	100	6 000			Yes

²⁷⁷ Housing pipeline approved by Council in March 2018.

²⁷⁸ UDS ranking is by land-development area (LDA) by node and the funding/ rollover status of the project. We did not rank the projects outside any designated land-development area, viz. Nietvoorbij and De Novo. The rankings were as follows: (a) high priority: Transformation Zones in Stellenbosch (Town) and Consolidation Zones in Stellenbosch (Town) and Klappmuts that include 'funded/ rollover' projects; (b) medium priority: Consolidation Zones in Stellenbosch (Town) and Franschhoek; (c) low priority: Consolidation Zones in other settlements.

²⁷⁹ Western Cape Government housing allocations, 30 January 2018.

^Botmaskop	Priority	Medium priority	IRDP / SH								
^Van der Stel Sports complex precinct	Priority	High priority	IRDP								
Rectification of existing units in Smartie Town	Priority	Medium priority									
^Cloetesville (erf 7001)	Priority	High priority	IRDP / FLISP		250		650	50	3 000		Yes
Northern Extension	Priority	High priority	IRDP		2 000						Yes
Droë Dyke (4000 services/ 4000 units)	Low priority	High priority									
Nietvoorbij	Low priority	Not ranked									
Klappmuts											
*Phase 4 (298 services & units)	Priority	High priority	UISP / EHP	298	13 500						Yes
P2 of Farm 744, Weltevreden (350)		High priority	IRDP				350				Yes
ISSP Klappmuts La Rochelle (80 sites)		High priority	UISP		140	80	4 800				Yes
Franschhoek											
*Langrug Enhanced Services (1200 services)	Priority	Medium priority	UISP								
'Other settlements': La Motte											
*La Motte Old Forest Station (430 services & 430 units)	Priority	Low priority	IRDP / FLISP / 'gap'				3 200				No
^Erf 2, La Motte (±70 services)	Priority	Low priority	IRDP								
'Other settlements': Groot Drakenstein											
Meerlust (200 services/ 200 units)	Priority	Low priority	IRDP		600						No
'Other settlements': Jonkershoek											
Jonkershoek (150 services/ 150 units)	Priority	Low priority									
'Other settlements': Vlottenburg											
*Longlands (144 services and units)	Priority	Low priority	IRDP	144	144						No
'Other settlements': Dwarsrivier - Kylemore/ Pniel/ Lanquedoc/ Johannesdal											
*Kylemore (171 services & 171 units)	-	Low priority	IRDP								
Kylemore (P4 and Re of P 1 of Farm 153)	-	Low priority									
Lanquedoc (700 services/ 700 units)	-	Low priority	IRDP								
WCG project											
De Novo		Not ranked	IRDP		1 400						No
TOTAL				707	48 094	413	39 280	450	41 000		

*donates projects supported by Council in accordance with provincial approval, available funds and bulk infrastructure.

^donates projects for in-principle support by Council to commence with pre-feasibility studies.

23.4 Proposed housing pipeline

This section details how the UDS investment rationale impacts on government-driven housing supply and includes a proposed housing pipeline (see **Table D25**). We have already mentioned that the preferred 20-year growth-and-development path set out in the UDS necessitates a reassessment of government-driven housing supply, with specific reference to the municipality's housing pipeline. **Table D25** includes application of the UDS guidelines to the delivery of *government-driven housing* in the Stellenbosch municipal area.²⁸⁰ We applied

²⁸⁰ See strategic guidelines in **§20.2.9**.

the guidelines by using the same ranking as was used in **Table D24**. The following three categories were then used to describe the assessment outcome:

- Continue with housing project
- (Reprioritise and) conduct due diligence assessments and/or feasibility studies
- Reconsider (housing supply) in the context of the UDS growth-and-development path.

Table D25						
Proposed housing pipeline (2018/2019 – 2020/2021)						
(based on preferred 20-year UDS growth-and-development path)						
Project name	2017 status	UDS ranking (by LDA by node and by funding/rollover status)	Type	No. of sites/ units	Sum of funding R '000	Confirmation and application of the preferred 20-year UDS growth-and-development path
Stellenbosch (Town)²⁸¹						
Idas Valley (166 services) (Lindida)	Rollover	High priority	IRDP / FLISP	465	41 900	Continue with housing project
Idas Valley (263 services) (Erf 13300)	Rollover	High priority	IRDP			
Jamestown Farm 527 (Phases 2)	Priority	High priority	IRDP	233	21 580	Conduct due diligence assessments and/or feasibility studies
Jamestown (265 services/ 265 units)	Priority	Medium priority				Conduct due diligence assessments and/or feasibility studies; consider relocation/upgrading of informal settlement, bulk infrastructure availability, road access, land use rights, etc.
Jamestown (156 services/ 156 units)						
Jamestown (Re of Farm 527)						
Kayamandi Watergang (295 services)	Rollover	High priority	UISP		860	Continue with housing project
Kayamandi Watergang (187 units)	Rollover	High priority	IRDP			Conduct due diligence assessments and/or feasibility studies
Kayamandi Zone O (±711 services)	Rollover	High priority	UISP	200	18 000	Continue with housing project
Kayamandi Enkanini Enhanced Services	Rollover	High priority	EHP		1 000	Continue with housing project
Kayamandi Enkanini (Pilot project)	Rollover	High priority	UISP		3 900	Continue with housing project
Kayamandi Town Centre Regeneration (700 units)	Rollover	High priority		100	7 800	Continue with housing project
Botmaskop	Priority	Medium priority	IRDP/ SH			Reprioritise and conduct due diligence assessments and/or feasibility studies
Van der Stel Sports complex precinct	Priority	High priority	IRDP/ SH			Reprioritise and conduct due diligence assessments and/or feasibility studies (precinct plan)
Rectification of existing units in Smartie Town	Priority	Medium priority				Conduct due diligence assessments and/or feasibility studies
Cloetesville (erf 7001)	Priority	High priority	IRDP/ FLISP	50	3 900	Conduct due diligence assessments and/or feasibility studies
Northern Extension	Priority	High priority	IRDP		2 000	Continue with housing project
Droë Dyke (4000 services/ 4000 units)	Low priority	High priority	IRDP/ SH			Reprioritise and conduct due diligence assessments and/or feasibility studies (precinct plan); Commence immediately with steps to acquire state-owned land in the Droë Dyke/Libertas Transformation Zone for urban development
Nietvoorbij	Low priority	Not ranked				Reconsider in the context of the UDS growth-and-development path

²⁸¹ Stellenbosch (Town): First-tier priority public-sector infrastructure spend by node.

Klapmuts²⁸²						
Phase 4 (298 services & units)	Priority	High priority	UISP EHP	298	13 500	Continue with housing project
P2 of Farm 744, Weltevreden (350)	-	High priority	IRDP		350	Conduct due diligence assessments and/or feasibility studies
JSSP Klapmuts La Rochelle (80 sites)		High priority	UISP	80	4 940	Continue with housing project
Franschhoek²⁸³						
Langrug Enhanced Services (1200 services)	Priority	Medium priority	UISP			Reprioritise and conduct due diligence assessments and/or feasibility studies
'Other settlements': La Motte²⁸⁴						
La Motte Old Forest Station (430 services & 430 units)	Priority	Low priority	IRDP/ FLISP/ 'gap'		3 200	Reprioritise housing supply in the context of the UDS growth-and-development path
Erf 2, La Motte (±70 services)	Priority	Low priority	IRDP			
'Other settlements': Groot Drakenstein²⁸⁵						
Meerlust (200 services/ 200 units)	Priority	Low priority	IRDP		600	Continue with transfer of land and houses; Reprioritise housing supply in the context of the UDS growth-and-development path
'Other settlements': Jonkershoek						
Jonkershoek (150 services/ 150 units)	Priority	Low priority				Conduct due diligence assessments and/or feasibility studies
'Other settlements': Vlottenburg²⁸⁶						
Longlands (144 services and units)	Priority	Low priority	IRDP	144	144	Reprioritise housing supply in the context of the UDS growth-and-development path; but consider specific development pressure for low-cost housing as co-investment opportunity
'Other settlements': Dwarsrivier - Kylemore/ Pniel/ Lanquedoc/ Johannesburg²⁸⁷						
Kylemore (171 services & 171 units)	-	Low priority	IRDP			Reprioritise in the context of the UDS growth-and-development path
Kylemore (P4 and Re of P 1 of Farm 153)	-	Low priority				Reprioritise in the context of the UDS growth-and-development path
Lanquedoc (700 services/ 700 units)	-	Low priority	IRDP			Reprioritise in the context of the UDS growth-and-development path
'Other settlements': Koelenhof						
No project identified						Consider specific development pressure for housing (in the lower price classes) as co-investment opportunity
WCG project						
De Novo		Not ranked	IRDP		1 400	Reprioritise in the context of the UDS growth-and-development path
TOTAL				1 570	129 374	

We proposed that the Municipality continues with the Stellenbosch (Town) projects listed in **Table D25**, except the Nietvoorbij project (see **Map D11**). The following two projects should receive a *high priority* in public-sector infrastructure spend: (a) Droë Dyke and (b) Van der Stel Sports complex precinct — both transit-oriented developments. The footprint of both projects is within a Transformation Zone with the land utilisation outcome a high-quality, high-performance, dense, mixed-use, connected and transit-oriented urban environment (see **§15.2.1**). Implement the *Integrated Residential Development Programme* in the Droë Dyke/Libertas Transformation Zone and the *Social Housing Programme* in demarcated Restructuring Zones in both Transformation Zones.

The implementation of the *Integrated Residential Development Programme*, *Upgrading of Informal Settlement Programme* and *Social Housing Programme* should (also) receive a high

²⁸² Klapmuts: Second-tier priority public-sector infrastructure spend by node.

²⁸³ Franschhoek: Third-tier priority public-sector infrastructure spend by node.

²⁸⁴ 'Other settlements': Lowest priority public-sector infrastructure spend by node.

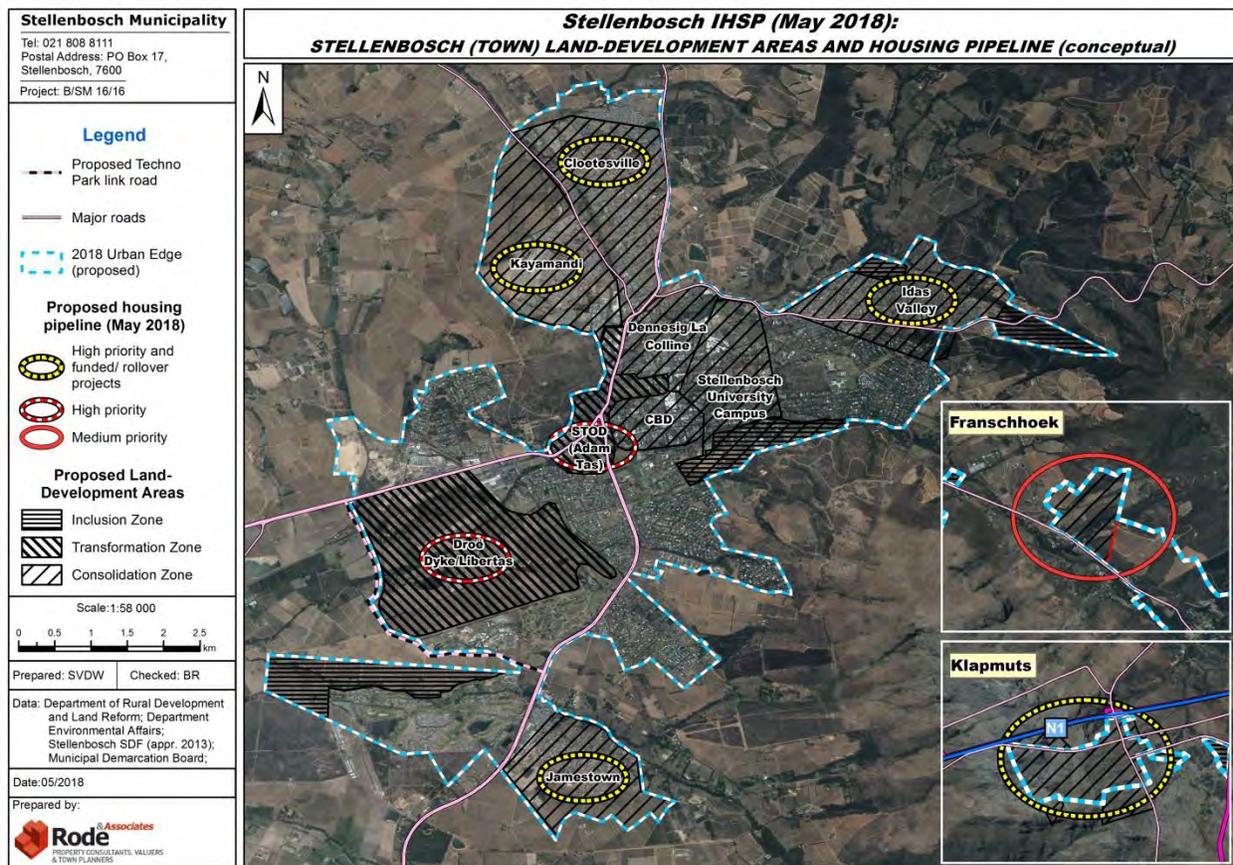
²⁸⁵ 'Other settlements': Lowest priority public-sector infrastructure spend by node.

²⁸⁶ 'Other settlements': Lowest priority public-sector infrastructure spend by node.

²⁸⁷ 'Other settlements': Lowest priority public-sector infrastructure spend by node.

priority in the following Consolidation Zones (in order of priority): Kayamandi, Jamestown, Idas Valley and Cloeteville. In addition, the implementation of the Emergency Housing Programme in these Consolidation Zones should be in accordance with (a) the need of the beneficiaries and residents, as well as (b) the structure, (c) function, and (d) purpose of the specific area. Considering the multi-year provincial allocation described in **Table 24**, the funds allocated to the projects in Stellenbosch (Town) amount to about 78% of the total allocation — confirming the UDS investment rationale (by node).

We propose a high priority for the implementation of the UISP in Klapmuts and a medium priority in Franschhoek (see **Map D11**). About 18% of the multi-year provincial allocation has been allocated to implementing the programme in Klapmuts, but no funds have been allocated for Franschhoek.



Map D11: Stellenbosch IHSP (May 2018): Land-development areas and housing pipeline by node (conceptual)

The cumulative growth in demand for indigent housing was allocated to Stellenbosch (Town), Klapmuts and Franschhoek. *We do not allocate any demand for indigent houses to the 'other settlements'*.²⁸⁸ We propose that the planned delivery of housing to these settlements be reprioritised in the context of the UDS growth-and-development path. However, we acknowledge that some of these settlements are experiencing specific development pressure, where incremental approaches to development, regulation and

²⁸⁸ We acknowledge the possible need to provide houses for farm workers in some of the 'other settlements'.

maintenance and upgrading of infrastructure can be considered to redress past development imbalances and to accommodate natural progression.

Tables C23, C25 and C27 include the figures calculated for the rollout of potential residential development (including housing for the indigent) by scenario for all three nodes (see **Annexure 1**). We do not include in this study a breakdown of the funds-flow of government-driven housing supply over the next 20 years. In **Tables 24, 26 and 28** we provide the alignment of the growth-and-development path (by scenario) with municipal infrastructure provision, i.e. capital expenditure over MTEF period (3-year budget) and forecast to 2022/2023 (also see **Annexure 1**).

24 MUNICIPAL HOUSING ACCREDITATION

The Stellenbosch municipality recently submitted an application for accreditation to the Western Cape Government. The Municipality, as a well-capacitated municipality, applied to be accredited or delegated to perform the housing function (at Level 2 grade) on behalf of the provincial government.

This study, if approved by Council, will serve as a key component of the decision on accreditation.

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— **The end** —

8.2.7	GRANT ALLOCATIONS FOR ANIMAL WELFARE ORGANISATIONS AS DETERMINED BY THE GRANT COMMITTEE
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Collaborator No:

File No:

IDP KPA Ref No:

Meeting Date: 29 May 2019

1. SUBJECT: GRANT ALLOCATIONS FOR ANIMAL WELFARE ORGANISATIONS AS DETERMINED BY THE GRANT COMMITTEE

2. PURPOSE

To make final grant allocations based on applications received from animal welfare organisations.

**3. DELEGATED AUTHORITY
COUNCIL**

4. EXECUTIVE SUMMARY

In terms of section 6(2) of the Policy for The Financing of External Bodies Performing a Municipal Function, "the Grant Committee will have the power to make recommendations to Council for final appointments and financial allocations", and in terms of section 6(3), "the Grant Committee must submit a report on its decisions to the Council for final approval".

This item deals with the applications received from animal welfare organisations, which include the Franschhoek SPCA and Stellenbosch Animal Welfare.

5. RECOMMENDATIONS

- (a) that Council takes note of the R1.113m grant allocation available for distribution to animal welfare organisations; and
- (b) that Council approves the final allocations as recommended by the Grant Committee (as per its meeting of 2019-05-23 and contained in this report), as follows:

(i)	Franschhoek SPCA	R 172 000
(ii)	Stellenbosch Animal welfare	R 941 000

6. DISCUSSION/CONTENTS

6.1 Background

Council approved a policy relating to the funding of external bodies performing a municipal function, in terms of which financial allocations may be made to external organisations which perform a municipal function and which organisations apply to the municipality for financial assistance.

Notice to apply for the grants were placed in various local newspapers and on the municipal website. After a thorough assessment of the various applications, the Grant Committee reached consensus on the final allocations to qualifying organisations.

6.2 Discussion

On 2019-05-23 the Grant Committee evaluated the applications received. A total amount of R1 113 000 was made available for allocation to animal welfare organisations, and it is recommended that this amount be disbursed as follows:

Franschhoek SPCA	R172 000
Stellenbosch Animal Welfare	R941 000

6.3 Financial Implications

A total amount of R1 113 000 will be disbursed to animal welfare organisations as per the approved budget.

6.4 Legal Implications

The recommendations are in line with all applicable legislation and Council's approved "Policy for the Financing of External Bodies Performing a Municipal Function".

6.5 Staff Implications

None

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

The potential of inadequate reporting and accountability by the respective beneficiaries.

6.8 COMMENTS FROM SENIOR MANAGEMENT**6.8.1 Director: Planning and Economic Development**

Agree with recommendations.

6.8.2 Director: Community and Protection Services

Agree with the recommendations.

6.8.3 Chief Financial Officer

Agree with the recommendations.

6.8.4 Municipal Manager

Agree with the recommendations.

ANNEXURES

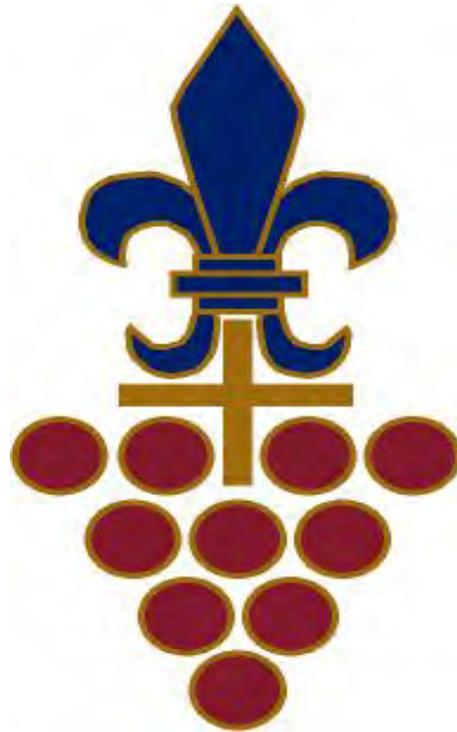
Annexure 1: Policy on the Financing of External Bodies Performing a Municipal Function

FOR FURTHER DETAILS CONTACT:

NAME	Gary Boshoff
POSITION	<i>Director: Community & Protection Services</i>
DIRECTORATE	<i>Community and Protection Services</i>
CONTACT NUMBERS	<i>021 808 8410</i>
E-MAIL ADDRESS	<i>Gary.boshoff@stellenbosch.gov.za</i>
REPORT DATE	<i>24 May 2019</i>

APPENDIX 1

STELLENBOSCH MUNICIPALITY



FINANCING OF EXTERNAL BODIES PERFORMING MUNICIPAL FUNCTIONS POLICY

2018/2019



STELLENBOSCH MUNICIPALITY

FINANCING OF EXTERNAL BODIES PERFORMING MUNICIPAL FUNCTIONS POLICY

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1. DEFINITIONS

1.1 In this policy unless the context indicates otherwise:

- 1.1.1 “**Accounting Officer**” means the Municipal Manager as referred to in section 60 of the Local Government: Municipal Finance Management Act, 56 of 2003 (“MFMA”);
- 1.1.2 “**Approved Budget**” means the Municipality’s annual budget approved by the Council in terms of section 24 of the MFMA and include an adjustment budget in terms of Section 28 of the MFMA;
- 1.1.3 “**Community**” means the residents within the Stellenbosch WCO24 area;
- 1.1.4 “**Constitution**” means the Constitution of the Republic of South Africa, 1996;
- 1.1.5 “**Director**” means a person appointed in terms of section 56 of the Systems Act who is directly accountable to the Municipal Manager;
- 1.1.6 “**Executive Mayor**” means the councillor elected as the Executive Mayor in terms of section 55 of the Local Government: Municipal Structures Act, 32 of 2000 (“the Structures Act”);
- 1.1.7 “**Chief Financial Officer**” or “CFO” means an official as envisaged in section 80(2)(a) of the Local Government: Municipal Finance Management Act, 56 of 2003 (“MFMA”);
- 1.1.8 “**Grant**” means a grant or allocation, as referred to in section 17(3)(j(ii) and 17(3)(j(iv) of the MFMA, made by the Municipality to any organisation or body referred to in section 67(1) and to be utilised to assist the Municipality in fulfilling its constitutional mandates including local tourism, municipal health services and such other municipal functions contemplated in Part B of Schedules 4 and 5 of the Constitution;
- 1.1.9 “**Grant Committee**” means the Committee established in terms of clause 7 of this policy;
- 1.1.10 “**official**” means an employee in the service of the Municipality;
- 1.1.11 “**organisation or body**” means those organisations or bodies outside any sphere of government making application for Grants in terms of this Policy, Which include associations, non-profit organisations or companies or trusts;
- 1.1.12 “**the Systems Act**” means the Local Government: Municipal Systems Act, 32 of 2000;
- 1.1.13 “**the Structures Act**” means the Local Government: Municipal Structures Act, 117 of 1998;
- 1.1.14 “**the MFMA**” means the Local Government: Municipal Finance Management Act, 56 of 2003;
- 1.1.15 “**the Municipality**” means the Stellenbosch Municipality and reference to Council has a similar meaning;

- 1.1.16 “**the Policy**” means the Financing of External Organisation/Bodies Performing Municipal Function Policy as set out in this document.
- 1.1.17 “**service delivery agreement**” or “MOA” means the agreement entered into between the Municipality and any organisation or body which received a Grant in terms of this Policy.

1. PURPOSE, AIMS AND OBJECTIVES

- 1.1 The purpose of this Policy is to provide a framework for financial assistance by Stellenbosch Municipality (“the Municipality”) to external organisations / bodies performing local government functions to the extent as set out in section 155(6)(a) and (7) of the Constitution as listed in Part B of Schedule 4 and 5.
- 1.2 The purpose of this Policy is to ensure the efficient performance of the municipal function entrusted to that external organisation/body in a manner which gives effect to the goals and objectives of the Municipality’s Integrated Development Plan (“IDP”) by establishing partnerships between the municipality and the organisations and bodies performing the functions on behalf of the Municipality.
- 1.3 The Municipality will favour grants for achievement of outcomes aligned to the IDP. The objective of the funding of external bodied performing municipal functions is primarily to ensure the achievement of agreed outcomes to improve the health and well-being of the citizens and not to cover administrative costs and salaries.

2. LEGAL FRAMEWORK

- 2.1 In terms of section 156 of the Constitution, the Municipality has executive authority in respect of and the right to administer –
- 2.1.1 the local government matters listed in Part B of Schedule 4 and 5; and
- 2.1.2 any other matters assigned to it by national and provincial legislation.
- 2.2 Section 16(2) of the MFMA provides that 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. Section 17(3)(j)(ii) and 17(3)(j)(iv) provides that when an annual budget is tabled in terms of section 16(2) it must include particulars of any proposed allocation or grants by the municipality to any municipal entities and other external mechanism assisting the municipality in the exercise of its functions or power and any organisation or bodies referred to in section 67(1).
- 2.3 Immediately after the tabling of the annual budget the accounting officer must make public the annual budget and invite the local community to submit representations in connection with the budget before the budget is approved by Council in terms of section 24 of the MFMA.
- 2.4 Section 67 of the MFMA provides that the Municipality implement and sustain proper and effective controls and procedures when transferring funds of the

- Municipality to an organisation or body outside any sphere of government.
- 2.5 Section 67(1) provides that the accounting officer must be satisfied that the organisation or body has the capacity and agreed to comply with any agreement with the Municipality including all reporting, financial management and auditing requirements as may be stipulated in the agreement, to report at least monthly to the accounting officer on actual expenditure against such transfer and to submit audited financial statements for its financial year to the accounting officer promptly. The organization must implement effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement and has the obligation to prove in terms of previous similar transfers that it has complied with all the requirements. The accounting officer must through contractual and other appropriate mechanism enforce compliance with this policy.
- 2.6 All transfer of funds in terms of this Policy shall comply with the Constitution, the Systems Act, the Structures Act, the MFMA and any other applicable legislation, regulations and policies that may govern the transfer of municipal funds and that are not in contradiction to the aforementioned legislation.

3. PUBLIC ADVERTISEMENT AND APPLICATION PROCEDURE

- 3.1 Applications for funding of external bodies performing municipal functions shall be considered where organisations or bodies have responded to advertisements published in the local newspapers distributed in the Stellenbosch Municipal Area calling upon organisations or bodies to submit proposals in the prescribed form, as set out 4.3 below, to perform a specific municipal function for a period up to 3 years. Such advertisements may be published quarterly by the accounting officer.
- 3.2 Advertisements should clearly specify the categories for which requests are called, the closing date for applications, who they should be addressed to, and where and how to obtain the relevant documentation pertaining to such applications, including the prescribed forms. Only applications made on the prescribed form (see Annexure A) may be considered.
- 3.3 The organisation/body must submit a detailed business plan with its application, confirming the envisaged outcomes their past achievements in the field and their commitment to performing that particular municipal function effectively and in line with Council's goals as set out in the IDP. Applications must be accompanied by a covering letter on the organisation/body letterhead, signed by the head of the organisation/body and must include the following information:
- 3.3.1 the organisation/body's legal name and a brief description of the organisation/body's business;
 - 3.3.2 the organisation/body's registration number, if any;
 - 3.3.3 the date of establishment, details of the organisation/body's members, founding documents, including constitution and certificates of incorporation;
 - 3.3.4 the contact name of the person signing the application, full street address, telephone number and email address of the organisation;
 - 3.3.5 if funding is required for a specific project, a brief description of the project and what it aims to achieve, as well as the detailed budget

- for and the duration of the project together with a written confirmation by the relevant municipal Director that the project is part of the IDP projects or programs;
- 3.3.6 references, independent of the organisation/body and the head of the organisation/body;
 - 3.3.7 most recent audited financial statements not older than 24 months;
 - 3.3.8 a summary of its past achievements; and
 - 3.3.9 a declaration by the head of the organisation/body to the satisfaction of the Municipal Manager that the organisation/body implements effective, efficient and transparent financial management and internal control mechanism to guard against fraud, theft and financial mismanagement and has in the past complied with requirements for similar transfers of funds.
- 3.4 Individuals will not be considered or appointed as an organisation/body to provide a municipal function as contemplated in this Policy.
 - 3.5 Organisations or bodies whose directors, managers, major shareholders or trustees are in service of the state will not be considered or appointed as an organisation/body to provide a municipal function as contemplated in this Policy.
 - 3.6 The appointment of a particular organisation/body to perform a municipal function for a period of three (3) years does not guarantee financial support by the Municipality, which will be determined annually when the municipal budget is approved by the Municipal Council.
 - 3.7 No late applications received, in response to an advertisement as contemplated in clause 3.1 and 3.2 above will be considered and processed by the Grant Committee.

4. OBLIGATIONS OF THE ORGANISATION/BODY

- 4.1 The head of the organisation/body must acknowledge in writing to the Municipal Manager that the money allocated was received in its bank account and that the money will be utilised in accordance with the completed and signed MOA, the submitted application and this Policy within 30 days of transfer of funds / payment, failing which no future grants may be considered.
- 4.2 The organisation / body shall submit monthly reports on actual expenditure against such transfer, the ward within which activities are conducted as well as the number of people benefiting from the activity to the Municipal Manager.
- 4.3 The relevant municipal Director must co-sign each monthly report to confirm monthly management and oversight of the activities.

5. RIGHTS OF THE MUNICIPALITY, CONTROL AND MONITORING

- 5.1 The relevant municipal Director shall be entitled, at any reasonable time from time to time, to verify and inspect the existence and activities of the organisation/body. The relevant municipal Director or his delegate has the right to physically visit the premises where the organisation/body or funded project is based, to peruse the budgets and any progress report related to the project.

- 5.2 The relevant municipal Director shall manage the service delivery agreement entered into between the Municipality and the organisation / body by inter alia receiving and considering monthly reports, inspecting financial records including audited financial statement.
- 5.3 If the organisation / body fails to comply with the terms and conditions of its service delivery agreement with the Municipality, the accounting officer may in consultation with the relevant municipal Director terminate the agreement with reasonable notice or grant the organization / body an opportunity to rectify the breach within an agreed period of not more than 90 days, failing which the accounting officer may terminate the agreement with reasonable notice.
- 5.4 The Municipality has the right not to give a Grant to any or all organisations/bodies applying for such Grants or to give proportional or partial grants to give. Having been awarded a Grant previously does not give an organisation/body the right to receive a Grant again.
- 5.5 The relevant municipal Director shall ensure that those organisations or bodies, who have received Grants in terms of this Policy:-
- 5.5.1 comply with all the provisions of the completed and signed MOA;
 - 5.5.2 comply with all reporting, financial management and auditing requirements as stipulated in the MOA;
 - 5.5.3 report at least monthly to the Municipality on actual expenditure against such transfer;
 - 5.5.4 promptly, or no longer than 4 months after the end of their financial year, submit their audited financial statements; and
 - 5.5.5 utilise the grant funding strictly in accordance with the approved business plan and approved budget.
- 5.6 The requirements in paragraphs 5.5.1 to 5.5.4 above shall not apply to organisations where the transfer does not exceed R200 000,00 (two hundred thousand rand), provided the Accounting Officer takes all reasonable steps to ensure that the targeted beneficiaries, as identified by the organisation or body in its application, receive the benefit of such grants and it certifies that compliance by that organisation or body with 5.5.1 to 5.5.4 above is uneconomical or unreasonable.

6. GRANT COMMITTEE

- 6.1 A Grant Committee consisting of at least the Municipal Manager, the Chief Financial Officer and one director of the Municipality, as well as any other official whom the Municipal Manager may include, shall evaluate all applications received in response to the local advertisement.
- 6.2 The Grant Committee will have the power to make recommendations to Council for final appointments and financial allocations.
- 6.3 The Grant Committee must submit a report on its decisions to the Council for final approval.
- 6.4 The Grant Committee shall, in terms of the Systems Act, establish a programme for community consultation and information dissemination regarding the appointment of any organisation/body and the availability of the service delivery agreement for perusal will be communicated to the local community through the media prior to any service delivery agreement being entered into between the Municipality and the organisation or body.

- 6.5 No payments in terms of the allocation will be made to any organisation / body until a service delivery agreement in the form approved by the accounting officer has been signed by the respective parties.
- 6.6 No payment can be made to an organisation/body until it has submitted its audited financial statements as contemplated in this Policy and a statement certified by its auditor that it has fully complied with its agreement with the Municipality.
- 6.7 Payments may be allocated as a once off amount or in tranches as determined by the CFO in consultation with the relevant municipal Director.

7. Funding acknowledgement of the Municipality

Successful applicants will be required to acknowledge the Municipality as the provider of Grant funding in their funding record as well as any public record in respect of Grants received in order to confirm that these transfers of funds are also part of the Municipality's endeavours to meet its strategic objectives and to assist it in carrying out its constitutional powers and functions.

8. COMMENCEMENT

This Policy called the **FINANCING OF EXTERNAL BODIES PERFORMING MUNICIPAL FUNCTIONS POLICY** takes effect on the date on which it is adopted by the Council.



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

Municipality • Umasipala • Munisipaliteit

APPLICATION : FUNDING OF EXTERNAL BODIES PERFORMING A MUNICIPAL FUNCTION

NOTE: ONLY APPLICATIONS ON THIS PRESCRIBED FORM WILL BE CONSIDERED

PLEASE COMPLETE THE FOLLOWING:

A Registered name of organisation:

.....

B Date and year in which the organisation was founded or incorporated (include brief description of business or activities of organisation):

.....

.....

.....

.....

C Address:

(i) Street

(ii) Postal

.....

.....

.....

.....

.....

.....

Contact details:

Name and Surname:

Title/Position held:

Tel: E-mail:

D List **ALL** the directors / board / committee members / shareholders / trustees of the organization (use additional pages if necessary):

Name and Surname:

Position:

Contact Address and tel. no:

Name and Surname:

	<p>Contact Address and tel. no:</p> <p>Name and Surname:</p> <p>Position:</p> <p>Contact Address and tel. no:</p> <p>Name and Surname:</p> <p>Position:</p> <p>Contact Address and tel. no:</p> <p>Name and Surname:</p> <p>Position:</p> <p>Contact Address and tel. no:</p> <p>Name and Surname:</p> <p>Position:</p> <p>Contact Address and tel. no:</p>
D	<p>Indicate in which ward the organisation is active:</p> <p>Ward: _____</p> <p>Is the organisation a non-profit company? Yes No</p> <p>If yes, provide company registration number: _____ -</p> <p>Is the organisation a non-profit organisation as contemplated in section 13 of the Non-Profit Organisation Act, 1997? Yes No</p> <p>If yes, provide registration number: _____ -</p> <p>Is the organisation a public benefit organisation as contemplated in terms of the Income Tax Act, 1962? Yes No</p> <p>If yes, provide registration number: _____ -</p> <p>Is funding required for a specific project? Yes No</p> <p>If yes, attach details separately.</p> <p>Budget amount of projects:</p> <p>Duration of project:</p> <p>Is funding required for general support? Yes No</p> <p>If yes, attach a copy of the organisation's overall budget and business plan.</p>

<p>E</p>	<p>Category:</p> <p>Please categorise your application (mark with x):</p> <p>Tourism Destination Marketing & Visitors Information</p> <p>Tourism Development</p> <p>Animal Welfare</p> <p>Note: For more detail, see attached Funding of External Bodies Performing a Municipal Function Policy.(general guidelines and categories)</p> <p>Please indicate the specific type of project/programme, as per the Funding of External Bodies Performing a Municipal Function Policy</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>F</p>	<p>The following <u>MUST</u> accompany this application:</p> <ol style="list-style-type: none"> 1. A copy of the latest, audited financial statements. 2. A copy of the Organisation's Constitution or Memorandum of Incorporation as well as the resolutions/minutes adopting the Constitution or Memorandum of Incorporation. 3. A copy of a project/programme description and/or a business plan for the ensuing financial year. Including the following: <ul style="list-style-type: none"> • Full details of the proposal or project including its objectives, the number of people who will benefit and how the project will contribute or enhance the strategic objectives of Stellenbosch Municipality. • Commencement and completion dates of the project. • Information on the total cost of the project budget, including a breakdown of costs and an outline of any contribution by fundraising and/or own contribution. • A list of all other sources of funding together with the assessments. • A summary of past achievements. • References independent of the applicant and its executive. 4. An original copy of a correctly completed creditors control form of Stellenbosch Municipality. 5. If the Organisation received funding from Stellenbosch Municipality in the preceding financial year, you need to account for the expenditure of the funding received with your new application. 6. If the Organisation received funding from other bodies, please identify and list the amounts received;

	<ol style="list-style-type: none"> 7. If the Organisation is a non-profit company as defined in the section 1 of the Companies Act, 2008, a certificate/letter issued by the Companies and Intellectual Property Commission (CIPC) confirming registration must be attached; 8. If the Organisation has been registered as a “non-profit” organisation in terms of the Non-Profit Organisation Act, 1997, a certificate/letter issued by the Department of Social Development confirming registration as a non-profit organisation must be attached; 9. If the Organisation has been registered as a “Public Benefit Organisation” in terms of the Income Tax Act, 1962, a certificate/letter issued by SARS confirming the Organisation's tax exemption status must be attached; and 10. Valid Tax Clearance Certificate issued by SARS.
<p>G</p>	<p>The following shall apply:</p> <ol style="list-style-type: none"> 1. The allocation of funds will only be considered if the application document has been fully completed and signed and is accompanied by the required and supporting documentation referred to therein. Applicants must in their submission clearly indicate / specify and motivate what the funding will be utilised for. 2. The funding must be exclusively utilised for the purpose defined and the successful applicant must submit the necessary undertaking to this effect. 3. Applicants must in their submission satisfy the Council of their ability to execute the project successfully. 4. Organisations who have already received financial or other assistance from the Council during the previous financial year <u>must</u> specify same in their application. 5. No funding will be considered for political groupings, church/sectarian bodies or ratepayers organisations. 6. No funding will be considered where only an individual will benefit or where a member of Council or an official of Stellenbosch Municipality will receive any financial or other gain. 7. Projects outside the boundaries of the Council will not be considered. 8. Subsequent requests from applicants to cover overspending on projects will not be considered. 9. Council will not pay any funds to anyone who has already procured against the perception that they will receive any municipal funds. 10. Successful applicants must at all times comply with the provisions of Section 67(1) of the Municipal Finance Management Act No. 56 of 2003 which <i>inter alia</i> stipulates that the organisation or body has to:- <ul style="list-style-type: none"> • Enter into and comply with a Memorandum of Agreement with the Municipality as well as with all reporting, financial management and auditing requirements as may be contained in such agreement. This memorandum of agreement will bind the successful applicant to deliver on what the application speaks to, but also to commit to become involved with municipal programmes of the community where it functions. The Memorandum of Agreement will be made available to successful applicants for completion. • Report monthly on the actual expenditure of the amount allocated.

	<p>11. The Council reserves the right not to give funding to any or all organisations applying.</p> <p>12. Having been awarded funding previously does not give an applicant the right to receive a grant/funding again.</p> <p>13. Funding will not be considered where a project or organisation is already receiving funds from Council in terms of Council's functions. Applicants are required to disclose other sources of funding, failing which such applicant will be disqualified.</p> <p>14. Funding will not be considered where in Council's opinion, an organisation received sufficient funds from other sources to sustain its activities or the project applied for. For this purpose, organisations must submit financial statements and budget for the ensuing financial year.</p> <p>15. Organisations having received funding from Stellenbosch Municipality during the previous financial year, are required to attached to any new application, a copy of the financial statements relating to the year in which the funding was received from Council, as required in terms of section 67(1) of the Municipal Finance Management Act, 2003 (MFMA).</p> <p>(The Funding of External Bodies Performing a Municipal Function Policy must be consulted for the sake of completeness)</p>
H	<p>Undertaking:</p> <p>I/We hereby verify that the information provided in this application is true and correct and that the conditions applicable to the allocation of funds as set out above have been read, understood and will be complied with.</p> <p>I/We also declare that the organisation implements effective, efficient and transparent financial management and internal control mechanisms to guard against fraud, theft and financial mismanagement and has in the past complied with requirements for similar transfer(s) of funds.</p> <p>This completed and signed at Stellenbosch on this.....day of20....</p> <p>_____</p> <p>Chairperson / Authorised Representative</p> <p>_____</p> <p>Secretary / Duly Authorised Signatory</p>

I Please take note:

(i) That completed application forms together with all the required documentation must be delivered to:

**Director: Planning and Economic Development
P O Box 17
Stellenbosch
7599**

Or delivered to:

**58 Andringa Street
Stellenbosch
7600**

(ii) That the closing date for the submission of applications is: at
.....

(iii) That **neither late nor incomplete applications** shall be considered.

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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9.3.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR APRIL 2019
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Collaborator No: 645764
File No: 8/1
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 29 May 2019

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR APRIL 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

For noting by 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 April 2019.

5. RECOMMENDATION

that Council notes that there were no deviations for April 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

None

6.3 Financial Implications

None

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

None

6.8 Comments from Senior Management

The item was not circulated for comment except to Municipal Manager

6.8.1 Municipal Manager

Supports the recommendations.

FOR FURTHER DETAILS CONTACT:

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

10.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
10.1	QUESTION BY CLLR DA HENDRICKSE: ASLA PRICES: IDAS VALLEY HOUSING PROJECT

A Notice of a Question, dated 2019-05-14, was received from Councillor DA Hendrickse.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

FOR CONSIDERATION

APPENDICES:

Appendix 1: Question by Councillor DA Hendrickse

Appendix 2: Response by Municipal Manager

APPENDIX 1



14 May 2019
 The Single Whip
 Stellenbosch Municipal Council
 Plein Street
 STELLENBOSCH
 7600
 Attention : Clr P Biscombe
 Dear Whip



RE NOTICE OF QUESTIONS TO SERVE AT THE NEXT COUNCIL MEETING

QUESTION NO 1

What is the prices of the various houses that ASLA are selling through their sales agent in the Idasvallye housing project .

MOTIVATION

Following the January 2019 public meeting which was held at the Luckhoff Secondary school in Idasvalley, where ASLA market the sale of approximately 89 no houses, I have send an email to the MM (See attached copy) wherein i have asked for the breakdown of the selling price of the various housing types. At the Meeting of January 2019 Mr L Van Stavel and ASLA indicated that the houses prices as listed are all inclusive of the land cost, buck infrastructure contribution , legal cost, bond registrarion cost, house constructions price and VAT.

It must also be noted that ASLA must pay the municipality the land price and buck contribution price. Likewise ASLA must pay the layers the transfer and bond registration costs. Thus my question as to what does ASLA charge for the construction of the various house types.

QUESTION NO 2

Who in the municipality has decided to increase the no of flats from 60 to 96 no in the Idasvalley housing project?

MOTIVATION

The municipality through their consultants have advertise their intention to increase the no of flats and fro 60 to 96 number with a floor area of approx 25m2.

I could also find no record of any council decition to increase the number of flats and having 25m2 units as these are not suitable for families

Clr DA Hendrickse



APPENDIX 2



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

To : SPEAKER
From : MUNICIPAL MANAGER
Date : 23 May 2019
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE RULES OF ORDER:

Dear Speaker,

With reference to the question received from the EFF, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, received by my office on 16 May 2019.

Question 1:

“What is the prices of the various houses that ASLA are selling through their sales agent in the Idasvalley housing project”?

Response

The selling prices of the various units are as per the Table below.

Typologies	Price	Number
B (size 46)	R543 000	14
C (size 55)	R585 350	15
D (size 60)	R660 000	9
E (size 51)	R565 000	2
A1 (size 42)	R393 259	24
B1 (size 46)	R508 000	16
D1 (size 52)	R555 000	4

- i. “It must also be noted that ASLA must pay the municipality the land price and buck contribution price. Likewise ASLA must pay the layers the transfer and bond registration costs. Thus my question as to what does ASLA charge for the construction of the various house types”

RESPONSE

Land costs of the various units are different depending on the land area. The prices vary between R1 892.22 and R12 569.72 depending on the house typology and erf size.

In respect of land and other costs a total of **R4 929 738.00** will be paid into the Municipality's Special Operating Account.

It must be noted that the disaggregation of the house price into its various components was based upon the building cost at the time of tender. However, the prices changed due to escalation and implementation date.

10.2	QUESTION BY CLLR DA HENDRICKSE: INCREASE IN NUMBER OF FLATS FROM 60 TO 96: IDAS VALLEY HOUSING PROJECT
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A Notice of a Question, dated 2019-05-14, was received from Councillor DA Hendrickse.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

FOR CONSIDERATION

APPENDICES:

Appendix 1: Question by Councillor DA Hendrickse

Appendix 2: Response by Municipal Manager

APPENDIX 1

Municipality - Munisipaliteit
Stellenbosch

16 MAY 2019

Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder

14 May 2019
The Single Whip
Stellenbosch Municipal Council
Plein Street
STELLENBOSCH
7600
Attention : Clr P Biscombe
Dear Whip



RE NOTICE OF QUESTIONS TO SERVE AT THE NEXT COUNCIL MEETING

QUESTION NO 1

What is the prices of the various houses that ASLA are selling through their sales agent in the Idasvallye housing project .

MOTIVATION

Following the January 2019 public meeting which was held at the Luckhoff Secondary school in Idasvalley, where ASLA market the sale of approximately 89 no houses, I have send an email to the MM (See attached copy) wherein i have asked for the breakdown of the selling price of the various housing types. At the Meeting of January 2019 Mr L Van Stavel and ASLA indicated that the houses prices as listed are all inclusive of the land cost, buck infrastructure contribution , legal cost, bond registrarion cost, house constructions price and VAT.

It must also be noted that ASLA must pay the municipality the land price and buck contribution price. Likewise ASLA must pay the layers the transfer and bond registration costs. Thus my question as to what does ASLA charge for the construction of the various house types.

QUESTION NO 2

Who in the municipality has decided to increase the no of flats from 60 to 96 no in the Idasvalley housing project?

MOTIVATION

The municipality through their consultants have advertise their intention to increase the no of flats and fro 60 to 96 number with a floor area of approx 25m2.

I could also find no record of any council decition to increase the number of flats and having 25m2 units as these are not suitable for families

Clr DA Hendrickse



APPENDIX 2



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

To : SPEAKER
From : MUNICIPAL MANAGER
Date : 23 May 2019
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE
RULES OF ORDER:

Dear Speaker,

With reference to the question received from the EFF, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, received by my office on 16 May 2019.

QUESTION 2:

“Who in the municipality has decided to increase the no of flats from 60 to 96 no in the Idasvalley housing project?”

RESPONSE

No one, an application was lodge to increase the number of flats. The application is still in process and will considered after public participation by the Municipal Planning Tribunal.

Kind regards

Geraldine Mettler
Municipal Manager

10.3	QUESTION BY CLLR F ADAMS: COMMISSIONERS OF OATHS
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A Notice of a Question, dated 2019-05-14, was received from Councillor F Adams.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

FOR CONSIDERATION

APPENDICES:

Appendix 1: Question by Councillor F Adams

Appendix 2: Response by the Executive Mayor

APPENDIX 1



CONTACT: oaackcity2010@yahoo.com
 P.O BOX 12445
 DIE BOORD
 7613

Democratic New Civic Association

14 May 2019

For attention : The Speaker

Stellenbosch Municipality



Re: Question in terms of the rules of Order bylaw.

I hereby submit the following question to be served at the May 2019 Council meeting.

Motivation/background

1. I refer to the additional functions of Councillors to act as Commissioners' of oath.
2. This is such an important functions and also part of our duties to serve communities.
3. I am surprise that the DA deliberately withhold that oppportunity from Councillors. This is after numerous discussions with Clr. W. Petersen , both as chief whip and now Speaker.

Question:

I hereby request what is the explanation for preventing us from exercise our duties as Commissioners of Oath and who of the current Councillors have the tools to fulfill this function.

I request the Mayor to answer this in writing.



U EERSTE  YOU FIRST

CONTACT: packcity2010@yahoo.com

P.O BOX 12445

DIE BOORD

7613

A handwritten signature in black ink, appearing to be 'Franklin Adams', written over a horizontal line.

Clr. Franklin Adams

"Aluta Continua"

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH
14 MAY 2019
OFFICE OF THE SINGLE WHIP

APPENDIX 2



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

To : SPEAKER
From : EXECUTIVE MAYOR
Date : 23 May 2019
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE RULES OF ORDER:

Dear Speaker,

With reference to the question received from the DNCA, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, received by my office on 16 May 2019.

Question 1:

“I hereby request what us the explanation for preventing us from exercise our duties as Commissioners of Oath and who of the current Councillors have tools to fulfill this function”?

Response

The legislation in regard to Commissioners of Oath is a designation given to certain positions and where a person that has such a position have certain designated powers. The relevant document is attached.

A councillor therefore has such a designation and no person or party can stop a councillor from fulfilling this designation. The allegation that the Executive Mayor/Speaker/Whip is preventing councillors from exercising this designation is preposterous and unfounded in the document in which the question is posed.

The upper limits does not provide for the provision of a stamp to councillors to fulfil their designation as a commissioner of oaths – the commissioner must get a stamp him/herself and pay for it. I attach the latest Upper Limit Notice – see tools of trade under Of). In fact a councillor does not need a stamp to fulfil the role of a commissioner of oaths – the person can write what is necessary and then sign below the confirmation or affirmation.

Kind regards


Gesie Van Deventer
 Executive Mayor

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

NO. 1426

21 DECEMBER 2018

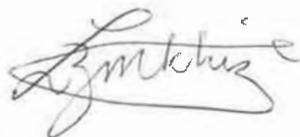
**REMUNERATION OF PUBLIC OFFICE BEARERS ACT, 1998
(ACT NO. 20 OF 1998)**

**DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND
BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCILS**

Under the powers vested in me by sections 7(1), 8(5)(a) and 9(5)(a) of the *Remuneration of Public Office-bearers Act, 1998 (Act No. 20 of 1998)*, I, Zwelini Lawrence Mkhize, Minister for Cooperative Governance and Traditional Affairs, hereby –

- (a) after consultation with the member of the Executive Council responsible for local government in each province; and
- (b) after taking into consideration the matters listed in paragraphs (a) to (i) of section 7(1) of the Act,

determine the upper limits of the salaries, allowances and benefits of the different members of municipal councils as set out in the Schedule.



**ZWELINI LAWRENCE MKHIZE, MP
MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

SCHEDULE

PREAMBLE

The salary and allowances of a councillor is determined by that municipal council by resolution of a supporting vote of the majority of its members, in consultation with the member of the Executive Council responsible for local government in each province, having regard to the upper limits as set out hereunder, the financial year of a municipality and affordability of municipality to pay within the different grades of the remuneration of councillors, including the austerity measures as approved by national Cabinet.

For purposes of implementation of this Government Notice, "in consultation with" means that a municipal council must obtain concurrence of the MEC for local government prior to the implementation of the provisions of this Notice, subject to submission of information referred to in item 18 of this Notice to the MEC.

1. Definitions

In this Schedule, unless the context indicates otherwise, a word or phrase to which a meaning has been assigned in the *Remuneration of Public Office-bearers Act*, 1998 (Act No. 20 of 1998) (hereinafter referred to as "the Act") and the *Local Government: Municipal Structures Act*, 1998 (Act No. 117 of 1998) (hereinafter referred to as "the Structures Act"), has that meaning and –

"basic salary" means the salary component of a councillor that excludes a travel allowance as provided in item (9)(1), housing allowance as provided in item 9(2), the municipal contribution to a pension fund as provided in item 13(1) and municipal contribution to a medical aid scheme as provided in item 13(2);

"full-time councillor" means a councillor who has been elected or appointed to an office which has been designated as full-time in terms of section 18(4) of the Structures Act;

"grade" in relation to this Notice means the grade of municipal council as determined in terms of item 4;

"part-time councillor" means a councillor other than a full-time councillor;

"pension fund" means any pension, provident or retirement annuity fund established and registered in terms of, and subject to, any law governing the registration and control of pension funds in the Republic of South Africa and to which an office bearer contributes or any pension scheme approved by Parliament for such office bearers;

"section 79 committee" means a committee of the municipal council established in terms of section 79 of the Structures Act;

"SETAs" means the Sector Education and Training Authorities established in terms of section 9 of the *Skills Development Act*, 1998 (Act No. 97 of 1998);

"special risk cover" means an insurance cover, provided to a councillor by the municipality, which covers the loss of or damage to a councillor's personal immovable or moveable property and assets, excluding property used by such councillor for business

purposes, as well as life and disability cover, for any loss or damage caused by riot, civil unrest, strike or public disorder;

“tools of trade” means the resources provided by a municipal council to a councillor to enable such councillor to discharge his or her duties in the most efficient and effective manner, and at all times remain the assets of the municipality concerned;

“total municipal income” means gross income in respect of a metropolitan, local or district municipality based on actual income received as stated in the audited financial statements of that municipality for the 2017/ 18 financial year. The gross income for the municipality will include the following:

- rates on property;
- fees for services rendered by the municipality, or on its behalf by a municipal entity;
- surcharges;
- other authorised taxes;
- levies and duties;
- income from fines for traffic offences and contravention of municipal by-laws or legislation assigned to the local sphere of government;
- regional services council replacement grant for district municipalities;
- interest earned on invested funds other than national and provincial conditional grants;
- rental for the use of municipal movable or immovable property; and
- amounts received as agent for other spheres of government.

The gross income excludes the following:

- transfers and / or grants from the national fiscus and provincial fiscus, with the exception of regional services council replacement grant for district municipalities; and
- all value added tax (VAT) refunds.

“total population” means the official statistics of the population residing in the area of jurisdiction of a metropolitan, local or district municipality, as published in the Community Survey 2016: Statistical Release No. P0301, in terms of the *Statistics Act, 1999* (Act No. 6 of 1999); and

“total remuneration package” means the annual total cost to a municipality comprising of:

- a basic salary component;
- a travelling allowance as provided in items 9(1);
- housing allowance as provided in items 9(2);
- the municipal contribution to a pension, provident or retirement annuity fund as provided in item 13(1); and
- municipal contribution to a medical aid scheme as provided in item 13(2) to a councillor in a municipal financial year.

2. Allocation of number of points for total municipal income

The number of points allocated for the total municipal income of a municipality is as follows:

TOTAL MUNICIPAL INCOME			NUMBER OF POINTS
R 0	-	R 10,000,000	8.33
R 10,000,001	-	R 50,000,000	16.67
R 50,000,001	-	R 200,000,000	25.00
R 200,000,001	-	R 1,500,000,000	33.33
R 1,500,000,001	-	R 2,000,000,000	41.67
More than R2,000,000,000			50.00

3. Allocation of number of points for total population

The number of points allocated for the total population within a municipality, is as follows:

TOTAL POPULATION			NUMBER OF POINTS
0	-	50,000	8.33
50,001	-	100,000	16.67
100,001	-	250,000	25.00
250,001	-	550,000	33.33
550,001	-	1,800,000	41.67
More than 1,800,000			50.00

4. Determination of grade of municipal council

(1) The sum of the number of points allocated to a municipal council in terms of items 2 and 3 of the Notice, determines the grade of such municipal council as follows:

GRADE OF MUNICIPAL COUNCIL	POINTS
1	0 to 16.66
2	16.67 to 33.33
3	33.34 to 50.00
4	50.01 to 66.67
5	66.68 to 83.35
6	83.36 and above

5. Upper limits of the annual total remuneration packages of full-time councillors

The upper limits of the annual total remuneration packages of full-time councillors are as follows:

GRADE	TOTAL REMUNERATION PACKAGE			
	EXECUTIVE MAYOR OR MAYOR	SPEAKER, DEPUTY EXECUTIVE MAYOR OR DEPUTY MAYOR	MEMBER OF THE EXECUTIVE COMMITTEE OR MAYORAL COMMITTEE, WHIP OR CHAIRPERSON OF A SUBCOUNCIL	CHAIRPERSON OF A SECTION 79 COMMITTEE
6	1,350,250	1,090,488	1,027,223	997,090
5	1,006,728	805,382	755,045	732,898
4	859,471	687,575	644,603	625,693
3	827,749	662,200	620,813	608,340
2	775,063	620,051	586,833	569,619
1	752,483	607,716	569,732	553,020

The mayor of a plenary type municipality should be remunerated according to the total remuneration package column of executive mayor or mayor.

6. Upper limit of annual total remuneration package or allowance in respect of councillors elected or appointed to a district council

(1) A councillor elected or appointed to a district council in terms of section 23(1)(b) of the Structures Act, may be paid the upper limit of the total remuneration package or allowance as follows:

- (a) If a councillor is elected or appointed as speaker, mayor, executive mayor, member of a mayoral committee, member of an executive committee, chairperson of a section 79 committee or part-time member of a district council, such councillor is entitled to an amount equal to the difference between the total remuneration package that a councillor receives as a member of the local council and the total remuneration package allocated to that office in the district council in terms of items 5, 6, 7, 8, 9, 10, 11, 12 and 13 as the case may be.
- (b) If the total remuneration package payable to a councillor as a member of the local council is equal to or higher than the total remuneration package that an appointed councillor to the district council receives, such a councillor is, in addition to the total remuneration package received at the local council, entitled to a sitting allowance not exceeding R1060.80, regardless of the number of meetings of the district council or committees of that council that are attended by such councillor on a specific day.

(2) A district municipality is responsible for –

- (a) the payment of the remuneration or the allowance referred to in sub-item (1);
- (b) the reimbursement of travel expenses not exceeding the applicable tariffs prescribed by the national department responsible for transport for the use of privately-owned vehicles incurred by a councillor for the execution of official duties on behalf of that district municipality, in terms of that district council's policy; and
- (c) the payment of cell phone expenses not exceeding 50% of the applicable allowances as prescribed under item 11 incurred by a part-time councillor for the execution of official duties on behalf of that district municipality, in terms of that district council's policy.

7. Upper limit of allowance in respect of councillors serving in the governance and intergovernmental structures of organised local government

(1) (a) A councillor designated by organised local government to serve in a governance structure of organised local government must, in addition to the total remuneration package applicable to that councillor, be paid an allowance not exceeding R1060.80, irrespective of the number of meetings attended by such councillor on a specific day.

- (b) A councillor designated by organised local government to represent organised local government at any intergovernmental structure, including national and provincial executive authorities, must in addition to the total remuneration package applicable to that councillor, be paid an allowance not exceeding R1060.80, irrespective of the number of attendances by such councillor on a specific day.

(2) Organised local government is responsible for –

- (a) the payment of the allowance referred to in sub-item (1);
- (b) the payment of accommodation expenses incurred for attending a meeting of governance and intergovernmental structures in terms of applicable organised local government policy; and
- (c) reimbursement of travel expenses, not exceeding the applicable tariffs prescribed by the national department responsible for transport for the use of privately-owned vehicles, incurred by a councillor for attending a meeting of governance and intergovernmental structures.

8. Upper limits of the annual total remuneration packages of part-time councillors

The upper limits of the annual total remuneration packages of part-time councillors are as follows:

GRADE	TOTAL REMUNERATION PACKAGE				
	EXECUTIVE MAYOR OR MAYOR	SPEAKER, DEPUTY EXECUTIVE MAYOR OR DEPUTY MAYOR	MEMBER OF THE EXECUTIVE COMMITTEE OR MAYORAL COMMITTEE OR WHIP	CHAIRPERSON OF SECTION 79 COMMITTEE	ALL OTHER COUNCILLORS
6	756,866	640,278	573,056	556,247	505,677
5	561,622	449,299	421,217	408,860	318,591
4	479,472	383,577	359,604	349,055	271,990
3	461,777	369,421	346,339	336,171	261,952
2	432,384	345,907	324,289	314,776	245,280
1	419,784	335,826	314,839	305,602	237,846

The mayor of a plenary type municipality should be remunerated according to the total remuneration package column of mayor/ executive mayor.

9. Upper limits of allowances of councillors

The upper limits of allowances of councillors, that constitute part of the annual total remuneration package, are as follows:

(1) Motor vehicle and travel allowance

- (a) A councillor listed in item 5 and 8 of this Notice may structure his or her basic salary to provide for motor vehicle allowance.
- (b) If a councillor structures a vehicle allowance, the councillor must provide proof of ownership of a private vehicle to the municipality and have the vehicle available for official duties.
- (c) A councillor who uses a privately-owned vehicle for execution of official duties on behalf of the municipality, may be reimbursed for official kilometres travelled, in addition to the total remuneration package of a councillor as determined in terms of items 5 and 8 of the Notice, not exceeding the applicable tariffs as prescribed by the national department responsible for transport and in terms of the municipal council's policy.

- (d) A councillor who utilises a privately-owned vehicle for official purposes must, for purpose of claiming kilometres travelled, keep a travel logbook containing the following information relating to actual official and private kilometres travelled per month as may be determined from time to time by the South African Revenue Service:
- (i) Date of travel;
 - (ii) Kilometres travelled; and
 - (iii) Travel details, where to and reason for the trip.
- (e) A councillor may, in exceptional circumstances and upon good cause shown, and with the approval of the Mayor or Speaker, utilise the municipal-owned vehicle for official purposes: Provided that the municipal council must, in line with the approved municipal council policy, exercise prudent financial management to ensure that the provision of motor vehicle does not undermine the need to prioritise service delivery and sustain viable municipalities.
- (f) If a councillor uses a municipal-owned motor vehicle for official purposes, such councillor will not be reimbursed for kilometres travelled.

(2) Housing allowance

A councillor may structure his or her salary to provide for housing allowance as part of the total remuneration package.

10. Out of pocket expenses

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

11. Upper limits of cell phone allowance for councillors

A councillor may, in addition to the annual total remuneration packages provided for in terms of items 5 and 8 respectively, be paid a cell phone allowance not exceeding R3400.00 per month in accordance with the applicable municipal council policy.

12. Upper limits of mobile data bundles for councillors

A councillor may, in addition to the annual total remuneration packages provided for in terms of items 5 and 8 respectively, be paid an allowance on the use of data bundles not exceeding R300 per month.

13. Upper limits of pension, provident or retirement annuity fund contributions and medical benefits of councillors**(1) Pension, provident or retirement annuity contributions**

- (a) A councillor may participate in a pension, provident or retirement annuity fund registered in terms of the Pension Fund Act, 1956 (Act No. 24 of 1956).
- (b) If a councillor elects to participate in a pension, provident or retirement annuity fund, the municipality must pay from his or her monthly salary, on behalf of that councillor, the monthly council contributions and councillor contributions to a pension, provident or retirement annuity fund to which the councillor is a member in accordance with the rules of such pension, provident or retirement annuity fund. The contributions by the municipal council and the councillor are included in the total remuneration package as a total cost to the municipality.

(2) Medical Aid Scheme

- (a) A councillor may participate in a medical aid scheme registered in terms of the Medical Schemes Act, 1998 (Act No. 131 of 1998).
- (b) If a councillor elects to participate in a medical aid scheme, the municipal council must deduct from that councillor's salary, the monthly contributions and pay the contributions to a medical aid scheme to which the councillor is a member in accordance with the rules of such medical aid scheme. The contributions by the municipal council and the councillor are included in the total remuneration package as a total cost to the municipality.

14. Special risk cover

(1) A municipality must, in addition to the annual total remuneration packages as provided in items 5 and 8 respectively, take out risk insurance cover, to provide for an insurance cover, provided to a councillor by the municipality, which covers the loss of or damage to a councillor's personal immovable or moveable property and assets, excluding property used by such councillor for business purposes, as well as life and disability cover, for any loss or damage caused by riot, civil unrest, strike or public disorder. The special risk insurance on residential property will be limited to R1, 5 million while on vehicles it is limited to R750 000. The life and disability insurance cover is limited to 2 times the total remuneration package of a councillor.

(2) In the event where the residential property of a councillor was damaged or destroyed as a result of riot, civil unrest, strike or public disorder, the municipality may, subject to affordability, provide alternative accommodation to the affected councillor, for a period of 30 days from the date of such an incident.

(3) Notwithstanding sub-item (2), the municipal council may, on good cause shown, provide alternative accommodation for a further period not exceeding 30 days.

(4) A councillor is obliged to submit to the municipality details of property, assets and beneficiaries to be covered by the special risk insurance upon request. A councillor who fails to submit the required details referred to herein will forfeit the benefits associated with the special risk insurance cover.

(5) If a councillor already belongs to another special risk cover, such councillor must declare to the municipality the details of property, assets and beneficiaries to be covered by the special risk insurance.

15. Tools of trade

(1) A municipal council may extend the following tools of trade to a councillor:

	TOOLS OF TRADE	APPLICABLE TO:
(a)	Braille reader	All visually impaired councillors
(b)	Office space and furniture; Parking bay; Business cards; Calculators; Letter-heads; Stationery; Toner cartridges; Diaries; Postage costs; Office telephone; and Appropriate mobile technology and multi-digital office (excluding cell phones and mobile data card as per item 10 and 11), including facsimile, printer, photocopier and scanner.	Full-time councillors, part-time executive mayors or mayor, part-time deputy executive mayors or deputy mayors, part-time speakers, part-time members of mayoral committee or members of executive committee and part-time chairpersons of section 79 committees.
(c)	Laptop or tablet	All councillors
(d)	Official accommodation, fittings and furniture which was utilised as an official residence by the municipality, prior to 2016/17.	Full-time Executive Mayor or Mayor
(e)	Business cards; Calculators; Letter-heads; Stationery; and Diaries.	Part-time councillors and the usage must comply with policy directives of the municipality
(f)	Postage costs; Office telephone; and Multi-digital office, facsimile, printer, photocopier and scanner.	Part-time councillor to have access to these tools of trade at the municipal offices

	TOOLS OF TRADE	APPLICABLE TO:
(g)	Personal security	Executives Mayor, Mayor or Speaker may not have more than two bodyguards. Deviation may only be based on the recommendations of the South African Police Service.
		Any other councillor, subject to a threat and risk analysis conducted by the South African Police Service.

(2) If a municipal council makes available tools of trade in terms of sub-item (1), such a municipal council must take into account accessibility, affordability and cost control, equity, flexibility, simplicity, transparency, accountability and value of tools of trade.

(3) The tools of trade must be insured by the council with the exception of sub-item (1)(g).

16. Capacity building

(1) The municipal council must develop and adopt a skills development plan and personal development plan prior to any councillor undergoing training.

(2) A municipality must make a provision in its budget for development and implementation of capacity building programme for a councillor during the term of office of that councillor.

(3) Capacity building programme consist of short courses or programmes as provided for in the training, education and development policy and skills development plan of the municipality, including training conducted by national departments, associated government agencies and SETAs, provincial departments, municipalities and organised local government.

(4) The capacity building programme must take into consideration the capacity needs to fulfil a councillor' statutory obligations and affordability by a municipality.

17. Overpayment

(1) Any remuneration paid to a councillor of a municipality otherwise than in accordance with section 167(2) of the *Local Government: Municipal Finance Management Act, 2003* (Act No. 53 of 2003) including any bonus, bursary, loan, advance or other benefit, is an irregular expenditure and the municipality –

(a) must recover that remuneration from the political office bearer or member; and

(b) may not write-off any expenditure incurred by the municipality in paying or giving that remuneration.

(2) The MEC must report to the Minister –

(a) any transgression of subsection (1); and

(b) any non-compliance with this Notice.

18. Information to be submitted to the Minister

(1) A municipality must submit to the MEC responsible for local government in the province, a report containing the following information in respect of its serving councillors for the 2018/19 financial year on an official letterhead of the municipality, signed by the mayor:

- (a) Total number of councillors;
- (b) Designation;
- (c) Part-time or full-time;
- (d) Name of incumbent;
- (e) Gender;
- (f) Total municipal income;
- (g) Total population;
- (h) Grading of municipal council;
- (i) Date concurrence granted by the MEC;
- (j) Total remuneration package; and
- (k) Any allowance(s) payable to a councillor.

(2) Upon receipt of the data referred to in sub-item 1, the MEC must submit a consolidated report to the Minister by not later than 28 February 2019.

19. Transitional measures

(1) If a municipality has no audited financial statements for 2017/18 financial year by the date of publication of this Notice, the audited financial statements for the 2016/17 financial year will apply.

(2) If the grading of a municipal council is downgraded as a result of the redetermination of the grade of municipal council as set out in item 4 of this Notice, a councillor who was in office as at 30 June 2018 will retain the total remuneration package as determined in terms of Government Notice No. 1440, Government *Gazette* No. 41335 of 15 December 2017 and the councillor is entitled to the applicable cost of living adjustment: Provided that the data used by the municipality for determination of the grading of a municipal council is correct.

(3) This Notice replaces Government Notice No. 1440 as published in Government *Gazette* No. 41335 of 15 December 2017

20. Short title and commencement

This Notice is called the Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils and takes effect from 1 July 2018.

DESIGNATION OF COMMISSIONERS OF OATHS IN TERMS OF SECTION 6

Act

Published under

GN 903 in GG 19033 of 10 July 1998

as amended by

GN R1687 in GG 19621 of 24 December 1998
GN R950 in GG 20330 of 6 August 1999
GN R1317 in GG 20606 of 12 November 1999
GN R1510 in GG 20736 of 24 December 1999
GN R1511 in GG 20736 of 24 December 1999
GN R1180 in GG 21773 of 17 November 2000
GN R109 in GG 22030 of 2 February 2001
GN R301 in GG 22179 of 6 April 2001
GN R847 in GG 22658 of 14 September 2001
GN R1365 in GG 22944 of 21 December 2001
GN R1366 in GG 22944 of 21 December 2001
GN R515 in GG 23347 of 22 April 2002
GN R211 in GG 24367 of 14 February 2003
GN R401 in GG 24603 of 28 March 2003
GN R402 in GG 24603 of 28 March 2003
GN R623 in GG 24849 of 16 May 2003
GN R624 in GG 24849 of 16 May 2003
GN R942 in GG 25137 of 4 July 2003
GN R943 in GG 25137 of 4 July 2003
GN R947 in GG 25137 of 4 July 2003
GN R1233 in GG 25397 of 5 September 2003
GN R1551 in GG 25622 of 31 October 2003
GN R1675 in GG 25732 of 21 November 2003
GN R411 in GG 26181 of 2 April 2004

I, Abdullah Mohamed Omar, Minister of Justice, hereby, under section 6 of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act 16 of 1963), designate the holders of the offices listed in the Schedule to be commissioners of oaths for the Republic of South Africa with effect from the date hereof.

Government Notices R2477 of 16 November 1984, R1138 of 13 June 1986, R616 of 27 March 1987, R2852 of 31 December 1987, R1804 of 9 September 1988, R20 of 13 January 1989, R256 of 24 February 1989, R400 of 1 March 1991, R966 of 10 May 1991, R2490 of 18 October 1991, R2491 of 18 October 1991, R2654 of 8 November 1991, R442 of 5 February 1992, R2892 of 16 October 1992, R3304 of 11 December 1992, R485 of 26 March 1993, R998 of 11 June 1993, R2516 of 31 December 1993 and R1258 of 22 July 1994 are hereby repealed.

A. M. OMAR
Minister of Justice

SCHEDULE

1. National Executive:
 - (a) The President or the Acting President.
 - (b) Minister or Deputy Minister appointed in terms of sections 91(2) and 93, respectively, of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996).
2. Administration of justice:

- (a) Advocate admitted in terms of the Admission of Advocates Act, 1964 (Act 74 of 1964) as applicable on 6 December 1977 (former Republic of Bophuthatswana); and the Admission of Advocates Amendment Proclamation 1 of 1992 (former Republic of Venda).
 - (b) Attorney admitted in terms of the Attorneys Act, 1979 (Act 53 of 1979); Attorneys, Notaries and Conveyancers Act, 1984 (Act 29 of 1984) (former Republic of Bophuthatswana); Attorneys Act, 1987 (Act 42 of 1987) (former Republic of Venda); and Attorneys, Notaries and Conveyancers Admission Act, 1934 (Act 23 of 1934) (former Republic of Transkei).
 - (c) Clerk of the Court and Assistant Clerk of the Court.
 - (d) Judge's Secretary.
 - (e) Justice of the Peace.
 - (f) Messenger of the Court.
 - (g) Magistrate.
 - (h) Notary admitted in terms of the Attorneys Act, 1979 (Act 53 of 1979); Attorneys, Notaries and Conveyancers Act, 1984 (Act 29 of 1984) (former Republic of Bophuthatswana); and Attorneys Act, 1987 (Act 42 of 1987) (former Republic of Venda).
 - (i) Peace Officer.
 - (j) Sheriff, Additional Sheriff and Deputy Sheriff.
 - (k) Sworn translator admitted and enrolled in terms of rule 59 of the Rules of the Supreme Court of South Africa; Supreme Court of Bophuthatswana Act, 1982 (Act 32 of 1982) (former Republic of Bophuthatswana); and Supreme Court Decree 43 of 1990 (former Republic of Ciskei).
3. Agent registered in terms of regulation 18(5) of the Aliens Control Regulations promulgated in terms of section 56(1) of the Aliens Control Act, 1991 (Act 96 of 1991); and Aliens Control Act, 1963 (Act 3 of 1963) (former Republic of Venda).

4. Agricultural Research Council:

President, Vice-President, Director: Human Resources and Administration, Director of Institute, Personnel Manager, Finance Manager, Head: Administration of Institute, Personnel Officer, Accountant, Farm Manager.

5. (a) (i) Any board, council, committee, commission or other body established by or under any law:

President, Director, Chairperson, Senior General Manager, General Manager, General Manager: Corporate Services, Deputy General Manager, Assistant General Manager, Regional Manager, Manager, Administrative and Financial Manager, Manager: Administration, Assistant Manager, Chief: Legal Services, Chief Executive Officer, Executive Officer, Deputy Executive Officer, Chief Administrative Officer, Senior Administrative Officer, Administrative Officer, Chief Actuary, Chief Production Marketing Officer, Registrar, Member, Secretary, Chief Accountant, Assistant Chief Accountant, Senior Accountant, Accountant, Inspector, Head of Department, Committee Clerk, officials with the rank of Divisional Manager and higher, Training Adviser.

[Item 5 (a) (i) amended by GN R1511 of 24 December 1999]

5. (a) (ii) Any municipality established by or under any law:

(aa) Any council member of a municipality;

(bb) any officer-

(i) who is the Chief Executive Officer or Town Clerk of a municipality;

(ii) in the employment of the municipality occupying a post not more than four post levels below the Chief Executive Officer or Town Clerk of a municipality, and any

employee of a municipality designated specifically in writing by the Chief Executive Officer or Town Clerk to perform the functions of a Commissioner of Oaths;

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- (iii) employed by an organisation recognised in terms of section 2 of the Organised Local Government Act, 1997 (Act 52 of 1997).

[Item 5 (a) (ii) substituted by GN R1687 of 24 December 1998]

5. (a) (iii) uMsekeli constituted in terms of the uMsekeli Support Services Ordinance, 1941 (Ordinance 20 of 1941)-

- (aa) the Management Body appointed in terms of section 2(2) of the uMsekeli Support Services Ordinance, 1941;
- (bb) the Chief Executive Officer of uMsekeli; and
- (cc) any employee of uMsekeli designated specifically in writing by the Chief Executive Officer of uMsekeli to perform the functions of a commissioner of oaths.

[Item 5 (a) (iii) inserted by GN R950 of 6 August 1999 and substituted by GN R1365 of 21 December 2001]

- (b) Manager or Superintendent of an emergency camp established by a local authority in terms of any law relating to the prevention of illegal squatting.
- (c) Officer appointed or designated in terms of any law for the management of a residential area or hostel.

6. Armscor:

- (a) Executive General Manager, Senior General Manager, General Manager, Group Manager, Divisional Manager and Manager.
- (b) Secretary.
- (c) Legal Adviser, Legal Assistant and Commercial Adviser.
- (d) Head: Physical, Personnel, Information, Intelligence and Project Security, Head: Security Operations and any other security officer of equal or higher rank.
- (e) Director: Personnel, Head: Personnel Administration and any other personnel officer of equal or higher rank.
- (f) Director: Public Relations.

7. Auditor-General, Office of:

- (a) Auditor-General.
- (b) Any Audit Manager and any other staff member of equivalent or higher rank exercising the powers or performing the duties contemplated in the Auditor-General Act, 1995 (Act 12 of 1995).
- (c) Any person in the employment of the Office of the Auditor-General who occupies a post of Audit Manager or equivalent or higher to perform the duties contemplated in the Audit Arrangements Act, 1992 (Act 122 of 1992).

8. Aventura Limited:

- (a) Resort Manager.
- (b) Chief Manager: Human Resources at Head Office.
- (c) Administrative Manager at Head Office.

9. Banking institution registered in terms of the Banks Act, 1990 (Act No. 94 of 1990), and the Mutual Banks Act, 1993 (Act No.124 of 1993):

Any employee with a rank of supervisor or higher.

[Item 9 substituted by GN R1511 of 24 December 1999]

(a) Head Office or Sub-Head Office:

Director, Chief Executive Officer, Chief General Manager, Chief or General Manager, Assistant Chief or Assistant General Manager, Chief Inspector, Departmental Head: Inspection Department, Assistant of the Chief or General Manager, Legal Adviser, Chief Accountant, Secretary or any other official of equivalent or higher rank, Controller.

(b) Section or branch of Head Office, Sub-Head Office or Regional Office:

Manager, Assistant Manager, Sub-Manager, Regional Manager, Senior Chief Assistant, Chief Assistant, Regional Controller, Deputy Manager, Credit Manager, Administrative Controller, Accountant, Senior Inspector, Secretary and any other official of equivalent or higher rank.

(c) Branch Office or section of Branch office:

Manager, Assistant Manager, Sub-Manager, Chief Trust Officer, Chief Assistant, any officer whose title contains the word 'Manager', Accountant, Administrative Manager, Office Manager, Secretary and any other official of equivalent or higher rank.

(d) Crime Strategies Department:

General Manager, Commercial Crime Manager, Violent Crime Manager, ATM Project Manager, research Manager and Statistical Manager.

[Item 9 (d) inserted by GN R847 of 14 September 2001]

10. BMW (South Africa) (Pty) Ltd:

Security Manager, Security Supervisor and Investigator.

11. Board of Executors as defined in regulation 1 of the regulations published by Government Notice R910 of 22 May 1968:

Manager or Branch Manager, Secretary and Branch Secretary.

11A. Bosasa Security (Pty) Ltd

Group Security Coordinator, Area Co-ordinator, Finance Co-ordinator, Special Investigations Co-ordinator, Operations Co-ordinator, Unit Co-ordinator, Development Co-ordinator, Quality Management Co-ordinator and Support Service Co-ordinator.

[Item 11A inserted by GN R402 of 28 March 2003]

11B a . BoE Investment and Nominee Company (Pty) Limited

Director, Company Secretary, Departmental Head, any officer whose title contains the word 'Manager', Team leader, Legal Advisor, Risk Officer, Compliance Officer.

[Item 11B a inserted by GN R1675 of 21 November 2003]

11B b . BoE (Pty) Limited

Director, Company Secretary, Departmental Head, any officer whose title contains the word 'Manager', Team leader, Legal Advisor, Risk Officer, Compliance Officer.

[Item 11B b inserted by GN R1675 of 21 November 2003]

12. Building society registered in terms of the Building Societies Act, 1986 (Act 82 of 1986).

(a) Head Office:

Senior Managing Director, Managing Director, Deputy Managing Director, Administrative Director, Financial Director, Chief Executive Officer, General Manager, Deputy or Assistant General Manager, Manager, Assistant Manager, Sub-Manager, Chief Accountant and Secretary.

(b) Regional Office:

Manager, Assistant Manager, Sub-Manager and Accountant.

(c) Branch Office and Sub-Branch Office:

Manager, Assistant Manager, Sub-Manager and Accountant.

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- (d) Control company registered in terms of section 22 of the above-mentioned Act: Group Secretary.

13. Census and statistics: Taking and collection thereof in terms of the Statistics Act, 1976 (Act 66 of 1976); Statistics Act, 1978 (Act 28 of 1978) (former Republic of Bophuthatswana); and Statistics Act, 1957 (Act 73 of 1957) (former Republic of Venda):

All officers and employees exercising any powers or performing any duties contemplated in the said Acts.

14. Chambers of industries and of commerce, national organisations/associations registered in terms of section 21 of the Companies Act, 1973 (Act 61 of 1973), and trade unions and employers' organisations or federations of such trade unions or employers' organisations registered in terms of the Labour Relations Act, 1995 (Act 66 of 1995):

Chief Executive Officer/Executive Director/Director, Secretary or any official performing the duties normally performed by a secretary, Accountant/Financial Manager and Legal and/or Labour Affairs/Manpower Adviser/ Secretary/Director.

15. Co-operative registered or deemed to be registered in terms of the Co-operatives Act, 1981 (Act 91 of 1981):

Chief Executive Officer, General Manager and Secretary.

Branch Manager and Depot Manager.

15A. Co-operative incorporated as a company in terms of section 161A of Co-operatives Act, 1981 (Act 91 of 1981), read with section 63 of the Companies Act, 1973 (Act 61 of 1973):

Chief Executive Officer, General Manager and Secretary.

Branch Manager and Depot Manager.

[Item 15A inserted by GN R623 of 16 May 2003]

16. Council for Mineral Technology established in terms of the Mineral Technology Act, 1989 (Act 30 of 1989):

Director, Assistant Director, Manager, Legal Adviser, Section Head and any official of a higher rank, Senior Security Officer and Research Administration Officer.

16A Credo

Chief Operations Officer

[Item 16A inserted by GN R942 of 4 July 2003]

17. CSIR

Strategic Units:

Director, Head and General Manager, Legal Adviser, Senior Security Officer and any official of a higher rank, Personnel Manager, Financial Manager, Senior Personnel Officer, Programme Manager and Function Manager.

18. Department of Correctional Services:

All correctional officials in the service of the Department of Correctional Services.

19. Development Bank of Southern Africa:

Manager: Programmes and Projects, Manager: Programmes, Manager, Economic Analysis and Projections, Manager: Manpower and Training, Personnel Manager, Secretary/Legal Adviser and Chief: Legal Services.

20. Durban City Police:

Chief Inspector, Inspector, Chief Constable, Deputy Chief Constable, Sergeant and Constable.

21. Educational institution:

- (a) Private school:

Principal or Headmaster/Headmistress.

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- (b) School, training college, technical college and college of education established by or in terms of a law:

Principal, Headmaster/Headmistress, Rector, Deputy Principal, Deputy Headmaster/Headmistress and Vice-Rector.

- (c) Educational auxiliary services and professional components:

Incumbent of a post at post level 4 and higher.

22. Eskom:

- (a) Security Member with the rank of Senior Inspector or higher.

- (b) Legal Adviser (all ranks).

- (c) Internal Auditor (all ranks).

- (d) Official with the rank of Chief Officer or higher.

- (e) Head:

Public Relations.

Health Services.

Township, other residential area or hostel.

23. First National Asset Management and Trust Company (Proprietary) Limited:

Manager, Assistant Manager and Chief Trust Officer.

24. Foundation for Research Development including the National Accelerator Centre, the South African Astronomical Observatory and the Hartebeesthoek Radio Astronomy Observatory:

President, Vice-President, Director of division or of national research facility, Financial Manager, Group Accountant, Account, Personnel Manager, Senior Personnel Officer, Programme Manager and Manager of a department.

25. Gold Fields Security Limited:

Manager, Assistant Manager, Head: Administration, Head: Finance, Head: Crime Investigations, Head: Operations, Regional Security Officer, Crime Investigating Officer.

[Item 25 substituted by GN R1687 of 24 December 1998]

26. Health services:

- (a) District Surgeon, Additional District Surgeon and Assistant District Surgeon.

- (b) Government-subsidised hospital:

Matron, Medical Superintendent, Secretary and Sister.

- (c) Private hospital:

Any officer whose title contains the word 'Manager', a Superintendent and a Matron.

27. Special Investigating Unit:

[Heading of Item 27 substituted by GN R1551 of 31 October 2003]

Member appointed in terms of section 3 of the Special Investigating Units and Special Tribunals Act, 1996 (Act 74 of 1996).

28. Indigent Subsidy Scheme of the Municipality of Port Elizabeth:

Supervisor.

29. Industrial Development Corporation of South Africa Limited, established by section 2 of the Industrial Development Act, 1940 (Act 22 of 1940):

General Manager, Deputy General Manager, Secretary and Chief: Legal Department **Page 884**

29A. The Institute of Administration and Commerce:

Accounting Officers

[Item 29A inserted by GN R1233 of 5 September 2003]

30. Insurer registered in terms of the Insurance Act, 1943 (Act 27 of 1943):

(a) Head Office:

Any Assistant Manager and any other official of equivalent or higher rank, Accountant, Legal Adviser and Secretary.

(b) Office other than Head Office:

Any Assistant Manager, Consultant and official of equivalent or higher rank, Office Manager, Production Manager and Legal Adviser.

31. Joint Municipal Pension Fund:

Chief Manager, Deputy Chief Manager, Manager: Legal Services, Manager: Investments, Manager: Finance Manager: Properties, Manager: Corporate Services, Manager: Communication and Marketing, Vice-Accountant: Contributions, Vice-Accountant: Pensions, Liaison Officer, Senior Accountant, Accountant, Manager: Benefits.

[Item 31 amended by GN R1510 of 24 December 1999]

32. Ithala Development Finance Corporation Limited:

(a) Executive Director, Executive Officer, Legal Adviser, Divisional Manager, General Manager, Sales and Marketing Manager.

(b) Branch Manager in a post with a grading of C1 or higher.

(c) Manager, Section Head and any official in a post with a grading of C1 or higher.

(d) Assistant Branch Manager and Emergency Relief Officer.

[Item 32 substituted by GN R1687 of 24 December 1998 and by GN R950 of 6 August 1999]

33. Land and Agricultural Bank of South Africa:

Managing Director, Member of the Land Bank Board, General Manager and an official who is utilised in an administrative capacity.

34. Marriage Officer:

Marriage Officer appointed in terms of the Marriage Act, 1961 (Act 25 of 1961); the Marriages, Births and Deaths Amendment Act, 1986 (Act 41 of 1986) (former Republic of Venda); the Marriage Act, 1988 (Act 24 of 1988) (former Republic of Ciskei); and Marriage Act, 1978 (Act 21 of 1978) (former Republic of Transkei).

34A. Medihelp

Senior Manager: Internal Audit, Senior Internal Auditor and Forensic Auditor.

[Item 34A inserted by GN R624 of 16 May 2003]

35. Mining industry:

Administrative Manager, Financial Manager, Administrative Secretary, Mine Secretary, Controller (Finance and Administration), Chief Superintendent (Security), Superintendent (Security), Mine Security Officer and Mine Detective.

35A. NAMAC TRUST:

The Chief Executive Officer, the Business Manager, the Operations Manager, the Technical Manager, the Business Referral and Information Network Manager, the Human Resources Manager and the General Managers of nine provincial section 21 companies.

[Item 35A inserted by GN R301 of 6 April 2001 and substituted by GN R401 of 28 March 2003]

36. National Defence Force:
- (a) Auxiliary Service:
Member (with the rank of inspector) of an auxiliary service established and designated in terms of section 80 of the Defence Act, 1957 (Act 44 of 1957).
 - (b) Citizen Force:
Officer of and above the rank of Captain and Adjutant of Unit.
 - (c) Commando:
Officer of or above the rank of Captain and Adjutant of Unit.
 - (d) Permanent Force:
Warrant Officer.
 - (e) Military Police:
Officer and any other rank as defined in section 1(1) of the Defence Act, 1957.
37. National Key Points declared in terms of the National Key Points Act, 1980 (Act 102 of 1980):
Chief Security Officer and Deputy Chief Security Officer.
Principal Vice-Principal and Chief Training Officer of a training institution which has been approved by the Minister of Defence by virtue of section 11 of the Act.
38. National Petroleum Refiners of South Africa Proprietary Limited:
Chief Security Officer, Senior and Shift Control Officers of Security.
39. National Training Board established by section 3 of the Manpower Training Act, 1981 (Act 56 of 1981):
Chairperson and Vice-Chairperson.
40. Nissan South Africa (Pty) Ltd:
- (a) Security Manager.
 - (b) Chief Security Officer or acting Chief Security Officer.
41. Nuclear Development Corporation of South Africa (Pty) Ltd:
- (a) Chief Security Officer, Deputy Chief Security Officer, Senior Security Officer.
 - (b) Chief: Public Relations.
 - (c) Chief Medical Officer.
 - (d) Manager and Assistant Manager: Administration.
 - (e) Manager: Personnel.
 - (f) Legal Adviser.
42. Old-age homes and retirement resorts:
Any officer whose title contains the word 'Manager', Assistant Manager, Director, Matron, Administrative Officer, Social Worker, Administrator.
43. Parliament:
- (a) National Assembly:
Speaker.
Deputy Speaker.
Member.

(b) National Council of Provinces:

Chairperson.

Deputy Chairperson.

Delegate.

44. Patents:

Patents Agent.

45. Political party registered in terms of section 18 of the Electoral Act, 1993:

Organiser in the full-time employment of a political party.

46. Posts and Telecommunications:

(a) Officers in the Administrative, Professional, Clerical, Technical or General A and General B Divisions occupying a post with a salary scale the minimum notch of which is equivalent to or higher than the minimum notch of the salary scale applicable to the post of Clerk.

(b) Employees held against posts in the Administrative, Professional, Clerical, Technical or General A and General B Divisions if the minimum notch of the salary scale applicable to such posts is equivalent to or higher than the minimum notch of the salary scale applicable to the post of Clerk.

46A. PricewaterhouseCoopers Forensic Services (Pty) Ltd:

Director, Associate Director, Manager and Consultant.

[Item 46A inserted by GN R411 of 2 April 2004]

47. Provincial Government:

(a) Provincial Legislature:

Speaker.

Deputy Speaker.

Member.

Secretary.

Deputy Secretary.

(b) Provincial Executive Authority:

Premier or Acting Premier.

Executive Council: Member.

48. Public Service Commission: Commissioner.

49. Public Service:

(a) Officers in the Administrative, Professional, Clerical, Technical or General A and General B Divisions of the Public Service occupying a post with a salary scale the minimum notch of which is equivalent to or higher than the minimum notch of salary level 2 applicable in the Public Service.

(b) Employees held against posts in the Administrative, Professional, Clerical, Technical or General A and General B Divisions of the Public Service if the minimum notch of the salary scale applicable to such posts is equivalent to or higher than the minimum notch of salary level 2 applicable in the Public Service.

50. Rand Water:

General Manager: Corporate Services, Legal Services Manager, Legal Adviser/Assistant (all ranks), General Manager, Departmental Manager, Pumping Station Manager and Distribution Manager.

51. Referendums:

- (a) Referendum agent appointed in terms of regulations made in terms of section 4 of the Referendums Act, 1983 (Act 108 of 1983).
- (b) Sub-agent appointed in terms of regulations made in terms of section 4 of the Referendums Act, 1983.

52. Registration of deaths:

A person contemplated in section 4 of the Births and Deaths Registration Act, 1992 (Act 51 of 1992), who has been authorised to perform the duty of registering deaths.

53. Sasol Marketing Company Limited:

Chief Security Officer, acting Chief of the Alrode Depot and Export Manager.

54. Sasol Townships Limited:

Secretary.

55. Sheltered employment factories under the control of the Department of Labour:

Manager.

56. Small Business Development Corporation Limited:

Managing Director, Senior General Manager or other official of equal rank, General Manager or other official of equal rank, Group Secretary, Regional Secretary or other official of equal rank, Legal Adviser and other official of equal rank.

57. South African Agricultural Union:

Director.

58. South African Coal, Oil and Gas Corporation Limited:

Security Adviser, Chief Security Officer and his or her assistant, and Senior Security Officer.

59. South African Development Trust Corporation Limited referred to in section 12 of the Abolition of Racially Based Land Measures Act, 1991 (Act 108 of 1991):

Managing Director, General Manager: Finance and Transport, General Manager: Agriculture, General Manager: Mining, General Manager: Industrial Development and Commerce, Senior Manager: Legal and Managerial Services, Senior Manager: Human Resources Development, Manager: Legal and Secretarial Services, Chief: Security Services.

60. South African Gas Distribution Corporation Limited:

Chief Security Officer or acting Chief Security Officer.

61. South African Housing Trust Limited:

Managing Director, General Manager, Assistant General Manager, Senior Manager and Quality Assurance Assistant.

61A. South African Institution of Chartered Accountants:

Chartered Accountants of South Africa and

Associate General Accountants of South Africa.

[Item 61A inserted by GN R515 of 22 April 2002 and substituted by GN R947 of 4 July 2003]

61B. Institute of Commercial and Financial Accountants of Southern Africa:

Professional Accountants.

[Item 61B inserted by GN R211 of 14 February 2003 and substituted by GN R943 of 4 July 2003]

62. South African Iron and Steel Industrial Corporation Limited:

Security Officer.

62A. South African Maritime Safety Authority:

- (a) Chief Executive Officer, Manager (all ranks), Legal Officer, Principal Officer, Ship Surveyor.

(b) Registrar of Ships.

(c) Registrar of Seafarers.

[Item 62A inserted by GN R950 of 6 August 1999]

63. South African Police Service:

All members of the Force, including temporary members, members of the Reserve Police Force and members of the Police Reserve when on duty as such.

64. South African Post Office Limited:

(a) Permanent employees who render a service in a clerical capacity and who occupy posts with a salary scale the minimum notch of which is equivalent to or higher than the minimum notch of the salary scale applicable to the post of Administrative Officer.

(b) Temporary or part-time employees held against posts in the Clerical Division, if the minimum notch of the salary scale applicable to such posts is equivalent to or higher than the minimum notch of the salary scale applicable to the post of Administrative Officer.

65. South African Reserve Bank established by section 9 of the Currency and Banking Act, 1920 (Act 31 of 1920):

Governor, Senior Deputy Governor, Deputy Governor, General Manager, Deputy General Manager, Assistant General Manager and Branch Manager.

66. South African Revenue Service:

An employee of the South African Revenue Service occupying a post on grade 5 or higher of the post grading system applicable to the South African Revenue Service.

[Item 66 substituted by GN R301 of 6 April 2001]

67. Staff Management Board, established in terms of section 4 of the Post Office Service Act, 1974 (Act 66 of 1974):

Member.

68. Strategic Fuel Fund Association:

Chief Security Officer and acting Chief of the Durban, Ogies and Milnerton tank farms.

69. Surveyor, land surveyor and survey technician registered in terms of the Professional and Technical Surveyors' Act, 1984 (Act 40 of 1984).

70. Tattersalls:

Secretary.

71. Technikon established by or under any Act:

Rector, Vice-Rector, Registrar, Deputy Registrar, Senior Director, Director, Associate Director, Head of Department, Section Head in a supervisory capacity.

72. Telkom South Africa Limited:

Employees occupying posts with a salary scale the minimum notch of which is equivalent to or higher than the minimum notch of the salary scale applicable to the post of Administrative Officer (Leg 1).

72A. Traditional Leaders:

All duly appointed traditional leaders.

[Item 72A inserted by GN R1180 of 17 November 2000]

73. Transnet Limited, including business undertakings and units thereof:

(a) Members of the Management Cadre, Senior Officers, Liaison Officer (Labour Relations), Employment and Registration Officer, Vocational and Welfare Officer, Assistant Superintendent (concerned with claims investigations) and Chief Clerk (concerned with claims investigations).

(b) Supervisory Officer (including a clerk who exercises direct control over other employees).

(c) Manager (Hostel).

(d) Security Officer.

74. Trust Company as defined in regulation 1 of the regulations published by Government Notice R910 of 22 May 1968:

Manager, Branch Manager, Secretary and Branch Secretary.

75. University:

Rector, Vice-Rector, Chancellor, Vice-Chancellor, Deputy Vice-Chancellor, Principal, Vice-Principal, Registrar, Deputy Registrar, Assistant Registrar, Deans of Faculties, Chief Accountant, Director, Deputy Director, Accountant, Faculty Secretary and officers in the administration of a university occupying a post with a salary scale the minimum notch of which is equivalent to or higher than the minimum notch of the salary scale applicable to the post of Assistant Personnel Officer in the Public Service.

[Item 75 substituted by GN R1366 of 21 December 2001]

76. Uranium Enrichment Corporation of South Africa (Pty) Ltd:

(a) Chief Security Officer, Deputy Chief Security Officer, Senior Security Officer.

(b) Chief: Public Relations.

(c) Chief Medical Officer.

(d) Manager and Assistant Manager: Administration.

(e) Manager: Personnel.

(f) Legal Adviser.

77. President Kruger Children's Home Pretoria:

Chairperson of Management

[Item 77 inserted by GN R1317 of 12 November 1999]

Special investigators appointed in terms of section 19A(1) of the National Prosecuting Authority Act, 1998 (Act 32 of 1998).

[Item inserted by GN R109 of 2 February 2001]

10.4	QUESTION BY CLLR F ADAMS: UNSPENT FUNDING
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A Notice of a Question, dated 2019-05-14, was received from Councillor F Adams.

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

FOR CONSIDERATION

APPENDICES:

Appendix 1: Question by Councillor F Adams

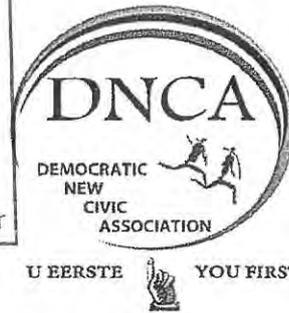
Appendix 2: Response by the Executive Mayor

APPENDIX 1

Municipality - Munisipaliteit
Stellenbosch

16 MAY 2019

Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder



CONTACT: qackcity2010@yahoo.com
P.O BOX 12445
DIE BOORD
7613

Democratic New Civic Association

14 April 2019

For attention : The Speaker

Stellenbosch Municipality

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH

14 MAY 2019

Approve

OFFICE OF THE SPEAKER

Re: Question in terms of the rules of Order bylaw.

I hereby submit the following question to be served at the May 2019 Council meeting.

Motivation/background

1. I refer to the AG Report of both 2016/17 and 2017/18.
2. This is with regard the Unspent funding for Developers contribution and the subsequent liability.
3. I refer to both Francdevco= R3,3 milj and La Clemence = R1 milj.

Question:

I hereby request that the MM give a detail explanation as to why these funds is unspent for the last four years and what is your plans with the money?

I request the Mayor to answer this in writing.

[Signature]
Clr. Franklin Adams

"Aluta Continua"

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH

14 MAY 2019

[Signature]

OFFICE OF THE SINGLE WHIP

APPENDIX 2



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

To : SPEAKER
From : MUNICIPAL MANAGER
Date : 23 May 2019
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE RULES OF ORDER:

Dear Speaker,

With reference to the question received from the DNCA, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, received by my office on 16 May 2019.

Question 1:

"I hereby request that the MM give a detail explanation as to why these funds is unspent for the last four years and what is your plans with the money?"

Response

The developers undertook to make Community Development Contributions to the Municipality. The La Clemance Home owners association and the developer has paid over an amount of approximately R1 million. The money was be paid into a section 12 special trust fund and must be used for community development projects within the Municipality's area of jurisdiction.

Kindly note that no specific community projects were previously identified in the budget relating to these monies. This impasse was however addressed in the new budget as the money in the trust will partially be used for upgrade of parks over the next 3 years through the municipal area.

Kind regards

Geraldine Mettler
Municipal Manager

10.5	QUESTION BY CLLR LK HORSBAND (MS): BOREHOLES SINCE AUGUST 2017
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A Notice of a Question, dated 2019-05-14, was received from Councillor LK Horsband (Ms).

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

FOR CONSIDERATION

APPENDICES:

Appendix 1: Question by Councillor LK Horsband (Ms)

Appendix 2: Response by Municipal Manager

APPENDIX 1

16 MAY 2019

Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder



14 May 2019
The Single Whip
Stellenbosch Municipal Council
Plein Street
STELLENBOSCH
7600
Attention : Clr P Biscombe
Dear Whip

RE NOTICE OF QUESTIONS TO SERVE AT THE NEXT COUNCIL MEETING

QUESTION NO 1

Where did the Stellenbosch municipality install boreholes since August 2017?

MOTIVATION

I want to know where these boreholes are located so as to have an idea where the approx R80 million was spend.

QUESTION NO 2

At which council meeting 2018 did Council approve an adjustment budget for borehole in excess of R60 Million in total.

MOTIVATION

I could only find an adjustment budget item for boreholes that serve before council in 2017 and this adjustment budget amount was approx R37 million

Clr L Horsband

A handwritten signature in black ink, appearing to read 'L. Horsband'.



APPENDIX 2



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

To : SPEAKER
From : MUNICIPAL MANAGER
Date : 23 May 2019
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE RULES OF ORDER:

Dear Speaker,

With reference to the question received from the EFF, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, received by my office on 16 May 2019.

Question 1:

“Where did Stellenbosch Municipality install boreholes since August 2017”?

Response

Please see attached list where boreholes was installed since August 2017.

APPENDIX
QUESTION 1

Area	Borehole name	Recommended flow rate (L/s)	Latitude	Longitude	Estimated pump spec drawdown (mbgl)	Estimated max water level (mbgl)	Measured rest water level (mbgl)
Klapmuts	Old_Klapmuts_BH	4	-33.808008	18.86016	50	55	11
	KM_PBH_1 (S corner of treatment plant)	4.5	-33.804887	18.858121	45	55	30
	KM_PBH_2 (N corner of treatment plant)	5	-33.802019	18.857156	45	55	39
Area	Borehole name	Recommended flow rate (L/s)	Latitude	Longitude	Estimated pump spec drawdown (mbgl)	Estimated max water level (mbgl)	Measured rest water level (mbgl)
Meerlust	ML_ExBH_1	1.5	-33.861933	18.9788	40	50	6
Area	Borehole name	Recommended flow rate (L/s)	Latitude	Longitude	Estimated pump spec drawdown (mbgl)	Estimated max water level (mbgl)	Measured rest water level (mbgl)
Wemmershoek	WH_P_BH_1 (at sport field)	10	-33.874418	19.036339	70	140	4.5
	WH_P_BH_2	25	-33.873211	19.04753	75	136	1.6
	WH_P_BH_4-C (against mountain)	11.5 or 9.5 (depends on pump depth)	-33.868781	19.051437	100	145	3.4
Area	Borehole name	Recommended flow rate (L/s)	Latitude	Longitude	Estimated pump spec drawdown (mbgl)	Estimated max water level (mbgl)	Measured rest water level (mbgl)
Kylemore	KLM_ExBH_7 (Jackson street)	3	-33.911485	18.946386	30	40	3
	Kylemore_BH3 (Jackson street)	7	-33.911451	18.946954	60	70	10.3
	Pniel_BH	4	-33.893779	18.954761	45	55	3.8
Area	Borehole name	Recommended flow rate (L/s)	Latitude	Longitude	Estimated pump spec drawdown (mbgl)	Estimated max water level (mbgl)	Measured rest water level (mbgl)
Stellenbosch Centre	Die_Braak_BH	10	-33.93686	18.8585	35	45	4.9
	STB_Centre_ExBH_3 (Toy Museum)	15	-33.937454	18.855879	20	35	2.2
	Van_der_Stel_BH	12	-33.93432	18.85653	40	40	4
	STB_Centre_ExBH_1 (west corner Van der Stel field)	12	-33.933026	18.855147	40	60	8
	STB_Centre_ExBH_9 (Bowling club)	3 (only an estimate)	-33.932828	18.856912	-	-	-
	Cloeteville BH	8.5	-33.90774	18.84975	33	50	2.5

10.6	QUESTION BY CLLR LK HORSBAND (MS): COUNCIL DECISION: BOREHOLES IN EXCESS OF R60 MILLION
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A Notice of a Question, dated 2019-05-14, was received from Councillor LK Horsband (Ms).

The said Question is attached as **APPENDIX 1** and the appropriate response as **APPENDIX 2**.

FOR CONSIDERATION

APPENDICES:

Appendix 1: Question by Councillor LK Horsband (Ms)

Appendix 2: Response by Municipal Manager

APPENDIX 1

16 MAY 2019

Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder



14 May 2019
The Single Whip
Stellenbosch Municipal Council
Plein Street
STELLENBOSCH
7600
Attention : Clr P Biscombe
Dear Whip

RE NOTICE OF QUESTIONS TO SERVE AT THE NEXT COUNCIL MEETING

QUESTION NO 1

Where did the Stellenbosch municipality install boreholes since August 2017?

MOTIVATION

I want to know where these boreholes are located so as to have an idea where the approx R80 million was spend.

QUESTION NO 2

At which council meeting 2018 did Council approve an adjustment budget for borehole in excess of R60 Million in total.

MOTIVATION

I could only find an adjustmet budget item for boles holes that serve before council in 2017 and this adjustment budget amount was approx R37 million

Clr L Horsband

A handwritten signature in black ink, appearing to read 'L. Horsband', written over a circular stamp or mark.

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH
14 MAY 2019
Approve
OFFICE OF THE SPEAKER

MUNICIPALITY - MUNISIPALITEIT
STELLENBOSCH
14 MAY 2019
OFFICE OF THE SINGLE WHIP

APPENDIX 2



To : SPEAKER
From : MUNICIPAL MANAGER
Date : 23 May 2019
RE : REPLY TO QUESTIONS IN TERMS OF SECTION 21 OF THE RULES OF ORDER:

Dear Speaker,

With reference to the question received from the EFF, submitted in terms of Section 21 of the Rules of Order Regulating the Conduct of Council and Council Committee Meetings, received by my office on 16 May 2019.

Question 2:

“At which Council meeting 2018 did Council approve an adjustment budget for borehole in excess of R60 Million in total?”

Response

At the 15th council meeting on 24 January 2018, council approved the mid-year adjustments budget inclusive of amendments to the budget for the drought. Attached find an extract from the Mid-year adjustments budget.

Furthermore at the 16th council meeting on 28 March 2018 an update on the drought situation and the preparation of augmenting the supply of water was tabled and the following recommendations were approved by council:

RESOLVED (nem con)

- (a) that this report be noted;*
- (b) that Council notes the total required funding to complete the full project at R77 980 756.94 rounded off to R78 000 000;*
- (c) that Council notes that a total of R67 071 468.66 must be spent this year to complete a workable borehole water networked system;*
- (d) that an amount of R10 400 000.00 be considered in the 2018/19 budget to formally complete all borehole augmentation work;*
- (e) that the 2017/18 budget be adjusted to accommodate the R67 071 468.66 intended expenditure and that the shortfall be found from other projects; and*
- (f) that an updated report be brought to Council in May 2018.*

The drought budget for 2017/2018 was amended in line with the above council resolution (e) and these amendments were made with virementations in line with council approved virementation policy.

Attachments:

- Extract Mid-Year Adjustments Budget January 2018
- Council Minutes – 28 March 2018

Kind regards

Geraldine Mettler
Municipal Manager

APPENDIX
QUESTION 2

7.6.4	UPDATE REPORT ON THE DROUGHT SITUATION AS WELL AS THE COSTING THEREOF
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

14 March 2018

1. **SUBJECT: UPDATE REPORT ON THE DROUGHT SITUATION AS WELL AS THE COSTING THEREOF**
2. **PURPOSE**

To provide an update on the Drought Situation and the Preparation of augmenting the supply of water as well as the costing thereof.
3. **FOR DISCUSSION**
4. **EXECUTIVE SUMMARY**

16TH COUNCIL MEETING: 2018-03-28: ITEM 7.6.4

RESOLVED (nem con)

- (a) that this report be noted;
- (b) that Council notes the total required funding to complete the full project at R77 980 756.94 rounded off to R78 000 000;
- (c) that Council notes that a total of R67 071 468.66 must be spent this year to complete a workable borehole water networked system;
- (d) that an amount of R10 400 000.00 be considered in the 2018/19 budget to formally complete all borehole augmentation work;
- (e) that the 2017/18 budget be adjusted to accommodate the R67 071 468.66 intended expenditure and that the shortfall be found from other projects; and
- (f) that an updated report be brought to Council in May 2018.

Mid-year Adjustments Budget
January 2018

Engineering Services: General	Furniture, Tools & Equipment	110,000	50,000	160,000	Additional funds requested to purchase or procure new computer equipment & furniture for additional staff appointments.
Engineering Services: General	Scanning and georeferencing of As-Built plans	150,000	-150,000	-	Project will not commence during this financial year. Funding will be reprioritised.
Engineering Services: General	Update of Engineering Infrastructure GIS Data	200,000	-200,000	-	Project will not commence during this financial year. Funding will be reprioritised.
Water	106 Bulk Water Supply Pipe Reservoir: Dwars Rivier (Johannesdal / Kylemore / Pniel)	19,217,839	-5,217,839	14,000,000	This is a multi-year project. The project will continue during the 2018/2019 financial year.
Water	103 Bulk Water Supply Pipeline & Reservoir - Jamestown	4,073,490	425,000	4,498,490	Additional funds needed to complete project as planned.
Water	105 Bulk water supply Klapmuts	1,000,000	-500,000	500,000	This is a multi-year project. Only planning to be done in this financial year. The project will continue during the 2018/2019 financial year.
Water	109 Water Treatment Works: Paradyksloof	21,750,000	1,750,000	23,500,000	Additional funds needed to complete project as planned.
Water	112 New 5 MI Reservoir: Cloetesville	500,000	-500,000	-	Planning completed during the previous financial year.
Water	113 New 1 ML Raithby Reservoir Planning & Design	400,000	-400,000	-	Negotiations with CoCT to use service reservoir at Faure treatment plant. Project will not commence this year.
Water	117 Water Conservation & Demand Management	38,500,164	13,000,000	51,500,164	Additional funding requested for drought relief.
Water	119 New Developments Bulk Water Supply WC024	2,000,000	-1,000,000	1,000,000	This is a multi-year project. The project will continue during the 2018/2019 financial year.
Water	120 Waterpipe Replacement	6,000,000	-2,000,000	4,000,000	This is a multi-year project. The project will continue during the 2018/2019 financial year.
Water	124 Vehicles	4,404,836	-1,000,000	3,404,836	Funding is sufficient to complete the project.
Water	125 Update Water Masterplan and IMQS	250,000	-250,000	-	Budget re-allocated to Sewer Masterplans.
Water	New Reservoir: Polkadraai	1,000,000	-500,000	500,000	This is a multi-year project. Only planning to be done in this financial year. The project will continue during the 2018/2019 financial year.
Water	Provision of Services Jonkershoek: Planning	1,000,000	-1,000,000	-	Planning of services to start in next financial year. Spatial planning for area to be completed.
Water	Relocation/Upgrading main water supply line	15,100,000	-7,500,000	7,600,000	This is a multi-year project. The project will continue during the 2018/2019 financial year.

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.
