



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2019-09-20


NOTICE OF THE 31ST MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY WEDNESDAY, 2019-09-25 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 FJ Badenhorst FT Bangani-Menziwa (Ms) Ald PW Biscombe G Cele (Ms) PR Crawley (Ms) A Crombie (Ms) Z Dalling (Ms) R Du Toit (Ms) J Fasser A Florence AR Frazenburg E Fredericks (Ms) T Gosa E Groenewald (Ms) JG Hamilton AJ Haneekom DA Hendrickse JK Hendriks LK Horsband (Ms)	MC Johnson DD Joubert N Mananga-Gugushe (Ms) C Manuel NE Mcombring (Ms) XL Mdemka (Ms) C Moses (Ms) RS Nalumango (Ms) N Olayi (Ms) MD Oliphant SA Peters MM Pietersen WF Pietersen SR Schäfer Ald JP Serdyn (Ms) N Sinkinya (Ms) P Sitshoti (Ms) Q Smit LL Stander E Vermeulen
--------------------	---	---

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 **31st MEETING** of the **COUNCIL** of **STELLENBOSCH MUNICIPALITY** will be held in the **COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH** on **WEDNESDAY, 2019-09-25** at **10:00** to consider the items on the Agenda.

SPEAKER
WC PETERSEN (MS)



2019/09/19

MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-09-25

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	
2.	MAYORAL ADDRESS	
3.	COMMUNICATION BY THE SPEAKER	
4.	COMMUNICATION BY THE MUNICIPAL MANAGER	
5.	DISCLOSURE OF INTERESTS	
6.	APPLICATIONS FOR LEAVE OF ABSENCE	
7.	APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING	
7.1	The minutes of the 30 th Council Meeting: 2019-08-28 refers (APPENDIX 1) FOR CONFIRMATION	5
8.	STATUTORY MATTERS	
8.1	NONE	48
9.	REPORT BY THE MUNICIPAL MANAGER ON OUTSTANDING RESOLUTIONS	
	The report by the Municipal Manager re outstanding resolutions taken at previous meetings of Council is attached as APPENDIX 1	48
10.	ITEMS FOR NOTING	
10.1	REPORT/S BY THE EXECUTIVE MAYOR	
	NONE	
10.2	REPORT/S BY THE SPEAKER	
	NONE	
10.3	REPORT/S BY THE MUNICIPAL MANAGER	
10.3.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2019	77
11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]	
11.1	COMMUNITY AND PROTECTION SERVICES: [PC: CLLR Q SMIT]	
11.1.1	STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019)	80
11.1.2	POLICY FOR THE IMPLEMENTATION OF AN AUXILIARY LAW ENFORCEMENT SERVICE FOR STELLENBOSCH MUNICIPALITY	127
11.1.3	POLICY ON EXTERNALLY-FUNDED LAW ENFORCEMENT AND TRAFFIC OFFICERS	148

ITEM	SUBJECT	PAGE
11.2	CORPORATE SERVICES: [PC: CLLR AR FRAZENBURG]	
11.2.1	PROPOSED RENEWAL OF LEASE AGREEMENT: BURGERHUIS: HISTORIESE HUISE VAN SUID-AFRIKA BEPERK: ERF 3389, STELLENBOSCH	164
11.2.2	PROPOSED RENEWAL OF LEASE AGREEMENTS: BERGZICHT TRAINING CENTRE: PORTION OF REMAINDER ERF 235, STELLENBOSCH	172
11.2.3	ADOPTION OF REVISED SYSTEM OF DELEGATIONS	194
11.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]	
	NONE	231
11.4	HUMAN SETTLEMENTS: [PC: CLLR N JINDELA]	
	NONE	231
11.5	INFRASTRUCTURE SERVICES: [PC: CLLR Q SMIT]	
	NONE	231
11.6	PARKS, OPEN SPACES AND ENVIRONMENT: [PC: CLLR XL MDEMKA (MS)]	
	NONE	231
11.7	PLANNING AND ECONOMIC DEVELOPMENT SERVICES [PC: CLLR E GROENEWALD (MS)]	
11.7.1	DRAFT BY-LAW FOR STELLENBOSCH MUNICIPALITY ON PROBLEM PROPERTY, 17 MAY 2019	232
11.7.2	DRAFT POLICY ON PLACE NAMING, STREET NAMING AND RENAMING AND NUMBERING FOR STELLENBOSCH MUNICIPALITY, EDITED 17 MAY 2019	262
11.8	RURAL MANAGEMENT AND TOURISM: [PC: CLLR S PETERS]	
	NONE	
11.9	YOUTH, SPORTS AND CULTURE: [PC: CLLR M PIETERSEN]	
11.9.1	WINELANDS MARATHON AND HALF MARATHON: THREE-YEAR PARTNERSHIP AGREEMENT WITH STELLENBOSCH MUNICIPALITY	287
11.10	MUNICIPAL MANAGER	
11.10.1	ADOPTION OF THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2019/20 FINANCIAL YEAR WITH RISK APPETITE	311
11.10.2	APPROVAL OF COST CONTAINMENT POLICY	318
12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER	
12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]	
12.1.1	CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO THE UPGRADE OF THE ABLUTION FACILITIES IN THE LANGRUG/MOOIWATER/GROENDAL AREA MOST NOTABLY, BLOCK J IN TERMS OF THE CONTRACT FOR LISO LUKHANYO HOLDINGS: FQ 74/19	333

ITEM	SUBJECT	PAGE
13.	REPORTS BY THE MUNICIPAL MANAGER	
13.1	STREET PEOPLE POLICY	342
13.2	APPROVAL AND ADOPTION OF THE WATER SERVICE DEVELOPMENT PLAN	370
13.3	BSM 6/18 MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS FRANSCHHOEK AND KLAPMUTS	470
13.4	BSM 5/18: OPERATIONS AND MAINTENANCE OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS KAYAMANDI	489
14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER	
	NONE	500
15.	CONSIDERATION OF URGENT MOTIONS	
		500
16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER	
		500
17.	REPORTS SUBMITTED BY THE SPEAKER	
	NONE	500
18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR	
	NONE	500
19.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
		500

1.	OPENING AND WELCOME
2.	MAYORAL ADDRESS
3.	COMMUNICATION BY THE SPEAKER
4.	COMMUNICATION BY THE MUNICIPAL MANAGER
5.	DISCLOSURE OF INTERESTS
6.	APPLICATIONS FOR LEAVE OF ABSENCE
7.	APPROVAL OF MINUTES OF PREVIOUS COUNCIL
7.1	CONFIRMATION OF MINUTES OF THE 30 TH COUNCIL MEETING: 2019-08-28

The minutes of the 30th Council Meeting: 2019-08-28 is attached as **APPENDIX 1**.

FOR CONFIRMATION

APPENDIX 1



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref. no.3/4/1/5

2019-08-28

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28 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)

MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY

2019-08-28

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	OPENING AND WELCOME	
2.	MAYORAL ADDRESS	
3.	COMMUNICATION BY THE SPEAKER	
4.	COMMUNICATION BY THE MUNICIPAL MANAGER	
5.	DISCLOSURE OF INTERESTS	
6.	APPLICATIONS FOR LEAVE OF ABSENCE	
7.	APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING	
7.1	The minutes of the 29 th Council Meeting: 2019-07-24 refers (APPENDIX 1) FOR CONFIRMATION	4
7.2	The minutes of an Urgent Council Meeting: 2019-08-02 refers (APPENDIX 1) FOR CONFIRMATION	5
7.3	The minutes of a Special Council Meeting: 2019-08-14 refers (APPENDIX 1) FOR CONFIRMATION	5
8.	STATUTORY MATTERS	
8.1	APPROVAL OF THE DRAFT FIRST AMENDMENT OF THE FOURTH GENERATION IDP 2017-2022	6
9.	REPORT BY THE MUNICIPAL MANAGER ON OUTSTANDING RESOLUTIONS	
	The report by the Municipal Manager re outstanding resolutions taken at previous meetings of Council is attached as APPENDIX 1	8
10.	ITEMS FOR NOTING	
10.1	REPORT/S BY THE EXECUTIVE MAYOR	
	NONE	
10.2	REPORT/S BY THE SPEAKER	
	NONE	
10.3	REPORT/S BY THE MUNICIPAL MANAGER	
10.3.1	QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 JANUARY 2019 TILL 31 MARCH 2019 (APPENDIX 1)	9
10.3.2	QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 APRIL 2019 TILL 30 JUNE 2019 (APPENDIX 1)	11
10.3.3	SIGNED PERFORMANCE AGREEMENTS 2019/20 OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER (APPENDIX 1)	12
10.3.4	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JULY 2019 (APPENDIX 1)	13

ITEM	SUBJECT	PAGE
11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]	
11.1	COMMUNITY AND PROTECTION SERVICES: [PC: CLLR Q SMIT]	
	NONE	
11.2	CORPORATE SERVICES: [PC: CLLR AR FRAZENBURG]	
11.2.1	PROPOSED RENEWAL OF LEASE AGREEMENT: PORTION OF ERF 62, KAYAMANDI: DEPARTMENT OF PUBLIC WORKS: POLICE STATION	15
11.2.2	APPLICATION BY PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO ACQUIRE ERF 718, KAYAMANDI FOR THE UPGRADE AND EXPANSION OF THE EXISTING KAYAMANDI CLINIC	17
11.2.3	ADOPTION OF REVISED SYSTEM OF DELEGATIONS (APPENDIX 2, System of Delegations will be distributed under separate cover)	19
11.3	FINANCIAL SERVICES: [PC: CLLR P CRAWLEY (MS)]	
	NONE	
11.4	HUMAN SETTLEMENTS: [PC: CLLR N JINDELA]	
	NONE	
11.5	INFRASTRUCTURE SERVICES: [PC: CLLR Q SMIT]	
	NONE	
11.6	PARKS, OPEN SPACES AND ENVIRONMENT: [PC: CLLR XL MDEMKA (MS)]	
	NONE	
11.7	PLANNING AND ECONOMIC DEVELOPMENT SERVICES [PC: CLLR E GROENEWALD (MS)]	
11.7.1	ADOPTION OF THE DRAFT LOCAL ECONOMIC DEVELOPMENT STRATEGY FOR PUBLIC PARTICIPATION (APPENDIX 1)	22
11.7.2	ADOPTION OF THE DRAFT EXPANDED PUBLIC WORKS PROGRAMME POLICY (APPENDIX 1)	24
11.7.3	REVIEWED STELLENBOSCH LIQUOR TRADING HOURS BY-LAW FOR COUNCIL APPROVAL (APPENDIX 1)	25
11.7.4	DRAFT STELLENBOSCH INFORMAL TRADING POLICY FOR COUNCIL APPROVAL (APPENDIX 1)	26
11.8	RURAL MANAGEMENT AND TOURISM: [PC: CLLR S PETERS]	
	NONE	
11.9	YOUTH, SPORTS AND CULTURE: [PC: CLLR M PIETERSEN]	
	NONE	
11.10	MUNICIPAL MANAGER	
11.10.1	SDF/IDP/BUDGET PROCESS PLAN (TIME SCHEDULE) TO GUIDE THE THIRD REVIEW OF THE FOURTH GENERATION INTEGRATED DEVELOPMENT PLAN 2017 – 2022 (APPENDIX 1)	27
12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER	
12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]	
	NONE	

ITEM	SUBJECT	PAGE
13.	REPORTS BY THE MUNICIPAL MANAGER	
13.1	THE ALLOCATION OF VACANT MUNICIPAL AGRICULTURAL LAND TO THE SUCCESSFUL LAND APPLICANTS	29
13.2	APPROVAL TO APPLY FOR AN URBAN DEVELOPMENT ZONE (UDZ) WITHIN THE STELLENBOSCH AREA	31
13.3	APPROVAL OF LEASE AGREEMENT FOR OFFICE SPACE: EIKESTAD MALL	33
14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER	
14.1	MOTION 1 BY CLLR F ADAMS: NAME CHANGES WITHIN WCO24 (APPENDIX 1)	34
14.2	QUESTION 1 BY CLLR F ADAMS: 10 YEAR CONTRACT (APPENDIX 1)	35
15.	CONSIDERATION OF URGENT MOTIONS	
	NONE	
16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER	
	NONE	
17.	REPORTS SUBMITTED BY THE SPEAKER	
	NONE	
18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR	
	NONE	
19.	MATTERS TO BE CONSIDERED IN-COMMITTEE	
	SEE PINK DOCUMENTATION	

MINUTES OF THE 30TH MEETING OF THE COUNCIL OF STELLENBOSCH MUNICIPALITY HELD ON 2019-08-28 AT 10:00 IN THE COUNCIL CHAMBER, TOWN HOUSE, PLEIN STREET, STELLENBOSCH

PRESENT	The Speaker, Cllr WC Petersen (Ms) [Chairperson] The Executive Mayor, Ald G Van Deventer (Ms) The Deputy Executive Mayor, Cllr N Jindela	
COUNCILLORS	F Adams FJ Badenhorst FT Bangani-Menziwa (Ms) Ald PW Biscombe G Cele (Ms) PR Crawley (Ms) Z Dalling (Ms) R Du Toit (Ms) J Fasser A Florence AR Frazenburg E Fredericks (Ms) T Gosa E Groenewald (Ms) AJ Hanekom DA Hendrickse	JK Hendriks LK Horsband (Ms) MC Johnson C Manuel NE Mcombring (Ms) XL Mdemka (Ms) C Moses (Ms) N Olayi (Ms) SA Peters MM Pietersen WF Pietersen SR Schäfer Ald JP Serdyn (Ms) Q Smit LL Stander E Vermeulen

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) Senior Manager: Governance (Ms S De Visser) Manager: Communications (S Grobbelaar) Chief Audit Executive (F Hoosain) Manager: Secretariat (EJ Potts) Senior Administration Officer (T Samuels (Ms)) Committee Clerk (N Mbali (Ms)) Interpreter (J Tyatyeka)
-------------------	--

1.	OPENING AND WELCOME
-----------	----------------------------

The Speaker, Cllr WC Petersen (Ms) welcomed all present at the 30th Council meeting. A moment of silence was observed.

2.	MAYORAL ADDRESS
-----------	------------------------

“Good Morning, Goeiemore, Molweni, As-salaam Alaikum

- On Monday it was my great privilege to launch our new housing app for smart phones.
 - Housing has been one of the top priorities ever since I took office
 - In 2018, council gave permission to embark on a process to update the information on the housing waiting list, and to import all this information into the Municipal Housing Demand Database.
 - Part of this is to simplify the housing application process by making it accessible to smart phone users.
 - We therefore decided to create a mobile phone application that residents can download and then they can apply to the housing demand database with their smart phones.
 - Our new housing app is one of the first in South Africa that is designed specifically to allow residents to apply to the housing demand database.
 - It will help the municipality to more effectively plan and execute housing projects because it will give us a clear idea of what our community needs are.
 - The application is set up in such a way that it provides us with precise information on the needs of our residents and what type of projects we need to plan for and in what regions.
 - The app lets our residents save time and money because they do not have to travel to the housing offices.
 - The app is currently only available to Android devices but an iPhone version will soon be made available
 - The app is also only available in English, but we are looking to expanding its language capabilities to Xhosa and Afrikaans
 - The link to download the App can be found on the municipal website.
- Namens myself en die Raad, asook die breër gemeenskap van Stellenbosch wil ek baie dankie sê vir ons Brandweerdienste se vinnige optrede op 12 Augustus 2019 met die brand wat ontstaan het by Huis ten Bosch Dameskoshuis.
 - Ons brandweerdienste se vinnige optrede het die skade tot die gebou beperk en het bygedra dat daar geen lewensverlies was nie.
 - Die universiteit het die nodige reëlings getref om vir al die inwoners van die koshuis van alternatiewe blyplek te voorsien.
 - Die koshuis sal vir die res van die semester gesluit wees en die Universiteit het die dames gehelp met alternatiewe reëlings.
 - Ons het ook 'n kommunikasie van die Rektor, Prof Wim De Villiers ontvang wat ons nooddienste hartlik bedank vir hulle vinnige en effektiewe optrede.
 - Mnr Boshoff, ek vra dat u ook die dank aan die personeel oordra.
- Septembermaand herdenk ons Toerismaand asook Erfenismaand.
 - In ons streek is die twee veldtogte baie nou aan mekaar verbind. Ons erfenis is deel van wat ons 'n gesogte toerismebestemming maak, beide plaaslik en internasionaal. Ek wil u graag aanmoedig om betrokke te raak by erfenis en toerisme geleenthede in ons streek.

- Onlangs 'n geleentheid gehad om die kabinet van die Wes-kaap te ontmoet
 - Geleentheid om met die nuwe kabinetslede asook administratiewe personeel te ontmoet.
 - Dit is mense saam met wie ons op 'n daaglikse basis saam werk om dienste aan ons gemeenskap te lewer.
 - As munisipaliteit het ons 'n goeie werkende verhouding met al die provinsiale departemente en kan ons met vrymoedigheid die provinsie nader om ons te help met uitdagings en kwessies.

Thank you.”

3.	COMMUNICATION BY THE SPEAKER
-----------	-------------------------------------

“Good Morning Executive Mayor Gesie van Deventer, Municipal Manager, Aldermen’s and fellow Councillors.

Also welcome to the staff and other members of the public for their attendance to the meeting as scheduled.

Welcome to the 30th Meeting of Council and the End of Women’s Month 2019 – Hoop die Stellenbosch Vroue was goed bederf

Madame Mayor – Allow me to report to you on the following as my Communications: Let us have a

Moment of silence for:

- The unfortunate and brutal killing of Sergeant Hoffman of Franschhoek and the circumstances surrounding it.
- The tragic **loss of life** of two family members whose shack burnt down completely in Langrug, Franschhoek
- Any other loss of life within the area of WC024.

Birthdays:

Happy Birthday Single Whip Alderman Paul Biscombe – Happy 70

Councillor’s Safety – As Speaker my office have taken note of the risk situation the Women Councillors of Kayamandi have to fulfil their daily task after the brutal shooting of Mr Wanana.

Councillors are being urged to take precautionary measures to safeguard their lives and their belonging as the current policy do not make provision for other easier matters to address their current situation.

Other matters

- Printing cost – self explanatory letter sent to all Councillors.

I thank you.”

4.	COMMUNICATION BY THE MUNICIPAL MANAGER
-----------	---

The Municipal Manager, Ms G Mettler's communication can be summarized as follows:

- Regarding the safety of Councillors, arranged for daily combined patrols by Law Enforcement and SAPS.
- Expressed a word of thanks and gratitude towards all women- Councillors and officials on Women's Month.
- From a cost containment point of view, a combined event will be held during October to celebrate both Women's Month and Breast Cancer Awareness Month. A date in this regard will be communicated in due course.
- Commended the Parks Department for the beautification of the town.
- Congratulated the Finance Department for their dedication and hard work to ensure that the Annual Financial Statements are submitted timeously in order to be compliant.

5.	DISCLOSURE OF INTERESTS
-----------	--------------------------------

NONE

6.	APPLICATIONS FOR LEAVE OF ABSENCE
-----------	--

6.1 The following applications for leave of absence were approved in terms of the Rules of Order By-law of Council:-

Cllr A Crombie (Ms)	– 28 August 2019
Cllr DD Joubert	– 28 August 2019
Cllr Mananga-Gugushe (Ms)	– 28 August 2019
Cllr RS Nalumango (Ms)	– 28 August 2019
Cllr MD Oliphant	– 28 August 2019
Cllr N Sinkinya (Ms)	– 28 August 2019
Cllr P Sitshoti (Ms)	– 28 August 2019
Mr K Carolus (CFO)	– 28 August 2019

6.2 Absent

Cllr JG Hamilton	– 28 August 2019
------------------	------------------

7.	APPROVAL OF MINUTES OF PREVIOUS COUNCIL
-----------	--

7.1	CONFIRMATION OF MINUTES OF THE 29TH COUNCIL MEETING: 2019-07-24
------------	---

The minutes of the 29th Council Meeting: 2019-07-24 were **confirmed**.

7.2	CONFIRMATION OF MINUTES OF AN URGENT COUNCIL MEETING: 2019-08-02
------------	---

The minutes of an Urgent Council Meeting: 2019-08-02 were **confirmed as correct**.

7.3	CONFIRMATION OF MINUTES OF A SPECIAL COUNCIL MEETING: 2019-08-14
------------	---

The minutes of a Special Council Meeting: 2019-08-14 were distributed in the meeting and the Speaker allowed a break to allow the Councillors to peruse the minutes.

During deliberations on the correctness of the minutes, Cllr DA Hendrickse stated that the minutes are not correct. The Speaker requested that a legal opinion be obtained. Director: Corporate Services submitted the following legal opinion:

“Dear Speaker

I was requested to provide a legal opinion on the process for the approval of minutes of a previous meeting.

The minutes of a previous meeting before council is dealt with in rule 22 of the Rules of Order.

It states that the Municipal Manager is responsible to record the proceedings and to reduce to writing minutes of the proceedings and the accuracy thereof that is put before council for approval. It further states what must be contained in the minutes not prescribing to the Municipal Manager how much of discussions must be contained in the minutes – it must just reflect the proceedings.

Rule 23 clearly states that the discussion on approval of minutes is limited to the accuracy of the minutes. Councillors therefore need to indicate if the minutes placed before them reflects the correct resolution and when any other proceedings that are minuted, apart from the resolution, has been correctly minuted. The councillor indicating that the minutes are incorrect must state what the correct version should be. If there is a question by the majority of the councillors that the minutes are not correct the speaker should listen to the recording and then rule on whether it was correctly minuted or not and if not what the minutes should reflect.”

The Speaker requested Cllr DA Hendrickse to state what the correct version should be. Thereafter the Speaker requested Council to vote whether or not the minutes placed before them reflects the correct resolution, has been correctly minuted. The vote yielded a result of 28 votes for the correctness of the minutes and 1 vote against.

The minutes of an Urgent Council Meeting: 2019-08-02 were **confirmed as correct**.

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

8.	STATUTORY MATTERS
----	--------------------------

8.1	APPROVAL OF THE DRAFT FIRST AMENDMENT OF THE FOURTH GENERATION IDP 2017-2022
-----	---

1. SUBJECT: APPROVAL OF THE FINAL FIRST AMENDMENT OF THE FOURTH GENERATION IDP 2017 – 2022

2. PURPOSE

To submit the final First Amendment of the Fourth Generation IDP 2017 – 2022 to Council for adoption.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Municipality concluded an extensive process to update the municipal Spatial Development Framework (*mSDF*), which was finalised in 2019. The *mSDF* is regarded as a core component to the IDP, as noted in Section 26(e) of the MSA and as a critical developmental tool as an enabler for development, hence the *mSDF* must be incorporated into the IDP to give expression to its developmental importance.

30TH COUNCIL MEETING: 2019-08-28: ITEM 8.1

During deliberations on the matter, the Municipal Manager requested that it be placed on record that she takes serious exception to Cllr DA Hendrickse's constant accusations that she is misleading Council, and she requested the Speaker to deal with the matter as she also needs protection in Council. The Speaker responded that she had given the Councillor an official warning, and that the matter will be dealt with after the meeting.

Councillor F Adams requested that it be minuted that this new electronic system is not user friendly and is time consuming.

RESOLVED (majority vote)

- (a) that the final First Amendment of the Fourth Generation IDP (2017 –2022) of the Stellenbosch Municipality be **adopted** by Council (Annexure A);
- (b) that the comments received from stakeholders be noted (Annexure B);
- (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 First Amendment of the Fourth Generation IDP 2017 – 2022 has been adopted by Council; and

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

- (d) that the final First Amendment 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.

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

Councillors F Adams; FT Bangani-Menziwa (Ms); G Cele (Ms); DA Hendrickse; C Moses (Ms); LK Horsband (Ms); and LL Stander.

FOR FURTHER DETAILS CONTACT:

NAME	Shireen De Visser
POSITION	Senior Manager: Governance
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8035
E-MAIL ADDRESS	shireen.devisser@stellenbosch.gov.za
REPORT DATE	26 August 2019

MINUTES

30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2019-08-28

9.	REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS
-----------	---

ITEM	Pg.	INPUT	MM'S RESPONSE
<p><u>Cllr DA Hendrickse</u></p> <p>Outstanding resolutions: 2019-07-24</p> <p>Other outstanding resolutions</p>		<p>Expressed his dissatisfaction for not receiving written responses in the meeting on questions raised under outstanding resolutions of 2019-07-24, because the minutes states that the MM will provide feedback in writing.</p> <p>The following resolutions are also outstanding and not listed. What is the status of these matters?</p> <p>Jamestown Housing Project (tender submitted) Longlands Housing Project (people waiting more than 10years) Idas Valley (89 houses that were sold) Arbitration – Stellenbosch Golf Course</p>	<p>The Speaker requested Cllr DA Hendrickse to submit his concerns and dissatisfaction in this regard to the Office of the Municipal Manager.</p>
<p><u>Cllr F ADAMS</u></p> <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>	80	<p>The Advisory Committee meeting held on 15 August 2019. Will the minutes of this meeting be distributed to all Councillors or only the Committee?</p>	<p>The Municipal Manager will respond in writing.</p>
<p><u>Cllr F ADAMS</u></p> <p>8.2.3 NORTHERN EXTENSION / LAND FOR RELOCATION OF SURPLUS HOUSEHOLDS, KAYAMANDI: PROGRESS / STATUS REPORT</p> <p>20 TH COUNCIL MEETING: 2018-09-26: ITEM 8.2.3</p>	83	<p>Did they move away from the original vision for the Northern extension as was decided, or is it just going to be houses within the Northern extension area? Or is there a replacement in terms of the focus between the two developments?</p>	<p>MM responded that Adam Tas Corridor is not replacing any project, Northern extension is part of Adam Tas Corridor and it was explained so in the SDF document extensively.</p>
<p><u>Cllr F ADAMS</u></p> <p>7.10.2 PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP OF VAALDRAAI (ELSENBURG) FROM PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY</p> <p>27TH COUNCIL MEETING: 2019-05-29: ITEM 7.10.2</p>	92	<p>What is the current status around Vaaldraai?</p>	<p>It is on page 92. The Municipal Manager read it out in meeting.</p>
<p><u>Cllr G Cele (Ms)</u></p> <p>7.5.5 MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM</p> <p>21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.5</p>	83	<p>Requested that a presentation be done to Council.</p>	<p>Municipal Manager responded that it can be arranged.</p>

NOTED

The concerns raised and the feedback report on Outstanding Resolutions.

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

10.	ITEMS FOR NOTING
------------	-------------------------

10.1	REPORT/S BY THE EXECUTIVE MAYOR
-------------	--

NONE

10.2	REPORT/S BY THE SPEAKER
-------------	--------------------------------

NONE

10.3	REPORT/S BY THE MUNICIPAL MANAGER
-------------	--

10.3.1	QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 JANUARY 2019 TILL 31 MARCH 2019
---------------	---

Collaborator No: 656768
File No:
IDP KPA Ref No: Good Governance
Meeting Date: 28 August 2019

1. SUBJECT: QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 JANUARY 2019 TILL 31 MAY 2019

2. PURPOSE

To inform Council of the activities of the Audit Committee for the period 01 January 2019 till 31 March 2019 (3rd Quarter). The Minutes of the meeting held for this period mentioned is herewith attached as **APPENDIX 1** which outlines the activities of the Audit and Performance Audit Committee.

3. DELEGATED AUTHORITY

Audit and Performance Audit Committee reports to Council periodically.

4. EXECUTIVE SUMMARY

In terms of Section 166 of the Municipal Finance Act (MFMA), Act No 56 of 2003, each municipality must have an Audit and Performance Audit Committee. The Audit and Performance Audit Committee is an independent advisory body which must advise Council, the political office bearers, the accounting officer, the management and staff of the municipality.

The Audit Committee has executed its duties and responsibilities during the period under review in accordance with its terms of reference as they relate to Council's accounting, internal auditing, internal control and financial reporting practices.

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

30TH COUNCIL MEETING: 2019-08-28: ITEM 10.3.1**NOTED**

the concerns and the report of the Audit Committee for the period 01 January 2019 till 31 May 2019.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Faiz Hoosain</i>
POSITION	<i>Chief Audit Executive</i>
DIRECTORATE	<i>Municipal Manager's Office</i>
CONTACT NUMBERS	<i>021-808 8555</i>
E-MAIL ADDRESS	Faiz.Hoosain@ Stellenbosch.gov.za
REPORT DATE	<i>09 April 2019</i>

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

10.3.2	QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 APRIL 2019 TILL 30 JUNE 2019
---------------	--

Collaborator No:

File No:

IDP KPA Ref No:

Meeting Date:

Good Governance

28 August 2019

1. SUBJECT: QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE OF STELLENBOSCH MUNICIPALITY FOR THE PERIOD 01 APRIL 2019 TILL 30 JUNE 2019

2. PURPOSE

To inform Council of the activities of the Audit Committee for the period 01 April 2019 till 30 June 2019 (4th Quarter). The Minutes of the meetings held for this period mentioned is herewith attached as **APPENDIX 1 AND APPENDIX 2** respectively which outlines the activities of the Audit and Performance Audit Committee.

3. DELEGATED AUTHORITY

Audit and Performance Audit Committee reports to Council periodically.

4. EXECUTIVE SUMMARY

In terms of Section 166 of the Municipal Finance Act (MFMA), Act No 56 of 2003, each municipality must have an Audit and Performance Audit Committee. The Audit and Performance Audit Committee is an independent advisory body which must advise Council, the political office bearers, the accounting officer, the management and staff of the municipality.

The Audit Committee has executed its duties and responsibilities during the period under review in accordance with its terms of reference as they relate to Council's accounting, internal auditing, internal control and financial reporting practices.

30TH COUNCIL MEETING: 2019-08-28: ITEM 10.3.2

NOTED

- (a) the reports of the Audit Committee for the period 01 April 2019 till 30 June 2019; and
- (b) that Dr NL Mortimer has been elected as the newly appointed Chairperson of the Audit and Performance Audit Committee for the balance of his term.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Faiz Hoosain</i>
POSITION	<i>Chief Audit Executive</i>
DIRECTORATE	<i>Municipal Manager's Office</i>
CONTACT NUMBERS	<i>021-808 8555</i>
E-MAIL ADDRESS	<i>Faiz.Hoosain@ Stellenbosch.gov.za</i>
REPORT DATE	<i>24 July 2019</i>

MINUTES

30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2019-08-28

10.3.3	SIGNED PERFORMANCE AGREEMENTS 2019/20 OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER
---------------	--

Collaborator No: 656150
IDP KPA Ref No: *Good Governance and Compliance*
Meeting Date: 14 August 2019

1. SUBJECT: SIGNED PERFORMANCE AGREEMENTS 2019/20 OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER

2. PURPOSE

To submit to Council, for notification, the following:

(a) Signed Performance Agreements 2019/20 of the Municipal Manager and Managers Directly Accountable to the Municipal Manager.

3. DELEGATED AUTHORITY

In terms of Section 53(3)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) the Executive Mayor must ensure that the performance agreements "...be submitted to the council and the MEC for local government in the province."

4. EXECUTIVE SUMMARY

According to Section 57(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) the performance agreement must be concluded annually:

"(a) ...within one month after the beginning of each financial year of the municipality."

30TH COUNCIL MEETING: 2019-08-14: ITEM 10.3.3

NOTED

the signed Performance Agreements 2019/20 of the Municipal Manager and Managers Directly Accountable to the Municipal Manager.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	<i>Shireen De Visser</i>
<i>POSITION</i>	<i>Senior Manager: Governance</i>
<i>DIRECTORATE</i>	<i>Municipal Manager</i>
<i>CONTACT NUMBERS</i>	<i>021 808 8035</i>
<i>E-MAIL ADDRESS</i>	<i>shireen.devisser@stellenbosch.gov.za</i>
<i>REPORT DATE</i>	<i>06 August 2019</i>

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

10.3.4	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JULY 2019
---------------	--

Collaborator No: 8/1
BUDGET KPA Ref No: Good Governance and Compliance
Meeting Date: 28 August 2019

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR JULY 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 2019/2020 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 (2019/2020) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during July 2019.

30TH COUNCIL MEETING: 2019-08-14: ITEM 10.3.4

NOTED

the deviations as listed for the month of July 2019.

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

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 01/20	11 July 2019	The Vissershok Waste Management Facility (Pty) Ltd	Provision of licenced waste disposal facilities from 1 July - 30 June 2020	Emergency.	A formal tender process was followed for the provision of licenced waste disposal facilities. The tender was cancelled due to no acceptable offers. After the cancellation of the tender, the municipality had to approve a deviation to take waste to a	Rates R 421.44 (excluding Vat) per ton

MINUTES

30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2019-08-28

					suitable, licensed waste disposal facility. Other than the City of Cape Town's disposal sites, this is the only other facility. This facility is much more cost-effective than the CoCT facilities. It is a legislated required that all waste disposed of at a landfill be transferred to a licensed facility, and these are the only facilities available within a 40km radius (as the crow flies). The CoCT is also reluctant to accept outside waste, as this will impact on the lifespan of their own facilities.	
D/SM 02/20	15 July 2019	Tyanco SA Pty Ltd	Repair work of Wendy houses damaged by strong winds and heavy rainfall at Mountain View, Jamestown	Emergency	On Friday night the 21st of June 2019 strong winds and heavy rains damaged 4 Wendy houses in Mountain View. Approximately 18 people were left destitute until Monday the 24th of June 2019. Tyanco SA (Pty) (Ltd) who are registered on the Central Supplier Database (CSD) was approached to submit an urgent quotation to undertake the repair work for the damaged Wendy Houses by latest Monday 24 June 2019 , due to the fact that the families had to vacate from the temporary accommodation by 24 June 2019.	R15 370 (excluding Vat)

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	06 August 2019

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]
------------	--

11.1	COMMUNITY AND PROTECTION SERVICES: (PC : CLLR Q SMIT)
-------------	--

NONE

11.2	CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)
-------------	---

11.2.1	PROPOSED RENEWAL OF LEASE AGREEMENT: PORTION OF ERF 62, KAYAMANDI: DEPARTMENT OF PUBLIC WORKS: POLICE STATION
---------------	--

Collaborator No: 656131
IDP KPA Ref No: *Good Governance*
Meeting Date: 14 August 2019

1. SUBJECT: PROPOSED RENEWAL OF LEASE AGREEMENT: PORTION OF ERF 62, KAYAMANDI: DEPARTMENT OF PUBLIC WORKS: POLICE STATION

2. PURPOSE

To obtain the necessary approval from Council to renew the Lease Agreement between Stellenbosch Municipality and the National Department of Public Works in relation to a portion of erf 62, Kayamandi (Police Station).

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality and the National Department concluded a Lease Agreement in relation to a portion of erf 62, Kayamandi during the 1990's. The agreement has subsequently been renewed a number of times. The last renewal was concluded in February 2015. This agreement, however, has lapsed on 31 August 2017. SAPS are still using the property as a police station. Council must now consider their request for the renewal of the Lease Agreement for a period of 9 years and 11 months.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.1

RESOLVED (nem con)

- (a) that the portion of erf 62, used as a police station, be identified as land not needed for municipal purposes during the proposed lease period;
- (b) that approval be granted for the renewal of the Lease Agreement for a period of 9 years and 11 months;
- (c) that it be noted that leasing property to another sphere of government/organ of state is exempted from following a public participation process;

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

- (d) that Council considers the request of the department to rent the property at an amount of R 6121.99 per month, escalating at 6% per annum, and
- (e) that the Municipal Manager be authorised to draft and sign an appropriate new lease agreement.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	Piet Smit
<i>POSITION</i>	<i>Manager: Property Management</i>
<i>DIRECTORATE</i>	<i>Corporate Services</i>
<i>CONTACT NUMBERS</i>	<i>021-8088189</i>
<i>E-MAIL ADDRESS</i>	<i>Piet.smit@ Stellenbosch.gov.za</i>
<i>REPORT DATE</i>	<i>2019-07-05</i>

11.2.2	APPLICATION BY PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO ACQUIRE ERF 718, KAYAMANDI FOR THE UPGRADE AND EXPANSION OF THE EXISTING KAYAMANDI CLINIC
--------	--

Collaborator No: 656125
IDP KPA Ref No: *Good Governance*
Meeting Date: 14 August 2019

1. SUBJECT: APPLICATION BY PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO ACQUIRE ERF 718, KAYAMANDI FOR THE UPGRADE AND EXPANSION OF THE EXISTING KAYAMANDI CLINIC

2. PURPOSE

To consider the application from the Provincial Government of the Western Cape to acquire erf 718, Kayamandi, to enable them to upgrade and extend the existing clinic in Kayamandi.

3. DELEGATED AUTHORITY

For decision by the Municipal Council.

4. EXECUTIVE SUMMARY

With the transfer of the clinic function to the Provincial Government of the Western Cape it became evident that the clinic in Kayamandi, which is situated on erven 719 and 720, was encroaching onto erf 718. Erf 718 was allocated to the Seventh Day Adventist Church during 1996, but the property was not yet transferred to them. (Following a recent Council resolution to allocate an alternative site for the church, Erf 1523, Kayamandi was offered to the church, in exchange for erf 718). A formal application to acquire erf 718, Kayamandi, has been received from the Provincial Government of the Western Cape to enable them to extend the clinic in Kayamandi.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.2

RESOLVED (nem con)

- (a) that Erf 718 Kayamandi be identified as land not needed to provide the minimum level of basic municipal services;
- (a) that Council, approves the disposal of Erf 718 Kayamandi to the Provincial Government of the Western Cape, free of charge, on condition:
 - i) that they be responsible for the rezoning and consolidation of Erf 718;
 - ii) that all costs associated with the transfer; including the cost of obtaining vacant occupation, be for the account of the Provincial Government.
- (c) that Council considers whether the Erf is donated or sold at a price below market value as it will be used for the benefit of the community;

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

- (d) that Council's intention to donate/sell Erf 718 to the Provincial Government be advertised for public inputs/objections; and
- (e) that, following the public notice, the item be brought back to Council to consider any inputs/objections before making a final decision.

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	2019-08-02

11.2.3	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
--------	--

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 14 and 20 and 28 August 2019

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To re-submit the proposed amended System of Delegations for adoption by Council and which will then be replace the existing System of Delegations that was effective from 1 May 2015.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to “*Note the existing System of Delegations*”. Council has not fulfilled its obligation in terms of section 59(2)(f) to review the system of delegations after its election in 2016. A revised system of delegations has been tabled after the election but was not considered.

The administration and the then portfolio chairperson, Cllr Groenewald, met with representatives from Province to discuss the reservations they had on the set of delegations provided to them by individual councillors. They highlighted the delegations from the Executive Mayor to officials. They advised that delegations from the administration should not take place via the Executive Mayor. That has been in

the current proposal and Council delegates directly to officials and not via the Executive Mayor.

We also informed them that the legislation does not require the Executive Mayor to designate powers to Mayco, however in practise in Stellenbosch items are discussed in a formal Mayco and or in a Mayco caucus before decisions are made unless Council is in recess and some designations were made in the document.

The Delegations have been revised in its totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made. The changes as discussed at the workshop on 13 February 2018 are included in the attached document.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3

The Speaker **RULED**

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, whereafter same be resubmitted to the September 2019 Council meeting.

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021 807 8018</i>
E-MAIL ADDRESS	<i>Annalene.deBeer@stellenbosch.org.za</i>
REPORT DATE	<i>6 August 2019</i>

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

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

NONE

11.4	HUMAN SETTLEMENTS: (PC: CLLR N JINDELA)
-------------	--

NONE

11.5	INFRASTRUCTURE SERVICES: (PC: CLLR Q SMIT)
-------------	--

NONE

11.6	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: XL MDEMKA (MS))
-------------	---

NONE

11.7	PLANNING AND ECONOMIC DEVELOPMENT: (PC:CLLR E GROENEWALD (MS)
11.7.1	ADOPTION OF THE DRAFT LOCAL ECONOMIC DEVELOPMENT STRATEGY FOR PUBLIC PARTICIPATION

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 14 August 2019

1. SUBJECT: ADOPTION OF THE DRAFT LOCAL ECONOMIC DEVELOPMENT STRATEGY FOR PUBLIC PARTICIPATION

2. PURPOSE

To request Council to approve the Draft Local Economic Development Strategy attached as **ANNEXURE 1**.

3. DELEGATED AUTHORITY

COUNCIL

In terms of Section 156 (2) of Constitution of the Republic of South Africa,

"a municipality may make and administer by-laws for the effective administration of matters which it has the right to administer".

Section 152- Objects of local Government- (1) The objects of local government are (c) to promote social and economic development;

and section 153-Developmental duties of municipalities. - A municipality must- (a) structure and manage its administrative and budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community; (b) participate in national and provincial development programmes.

It is clear that this pertains to the Local Economic Development Strategy with its objectives of a growing, inclusive and accessible economy that delivers opportunity to all its citizens.

4. EXECUTIVE SUMMARY

The Local Economic Development Strategy adopts a "whole organisation approach" towards economic development and provides a series of catalytic initiatives and programmes which have been identified by stakeholders over a number of years, and which now needs Council's approval for further public participation.

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.7.1**RESOLVED** (nem con)

that the draft Economic Development Strategy be approved and published for further inputs from the public for a period of 30 days.

FOR FURTHER DETAILS CONTACT:

NAME	Widmark Moses
POSITION	<i>Manager: Economic Development & Tourism</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	<i>021 808 8179</i>
E-MAIL ADDRESS	<i>widmark.moses@ Stellenbosch.gov.za</i>
REPORT DATE	<i>24-05-2019</i>

11.7.2	ADOPTION OF THE DRAFT EXPANDED PUBLIC WORKS PROGRAMME POLICY
--------	---

Collaborator No:

File no: 9/2/2

IDP KPA Ref No: 046

Meeting Date: 14 August 2019

1. SUBJECT: ADOPTION OF THE DRAFT EXPANDED PUBLIC WORKS PROGRAMME POLICY

2. PURPOSE

To request Council to approve the Expanded Public Works Programme Policy attached as **ANNEXURE 1**.

3. DELEGATED AUTHORITY

COUNCIL

In terms of Section 156 (2) of Constitution of the Republic of South Africa,

"a municipality may make and administer by-laws for the effective administration of matters which it has the right to administrate". In this instance it refers to Draft Expanded Public Works Programme Policy which seeks to set out the strategic objectives, management and implementation management guidelines for the Expanded Public Works Programme in the Stellenbosch Municipal Area.

4. EXECUTIVE SUMMARY

The policy seeks to regulate the functioning of the Expanded Public Works Programme to continue with expanded public works projects within the municipal boundaries, the management thereof, smooth functioning of the programme in compliance with relevant legislation.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.7.2

RESOLVED (nem con)

that the Draft Expanded Public Works Programme Policy be adopted.

FOR FURTHER DETAILS CONTACT:

NAME	Widmark Moses
POSITION	<i>Manager: Economic Development & Tourism</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	<i>021 808 8179</i>
E-MAIL ADDRESS	<i>widmark.moses@stellenbosch.gov.za</i>
REPORT DATE	<i>06-06-2018</i>

11.7.3	REVIEWED STELLENBOSCH LIQUOR TRADING HOURS BY-LAW FOR COUNCIL APPROVAL
--------	---

Collaborator No:

File no: 9/2/2

IDP KPA Ref No: 046

Meeting Date: 14 August 2019

1. SUBJECT: REVIEWED STELLENBOSCH LIQUOR TRADING HOURS BY-LAW FOR COUNCIL APPROVAL

2. PURPOSE

To submit the Reviewed Stellenbosch Liquor Trading By-law (**ANNEXURE 1**) to Council for consideration, where after it could be published for public participation as envisaged in section 12 to 15 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

3. DELEGATED AUTHORITY

COUNCIL

In terms of Section 156 (2) of Constitution of the Republic of South Africa, "a municipality may make and administer by-laws for the effective administration of matters which it has the right to administrate". In this instance it refers to Reviewed Liquor Trading By-law which seeks to regulate liquor trading hours in the Stellenbosch Municipal area.

4. EXECUTIVE SUMMARY

The Reviewed Stellenbosch Liquor Trading By-law sets to rectify various short comings in the current Liquor Trading Hours By-law. The shortcomings (indicated in *italic* and an asterisk amongst other things, relate to the jurisdiction of power and delegated powers to enforce the aforementioned by-law.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.7.3

RESOLVED (nem con)

- (a) that Council approves the Reviewed Stellenbosch Liquor Trading By-law for public consultation purposes; and
- (b) that the Administration be mandated to advertise said Reviewed Stellenbosch Liquor Trading By-law for public comments (60 days), after which it will be submitted to Council for final consideration.

FURTHER DETAILS CONTACT:

NAME	Widmark Moses
POSITION	<i>Manager: Economic Development & Tourism</i>
DIRECTORATE	<i>Planning and Economic Development</i>
CONTACT NUMBERS	021 808 8179
E-MAIL ADDRESS	widmark.moses@stellenbosch.gov.za

REPORT DATE	07-08-2019
11.7.4	DRAFT STELLENBOSCH INFORMAL TRADING POLICY FOR COUNCIL APPROVAL

Collaborator No: 656249
File no: 9/2/2
IDP KPA Ref No: 046
Meeting Date: 14 August 2019

1. SUBJECT: DRAFT STELLENBOSCH INFORMAL TRADING POLICY FOR COUNCIL APPROVAL

2. PURPOSE

To submit the Draft Stellenbosch Informal Trading Policy to Council for consideration, where after it could be published for public participation as envisaged in section 12 to 15 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

3. DELEGATED AUTHORITY

COUNCIL

In terms of Section 156 (2) of Constitution of the Republic of South Africa,

"a municipality may make and administer by-laws for the effective administration of matters which it has the right to administrate". In this instance it refers to Draft Stellenbosch Informal Trading Policy which seeks to set out the strategic objectives, planning and management guidelines for informal trading in the Stellenbosch Municipal Area.

4. EXECUTIVE SUMMARY

The Draft Stellenbosch Informal Trading Policy (**ANNEXURE 1**) is one of two related documents; the Policy sets the strategic direction for the municipality's developmental response to the informal trading sector. The reasons for having an Informal Trading policy can be summarized as follow:

- It clarifies Council's policy to all relevant stakeholders;
- It forms the basis for the by-laws that regulates Informal trading in the Stellenbosch Municipal area;
- It provides a basis for resource allocation decisions;
- It establishes the basis for a monitoring and evaluation process, which clearly defined key objectives.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.7.3

RESOLVED (nem con)

- (a) that Council approves the Draft Stellenbosch Informal Trading Policy for public consultation purposes; and
- (b) that the Administration be mandated to advertise said Draft Stellenbosch Informal Trading Policy for public comments after which it will be submitted to Council for final consideration.

MINUTES

30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY

2019-08-28

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

11.8	RURAL MANAGEMENT AND TOURISM: (PC: CLLR S PETERS)
-------------	--

NONE

11.9	YOUTH, SPORTS AND CULTURE: (PC: CLLR M PIETERSEN)
-------------	--

NONE

11.10	MUNICIPAL MANAGER
--------------	--------------------------

11.10.1	SDF/IDP/BUDGET PROCESS PLAN (TIME SCHEDULE) TO GUIDE THE THIRD REVIEW OF THE FOURTH GENERATION INTEGRATED DEVELOPMENT PLAN 2017 – 2022
----------------	---

Collaborator No: 656152
IDP KPA Ref No: *Good Governance and Compliance*
Meeting Date: 14 August 2019

1. SUBJECT: SDF/IDP/BUDGET PROCESS PLAN (TIME SCHEDULE) TO GUIDE THE THIRD REVIEW OF THE FOURTH GENERATION INTEGRATED DEVELOPMENT PLAN 2017 – 2022

2. PURPOSE

To table to Council for consideration:

- (a) The Time Schedule of key deadlines for the Third Review of the Fourth Generation Integrated Development Plan (IDP), Budget and Spatial Development Framework (SDF).

3. DELEGATED AUTHORITY

In accordance with Section 21(b) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) “the mayor of a municipality must-

at least 10 months before the start of the budget year, table in the municipal council a time schedule outlining key deadlines for-

- (i) the preparation, tabling and approval of the annual budget;
- (ii) the annual review of-
 - (aa) the integrated development plan in terms of section 34 of the Municipal Systems Act; and
 - (bb) the budget-related policies;

- (iii) the tabling and adoption of any amendments to the integrated development plan and the budget-related policies; and
- (iv) any consultative processes forming part of the processes referred to in subparagraphs (i), (ii) and (iii).

4. EXECUTIVE SUMMARY

The SDF/IDP/Budget Process Plan (Time Schedule) is compiled in terms of Sections 28 and 29 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA).

Section 28 specifies that:

- “(1) Each municipal council, within a prescribed period after the start of its elected term, must adopt a process set out in writing to guide the planning, drafting, adoption and review of its IDP.
- (2) The municipality must through appropriate mechanisms, processes and procedures established in terms of Chapter 4, consult the local community before adopting the process.
- (3) A municipality must give notice to the local community of particulars of the process it intends to follow.”

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.10.1

RESOLVED (majority vote with abstentions)

- (a) that Council adopts the annexed SDF/IDP/Budget Process Plan (Time Schedule) to guide the Third Review of the Fourth Generation IDP 2017 – 2022, SDF and Budget; and
- (b) that the SDF/IDP/Budget Process Plan (Time Schedule) be placed on the official website of the Municipality, municipal notice boards and libraries, notifying the public of the planned process.

Councillors DA Hendrickse and LK Horsband (Ms) requested that their abstentions be minuted.

FOR FURTHER DETAILS CONTACT:

NAME	Shireen De Visser
POSITION	Senior Manager: Governance
DIRECTORATE	Municipal Manager
CONTACT NUMBERS	021 808 8035
E-MAIL ADDRESS	shireen.devisser@stellenbosch.gov.za
REPORT DATE	06 August 2019

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
-----	--

12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
------	--

NONE

13.	REPORTS BY THE MUNICIPAL MANAGER
-----	---

13.1	THE ALLOCATION OF VACANT MUNICIPAL AGRICULTURAL LAND TO THE SUCCESSFUL LAND APPLICANTS
------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Valley of Opportunities

Special Council: 14 August 2019

1. SUBJECT: THE ALLOCATION OF VACANT MUNICIPAL AGRICULTURAL LAND TO THE SUCCESSFUL LAND APPLICANTS

2. PURPOSE

To request Council to take note of the recommendations to allocate vacant municipal land to the successful applicants and to give consideration for the allocation of land to one candidate that fall sort of one criteria.

3. DELEGATED AUTHORITY

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

4. EXECUTIVE SUMMARY

The item deals with the allocation of vacant municipal land to successful land applicants after Council resolved on 28-03-2018 to advertise 12 pieces of vacant municipal agricultural land for leasing purposes. A full report on the process of allocation and recommendations is attached as **APPENDIX A**.

30TH COUNCIL MEETING: 2019-08-28: ITEM 13.1**RESOLVED** (nem con)

- (a) that Council notes the process undertaken and the final recommended outcomes as listed below.

No	Portion	Size (ha)	Water (ha)	Highest scorer	Recommended
5	502 V	21.6	8	Hylton P Arendse	That Hylton P. Arendse be the preferred applicant for 502 V.
13	502 AP	7	2	Chris Jacobs	That Chris Jacobs be the preferred applicant for 502 AP and AM. The two pieces of land lay adjacent to each other and will make economic sense to farm as one unit
12	502 AM	8.56	3	Chris Jacobs	
4	502 AW	6	0	Bradley Cortereal	That Bradley Cortereal be the preferred applicant for 502 AW.
	502 AU	8.9		Re advertise for beekeeping	Portion 502AU is regarded as a nature conservation area by Cape Nature, the only farming purpose this land could be utilized for is beekeeping as the property is overgrown by fynbos.
	502 M	5.1	3	Re advertise 502 M & 502 W as one unit	The portion is located next to 502W, and should be utilised as a water resource for 502M as it is a wetland area, which will not be suitable for farming on its own.
	502 W	9	3		
5	502 BFN	15.5	6	Elsenburg Khoisan Farmers	That Elsenburg Khoisan Farmers be the preferred applicant for 502BFN. More than 10ha of land have been already allocated to both Hilton Arendse and Chris Jacobs.
18	619/1	26	0	Jeremy van Niekerk	That Jeremy van Niekerk be the preferred applicant for 619/1. More than 10ha of land have been already allocated to both Chris Jacobs and Elsenburg Khoisan Farmers.
27	279 BN	25.3	0	Re-advertised	Recommended to be re-advertised.
	165/1	10.5	0	Re-advertised	No responsive application was received for this portion of land. The land in its current state should be utilised for grazing purposes Recommended to be re-advertised

- (b) that the Policy be reviewed to address the unintended consequences; and
- (c) that the Administration continue with the implementation of the Policy in regard to vacant land.

FOR FURTHER DETAILS CONTACT:

NAME	Widmark Moses
POSITION	Manager: Local Economic Development
DIRECTORATE	Planning & Economic Development
CONTACT NUMBERS	021 808 8179
E-MAIL ADDRESS	widmark.moses@Stellenbosch.gov.za
REPORT DATE	23-07-2019

13.2	APPROVAL TO APPLY FOR AN URBAN DEVELOPMENT ZONE (UDZ) WITHIN THE STELLENBOSCH AREA
------	---

Collaborator No:

IDP KPA Ref No:

Date:

Good of Opportunity

Council- 28 August 2019

1. SUBJECT: APPROVAL TO APPLY FOR AN URBAN DEVELOPMENT ZONE WITHIN THE STELLENBOSCH AREA

2. PURPOSE

To obtain approval from Council to submit an application for an Urban Development Zone to National Treasury to consider the Adam Tas Corridor within the Stellenbosch area to attract investment in the Adam Tas Corridor.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

South Africa has a number of urban areas that are impoverished and are suffering from extensive urban decay. In order to address these concerns, tax measures are utilised to support efforts to spatially target investment to attract private sector businesses to areas where interest would otherwise be lacking.

In 2003, the Minister of Finance introduced the Urban Development Zone (UDZ) tax incentive for investment in 16 designated inner cities. The UDZ tax incentive was designed to encourage property investment in central business districts and to address dereliction and dilapidation, and to promote investment in urban renewal. The incentive is in the form of an accelerated depreciation allowance applicable on the value of new buildings and improvements to existing buildings in the qualifying municipalities demarcated as UDZs. In 2013 the window period for the UDZ incentive was extended from 31 March 2014 to 31 March 2020.

Whereas the demarcation of urban development zones were previously only granted to municipalities with a population of more 2 million people (reduced to 1 million people in 2016) the scope has been extended to included municipalities like Stellenbosch. Municipalities outside of the 16 currently designated areas approached the Minister of Finance to broaden the scope of UDZ incentive to cover additional municipalities. This resulted in proposals that the UDZ tax incentive be amended to provide a framework for the Minister of Finance to consider applications from municipalities currently not allowed to designate a UDZ area.

Stellenbosch has a large proportion of the Adam Tas area that was formerly utilised for light industrial purposes that has fallen into dereliction. For Stellenbosch Municipality to attract investors to redevelop parts of that areas, classification as an urban development zone will contribute to attracting investors to rebuild these spaces into vibrant urban structures more suited to the future growth and development of the Stellenbosch urban centre.

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

30TH COUNCIL MEETING: 2019-08-28: ITEM 13.2**RESOLVED** (nem con)

that the Urban Development Zone application to National Treasury be submitted for the Adam Tas Corridor to attract investment for the regeneration of this area.

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	20 August 2019

13.3	APPROVAL OF LEASE AGREEMENT FOR OFFICE SPACE: EIKESTAD MALL
-------------	--

Collaborator No: 656130
IDP KPA Ref No: Good Governance
Meeting Date: 14 August 2019

1. SUBJECT: APPROVAL OF LEASE AGREEMENT FOR OFFICE SPACE: EIKESTAD MALL

2. PURPOSE

To obtain the necessary authorisation to conclude a new lease agreement with Eikestad Mall Joint Venture for office space in the CBD for a period ending 30 June 2022.

3. DELEGATED AUTHORITY

For decision by Municipal Council.

4. EXECUTIVE SUMMARY

The existing lease agreement with Eikestad Mall Joint Venture will terminate at the end of September 2019 (656.91m²). The space is currently used by the Planning Department and building control. Should Council not approve the lease the departments currently accommodated there will have no suitable space to work from.

When the municipality requested bidders to indicate the availability of office space in the CBD, the Eikestad Mall also indicated the availability of additional office space (±332m²). The Planning and Local Economic Development Department has indicated that additional space is needed by them, and that the available municipality-owned space is not suitable.

Eikestad Mall has indicated that 28.3m² of the current space is no longer available to us for renting. The rest of the current rented space is however available.

30TH COUNCIL MEETING: 2019-08-28: ITEM 13.3

RESOLVED (majority vote)

- (a) that Council approves the conclusion of a 2-year Lease Agreement with an option of a further renewal with Eikestad Mall Joint Venture, based on a tariff of R210/m², for 961.01m², escalating at 8% per annum for the current and additional office space available;
- (b) that the Municipal Manager be authorised to conclude the lease agreement with Eikestad Mall Joint Venture; and
- (c) that it be noted that the Municipal Manager will allocate the office space in view of the needs identified.

Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.

14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
-----	---

14.1	MOTION BY COUNCILLOR F ADAMS: NAME CHANGES WITHIN WCO24
------	--

A Notice of a Motion, dated 2019-08-13, was received from Councillor F Adams regarding name changes within WCO24.

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

FOR CONSIDERATION

30TH COUNCIL MEETING: 2019-08-28: ITEM 14.1

The Speaker allowed Councillor F Adams 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 4 in favour and 30 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	<i>021 808-8025</i>
E-MAIL ADDRESS	Municipal.Manager@stellenbosch.gov.za
REPORT DATE	<i>2019-08-28</i>

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

14.2	QUESTION 1 BY CLLR F ADAMS: 10 YEAR CONTRACT
-------------	---

A Notice of Question, dated 2019-08-14, was received from Councillor F Adams.

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

30TH COUNCIL MEETING: 2019-08-28: ITEM 14.2

It is noted that Cllr F Adams was not satisfied with the written response from the Municipal Manager and had no follow-up question.

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	2019-08-28

MINUTES

**30TH MEETING OF THE COUNCIL
OF STELLENBOSCH MUNICIPALITY**

2019-08-28

15.	CONSIDERATION OF URGENT MOTIONS
------------	--

NONE

16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
------------	--

NONE

17.	REPORTS SUBMITTED BY THE SPEAKER
------------	---

NONE

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
------------	---

NONE

19.	MATTERS TO BE CONSIDERED IN-COMMITTEE
------------	--

SEE PINK DOCUMENTATION

The meeting adjourned at 14:30.

CHAIRPERSON:**DATE:****Confirmed on** **with/without amendments.**

8.	STATUTORY MATTERS
----	-------------------

NONE

9.	REPORT BY THE MUNICIPAL MANAGER RE OUTSTANDING RESOLUTIONS
----	--

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	SCHALKVDM	95.00	A site visit was undertaken on 26/10/2018. Internal meetings held. In the process of formulating an implementation plan. In process to undertake another site visit. Date to be determined.
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</p>	2016-11-23	SALIEMH	95.00	The content of the IWMP has been finalised and the annual review thereof has been completed. Final document will be submitted to Council by 30 November 2019.

		comment until the end of February 2017, and be re-submitted together with any comments / objections by D:EA&DP and the public, for final approval and adoption by Council.				
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	Report will be submitted to MayCo in October 2019 for recommendation to Council in order to proceed with S 78(3).
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;	2017-04-26	PIETS	30.00	Information statement regarding Voorgelegen and Rhenish complex compiled dated 28.8.19. Will be discussed at management before specifications are signed off.

		<p>(e) that, for the purpose of disposal, two independent valuers be appointed to determine the fair market value and fair market rental of the properties listed 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	SCHALKVDM	60.00	Environmental Impact Assessment (EIA) proceeding on 2 sites, Louw's Bos and Culcatta Bos. Expecting a decision from the DEADP on the NEMA application on both by November 2019 and Water Use Licensing by DWS by May 2020.

543945	IDENTIFYING OF MUNICIPAL AGRICULTURAL LAND FOR IMPLEMENTATION OF FARMER PRODUCTION SUPPORT UNIT (FPSU) - 9/2/1/1/1/3	<p>7.3.2 IDENTIFYING OF MUNICIPAL AGRICULTURAL LAND FOR IMPLEMENTATION OF FARMER PRODUCTION SUPPORT UNIT (FPSU)</p> <p>12TH COUNCIL: 2017-09-27: ITEM 7.3.2</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council support and approve the implementation of a Farmer Production Support Unit (FPSU) within the WCO24;</p> <p>(b) that Council support and approve the following two sites as identified for the purpose of a Farmer Production Support Unit (FPSU) in accordance with the Policy of the Management of Agricultural Land:</p> <ul style="list-style-type: none"> • Lease portion BH1 of Farm 502, Stellenbosch; and • Lease portion BH2 of Farm 502 Stellenbosch. <p>(c) that the Local Economic Development Department be mandated to undertake all required land use management applications and processes, which include, amongst others rezoning, registration of lease area and departures for the relevant area to accommodate a Farmer Production Support Unit (FPSU) as the current zoning is for agricultural purposes only, given sufficient funding and budget made available by the National Department of Rural Development and Land Reform (NDRDLR); and</p> <p>(d) that the National Department of Rural Development and Land Reform (NDRDLR) draft a MOU between the Stellenbosch Municipality as land owner and the National Department of Rural Development and Land Reform (NDRDLR) on the roles and responsibilities of the different role players for the Council to consider, prior to any lease agreement be entered into or change in land use process commences.</p> <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>	2017-09-27	WIDMARKM	65.00	Draft MOU completed. Zoning of the areas identified for the FPSU was confirmed to be correct to commence with the activities.
543966	PARKING UPGRADE REPORT	<p>7.6.1 PARKING UPGRADE REPORT</p> <p>12TH COUNCIL: 2017-09-27: ITEM 7.6.1</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that a Section 78 process be launched and that an internal parking service delivery increase be investigated through the Section 78(1) approach;</p>	2017-09-27	JOHANF	90.00	Section 78(4) report to be submitted to November 2019 Council meeting.

		<p>(b) that parking service delivery increase be based on the towns of:</p> <ul style="list-style-type: none"> i) Stellenbosch ii) Klapmuts, and iii) Franschhoek; and <p>(c) that a formal report be submitted to Council as required by Section 78(2), which will indicate the best way of rendering internal parking and any recommendations to a possible external method of rendering parking services.</p> <p>(DIRECTOR: ENGINEERING SERVICES TO ACTION)</p>				
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	90.00	The Department is still reviewing the document and do have some issues to clarify with the service provider based on recommendations made which are not in line with the current functioning of these components. This will affect staff structure as well. A meeting with the service provider is in process of being set up, and we are awaiting the availability of the service provider.
546882	Motion WC Petersen - Proposed development of erven 412 and 284, Groendal, Franschhoek	<p>10.2 MOTION BY COUNCILLOR WC PIETERSEN (MS): PROPOSED DEVELOPMENT OF ERVEN 412 AND 284, GROENDAL, FRANSCHHOEK</p> <p>12TH COUNCIL MEETING: 2017-09-27: ITEM 10.2</p> <p>The Speaker allowed Cllr WC Petersen (Ms) put her Motion, duly seconded. After the Motion was motivated, the Speaker allowed debate on the matter.</p> <p>The matter was put to the vote, yielding a result of all in favour.</p> <p>RESOLVED (nem con)</p> <p>that an item be prepared for Council's consideration regarding the development of Erf 412 (high density housing) and retirement resort Erf 284 with or without frail care facility.</p> <p>(OFFICE OF THE MM TO ACTION)</p>	2017-09-27	PIETS/ LESTERVS	30.00	The departments involved have gathered the necessary information and will submit an item to Council in October 2019.
559624	STELLENBOSCH MUNICIPALITY PROBLEM PROPERTIES DRAFT	<p>8.3.3 STELLENBOSCH MUNICIPALITY PROBLEM PROPERTIES DRAFT BY-LAW, AUGUST 2017</p> <p>14TH COUNCIL MEETING: 2017-11-29: ITEM 8.3.3</p>	2017-11-29	HEDRED	75.00	Item served at the MayCo meeting on 16 September 2019. Item on agenda for council meeting of 25 September 2019.

	BY- LAW, AUGUST 2017	<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>				
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 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</p>	2017-11-29	TABISOM	95.00	The LUPA application was submitted to the Department: Planning and Economic Development. Comments from Infrastructure Services were received accordingly. Await final approval from Infrastructure Services.

		<p>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/negotiations 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 INCH AND THE APPOINTMENT OF A TURNKEY DEVELOPER IN ORDER TO F	<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 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</p>	2017-11-29	TABISOM	92.00	The tender was evaluated by a multi-disciplinary team and the Bid Evaluation report was submitted to BEC during January 2019. A special technical committee was established of senior managers to determine the process for the compilation of Stage 2 of the tender. A proposed layout has been drafted in order for the Infrastructure Services to provide a Bill of Quantities for the potential bidders to submit their funding proposal.

		minuted. (DIR: HUMAN SETTLEMENTS TO ACTION)				
582874	FUTURE UTILIZATION OF EX-KLEINE LIBERTAS THEATRE SITE: CONSIDERATION OF INPUTS RECEIVED	8.4.2 FUTURE UTILIZATION OF EX-KLEINE LIBERTAS THEATRE SITE: CONSIDERATION OF INPUTS RECEIVED 16TH COUNCIL MEETING: 2018-03-28: ITEM 8.4.2 RESOLVED (nem con) a) that Council takes note of the large number of inputs/comment received; and 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.	2018-03-28	PIETS	70.00	Architect and team appointed to draw up final drawings and specifications.
601650	THE AWARDING OF RIGHTS TO THE LOCAL ECONOMIC HUBS	7.3.1 THE AWARDING OF RIGHTS TO THE LOCAL ECONOMIC DEVELOPMENT HUBS 18TH COUNCIL MEETING: 2018-07-25: ITEM 7.3.1 RESLOVED (majority vote) (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 1. The Old Clinic Building (Erven 6487 & 6488) Ranyaka 2. Triangle Building (Erf 228) Hugernote Fine Chocolates 3. Mooiwater Building (Erf 2253) ABC Empowerment (Profiles attached Appendix 2 (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; (c) that the contract must make provision for termination on non-performance in terms of the agreement; (d) that the contract be awarded for a period of 9 years and 11 months; and (e) that the awarding of rights of the Old Agricultural Hall to the Stellenbosch Craft	2018-07-25	TABISOM	90.00	Ranyaka: Agreement signed. Hugernote Fine Chocolates: Agreement signed. ABC Empowerment: Applicant withdrew. Re-advertised but no applications received. The outstanding legal dispute has been resolved. Lease agreement on the Old Agricultural Hall in process.

		<p>Alive and Stellenbosch Trail Fund be awarded, conditional to the settlement of the outstanding legal dispute.</p> <p>Councillor F Adams requested that it be minuted that he supports the item, with reservations.</p>				
601711	PROPOSED RENEWAL OF VARIOUS LEASE AGREEMENTS	<p>7.5.4 PROPOSED RENEWAL OF VARIOUS LEASE AGREEMENTS</p> <p>18TH COUNCIL MEETING: 2018-07-25: ITEM 7.5.4</p> <p>RESOLVED (nem con)</p> <p>that this item be withdrawn for further refinement.</p>	2018-07-25	PIETS	70.00	<p>Item broken up into separate items that will serve before Council:</p> <p>Burgerhuis – September 2019</p> <p>Bergsicht – September 2019</p> <p>Toy Museum (Rhenish Complex) – item to be drafted</p> <p>Franschhoek tennis club – item to be drafted</p> <p>Franschhoek Bowling Club – item to be drafted</p>
612597	Draft 2 NORTHERN EXTENTION LAND FOR RELOCATION OF SURPLUS HOUSEHOLDS, KAYAMANDI PROGRESS - STATUS REPORT 20.09.2018	<p>8.2.3 NORTHERN EXTENSION / LAND FOR RELOCATION OF SURPLUS HOUSEHOLDS, KAYAMANDI: PROGRESS / STATUS REPORT</p> <p>20 TH COUNCIL MEETING: 2018-09-26: ITEM 8.2.3</p> <p>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.</p> <p>RESOLVED (majority vote with 7 abstentions)</p> <p>(a) that the progress to date (lack thereof), be noted;</p> <p>(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;</p> <p>(c) that the Municipal Manager reports back on progress within 3 months; and</p> <p>(d) that no definitive agreement(s) be concluded without Council's approval.</p>	2018-09-26	TABISOM	95.00	<p>Funding for the acquisition of land was received from the Provincial Department of Human Settlements. Transfer process is under way.</p>
616959	MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM	<p>7.5.5 MIGRATION OF OLD HOUSING WAITING LIST TO A HOUSING DEMAND DATABASE SYSTEM</p> <p>21ST COUNCIL MEETING: 2018-10-31: ITEM 7.5.5</p> <p>RESOLVED (nem con)</p> <p>(a) that Council approves that the administration embarks on a process of updating data on the old Housing Waiting List;</p>	2018-10-31	TABISOM	65.00	<p>The new Vois Housing Demand Database and Phone App launch took place on Monday, 26 August 2019 and the implementation of the update programme commenced on 2 September 2019, which will run until 28 February 2020. Notices to this effect were published on 29 August 2019. Monthly updates of these notices will be done on the Website. The update programme has already been rolled out in Idas</p>

		<p>(b) that all updated information be imported into the Municipal Housing Demand Database; and</p> <p>(c) that, when the above process has been concluded, the Municipal Housing Demand Database becomes the only reference point and source of information in determining the municipality's housing backlog and the profile of applicants.</p>				Valley, Cloeteville and Kayamandi. The System upgrade to the final version was done on 13 September 2019 enabling even more functionalities, inclusive of Reporting.
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	DEONL	80.00	By-Law served at a joint Infrastructure Services and Town Planning Section 80 Committee on 5 September 2019. It was resolved to recommend to the Mayor that further discussions be held with the historical buildings' fraternity.
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</p>	2018-10-31	PIETS	30.00	Tender document compiled and submitted to DCS before going to SCM.

		<p>married or have a legal dependent staying with him/her;</p> <p>ii) May not have received any form of financial assistance/subsidy from the State in obtaining a house/serviced site previously;</p> <p>iii) May not currently own any other fixed asset;</p> <p>iv) Must be a South African citizen;</p> <p>v) Must be a first time home owner; and</p> <p>vi) that a pre-emptive clause be inserted in the title deed of the property that the property be developed within 2 years and not be sold within 5 years of registration.</p>				
Erf23	<p>UTILISATION OF A PORTION OF THE WEMMERSHOEK COMMUNITY HALL AS AN EARLY CHILDHOOD DEVELOPMENT FACILITY (ECD CENTRE)</p>	<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	<p>Applicant informed of outcome. Agreement provided to applicant, but not signed yet.</p> <p>Meeting will be arranged to sign agreement as no feedback forthcoming from applicants on draft lease agreement.</p>
621772	<p>PROPOSED SERVICE DELIVERY IN</p>	<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>	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. A meeting in this regard was scheduled for 29 January 2019.</p> <p>Team establishment will be discussed at next Directors meeting.</p>

		<p>(d) that the Director: Planning and Economic Development be requested to commission a feasibility study with the view of identifying a possible site(s) for possible township establishment, taking into account the Draft SDF for Jonkershoek, but also taking into account the positioning of bulk infrastructure and access to the site(s);</p> <p>(e) that the National Department of Public Works be requested to transfer the land to Stellenbosch Municipality;</p> <p>(f) that the National Department of Public Works be requested to transfer the land on which the office space previously used by Cape Nature, either by way of acquisition or by way of a Lease Agreement, to the Municipality;</p> <p>(g) that, the Director: Infrastructure Services be requested to compile a status quo report regarding the availability of bulk infrastructure but also indicating the cost of possible interim upgrading of such bulk infrastructure;</p> <p>(h) that the Director: Planning & Economic Development be requested to finalise the SDF for Jonkershoek in terms of the SPLUMA Act 16 of 2013;</p> <p>(i) that the Municipal Manager be authorised to conclude an agreement(s) with the relevant authorities to ensure that Stellenbosch Municipality is in a position to do law enforcement in the Jonkershoek Valley, with specific reference to the prevention of further unauthorised structures being constructed/erected;</p> <p>(j) that a progress report be tabled to Council within 6 months, including an environmental impact report and indicating progress that has been made regarding the provision of services; and</p> <p>(k) that, in the mean-time, all expenditure be incurred within the existing, approved budget.</p> <p>The following Councillors requested that it be minuted that they abstained from voting on the matter:</p> <p>Cllrs F Adams; DA Hendrickse and LK Horsband (Ms).</p>				
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>	2019-02-27	NOMIET	80.00	<p>Investigator appointed.</p> <p>Report to be submitted to Speaker when investigation completed</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>				
639570	<p>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 THE KAYAMANDI ECONOMIC AND TOURISM CORRIDOR (KETC)</p>	<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	WIDMARKM	75.00	Date for submission of item extend to October 2019 in order to accommodate inputs by the local community.

632905	DRAFT STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019)	7.1.2 DRAFT STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019) 26 TH 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.	2019-04-24	SCHALKVDM	80.00	Document was advertised in the Eikestad News on 09 May 2019. An Item with the final plan has been prepared to serve before Council on 25 September 2019.
	POSSIBLE DISPOSAL OF A PORTION OF ERF 23, FRANSCHHOEK TO THE FRANSCHHOEK METHODIST CHURCH	7.2.1 POSSIBLE DISPOSAL OF A PORTION OF ERF 23, FRANSCHHOEK TO THE FRANSCHHOEK METHODIST CHURCH 26 TH 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, Franschoek, 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 Franschoek Methodist Church without following a public tender process, and subject to the following conditions: c) that the purchase price be determined at 30% of market value, the market value to be determined by two (2) independent valuers; d) 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; e) that the church be responsible for the sub-division and rezoning of erf 23, Franschoek, to allow for a separate unit to be transferred; f) that a servitude be registered in favour of the Municipality regarding all municipal services crossing the property; g) that a right of access from Bagatelle Street be registered in favour of the church. h) 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 i) that, following the public participation process, the matter be submitted to Council to make a final decision on the disposal, or not.	2019-04-24	PIETS	90.00	A public notice was published on 20-06-2019, soliciting public input/objections/alternative proposal. No submission was received. Item ready to be re-submitted during October 2019 round for a final decision.

	<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> <p><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></p>	2019-04-24	ANNALENEDB	80.00	<p>Council resolved to call for proposals before final decision is taken.</p> <p>Tender specifications for the sale of various institutional sites in Mooiwater, Franschhoek has been submitted to DCS.</p> <p>Awaiting approval of tender specifications.</p>
635397	<p>ESTABLISHMENT OF 'FRIENDS GROUPS' FOR STELLENBOSCH NATURE RESERVES AND DESIGNATED NATURE AREAS</p>	<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</p>	2019-04-24	ALBERTVDM	70.00	<p>An advertisement was placed in the local newspaper for interested parties for a period of 60 days. A total of 29 names have been received. A General meeting will be scheduled with all 29 people to discuss the way forward.</p>

		<p>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> <p><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></p>				
	<p>PROPOSED RENEWAL OF EXISTING MEMORANDUM OF UNDERSTANDING FOR THE MUNICIPAL COURT OF STELLENBOSCH</p>	<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	90.00	<p>Agreement sent to Department of Justice for signature.</p> <p>Regular follow ups with department of Justice.</p>
	<p>PROPOSED DISPOSAL OF ERF 347, LE ROUX (GROENDAL)</p>	<p>7.2.2 PROPOSED DISPOSAL OF ERF 347, LE ROUX (GROENDAL)</p> <p>27TH COUNCIL MEETING: 2019-05-29: ITEM 7.2.2</p> <p>RESOLVED (majority vote)</p> <p>(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;</p> <p>(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;</p> <p>(c) that the market value of the property be determined by two independent valuers and be taken into consideration in the SCM determination and</p>	2019-05-29	PIETS	30.00	<p>Compilation of tender document in progress.</p>

		<p>reported to Council when the item is tabled for final consideration as indicated in (d) below; and</p> <p>(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.</p> <p><i>Cllrs DA Hendrickse and LK Horsband requested that their votes of dissent be minuted</i></p>				
DRAFT LAND USE ENFORCEMENT POLICY FOR STELLENBOSCH MUNICIPALITY, MARCH 2019	<p>7.7.1_DRAFT LAND USE ENFORCEMENT POLICY FOR STELLENBOSCH MUNICIPALITY, MARCH 2019</p> <p>27TH COUNCIL MEETING: 2019-05-29: ITEM 7.7.1</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that the draft Land Use Enforcement Policy for Stellenbosch Municipality, March 2019, be approved in principle; and</p> <p>(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.</p>	2019-05-29	HEDRED	70.00	Draft Land use Enforcement Policy advertised on 29 August 2019. Closing date is 29 October 2019.	
PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP OF VAALDRAAI (ELSENBURG) FROM PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY	<p>7.10.2_PROPOSED TRANSFER OF MANAGEMENT AND OWNERSHIP OF VAALDRAAI (ELSENBURG) FROM PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO STELLENBOSCH MUNICIPALITY</p> <p>27TH COUNCIL MEETING: 2019-05-29: ITEM 7.10.2</p> <p>RESOLVED (nem con)</p> <p>(a) that Council, in principle, agrees to take over the Management of the Vaaldraai Settlement, as an interim arrangement;</p> <p>(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;</p> <p>(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</p>	2019-05-29	PIETS/LESTERV S	12.00	<p>Provincial Government informed of outcome.</p> <p>During August 2019, a site inspection was done in order to prepare specification to appoint a service provider. The extend of the property in collaboration with Provincial Department of Public Works is paramount for an accurate feasibility study. Tender specifications to be completed and submitted to serve at Bid Specification Committee.</p>	

		<p>of additional land to be transferred, taking into account the number of residents/backyard dwellers already on the property; and</p> <p>(d) that, following the feasibility study, a progress report be submitted to Council with the view of making a final determination on the matter.</p>				
	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	<p>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</p> <p>27TH COUNCIL MEETING: 2019-05-29: ITEM 8.2.4</p> <p>RESOLVED (majority vote)</p> <p>(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;</p> <p>(b) that Council authorizes the Municipal Manager to explore a public private partnership for the Adam Tas Re-generation Initiative;</p> <p>(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</p> <p>(d) that the Municipal Manager provides feedback to Council.</p> <p><i>Councillors F Adams; DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</i></p>	2019-05-29	SHIREENDV	50.00	<p>The item was tabled, and the recommendations were adopted by Council.</p> <p>Continuous discussions have taken place with various stakeholders including STIAS, Stellenbosch University, private land owners and the Western Cape Dept. of Environmental Affairs and Planning.</p>
	INTEGRATED HUMAN SETTLEMENTS PLAN: STELLENBOSCH MUNICIPALITY	<p>8.2.6 INTEGRATED HUMAN SETTLEMENTS PLAN: STELLENBOSCH MUNICIPALITY</p> <p>27TH COUNCIL MEETING: 2019-05-29: ITEM 8.2.6</p> <p>RESOLVED (majority vote with abstentions)</p> <p>(a) that Council approves the Integrated Human Settlements Plan (IHSP) attached as ANNEXURE A, in principle;</p> <p>(b) that the Integrated Human Settlement Plan (IHSP) be advertised for public input in accordance with Council's policy; and</p>	2019-05-29	TABISOM	70.00	<p>An advert was placed in the local newspaper for public comments and the closing date was 12 July 2019. The department is in the process to finalise all inputs/comments received from the public and prepare an item to be serve before Council.</p>

		<p>(c) that, should any inputs be received, same be considered by Council before a final decision is made.</p> <p><i>Councillors DA Hendrickse and LK Horsband (Ms) requested that their abstentions be minuted.</i></p>				
	<p>APPLICATION TO LEASE UNIT 1 OF BOSMANSHUIS (PART OF THE DORP STREET FLATS UNITS) TO THE IEC: CONSIDERATION OF WRITTEN INPUTS RECEIVED</p>	<p>7.2.1 APPLICATION TO LEASE UNIT 1 OF BOSMANSHUIS (PART OF THE DORP STREET FLATS UNITS) TO THE IEC: CONSIDERATION OF WRITTEN INPUTS RECEIVED 29TH COUNCIL MEETING: 2019-07-24: ITEM 7.2.1</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council takes note of the written submission received from Stellenbosch Interest Group; and</p> <p>(b) that approval be granted to enter into a 3-year lease agreement with the IEC at an initial monthly rental of R5940, being 30% of fair market value, subject to the following conditions:</p> <p>(i) IEC to take full responsibility for all internal maintenance as well as any functional upgrades needed for their own purposes;</p> <p>(ii) That no upgrades or changes may take place without approval of the Municipality and taking into account the heritage status of the building;</p> <p>(iii) That an early termination clause be inserted indicating that the contract can be terminated with a six (6) months written notice, should Council need the property for its own use, or should Council decide to dispose of the property or for any other legal reason want to cancel the lease;</p> <p>(iv) An annual escalation on 1 July 2020 and 2021 of 7% apply;</p> <p>(v) That the Municipal Manager be authorised to conclude the Lease Agreement.</p> <p><i>Cllrs DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</i></p>	2019-07-24	PIETS	90.00	Agreement submitted to applicant for signature

	<p>PROPOSED EXCHANGE OF LAND: DISPOSAL OF ERF 1523 TO THE SEVENTH DAY ADVENTIST CHURCH IN EXCHANGE FOR ERF 718, KAYAMANDI: CONSIDERATION OF INPUTS RECEIVED</p>	<p>7.2.2 PROPOSED EXCHANGE OF LAND: DISPOSAL OF ERF 1523 TO THE SEVENTH DAY ADVENTIST CHURCH IN EXCHANGE FOR ERF 718, KAYAMANDI: CONSIDERATION OF INPUTS RECEIVED</p> <p>29TH COUNCIL MEETING: 2019-07-24: ITEM 7.2.2</p> <p>RESOLVED (nem con)</p> <p>(a) that Council takes note of the written submission received and the concerns raised therein;</p> <p>(b) that Council approves the exchange of erf 718, Kayamandi for erf 1523 at equal value to the Seventh Day Adventist Church, subject to a fall-back clause, should the church not use the property for institutional use anymore; and</p> <p>(c) that the Municipal Manager be authorised to sign all documents necessary to attend to the transfer of erf 1523 to the Seventh Day Adventist Church.</p>	2019-07-24	PIETS	50.00	Notice compiled will be published during September 2019.
	<p>PROPOSED CONCLUSION OF LEASE AGREEMENTS: LEASE FARMS 502 AX AND AY</p>	<p>7.2.3_PROPOSED CONCLUSION OF LEASE AGREEMENTS: LEASE FARMS 502 AX AND AY</p> <p>29TH COUNCIL MEETING: 2019-07-24: ITEM 7.2.3</p> <p>RESOLVED (majority vote)</p> <p>(a) that it be noted that no written submissions/input/objections were received, following the public notice;</p> <p>(b) that Council approves the leasing of Lease Farms 502 AX and AY to Mr Jacques Olivier for a period of 9 years and 11 months at a rate of 20% of market value, (R438.85 ha/per annum), provided that the current farming continues and that the land only be used for bona fide farming purposes;</p> <p>(c) that the rental be increased by CPI (based on 12 months July to June) on a yearly basis. That it be noted that when a new evaluation (every 5 years) takes place the rental be 20% of that market value with the same escalation provision until the end of the contract;</p> <p>(d) that Mr Olivier ensures as far as is reasonably possible that the current people who farm on the land under his supervision continue to farm;</p> <p>(e) that Mr Olivier provides the Municipality with the list of people who currently form part of the farming on the property; and</p>	2019-07-24	PIETS/ KCAROLUS	80.00	<p>Although the monthly and annual levies have not been paid on a regular basis, all outstanding amounts have been paid by the Estates of both HC Myburgh and RH Myburgh after their death on 19/12/2002 and 15/10/2009 respectively.</p> <p>Agreement submitted to DCS for approval.</p>

		<p>(f) that a separate report on the outstanding debt be provided to council by the Finance Department.</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p> <p><i>Cllrs FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); RS Nalumango (Ms); N Mananga-Gugushe (Ms); MD Oliphant and N Sinkinya (Ms);</i></p>				
<p>PROPOSED DEVELOPMENT OF ERF 81/2 AND ERF 81/9, STELLENBOSCH, FOR BACKYARDERS OF STELLENBOSCH</p>	<p>7.4.1 PROPOSED DEVELOPMENT OF ERF 81/2 AND ERF 81/9, STELLENBOSCH, FOR BACKYARDERS OF STELLENBOSCH</p> <p>29TH COUNCIL MEETING: 2019-07-24: ITEM 7.4.1</p> <p>RESOLVED (majority vote)</p> <p>(a) that a feasibility study as a matter of urgency must be concluded to determine the exact extent of the developable area;</p> <p>(b) that the appropriate land use rights as a matter of urgency be obtained;</p> <p>(c) that any development on the property be sensitive and complementary to enhancing the aesthetics of the entrance of Stellenbosch;</p> <p>(d) that the proposed development be earmarked for backyarders in Cloetesville, Ida's Valley and Kayamandi; and</p> <p>(e) that the report be brought to Council as soon as possible.</p> <p><i>Cllrs DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</i></p>	2019-07-24	TABISOM	60.00	<p>a) that the specifications for the appointment of a service provider to undertake a feasibility study has been approved by the Bid Specification Committee and to be advertised. Recommendations for the findings of the feasibility study will be submitted to Council for approval;</p> <p>b) that the finalisation of the appropriate land use rights will be determined on completion of the feasibility study;</p> <p>c) noted;</p> <p>d) noted; and</p> <p>e) noted.</p>	
<p>VAN DER STEL SPORT FACILITY: REVIEW OF THE AGREEMENTS BETWEEN STELLENBOSCH MUNICIPALITY (WC024), STELLENBOSCH</p>	<p>12.2 VAN DER STEL SPORT FACILITY: REVIEW OF THE AGREEMENTS BETWEEN STELLENBOSCH MUNICIPALITY (WC024), STELLENBOSCH SPORT AND RECREATION ASSOCIATION (SSRA) AND VAN DER STEL SPORT COUNCIL</p> <p>29TH COUNCIL MEETING: 2019-07-24: ITEM 12.2</p> <p>RESOLVED (majority vote)</p>	2019-07-24	ALBERTVDM	20.00	<p>The department is in the process of compiling the specifications to appoint a service provider to do a forensic audit. This appointment will be via a tender process.</p> <p>The MOU with the SSRA has been signed.</p> <p>The reviewed of the Sports facility Management Plan will be in line with the decision taken on the</p>	

SPORT AND RECREATION ASSOCIATION (SSRA) AND VAN DER STEL SPORT COUNCIL	<p>(a) that the draft MOU between the Stellenbosch Municipality and the SSRA be approved for a six-month period;</p> <p>(b) that, upon the dissolution of the lease agreement between the SSRA and Van Der Stel Sports Council, the Director: Community & Protection Services be mandated to conclude a lease agreement, in line with a rental amount in line with relevant tariffs for rental of municipal property, as amended, from time to time;</p> <p>(c) that Council agrees that the Community Services Department review the Sport Policy and Facilities Management Model (Plan) of the Stellenbosch Municipality, in consultation with the SSRA;</p> <p>(d) that Council notes that the Municipality will appoint a service provider to conduct a forensic audit of the financial (accounts), operational systems and processes in operation at the Van Der Stel Sport Club; and that the Senior Manager Community Services report back to Council on the forensic investigation's outcome;</p> <p>(e) that Council notes that the Community Services Department will commence with the process to develop an alternative management model for the Van Der Stel Sport facility, in consultation with the SSRA;</p> <p>(f) that a separate report on the outstanding debt of Area Sport Councils be submitted to the next Council Meeting; and</p> <p>(g) that the period of the aforementioned lease agreement period not exceed six (6) months and that the draft Lease Agreement be updated to reflect same.</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p> <p><i>Cllrs FT Bangani-Menziwa (Ms); DA Hendrickse; LK Horsband (Ms); C Moses (Ms); RS Nalumango (Ms); N Mananga-Gugushe (Ms); MD Oliphant and N Sinkinya (Ms);</i></p> <p><i>Cllr J Hamilton requested that his vote of support be minuted.</i></p>					way forward regarding the management of Van der Stel Sports Facilities.
THE ALLOCATION OF VACANT MUNICIPAL AGRICULTURAL LAND	4.4 THE ALLOCATION OF VACANT MUNICIPAL AGRICULTURAL LAND TO THE SUCCESSFUL LAND APPLICANTS SPECIAL COUNCIL MEETING: 2019-08-14: ITEM 4.4	2019-08-14	WIDMARKM	10.00		Reviewing of policy in process.

TO THE SUCCESSFUL LAND APPLICANTS	<p>Amendment on recommendation (c) voted in. Recommendation (a) and (b) remain, and (c) below, added:</p> <p>“(c) that the Policy be reviewed to address the unintended consequences.”</p> <p><i>The following Councillors requested that their votes of dissent be minuted:</i></p> <p><i>F Adams; FT Bangani-Menziwe (Ms); (Ms); DA Hendrickse; LK Horsband (Ms); N Mananga-Gugushe (Ms); C Moses (Ms); RS Nalumango (Ms); and N Sinkinya (Ms).</i></p> <p>RESOLVED (majority vote with abstentions)</p> <p>that this matter be referred back to the Administration for further consideration and be resubmitted at the 28 August 2019 Council meeting.</p>				
PROPOSED RENEWAL OF LEASE AGREEMENT: PORTION OF ERF 62, KAYAMANDI: DEPARTMENT OF PUBLIC WORKS: POLICE STATION	<p>11.2.1 PROPOSED RENEWAL OF LEASE AGREEMENT: PORTION OF ERF 62, KAYAMANDI: DEPARTMENT OF PUBLIC WORKS: POLICE STATION</p> <p>30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.1</p> <p>RESOLVED (nem con)</p> <p>(a) that the portion of erf 62, used as a police station, be identified as land not needed for municipal purposes during the proposed lease period;</p> <p>(b) that approval be granted for the renewal of the Lease Agreement for a period of 9 years and 11 months;</p> <p>(c) that it be noted that leasing property to another sphere of government/organ of state is exempted from following a public participation process;</p> <p>(d) that Council considers the request of the department to rent the property at an amount of R 6121.99 per month, escalating at 6% per annum, and</p> <p>(e) that the Municipal Manager be authorised to draft and sign an appropriate new lease agreement.</p>	2019-08-28	PIETS	50.00	Lease agreement compiled. Awaiting approval from DCS.
APPLICATION BY PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO ACQUIRE ERF 718, KAYAMANDI FOR THE UPGRADE AND EXPANSION OF THE	<p>11.2.2 APPLICATION BY PROVINCIAL GOVERNMENT OF THE WESTERN CAPE TO ACQUIRE ERF 718, KAYAMANDI FOR THE UPGRADE AND EXPANSION OF THE EXISTING KAYAMANDI CLINIC</p> <p>30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.2</p> <p>RESOLVED (nem con)</p>	2019-08-28	PIETS	50.00	Notice compiled will be published during September 2019.

EXISTING KAYAMANDI CLINIC	<p>(a) that Erf 718 Kayamandi be identified as land not needed to provide the minimum level of basic municipal services;</p> <p>(a) that Council, approves the disposal of Erf 718 Kayamandi to the Provincial Government of the Western Cape, free of charge, on condition:</p> <p style="padding-left: 20px;">i) that they be responsible for the rezoning and consolidation of Erf 718;</p> <p style="padding-left: 20px;">ii) that all costs associated with the transfer; including the cost of obtaining vacant occupation, be for the account of the Provincial Government.</p> <p>(c) that Council considers whether the Erf is donated or sold at a price below market value as it will be used for the benefit of the community;</p> <p>(d) that Council's intention to donate/sell Erf 718 to the Provincial Government be advertised for public inputs/objections; and</p> <p>(e) that, following the public notice, the item be brought back to Council to consider any inputs/objections before making a final decision.</p>					
ADOPTION OF REVISED SYSTEM OF DELEGATIONS	<p>11.2.3 ADOPTION OF REVISED SYSTEM OF DELEGATIONS</p> <p>30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3</p> <p>The Speaker RULED</p> <p>that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, whereafter same be resubmitted to the September 2019 Council meeting.</p>	2018-08-28	ANNALENEDB	95.00		Item served at MayCo in September 2019. Recommendations to serve at Council in September 2019.
ADOPTION OF THE DRAFT LOCAL ECONOMIC DEVELOPMENT STRATEGY FOR PUBLIC PARTICIPATION	<p>11.7.1 ADOPTION OF THE DRAFT LOCAL ECONOMIC DEVELOPMENT STRATEGY FOR PUBLIC PARTICIPATION</p> <p>30TH COUNCIL MEETING: 2019-08-28: ITEM 11.7.1</p> <p>RESOLVED (nem con)</p> <p>that the draft Economic Development Strategy be approved and published for further inputs from the public for a period of 30 days.</p>	2019-08-28	WIDMARKM	50.00		Notice for comments on the draft Economic Development Strategy was published on 5 September 2019 with a closing date of 05 October 2019.

	REVIEWED STELLENBOSCH LIQUOR TRADING HOURS BY-LAW FOR COUNCIL APPROVAL	<p>11.7.3 REVIEWED STELLENBOSCH LIQUOR TRADING HOURS BY-LAW FOR COUNCIL APPROVAL</p> <p>30TH COUNCIL MEETING: 2019-08-28: ITEM 11.7.3</p> <p>RESOLVED (nem con)</p> <p>(a) that Council approves the Reviewed Stellenbosch Liquor Trading By-law for public consultation purposes; and</p> <p>(b) that the Administration be mandated to advertise said Reviewed Stellenbosch Liquor Trading By-law for public comments (60 days), after which it will be submitted to Council for final consideration.</p>	2019-08-28	WIDMARKM	50.00	Notice for comments on reviewed Stellenbosch Liquor Trading Hours By-law was published on 5 September 2019 with a closing date of 05 October 2019.
	DRAFT STELLENBOSCH INFORMAL TRADING POLICY FOR COUNCIL APPROVAL	<p>11.7.4 DRAFT STELLENBOSCH INFORMAL TRADING POLICY FOR COUNCIL APPROVAL</p> <p>30TH COUNCIL MEETING: 2019-08-28: ITEM 11.7.3</p> <p>RESOLVED (nem con)</p> <p>(a) that Council approves the Draft Stellenbosch Informal Trading Policy for public consultation purposes; and</p> <p>(b) that the Administration be mandated to advertise said Draft Stellenbosch Informal Trading Policy for public comments after which it will be submitted to Council for final consideration.</p>	2019-08-28	WIDMARKM	50.00	Notice for comments Notice for comments on the Draft Stellenbosch Informal Trading Policy was published on 5 September 2019 with a closing date of 05 October 2019.
	APPROVAL OF LEASE AGREEMENT FOR OFFICE SPACE: EIKESTAD MALL	<p>13.3 APPROVAL OF LEASE AGREEMENT FOR OFFICE SPACE: EIKESTAD MALL</p> <p>30TH COUNCIL MEETING: 2019-08-28: ITEM 13.3</p> <p>RESOLVED (majority vote)</p> <p>(a) that Council approves the conclusion of a 2-year Lease Agreement with an option of a further renewal with Eikestad Mall Joint Venture, based on a tariff of R210/m², for 961.01m², escalating at 8% per annum for the current and additional office space available;</p> <p>(b) that the Municipal Manager be authorised to conclude the lease agreement with Eikestad Mall Joint Venture; and</p> <p>(c) that it be noted that the Municipal Manager will allocate the office space in view of the needs identified.</p>	2019-08-28	PIETS	90.00	Draft Lease agreement submitted by land lord. Will be scrutinised before finalisation.

		<i>Councillors DA Hendrickse and LK Horsband (Ms) requested that their votes of dissent be minuted.</i>																																															
THE ALLOCATION OF VACANT MUNICIPAL AGRICULTURAL LAND TO THE SUCCESSFUL LAND APPLICANTS	13.1 THE ALLOCATION OF VACANT MUNICIPAL AGRICULTURAL LAND TO THE SUCCESSFUL LAND APPLICANTS 30 TH COUNCIL MEETING: 2019-08-28: ITEM 13.1 RESOLVED (nem con) (a) that Council notes the process undertaken and the final recommended outcomes as listed below.	2019-08-28	WIDMARKM	10.00	Policy review in process																																												
	<table border="1"> <thead> <tr> <th>No</th> <th>Portion</th> <th>Size (ha)</th> <th>Water (ha)</th> <th>Highest scorer</th> <th>Recommended</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>502 V</td> <td>21.6</td> <td>8</td> <td>Hylton P Arendse</td> <td>That Hylton P. Arendse be the preferred applicant for 502 V.</td> </tr> <tr> <td>13</td> <td>502 AP</td> <td>7</td> <td>2</td> <td>Chris Jacobs</td> <td rowspan="2">That Chris Jacobs be the preferred applicant for 502 AP and AM. The two pieces of land lay adjacent to each other and will make economic sense to farm as one unit</td> </tr> <tr> <td>12</td> <td>502 AM</td> <td>8.56</td> <td>3</td> <td>Chris Jacobs</td> </tr> <tr> <td>4</td> <td>502 AW</td> <td>6</td> <td>0</td> <td>Bradley Cortereal</td> <td>That Bradley Cortereal be the preferred applicant for 502 AW.</td> </tr> <tr> <td></td> <td>502 AU</td> <td>8.9</td> <td></td> <td>Re advertise for beekeeping</td> <td>Portion 502AU is regarded as a nature conservation area by Cape Nature, the only farming purpose this land could be utilized for is beekeeping as the property is overgrown by fynbos.</td> </tr> <tr> <td></td> <td>502 M</td> <td>5.1</td> <td>3</td> <td rowspan="2">Re advertise 502 M & 502 Was one unit</td> <td rowspan="2">The portion is located next to 502W, and should be utilised as a water resource for 502M as it is</td> </tr> <tr> <td></td> <td>502 W</td> <td>9</td> <td>3</td> </tr> </tbody> </table>	No	Portion	Size (ha)	Water (ha)	Highest scorer	Recommended	5	502 V	21.6	8	Hylton P Arendse	That Hylton P. Arendse be the preferred applicant for 502 V.	13	502 AP	7	2	Chris Jacobs	That Chris Jacobs be the preferred applicant for 502 AP and AM. The two pieces of land lay adjacent to each other and will make economic sense to farm as one unit	12	502 AM	8.56	3	Chris Jacobs	4	502 AW	6	0	Bradley Cortereal	That Bradley Cortereal be the preferred applicant for 502 AW.		502 AU	8.9		Re advertise for beekeeping	Portion 502AU is regarded as a nature conservation area by Cape Nature, the only farming purpose this land could be utilized for is beekeeping as the property is overgrown by fynbos.		502 M	5.1	3	Re advertise 502 M & 502 Was one unit	The portion is located next to 502W, and should be utilised as a water resource for 502M as it is		502 W	9	3			
No	Portion	Size (ha)	Water (ha)	Highest scorer	Recommended																																												
5	502 V	21.6	8	Hylton P Arendse	That Hylton P. Arendse be the preferred applicant for 502 V.																																												
13	502 AP	7	2	Chris Jacobs	That Chris Jacobs be the preferred applicant for 502 AP and AM. The two pieces of land lay adjacent to each other and will make economic sense to farm as one unit																																												
12	502 AM	8.56	3	Chris Jacobs																																													
4	502 AW	6	0	Bradley Cortereal	That Bradley Cortereal be the preferred applicant for 502 AW.																																												
	502 AU	8.9		Re advertise for beekeeping	Portion 502AU is regarded as a nature conservation area by Cape Nature, the only farming purpose this land could be utilized for is beekeeping as the property is overgrown by fynbos.																																												
	502 M	5.1	3	Re advertise 502 M & 502 Was one unit	The portion is located next to 502W, and should be utilised as a water resource for 502M as it is																																												
	502 W	9	3																																														

					a wetland area, which will not be suitable for farming on its own.				
		5	502 BFN	15.5	6	Elsenburg Khoisan Farmers	That Elsenburg Khoisan Farmers be the preferred applicant for 502BFN. More than 10ha of land have been already allocated to both Hilton Arendse and Chris Jacobs.		
		18	619/1	26	0	Jeremy van Niekerk	That Jeremy van Niekerk be the preferred applicant for 619/1. More than 10ha of land have been already allocated to both Chris Jacobs and Elsenburg Khoisan Farmers.		
		27	279 BN	25.3	0	Re-advertised	Recommended to be re-advertised.		
			165/1	10.5	0	Re-advertised	No responsive application was received for this portion of land. The land in its current state should be utilised for grazing purposes Recommended to be re-advertised		
		(b)	that the Policy be reviewed to address the unintended consequences; and						
		(c)	that the Administration continue with the implementation of the Policy in regard to vacant land.						

NB: RESPONSES PROVIDED BY RELEVANT DEPARTMENTS

10.	ITEMS FOR NOTING
------------	-------------------------

10.1	REPORT/S BY THE EXECUTIVE MAYOR
-------------	--

NONE

10.2	REPORT/S BY THE SPEAKER
-------------	--------------------------------

NONE

10.3	REPORT/S BY THE MUNICIPAL MANAGER
-------------	--

10.3.1	MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 2019
---------------	--

Collaborator No: 661598
IDP KPA Ref No: Good Governance
Meeting Date: 25 September 2019

1. SUBJECT: MONTHLY FINANCIAL STATUTORY REPORTING: DEVIATIONS FOR AUGUST 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 2019/2020 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 (2019/2020) stipulate that SCM deviations be reported to Council. In compliance thereto, this report presents to Council the SCM deviations that occurred during August 2019.

5. FOR NOTING

the deviations as listed for the month of August 2019.

6. DISCUSSION / CONTENTS**6.1. Background/Legislative Framework**

The regulation applicable is as follows:

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

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

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

(i) in an emergency;

(ii) if such goods or services are produced or available from a single provider only;

(iii) for the acquisition of special works of art or historical objects where specifications are difficult to compile;

(iv) acquisition of animals for zoos; or

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

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

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

6.2. Discussion

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

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

DEVIATION NUMBER	CONTRACT DATE	NAME OF CONTRACTOR	CONTRACT DESCRIPTION	REASON	SUBSTANTIATION WHY SCM PROCESS COULD NOT BE FOLLOWED	TOTAL CONTRACT PRICE R
D/SM 03/20	05 August 2019	Nejeni Construction and Project Management	Emergency repairs at Lappan Street	Emergency	Frequent blockages were experienced on the midblock sewer connection for ERF 9034 which resulted in sewer spillages. The sewer connection has collapsed leaving the factory without a service. The factory manufactures food products and the sewer connection needed emergency repairs. Water Services have to constantly clean up the backyards due to raw sewage overflowing. This was an emergency that had to be attended to immediately.	R104 136.07 (Incl.Vat)

D/SM 04/20	08 August 2019	Adapt IT (Pty) Ltd	CaseWare software products	Goods or services are produced or available from a single provider	The municipality had used CaseWare as its financial reporting tool since April 2010. This service was procured via our financial system service provider, Bytes, as part of our service level agreement; however Bytes is no longer willing to procure these licenses on behalf of the municipality. In order to comply with sec. 126 of MFMA, the municipality deemed best to purchase Caseware directly from Adapt IT.	R 155 945.7 (Incl.Vat)
---------------	-------------------	-----------------------	----------------------------------	--	--	---------------------------

6.3 Financial Implications

As per the table above.

6.4 Legal Implications

The regulation applicable is:

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

6.5 Staff Implications:

No staff implications

6.6 Previous / Relevant Council Resolutions:

None

6.7 Risk Implications

That the market may not be tested.

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

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

6.8 Comments from Senior Management:

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

6.8.1 Municipal Manager

Supports the recommendations.

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	06 August 2019

11.	ITEMS FOR CONSIDERATION FROM THE EXECUTIVE MAYOR OR MAYORAL COMMITTEE: [ALD. G VAN DEVENTER (MS)]
11.1	COMMUNITY AND PROTECTION SERVICES: (PC : CLLR Q SMIT)
11.1.1	STELLENBOSCH MUNICIPALITY INTEGRATED FIRE MANAGEMENT PLAN (JANUARY 2019)

Collaborator No: 658594
IDP KPA Ref No: Good Governance
Meeting Date: 11 September 2019

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

2. **PURPOSE**

Stellenbosch Municipality, like the rest of the Western Cape, continue to be threatened by veld fires. The Draft Stellenbosch Municipality Integrated Fire Management Plan (SFMP, January 2019) (Annexure A) has been prepared to provide the necessary information for sound veld fire management with an emphasis on Stellenbosch Municipality's legal obligations as landowner. Following a previous Council decision, to advertise the document for public input, the Stellenbosch Municipality Integrated Fire Management Plan is brought back to Council for adoption.

3. **DELEGATED AUTHORITY**

For decision by the Council of Stellenbosch Municipality.

4. **EXECUTIVE SUMMARY**

Stellenbosch Municipality (the Municipality) continue 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 SFMP is to ensure that veld fires are able to serve greater good than harm. It aims to eliminate loss of life, human injury, 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

5. **RECOMMENDATION**

that Council adopts the Stellenbosch Municipality Integrated Fire Management Plan (January 2019) to guide fire management within the WC024 area.

6. DISCUSSION / CONTENTS

6.1. Background

As stated above, Stellenbosch Municipality continue to be threatened by veld fires. The Municipality is also 'n landowner of quite a substantial portion of land within the municipal area.

The Municipality not only have to act in the interest of its communities by protecting everyone's the right to an environment that is not harmful to their health or well-being and to have the environment protected for the benefit of present and future generations through reasonable legislative and other measures but, as landowner, have a number of direct responsibilities as prescribed by the legislation listed in #6.4 below.

6.2 Discussion

The SFMP lists overarching fire management goals, namely:

- Protect life and property.
- Protect natural and cultural resources from undesirable effects of fire.
- Suppress unwanted fire.
- Allow fire to assume its natural role in ecosystems.
- Manage fire cooperatively with neighboring agencies and private land owners as well as other stakeholders.

In order to fulfil the objectives listed above the SFMP makes provision for the following three components in the approach to the occurrence of veld fires:

a) Awareness

The majority of unwanted fires are caused by human intervention. Proper training and education will promote awareness of risks and the ability to make the right decisions in situations that demand quick and efficient response. It is essential to know where danger areas are, which season present the biggest risks and understand the local conditions which are conducive to fire inception and spread.

b) Prevention and preparedness

Prevention is always better than the cure. After awareness, prevention and control are the secondary steps in fire management. The SFMP puts forward measures to achieve the objectives of fire prevention.

c) Response

All fires start small, thus, detection at the earliest possible stage is critical and is therefore also regarded as being as important a part of preparedness as it is for ensuring an appropriate response.

6.3. Financial Implications

Although not always sufficiently so, most of the functions covered in the SFMP is already provided for in the Municipality's annual budget. These functions include that of awareness (internal training), fire prevention and -reaction capabilities, alien clearing and the preparation of firebreaks on municipal owned land.

6.4. Legal Implications

Numerous pieces of legislation impact on fire management and set out mandates for different stakeholders. This legislation stipulates that various government departments, spheres of government and landowners are mandated to deal with various aspects of fire management responsibilities. The most relevant legislation are listed under Chapter 2 of the draft SFMP and include the Constitution of the Republic Of South Africa (Act 108 Of 1996), the National Environmental Management Act (Act 107 Of 1998), the Fire Brigade Services Act (Act 99 Of 1987) and the National Veld and Forest Fire Act (Act 101 Of 1998).

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions:**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.

The SFMP was advertised in the Eikestad News on 9 May 2019 (Annexure B) with a closing date for comment of 10 June 2019. Hardcopies was placed at all municipal libraries. No comment was received.

6.7 Risk Implications

Apart from non-compliance to the relevant legislation contained in the SFMP the document lists the following potential risk to Stellenbosch Municipality:

- Insufficient funding to administer effective alien clearing and prepare firebreaks on all municipal owned land.
- Council liability in terms of the National Veld and Forest Fire Act for the potential origin or spread of fire from municipal land under lease agreement.
- Lack of coordination between other agencies for the implementation and maintenance of fire prevention measures on land not owned by the Municipality but identified in the Disaster Hazard, Vulnerability and Risk Assessment. These areas include vacant (municipal owned) areas, areas along transport routes, power lines, the urban fringe, open (recreational) areas and informal settlements.
- Old forestry areas with limited access control used for recreational purposes.
- Having in place the required insurance should the Municipality be found to be liable in terms of its responsibilities as prescribed by the National Veld and Forest Fire Act or any other legislation guiding the prevention and suppression of veld fires.

6.8 Comments from Senior Management

This Item was circulated to all directorates on 22 January 2019 for comment by 6 February 2019.

6.8.1 Director: Infrastructure Services

No comment received.

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: Strategic and Corporate Services

No comment received.

6.8.5 Director Human Settlements and Property Management

No comment received.

6.8.6 Chief Financial Officer

No comment received.

6.8.7 Municipal Manager

No comment received.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-11: ITEM 7.1.1

that Council adopts the Stellenbosch Municipality Integrated Fire Management Plan (January 2019) to guide fire management within the WC024 area.

ANNEXURES

Annexure A: Stellenbosch Municipality Integrated Fire Management Plan (January 2019)

Annexure B: Eikestad News Advert (9 May 2019)

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	05 August 2019

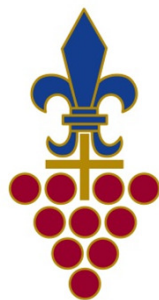
ANNEXURE A

CONSULTATIVE DRAFT

STELLENBOSCH MUNICIPALITY

INTEGRATED FIRE MANAGEMENT PLAN

January 2019



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

CONTENT		PAGE
1.	INTRODUCTION	1
1.1	CONTEXT	1
1.2	GOALS AND OBJECTIVES	2
1.3	DUCUMENT STRUCTURE	3
2.	APPLICABLE LEGISLATION	4
2.1	THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA (ACT 108 OF 1996)	4
2.2	NATIONAL ENVIRONMENTAL MANAGEMENT ACT (107 OF 1998)	4
2.3	DISASTER MANAGEMENT ACT (57 OF 2004)	4
2.4	FIRE BRIGADE SERVICES ACT (99 OF 1987)	5
2.5	NATIONAL VELD AND FOREST FIRE ACT (101 OF 1998)	5
SECTION A: AWARENESS		
3.	STELLENBOSCH MUNICIPALITY AND FIRE	7
3.1	CLIMATE	7
3.2	TOPOGRAPHY	7
3.3	ECOLOGY	8
3.4	VELD FIRE HISTORY	9
3.5	RISK ASSESSMENT FOR STELLENBOSCH MUNICIPALITY	9
4.	LANDOWNERS AND FIRE	11
5.	AWARENESS PROGRAMS	12
6.	DIFFERENT TYPES OF FIRES	14

7.	MANAGEMENT ACTIONS	15
SECTION B: PREVENTION AND PREPAREDNESS		
8.	STELLENBOSCH MUNICIPALITY FIRE FIGHTING CAPACITY	16
8.1	FACILITIES	16
8.2	EQUIPMENT	17
8.2.1	Fire Department	17
8.2.2	Nature Conservation	17
8.3	STAFF	18
8.3.1	Fire Department	18
8.3.2	Nature Conservation	18
8.4	PREPAREDNESS	18
8.5	STRUCTURE, ROLES AND RESPONSIBILITIES	19
9.	FUEL LOAD REDUCTION	19
9.1	ALIEN CLEARING	20
9.2	FIREBREAKS	23
9.2.1	Location	23
9.2.2	Preparation and Maintenance	24
9.2.3	Stellenbosch Municipality Firebreaks	26
10.	ACCESS MAINTENANCE	30
11.	MANAGEMENT ACTIONS	30

SECTION C: RESPONSE		
12.	FIRE DETECTION	31
13.	FIRE SUPPRESSION	31
13.1	FIRE FIGHTING SAFETY RULES	31
13.2	COMMAND STRUCTURE	31
13.3	PROCEDURES TO BE UNDERTAKEN IN THE EVENT OF A FIRE	32
14.	FIRE BEHAVIOUR	33
14.1	FUELS	33
14.2	WEATHER	33
14.3	PREDICTION	34
15.	POST FIRE RECOVERY	34
15.1	CHECKLIST FOR ACTIONS TO BE UNDERTAKEN IMMEDIATELY AFTER VELD FIRES	34
15.2	CHECKLIST FOR ACTIONS THREE MONTHS AFTER VELDFIRES	34
15.3	VELDFIRE REPORTING	35

FIGURES		
1	Location and context of Stellenbosch Municipality.	1
2	Document structure.	3
3	Topography of Stellenbosch Municipality.	8
4	The Fynbos Biome.	9
5	Veld Fire History.	10
6	High Risk Areas for veld fires.	11

7	Stellenbosch Municipality Fire Stations and fire suppression facilities.	17
8	Basic elements of fire.	20
9	The factors determining the intensity of fire.	20
10	Stellenbosch Municipality properties that are the subject of the Stellenbosch Municipality Invasive Alien Plant Management Plan (April 2017).	22
11	Firebreaks in and around Stellenbosch Municipality property.	26
12	Firebreaks – Jan Marais Park / Papegaaiberg.	27
13	Firebreaks – Paradyskloof / Brandwag.	19
14	Firebreaks – Idas Valley Dam / Botmaskop.	28
15	Firebreaks – Louw’s Bos.	28
16	Firebreaks – Jonkershoek Picnic Area.	29
17	Firebreaks – Mont Rochelle.	29
18	Basic command structure for fire suppression.	32

TABLES

1	List of specific risk management options.	3
2	Fire Danger Index.	13
3	Terminology to describe the types of fires and burning conditions.	14
4	Awareness – Management Actions.	15
5	Stellenbosch Municipality fire fighting capacity.	18
6	Prevention & Preparedness – Management Actions.	30
7	Roles and responsibilities of the various personnel in the command structure.	32

1. INTRODUCTION

Stellenbosch Municipality (the Municipality), like the rest of the Western Cape, continue to be threatened by veld fires. The dominant vegetation type within the region is both fire-prone and fire-dependent. This is exacerbated by expansion of urban areas, infestation of alien vegetation and windy, hot and dry summer periods typical of the region.

The Stellenbosch Municipality Integrated Fire Management Plan (from heron referred to as the Fire Management Plan or SFMP) serves to provide the necessary information for sound veld fire management with an emphasis on Stellenbosch Municipality’s legal obligations as landowner.

1.1 CONTEXT

Stellenbosch Municipality forms part of the Cape Winelands District Municipality of the Western Cape Province (refer to Figure 1). The Municipality adjoins the Cape Metropolitan Area to the west and the Breede Valley, Drakenstein and Theewaterskloof Municipalities to the east, south and north respectively.

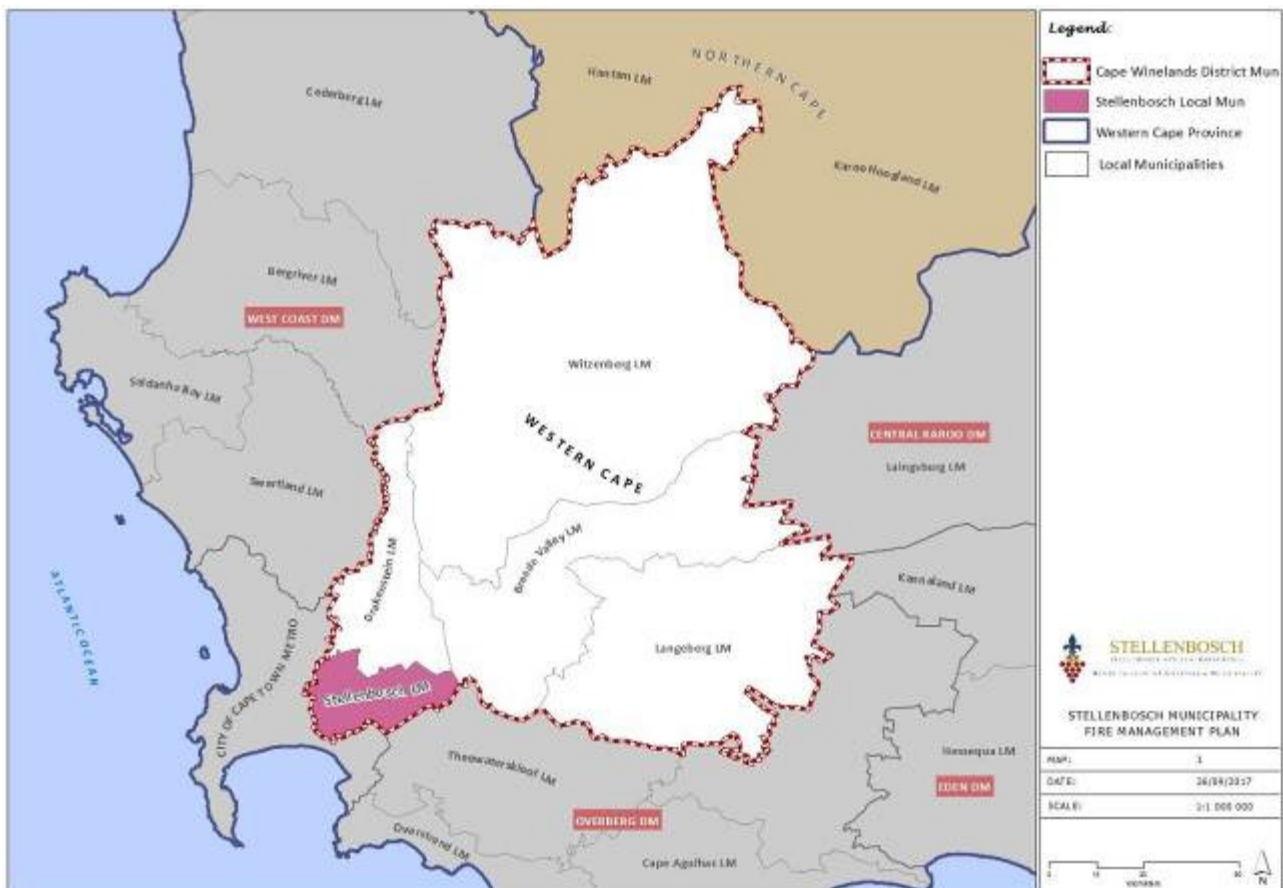


Figure 1: Location and context of Stellenbosch Municipality.

Various biophysical and biological characteristics of the Municipality, specifically related to the regions climate, topographical nature and vegetation, plays a major role in an increase risk of veld fires occurring in the area. These aspects are described in Section 3 below.

1.2 GOALS AND OBJECTIVES

The primary purpose of the SFMP is to ensure that veld fires are able to serve greater good than harm. It aims to eliminate loss of life, human injury, economic and environmental losses as a result of veld fires. Furthermore the overarching fire management goals (italics) and objectives (bulleted) as it pertains to Stellenbosch Municipality are the following:

Protect life and property.

- Minimise fire risks.
- Provide for the safety of residents, visitors, fire-fighters and staff.
- Directly protect real and personal property from the effects of fire.
- Achieve full compliance with the National Veld and Forest Fire Act. 101 of 1998.
- Reduce fuels with prescribed fire and thinning in places where wildfire is a threat to people and property.
- Implement programs to prevent unplanned human-caused ignitions and reduce human-caused wildfires.
- Ensure organized, professional and coordinated response to fires.
- Strive to meet health and safety standards that relate to fire, particularly for air quality and on-the-job safety.

Protect natural and cultural resources from undesirable effects of fire and suppression.

- Reduce fuels with prescribed fire and thinning in places where fire would adversely affect estate resources.
- Avoid negative effects to sensitive areas.
- Employ minimum impact suppression tactics, particularly in ecologically sensitive areas.

Suppress unwanted fire.

- Ensure Stellenbosch Municipality is adequately prepared to suppress unwanted wildfires.
- Suppress human-caused fire.
- Prevent unwanted fire from spreading onto neighbouring land.

Allow fire to assume its natural role in ecosystems.

- Determine fire-related data needs relative to natural resources.
- Attempt to determine range of natural variation related to fire (in time, space and intensity), role of fire and fire effects.
- Promote research relative to data needs.

Manage fire cooperatively with neighboring agencies and private land owners as well as other stakeholders.

- Maintain open lines of communication.
- Collaboratively plan and implement fire operations.
- Improve fire awareness.

The management approach as it relates to risk involved with veld fires is summarized in the table below. These aspects are addressed in the document.

Table 1: List of specific risk management options.

Management options	Descriptors
Avoid the risk	By deciding not to proceed with the activity likely to generate the veld fire risk. For example, prohibiting certain types of actions in areas prone to wildfires.
Reduce the hazard and the likelihood of exposure	Programs to reduce the level of fuel available to burn in a veld fire and improve the degree to which assets are protected. For example, the preparation of firebreaks or manual clearing of fire hazards as well as regular inspections.
Reduce ignitions	Programs to reduce the number of deliberate and accidental ignitions of human origin. For example, education and awareness programmes, fire bans and reduction in activities during high-risk season or periods.
Reduce consequences	This option includes various measures to reduce the consequence of wildfires, such as preparedness and contingency plans, wildfire recovery plans, community education programs for self-protection (lives and property), building restrictions and standards for areas prone to veld fires.

1.3 DOCUMENT STRUCTURE

In order to fulfil the objectives listed above the SFMP makes provision for the following three components in the approach to the occurrence of veld fires (Figure 2):

The structure of the SFMP responds to these components:



Figure 2: Document structure.

a) Awareness

The majority of unwanted fires are caused by human intervention. Proper training and education will promote awareness of risks and the ability to make the right decisions in situations that demand quick and efficient response. It is essential to know where danger areas are, which season present the biggest risks and understand the local conditions which are conducive to fire inception and spread. It is essential for residence to be aware of what is going on around their property and in their immediate vicinity.

b) Prevention and preparedness

Prevention is always better than the cure. After awareness, prevention and control are the secondary steps in wildfire management. The SFMP puts forward measures to achieve the objectives of fire prevention.

Nature is in a constant state of flux and is significantly influenced by fluctuating and variable rainfall cycles. Whilst proper prevention techniques will significantly reduce the likelihood of spreading veld fires it needs to be accepted that, despite any effort made, we will never be able to control natural forces to the extent we may wish to. It is therefore equally necessary to be prepared for the inevitable in this regard.

Stellenbosch Municipality is committed to complying with the provisions of the National Veld and Forest Fire Act, i.e. being sufficiently prepared to react to fire, creating and maintaining adequate fire breaks, clearing the property of excess plant material that might fuel a fire, removing invasive alien plants, etc.

d) Response

All fires start small, thus, detection at the earliest possible stage is critical and is therefore also regarded as being as important a part of preparedness as it is for ensuring an appropriate response.

2 APPLICABLE LEGISLATION

Various pieces of legislation impact on fire management and set out mandates for different stakeholders. This legislation stipulates that various government departments, spheres of government and the private sector are mandated to deal with aspects of fire management responsibilities. The most relevant are listed below.

2.1 THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA (ACT 108 OF 1996)

Section 24 of the Constitution provides that *everyone has the right to an environment that is not harmful to their health or well-being; and to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation; promote conservation; and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.*

2.2 NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA) (ACT 107 OF 1998)

Section 28 of 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.*

2.3 DISASTER MANAGEMENT ACT (ACT 57 OF 2002)

The Department of Cooperative Government and Traditional Affairs administers the Disaster Management Act. The Act provides for an integrated and coordinated disaster management policy that focuses on preventing or reducing the risk of disasters, mitigating the severity of disasters, emergency preparedness, rapid and effective response to disasters, and post-disaster recovery amongst others. Fires, including wildfires, are a major hazard to the country and are regarded as

one of the potential disaster areas. The Act requires each sphere of government to prepare a disaster management plan and mandates provinces and districts to respond to such disasters.

Section 42 of the Act states that the district municipality must establish a disaster management strategy. Section 32 states that a disaster management centre must promote an integrated and coordinated approach to disaster management in the municipal area, with special emphasis on prevention and mitigation, and coordinate other spheres of government and role-players. Section 30(1)(b) creates an obligation on the service to adopt proactive mitigation, which would include mitigation of wildfires. The Act gives the executive of the province the overarching control of a provincial disaster, with powers that override those of the Chief Fire Officer of a service within an affected municipality.

The executive of the province, in adopting proactive mitigation steps designed to minimise the likelihood or impact of severe wildfires, therefore may set certain requirements for district and local authorities and other stakeholders. The Disaster Management Act thus provides for the establishment of the framework within which Integrated Fire Management must take place.

2.4 FIRE BRIGADE SERVICES ACT (ACT 99 OF 1987)

The Department of Cooperative Government and Traditional Affairs administers the Fire Brigade Services Act. The Act is the primary piece of legislation regulating fire services and seeks to provide for the establishment, maintenance, employment, coordination, and standardisation of fire brigade services. In terms of the Act, district and local municipalities are required to establish a fire fighting service. The Act also provides for the Minister to designate fire fighting services. Further, it provides for the appointment of a Chief Fire Officer, the introduction of fees for the service, and the conclusion of agreements with other fire services so as to render a more efficient fire service. The Act is currently being reviewed, a process that is likely to result in a shift toward a greater emphasis on fire prevention and, given the pressures and demands resulting from global warming and climate change, more emphasis on the interface between the service and disaster management.

2.5 NATIONAL VELD AND FOREST FIRE ACT (ACT 101 OF 1998)

Veld fires in South Africa are dealt with under the National Veld and Forest Fire Act (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 (refer to Section 24 and 25 of the above Act) 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:

- The landowner on whose land a fire may start, or from whose land it may spread across boundaries, must prepare and maintain a firebreak on his or her side of the boundary between his or her land and any adjoining land. Owners of adjoining land may agree to position a common firebreak away from the boundary.

- 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.
- The Act 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.

Where a FPA has been registered in an area the municipality or designated service must become a member of the FPA.

SECTION A: AWARENESS

SECTION SYNOPSIS

This section describes the main characteristics of Stellenbosch Municipality that makes the area susceptible to the occurrence of veld fires and ways to increase awareness about the risk of fire as well as measures to increase general awareness of staff and the public in this regard.

3 STELLENBOSCH MUNICIPALITY AND FIRE

3.1 CLIMATE

Stellenbosch Municipality has a Mediterranean climate characterised by warm, dry summers and cold, wet winters. Summers are generally hot with temperatures averaging between 25° and 30°C. Heat waves lasting a few days occur reasonably frequently in summer. The *Status Quo report on the climate change in the Western Cape* (June 2005)¹ states that the future climate of the Western Cape is likely to be warmer and drier than at present, according to a number of current model projections. In support of these projections, recent temperatures trends reveal appreciable warming in the Western Cape over the past three decades. Rainfall trends are not as clearly identifiable. A future that is warmer, and possibly drier, will encompass increase an already high risk of wildfires occurring within the region.

Stellenbosch Municipality is located within the winter rainfall area. The Municipality receives approximately 80% of its annual rainfall in the winter months typically as cyclonic rain from cold fronts, and 20% during its summer months (Elsenburg, 1990). Most areas of the Municipality have moderate to low rainfall, except for the mountain areas, which have been known to receive some of the highest rainfalls in the country. These high rainfall areas, however, constitute only a very small part of the Municipality. Rainfall across the Municipality thus varies from 200 mm to 3 000 mm per year, in the higher peaks of the Groot Drakenstein mountain range, decreasing to the west away from the influence of the mountains.

3.2 TOPOGRAPHY

Stellenbosch Municipality² is characterised by a diversity of topographical features from gently rolling hills to wide open plains, high impressive mountains and secluded valleys (see Figure 3). As stated above, the most defining feature of the Municipality is its mountain ranges, which give shape and a magnificent backdrop to its fertile agricultural valleys. The central part of the Municipality is characterised by steep valleys and high peaks, i.e. Simonsberg, Jonkershoek Mountains and Groot Drakenstein Mountains. The topography of the area makes access and the management of a large part of the region challenging.

¹ Department of Environmental Affairs and Development Planning (DEA&DP) 2005: *A Status Quo, vulnerability and adaptation assessment of the physical and socio-economic effects of climate change in the Western Cape*. CSIR Environmentek: Stellenbosch. Report No. ENV-S-C 2005-073

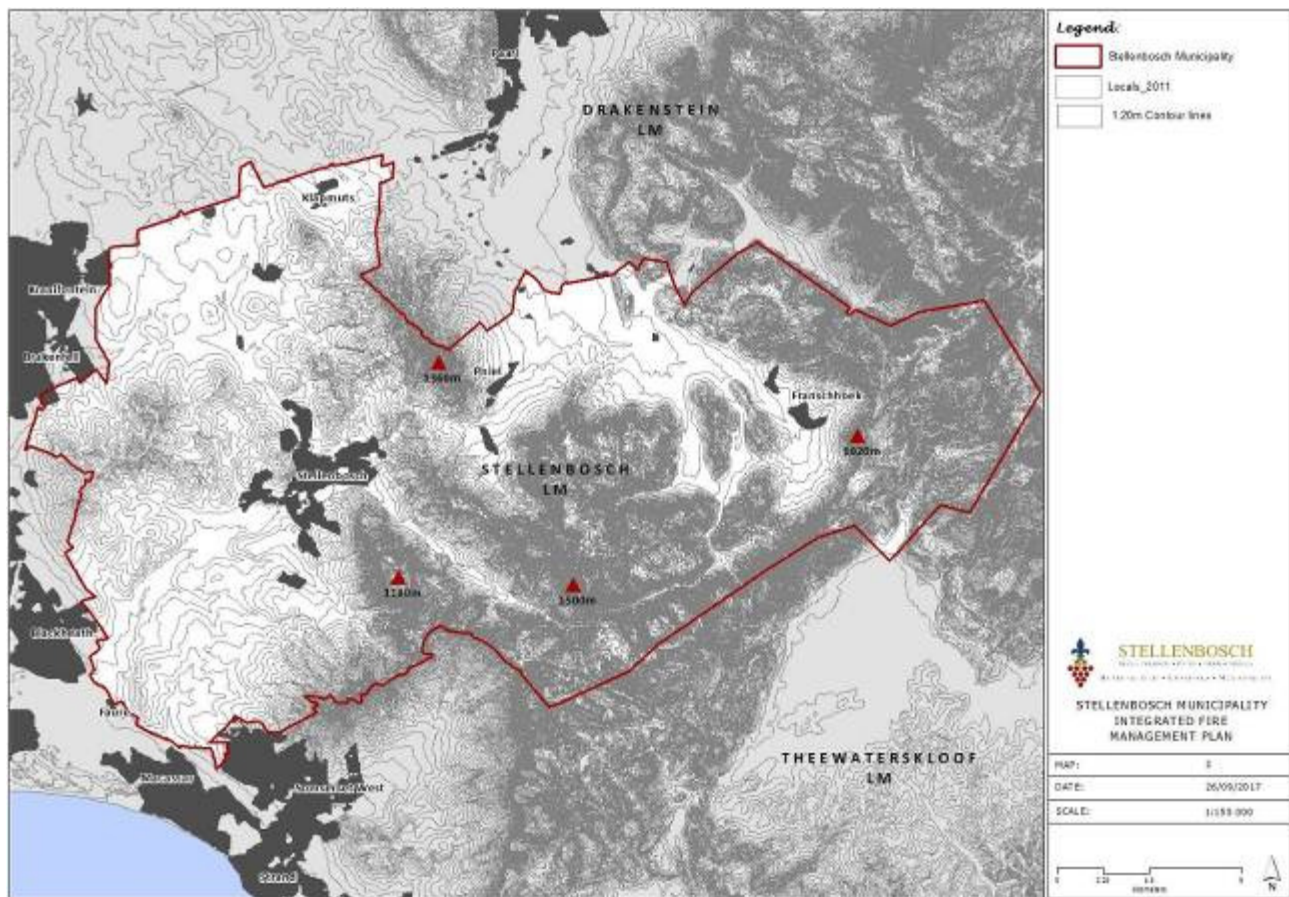


Figure 3: Topography of Stellenbosch Municipality.

3.3 ECOLOGY

Stellenbosch Municipality are wholly located within the fynbos biome (see Figure 4). When planning for fire management within the fynbos biome it is important to understand the relationship between fire and fynbos.

Fynbos is fire-adapted vegetation that requires regular burning for its persistence. In the absence of fire, fynbos is gradually replaced by thicket species. It thrives on infertile soils and fire is the mechanism that recycles precious nutrients from old moribund growth into the soil. Fire in fynbos is far from a disaster, but rather a crucial trigger that resets the fynbos 'successional clock'. It provides the stimulus for dormant seeds to germinate and the opportunity for many annuals, short-lived perennials and bulbs to grow, flower and seed during times of abundant nutrients and sunlight. They complete their short life cycles, returning to the soil as the larger shrubs overwhelm them, and remain dormant until the next fire. The optimal fire cycle for fynbos is between 10-14 years. Shorter fire cycles can wipe out slow maturing species, while species start dying when intervals become too long³.

Fire season is predominately during the months of November to April when the fire risk is at its highest.

³ <http://www.fynboshub.co.za/fynbos-and-fire/>

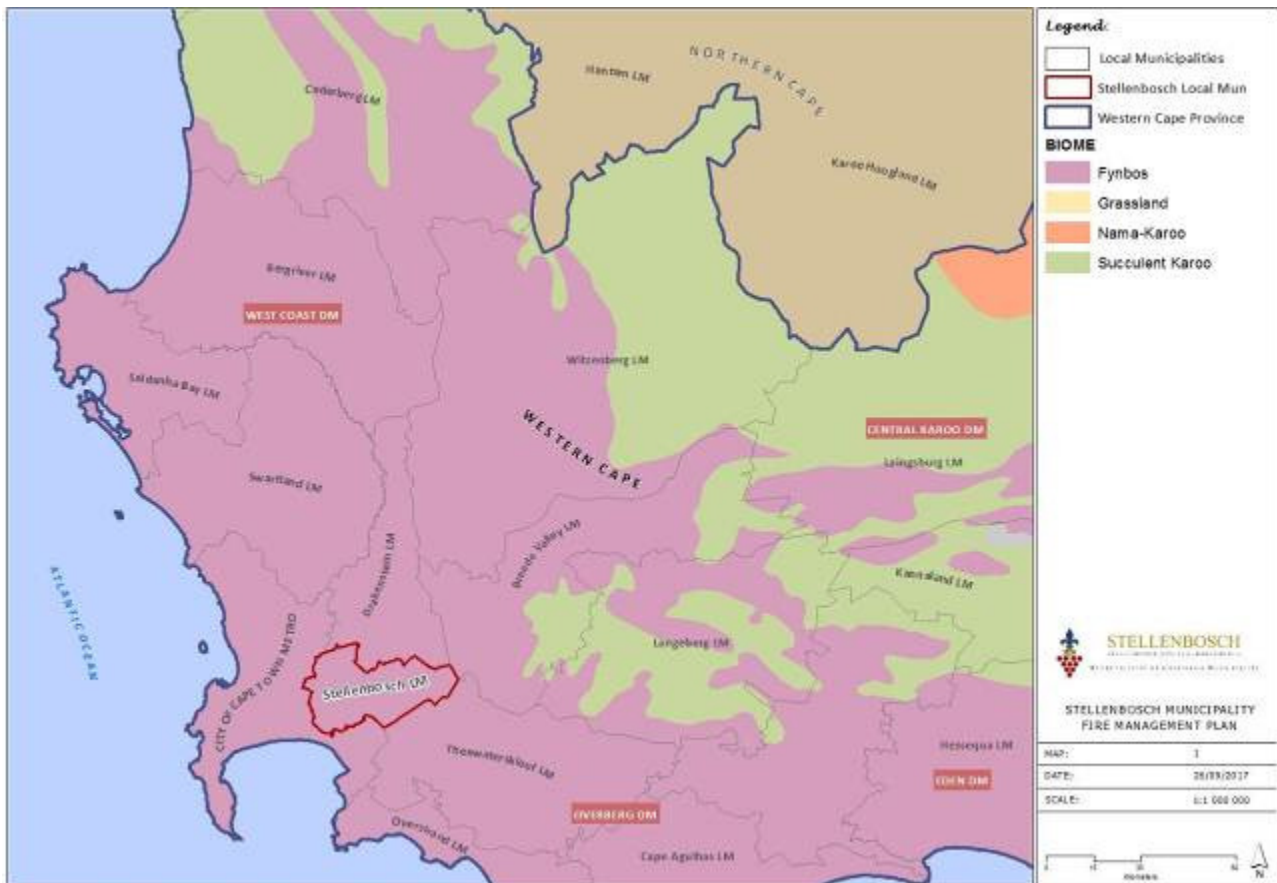


Figure 4: The Fynbos Biome.

3.4 VELD FIRE HISTORY

Figure 5 depicts veld fires that occurred in and around Stellenbosch Municipality since 1970 until 2015. During this period there were ±275 fire recorded (BGIS). From the information provided in Figure 5 it is important to note that the major fires that occurred in an around Stellenbosch Municipality in recent history are closely associated with the natural areas. Awareness, prevention and preparedness strategies should therefore be focussed and geared to manage fire in and from these areas.

3.5 RISK ASSESSMENT FOR STELLENBOSCH MUNICIPALITY

Veld fires are listed as a risk or hazard in the Disaster Hazard, Vulnerability and Risk Assessment for Stellenbosch Municipality. The areas identified as being High Risk areas (Figure 6) coincides with the information provided in paragraph 3.4 above and depicted in Figure 5, i.e. natural, high lying areas. Other areas listed a risk areas include those associated with:

- transport routes,
- powerlines and
- informal settlements.

In terms of the above assessment all settlements within the Municipality are at medium risk with regards to fire. The northern section of Franschhoek town is within 100 meter of a high fire hazard area.

Further areas of risk to the Municipality include:

- Sufficient funding to administer effective alien clearing and prepare firebreaks on all municipal owned land.
- Council liability in terms of the National Veld and Forest Fire Act for the potential origin or spread of fire from municipal land under lease agreement.
- Coordination between other agencies for the implementation and maintenance of fire prevention measures on land not owned by the Municipality but identified in the Disaster Hazard, Vulnerability and Risk Assessment. These areas include vacant (municipal owned) areas, areas along transport routes, powerlines, the urban fringe, open (recreational) areas and informal settlements.
- Old forestry areas with limited access control used for recreational purposes.
- Having in place the required insurance should the Municipality be found to be liable in terms of its responsibilities as prescribed by the National Veld and Forest Fire Act or any other legislation guiding the prevention and suppression of veld fires.

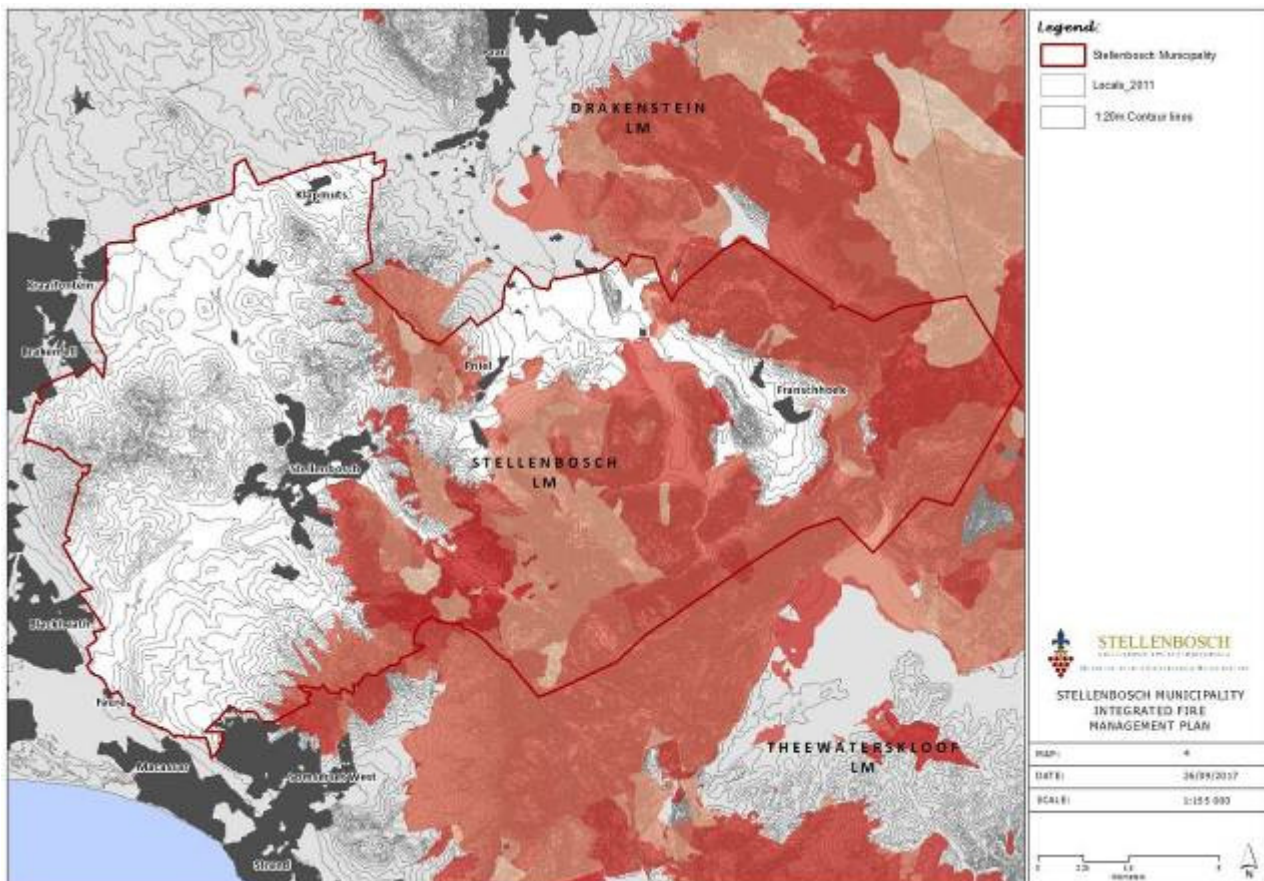


Figure 5: Veld Fire History.

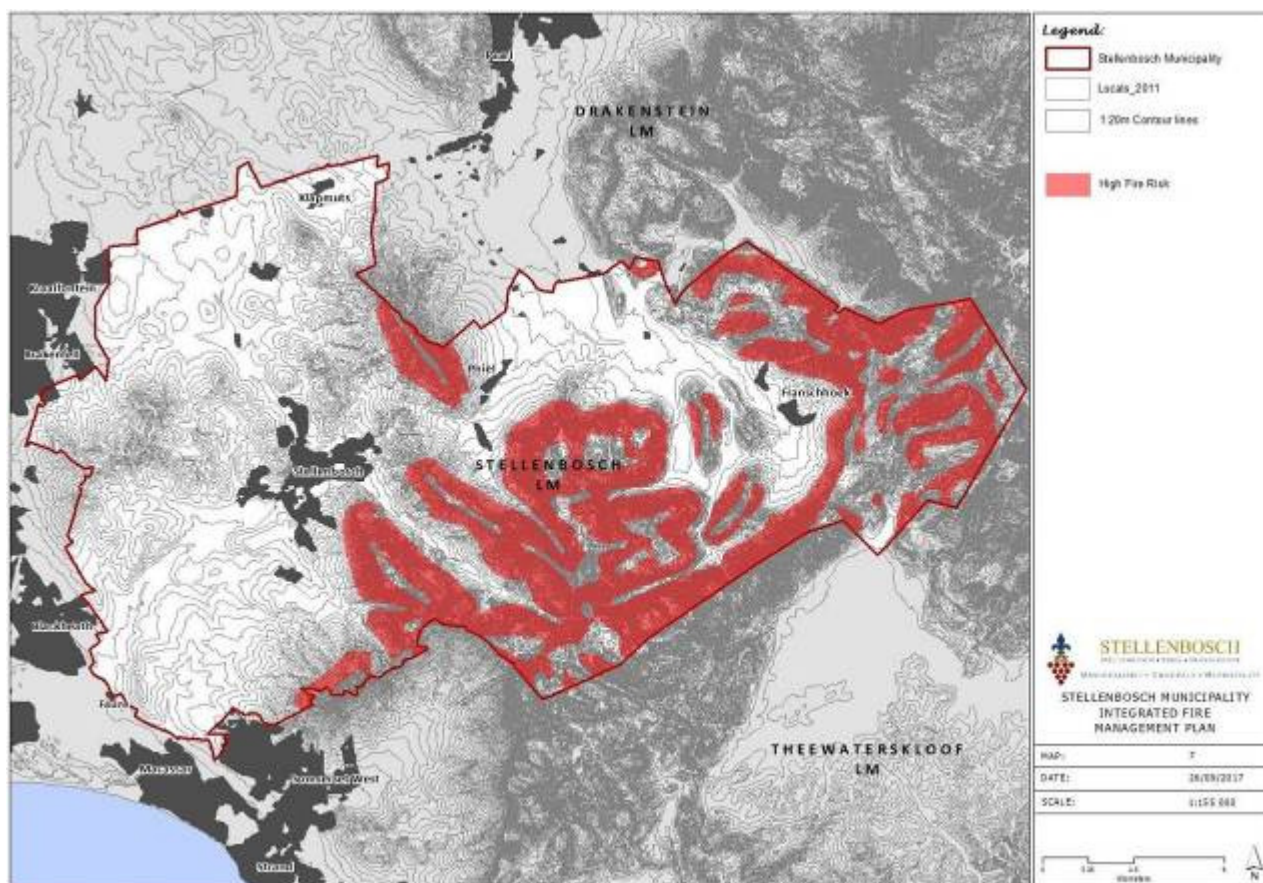


Figure 6: High Risk Areas for veld fires.

4 LANDOWNERS AND FIRE

The National Veld and Forest Fire Act impose a number of duties on individual landowners that are intended to reduce the harm from wildfires. These are:

- You may not start a wildfire (Section 18(1)).
- You may only start a fire, including a cooking or braai fire, in a designated area.
- You must have equipment available to fight wildfires (Section 17(1)).
- You must have trained personnel available to fight wildfires (Section 17(1)).
- You must have a person on the property who keeps a lookout for fires (Section 17(2)).
- You must establish a system of firebreaks (Section 12).
- You may not burn firebreaks or carry out controlled burns when the Fire Danger Index is high or the FPA has objected to such burning taking place.
- You must manage the fuel load on land under your control. This means that you must remove invasive alien vegetation from the land, as well as other vegetation that creates unwanted fuel loads.

Section 34 of the National Veld and Forest Fire Act creates a presumption of negligence in relation to wildfires. If a person bringing a civil claim against a landowner proves that he or she suffered loss, the loss was caused by a wildfire and the wildfire started on or spread from land owned by the landowner. The landowner against whom the claim is made is presumed to have acted negligently in relation to the wildfire unless the landowner proves that he or she was not negligent or the landowner is a member of an FPA in the area where the fire occurred, in which case the person bringing the claim must prove that he or she was negligent.

5 AWARENESS PROGRAMS

Communication and awareness must be focussed to be effective, and so, to be effective we need to know *WHO* we want to raise awareness with and *HOW* does one do this.

Target audiences (who) would include groups such as:

- Staff
- Neighbouring landowners
- Community
- Schools

Different types of media (how) have different needs. The most suitable types of media include:

- Print
- Television
- Radio
- Website
- Posters and notice boards
- Public Relations Consultants

The principles of a communication strategy are who is the target audience, what message will they be given and when will the message be given? There are four steps to implementing this strategy:

- Step 1:** Understand your audiences and the wildfire prevention problems that have to be addressed. Focus on the problem issues.
- Step 2:** Determine the people who can help solve the problem, as this is the target audience. Then decide what they need to know about veldfire – that’s your message.
- Step 3:** Establish what newspapers or magazines your target audience read, what radio stations they listen to and what TV channels they watch – the media you need to work with.
- Step 4:** Determine the best time to deliver your message to the target audiences. And remember that wildfire messages can be linked to a number of other events such as Heritage Day (24th September). Heritage Day also coincides roughly with the beginning of the fire season on the Cape Peninsula.

A further means to communicate the risk of fire is through a Fire Danger Index. The Minister prepares and maintains a fire danger rating system for the entire country in consultation with the South African Weather Bureau and the FPAs. The Minister must communicate the rating to the fire protection associations in the region and must publish warnings when the fire danger rating is high in any region. This must be published in newspapers and television channels. When the minister has published a warning, no person may light, use or maintain a fire in the open air in the region where the fire danger is high.

The Fire Department may collate a fire danger index daily rating and to communicate such to staff and the public. A simple but effective fire danger rating can be applied within the Municipality (refer to Table 2). Fire danger ratings must be assessed weekly during the fire season. The fire danger rating system must take into account the following factors:

- (i) topography,
- (ii) type of vegetation in the area,
- (iii) seasonal climatic cycle,
- (iv) typical weather conditions,
- (v) recent weather conditions,
- (vi) current weather conditions,
- (vii) forecasted weather conditions, and
- (viii) any other relevant matter.

The fire danger rating system must show the rating in a clear format identifying what activities are dangerous and what precautions should be taken for each rating.

Table 2: Fire Danger Index.

Fire Danger Index	Fire Conditions	Fire management preparation
Safe	Safe	<ul style="list-style-type: none"> • Basic minimum fire fighting preparedness apply
Moderate to safe	Moderate to safe	<ul style="list-style-type: none"> • Standby operational on a roster basis • Proactive fire management measures undertaken as planned
Moderate to high	Moderate to high	<ul style="list-style-type: none"> • Standby operational on a roster basis • Limited/no proactive burning interventions • Open fires only permitted in authorised fireplaces
High	High	<ul style="list-style-type: none"> • Standby operational on a roster basis • Open fires only permitted in authorised fireplaces • Designated management staff available for wildfire response
Very high to extreme	Very high to extreme	<ul style="list-style-type: none"> • Standby fully operational • No open fires • Fire response team (proto-team) working close to fire-fighting equipment • Test fire-fighting equipment • Deploy field staff in safe areas only

6 DIFFERENT TYPES OF FIRES

Specific terminology describes the types of fires and burning conditions. Some of these are listed below.

Table 3: Terminology to describe the types of fires and burning conditions.

Term	Description
Arson fire	An uncontrolled fire wilfully ignited by anyone to burn or spread to vegetation or property without consent of the owner or his/her agent.
Block burn	A prescribed burn in a pre-determined and specified land area.
Brush fire	A fire burning in vegetation that is predominantly shrubs, brush, and scrub growth.
Catastrophic fire	A fire that causes unrecoverable damage to property, loss of life and limb. In plantations, the area is more than 100 ha (250 acres).
Controlled fire	A fire that is subject to a line of control around a fire, any spot fire from it, and any interior island to be saved, effectively preventing any unplanned spread.
Crown fire	A fire that burns in and advances through the top leaves or the crown of trees or shrubs.
Debris burning fire	A fire spreading from any fire originally ignited to clear land or burn rubbish, garbage, crop stubble, or meadows (excluding incendiary fires).
Ecological burn	A form of prescribed burning involving the treatment of vegetation by burning it in predetermined areas to achieve specified ecological objectives.
Forest fire	A fire burning mainly in a forest and/or woodland.
Fuel reduction burn	The planned application of fire to reduce hazardous fuel quantities, and undertaken in prescribed environmental conditions within defined boundaries.
Ground fire	A fire that is burning below the surface of the ground in roots, peat, coal, decaying plant material, etc.
Human-caused fire	Any fire caused directly or indirectly by a person.
Mega fire	A wildfire or concurrent series of wildfires that is in the upper percentile of the fire regime.
Open burn	Burning of wastes in the open or in an open dump.
Out-of-control fire	A fire that has reached the intensity where no attempt is or can be made to stop the head of the fire using a direct attack. Only the flanks can be attacked.
Prescribed burn	The controlled application of fire under specified environmental conditions to a predetermined area and at the time, intensity, and rate of spread required to attain planned resource management objectives. It is undertaken in specified environmental conditions. Generally, it requires the specific authorisation of the fire management authority.
Prescribed fire	Any fire ignited by management actions to meet specific objectives. A written, approved burn plan must exist, and approving agency requirements (where applicable) must be met, prior to ignition.
Spot fire	Isolated fire started ahead of the main fire by sparks, embers or other ignited material, sometimes to a distance of several kilometres.
Structural fire	A fire originating in or burning any part or all of a building or shelter.
Surface fire	Fire that moves through combustible material located on the ground.
Uncontrolled fire	Any fire that threatens to destroy life, property, or natural resources, and (a) is not burning within the confines of firebreaks, or (b) is burning with such intensity that it could not be readily extinguished with ordinary, commonly available tools.
Veldfire	Described in the NVFFA as “a veld, forest, or mountain fire”. A vegetation fire outside the urban-rural interface; a general term to describe fire in vegetation. In

	this context these forms of fire are collectively referred to as “wildfires”.
Wildfire	A vegetation fire accidentally or deliberately ignited but burning out of control, including veld and forest fires.
Wildfires	A fire burning outside the urban areas, either as a prescribed burn or as a wildfire.

7 MANAGEMENT ACTIONS

Table 4: Awareness – Management Actions.

Action	Responsible Department	Timeframe
Educate staff on the characteristics that makes the municipal area conducive to veld fires.	Fire Department Nature Conservation	Immediate & ongoing
Communicate to management the legal requirements as per the National Veld and Forest Fire Act applicable to the Municipality.	Community Services Env. Management	Immediate
Communicate to lessees renting farm- and other land from the Municipality as to their legal requirements as per the National Veld and Forest Fire Act.	Property Management	Immediate
Include fire awareness in the existing educational and awareness programs presented.	Fire Department Nature Conservation	Immediate & ongoing
Develop a fire danger rating system.	Fire Department	Immediate & ongoing
Communicate fire danger rating to the public.	Fire Department	Immediate & ongoing

SECTION B: PREVENTION AND PREPAREDNESS**SECTION SYNOPSIS**

This section describes activities to reduce or mitigate the risk or effect of veld fires. These include:

- a) Alien clearing;
- b) Firebreaks; and
- c) Preparedness.

8 STELLENBOSCH MUNICIPALITY FIRE FIGHTING CAPACTIY

Stellenbosch Municipality's fire fighting capability and responsibility vests with the Fire Department.

8.1 FACILITIESVeld and Forest Fire Act, 101 of 1998

In terms of section 17.(1)(a) every owner on whose land a veldfire may start or burn, or from whose land it may spread must have equipment, protective clothing and trained personnel for extinguishing fires.

Occupational Health & Safety Act, 85 of 1993

This Act specifies that employees need to provide and maintain a safe working environment for their staff. In terms of section 8: 1 & 2 (a-j) every employer shall provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of its employees without derogating from the generality of an employer's duties under subsection (1), the matters to which those duties refer include in particular – the provision and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe and without risks to health.

Stellenbosch Municipality has three fire stations. One is located in Stellenbosch, one in La Motte (near Franschhoek) and the third in Klapmuts (Figure 7). Cape Winelands District Municipality has a fire station located in Stellenbosch. Nature Conservation, a section operating under the Directorate: Community and Protection Services, has limited fire-fighting capability with facilities situated in Stellenbosch and Franschhoek.

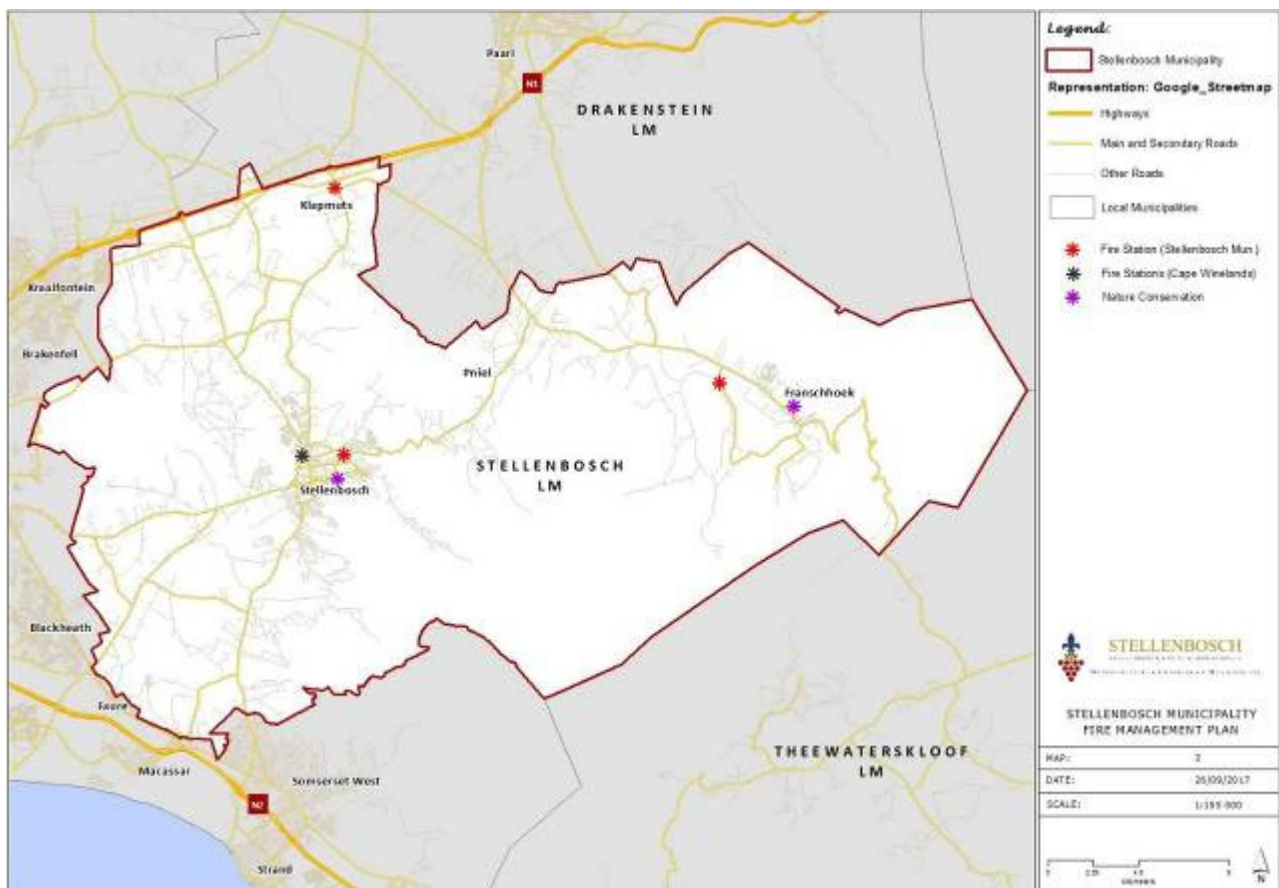


Figure 7: Stellenbosch Municipality Fire Stations and fire suppression facilities.

8.2 EQUIPMENT

The following fire fighting equipment is available to the respective departments directly involved in fire prevention and response:

8.2.1 Fire Department

Vehicles

The Fire Department has the following equipment:

- 3 x Land Cruiser rapid response units (500l tanks)
- 3 x Medium-pumpers (2500l tanks)
- 1 x Water tanker (4500l tank)
- 3 x Major-pumpers (3000l tanks)

Two (2) of the medium pumpers are located at the La Motte station, one (1) major pumper in Klapmuts whilst the rest are located in Stellenbosch.

8.2.2 Nature Conservation

Vehicles

Nature Conservation has the following equipment:

- 2 x Rapid response units (500l tanks)

Both units are located in Stellenbosch.

Tools

Nature Conservation has the following tools:

- 15 x *Brandplakke*
- 2 x Drip-torches
- 5 x Rake-hoes

8.3 STAFF

8.3.1 Fire Department

The Fire Department has a total of 20 staff members available on a 24/7 basis. 12 Of these staff members are located in the Stellenbosch station, 4 in La Motte and 4 in Klappmuts.

8.3.2 Nature Conservation

Nature Conservation has in the order of 15 staff members that work on alien clearing and firebreak preparation. These personnel can react to fire. They are on duty during office hours (8:00 – 16:30).

Table 5: Stellenbosch Municipality fire fighting capacity.

	Staff (basis)	Vehicles	Tools
Fire Department (Stellenb)	12 (24/7)	3 x Rapid response units (500l)	
		1 x Med-pumpers (2500l)	
		1 x Water tanker (4500l)	
		2 x Major-pumpers (3000l)	
Fire Department (La Motte)	4 (24/7)	2 x Medium-pumpers (2500l)	
Fire Department (Klappmuts)	4 (24/7)	1 x Major-pumpers (3000l)	
Nature Conservation (Stellenb)	15 (8:00-16:30)	2 x Rapid response units (500l)	15 x <i>Brandplakke</i>
			2 x Drip-torches
			5 x Rake-hoes
Nature Conservation (La Motte)			

Importantly, Nature Conservation staff will be under the supervision and command of the Fire Department in the event that they are required and called out to assist with the control of a fire.

The Fire Department strive to manage and maintain its equipment according to SANS 10090 standards.

8.4 PREPAREDNESS

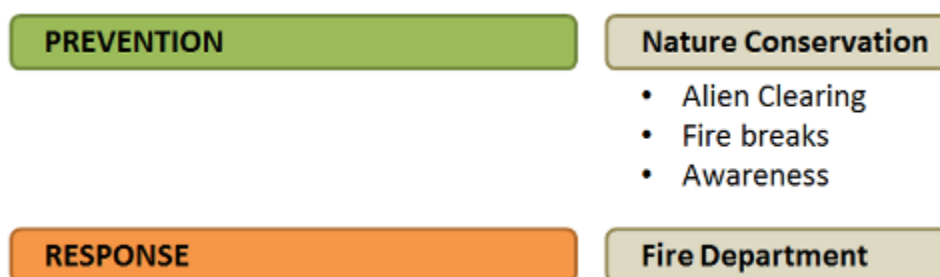
The level of preparedness during the fire season should be based on the Fire Danger Rating. However, basic preparedness levels that should be maintained throughout the fire season in the following way:

- Vehicles to be used for fire fighting to be equipped with basic veldfire response tools.

- Tools to be checked once a week and checklist to be signed.
- Motorised, electrical or mechanical equipment should be checked daily.
- Any defects or damages to vehicles or equipment must be reported.
- Standby crews must at all times be ready to depart immediately in event of a veldfire reported.
- On the alarm being given all crew must immediately proceed to the point of assembly with their respective equipment.
- Where there are radio blind spots measures must be taken to ensure that fire crews are in contact with the Control Room.
- A standby crew should be maintained after hours throughout the fire season. When fire danger is exceptionally high crews of volunteers may also be kept on standby.

8.5 STRUCTURE, ROLES AND RESPONSIBILITIES

As stated above Stellenbosch Municipality's fire fighting capability and responsibility vests with the Fire Department with limited fire-fighting capability and support from Nature Conservation. Whilst the Fire Department primary purpose is to respond to incidents Nature Conservation's role is related to fuel load reduction and the prevention of fires.



9 FUEL LOAD REDUCTION

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 8). 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 9). 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.

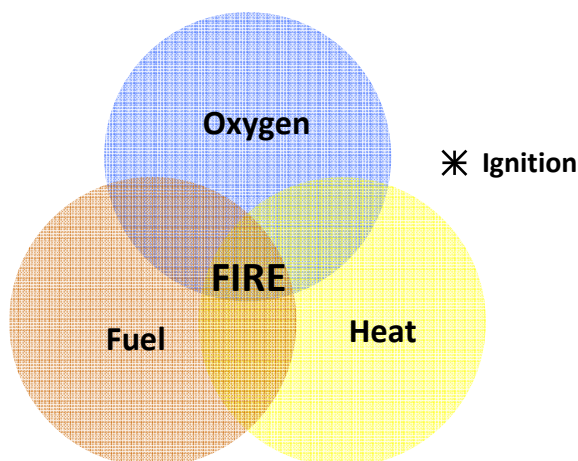


Figure 8: Basic elements of fire.

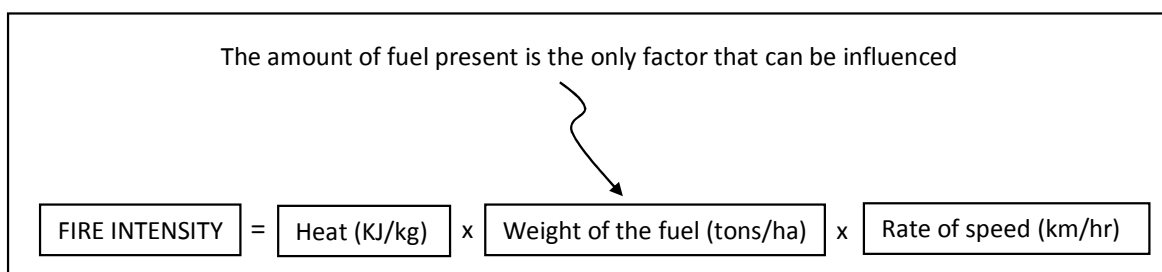


Figure 9: The factors determining the intensity of fire.

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

9.1 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 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.

Approximately 8 750 alien species have been introduced into South Africa, 161 of which are seriously invasive species, and is estimated to cover over 10 million hectares (almost 8%) of South Africa’s land surface. Expectations are that the impact will double every fifteen years if they are left un-managed⁴. Known for its renowned fynbos biome, the Western Cape is the most severely invaded province, with the wetter catchments of the coastal mountain ranges and the broad coastal lowlands being the most effected regions. The invasion of AIPs within the fynbos biome has called for elevated levels alarm since the early decades of this century⁵. Invasive plant species such as the *Acacia saligna* (Port Jackson), *Acacia mearnsii* (Blackwattle) and *Pinus pinaster* (Cluster Pines) are found in the fynbos introduced to enhance the value of the Cape’s resources, pines originated from Europe while the *Acacias* are originally from Australia. Although many of these

⁴ Schonegeval 2001; Versfeld, Maitre and Chapman, 1998.

⁵ Macdonals *et al.* 1985.

species still support several industries, their negative impact are becoming more prominent, leading to a urgent need to protect our natural resources.

IAPs 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

IAPs can significantly alter the composition, structure and functionality of ecosystems. As a result, 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. Indigenous species may be reduced in numbers/coverage, or may be lost as a result of IAP infestations, posing a threat to South Africa's natural heritage in sensitive locations.

The National Environmental Management Biodiversity Act, 10 of 2004 (NEMBA), Section 76, states that all organs of state are required to draw up an invasive and alien monitoring, control and eradication plan for the land under their control.

In terms of Section 4(2)(a) of the NEMBA all municipalities are required to manage and conserve biological diversity. This includes taking steps to control and eradicate Invasive Alien Plants (IAP) in areas that they own or manage.

Conservation of Agricultural Resources Act, 43 of 1983

In terms of the amendments to the regulations under the Conservation of Agricultural Resources Act, 43 of 1983 (CARA), all declared aliens must be controlled. Landowners are legally responsible for the control of invasive alien plants on their property. In terms of the above act alien invasive plants are described to one of the following categories:

- Category 1: Prohibited and must be controlled.
- Category 2: May be grown in demarcated areas provided that there is a permit in place and steps taken to prevent spread.
- Category 3: May no longer be planted. Existing plants may be retained as long as all reasonable steps are taken to prevent spread, except within the flood line of watercourses and wetlands.

National Environmental Management: Biodiversity Act, 10 of 2004

National Environmental Management: Biodiversity Act, 10 of 2004 (NEMBA), regulates all invasive organisms in South Africa. Regulations have been published in Government Notices R.506, R.507, R.508 and R.509 of 2013 under NEMBA. According to this act and the regulations any species designated under Section 70 cannot be propagated, grown, bought or sold without a permit. Categories listed are:

- Category 1a: Invasive species requiring compulsory control. Any specimen of a Category 1a listed species must, by law, be eradicated.
- Category 1b: Invasive species requiring compulsory control as part of an invasive species control program. These species must be removed and destroyed.

- Category 2: Invasive species regulated by area. A demarcation permit is required to import, possess, grow, breed, move, sell, buy or accept as gift any plants listed as Category 2 plants. No permits will be issued for Category 2 plants to exist in riparian zones.
- Category 3: Invasive species regulated by activity. An individual plant permit is required to undertake any of the following restricted activities: import, possess, grow, breed, move, sell, buy or accept as gift. No permits will be issued for Category 3 plants to exist in riparian zones.

Aliens that are regulated in terms of CARA as weeds and invader plants are exempted from NEMBA. This implies that the provisions of the CARA in respect of listed weeds and invader plants supersede those of the NEMBA.

Stellenbosch Municipality has prepared and adopted the Stellenbosch Municipality Invasive Alien Management Plan (April, 2017). The purpose of this document is to respond to this obligation and to coordinate Stellenbosch Municipality's approach in this regard in order to reduce future IAP control costs and improve the integrity of the natural areas and ecosystems in Stellenbosch Municipality. This plan addresses invasive alien control in the nature areas owned and maintained by the municipality itself. These properties include:

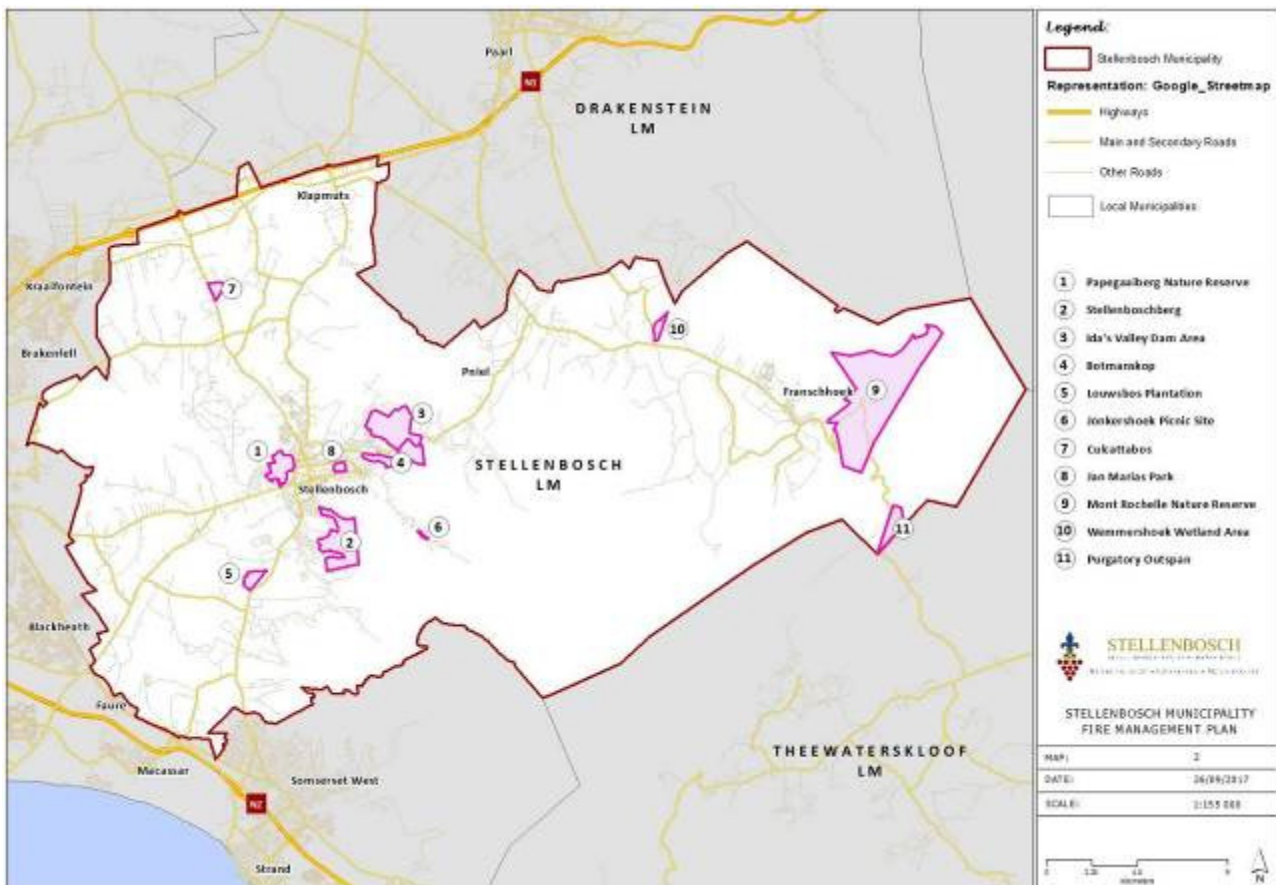


Figure 10: Stellenbosch Municipality properties that are the subject of the Stellenbosch Municipality Invasive Alien Plant Management Plan (April 2017).

- Papegaaiberg Nature Reserve
- Paradyskloof, including the areas of Stellenboschberg and Brandwacht
- Ida's Valley Dam Area
- Botmaskop
- Louwsbos Plantation

- Jonkershoek Picnic Site
- Culcattabos
- Jan Marais Park
- Mont Rochelle Nature Reserve
- Wemmershoek Wetland Area
- Purgatory Outspan

In terms of planning, the Stellenbosch Municipality Invasive Alien Management Plan states the following:

Species and areas has to be prioritized and cleared according to their impact on natural resources and their potential for spreading to non-invaded areas⁶. Considerations in this regard include IAPs that pose a fire risk to houses or infrastructure should be targeted as a priority. Creating an effective fire break is important where woody/fire prone IAPs are located in dense stands near settlements, power lines etc.

9.2 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:

1. *be wide enough and long enough to have a reasonable chance of preventing a veldfire from spreading to or from the neighbouring land,*
2. *not cause soil erosion, and must*
3. *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:

1. where possible, transplant any plant which is protected in terms of any law; or
2. 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.

9.2.1 Location

The provisions of the National Veld and Forest Fire Act that specify in Section 12(1) that a firebreak must be prepared on the boundary of the property. Preparation of firebreaks must be done annually between September and November. Firebreaks need to be well positioned and regularly

⁶ Schonegevel, 2001.

maintained to be effective. Specific considerations with respect to firebreak preparation and maintenance are:

Ecological considerations:

- Avoid known populations of rare and endangered plants.
- Align firebreaks to avoid sensitive habitats such as wetlands.
- Firebreaks should not be aligned along ridges which are favourable habitats of rare and endangered plants.
- The firebreak must not cause erosion.
- Extensive use of brush-cut breaks because the preparation of breaks by burning is a hazardous operation that has often been the source of wildfire.

Planning considerations:

- A decision as to what firebreaks to maintain in any particular year should be taken in the early autumn of each year.
- Information on the spatial distribution of fire hazard should be used in prioritising the preparation and maintenance of firebreaks.
- Maintain costs at a reasonable level without jeopardizing good veldfire management and protection.
- Placement of firebreaks on a slope must be determined by access to the break and by topography.

Design considerations:

- Advantage of preparing brush cut breaks is that unlike rotation of firebreaks of the past, a single break, typically 15 m wide, will be maintained in a permanent position.
- 15 m width for firebreaks should be used as a guide and in circumstances of high risk consideration should be given to creating wider firebreaks.
- Breaks should have significantly reduced fuel loads, and the height of vegetation within the break must be kept as low as possible.
- Waste material from firebreak preparation must be disposed of into the veld on the municipality's side of the firebreak.
- Use existing features of the landscape where possible, such as cliffs, sand dunes, tracks and roads as control lines.

9.2.2 Preparation and Maintenance

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 mineral 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.

These are all the conditions needed for quick starts and a rapid rate of fire spread.

- **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 as possible run parallel with the prevailing winds).
- Spotting distance.
- Firebreaks should be anchored, either 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.

1. **Manual:** Preparing a firebreak manually involves the utilisation of a team of workers working in a planned manner using manual tools.
2. **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.

3. 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.
4. Application of herbicide: With this method herbicide is used to kill off all the plant growth in the firebreak. The indiscriminate use of herbicides can cause long-term environmental damage.

9.2.3 Stellenbosch Municipality Firebreaks

Stellenbosch Municipality maintain a system of firebreaks in accordance with the provisions of the Veld and Forest Fire Act. The current positions of the firebreak network in and around municipal property are depicted in the figures below. These firebreaks are maintained as of October 2017.

Properties at risk are Culcattabos, Wemmershoek and Purgatory that has no firebreaks currently in place.

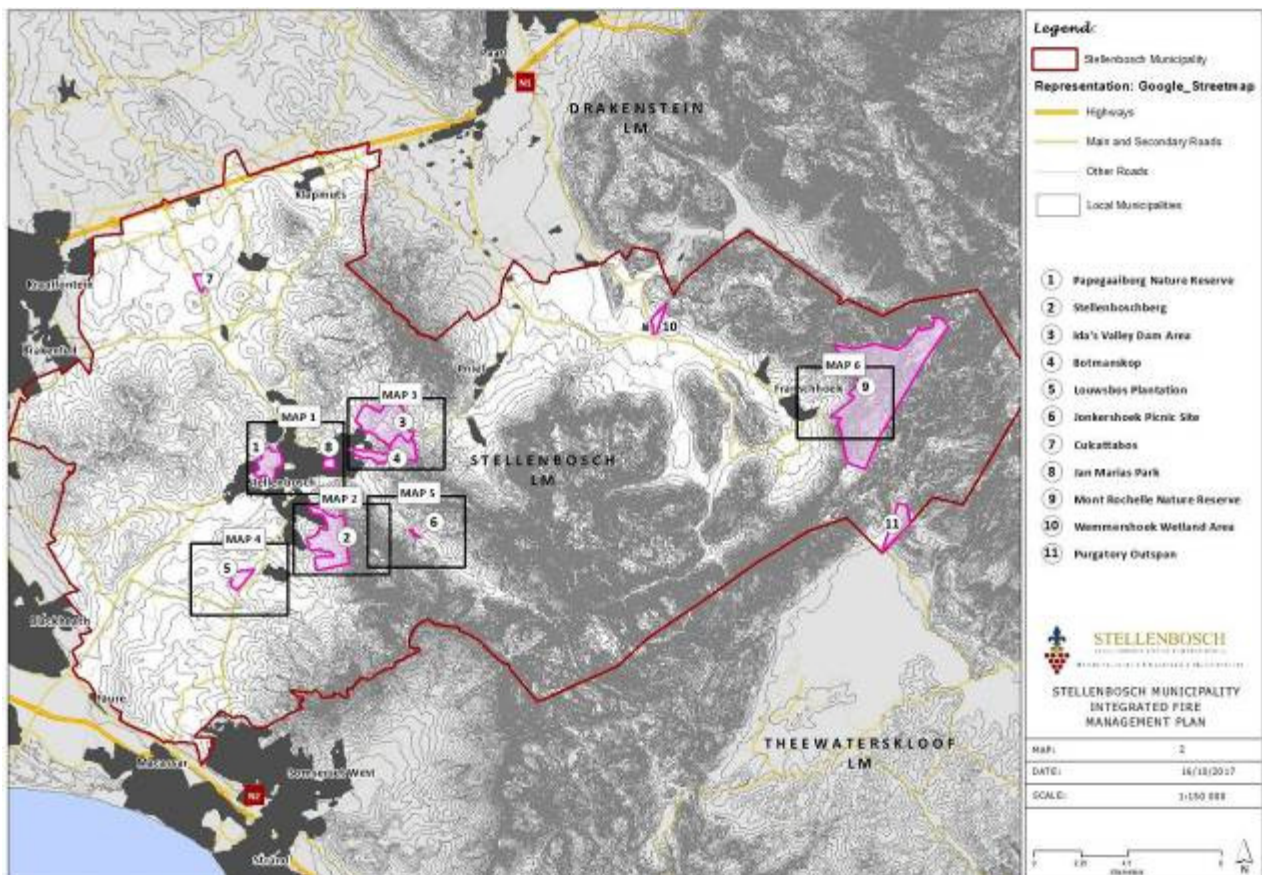


Figure 11: Firebreaks in and around Stellenbosch Municipal property.

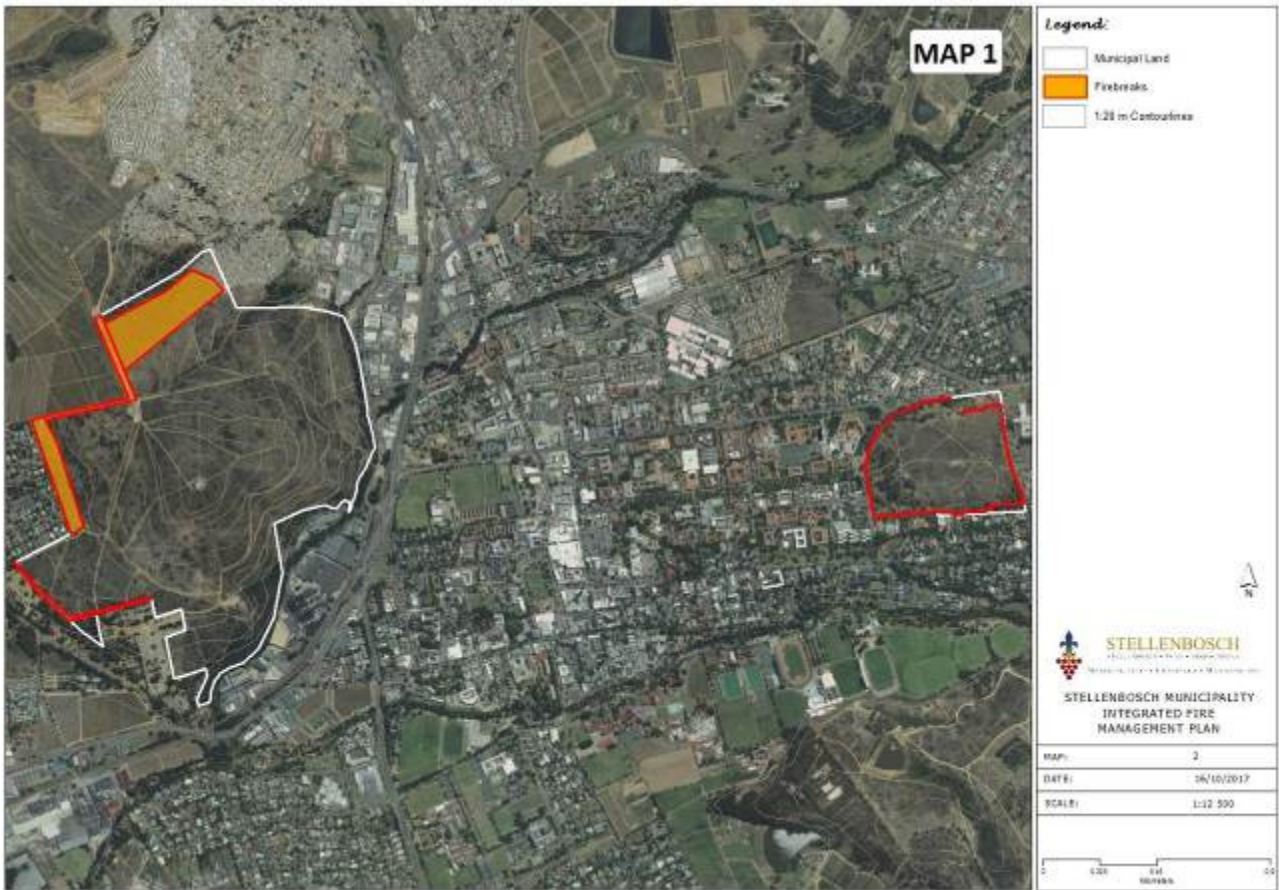


Figure 12: Firebreaks – Jan Marais Park / Papegaaiberg.



Figure 13: Firebreaks – Paradyskloof / Brandwag.

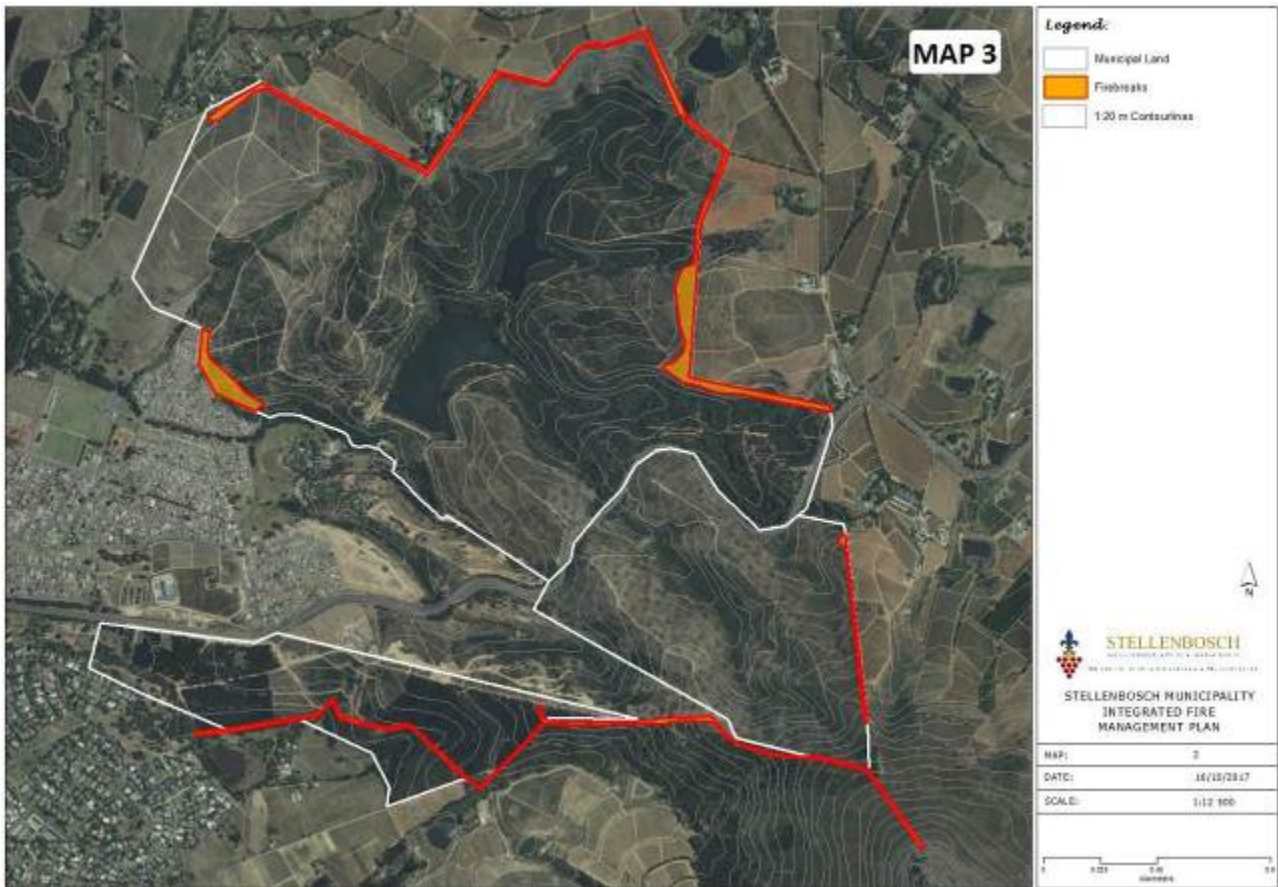


Figure 14: Firebreaks – Idas Valley Dam / Botmaskop.

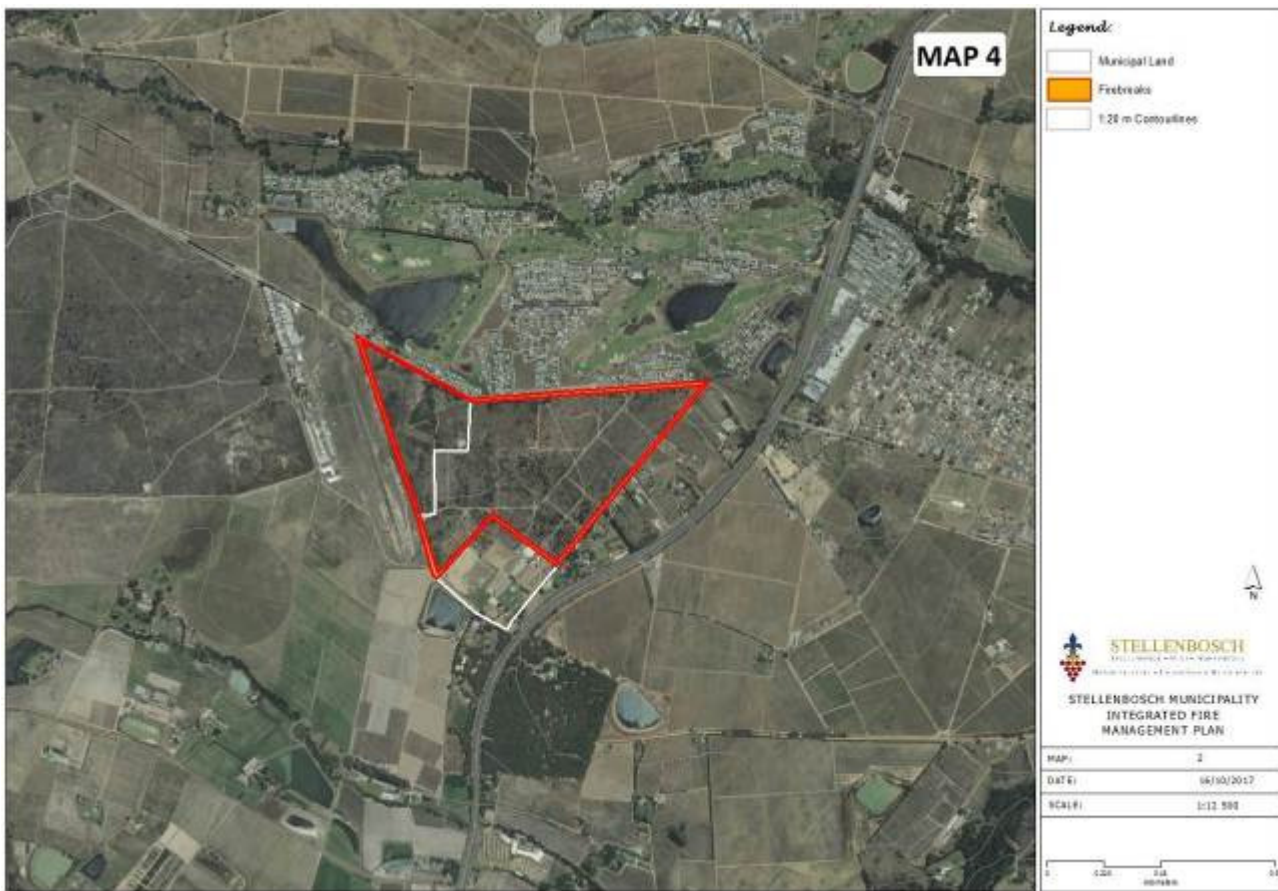


Figure 15: Firebreaks – Louw's Bos.

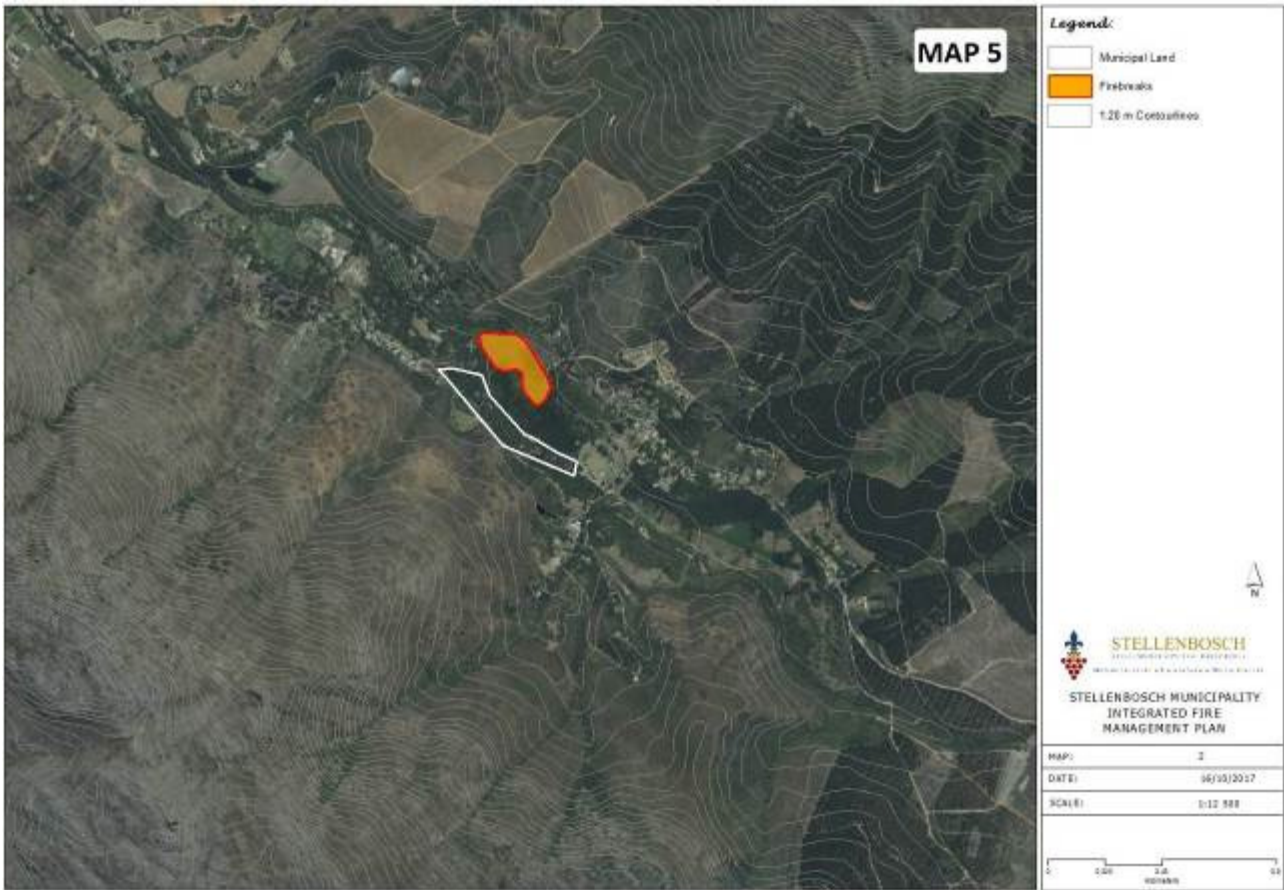


Figure 16: Firebreaks – Jonkershoek Picnic Area.

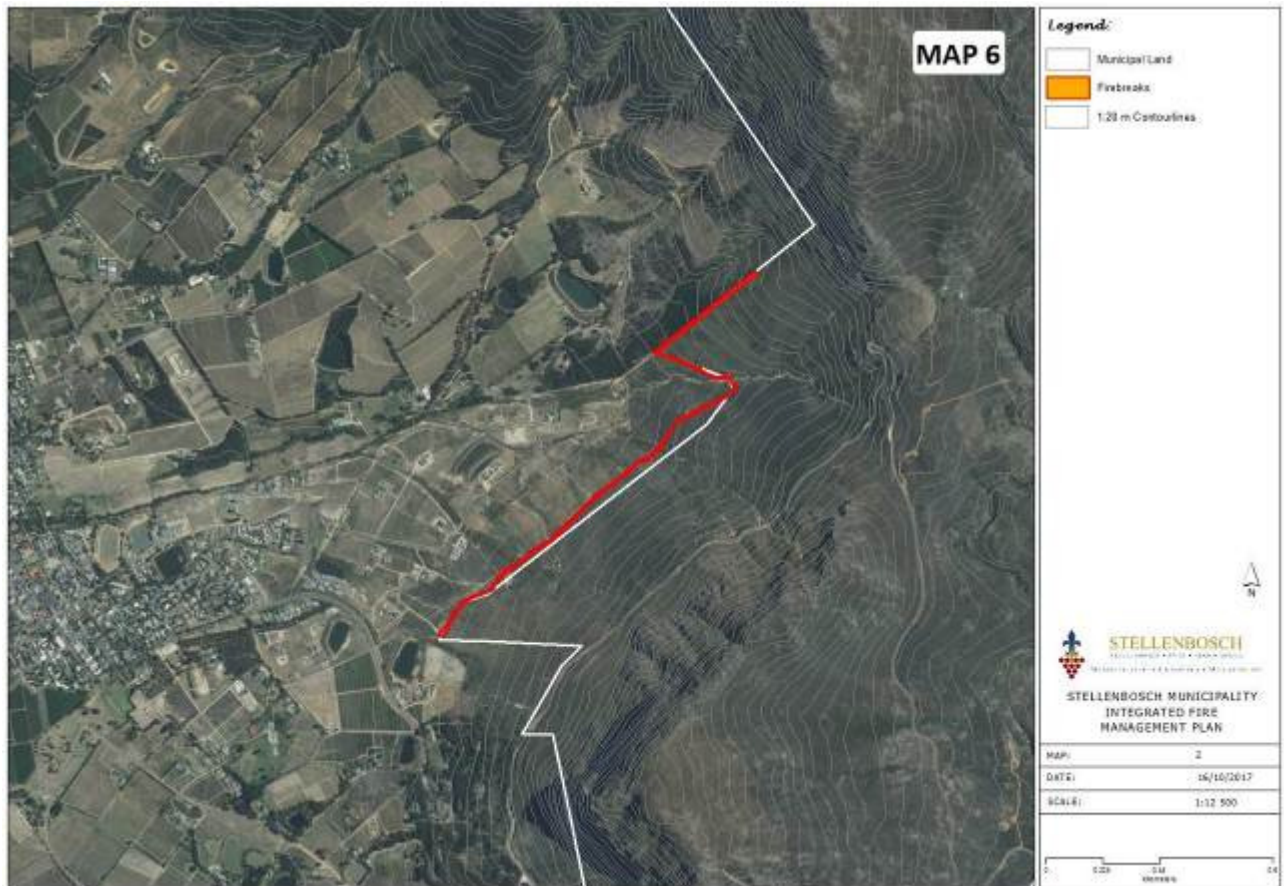


Figure 17: Firebreaks – Mont Rochelle.

10 ACCESS MAINTENANCE

Roads must be inspected regularly to:

- Remove obstacles such as fallen trees.
- Make sure roads can accommodate fire tenders.
- Key locks on access gates alike and ensure that vehicles carry tools (e.g. bolt cutters and saws).

11 MANAGEMENT ACTIONS

Table 6: Prevention & Preparedness – Management Actions.

Action	Responsible Department	Timeframe
Renew the Municipality's membership to the FPA	Nature Conservation	Annually
Maintain fire fighting equipment in good working condition and in accordance with SANS 10090 standards.	Fire Department Nature Conservation	Immediate & ongoing
Control and remove invasive alien vegetation from municipal land.	Nature Conservation	Immediate
Maintain firebreaks around municipal land.	Nature Conservation	Sep-Nov annually
Maintain firebreaks around areas of high risk as identified in the Disaster Management Plan.	Nature Conservation	Sep-Nov annually
Maintain access roads to nature areas / municipal land.	Nature Conservation	Immediate & ongoing
Manage and maintain fire fighting equipment according to SANS 10090 standards.	Fire Department Nature Conservation	Immediate & ongoing
Training to be provided for all personnel required to respond to fire.	Fire Department Nature Conservation	Annually

SECTION C: RESPONSE**SECTION SYNOPSIS**

This section describes the response to fires within Stellenbosch Municipality as well as the actions following such an incident.

All fires start small, thus, detection at the earliest possible stage is critical and is therefore also regarded as being as important a part of preparedness as it is for ensuring an appropriate response.

12 FIRE DETECTION

The Fire Department will have to rely on its staff members and the public for fire detection. Emergency telephone numbers must be boldly displayed in strategic positions across the Municipality.

13 FIRE SUPPRESSION**13.1 FIRE FIGHTING SAFETY RULES**

Along with fire prevention the safety of all personnel during fire fighting operations is the most important component of fire management. The most important rules in this regard are the following:

- Keep informed of fire weather conditions and forecasts
- Know what your veldfire is doing at all times
- Base all actions on the current and expected veldfire behaviour
- Plan and make known escape routes for everyone on the ground and in the air
- Post a lookout for danger and safety aspects
- Be alert, keep calm, think clearly, make clear decisions and act decisively
- Maintain prompt communications with the Fire Boss, Sector Bosses, crew leaders and fire fighters under your control
- Give clear instructions and have them repeated to ensure that they are understood
- Maintain control of your men and fire fighting operations
- Fight fires aggressively but put the safety of fire fighters first

13.2 COMMAND STRUCTURE

Regardless of the size of the veldfire, certain basic management actions are required to establish rapid and efficient control, and minimise risk, damage and costs. To meet this requirement, it is essential to set up positive and clear lines of authority quickly, and launch a dependable and rapid response to instructions.

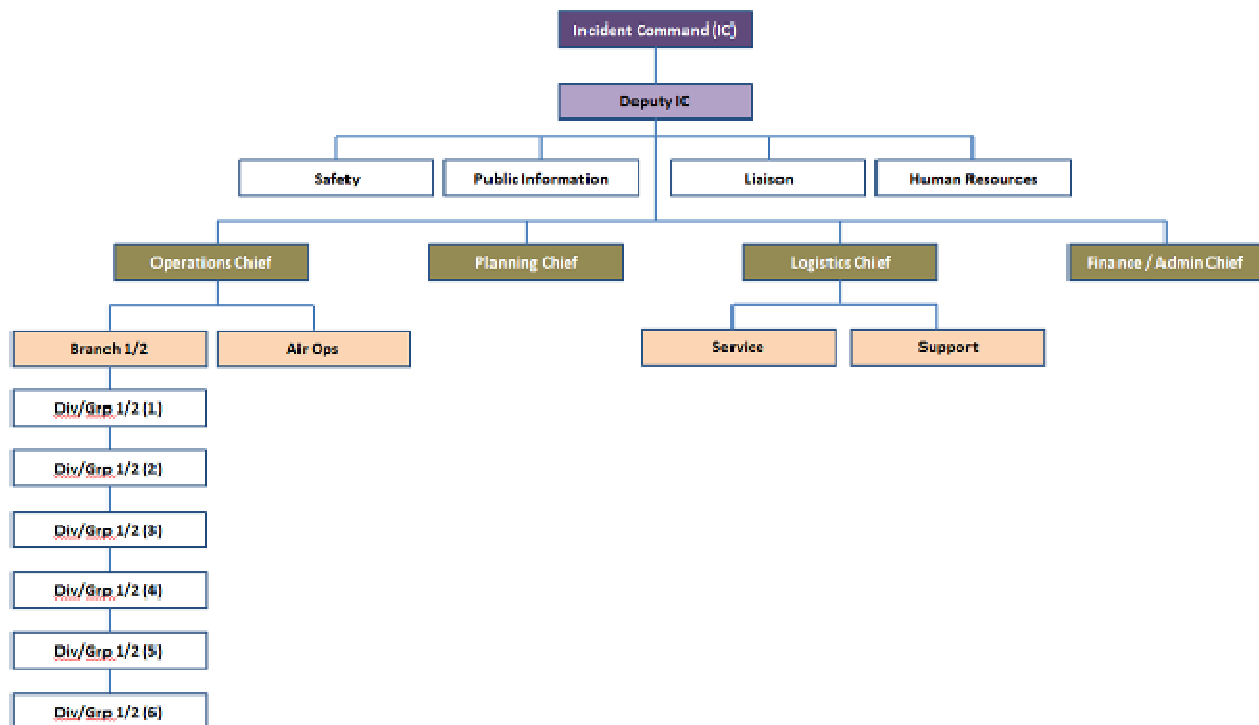


Figure 18: Basic command structure for fire suppression.

Table 7: Roles and responsibilities of the various personnel in the command structure

Position	Responsibility
Incident Commander	Assumes overall control of a fire
Fire Boss	In control of fire fighters equipment within a specific sector or flank of a veldfire. In the case of small veldfires it could be the Crew Leader at initial response, but who would be replaced if a veldfire increased in size or severity.
Crew Leader	In control of a fire control crew that could consist of a team of beaters, a tanker crew or a mopping-up crew. The Crew Leader serves as supervisor on the actual fire line, and is responsible for suppression of the veldfire on a particular line.
Logistics Section Chief	Generally positioned on larger veldfires, the Logistics Officer is Responsible for ensuring that the supply of equipment and other resources (including rations) arrive on site, on time.
Planning Section Chief	Uses weather, terrain, veld age and other parameters to develop plans of attack; propose future control lines, and estimate potential veldfire size.
Operations Section Chief	Responsible for all suppression activities at a large fire and reports to the Incident Commander.
Air Attack Boss	Responsible for the tactical operations of all aircraft assigned to a veldfire including their logistical support.

13.3 PROCEDURES TO BE UNDERTAKEN IN THE EVENT OF A FIRE

The following procedures has to be undertaken in the event of a fire:

- a. The person who has discovered the fire must immediately report the fire to the Fire Department.
- b. The following information must be transferred to the relevant authority.
 - Name of the caller

- Location of the fire
 - Type of fire
 - Seriousness of fire
 - Injuries or casualties
- c. Raise the fire alarm by activating the fire alarm siren. If the fire is during the day, the telephone operator must notify key personnel.
 - d. Rapid deployment of fire fighting resources within the structure of pre-planned Emergency Procedures.
 - e. Shut off all air and power (fuel supplies).
 - f. Depending on where the fire is, evacuate building or premise immediately.
 - g. Emergency medical resources should be placed on standby.

14 VELDFIRE BEHAVIOUR

Personnel must exercise extreme caution when:

- working downwind of a veldfire
- working up-slope of a veldfire
- fighting a veldfire on a slope
- working near heavy fuels, or where there is un-burnt fuel between you and the veldfire
- terrain or vegetation impedes travel

The behaviour of a veldfire is governed by fuel, topography and weather. Small variations in any of these factors can lead to significant changes in veldfire behaviour.

14.1 FUELS

Knowledge of fuels is fundamental to understanding veldfire behaviour. The important elements are:

- Fuel type (e.g. grasslands, fynbos, plantations)
- Fuel quantity – Increases in the amount of fuel influences:
 - Rate of spread
 - Rate of energy release
 - Flame lengths
- Fuel moisture content – The moisture content of fuels affects:
 - Ease of combustion
 - Combustion rates
 - Rate of spread
 - Radiation efficiency of flames
 - Probability of spotting

14.2 WEATHER

Weather factors that have a major influence on veldfire behaviour include temperature, relative humidity, wind speed and wind direction. Weather and veldfire behaviour in general:

- Strong and gusty, hot, dry winds generally precede a cold front. Such conditions favour the spread of veldfires.
- Under unstable atmospheric conditions:
 - Veldfires will develop strong convection columns

- Longer spotting distances may occur
- Winds tend to be gusty which make veldfire behaviour erratic
- Thunderstorms may develop and the resultant lightning could start more veldfires

14.3 PREDICTION

The ability to predict veldfire behaviour is vital in the planning of wildfire suppression, and the application of prescribed burning.

Veldfire behaviour (in general):

- Spread faster uphill than downhill
- Spread with the wind rather than against it
- Spread faster where the vegetation contains quantities of dead plant material
- Spread faster in fine fuels
- Spread faster where the vegetation canopy is intertwined
- Doubling the fuel load will double the rate of spread, resulting in the intensity of the veldfire increasing fourfold.
- Halving the fuel load will decrease the rate of spread fourfold.

15 POST FIRE RECOVERY

15.1 CHECKLIST FOR ACTIONS TO BE TAKEN IMMEDIATELY AFTER VELDFIRES

There are a number of procedures that need to be adhered to after a prescribed or wildfire has been extinguished. The following procedures should take place as quickly as possible after the end of a fire:

- After a fire has been brought under control, patrolling and inspections should continue until the Fire Boss is satisfied that the fire has been extinguished. Veldfires are only really considered to be “under control” once they are extinguished.
- The extent of a veldfire should be mapped and a Fire Report completed.
- During the patrolling phase, hazardous situations where a fire could most likely reignite should be identified.
- The frequency of patrolling the perimeter should be decided by the Fire Boss, and could decrease over time. Weather forecasts should be obtained and carefully studied.
- Once a fire has been extinguished, all equipment should be returned to the correct storage facilities and inspected.
- All infrastructure within the perimeter of the fire should be inspected for damage and reported/repaired if necessary.
- Restrict public access to the recently burnt areas if dangerous or ecologically sensitive.

15.2 CHECKLIST FOR ACTIONS THREE MONTHS AFTER VELDFIRES

- The secondary effects of removal of vegetation by intense fires can pose a danger to people, infrastructure and vegetation situated down slope, and include:
 - increased danger of rock and mudslides
 - blocked storm water drains
 - loose sand on roads, and
 - increased erosion

- The burnt area should be inspected and assessed in terms of these effects and contingency plans made to deal with these issues, if necessary.
- After all major fires a formal debriefing should be held involving all relevant agencies. At this debriefing, the cause of the fire should be identified and the discussion should focus on the cooperation of all relevant agencies in the extinguishing of the fire.
- Post-fire issues need to be addressed through checking and corrective action, and through a management review. This regular review will ensure that the management plan remains relevant and appropriate to changing conditions and experience.

Wildfires are often a source of opportunity, the fire managers need to be aware of the following:

- The occurrence of a wildfire often stimulates the flowering of geophytes and represents a significant opportunity to raise awareness amongst the public of the role and importance of fire in the ecology of the area.
- Wildfires could result in the removal of large stands of dense alien plants, but equally this could stimulate mass germination of a large number of seedlings.
- Many plant species flower only within the first year or two after a veldfire. These post-fire blooms represent rare opportunities to expand knowledge on the occurrence and distribution of such plant species.
- The occurrence of veldfires also offers the opportunity for initiating research investigations to increase the understanding of the role of veldfires in the dynamics and conservation of the area's ecosystem.

15.3 VELDFIRE REPORTING

It is essential that during any fire, an accurate chronological record of the fire, weather and actions be maintained. This will ensure that the Municipality has a record of the deployment of the resources, it facilitates debriefing and can be of major importance in the event of legal action after a fire.

EMERGENCY CONTACT NUMBERS

Emergency Centre - Control Room
021 808 8888

Operational Head - Fire Operations
082 647 7587

Head: Disaster Management
082 050 4834

Chief: Fire and Disaster
071 443 7337

ANNEXURE B



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

**NOTICE OF DRAFT STELLENBOSCH MUNICIPALITY
 INTEGRATED FIRE MANAGEMENT PLAN FOR COMMENT**

Notice is hereby given of the availability of the Draft Stellenbosch Municipality Integrated Fire Management Plan for comment.

The document is available on the municipal website (<https://www.stellenbosch.gov.za/>). Hard copies are available at the municipal advice centres in Stellenbosch and Franschhoek as well as local municipal libraries. Comment on the document must be submitted in writing to Schalk van der Merwe, P. O. Box 17, Stellenbosch, 7599, or sent to schalk.vandermerwe@stellenbosch.gov.za.

The closing date for receipt of comment is 10 June 2019.

**KENNISGEWING VAN KONSEP STELLENBOSCH MUNISIPALITEIT
 GEÏNTEGREERDE BRAND BESTUURSPLAN VIR KOMMENTAAR**

Kennis geskied hiermee van die beskikbaarheid van die Konsep Stellenbosch Munisipaliteit Geïntegreerde Brand Bestuursplan vir kommentaar.

Die dokument is beskikbaar op die munisipale webtuiste (<https://www.stellenbosch.gov.za/>). Harde kopiee is beskikbaar by die munisipale advies kantore te Stellenbosch en Franschhoek asook plaaslike munisipale biblioteke. Skriftelike kommentaar op die dokument moet gerig word aan Schalk van der Merwe, Posbus 17, Stellenbosch, 7599, of gestuur word na schalk.vandermerwe@stellenbosch.gov.za.

Die sluitingsdatum vir die ontvang van kommentaar is 10 Junie 2019.

EIKESTAD NUUS 09 MEI 2019

11.1.2	POLICY FOR THE IMPLEMENTATION OF AN AUXILIARY LAW ENFORCEMENT SERVICE FOR STELLENBOSCH MUNICIPALITY
--------	--

Collaborator No: 659698
IDP KPA Ref No:
Meeting Date: 11 SEPTEMBER 2019

1. SUBJECT: POLICY FOR THE IMPLEMENTATION OF AN AUXILIARY LAW ENFORCEMENT SERVICE FOR STELLENBOSCH MUNICIPALITY

2. PURPOSE

To obtain Council's approval of the Auxiliary Law Enforcement Service Policy for Stellenbosch Municipality (WC024).

3. DELEGATED AUTHORITY

For decision by the Municipal Council.

4. EXECUTIVE SUMMARY

Stellenbosch Municipality encompasses a vast jurisdiction which includes Franschhoek, Klapmuts, Pniel, Kylemore, Raithby and Jamestown. Enforcing municipal bylaws and preventing criminal activity through active visible policing is putting a big strain on the municipal budget. The continued escalation in crime has further heightened the pressure on local law enforcement and municipal traffic services.

This is borne out by the public outcry for help against rising crime in all communities. In order to extend the fight against crime to the community's themselves, the municipality has crafted a draft policy on the creation of a volunteer auxiliary law enforcement service. It is envisaged that the additional law enforcement contingent will improve the municipality's ability to stem the rise in crime experienced in local communities.

5. RECOMMENDATIONS

- (a) that Council approves the advertisement of the draft Policy for the implementation of an Auxiliary Law Enforcement Service for Stellenbosch Municipality 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 Policy for the implementation of an Auxiliary Law Enforcement Service for Stellenbosch Municipality to be presented to Council for approval.

6. DISCUSSION / CONTENTS

6.1 Background

The high levels of unemployment has given rise to an increase in street beggars and vagrants throughout the municipal area of Stellenbosch. Criminals, gangs and petty thieves have increased to such an extent that the limited municipal law enforcement capacity finds it extremely difficult to cope with the challenges. Public Safety and crime remains the number one matter raised at IDP meetings and general outcries for help from the public. Given the legal obligation of the municipality to deal with matters of safety within its boundaries, the municipality has to find new ways of increasing its capacity to provide a safe and secure environment for its residents.

6.2 Discussion

The auxiliary law enforcement service policy for Stellenbosch allows the Municipality to recruit qualified individuals as volunteer law enforcement officers under the auspices, command and control of the Protection Services Department.

The objective with the policy is to create an opportunity for qualified community members interested in law enforcement and crime prevention to render their services free of charge to their communities, by joining the Protection Services Department of the municipality. When ready, these volunteer law enforcement officers (auxiliary members) can become eligible for the EPWP program and qualify for a stipend. The next step in their progression would be where "EPWP Officers" may apply for vacant positions in the Public Safety Department of the municipality, and if successful, become a permanent member of Municipal Law Enforcement. Auxiliary Law Enforcement Officers must offer a minimum of 32 hours service per month to the department to be eligible.

The Auxiliary member is under the command and control of a permanent appointed Law Enforcement Official of the Municipality and performs operational functions within the Stellenbosch Municipal area only. The operational deployment is controlled by the Chief of Law Enforcement. This will enhance visible crime prevention within WC024 Stellenbosch area, as the current limited staff compliment could be bolstered by this means.

6.3 Financial Implications

This report has financial implications for the municipality as funding relating to training, uniform, protective clothing, vehicle costs, vehicle running costs etc. would be required based on the number of persons performing such functions. The number of auxiliary staff may be capped by the Municipality to stay within budget.

6.4 Legal Implications

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

6.5 Staff Implications

This recommendation has staff implications for the Municipality based on the number of appointments it approves. The contract agreement with auxiliary force members will state clearly that employment as a volunteer does not constitute a promise of future permanent employment at Stellenbosch Municipality.

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

This recommendation has additional risk implications for the Municipality in that liability insurance will have to cover the additional volunteer law enforcement officers.

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

Supports the item.

6.8.2 Director: Planning and Economic Development

Supports the item.

6.8.3. Director: Community and Protection Services

Supports the item.

6.8.4. Director: Strategic and Corporate Services

No comments received.

6.8.5 Chief Financial Officer

No comments received.

6.8.6 Municipal Manager

Supports the item.

RECOMMENDATIONS TO THE EXECUTIVE MAYOR FROM COMMUNITY AND PROTECTION SERVICES COMMITTEE: 2019-09-10: ITEM 6.1.4

- (a) that Council approves the advertisement of the draft Policy for the implementation of an Auxiliary Law Enforcement Service for Stellenbosch Municipality 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 Policy for the implementation of an Auxiliary Law Enforcement Service for Stellenbosch Municipality to be presented to Council for approval.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-11: ITEM 7.1.2

- (a) that Council approves the advertisement of the draft Policy for the implementation of an Auxiliary Law Enforcement Service for Stellenbosch Municipality 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 Policy for the implementation of an Auxiliary Law Enforcement Service for Stellenbosch Municipality to be presented to Council for approval.

ANNEXURES**Annexure A:** Policy Auxiliary Law Enforcement Officers**FOR FURTHER DETAILS CONTACT:**

NAME	Charl Kitching
POSITION	Senior Manager Protection Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8815
E-MAIL ADDRESS	Charl.kitching@stellenbosch.gov.za
REPORT DATE	15 July 2019

ANNEXURE A

DRAFT RESERVIST POLICY

**AUXILIARY LAW ENFORCEMENT
SERVICE OF THE STELLENBOSCH
MUNICIPALITY**

2019

TABLE OF CONTENTS

1. Introduction
2. Purpose and Scope
3. Authority
4. Appointment of Auxiliary Law Enforcement Officers
 - 4.1. Criteria
 - 4.2. Recruitment
 - 4.3. Application Process
 - 4.4. Training
5. Duties of Law Enforcement Officers
6. Operational Protocol
 - 6.1. Uniforms
 - 6.2. Membership
 - 6.3. Chain of Command
 - 6.4. Conduct

Reservist Policy: Auxiliary Law Enforcement Service of the Stellenbosch Municipality

1. Introduction

The Law Enforcement Auxiliary Officer Program of the Stellenbosch Municipality is a volunteer-based Initiative.

The program will be implemented under the direction of the Chief of the Law Enforcement Section, will provide a valuable support function to the Law Enforcement section as part of the Protection Services Department.

2. Purpose and Scope

The purpose of the Reservist Policy is to recruit qualified community-based residents who has a passion for law enforcement and who wish to contribute to the safety of their local communities and law and order in general. The policy will allow the municipality to invest in public safety, train members of the community and open career paths for residents who want to serve their respective communities.

3. Authority

The Stellenbosch Municipality's Auxiliary Law Enforcement Service will be established in terms of a Council Resolution which will give the Chief of the Law Enforcement Section the authority to determine who may serve as Auxiliary Officers.

Auxiliary Law Enforcement Officers are regarded as being in the employment of the Municipality whilst on duty and thus have full Peace Officer status in terms of Section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977).

4. Appointment of Members

4.1. Applicants must meet the following **criteria** to qualify as Auxiliary Law Enforcement Officers:

4.1.1. Be 18 years and older

4.1.2. Must have Matric

4.1.3. Must be in good health and passed the prescribed physical assessment for Auxiliary Officers

4.1.4. Must not have a criminal record or subject to a pending criminal case

4.1.5. Willing (and eager) to serve his/her community in a voluntary capacity

- 4.1.6. Meet any other relevant requirements contained in the municipality's recruitment and selection policies.
- 4.1.7. Current members of SAPS, Traffic Services, Metro Police or related law enforcement institutions are not eligible to serve as Auxiliary Law Enforcement Officers.

4.2. Recruitment

- 4.2.1. Recruitment of reservists will be in accordance with the Municipality's stated principles and policies of equity with regard to demographics and gender.
- 4.2.2. Recruitment drives will be focussed on active contributors to registered community-based initiatives.

4.3. Applications

Applications for appointment as members of the Auxiliary Law Enforcement Service is to be made by submission of the following, duly completed forms to the office of the Chief of Law Enforcement:

- 4.3.1. Application for Appointment (Annexure A)
- 4.3.2. Health Questionnaire (Annexure B)
- 4.3.3. Indemnity form (Annexure C).

4.3. Training

- 4.3.1. Members of the Auxiliary Law Enforcement Service will be required to undergo all training courses prescribed for permanent members in terms of Government Notice 1114.
- 4.3.2. Qualified Auxiliary Law Enforcement members will be required to attend additional or refresher training sessions as directed by the Chief of Law Enforcement.
- 4.3.3. All training sessions will as far as possible be scheduled outside of normal working hours and over weekends.
- 4.3.4. Newly appointed auxiliary law enforcement members will be placed on a three-month probation period during which they will be assigned to permanent members of the Municipality's Law Enforcement Department.

5. Duties of Auxiliary Law Enforcement Officers

- 5.1. Auxiliary Law Enforcement Officers will be responsible to perform the same uniform patrol duties as full-time officers.

- 5.2. Auxiliary Officers will be utilized to enhance the law enforcement capacity of the Municipality through:
 - 5.2.1. Daily patrols as part of departmental operations.
 - 5.2.2. Supporting registered neighbourhood watches
 - 5.2.3. Supporting specialized law enforcement functions upon the direction of the Chief of Law Enforcement.
 - 5.2.4. Performing emergency duties in the event of disasters and other emergency situations, upon the direction of the Chief Law Enforcement.
 - 5.2.5. Attend monthly meetings as scheduled by the Chief Law Enforcement.
- 5.3. Each Auxiliary Law Enforcement member shall devote a minimum of 32 hours per month to the functions of the Law Enforcement Department. This 32-hour minimum does not relieve the Auxiliary member from emergency duties.
- 5.4. Each Auxiliary Law Enforcement member shall submit a monthly attendance register listing the number of hours worked and details of assignments completed.
- 5.5. Auxiliary members are subject to dismissal if no hours are worked in a three month period without the permission from the Chief of Law Enforcement.

6. Operational Protocol

6.1. Uniforms

- 6.1.1. Auxiliary members of the Law Enforcement Department will adhere to the applicable standing orders in respect of Dress Code, Equipment and Grooming.
- 6.1.2. Auxiliary members will wear standard Stellenbosch Municipal Law Enforcement Uniforms while on duty and any exceptions are subject to the prior approval of the Chief Law Enforcement.

6.2. Membership

- 6.2.1. An Auxiliary Law Enforcement member is entitled to the same degree of legal indemnity afforded to a permanent member acting in good faith and within the law while on duty.
- 6.2.2. Auxiliary Law Enforcement members will be covered by the Municipality's Group Personal Accident Insurance for purposes of covering expenses relating to injuries on duty.

- 6.2.3. An Auxiliary Law Enforcement member shall carry his or her appointment card (as peace officer) at all times while on duty.
- 6.2.4. Membership does not entitle an Auxiliary Law Enforcement member to carry a firearm when on duty. The carrying of firearms depends on the member's level of competency as established through the completion of relevant training courses and the issuing of firearms is done at the discretion of the Chief Law Enforcement.
- 6.2.5. The Law Enforcement Auxiliary Officer Programme of the Stellenbosch Municipality is a strictly volunteer initiative with **no financial benefits or promise of future permanent employment** attached to it. Auxiliary Law Enforcement members serve at the discretion of the Chief Law Enforcement.

6.3. Chain of Command

- 6.3.1. An Auxiliary Law Enforcement member shall be considered to be performing service to the Municipality after formally booking on duty according to a formal duty roster or when called to perform such duties by an official appointed to manage his/her activities.
- 6.3.2. An Auxiliary Law Enforcement member, while on active duty, will function through the chain of command of the Law Enforcement Department. Auxiliary Law Enforcement members have peace officer status through the official chain of command while on duty and do not possess such status when off duty.
- 6.3.3. All Auxiliary Law Enforcement members will serve under the supervision and/or direction of permanent members.
- 6.3.4. An Auxiliary Law Enforcement member shall, while officially on duty, submit him/herself to the provisions of the municipality's disciplinary code, but as amended in the Auxiliary Law Enforcement Standing Orders, to recognise the special circumstances of their voluntary status vis-a-vis family responsibility, illness, leave of absence etc.
- 6.3.5. An Auxiliary Law Enforcement member on duty shall be identifiable as such by his/her insignia.

6.4. Conduct

- 6.4.1. Auxiliary Law Enforcement members will adhere to the same standards applicable to permanent members.

6.4.2. All Auxiliary Law Enforcement members will be required to subject to the Code of Conduct of the Auxiliary Law Enforcement Service of the Stellenbosch Municipality (Annexure D).

7. Advancement in Rank

- 7.1. Auxiliary members shall be considered for advancement in rank upon attaining the criteria laid down in the applicable standing orders, with the provision that a Volunteer Peace Officer shall not occupy a management role over permanent members.
- 7.2. Prior learning and experience will be considered after an Auxiliary member has completed the first six month period of active duty. Such advancement in rank will be accommodated in accordance with the established Criteria for Advancement in Rank for Auxiliary Law Enforcement Officers based on Prior Learning and Experience.

Annexure A

Application for Appointment as a Member of the Auxiliary Law Enforcement Service of the Stellenbosch Municipality

PERSONAL DETAILS

Surname _____ First Names _____

Residential Address _____

Telephone No. (Work) _____ (Home) _____

Preferred Contact Telephone Number _____ Cellular No. _____

Identity Number _____

Health/Disability Please provide details of any mental and/or physical disabilities:

EDUCATION

FORMAL QUALIFICATIONS (eg. Degree/Diploma)

Name of Institution	Qualification Obtained	Date Completed (Indicate if incomplete)

If you are studying at present, give full details:

RELEVANT COURSES / TRAINING

EMPLOYMENT DETAILS

Company / Institution _____

Current Position _____

Date started _____

Key roles/achievements _____

1. _____
2. _____
3. _____

Who do you report to _____

Do you manage staff and if so how many _____

Contact number of employer _____

LANGUAGE PROFICIENCY

Language Proficiency Please indicate with x	Afrikaans			English			Xhosa			Other		
	Good	Fair	Weak	Good	Fair	Weak	Good	Fair	Weak	Good	Fair	Weak
Write												
Read												
Speak												
Understand only												

ADDITIONAL INFORMATION

Do you hold a current driving licence? Yes No

If "Yes", please specify type of licence _____

Have you ever been convicted of a criminal offence?

Yes No

If "Yes", provide details _____

Is your situation at work such that you will have time to perform voluntary duties?

Is your circumstances such that you will be able to attend court proceedings?

What is your motivation to enlist as an Auxiliary Law Enforcement Officer?

I declare that the above-mentioned information is true and correct and that I have not withheld any information.
I understand that any false information supplied could lead to my immediate discharge.

Signature _____

Date _____

Initials and Surname: _____

Annexure B

Auxiliary Law Enforcement Service of the Stellenbosch Municipality**Health Questionnaire****A**

1. Surname _____ Identity No _____

2. First names _____

3. Age _____

4. Height	cm	5. Weight

B

Health Questions	Mark with a cross(**x**) in the appropriate column	If an answer "Yes, provide particulars of the nature, severity, date and duration of the illness.
1. Have you ever had asthma, used an inhaler medication or been troubled by shortness of breath?	Yes	_____ _____
	No	_____ _____
2. Do you have diabetes or raised blood levels?	Yes	_____ _____
	No	_____ _____
3. Have you EVER had epilepsy, experienced fits, seizures, convulsions, fainting or blackouts?	Yes	_____ _____
	No	_____ _____
4. Have you EVER had heart disease, heart murmur or irregular heartbeat?	Yes	_____ _____
	No	_____ _____

5. Do you experience chest pain or angina?	Yes	_____
	No	_____
6. Have you EVER been told that you have high blood pressure?	Yes	_____
	No	_____
7. In the past two years, have you suffered from migraines or persistent headaches?	Yes	_____
	No	_____
8. Have you EVER suffered from mental illness, depression, anxiety or stress?	Yes	_____
	No	_____
9. Have you EVER attempted suicide?	Yes	_____
	No	_____
10. Have you EVER committed self-harm?	Yes	_____
	No	_____
11. Have you EVER taken a drug overdose?	Yes	_____
	No	_____
12. Have you EVER suffered from arthritis or any bone or joint problems?	Yes	_____
	No	_____
13. Do you have any allergies, including food and drug allergies?	Yes	_____

	No	_____
14. Are you, should you be, taking any medication?	Yes	_____ _____
	No	_____ _____
15. Are you currently receiving treatment for any health conditions?	Yes	_____ _____
	No	_____ _____
16. Do you know ANY other circumstances regarding your health and fitness that: MIGHT make you unable to carry out the duties of a Law Enforcement officer or: MIGHT make you unable to complete the training program without interruption?	Yes	_____ _____ _____
	No	_____ _____ _____

C

	Yes	No
1. Do you suffer from any defect of hearing speech or sight?		
2. Are you physically disabled and do you use artificial limbs?		
IF SO, PROVIDE DETAILS OF THE NATURE AND DEGREE OF THE DISABILITY: _____ _____ _____		

D

	Yes	No
Have you undergone any operation(s)		
IF SO, PROVIDE DETAILS OF THE NATURE AND DEGREE OF THE DISABILITY: <hr/> <hr/> <hr/>		

E

I declare that the above-mentioned information is true and correct and that I have not withheld any information regarding my health. I understand that any false information supplied could lead to my immediate discharge.

Signature _____

Date _____

Initials and Surname: _____

Annexure C

Indemnity: Auxiliary Law Enforcement Service of the Stellenbosch Municipality

I
(Full names)

Undertake hereby to perform my duties as an Auxiliary Law Enforcement Officer on a strictly voluntary basis in accordance with the Municipality's policy in this regard.

Further undertake to claim no expenses that relates to my duties as an Auxiliary Member.

I hereby indemnify and hold harmless any member of the Law Enforcement Department and the Stellenbosch Municipality from any liability or claim regarding a financial loss or loss of personal property that might occur due to my duties as an Auxiliary Law Enforcement officer.

Date.....

Place.....

Signature.....

Witnesses 1:

1. Name.....
2. Signature.....
3. Date.....

Witnesses 2:

1. Name.....
2. Signature.....
3. Date.....

Annexure D

**AUXILIARY LAW ENFORCEMENT SERVICE OF THE
STELLENBOSCH MUNICIPALITY****Code of Conduct**

We commit ourselves to the creation of a safe and caring Municipality for all and value the security of all who live, work and play in it by

- Participating in endeavours to address the causes of disorder and crime in the community;
- Preventing action which may threaten the safety or security of the community and bringing the perpetrators thereof to justice.
- Promoting the principles of volunteerism in the communities we serve.

In realization of the aforementioned commitment, we shall at all times

- Uphold the constitution of the country, be guided by the needs of the community, give full recognition to the needs of the Stellenbosch Municipality and co-operate with the community, government and all other related role players.

In order to achieve a safe and caring environment for all in the Stellenbosch Municipality, we undertake to secure stability by promoting a culture of civil obedience and enforcing the municipality's regulations and the laws of the country with:

- **Honesty and Integrity:** We will be open and truthful in all our dealings with the public, avoid being improperly beholden to any person or institution, refrain from engaging in acts of corruption or bribery and will discharge our duties with diligence. We will not condone such acts in our colleagues either and feel morally as well as legally obligated to report same.
- **Fairness and Impartiality:** We have a particular responsibility to act with fairness and impartiality in all our dealings with the public and our colleagues. We will avoid favouritism of any individual or group, all forms of harassment, victimisation or discrimination, to any other person including our colleagues.

Use of Force and Abuse of Authority

- We will refrain from knowingly using more force than is reasonable, nor will we abuse our authority. Force will be used only with the greatest restraint and only after discussion, negotiation and persuasion has been found to be ineffective.
- We will not inflict unnecessary pain or suffering and will not engage in cruel, degrading or inhuman treatment of any being, whether human or animal.

Performance of Duties

- We will be conscientious and diligent in the performance of our duties, while treating everyone who comes into our sphere of influence equally and with courtesy, consideration and dignity.
- We will not allow our personal feelings, animosities or friendship to influence our official conduct we will enforce the law appropriately and courteously, while striving to obtain maximum cooperation from the public
- We are also responsible for continuous upgrading of our skills and will take every reasonable opportunity to enhance and improve our knowledge and competence.

Confidentiality

- Information that comes into our possession will be treated as confidential.
- We will not use such information for personal benefit and will not divulge it to other parties except in the proper course of our law enforcement duty. We will also, similarly, respect as confidential, information about official policy and operations unless authorized to disclose it in the course of our duties.

Sobriety and General Conduct

- While on duty we will be sober.
- We will not consume any intoxicating liquor when on duty or for a sufficient length of time before going on duty in our place of work.
- We will at all times project a professional image as benefits a member of this department.

Lawful Orders

- We will obey all lawful orders and abide by the provisions of our Standing Orders, relevant policies as well as law.
- We will support our colleagues in the execution of their duties and oppose any improper behaviour, reporting it where appropriate.

Appearance

- Unless on duties which dictate otherwise –
- We will be well turned out, clean and tidy whilst in uniform.
- We will maintain an acceptable level of fitness and continuously strive to improve our physical prowess.

Politeness and Tolerance

- We will treat members of the public courteously and with respect, avoiding abusive or deriding attitudes or behaviour.

11.1.3	POLICY ON EXTERNALLY-FUNDED LAW ENFORCEMENT AND TRAFFIC OFFICERS
--------	---

Collaborator No: 659698
IDP KPA Ref No:
Meeting Date: 11 SEPTEMBER 2019

1. SUBJECT: POLICY ON EXTERNALLY-FUNDED LAW ENFORCEMENT AND TRAFFIC OFFICERS

2. PURPOSE

To obtain Council's approval for the draft on Externally-Funded Law Enforcement and Traffic Officers Policy for the Stellenbosch Municipality (WC 024).

3. DELEGATED AUTHORITY

For decision by the Municipal Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality comprises of a vast area which includes the towns of Stellenbosch and Franschhoek, as well as the smaller settlement nodes of Klapmuts, Pniel, Kylemore, Raithby and Jamestown. This poses significant challenges to the municipality in terms of its mandate to provide a Traffic and Law Enforcement Service to all these communities. Add to this the annual influx of tens of thousands of university students into central Stellenbosch, the resultant congestion and "over-crowding" tends to cause major traffic and law enforcement challenges for the relevant departments.

The current staff component of the Protection Services Department (Law Enforcement, Traffic Services and Fire Services) is not adequate to provide a quality service to all communities through visible policing. This proposed policy provides private business and non-governmental organisations with the opportunity to partner with the municipality to fund the employment of additional law enforcement and traffic officials in designated areas where crime and traffic congestion has become a challenge.

5. RECOMMENDATIONS

- (a) that Council approves the advertisement of the draft Policy on Externally-Funded Law Enforcement and Traffic Officers 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 Policy on Externally-Funded Law Enforcement and Traffic Officers to be presented to Council for approval.

6. DISCUSSION / CONTENTS

6.1 Background

Public Safety is consistently listed as the number one priority of all the communities, neighbourhoods and towns of Stellenbosch Municipality. The inability of municipal law enforcement and traffic services to respond to all the bylaw, criminal and traffic transgressions timeously has resulted in an outcry for better service delivery. The safety of residents in the CBDs of Stellenbosch and Franschhoek, overcrowded

underprivileged neighbourhoods and in smaller enclaves have forced the municipality to employ alternative strategies to secure public spaces in Stellenbosch.

6.2 Discussion

Stellenbosch Municipality comprises of a vast area which includes the towns of Stellenbosch and Franschhoek, as well as the smaller settlement nodes of Klapmuts, Pniel, Kylemore, Raithby and Jamestown. This poses significant challenges to the municipality in terms of its mandate to provide a Traffic and Law Enforcement Service to all these communities. Add to this the annual influx of tens of thousands of university students into central Stellenbosch, the resultant congestion and “over-crowding” tends to cause major traffic and law enforcement challenges for the relevant departments.

The current staff component of the Protection Services Department (Law Enforcement, Traffic Services and Fire Services) is not adequate to provide a quality service to all communities through visible policing. This proposed policy provides private business and non-governmental organisations with the opportunity to partner with the municipality to fund the employment of additional law enforcement and traffic officials in designated areas where crime and traffic congestion has become a challenge.

The uniformed member is under the command and control of the Municipality but performs operational functions within a designated area of the funded enterprise/ stakeholder, or in cases of emergencies, as and where determined by the relevant Chief of that Department. The implementation of this policy will enhance visible Crime Prevention within the Greater Stellenbosch area, as the current limited staff compliment can then be deployed to other areas.

6.3 Financial Implications

This report has no financial implication for the municipality as funding relating to the salary, training, vehicle costs and vehicle running costs, will be borne by the external partner.

6.4 Legal Implications

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

6.5 Staff Implications

The recommendation will result in an increase in the number of Law Enforcement and Traffic Services personnel under the command of the respective sections, but at no extra cost to the municipality.

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

This recommendations has no additional risk implications for the Municipality.

6.8 Comments from Senior Management

6.8.1 Director: Infrastructure Services

Item supported.

6.8.2 Director: Planning and Economic Development

Item supported.

6.8.3 Director: Community and Protection Services

Supports the item.

6.8.4 Director: Strategic and Corporate Services

No comments received.

6.8.5 Chief Financial Officer

No comments received.

6.8.6 Municipal Manager

Supports the item.

RECOMMENDATIONS TO THE EXECUTIVE MAYOR FROM COMMUNITY AND PROTECTION SERVICES COMMITTEE: 2019-09-10: ITEM 6.1.3

- (a) that Council approves the advertisement of the draft Policy on Externally-Funded Law Enforcement and Traffic Officers 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 Policy on Externally-Funded Law Enforcement and Traffic Officers to be presented to Council for approval.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-11: ITEM 7.1.3

- (a) that Council approves the advertisement of the draft Policy on Externally-Funded Law Enforcement and Traffic Officers 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 Policy on Externally-Funded Law Enforcement and Traffic Officers to be presented to Council for approval.

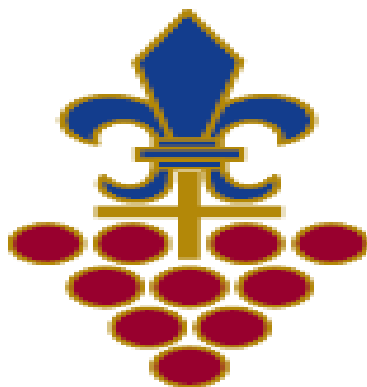
ANNEXURES

Annexure A: Policy relating to externally-funded Law Enforcement and Traffic Officers

FOR FURTHER DETAILS CONTACT:

NAME	Charl Kitching
POSITION	Senior Manager Protection Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8815
E-MAIL ADDRESS	Charl.kitching@stellenbosch.gov.za
REPORT DATE	09 July 2019

ANNEXURE A



**POLICY RELATING TO
EXTERNALLY FUNDED LAW
ENFORCEMENT AND TRAFFIC
OFFICIALS**

2019

POLICY RELATING TO THE CONTRACTING OF EXTERNALLY FUNDED LAW ENFORCEMENT AND TRAFFIC OFFICIALS BY THE PRIVATE SECTOR AND OTHER ENTITIES

1. Introduction

One of the strategic focus areas of the Municipality is to create a Safe and Secure environment for residents.

As the local authority it is incumbent on the municipality to facilitate the cooperation and integration of the local communities, the South African Police Service (SAPS) and private security companies to work together to create a safe environment for all. One way to do this is to forge partnerships with private business for the recruitment of additional law enforcement and traffic personnel.

2. Policy objectives

- 2.1. To enable private business to contribute financially to the recruitment of additional Law Enforcement and Traffic Officers;
- 2.2. To deliver effective and efficient policing services through the optimal deployment of resources in designated areas as and when required;
- 2.3. To create a safe and secure environment for residents and private business within the municipal boundaries;
- 2.4. To grow and improve the Law Enforcement and Traffic Law Enforcement services of the municipality;
- 2.5. To enable the private business and other interested organisations to secure a predetermined level of law enforcement services within defined areas;

3. Definitions

"Partner" - refers to any individual, organisation or association who enters into an agreement with the Municipality in order to contract dedicated members

"Municipality" - refers to Stellenbosch Municipality (WC024)

"Member" - refers to a member of any of the municipality's law enforcement departments

"Service level Agreement" -- refers to the levels of service as agreed to by the contracting partners

"Contract" - refers to the Memorandum of Agreement entered into between the Municipality and the Partners as it relates to the number of members and term of the contract.

4. Legislative Framework

Current legislation prescribes that it is legally permissible for businesses or private individuals to make a financial contribution (over and above the normal rates, taxes

and levies) to the municipality and that such funds can be exclusively used for policing functions in a designated area. (Chapter 8 part B, section 80(b) of the Municipal Systems Act).

5. Principles

- 5.1. Any Partner wishing to secure the dedicated services of a member shall apply in writing to the Director Community and Protection Services, at least six months prior to the commencement of the contract.
- 5.2. If the application is approved, the Municipality will undertake to recruit, select and train the members. Training will be provided at an accredited college. The Municipality may require that a minimum of ten (10) members be recruited and trained at a time in order to ensure the financial viability of such a training programme.
- 5.3. Such recruited members will be employed by the Municipality on a contractual basis for a minimum of a 1 year period except where new Traffic Service members need to be trained. In such an event, the minimum period will be 3 years. The maximum period will be 5 years. The length of this contract period will correspond with the period of the agreement entered into between the Municipality and the Partner.
- 5.4. Employment contracts mentioned in 5.3 above will only be renewed after the initial 1, 3 or 5 year period if the performance of the contracted members has been satisfactory for the entire contract period and if the relevant Partner wish to renew its agreement with the Municipality for a further period.
- 5.5. The Partner will be responsible for the monthly salary of the contracted member from the date of commencement of service (this includes any training allowance paid to the trainee whilst undergoing the prescribed training).
- 5.6. The costs associated with the training will be borne by the Partner.
- 5.7. The employment contract to be entered into with trainee members will provide for the Municipality to be reimbursed by the contracted member for all training related expenses should a member decide to leave the Department before one year active service has been completed.
- 5.8. The Partner shall, in addition to paying the salary costs, contribute an additional sum amounting to 100% of the operating costs associated with the employment of the contracted members as stipulated in the Memorandum of Agreement.
- 5.9. The minimum contractual term will be 1 year except where Traffic Service members need to be trained. Where Traffic Service members still need to undergo the prescribed training, the minimum contractual term will be 3 years, including the training period. The maximum contractual term will be 5 years, including training period.

- 5.10. If a 5 year agreement is entered into between the Municipality and the Partner, a comprehensive public participation process will be embarked upon as required by Section 33 of the MFMA.
- 5.11. The Partner shall provide the Municipality with at least 90 days written notice to terminate a contract for 3 years or longer and at least 30 days for a contract of less than 3 years. Such notice must be served at least 90 or 30 days (depending on the length of the contract period) before the expiry date of the contract. If no notice is received, it shall be presumed that the contract will be renewed automatically for a further period equivalent to the original contractual period.
- 5.12. The relevant Department will maintain full command and control over the contracted members provided that these members are deployed within a specified area duly agreed upon and governed by a service level agreement.
- 5.13. The contracted members shall comply with and be subject to the standing orders and directives issued by the Chief of the relevant department. At no point in time, will any Partner be allowed to issue instructions, directives or alter the daily tasking of the contracted members. Partner requests shall be directed via the office of the Director Community and Protection Services.
- 5.14. For every ten members contracted it will be compulsory to appoint a supervisor (funded by the Partner) to ensure adequate supervision of the officers.
- 5.15. If an emergency situation or substantial threats exists, the contracted members may be withdrawn from the area of deployment as determined in the service level agreement. This will only occur in absolute emergencies and with the express authority of the Chief of the relevant department.

6. Financial aspects

- 6.1. A special operating cost centre will be created within the financial system of the Municipality for deposits of contributions received from Partners;
- 6.2. This cost centre will be administered and managed by the relevant department in terms of current financial management principles as prescribed in the MFMA;
- 6.3. The Partner shall pay the monthly contribution one month in advance in terms of the services rendered by the contracted members, after the presentation of the necessary invoice.
- 6.4. 100% of the expenditure associated with the acquisition of capital assets will be borne by the Partner.
- 6.5. At the termination of the agreement, the capital assets will accrue to the Municipality.
- 6.6. The Agreement will only be entered into if sufficient budgetary provision has been made for the financial implications to be borne by the Municipality.

6.7. Deviation is allowed in respect of the Partners financial contribution determined in this policy.

7. Delegated authority

The Chief of the relevant department, in his/her capacity as Head of that department, shall be the Municipality's duly appointed representative responsible for the implementation and oversight of this initiative.

DRAFT

MEMORANDUM OF AGREEMENT

Memorandum of Agreement entered into by and between:

STELLENBOSCH MUNICIPALITY (WC024)

(Community and Protections Services Directorate)

Town House Complex, Plein Street, Stellenbosch, 7600

Duly represented by

THE DIRECTOR: COMMUNITY AND PROTECTION SERVICES

(Mr)

Hereinafter referred to as

"The Community and Protection Service's Directorate"

And

.....
.....

Duly represented by

.....

Hereinafter referred to as

.....

WHEREAS the Partner is desirous to participate in a law enforcement initiative with the municipality through a financial contribution, to facilitate more efficient and effective law enforcement services in a designated area.

NOW THEREFORE the parties hereto agree as follows:

1. OBJECTIVES OF THE MUNICIPALITY

- 1.1. To deliver effective and efficient law enforcement services through the optimal deployment of resources and the application of technology in support there-of.
- 1.2. To deliver law enforcement services in partnership with the community.
- 1.3. To create a safe and secure environment for residents and private business.

2. EFFECTIVE DATE AND DURATION

- 2.1. The minimum duration of this agreement is 1 year (except where new Traffic members need to be trained).
- 2.2. Where new Traffic members need to be trained, the minimum duration of this agreement is 3 years (this period excludes the prescribed training period as well as the in-service training period where applicable).
- 2.3. The maximum duration of this agreement is 5 years (this period includes the prescribed training period as well as the in-service training period where applicable).
- 2.4. The effective starting date of this agreement will be the.....
- 2.5. This agreement will terminate on provided that written notification of termination is given by either party at least 90 days before this date.

3. MEMBERS

- 3.1. The parties hereto acknowledge that the contracted Law Enforcement Officers (or Traffic members) would be fully trained and duly appointed in terms of the enabling legislation. (Government Notice 1114/2018)

4. FINANCIAL CONTRIBUTION

- 4.1. The Partner will contribute to the Municipality an amount of (R.....) for the period (date) to (date), for the services of (No. of officers) for the area of.....
- 4.2. The aforementioned contribution by the Partner will be payable in equal monthly instalments in advance, on or before the 1st day of each consecutive month for the duration of this agreement.

5. CONTROL OVER THE LAW ENFORCEMENT OFFICERS

- 5.1. The Municipality's Law Enforcement Section (or other relevant sections) will have full command and control over the contracted members paid for by the Partner and shall be deployed in terms of an agreed deployment plan provided that such deployment is within the boundaries as determined by the Partner.
- 5.2. Deployment will correspond with the standard 40 hour work week.

- 5.3. The contracted members will be the employees of the Municipality.
- 5.4. The contracted Law Enforcement Officers will comply with and be subject to the standing orders and directives issued by the Chief of that Law Enforcement Section.
- 5.5. Directives and operational instructions will only be channelled through the official command structure of that Law Enforcement Section.
- 5.6. Statistics will be kept by the Municipality and the previous month's statistics will be provided to the Partner on the 15th of every month following that month.

6. CAPITAL EXPENDITURE

- 6.1. All capital expenditure associated with this agreement shall be borne by the Partner, or unless the two parties have agreed otherwise in terms of paragraph 4 of the policy. The Partner shall pay their contribution into the Municipality's account established for this purpose.
- 6.2. At the termination of the agreement, the capital assets will accrue to the Municipality of Stellenbosch.
- 6.3. Capital expenditure shall include the following items but not limited to: Radios; Bullet-proof vests; Firearms; Vehicles; Specialised equipment; etc.

7. OPERATING COSTS

- 7.1. The Partner shall pay the Municipality an amount equivalent to the monthly salary of the law enforcement officer (or members of Traffic) which amounts to (R.....) per month for the duration of the Agreement.
- 7.2. The training costs shall be borne by the Partner.
- 7.3. The Partner shall contribute 100% of all operating costs associated with the operational functioning of the contracted members, which includes the following but not limited to: Vehicles; Repairs and Maintenance; Fuel; Radios and required bandwidth; etc.
- 7.4. In the event of an externally funded Law Enforcement Officer (or Traffic) being absent without leave, the Partner will be credited for the number of days lost due to such unauthorised absence. This will be remedied by means of providing the required service for an additional number of days equal to the credits so accumulated. Such additional service delivery will be provided on dates agreed to by both parties.

8. LIABILITY

The liability that may arise out of any act or omission on the part of the contracted Law Enforcement Officer (or Traffic) would revert to the Municipality of Stellenbosch.

The liability that may arise out of an act which is the direct result of the Partner being in breach of this agreement would revert to the Partner.

9. DOMICILIUM

9.1. The parties to this agreement choose the following addresses as their respective domicilia citandi et executandi addresses for purposes of this agreement.

The Municipal Manager
Stellenbosch Municipality
Town House Complex
Plein Street
Stellenbosch
7600

9.2. Address of Partner:

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

9.2.1. Either party may change its address for purposes of this agreement to any other street address within the boundaries of the Municipality of Stellenbosch by furnishing written notice of such change of address to the other party,

9.3. Notices which may be required in terms of this agreement must be delivered by hand or sent by prepaid registered post to the chosen addresses.

9.4. A notice shall be deemed to have been received, if hand delivered, on the date on which it is delivered, and if sent by prepaid registered post, on the fourth day following the date which appears on the registered slip.

10. TERMINATION

10.1. This agreement will terminate on the date as specified in clause 2.5.

10.2. Unless written notification is received at least 90 days (if the contract period is 3 years or more) or 30 days (where the contract period is less than 3 years) before the date, as specified in clause 2.3, it shall be presumed that the agreement would remain in force for a further period of one year.

11. BREACH

Should either party allege that the other party to be in breach of any of its obligations in terms of this agreement, it shall forthwith notify the other party of such alleged breach. In such notification, it shall afford the other party a maximum period of one

week within which to remedy such breach, failing which the matter shall be referred to mediation and, if necessary thereafter, to arbitration.

12. RESOLUTION OF DISPUTES

Without detracting from either party's right to institute action or motion proceedings in the High Court or other Court of competent jurisdiction in respect of any dispute that may arise out of this agreement, the Parties may, by mutual consent, follow the mediation and arbitration procedure as set out in clauses 12.1 and 12.2.

12.1. Mediation

- 12.1.1. Subject to the provisions of clause 12, any dispute arising out of this agreement shall be referred by the parties without legal representation to a mediator.
- 12.1.2. The mediator shall be selected by agreement between the parties.
- 12.1.3. The mediator shall hear the dispute at a place and time to be determined by him or her in consultation with the parties.
- 12.1.4. If an agreement cannot be reached upon a particular mediator within three business days after the parties have agreed to refer the matter to mediation, then the Municipality shall nominate the mediator within seven business days after the parties have failed to agree.
- 12.1.5. The mediator shall at his sole discretion determine whether the presentation to him/her shall be made in the form of written or verbal representations, provided that in making this determination he must consult with the parties and may be guided by their common reasonable desire of the form in which the said representations are to be made.
- 12.1.6. The parties shall have seven business days within which to finalise their representations. The mediator shall within seven business days of the receipt of the representations express in writing an opinion on the matter and furnish the parties each with a copy thereof by hand or by registered post.
- 12.1.7. The opinion so expressed by the mediator shall be final and binding upon the parties unless a party is unwilling to accept the opinion expressed by the mediator. In such event, the aggrieved party must deal with the dispute in terms of clause 12.2. The expressed opinion of the mediator shall not prejudice the rights of either party in any manner whatsoever in the event of its proceeding to arbitration.
- 12.1.8. The Mediator shall determine the cost of mediation.
- 12.1.9. Liability for such costs may be apportioned by the mediator and shall be due and payable to the mediator on presentation of his/her written account.

12.2. Arbitration

12.2.1. Subject to the provisions of clause 12.1, a party aggrieved by the opinion of the mediator may demand to proceed to arbitration.

12.2.2. Arbitration shall be held in Stellenbosch informally and otherwise in accordance with the provisions of the Arbitration Act 1965 (Act 42 of 1965) it being intended that if possible it shall be held and concluded within ten days after it has been demanded.

12.2.3. Save as otherwise specifically provided herein, the arbitrator shall, if the matter in dispute is.

12.2.3.1. Primarily a legal matter, be practising Advocate or Attorney of the Cape Bar or Cape Law Society.

12.2.3.2. Any other matter, be an independent and suitably qualified person as may be agreed upon between the parties to the dispute.

12.2.4. If agreement cannot be reached on whether the question in dispute falls under 12.2.3.1 or 12.2.3.2 and/or upon a particular arbitrator within three days after arbitration has been demanded, then the President (for the time being) of the Law Society of the Cape of Good Hope shall:

12.2.4.1. Determine whether the question in dispute falls under 12.2.3.1 or 12.2.3.2; and/or nominate the arbitrator within seven days after the parties have failed to agree.

12.2.5. The arbitrator shall give his decision within five days after the completion of the arbitration. The arbitrator may determine that the costs of the arbitration are to be paid either by one or the other of the parties.

12.2.6. The decision of the arbitrator shall be final and binding and may be made an order of the Cape of Good Hope Provincial Division of the High Court upon the application by any party to the arbitration.

13. Entire agreement

The provisions contained in this agreement constitute the entire agreement between the parties. Any amendments to this agreement shall be of no force or effect unless reduced to writing and signed by both parties.

..... (Signature)

Signed at..... On this day of..... 20.....

IN THE PRESENCE OF THE UNDERSIGNED WITNESSES:

AS WITNESSES STELLENBOSCH MUNICIPALITY (COMMUNITY AND PROTECTION SERVICES)

1.....

2.....

.....
WHO WARRANTS HIS AUTHORITY HERETO

CAPACITY.....

FULL NAMES OF SIGNATORY: -.....

SIGNED BY THE
(NAME OF PARTNER).....

THIS..... DAY OF20.....

AS WITNESSES NAME OF PARTNER.....

1.....

2.....

.....
WHO WARRANTS HIS AUTHORITY HERETO

11.2	CORPORATE SERVICES: (PC: CLLR AR FRAZENBURG)
-------------	---

11.2.1	PROPOSED RENEWAL OF LEASE AGREEMENT: BURGERHUIS: HISTORIESE HUISE VAN SUID-AFRIKA BEPERK: ERF 3389, STELLENBOSCH
---------------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

GOOD GOVERNANCE

11 September 2019 and 25 September 2019

**1. SUBJECT: PROPOSED RENEWAL OF LEASE AGREEMENT: BURGERHUIS:
HISTORIESE HUISE VAN SUID-AFRIKA BEPERK: ERF 3389, STELLENBOSCH**

2. PURPOSE

To obtain Council's approval for the renewal of the Lease Agreement on erven 3389 and 607, also known as Burgerhuis with "Historiese Huise".

3. DELEGATED AUTHORITY

Council must consider the matter.

4. EXECUTIVE SUMMARY

"Historiese Huise" has been renting the properties since 1960. The agreement was renewed on various occasions. The last lease agreement for erven 3389 and 607 with "Historiese Huise" lapsed in 2009. "Historiese Huise" continued to maintain the property also known as "Burgerhuis" and pay the rent. As the Municipality accepted the rent and the lease agreement therefore continued on a silent month to month basis. It is however necessary that the leasing of the property is formalised again.

The new Property Management Policy allow for a process whereby Council can lease a property after Council's intention so lease to a specific company was advertised for public inputs/comments or alternative proposals, before making a final decision.

In terms of the last Lease Agreement Historiese Huise is using a portion of the house for their office space, the remainder portion is managed as a living museum. For this reason it is recommended that they be responsible to pay 50% of market rental, to be determined by an independent valuer.

An application has been received from Historiese Huise van Suid-Afrika Beperk to renew the lease agreement in relation to Die Burgerhuis (erf 3389 and 607 Stellenbosch) for a period of 9 years and 11 months. They are proposing a rental agreement from 1 July 2016 and indicate that they spend R70 000 per year on the maintenance of the buildings and a further R40 000 per year on the gardens.

An audit was done on the historical properties belonging to the municipality and a decision on the management of all the properties will be taken in due course. The lease agreement with the applicants will make provision for a termination if the management of this property changes during the proposed lease period.

5. RECOMMENDATIONS

- (a) that erven 3389 and 607, Stellenbosch, be identified as land not needed for use to provide basic services during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
- (b) that Council, **in principle** approves that a lease agreement for 9 years and 11 months to be concluded on a private treaty basis with Historiese Huise van Suid-Afrika Beperk, as provided for in Regulation 34 (1) (b), but subject thereto that Council's intention be advertised for public inputs/comments/objections, as provided for in paragraph 9.2.2 of the Property Management Policy;
- (c) that an independent valuer be appointed to determine the fair market rentals for the properties referred to in (a),
- (d) that the lease agreement provides for a 3 months' notice period to terminate the lease agreement should Council decide to make changes to the management of the historical properties belonging to the Municipality;
- (e) that Council, in principle, approve the rental at 50% of the fair market rental payable by Historiese Huise, as provided for in paragraph 22.1.4 of the Property Management Policy, and
- (f) that a draft agreement be submitted with the return item.

6. DISCUSSION / CONTENTS**6.1. Background**

Stellenbosch Municipality and Historiese Huise concluded a Lease Agreement in relation to Erf 3389 and 607, during March 1960 for a period of 9 years and 11 months. The agreement was subsequently renewed on various occasions, and the last agreement lapsed in 2009. Historiese Huise continued to pay the rent and maintain the property. It is however necessary to again formalize the rental situation.

6.2 Discussion**6.2.1 Burgerhuis**

Burgerhuis is situated on erf 3389 and 607, Stellenbosch as indicated on Fig 1 and 2, below. In terms of the last Lease Agreement Historiese Huise is using a portion of the house for office space, the remainder portion is managed as a living museum and also has public ablution facilities. For this reason it is recommended that they be responsible to pay 50% of market rental, to be determined by an independent valuer.

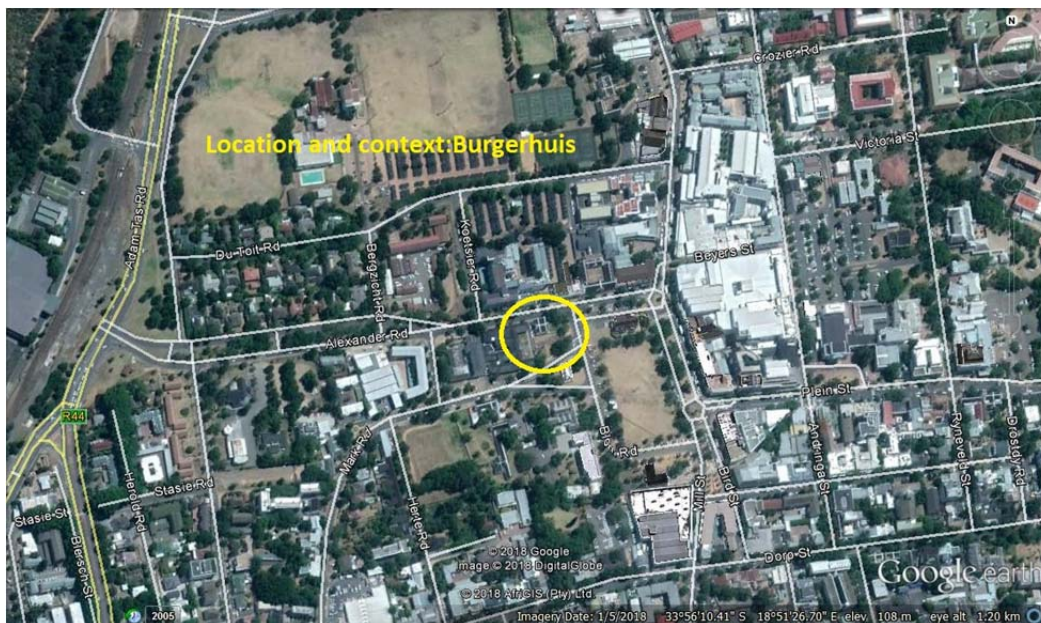


Fig 1: Location and context



Fig 2: Extent of property

6.2.2 Legal requirements

Asset Transfer Regulation

In terms of Section 34 (1) of the ATR a Municipality may grant a right to use, control or manage a capital asset only after-

- a) The Accounting officer has concluded a public participation process*; and
- b) The municipal council has approved in principle that the right may be granted. *Sub regulation (1) (a) (public participation process), however, must be complied with only if-
 - The capital asset in respect of which the right is to be granted has a value in excess of R10M*; and
 - A long-term right is proposed to be granted (i.e. longer than 10 years).

None of the assets has a value in excess of R10M.

In terms of Regulation 36, the municipal council must, when considering such approval, take into account:

- a) whether such asset may be required for the municipality's **own** use or to provide basic services during the period for which such right is to be granted;
- b) the extent to which any compensation to be received will result in a significant economic or financial benefit to the municipality;
- c) the risks and rewards associated with such right to use; and
- d) the interest of the local community

In terms of Regulation 41, if an approval in principle has been given in terms of regulation 34 (1)(b), the municipality may grant the right only in accordance with the disposal management system* of the municipality, irrespective of:-

- a) the value of the asset; or
- b) the period for which the right is granted

*The policy on the Management of Council owned property is deemed to be Stellenbosch Municipality's disposal management System.

Policy on the Management of Council owned property

In terms of paragraph 9.2.2 of the Policy, the Municipal Council may dispense with the prescribed, competitive process, and may enter into a private treaty agreement through any convenient process, which may include direct negotiations, but only in specific circumstances, and only after having advertised Council's intention.

One of the circumstances listed in (l) is lease contracts with existing tenants of immovable properties, not exceeding ten (10) years. Such agreements may be renegotiated where Council is of the opinion that public competition would not serve a useful purpose, subject to such renewal being advertised, calling for public comment.

Further, in terms of paragraph 9.2.2.2, the reasons for any such deviation from the competitive process must be recorded.

In terms of paragraph 22.1.4 the fair market rentals will be determined by the average of the valuations sourced from service providers, unless determined otherwise by the Municipal Manager taking into account the estimated rental(s) *vis-à-vis* the cost of obtaining such valuations.

In terms of the current Lease Agreement Historiese Huise is only using a portion of the house for office space, the remainder portion is managed as a living museum with public ablution facilities. For this reason it is recommended that they be responsible to pay 50% of market rental, to be determined by an independent valuer.

6.3. Financial Implications

The maintenance of old buildings is a specialised skill and expensive. It is in council's interest to leasing to a lessee who is prepared and geared to maintaining an historical asset. It is also managed as a living museum for the greater good of the residents of Stellenbosch.

6.4 Legal Implications

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

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Risk Implications

The risks are addressed in the item.

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

Agree with the recommendations

6.7.2 Director: Planning and Economic Development

No comments received

6.7.3 Chief Financial Officer:

No comments received

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-11: ITEM 7.2.1

- (a) that erven 3389 and 607, Stellenbosch, be identified as land not needed for use to provide basic services during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
- (b) that Council, **in principle** approves that a lease agreement for 9 years and 11 months to be concluded on a private treaty basis with Historiese Huise van Suid-Afrika Beperk, as provided for in Regulation 34 (1) (b), but subject thereto that Council's intention be advertised for public inputs/comments/objections, as provided for in paragraph 9.2.2 of the Property Management Policy;
- (c) that an independent valuer be appointed to determine the fair market rentals for the properties referred to in (a);
- (d) that the lease agreement provides for a 3 months' notice period to terminate the lease agreement;
- (e) that Council, in principle, approves the rental at 50% of the fair market rental payable by Historiese Huise, as provided for in paragraph 22.1.4 of the Property Management Policy; and
- (f) that a draft agreement be submitted with the return item.

ANNEXURES:

Appendix 1: Request for renewal of lease

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	2019-02-07

APPENDIX 1

Historiese Huise van Suid-Afrika Beperk

DIE BURGERHUIS · POSBUS 51 · TELEFOON (021) 887 0339 · FAKS (021) 887 9337 · STELLENBOSCH 7599 · REPUBLIEK VAN SUID-AFRIKA
e-pos. hhuise@remgro.com

Stellenbosch Munisipaliteit
Plein Straat
Stellenbosch
7600

Vir aandag: Piet Smit
Bestuurder: Eiendom Bestuur
Per E-pos: Piet.Smit@stellenbosch.gov.za

14 Mei 2019

Geagte Mnr Smit

HUUROOREENKOMS: DIE BURGERHUIS ERF 3389 & ERF 607 STELLENBOSCH

U skrywe gedateer 12 April verwys.

Soos reeds bekend, het die Regering die Burgerhuis in die vyftigerjare aan Stellenbosch Munisipaliteit geskenk. Ten einde die destydse Stadsraad in staat te stel om 'n lening uit te neem vir die retourasie werke van die gebou, het Remgro (voorheen Rembrandt-Maatskappyegroep) via sy filiaal maatskappy, Tegnieuse Industriële Beleggings Eiendoms Beperk, na vore getree en hom bereid verklaar om die gebou te huur teen 'n huurbedrag gelykstaande aan die rente en delging op die lening wat die Raad sou moes opneem daarvoor.

Sedert 1 Maart 1960 dien 50% van die Burgerhuis se gebou as hoofkantoor van Historiese Huise van Suid-Afrika Beperk (Historiese Huise), terwyl die res van die gebou ingerig is as 'n museum wat jaarliks duisende toeriste na Stellenbosch lok.

Met betrekking tot uitgawes van die Burgerhuis, dra Historiese Huise van Suid-Afrika alle onkoste ten opsigte van huurgeld, versekering, belasting, water en elektrisiteit, sekuriteit, instandhouding van die gebou asook instandhouding van die aangrensende tuine. Instandhouding van die gebou alleen beloop gemiddeld R70 000 per jaar, terwyl daar gemiddeld R40 000 per jaar aan tuindienste spandeer word.

Die antieke meubels, wat as uitstalling dien vir die museum, is die eiendom van Historiese Huise. Indien die huurooreenkoms t.o.v. die Burgerhuis sou verstryk en die museum daarmee saam tot 'n

einde kom, sal dit 'n geweldige impak hê op beide Stellenbosch se inwoners en – toerisme. Dit sal dus tot nadeel van die dorop en die hele gemeenskap wees.

Historiese Huise se oogmerk is om die Burgerhuis vir die nageslag te bewaar as 'n historiese gedenkwaardigheid en kultuurhistoriese museum vir die gemeenskap – en tot voordeel van die gemeenskap - van Stellenbosch. Derhalwe versoek ons u vriendelik om saam met ons in die visie te deel deur die aangehegte huurooreenkoms te oorweeg.

U sal merk dat die laaste skriftelike huurkontrak tussen Tegniese Industriële Beleggings Eiendoms Beperk (namens Historiese Huise) en Stellenbosch Munisipaliteit vir 'n tydperk van 5 jaar was en het geloop van 1 Maart 2004 tot 30 April 2009 waarna dit op 'n maand-tot-maand basis geloop het tot en met die deregistrasie van Tegniese Industriële Beleggings Eiendoms Beperk op 1 Junie 2016. Derhalwe stel ons 'n huurooreenkoms voor vanaf 1 Junie 2016 vir 'n tydperk van 9 jaar en 11 maande, soos aangeheg.

Vertrou u vind dit in orde, maar kontak ons gerus indien u wil bespreek.

Vriendelik, die uwe,



MNR. P.A. VAN A. KOTZÉ

C.E.O

Cc: Annalene de Beer
Direkteur: Korporatiewe Dienste
Annalene.debeer@stellenbosch.gov.za

11.2.2	PROPOSED RENEWAL OF LEASE AGREEMENTS: BERGZICHT TRAINING CENTRE: PORTION OF REMAINDER ERF 235, STELLENBOSCH
--------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

GOOD GOVERNANCE

11 September 2019 and 25 September 2019

1. SUBJECT: PROPOSED RENEWAL OF LEASE AGREEMENTS: BERGZICHT TRAINING CENTRE: PORTION OF REMAINDER ERF 235, STELLENBOSCH

2. PURPOSE

To obtain Council's approval for the renewal of the Lease Agreement with Bergzicht Training Centre – erf 235 Stellenbosch.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

Stellenbosch Municipality and the Bergzicht Training Centre concluded a Lease Agreement during 1992 for a 9 years and 11 months period in relation to a portion of erf 235, Stellenbosch. The agreement was renewed in 2002 for a further period of 9 years and 11 months. The agreement however lapsed in 2013. Bergzicht however continued to lease and use the property as a training center and paid the rent and an informal agreement therefore continued on a month to month basis. It is however necessary to formalize the lease arrangement.

An application has now been received from Bergzicht Training Centre to renew the lease agreement for a further term of 9 years and 11 months. Council must now consider this request in terms of the Property Management Policy.

Seeing that the Training Centre is a NPO, it is used for the benefit of the community and it is maintained and has been updated by the lessee it is recommended that Bergzicht Training Centre pay 20% of market rental, to to be determined by an independent valuer.

The property under discussion is one of the historical properties belonging to the municipality. An audit was done on the historical properties belonging to the municipality and a decision on the management of all the properties will be taken in due course. The lease agreement with the applicants will make provision for a termination if the management of this property changes during the proposed lease period.

5. RECOMMENDATIONS

- (a) that the portion of Remainder erf 235, Stellenbosch, as indicated on fig 2 be identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
- (b) that Council, **in principle** approves that a lease agreement for 9 years and 11 months be concluded on a private treaty basis with Bergzicht, Training Centre, as provided for in Regulation 34 (1) (b), subject thereto that Council's intention

be advertised for public inputs/comments/objections, as provided for in paragraph 9.2.2 of the Property Management Policy;

- (c) that an independent valuer be appointed to determine the fair market rental for the property referred to in (a);
- (d) that the lease agreement provides for a 3 months' notice period to terminate the lease agreement should Council decide to make changes to the management of the historical properties belonging to the Municipality;
- (e) that Council, in principle, approve 20% of the fair market value to be the rental payable by Bergzicht Training Centre, as provided for in paragraph 22.1.4 of the Property Management Policy; and
- (f) that a draft agreement be submitted with the return item.

6. DISCUSSION / CONTENTS

6.1 Background

6.1.1 Initial Lease Agreement

Stellenbosch Municipality and the Bergzicht Training Centre concluded a Lease Agreement during 1992 for a 9 years and 11 months period in relation to a portion of erf 235, Stellenbosch. The agreement was renewed in 2002 for a further period of 9 years and 11 months. The agreement however lapsed in 2013. Bergzicht continued to use the property and all rentals were paid to date.

6.2 Discussion

6.2.1 Location and context

6.2.1.1 The Bergzicht Training Centre is situated on a portion of Remainder Erf 235, Stellenbosch as indicated on Fig 1 and 2, below.

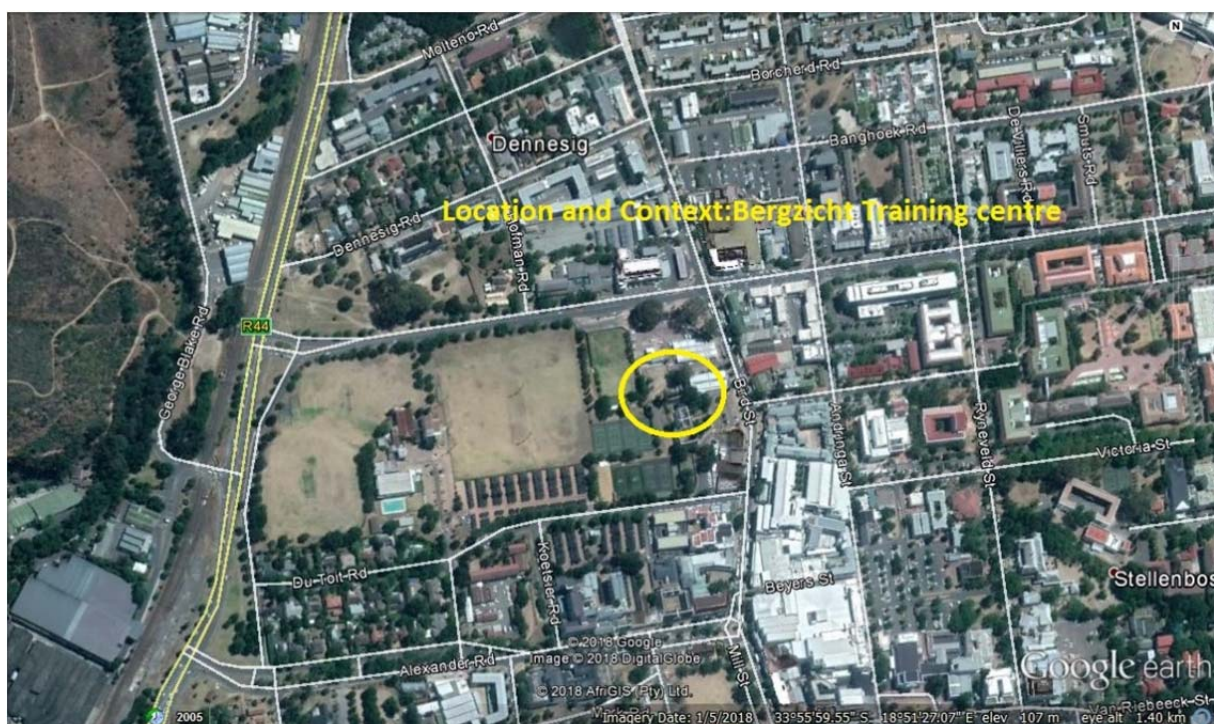


Fig 1: Location and context



Fig 2: Extent of property

6.2.3 Legal requirements

6.2.2.1 Asset Transfer Regulation

In terms of Section 34 (1) of the ATR a Municipality may grant a right to use, control or manage a capital asset only after-

- c) The Accounting officer has concluded a public participation process*; and
- d) The municipal council has approved in principle that the right may be granted.

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

- a) The capital asset in respect of which the right is to be granted has a value in excess of R10M*; and
- b) A long-term right is proposed to be granted (i.e. longer than 10 years).

None of the assets has a value in excess of R10M.

In terms of Regulation 36, the municipal council must, when considering such approval, take into account:

- a) whether such asset may be required for the municipality's own use during the period for which such right is to be granted;
- b) the extent to which any compensation to be received will result in a significant economic or financial benefit to the municipality;
- c) the risks and rewards associated with such right to use; and
- d) the interest of the local community

In terms of Regulation 41, if an approval in principle has been given in terms of regulation 34 (1)(b), the municipality (read Mayco) may grant the right only in accordance with the disposal management system* of the municipality, irrespective of:-

- c) the value of the asset; or
- d) the period for which the right is granted

*The policy on the Management of Council owned property is deemed to be Stellenbosch Municipality's disposal management System.

6.2.3.2 Policy on the Management of Council owned property

In terms of paragraph 9.2.2 of the Policy, the Municipal Council may enter into an agreement with a lessee without a tender process only after having advertised Council's intention.

One of the circumstances listed is lease contracts with existing tenants of immovable properties, not exceeding ten (10) years. Such agreements may be renegotiated where Council is of the opinion that public competition would not serve a useful purpose, subject to such renewal being advertised, calling for public comment.

Further, in terms of paragraph 9.2.2.2, the reasons for any such deviation from the competitive process must be recorded.

In terms of paragraph 22.1.4 the fair market rentals will be determined by the average of the valuations sourced from service providers, unless determined otherwise by the Municipal Manager taking into account the estimated rental(s) vis-à-vis the cost of obtaining such valuations.

Seeing that the Training Centre is a NPO and is used as a training center through which the community in the municipality benefits it is recommended that Bergzicht Training Centre pay 20% of market rental, to to be determined by an independent valuer.

6.3 Financial Implications

The request for renewal of lease agreement hereto attached as **APPENDIX 1**, a self-explanatory request received from Bergzicht Training Centre for the renewal of their lease agreement. The current rental is R12 195.12/month.

6.4 Legal Implications

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

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Risk Implications

The risks has been addressed in the item.

6.7 Comments from Senior Management:

6.7.1 Director: Infrastructure Services

Agree with the recommendations.

6.7.2 Director: Planning and Economic Development

No comments received.

6.7.3 Chief Financial Officer:

No comments received

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-11: ITEM 7.2.2

- (a) that the portion of Remainder erf 235, Stellenbosch, as indicated on fig 2 be identified as land not needed for own use during the period for which such rights are to be granted, as provided for in Regulation 36 of the Asset Transfer Regulations;
- (b) that Council, **in principle** approves that a lease agreement for 2 years be concluded on a private treaty basis with Bergzicht, Training Centre, as provided for in Regulation 34 (1) (b), subject thereto that Council's intention be advertised for public inputs/comments/objections, as provided for in paragraph 9.2.2 of the Property Management Policy;
- (c) that an independent valuer be appointed to determine the fair market rental for the property referred to in (a);
- (d) that the lease agreement provides for a 3 months' notice period to terminate the lease agreement;
- (e) that Council, in principle, approves 20% of the fair market value to be the rental payable by Bergzicht Training Centre, as provided for in paragraph 22.1.4 of the Property Management Policy; and
- (f) that a draft agreement be submitted with the return item.

ANNEXURES:

Appendix 1: Application for renewal

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	2019-08-01

APPENDIX 1



BERGIZHCT TRAINING - MOTIVATION FOR
POSSIBLE RENEWAL OF LEASE AGREEMENT FOR
PORTION OF REM. ERF 235 STELLENBOSCH FOR
PERIOD 9 YEARS AND 11 MONTHS

DATE: 21 MAY 2019



Reg no: 1992/006838/08

C/O Bird Street and Merriman Avenue PO Box 985 Stellenbosch South Africa 7600 VAT 4510213954

Tel +27(0)21 883 3525 Fax +27(0)21 886 6345 www.bergzichttraining.com NPO 004-976

21 May 2019

BY HAND

Piet Smit
Manager: Property Management
Stellenbosch Municipality
PO Box 17
Stellenbosch
7599

Dear Mr Smit

BERGZICHT TRAINING - MOTIVATION FOR POSSIBLE RENEWAL OF LEASE AGREEMENT FOR PERIOD 9 YEARS AND 11 MONTHS – PORTION OF REM. ERF 235, STELLENBOSCH

I thank you for your letter dated 12 April 2019 which strangely we only received today. We would like to thank you for this opportunity to present this motivation for the possible renewal of the lease agreement between Bergzicht Training (BZT) and Stellenbosch Municipality (SM). We would like to motivate our position as follows.

1. **The 27-year rental occupation:** Attached please find a copy of the first rental agreement that is dated 11 February 1992. Based purely on the length of BZT's occupation of these buildings, we believe that we should be given the right of renewal of this lease agreement.
2. **Number of years of operation:** The fact that BZT is one of the oldest most successful NPO's in Stellenbosch training unemployed individuals in basic skills.
3. **Number of graduates:** We have trained in excess of 12 000 unemployed, under-privileged, black individuals on these premises over the past 27 years and placed at least 82% of them in full time employment. We currently train at least **400 beneficiaries per annum**.
4. **Pinotage Youth Development Academy (PYDA) as sub tenant:** PYDA have occupied one of the 3 buildings since March 2014, with the knowledge of SM Property Management. **PYDA train 75**

Directors: Mr NST Motjuwadi (Chairperson) Mr A Anthony
Ms KMV Harris Prof JF Smith Dr JJE Koornhof Mr CAC de Villiers Mr JP Odendaal (Treasurer)
Mr JCJ Newman Dr GMAC Lourens Ms S Diedericks
Honorary Members: Mrs MC Kotzé Dr JC de Villiers

beneficiaries per annum, that ultimately find full time employment in the local wine industry upon graduation.

5. **Keep the buildings secure at own security cost:** BZT has kept the buildings secure at huge own expense. Paid for weekend and holiday guarding services to secure the building and protecting it from vandalism and burglaries.
6. **Security upgrades and maintenance thereof:** BZT has upgraded security of the buildings at own cost by implementing the following:
 - a. Installed electronic security gates an all entrance doors with remote entry;
 - b. Installed burglar bars in the Admin building;
 - c. Installed electric fencing on either side of the Heerenhuys roofs;
 - d. Upgraded the security alarm system in all 3 buildings and paying monthly armed response services;
 - e. Installed security cameras in the Admin Building;
 - f. Upgraded "sensitive" locks
7. **Painting of interior walls:** BZT Paint and maintain interior walls of all 3 buildings.
8. **Gardens and entrance:** BZT always maintain gardens and keep property clean.
9. **Technology upgrades:** Installation of latest Wi-Fi technology
10. **Keeping within Fire regulations:** BZT maintains servicing of fire fighting equipment as per its insurance regulations for its own account at high cost
11. **Improved light fittings:** BZT installed new improved light fittings and maintain accordingly at its own cost.
12. **Timeously payment of rental and utilities:** BZT has never been in arrears on any rental or utilities payments in the 27 years that it has occupied the buildings.
13. **Installation of kitchen for training purposes:** BZT installed a domestic training kitchen that was upgraded in November 2016 in the Admin building. Every beneficiary that attends the life skills programme is trained in this facility.
14. **Installation of laundry for training purposes:** BZT installed a domestic laundry facility in the Heerenhuys in Nov 2015 for the purposes of training of room attendant/housekeeping graduates.

Directors: Mr NST Motjuwadi (Chairperson) Mr A Anthony
Ms KMV Harris Prof JF Smith Dr JJE Koornhof Mr CAC de Villiers Mr JP Odendaal (Treasurer)
Dr GMAC Lourens Ms S Diedericks JCJ Newman
Honorary Members: Mrs MC Kotzé Dr JC de Villiers

15. **Engineering report – PYDA building:** BZT has commissioned an independent engineering report in March 2019 at own cost due to a developing crack. It was commissioned due to a growing concern of PYDA's directors due to a potential safety hazard.

16. **Location:** BZT and PYDA are ideally situated in the Bergzicht building, for its students' target market in the centre of Stellenbosch, behind the taxi rank and within walking distance from the station.

In closing we want to reiterate the fact that Bergzicht Training has successfully occupied erf 235, now for longer than 27 years and continues to make a positive contribution to the Stellenbosch and greater community. We are proud to say that Bergzicht alumni can be found in most reputable restaurants, old age homes and creches in and around Stellenbosch.

We thank Stellenbosch Municipality for its ongoing incredible support to Bergzicht over the past 27 years.

Your sincerely

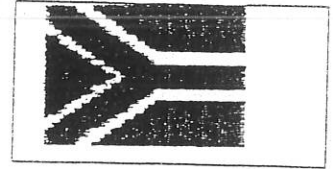


RENSKE MINNAAR
Chief Executive Officer

DOCUMENTS ATTACHED:

Lease agreement dated February 1992
Annual report – year in review 2018
NPO Certificate
Audited Financial Statements 2019

G.P.-S 021-0123



CERTIFICATE OF REGISTRATION OF NONPROFIT ORGANISATION

In terms of the Nonprofit Organisations Act, 1997, I am satisfied that.....
Bergzicht Opleidingsentrum
.....
(name of the nonprofit organisation)

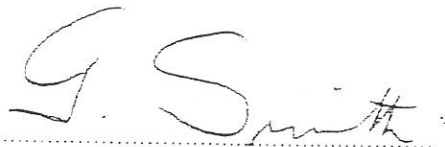
meets the requirements for registration.

The organisation's name was entered into the register on 18 October 2002
.....
(date)

Registration number

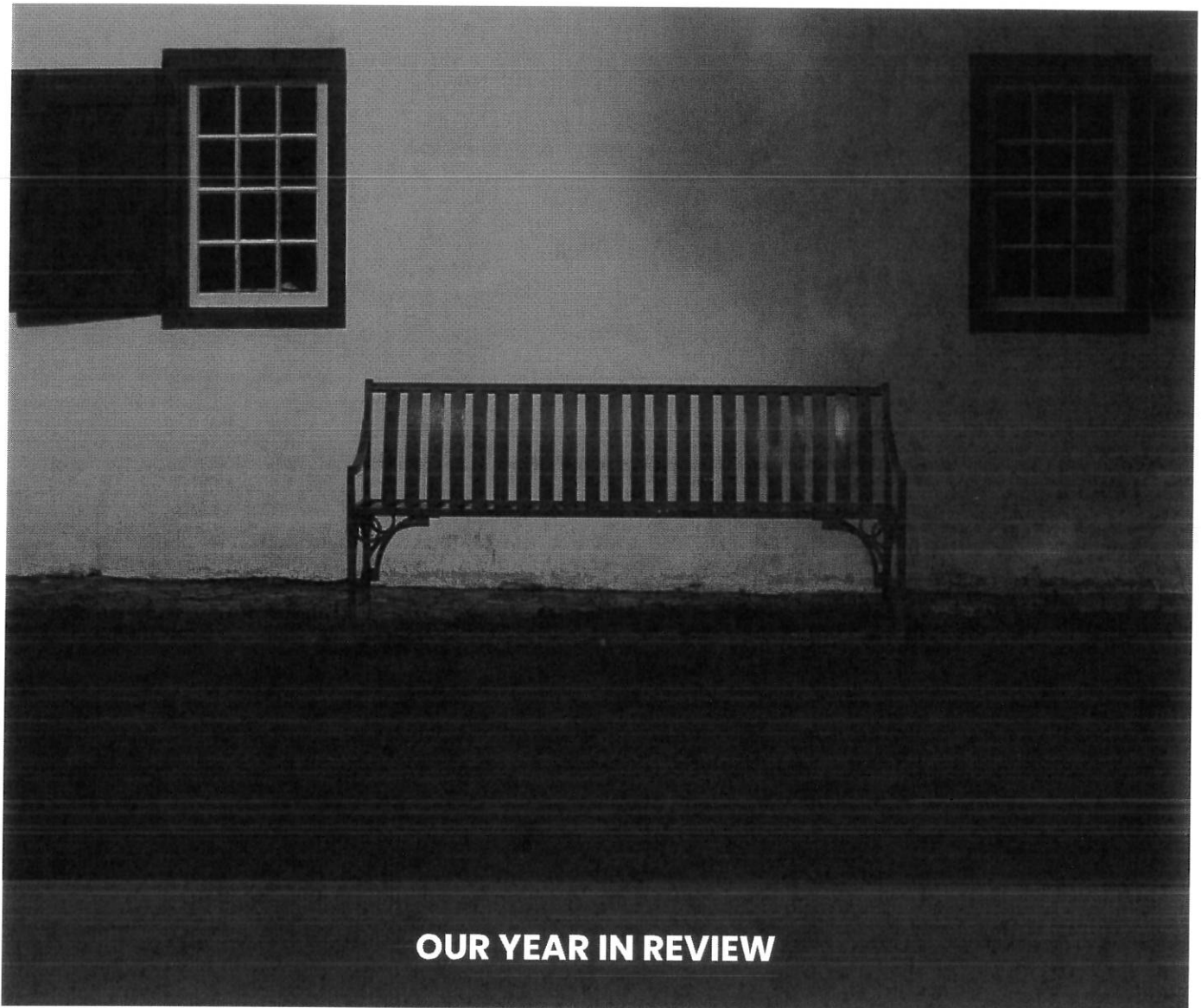
004-976-NPO

Director's signature



Date 18 October 2002
.....

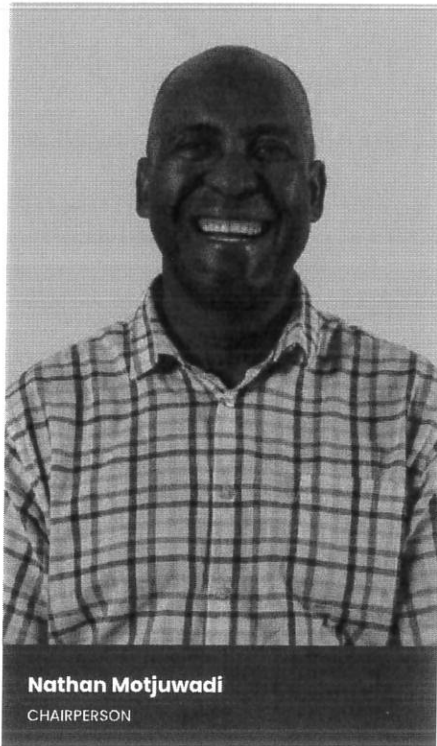




OUR YEAR IN REVIEW

MESSAGES FROM THE CHAIRPERSON & CEO	2
THE BERGZICHT TRAINING DEVELOPMENT MODEL	3
OUR PROGRAMMES	3
ADVANCED PROGRAMMES	4
TRAINING STATISTICS IN A NUTSHELL	5
MENTORING SUPPORT AND JOB PLACEMENTS	6
NEW BEGINNINGS: OUR BENEFICIARIES SHARE THEIR STORIES	7
THANK YOU TO OUR DONORS	8
FINANCIAL OVERVIEW	9
GET IN TOUCH	11

MESSAGES FROM THE CHAIRPERSON & CEO



Nathan Motjuwadi
CHAIRPERSON

Bergzicht Training's vision is to significantly impact the quality of life of unemployed individuals and their communities by enabling self-leadership and employability. We achieve it through our mission of providing unemployed individuals with certified competencies and support to enable them to find employment and self-employment opportunities to build a sustainable career.

During the period under review, the South African economy grew by 0.8% and the unemployment rate dropped from 27.5% in the third quarter to 27.1% in the fourth quarter. Despite these small gains, unemployment continues to be a problem in our country with 16.5 million people between 15 and 64 unemployed. Our institution attempts to counteract these realities by focusing our efforts on training our beneficiaries in research-based skills to help them obtain entry-level jobs that are in high demand.

In 2018 we identified a new focus area, namely self-leadership, as a

key departure point in developing individuals who are self-empowered and self-directed based on heightened self-awareness and a commitment to take responsibility for a better future for themselves and their communities.

Self-leadership is one of five key areas that drive our successful operation. Others include the assurance of quality through certification and accreditation; the selection and recruitment of individuals with potential to successfully complete a training programme; placement of beneficiaries that are mentored and supported during their first year of employment or self-employment; and the creation and support of a thriving alumni network.

These different intervention methods allow us to ensure the success of our beneficiaries and produce close to 400 employable beneficiaries per year. We can do this thanks to our stakeholders, which include donors, volunteers, beneficiaries and staff.



Renske Minnaar
CEO

It's been another great year at Bergzicht Training with many milestones achieved. We raised more than R3 million and reached over 400 beneficiaries with an overall record placement rate of 82%. We have remained a low-cost operation staying below our budgeted expenses for 2018.

We successfully registered the Bergzicht Training First Aid For All, a Level 1, two-day First Aid course with the Health and Welfare SETA (HWSETA) in 2018. The course will be launched in May 2019 and will be targeted at learners, school teachers, students, corporates and the hospitality industry. By choosing Bergzicht Training, participants will not only learn an essential skill, but also give back to the community as funds generated through this course will contribute toward the training costs of our fully-funded programmes.

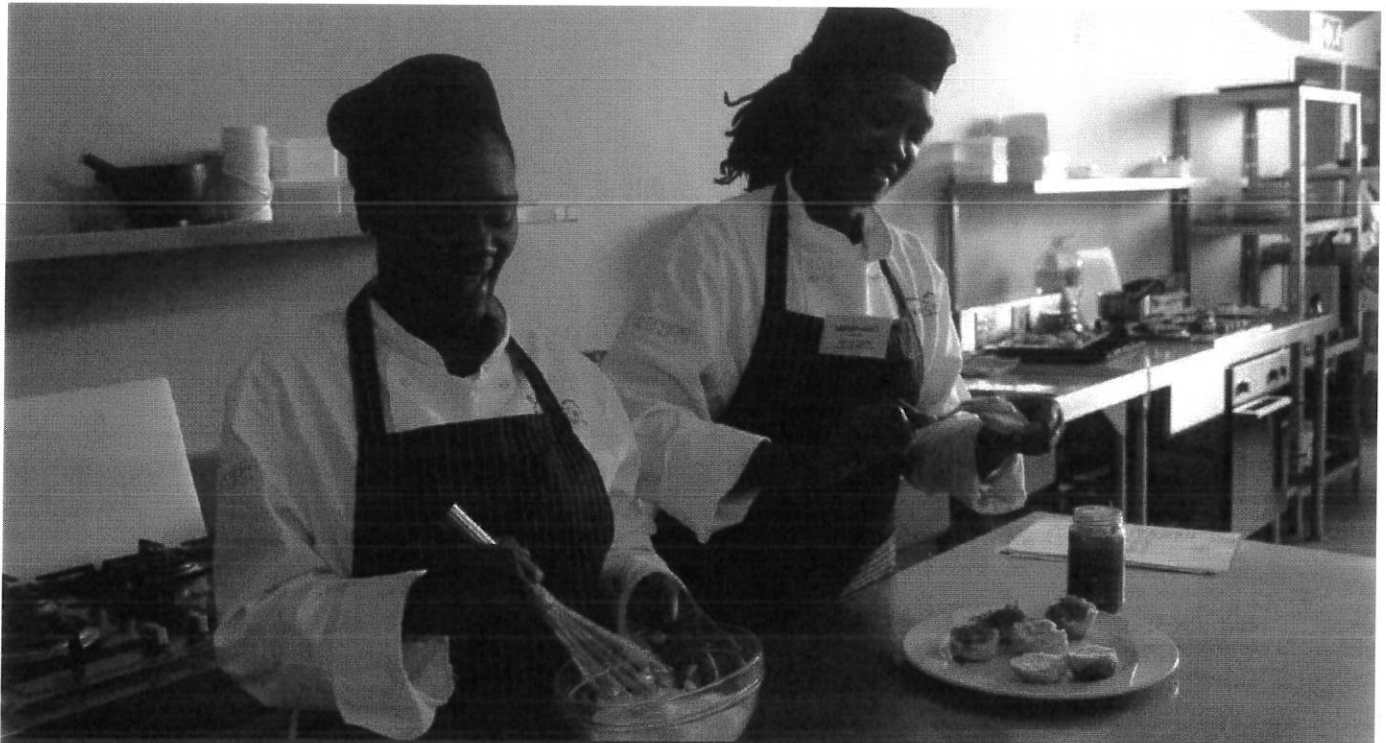
A record high of 87 individuals that completed the Health and Frail Care Programme in 2017 met the HWSETA requirements for graduation in 2018. We were able to place 87% of those beneficiaries in full-time employment.

Our iPOWER (Self-Empowering) Foundation Programme is now accredited by the Services SETA in order for us to ensure quality certified training and to provide external accredited life skills training to individuals in the growing hospitality industry of Stellenbosch.

We also implemented the unique Bergzicht Training Development Model and value link as part of the 2020 strategic vision to foster leadership and ensure the employability of unemployed individuals.

One of our biggest highlights in 2018 was being awarded a Community Chest Impumelelo Social Innovations Award. The award is bestowed on "innovators who find creative solutions" to societal problems.

I am always thankful for the ongoing support we get from loyal donors, our Board of Directors, training partners and student mentors. The support I receive from our dedicated staff is greatly valued. Together all these role players contribute to building a better and stronger organisation every year.



THE BERGZICHT TRAINING DEVELOPMENT MODEL

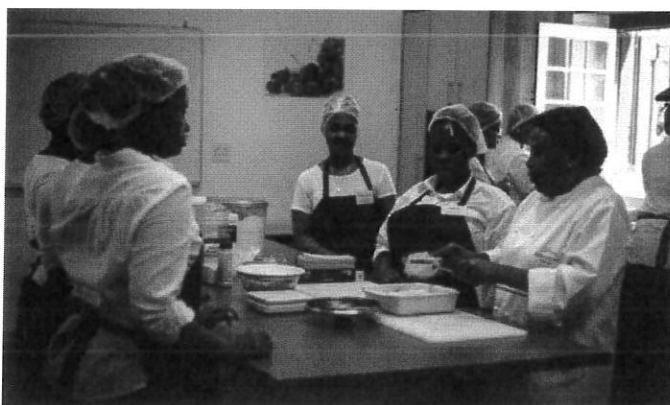
Since 1992 Bergzicht Training has provided more than 12 000 unemployed, unskilled and semi-skilled students from disadvantaged areas in the Western Cape with opportunities to acquire market-related skills sought in the hospitality and tourism, child care, and health and frail care sectors.

The Bergzicht Training Development Model consists of a unique

value chain. Through our vision and this chain, we enable self-leadership and employability amongst our beneficiaries in order to significantly impact the quality of life of unemployed individuals and their communities. Our mission is to provide unemployed individuals with certified competencies and support to enable them to find employment and self-employment opportunities to build a sustainable career.

OUR PROGRAMMES

We use interactive and well-tested modern teaching methodologies in all our programmes. Our Advanced Programmes include a work-integrated learning (WIL) opportunity to help students gain practical, on-the-job skills.



iPOWER (SELF-EMPOWERING) FOUNDATION PROGRAMME

Our iPOWER (Self-Empowering) Foundation Programme is a compulsory, entry-level programme that focuses on orientating our students to a learning environment and teaching them basic life skills, such as personal health, money management, cleaning, laundry, basic cooking and nutrition, amongst other things, over 15 days.



ADVANCED PROGRAMMES



CHILD CARE PROGRAMME

Our Child Care (previously Edu Care) Programme is offered over 13 weeks and covers topics such as child development, perception challenges, creative activities, age-appropriate literature for different stages of childhood development, child abuse, school readiness, baby care, preparing a balanced meal, and a range of other related topics. Students also complete a certified two-day Level 1 First Aid course.



HEALTH AND FRAIL CARE PROGRAMME

HWSETA-ACCREDITED

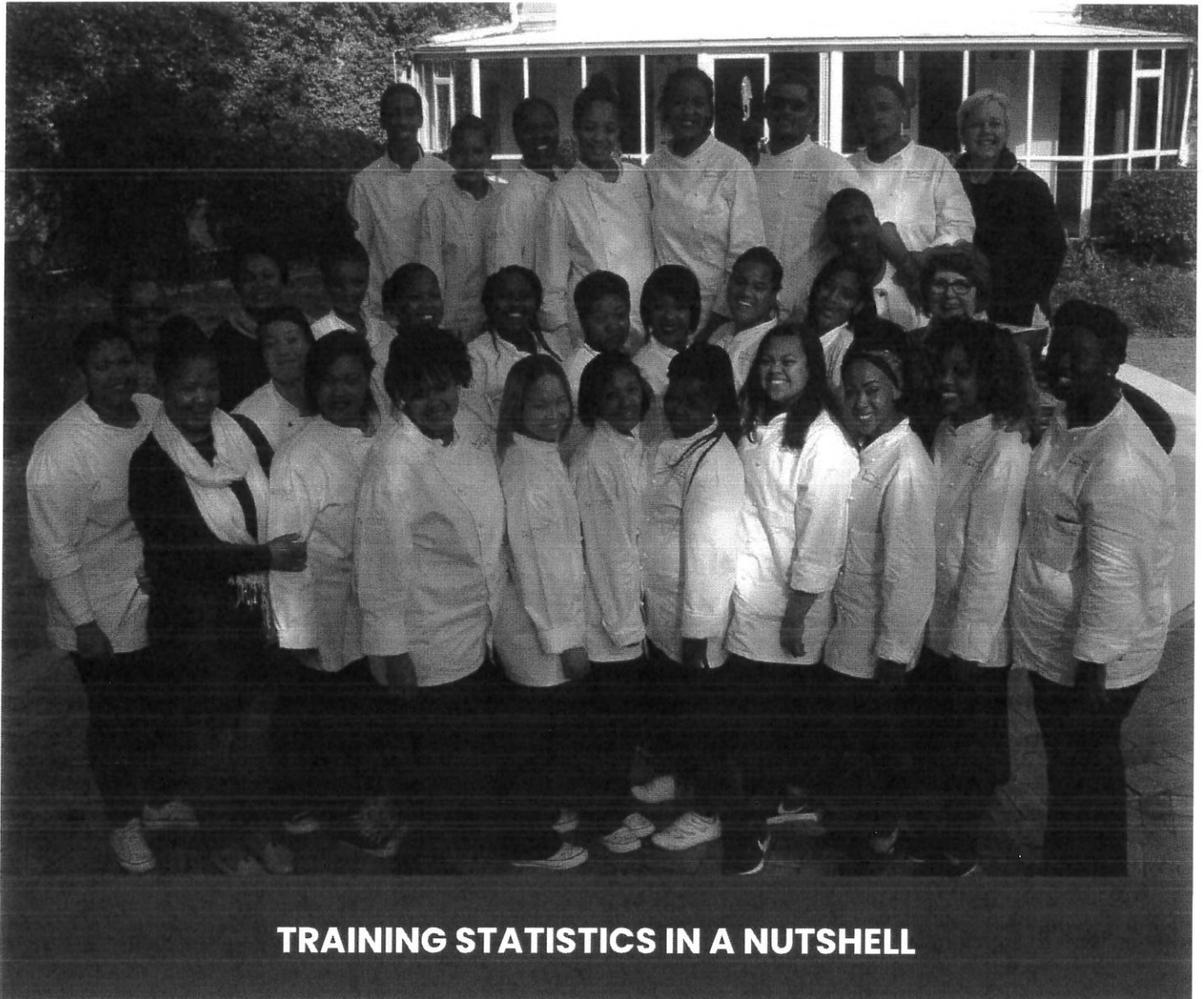
Our Health and Frail Care Programme, which was accredited by the Health and Welfare SETA (HWSETA) of South Africa in June 2016, is presented over 15 weeks and covers modules such as ethical care at health care centres and in private homes, basic anatomy, how to provide assistance to immobile patients, and frail care for sick babies and children.



FOOD SERVICE & FOOD AND BEVERAGE SERVICE ASSISTANT PROGRAMME

CATHSSETA-ACCREDITED

We have partnered with The Private Hotel School (PHS) since 2014 to present the Cathsseta-accredited Food Service & Food and Beverage Service Assistant Programme (previously called the City & Guilds' Professional Cooking and Food and Beverage Service Programme) at PHS' Stellenbosch campus in Vlottenburg. Students are trained in Basic Food Preparation and Food and Beverage Service during this 10-week programme.



TRAINING STATISTICS IN A NUTSHELL

We trained a total of 357 beneficiaries consisting of 207 iPOWER graduates and 150 Advanced Programme graduates.

Of the 150 Advanced Programme graduates, 82% (120) were placed in jobs.

ADVANCED PROGRAMMES' GRADUATES AND JOB PLACEMENT FIGURES

CHILD CARE



HEALTH AND FRAIL CARE

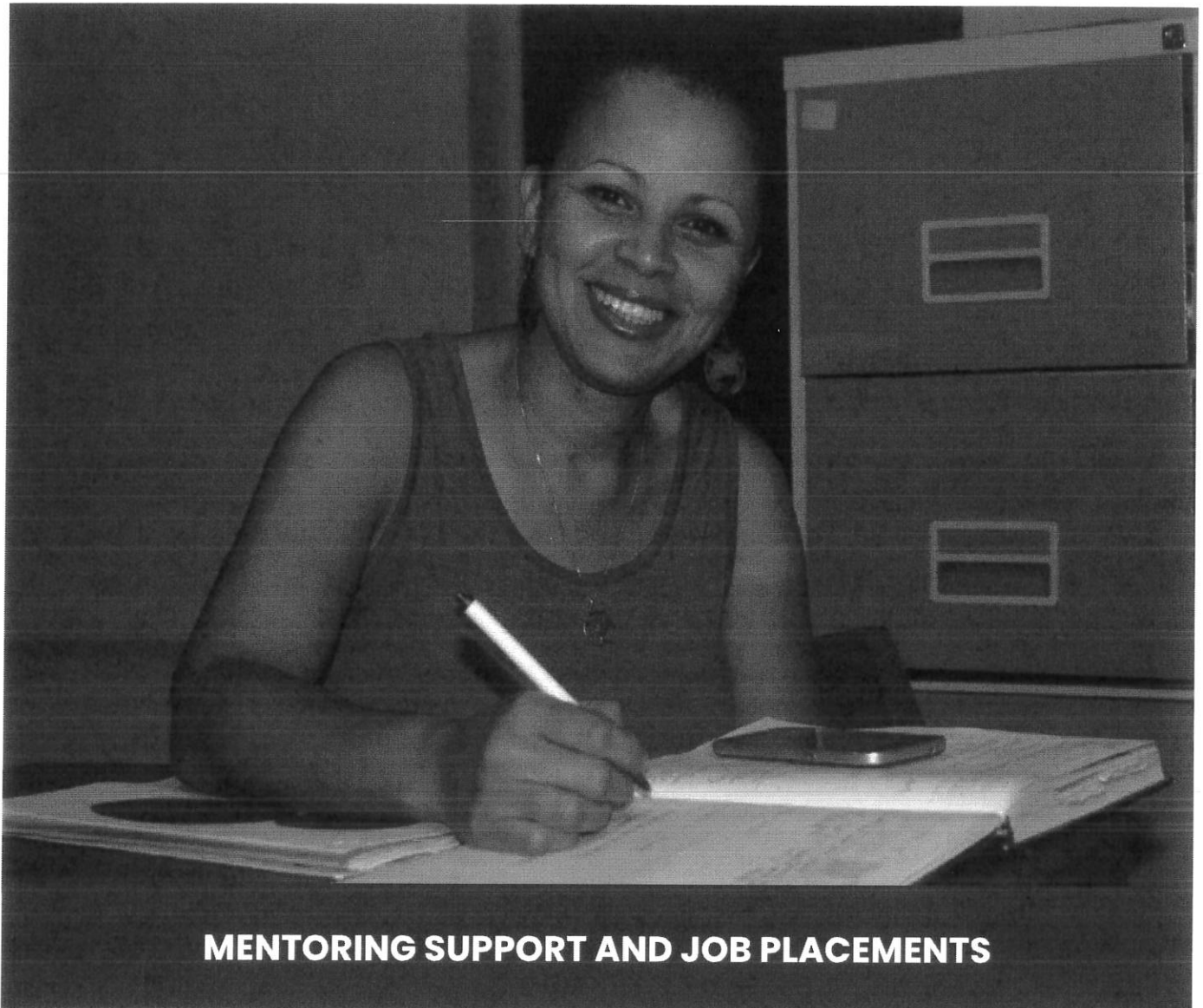


FOOD SERVICE ASSISTANT



TOTAL GRADUATED

EMPLOYED



MENTORING SUPPORT AND JOB PLACEMENTS

In 2018 we appointed Nathalie Skippers (photo), a registered social worker with 12 years' experience working for the Department of Social Development and the non-profit sector, to our organisation. Nathalie is responsible for our student mentoring programme. The programme provides emotional support to our students during their training and up to a year after they have entered the job market; teaches students important skills such as individual goal mapping for their future, CV and interview skills; and work readiness and independence while training.

We have maintained a high job placement rate – 82% of 150 students placed – because of our mentoring programme. In 2019, we will continue to focus on improving the job retention rate of our graduates by closely monitoring them up to one year after graduating and finding employment. Graduates are officially invited to join Bergzicht Training's prestigious Alumni Network after 12 months of being employed.

NEW BEGINNINGS: OUR BENEFICIARIES SHARE THEIR STORIES



Lynn is living her dream

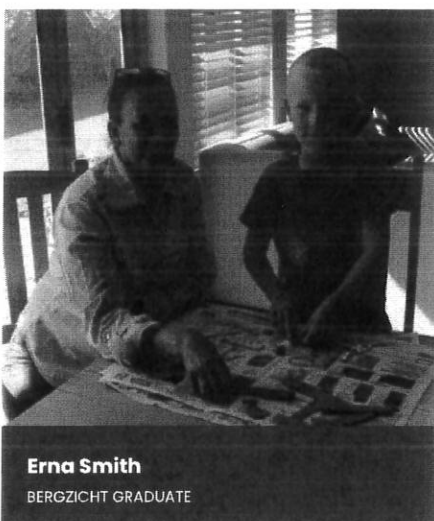
In September 2013, a friend who was completing a Child Care Programme at Bergzicht Training told Lynn de Vries about the Cathsseta Food Service & Food and Beverage Service Programme offered by the organisation in collaboration with The Private Hotel School.

"I started doing the iPOWER Programme and it really helped build up my self-confidence, because I was a very shy person and did not like speaking to people because of it. The programme gave me the confidence to start speaking in front of people."

In 2016 she was accepted for the Cathsseta programme.

"Bergzicht Training changed so many things in my life. They taught me to believe in myself, to trust my skills and to carry myself with more confidence. My dream is to open my own bakery one day and to give Bergzicht Training students an opportunity to train in my bakery. I would love to also create job opportunities for those students. I want to give back, because they helped me when I needed it."

[Read full story here](#)



Erna plays second mom to the Serdyn children

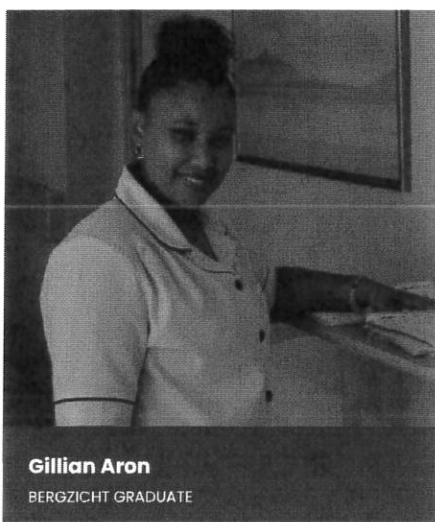
Erna Smith registered for the iPOWER (Self-Empowering) Foundation Programme at Bergzicht Training in 2011 after being retrenched from her job. Soon after, she completed the Child Care Programme and found a job with the Serdyn family.

"It's a lot of fun to work with children, because you learn something new from them every day. It's just not possible to work with children and not learn something from them," says Erna as she keeps a close eye on Pierre Serdyn and his brother, Petrus.

"Erna is like family," says the boys mom, Rochell.

"It's always hard for a mom to see that your children can also love someone else as much as they love you. However, I know they are in safe hands when I see how excited they are to see her on Mondays. On Fridays, they cry for her because they miss her when she's not there over the weekends. As a family, we are really grateful for her help and input. If all the graduates from Bergzicht Training are able to make a contribution like Erna, then Bergzicht Training is doing great work."

[Read full story here](#)



A patient's smile still brightens up my day

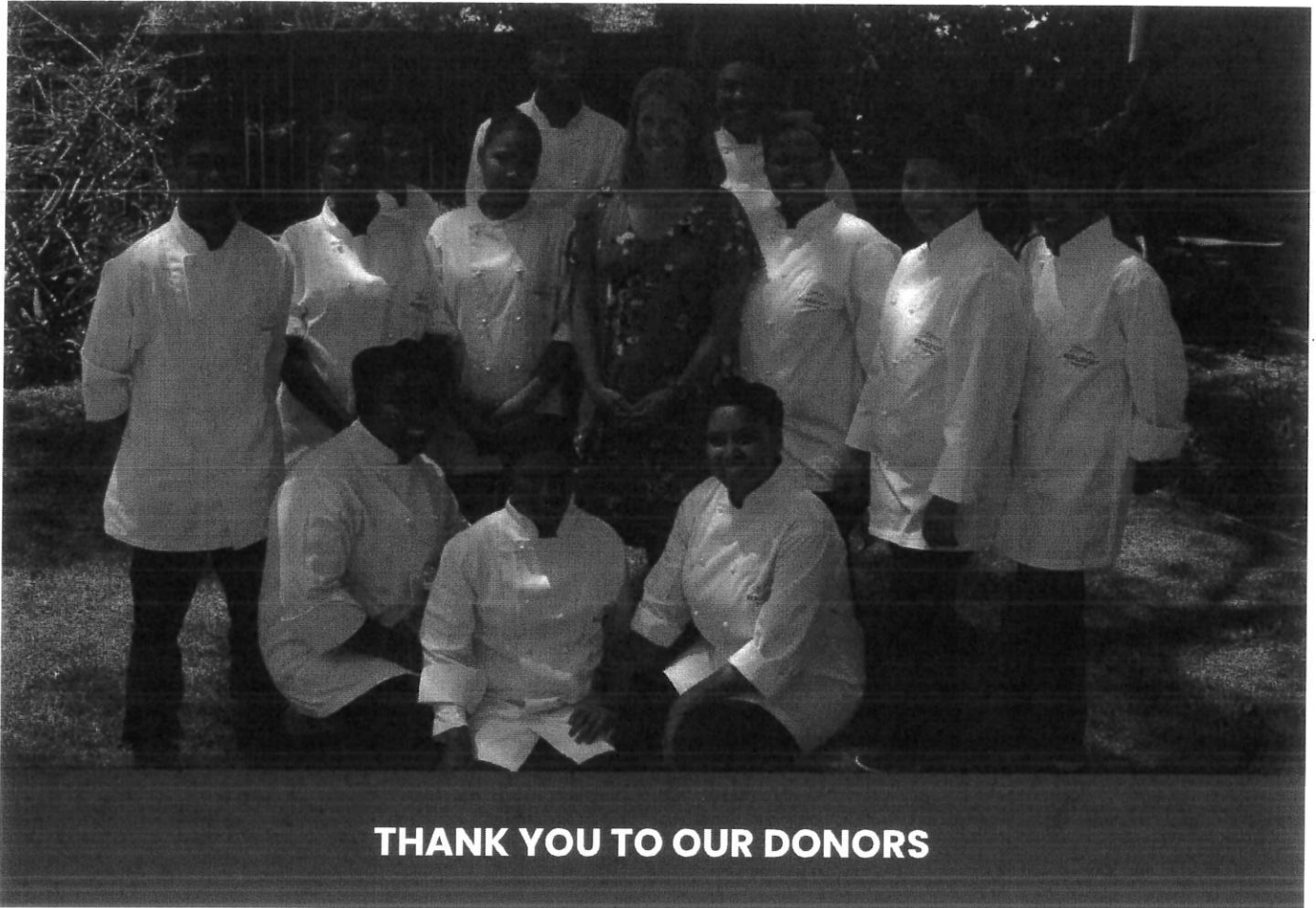
In 2013, Eerste River resident Gillian Aron completed her training at Bergzicht Training after having finished a Life Skills course, the iPOWER (Self-Empowering) Foundation Programme, and the Health and Frail Care Programme. Today she works as a carer at Andante Retirement Village, the same place where she completed the work-integrated learning opportunity of the Health and Frail Care Programme.

After three years at Andante, Gillian says that the thing she still enjoys most about her job is when she sees a smile on a patient's face as she walks through the door in the morning.

"Just seeing that my patients are happy and healthy brings me great joy," she says.

"Bergzicht Training opened a door for me to walk into a job after I finished my programme with them. Today I still apply many of the things I learnt during the time that I was completing the frail care programme."

[Read full story here](#)



THANK YOU TO OUR DONORS

Thank you to our donors for ensuring that we are able to provide our beneficiaries with fully sponsored training to acquire market-related skills to find permanent employment.



FINANCIAL OVERVIEW

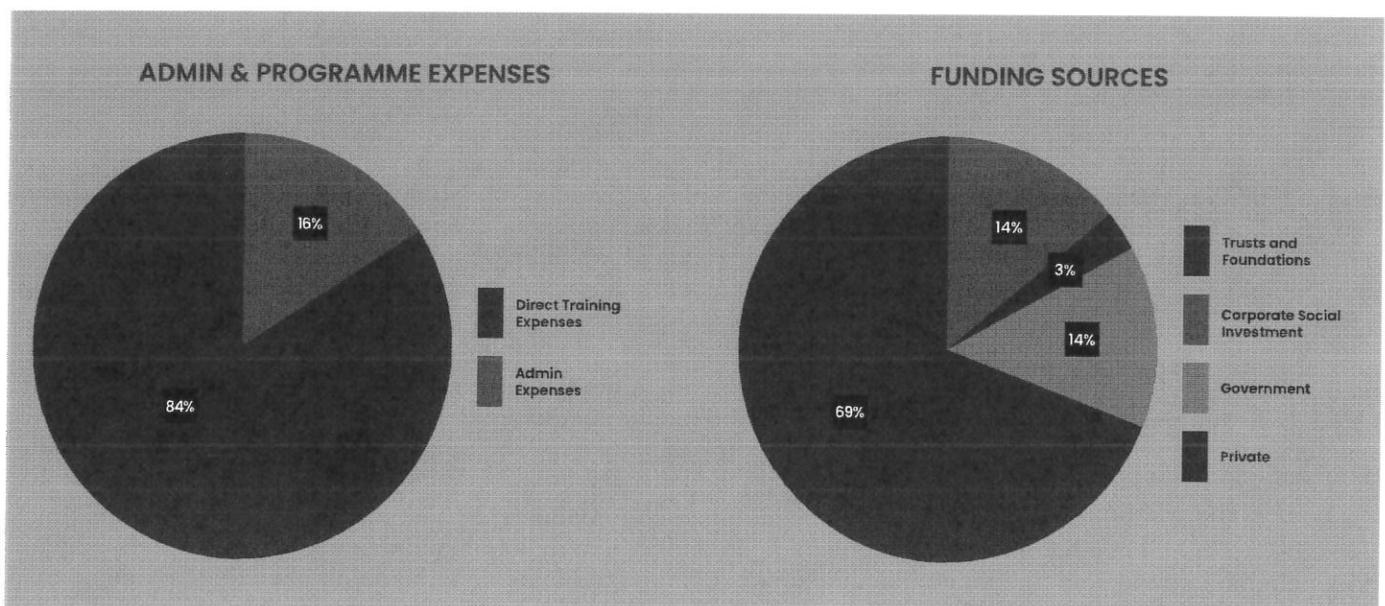
REPORT BY THE TREASURER

Although the financial statements of Bergzicht Training NPC show a deficit for the year ended 31 December 2018, it can be reported that the company is going from strength to strength. The deficit in the current year is merely the result of the timing difference between funds received during the previous year, which was spent during the current year.

Fundraising is becoming increasingly difficult in the NGO sector due to the strained economic environment in South Africa. Amidst these trying times, Bergzicht Training, through the leadership of its CEO Renske Minnaar, has managed to exceed its ambitious fundraising targets with what has become "consistent regularity".

The modern funding landscape forces significantly stricter reporting requirements onto NGOs, which are quite often too challenging for some NGOs. This is however not the case at Bergzicht Training, as the financial record-keeping and reporting system is well established and has been found to run effectively and efficiently.

JP ODENDAAL CA(SA)
TREASURER



Bergzicht Training Non Profit Company

(Registration number: 1992/006838/08)

Financial Statements for the year ended 31 December 2018

Statement of Financial Position as at 31 December 2018

	2018 R	2017 R
Assets		
Non-Current Assets		
Property, plant and equipment	174 391	197 841
Current Assets		
Trade and other receivables	32 567	35 690
Cash and cash equivalents	2 142 752	2 568 433
	2 175 319	2 604 123
Total Assets	2 349 710	2 801 964
Equity and Liabilities		
Equity		
Capital	28 031	28 031
Retained surplus	1 654 661	2 061 384
	1 682 692	2 089 415
Liabilities		
Current Liabilities		
Trade and other payables	493 492	573 372
Current tax payable	1 526	3 477
Provisions	172 000	135 700
	667 018	712 549
Total Equity and Liabilities	2 349 710	2 801 964

Bergzicht Training Non Profit Company

(Registration number: 1992/006838/08)

Financial Statements for the year ended 31 December 2018

Statement of Comprehensive Income

	2018 R	2017 R
Revenue	3 166 811	3 791 863
Other income	321 821	911 891
Operating expenses	(4 044 361)	(3 837 750)
Operating (deficit)/surplus	(555 729)	866 004
Investment revenue	160 934	167 960
Finance costs	-	(4)
(Deficit)/surplus before taxation	(394 795)	1 033 960
Taxation	(11 928)	(3 477)
(Deficit)/surplus for the year	(406 723)	1 030 483



GET IN TOUCH

In 2018 Bergzicht Training received the prestigious Community Chest Impumelelo Social Innovations Award.

TELEPHONE: +27 (0)21 8833525
FAX: +27 (0)21 8866345
E-MAIL: reception@bergzicht.org.za
ADDRESS: Bergzicht Square, c/o Merriman & Bird Street,
Stellenbosch, South Africa
WEBSITE: www.bergzichttraining.com
FACEBOOK: www.facebook.com/bergzichttraining

11.2.3	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
--------	--

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 11 and 25 September 2019

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To re-submit the proposed amended System of Delegations for adoption by Council after the input from the Section 80 Committees have been elicited as resolved by council on 28 August 2019.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to “*Note the existing System of Delegations*”. Council has not fulfilled its obligation in terms of section 59(2)(f) to review the system of delegations after its election in 2016. A revised system of delegations has been tabled after the election but was not considered.

The Delegations have been revised in its totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made. The changes as discussed at the workshop on 13 February 2018 are included in the attached document.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-08-14: ITEM 7.2.3

that this item be deferred to a continuation meeting on 20th August 2019.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-08-20: ITEM 7.2.3

- (a) that Council adopts the attached revised System of Delegations as set out in **APPENDIX 2** as the primary source of the delegations from 1 October 2019;
- (b) that Council takes note that by-laws or policies that are in the process of being revised and that are not included in the delegations will be taken up in the delegations administratively after the approval of the amended by-law or policy, and that the current delegations attached to those by-laws and policies remain in effect till such time it is revised; and
- (c) that all political office bearers, political structures, the Municipal Manager, Directors, Senior Managers, Managers, Heads of Departments and all other identified officials be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

Council considered the delegation on 28 August 2019 and the following ruling was made by the Speaker:

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3

"The Speaker RULED

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, where after same be resubmitted to the September 2019 Council meeting via the MAYCO.

The item served at the following section 80 Committees:

Corporate Services	2 September 2019	Appendix 3
Financial Services	10 September 2019	Appendix 4
Infrastructure Services	5 September 2019	Appendix 5
Youth, Sport and Culture	5 September 2019	Appendix 6
Community and Protection Services	10 September 2019	Appendix 7
Parks and Open Spaces	2 September 2019	Appendix 8
Planning and Economic Development	3 September 2019	Appendix 9
Human Settlements	4 September 2019	Appendix 11
Rural management and Tourism	4 September 2019	Appendix 12

Inputs were also from the Municipal Manager (RS1) – change indicated in red and the Director Community and Protection services – (**Appendix 10**). No input was received from the Directorate Planning and Economic Development by Friday 6 September

2019. Input as send by the portfolio chairperson (**Appendix 9A**). All the changes relating to the inputs received since the previous council meeting is contained in red in the electronic appendix 2.

5. RECOMMENDATIONS

- (a) that Council adopts the attached revised System of Delegations as set out in **APPENDIX 2** as the primary source of the delegations from 1 September 2019;
- (b) that it be noted that by-laws or policies that are in the process of being revised and that are not included in the delegations will be taken up in the delegations administratively after the approval of the amended by-law or policy, and that the current delegations attached to those by-laws and policies remain in effect till such time it is revised; and
- (c) that all political office bearers, political structures, the Municipal Manager, Directors, Senior Managers, Managers, Heads of Departments and all other identified officials be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

6. DISCUSSION / CONTENTS

14.1 Background

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

14.2 Discussion

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

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

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

The current system of delegations was approved by the previously elected Council in 2015. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to Note the existing System of Delegations.

The Delegations must be reviewed in order to align with, amongst others:

- Municipal Assets Transfer Regulations;
- Preferential Procurement Regulations; and
- Cost Containment Regulations.

The Delegations have been revised in totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made in order to make it more user friendly. It is therefore not possible to show individual changes as it was changed as a whole.

The Directors all made their inputs in regard to their functional fields. To comply with the legal directive of maximizing administrative and operational efficiency, a high degree of sub-delegations to Directors, Managers, Heads of Departments and other senior employees are provided for. Although every effort was made to ensure that the new proposed system of delegations is accurate and incorporates the delegations, it may be that certain minor administrative overlaps and omissions can be identified.

There are policies and by-laws that are currently under review and those have not been included in the System of Delegations. It is therefore recommended that when a new policy or By-law is approved, the delegations are approved with it and then administratively added to the System of Delegations.

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

6.2.1 Requirement in terms of section 65

Section 65 of the Municipal Systems Act requires that the municipal manager must submit to the council a report on the existing delegations issued in terms of section 59 with recommendations on any changes to the existing delegations which the municipal manager may consider necessary.

Given the fact the system of delegation submitted to council is a complete revision in terms of format, the report required in terms of section 65 is a complete change and replacement of the current system as adopted in 2015. In particular it should be noted that the numbering of the new system of delegations completely differs from the old system in that its link to the office bearers and or legislation.

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

In particular Council should note that to further comply with section 65 the Delegations must be reviewed in order to align with amongst others:

- Municipal Assets Transfer Regulations;
- Preferential Procurement Regulations;
- Newly adopted municipal By- laws; and
- Cost Containment Regulations.

6.2.2 Consultation process

The Directors all made their inputs in regard to their functional fields. To comply with the legal directive of maximizing administrative and operational efficiency, a high degree of sub-delegations to Directors, Managers, Heads of departments and other

senior employees are provided for. Although every effort was made to ensure that the new proposed system of delegations is accurate and incorporates the delegations, it may be that certain minor administrative overlaps and omissions can be identified. There are policies and bylaws that are currently under review and those have not been included in the System of Delegations as they are out-dated and it would mean that the System of Delegations has to be reviewed every time the new policy or Bylaw is approved. It is therefore recommended that when a new policy or Bylaw is approved the delegations are approved with it and then administratively added to the System of Delegations.

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

Further to the above the administration and the then portfolio chairperson, clr Groenewald, met with representatives from Province to discuss reservations they had. Their reservations centred on mainly two types of delegations – the delegations from the Executive Mayor to the Municipal manager as well as the matters on which the Executive Mayor should consult the Mayoral committee. These issues has been address in the document currently before Council.

After the section 80 committees discussed the delegations the inputs were discussed with the portfolio holders and the Directors and the agreed input is contained in the document indicated in red.

14.3 Financial Implications

As per the approved budget.

6.4 Legal Implications

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

6.5 Staff Implications

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

6.6 Previous / Relevant Council Resolutions

Council resolution dated 15 August 2016, containing the Speaker's ruling.

28 August 2019 – item 11.2.3

6.7 Risk Implications

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

6.8 Comments from Senior Management

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

6.8.1 Chief Financial Officer

Agree with the recommendations

6.8.2 Municipal Manager

Agree with the recommendations

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-16: ITEM 7.2.3

- (a) that Council adopts the attached revised System of Delegations as set out in **APPENDIX 2** as the primary source of the delegations from 1 October 2019;
- (b) that it be noted that by-laws or policies that are in the process of being revised and that are not included in the delegations will be taken up in the delegations administratively after the approval of the amended by-law or policy, and that the current delegations attached to those by-laws and policies remain in effect till such time it is revised; and
- (c) that all political office bearers, political structures, the Municipal Manager, Directors, Senior Managers, Managers, Heads of Departments and all other identified officials be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

ANNEXURES

Appendix 1 – Council resolution dated 15 August 2016.

Appendix 2 – System of Delegations (**APPENDIX 2 of the System of Delegation document is distributed under separate cover**)

Appendix 3 - Corporate Services

Appendix 4 - Financial Services

Appendix 5 - Infrastructure Services

Appendix 6 - Youth, Sport and Culture

Appendix 7 - Community and Protection Services

Appendix 8 - Parks and Open Spaces

Appendix 9 - Planning and Economic Development

Appendix 9A – Input received from the portfolio holder Cllr Groenewald

Appendix 10 – Input from Director Community and Protection Services

Appendix 11 - Human Settlements

Appendix 12 - Rural management and Tourism

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 807 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.org.za
REPORT DATE	16 September 2019

APPENDIX 1

6.8 ADOPTION OF SYSTEM OF DELEGATIONS

File number : 3/P/7

Report by : Acting Municipal Manager

Compiled by : Director: Strategic & Corporate Services

Delegated Authority : Council

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

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

- (a) delegate appropriate powers, excluding a power mentioned in Section 160(2) of the Constitution and the power to set tariffs, to decide to enter into a service delivery agreement in terms of Section 76(b) and to approve or amend the municipality's IDP, to any of the municipality's political structures, political office bearers, councillors, or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the municipality's duties; and
- (c) withdraw any delegation or instruction.

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

1.2 Review of Delegations

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

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

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

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

RECOMMENDED

that Council adopts the existing System of Delegations.

(ACTING MUNICIPAL MANAGER TO ACTION)

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

the Speaker **RULED**

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

(ACTING MUNICIPAL MANAGER TO ACTION)

APPENDIX 3

5.1.1	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
-------	--

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: **2 September 2019**

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To submit the proposed amended System of Delegations for discussion at the Section 80 committees to provide feedback to MAYCO and Council on any inputs on the delegations that affects the functions of the specific section 80 committees.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to “*Note the existing System of Delegations*”. Council has not fulfilled its obligation in terms of section 59(2)(f) to review the system of delegations after its election in 2016. A revised system of delegations has been tabled after the election but was not considered.

The Delegations have been revised in its totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made. The changes as discussed at the workshop on 13 February 2018 are included in the attached document.

RECOMMENDATIONS FROM CORPORATE SERVICES COMMITTEE MEETING TO THE EXECUTIVE MAYOR: 2019-09-02: ITEM 5.1.1

that the committee supports the delegations and would recommend them to Council

ANNEXURES

- Appendix 1 – Council resolution dated 15 August 2016.
- Appendix 2 – System of Delegations (**APPENDIX 2 of the System of Delegation document is distributed under separate cover**)

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 807 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.org.za
REPORT DATE	29 August 2019

APPENDIX 4



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref: 3/5/3/5/2/2

2018-09-10

MINUTES

FINANCIAL SERVICES COMMITTEE MEETING

2019-09-10 AT 14:00

MINUTES FINANCIAL SERVICES COMMITTEE MEETING 2019-09-10**30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3**

The Speaker **RULED**

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, where after same be resubmitted to the September 2019 Council meeting via MAYCO.

RECOMMENDATIONS FROM FINANCIAL SERVICES COMMITTEE MEETING TO THE EXECUTIVE MAYOR: 2019-09-10: ITEM 5.1.1

- (a) that the committee supports the delegations but notes the following:
- (i) that item C114,C118,C121 AND C123 deviate from the circular of Treasury no 37 in that the delegations proposed deviates from the guidelines contained on the circular.
 - (ii) that items MM35,MM36,MM154 and MM156 be sub delegated to the Senior Manager Financial Management services
 - (iii) that the delegations as contained in paragraph 6f of the Virement Policy be added to the system of delegations

Policy	Description of power or function	Delegated to	Sub-delegated to
Paragraph 6 f Virement Policy	Virementation of Capital funds within a vote	CFO	
Paragraph 6 f Virement Policy	Virementation of Operational funds within a vote	CFO	Senior Manager: Financial Management Services

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 807 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.org.za
REPORT DATE	29 August 2019

APPENDIX 5

5.1.6 ADOPTION OF REVISED SYSTEM OF DELEGATIONS

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: **5 September 2019**

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To submit the proposed amended System of Delegations for discussion at the Section 80 committees to provide feedback to MAYCO and Council on any inputs on the delegations that affects the functions of the specific section 80 committees.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality’s IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality’s political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality’s duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to “*Note the existing System of Delegations*”. Council has not fulfilled its obligation in terms of section 59(2)(f) to review the system of delegations after its election in 2016. A revised system of delegations has been tabled after the election but was not considered.

The Delegations have been revised in its totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made. The changes as discussed at the workshop on 13 February 2018 are included in the attached document.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3

The Speaker **RULED**

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, where after same be resubmitted to the September 2019 Council meeting via MAYCO.

RECOMMENDATIONS FROM INFRASTRUCURE SERVICES COMMITTEE MEETING TO THE EXECUTIVE MAYOR: 2019-09-05: ITEM 5.1.6

that the committee notes the set of delegations.

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 807 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.org.za
REPORT DATE	29 August 2019

APPENDIX 6

5.1.1	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
-------	---

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: **5 September 2019**

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To submit the proposed amended System of Delegations for discussion at the Section 80 committees to provide feedback to MAYCO and Council on any inputs on the delegations that affects the functions of the specific section 80 committees.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to “*Note the existing System of Delegations*”. Council has not fulfilled its obligation in terms of section 59(2)(f) to review the system of delegations after its election in 2016. A revised system of delegations has been tabled after the election but was not considered.

The Delegations have been revised in its totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3

The Speaker **RULED**

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, where after same be resubmitted to the September 2019 Council meeting via MAYCO.

ANNEXURES

Appendix 1 – Council resolution dated 15 August 2016.

Appendix 2 – System of Delegations (**APPENDIX 2 of the System of Delegation document is distributed under separate cover**)

RECOMMENDATION TO THE EXECUTIVE MAYOR FROM THE YOUTH, SPORT AND CULTURE COMMITTEE MEETING: 2019-09-05: ITEM 5.1.1**NOTED**

that the Chairperson will discuss with the Mayor about what transpired in the standing committee meeting.

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 807 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.org.za
REPORT DATE	29 August 2019

APPENDIX 7

5.1.1	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
-------	--

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: **10 September 2019**

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To submit the proposed amended System of Delegations for discussion at the Section 80 committees to provide feedback to MAYCO and Council on any inputs on the delegations that affects the functions of the specific section 80 committees.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

RECOMMENDATION TO THE EXECUTIVE MAYOR FROM COMMUNITY AND PROTECTION SERVICES COMMITTEE: 2019-09-04: ITEM 5.1.1

- (a) that Council adopts the attached revised System of Delegations as set out in **APPENDIX 2** as the primary source of the delegations from 1 September 2019;
- (b) that Council takes note that by-laws or policies that are in the process of being revised and that are not included in the delegations will be taken up in the delegations administratively after the approval of the amended by-law or policy, and that the current delegations attached to those by-laws and policies remain in effect till such time it is revised; and

- (c) that all political office bearers, political structures, the Municipal Manager, Directors, Senior Managers, Managers, Heads of Departments and all other identified officials be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	<i>021 807 8018</i>
E-MAIL ADDRESS	<i>Annalene.deBeer@stellenbosch.org.za</i>
REPORT DATE	<i>6 August 2019</i>

APPENDIX 8

5.1.1	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
--------------	--

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: **2 September 2019**

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To submit the proposed amended System of Delegations for discussion at the Section 80 committees to provide feedback to MAYCO and Council on any inputs on the delegations that affects the functions of the specific section 80 committees.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

**PARKS, OPEN SPACES AND ENVIRONMENT COMMITTEE MEETING: 2019-09-02:
ITEM 5.1.1**

- (a) that the track changes should be included in the document; and
- (b) that the document should return back to Section 80 Committee.

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	<i>Director: Corporate Services</i>
DIRECTORATE	<i>Corporate Services</i>
CONTACT NUMBERS	021 807 8018
E-MAIL ADDRESS	<i>Annalene.deBeer@stellenbosch.org.za</i>
REPORT DATE	6 August 2019

APPENDIX 9

5.1.1	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
-------	---

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: **3 September 2019**

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To submit the proposed amended System of Delegations for discussion at the Section 80 committees to provide feedback to MAYCO and Council on any inputs on the delegations that affects the functions of the specific section 80 committees.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to “*Note the existing System of Delegations*”. Council has not fulfilled its obligation in terms of section 59(2)(f) to review the system of delegations after its election in 2016. A revised system of delegations has been tabled after the election but was not considered.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-08-14: ITEM 7.2.3

that this item be deferred to a continuation meeting on 20th August 2019.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-08-20: ITEM 7.2.3

- (a) that Council adopts the attached revised System of Delegations as set out in **APPENDIX 2** as the primary source of the delegations from 1 September 2019;
- (b) that Council takes note that by-laws or policies that are in the process of being revised and that are not included in the delegations will be taken up in the delegations administratively after the approval of the amended by-law or policy, and that the current delegations attached to those by-laws and policies remain in effect till such time it is revised; and
- (c) that all political office bearers, political structures, the Municipal Manager, Directors, Senior Managers, Managers, Heads of Departments and all other identified officials be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3

The Speaker **RULED**

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, where after same be resubmitted to the September 2019 Council meeting via MAYCO.

ANNEXURES

- Appendix 1 – Council resolution dated 15 August 2016.
- Appendix 2 – System of Delegations (**APPENDIX 2 of the System of Delegation document is distributed under separate cover**)

RECOMMENDATION FROM THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE TO THE EXECUTIVE MAYOR: 2019-09-03: ITEM 5.1.1

that the directorate will sit as the administration and discuss the delegations that affects the department and submit their inputs on Friday(2019-09-06).

APPENDIX 10

POWERS/DUTIES CONFERRED ON OFFICIALS AND/OR STRUCTURES						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR FUNCTION	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-ELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
LIB3	General / Tariffs Policy 2019-20	To levy and recover applicable fines and sundries i.t.o. council resolution and tariff lists	Municipal Manager	Director: Community and Protection Services	Manager" Library Services	In consultation with Senior Librarians
LIB4	General Library in house rules Reviewed 2019	To disapprove membership applications where applicants owe monies/fines to other libraries	Municipal manager	Director: Community and Protection Services	Manager" Library Services	In consultation with Senior Librarians
LIB5	Section 67(5.2), MFMA	To compile and submit on council's behalf business plans i.r.o. conditional grant funding	Municipal manager	Director: Community and Protection Services	Manager" Library Services	
LIB5	Western Cape Provincial Libraries Asset Management and Collection Development Policies 2019	To purchase printed, digital, and audio-visual library resources i.t.o Provincial guidelines.	Municipal manager	Director: Community and Protection Services	Manager" Library Services	In consultation with Senior Librarians

APPENDIX 11

5.1.1	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
-------	--

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: **4 September 2019**

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To submit the proposed amended System of Delegations for discussion at the Section 80 committees to provide feedback to MAYCO and Council on any inputs on the delegations that affects the functions of the specific section 80 committees.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to “*Note the existing System of Delegations*”. Council has not fulfilled its obligation in terms of section 59(2)(f) to review the system of delegations after its election in 2016. A revised system of delegations has been tabled after the election but was not considered.

The Delegations have been revised in its totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made.

be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3

The Speaker **RULED**

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, where after same be resubmitted to the September 2019 Council meeting via MAYCO.

ANNEXURES

Appendix 1 – Council resolution dated 15 August 2016.

Appendix 2 – System of Delegations (**APPENDIX 2 of the System of Delegation document is distributed under separate cover**)

RECOMMENDATION FROM THE HUMAN SETTLEMENTS COMMITTEE TO THE EXECUTIVE MAYOR: 2019-09-04: ITEM 5.1.1

that the directorate will sit as the administration and discuss the delegations that affects the department and submit their inputs on Friday(2019-09-06).

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 807 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.org.za
REPORT DATE	29 August 2019

APPENDIX 12

5.1.1 ADOPTION OF REVISED SYSTEM OF DELEGATIONS

Collaborator No:
IDP KPA Ref No: *Good Governance*
Meeting Date: **4 September 2019**

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To submit the proposed amended System of Delegations for discussion at the Section 80 committees to provide feedback to MAYCO and Council on any inputs on the delegations that affects the functions of the specific section 80 committees.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

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

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to “*Note the existing System of Delegations*”. Council has not fulfilled its obligation in terms of section 59(2)(f) to review the system of delegations after its election in 2016. A revised system of delegations has been tabled after the election but was not considered.

The Delegations have been revised in its totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made.

- (c) that all political office bearers, political structures, the Municipal Manager, Directors, Senior Managers, Managers, Heads of Departments and all other identified officials be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3

The Speaker **RULED**

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, where after same be resubmitted to the September 2019 Council meeting via MAYCO.

ANNEXURES

- Appendix 1 – Council resolution dated 15 August 2016.
- Appendix 2 – System of Delegations (**APPENDIX 2 of the System of Delegation document is distributed under separate cover**)

RECOMMENDATION FROM THE RURAL MANAGEMENT AND TOURISM COMMITTEE TO THE EXECUTIVE MAYOR: 2019-09-04: ITEM 5.1.1

that the directorate will sit as the administration and discuss the delegations that affects the department and submit their inputs on Friday(2019-09-06).

FOR FURTHER DETAILS CONTACT:

NAME	A M C de Beer
POSITION	Director: Corporate Services
DIRECTORATE	Corporate Services
CONTACT NUMBERS	021 807 8018
E-MAIL ADDRESS	Annalene.deBeer@stellenbosch.org.za
REPORT DATE	29 August 2019

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

NONE

11.4	HUMAN SETTLEMENTS: (PC: CLLR N JINDELA)
------	--

NONE

11.5	INFRASTRUCTURE SERVICES: (PC: CLLR Q SMIT)
------	--

NONE

11.6	PARKS, OPEN SPACES AND ENVIRONMENT: (PC: XL MDEMKA (MS))
------	---

NONE

11.7	PLANNING AND ECONOMIC DEVELOPMENT: (PC:CLLR E GROENEWALD (MS))
11.7.1	DRAFT BY-LAW FOR STELLENBOSCH MUNICIPALITY ON PROBLEM PROPERTY, 17 MAY 2019

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 16 September 2019

1. SUBJECT: DRAFT BY-LAW FOR STELLENBOSCH MUNICIPALITY ON PROBLEM PROPERTY, 17 MAY 2019

2. PURPOSE

To advise the Executive Mayor and Council on the draft By-law on Problem Property for Stellenbosch Municipality.

3. DELEGATED AUTHORITY

For consideration by the Executive Mayor and recommendation to Council for advertisement for public comment.

4. EXECUTIVE SUMMARY

In terms of the **14TH COUNCIL MEETING: 2017-11-29: ITEM 8.3.3**, the Administration advertised the Draft By-law for public comment during 2018 for a period of 90 days. Despite the long period, no written comments were received, except one person who requested a meeting in order to discuss the content of the Draft By-law.

Therefore, the Administration proposes to circulate the draft to all the internal departments, interested and affected parties as well as all ward committees for a second round of comments.

The Draft By-law is pertaining to how the municipality must endeavour to address problem properties (i.e.: derelict, undesirable, abandoned or dangerous properties) throughout the entire WCO24 municipal area.

At present, several properties within Stellenbosch municipality have been identified as problematic, due to their long-term abandonment and neglect and/or failure to develop or maintain. Such properties have the tendency to be used as illegal dumping sites, invite dangerous or illegal activities, create an eyesore for the surrounding community, and/or potentially lead to neighborhood decay due to their negative influence on surrounding property prices and community pride.

At present, Stellenbosch Municipality is working with an outdated by-law, promulgated in 1962 ("Stellenbosch Municipality: Regulations Relating to Dilapidated Buildings and Unsightly and Objectionable Structures, P.N 407/1962), which does not adequately capture the demands of current land use enforcement challenges associated with problematic properties.

Although a relevant draft by-law was developed and approved in-principle by Council in 2013 (Stellenbosch Municipality: Problem Buildings By-law (2013)), this By-law was never promulgated.

5. RECOMMENDATION

The Section 80 Committee commented on the draft By-law on Problem Properties for Stellenbosch Municipality, 17 May 2019, attached as **APPENDIX 1** and advise the Executive Mayor as follows:

- (a) That the revised draft By-law on Problem Properties for Stellenbosch Municipality, 17 May 2019, be re-advertised for public participation to:
- (i) SIG
 - (ii) Stellenbosch-, Franschhoek-, Raithby-, Jamestown Rate Payers
 - (iii) Stellenbosch Agricultural Society
 - (iv) All the ward administrators
 - (v) All the Directors to be referred to their Managers
 - (vi) University of Stellenbosch
 - (vii) Boland College
 - (viii) Heritage Western Cape
 - (ix) WC Department of Agriculture
 - (x) Cape Winelands District Municipality
 - (xi) Advertisement in the local media and on the municipal website
 - (xii) The Minister or MEC of Public Works at National and Provincial Governments who administer properties located within WCO24
- (b) That after the comments have been reviewed, the edited By-Law be resubmitted to the Mayoral Committee and Council for final consideration and subsequent approval.

6. DISCUSSION**6.1 Contents**

The proposed By-law was drafted in terms of the following legislative documents:

The Constitution of the Republic of South African (1996)

WHEREAS Section 152 (1) of the Constitutions stipulates that two objectives of local government include the promotion of social and economic development, as well as safe and healthy environments.

WHEREAS Section 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 WHEREAS Part B of schedule 4 to the constitution lists building regulations and local tourism as local government matters to the extent set out in section 155(6) (a) and (7).

National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)

WHEREAS Section 12 of the Act 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:

- (a) *clean, repair, renovate, repaint, alter, close, demolish or secure such building;*
- (b) *complete the building or any structure of such building;*
- (c) *enclose, secure, fence or barricade such problem building or land;*

-
- (d) *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;*
 - (e) *comply with any provision of this By-law.*

Stellenbosch Municipality Land Use Planning By-Law (2015)

WHEREAS Chapter 9, Section 85 of the Land Use Planning By-law lays out the municipality's role in enforcing land use-decisions:

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.*

WHEREAS Section 86 of this By-law also outlines the Offenses and Penalties that should be enforced, should any land use contraventions occur:

- (1) *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—*
 - (a) *contravenes or fails to comply with sections 15(1) and (5), 20(1), 21(4), 31(1), 59(3), 62(2) or 88(2);*
 - (b) *utilises land in a manner other than prescribed by a zoning scheme without the approval of the Municipality;*
 - (c) *upon registration of the first land unit arising from a subdivision, fails to transfer all common property arising from the subdivision to the owners' association;*
 - (d) *supplies particulars, information or answers in an application, or in an appeal against a decision on an application, or in any documentation or representation related to an application or an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct;*
 - (e) *falsely professes to be an authorised employee or the interpreter or assistant of an authorised employee; or*
 - (f) *hinders or interferes with an authorised employee in the exercise of any power or the performance of any duty of that employee.*

Stellenbosch Municipality Zoning Scheme (2019)

This By-law is drafted to align with the parameters and definitions of the Stellenbosch Zoning Scheme By-Law, 2019, to ensure consistency between the two documents.

6.3 Financial Implications

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

6.4 Legal Implications

The Municipal Systems Act, 2000 (Act 32 of 2000).

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 resolutions are applicable:

Minutes of 14TH COUNCIL MEETING: 2017-11-29: ITEM 8.3.3.

Minutes of the **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE**
2019-05-17: ITEM 5.1.2

6.7 Risk Implications

The recommendation will reduce risk implications for the municipality with regards to impact of problem properties.

6.8 Comments from Senior Management:

Comments from other Internal Departments of the Municipality will be obtained with the second round of public participation process.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-16: ITEM 7.7.1

- (a) that the revised draft By-law on Problem Properties for Stellenbosch Municipality, 17 May 2019, be advertised for public participation for 30 days; and
- (b) that after the comments have been reviewed, the edited By-Law be resubmitted to the Mayoral Committee and Council for final consideration and subsequent approval.

ANNEXURES

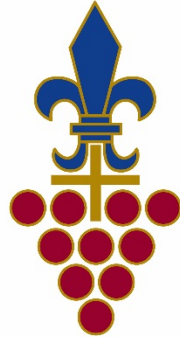
APPENDIX 1: draft By-law on Problem Property for Stellenbosch Municipality, 17 May 2019

APPENDIX 2: Minutes of the Planning and Economic Development

FOR FURTHER DETAILS CONTACT:

NAME	Tabiso Mfeya
POSITION	Director
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	Tabiso.mfeya@stellenbosch.gov.za
REPORT DATE	September 2019

APPENDIX 1



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DRAFT PROBLEM PROPERTY

BY-LAW

APPROVED BY COUNCIL: DATE

DRAFT PROBLEM PROPERTY BY-LAW

PREAMBLE

Noting the constitutional mandate of municipalities to administer the regulation of buildings within their jurisdiction and to control public nuisance;

Noting the need to identify problem properties and to take the necessary measures to ensure compliance with the Municipality's by-laws, policies and plans and legislation related to property and the use of property;

And noting that the principal purpose of this By-law is to secure compliance rather than demolition and re-development;

Be it therefore enacted by the Council of the Stellenbosch Municipality, it reads as follows:

CONTENTS

PART 1: DEFINITIONS AND APPLICATION	5
1 Definitions	5
2 Application of this By-law	7
PART 2: DUTY AND LIABILITY OF OWNERS	7
3 Duty of owners	7
4 Duty to take measures.....	7
5 Liability of owners for damages and costs	8
PART 3: INVESTIGATION AND COMPLIANCE ORDERS	8
6 Investigation.....	8
7 Compliance notice	9
8 Failure to comply with compliance order	10
PART 4: DECLARATION OF A PROBLEM PROPERTY	11
9 Notice of intention to declare a problem property.....	11
10 Declaration of a problem building	12
11 Owner's failure to comply with the declaration.....	13
PART 5: APPOINTMENT OF ADMINISTRATOR	14
12 Appointment of administrator.....	14
PART 6: EVACUATION, EVICTION AND DEMOLITION	15
13 Evacuation.....	15
PART 7: ENFORCEMENT	16
14 Civil proceedings	16
15 Offences and penalties.....	16
PART 8: GENERAL	17
16 Appeals	17
17 Appointment of authorised officials.....	17
18 Delegation.....	17
19 Powers of authorised officials	17

20	Form of notices, declarations and sign boards	18
21	Service of notices	18
22	Indemnity	19
23	Short title	18

Draft

PART 1: DEFINITIONS AND APPLICATION

1 Definitions

In this By-law, unless the context indicates otherwise-

“authorised official” means an employee of Stellenbosch Municipality responsible for carrying out any duty or function or exercising any power in terms of this By-law or any other applicable by-law and includes an employee delegated to carry out such duties, functions or exercise such powers;

“building” includes-

- (a) any structure, whether of a temporary or permanent nature and irrespective of the materials used in the erection thereof, erected or used for or in connection with the-
 - (i) accommodation or convenience of human beings or animals;
 - (ii) manufacture, processing, storage, display or sale of any goods;
 - (iii) rendering of any service;
 - (iv) destruction or treatment of refuse or other waste materials;
 - (v) cultivation or growing of any plant or crop;
- (b) any wall or part of the building;

“Municipality” means the Municipality of Stellenbosch, a municipality established in terms of the Local Government: Municipal Structure Act, 1998 (Act No. 117 of 1998);

“National Building Regulations Act” means the National Building Regulations and Building Standards Act, 1977 (Act No.103 of 1977);

“owner” in relation to a building means the person in whose name the land on which such building was or is erected, as the case may be, is registered in the deeds office in question and includes a person in charge of such building;

(a) such person, in the case of a natural person, is deceased or was declared by any court to be incapable of managing his or her own affairs or a prodigal or is a patient as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973), or if his or her estate has been sequestrated, the executor or curator concerned, as the case may be;

(b) such person, in the case of a juristic person or trust, has been liquidated or placed under judicial management, the liquidator or judicial manager concerned, as the case may be;

(c) such person is absent from the Republic or if his or her whereabouts are unknown, any person who, as agent or otherwise, undertakes the management, maintenance or collection of rentals or other moneys in respect of such building or who is responsible therefor;

(d) in the case of a sectional title scheme, a sectional title unit is registered in the name of a person, that person;

(e) in the case of a trust, the trustees of such trust;

(f) in the case of a sectional title scheme, a body corporate responsible for the control, administration and management of the common property; or

(g) where the Stellenbosch Municipality is unable to determine the identity of such person, any person who is entitled to the benefit of the use of such building or who enjoys such benefit;

“problem building” means any building that has been declared under section 10 to be a problem building;

“property”-

(a) means any piece of land registered as a separate entity of land in a deeds registry as an erf, lot, plot, farm, stand or agricultural holding and includes any unit and land contemplated in the Sectional Title Act, 1986 (Act No. 95 of 1986); and

(b) includes any building on that piece of land.

2 Application of this By-law

- (1) This By-law applies to all properties within the area of jurisdiction of the Stellenbosch Municipality including properties owned by the State.
- (2) Where the Stellenbosch Municipality is unable to determine the identity of the owner of a property, any person who is entitled to the benefit of the use of such building or who enjoys such benefit shall be deemed to be the owner of such property.

PART 2: DUTY AND LIABILITY OF OWNERS

3 Duty of owners

- (1) Every owner of a property must-
 - (a) maintain the property in a good state of repair and in a safe condition;
 - (b) notify the Stellenbosch Municipality if the condition of any property is dangerous to life or property in terms of section 12(2) of the National Building Regulations Act;
 - (c) not permit it to be unlawfully occupied or used for criminal activities; and
 - (d) not permit the dumping of waste on the property.
- (2) During the erection of a building, the owner of the property must proceed with its erection without delay and take reasonable measures during its erection to prevent unauthorised access to the building.
- (3) For the purposes of subsection (2), delay means any period in excess of three months.

4 Duty to take measures

- (1) If a property is unlawfully occupied or used for criminal activities, the owner must take the necessary measures to evict the occupants.

- (2) If waste has been dumped or accumulated on the property, the owner must remove the waste and transport it to a licensed designated disposal facility at the owner's cost.

5 Liability of owners for costs

- (1) Where the owner has failed to comply with a compliance notice issued by the authorised official, the owner is liable for the costs incurred by the Stellenbosch Municipality to-
 - (a) maintain, repair, renovate, or alter the property;
 - (b) secure, close or barricade the property;
 - (c) demolish a building on the property; or
 - (d) otherwise enforce compliance with this By-law.
- (2) Any damages and costs will be recovered by the Stellenbosch Municipality in terms of its Credit Control and Debt Collection Policy and the Credit Control and Debt Collection By-law, 2006.

PART 3: INVESTIGATION AND COMPLIANCE NOTICE

6 Investigation

- (1) Subject to subsection (2), an authorised official may enter any property at a reasonable time to inspect and determine whether the owner of the property complies with this by-law.
- (2) An authorised official may only enter a property in terms of subsection (1)-
 - (a) with the consent of the owner or occupant;
 - (b) on 7 days written notice to the owner or occupant of an intention to inspect the property; or
 - (c) with a warrant to enter and search the property.

- (3) A search warrant may only be issued if it appears on information provided on oath that there are reasonable grounds for believing that the property is unlawfully occupied, used for criminal activities, or that there is prima facie evidence that there is a contravention of this By-law.
- (4) An authorised official may enter the premises if he reasonably believes that a warrant will be issued in the circumstances contemplated in subsection (3) but that the delay in obtaining such warrant will negate the purpose of such entry.
- (5) An authorised official may be accompanied by any approved competent person, as contemplated in Part A 19 of the National Building Regulations Act, who is instructed to examine the building and report on the state of the building and any measures to be taken, or any person necessary for the effective implementation of the provisions of this By-law.
- (6) A notice issued in terms of subsection (2)(b) permits the authorised official to enter the property in terms of subsection (1) more than once.

7 Compliance notice

- (1) An authorised official may issue a compliance notice on the owner of a property if that official considers that-
 - (a) the owner has failed to comply with the duties of an owner under Part 2 or any other contravention of the By-law which can be remedied by the issuing of a compliance notice; and
 - (b) the failure can be remedied without the declaration of a problem property in terms of Part 4.
- (2) The compliance notice must-
 - (a) specify-
 - (i) the measures that the owner must take to remedy the non-compliance;
 - (ii) a reasonable period within which the measures must be taken;
 - (iii) the amount of a fine to be imposed, if the owner fails to comply with subparagraphs (i) and (ii);

- (iv) the amount of the fine to be imposed for the continued contravention of the By-law; and
 - (v) the date by which the owner may make representations to amend or withdraw the notice; and
- (b) be in the form determined by the delegated authority in terms of section 20.
- (3) The measures contemplated in subsection (2)(a) include-
- (a) cleaning, repairing, repainting, renovating or altering the property;
 - (b) securing, fencing or barricading the property;
 - (c) completing the construction of a building or structure on that property;
 - (d) closing or demolishing a structure, building or part of a building; or
 - (e) disposing of, or removing, any waste dumped or stored on a property.
- (4) The authorised official may amend the compliance notice after receiving any representations from the owner contemplated in subsection (2)(a)(v).

8 Failure to comply with compliance order

- (1) If the owner of the property fails to comply with a compliance order issued in terms of section 7, an authorised official -
- (a) may extend the period or otherwise amend the compliance order; or
 - (b) may declare the property to be a problem property in terms of section 10; and
 - (c) must impose a fine in terms of section 7(2)(a)(iii) and a fine in terms of section 7(2)(a)(iv).
- (2) The owner contemplated in subsection (1) is liable for the costs incurred in respect of an approved competent person for examining and reporting on the state of the building and the measures to be taken in terms of section 6(5).

PART 4: DECLARATION OF A PROBLEM BUILDING**9 Notice of intention to declare a problem building**

(1) An authorised official may issue a notice of intention to declare a property to be a problem building if the official is satisfied that there are good grounds for believing that the building-

- (a) is abandoned or derelict;
- (b) is unlawfully occupied or overcrowded;
- (c) is or is becoming unhealthy, unsanitary, unsightly, dilapidated or objectionable;
- (d) is illegally connected to electricity and water supply system;
- (e) is being used for criminal activities;
- (f) has without, planning permission, been altered so as to have the effect of preventing the South African Police Service, the Stellenbosch Municipality Police, its inspection authorities and authorised officials from lawfully entering the property without notice in order to frustrate the purpose of an investigation;
- (g) is structurally unsound or is or becoming dangerous to life or property;
- (h) is being used to dump waste or allowed to accumulate waste; or
- (i) the construction of which is incomplete and the owner has not taken reasonable measures during its erection to prevent unauthorised access to the building.

(2) The notice in subsection (1) must-

- (a) give the owner 7 days within which to make representations as to why the building should not be declared a problem building and why the measures specified in subsection (b) should be amended or withdrawn;
- (b) specify the measures and the time period within which the measures must be taken to prevent the building being declared a problem building.

- (3) If in the representations the owner undertakes, in writing, to take the measures specified in subsection (2)(b), subject to such conditions that the authorised official may require, the official may defer a decision in terms of section 10(1).

10 Declaration of a problem property

- (1) An authorised official may, using the criteria set out in section 9(1) declare a building or property a problem property if-
- (a) the owner fails to comply with a compliance notice issued in terms of section 7(1);
 - (b) the owner fails to make representations;
 - (c) representations have been made, the official is nevertheless satisfied that there are good grounds to declare the building a problem building;
 - (d) the owner fails to comply with the undertaking given in terms of section 9(3).
- (2) The declaration, in a form to be determined by the delegated authority in terms of section 20, must set out the measures and the dates within which the measures must be taken by the owner.
- (3) The measures contemplated in subsection (2) include-
- (a) any measure contemplated in section 7(3);
 - (b) an order requiring the evacuation of the property if the authorised official has reason to believe that the property is unsafe and requires immediate evacuation;
 - (c) a requirement that the owner take the necessary steps to evict the occupants of the property.
- (4) A measure contemplated in subsection (3)(c) may only require an owner to institute proceedings in a court of law to evict occupants on the property if-
- (a) the occupants are unlawfully occupying the property;
 - (b) the premises are being used for criminal activities;

- (c) it is in the interests of safety and security of the occupants or the public or both that occupants are temporarily or permanently evicted; or
 - (d) one of the measures contemplated in subsection (3)(a) requires that the premises be vacated either temporarily or permanently in order to either effect alterations to the property or to demolish a building or structure on the property.
- (5) The Stellenbosch Municipality must-
- (a) serve the declaration on the owner ;
 - (b) at the owner's cost, erect sign boards and publish advertisements in community newspapers notifying the public that the building has been declared a problem building setting out the measures to be taken and any orders or requirements as to access or occupation in the declaration.
- (6) No unauthorised person may enter a property which has been declared a problem property.
- (7) The Stellenbosch Municipality may, on its own accord, or upon written representation authorise a person to enter a property which has been declared a problem property for purposes of renovating, repairing or securing the property.

11 Owner's failure to comply with the declaration

- (1) If the owner fails to comply with any measure required in section 10(2), the Stellenbosch Municipality may –
- (a) carry out the measure; or
 - (b) appoint a contractor to carry out the measure; and
 - (c) approach a court for orders contemplated in Part 6.
- (2) If the Stellenbosch Municipality gives effect to the measure under subsection (1)(a) and (b), the owner is liable for the costs and expenses of effecting the measure.

PART 5: APPOINTMENT OF ADMINISTRATOR

12 Appointment of administrator

(1) The Stellenbosch Municipality may, where the owner of a property is deceased and complaints regarding the property have been received, apply to the Court for the appointment of an administrator.

(2) An administrator appointed by the Court has the powers and duties of the registered owner of the property, including the following powers, or such powers and duties as the Court may direct:

- (a) The collection of rental and other charges from the occupiers;
- (b) The maintenance, repair or renovation of the problem property utilizing the rental so collected or from other funding as obtained from whatever source;
- (c) The payment of charges for the supply of electricity, water, sanitation and rates and taxes from such rental or other funding as obtained from whatever source;
- (d) The appointment of a committee to assist in the management of the problem property;
- (e) The opening and operating of an account with a bank;
- (f) Any other action-
 - (i) required to give effect to measures contemplated in section 10(2)(a);
 - (ii) contemplated in Part 6;
 - (iii) reasonably required to be taken in terms of managing the problem property;
 - (iv) any action which the owner would, in normal course of business and management of the problem property, have been able to take.

(3) The administrator must submit the following documents to the Stellenbosch Municipality-

- (a) a monthly report in the form determined by the delegated authority in terms of section 20;
 - (b) a final report and account in the form determined by the delegated authority in terms of section 20 on the completion of the administrator's mandate.
- (4) The Stellenbosch Municipality may, where necessary apply to the Court -
- (a) replace the administrator;
 - (b) require the administrator to account for and justify any action taken in terms of subsection (3);
 - (c) reverse or amend any decision taken by the administrator in terms of subsection (3);
 - (d) terminate the mandate of the administrator.

PART 6: EVACUATION

13 Evacuation

- (1) If a building has been declared to be a problem building in terms of section 10(1) and an authorised official is of the opinion that the building is dangerous to life and property and that the immediate evacuation of the property is necessary, the authorised official may make an order requiring the evacuation of the property as contemplated in section 10(3)(b).
- (2) If the order is not obeyed, the Stellenbosch Municipality may apply to court on an urgent basis for an order-
 - (i) compelling all persons on the property to evacuate the property;
 - (ii) prohibiting any person from entering the property.
- (3) A court may-
 - (a) grant an order contemplated in subsection (1)(b) if it is satisfied that the building is unsafe and that the immediate evacuation of the property is necessary;

- (b) require the owner to provide temporary accommodation for the occupants to be evacuated;
- (c) make, in addition to any order of costs against the owner, an order regarding the costs incurred in implementing the order.

PART 7: ENFORCEMENT

14 Civil proceedings

The Stellenbosch Municipality or administrator may, by way of civil proceedings and in accordance with the Stellenbosch Municipality: Credit Control and Debt Collection Policy recover any costs incurred in effecting any measure or performing any function in terms of this By-law.

15 Offences and penalties

- (1) A person is guilty of an offence and, on conviction, liable to a penalty in terms of subsections (2) and (3), if that person –
 - (a) contravenes or fails to comply with any provision of this By-law;
 - (b) contravenes or fails to comply with any requirement set out in a notice served on him in terms of this By-law;
 - (c) fails to comply with a lawful instruction of an authorised official;
 - (d) threatens, resists, interferes with or obstructs any authorised official in the performance of that official's duties or functions in terms of this By-law; or
 - (e) knowingly makes a false statement.
- (2) Any person who is convicted of an offence under this By-law is liable to-
 - (a) a fine;
 - (b) imprisonment for a period not exceeding 3 years; or
 - (c) both such fine and imprisonment.

- (3) In the case of a continuing offence, the court may impose in respect of each day on which the offence continues-
 - (a) an additional fine;
 - (b) imprisonment for a period not exceeding 10 days; or
 - (c) both such fine and imprisonment,
- (4) The court may in terms of section 300 of the Criminal Procedure Act, determine any costs incurred by the Stellenbosch Municipality or administrator in effecting any measure or performing any function in terms of this By-law and make an appropriate order including an order for legal costs.

PART 8: GENERAL

16 Appeals

Any person, who objects to a compliance notice or declaration issued by an authorised official, may appeal to the Stellenbosch Municipal Manager in terms of section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

17 Appointment of authorised officials

The delegated authority may appoint authorised officials to implement this By-law and may appoint such official as a building control officer in terms of section 5 of the National Building Regulations Act.

18 Delegation

The Stellenbosch Municipal Manager is authorised to exercise all the powers and perform all the duties and functions conferred on the Stellenbosch Municipality under this By-law and may delegate such powers and functions to authorised officials other than the powers and functions contemplated in this section and sections 16.

19 Powers of authorised officials

- (1) An authorised official may, when entering a property-
 - (a) inspect or investigate the property;
 - (b) question the owner, management agent or occupier of the property;
 - (c) take photographs or audio-visual recordings of the property;
 - (d) take samples and remove any document, sample or thing for the purpose of evidence in any civil or criminal proceedings.
- (2) Subject to section 6(2), an authorised official may exercise any power conferred on a building control officer in terms of section 15 of the National Building Regulations Act.

20 Form of notices, declarations and sign boards

The delegated authority must determine the form of the notices, declarations and sign boards that are required to be issued or erected in terms of this By-law.

21 Service of notices

- (1) Whenever any notice or declaration is required to be served on a person in terms of this By-law, it is deemed to have been effectively and sufficiently served-
 - (a) when delivered to that person personally;
 - (b) when it has been left with a person apparently over the age of 16 years at that person's place of residence or business or registered address in the Republic of South Africa;
 - (c) when it is posted by registered or certified mail to that person's last known residential or business address and an acknowledgement of the posting is produced; or
 - (d) when it is affixed to a conspicuous place on the building or property.
- (2) Service on any of the following persons or addresses constitutes service on the owner of the property:

- (a) an agent appointed by the owner to sell, lease or manage the property;
- (b) a person appointed to supervise the property;
- (c) a person seemingly in charge of the property or collecting rent from occupants on the property.

22 Indemnity

The Stellenbosch Municipality and any authorised official are not liable for any damages caused by anything lawfully done or omitted by the Stellenbosch Municipality or the authorised official in carrying out any function or duty in terms of this By-law.

23 Short title

This By-law is called the Stellenbosch Municipality: Problem Property By-law, 2019.

APPENDIX 2

MINUTES

PLANNING AND ECONOMIC DEVELOPMENT
COMMITTEE MEETING

2019-05-17

5.1.2	STELLENBOSCH MUNICIPALITY PROBLEM PROPERTIES DRAFT BY-LAW, AUGUST 2017
-------	--

Collaborator No: 644156
 IDP KPA Ref No:
 Meeting Date: 17 May 2019

1. **SUBJECT: STELLENBOSCH MUNICIPALITY PROBLEM PROPERTIES DRAFT BY-LAW, AUGUST 2017**

2. **PURPOSE**

To request Section 80 committee to comment on the draft By-law on Problem Properties for Stellenbosch Municipality, attached as **Appendix 1** and advise the Executive Mayor.

Councillor Groenewald requested on the 1st of April 2019, the following:

"From: Esther Groenewald

Sent: 01 April 2019 09:41 AM

To: Tabiso Mfeya; Hedre Dednam

Subject: Proposed/scheduled Sect 80 Date for April

Dear Director

I refer to the date above and hereby request that we try and set a new date during next week for the Sect 80 Committee for Planning and LED which will enable us to advise the Mayor on the following:

- 1. By-law on Problem Properties*
- 2. Policy on Informal Trading and*
- 3. Policy on Changing of Street Names in WCO 24"*

3. **DELEGATED AUTHORITY**

For consideration by the Section 80 Committee in order to advise the Executive Mayor.

4. **EXECUTIVE SUMMARY**

Council resolved as follows:

"14TH COUNCIL MEETING: 2017-11-29: ITEM 8.3.3

RESOLVED (*nem con*)

- (a) *that the draft By-law on Problem Properties for Stellenbosch Municipality, August 2017, be approved, in principle;*
- (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*

- (c) *that the reference to the properties referred to in the agenda item under point 4 be removed from the item."*

The Administration advertised the Draft By-law for public comment during 2018 for a period of 90 days. Despite the long period, no written comments were received, except one person who requested a meeting in order to discuss the content of the Draft By-law.

Therefore, the Administration propose to circulate the draft to all the internal departments, interested and affected parties and ward committees for a second round of comments to the following entities:

- (i) SIG
- (ii) Stellenbosch-, Franschhoek-, Raithby-, Jamestown Rate Payers
- (iii) Stellenbosch Agricultural Society
- (iv) All the ward administrators
- (v) All the Directors to be referred to their Managers
- (vi) University of Stellenbosch
- (vii) Boland College
- (viii) Heritage Western Cape
- (ix) WC Department of Agriculture
- (x) Cape Winelands District Municipality

The Draft By-law is pertaining to how the municipality must endeavour to address problem properties (ie: derelict, undesirable, abandoned or dangerous properties) throughout the entire WCO24 municipal area.

At present, several properties within Stellenbosch municipality have been identified as problematic, due to their long-term abandonment and neglect and/or failure to develop or maintain. Such properties have the tendency to be used as illegal dumping sites, invite dangerous or illegal activities, create an eyesore for the surrounding community, and/or potentially lead to neighbourhood decay due to their negative influence on surrounding property prices and community pride.

At present, Stellenbosch Municipality is working with an outdated by-law, promulgated in 1962 ("Stellenbosch Municipality: Regulations Relating to Dilapidated Buildings and Unsightly and Objectionable Structures, P.N 407/1962), which does not adequately capture the demands of current land use enforcement challenges associated with problematic properties.

Although a relevant draft by-law was developed and approved in-principle by Council in 2013 (Stellenbosch Municipality: Problem Buildings By-law (2013)), this By-law was never promulgated.

5. RECOMMENDATION

- (a) that the Section 80 committee comment on the Draft Policy on Place Naming, Street Naming and Renaming and Numbering for Stellenbosch Municipality, edited 8 April 2019, attached as **APPENDIX 1** and advice the Executive Mayor;

(b) that the Draft Policy on Place Naming, Street Naming and Renaming and Numbering for Stellenbosch Municipality, edited 8 April 2019, be advertised in the local newspapers, libraries and circulated to the under mentioned entities for a public comment for 30 days where after same be resubmitted to Council for final consideration and subsequent approval:

- (i) SIG
- (ii) Stellenbosch-, Franschhoek-, Raithby-, Jamestown Rate Payers
- (iii) Stellenbosch Agricultural Society
- (iv) All the ward administrators
- (v) All the Directors to be referred to their Managers
- (vi) University of Stellenbosch
- (vii) Boland College
- (viii) Heritage Western Cape
- (ix) WC Department of Agriculture
- (x) Cape Winelands District Municipality.

6. DISCUSSION

6.1 Contents

The proposed By-law was drafted in terms of the following legislative documents:

The Constitution of the Republic of South African (1996)

WHEREAS Section 152 (1) of the Constitutions stipulates that two objectives of local government include the promotion of social and economic development, as well as safe and healthy environments.

WHEREAS Section 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 WHEREAS Part B of schedule 4 to the constitution lists building regulations and local tourism as local government matters to the extent set out in section 155(6) (a) and (7).

National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)

WHEREAS Section 12 of the Act 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:

- (a) *clean, repair, renovate, repaint, alter, close, demolish or secure such building;*
- (b) *complete the building or any structure of such building;*
- (c) *enclose, secure, fence or barricade such problem building or land;*
- (d) *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;

- (e) *comply with any provision of this By-law.*

Stellenbosch Municipality Land Use Planning By-Law (2015)

WHEREAS Chapter 9, Section 85 of the Land Use Planning By-law lays out the municipality's role in enforcing land use-decisions:

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.*

Section 86 of this By-law also outlines the Offenses and Penalties that should be enforced, should any land use contraventions occur.

Draft Stellenbosch Municipality Integrated Zoning Scheme (DRAFT, 2018)

This By-law is drafted to align with the parameters and definitions of the Integrated Zoning Scheme, to ensure consistency between the two documents.

6.3 Financial Implications

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

6.4 Legal Implications

The Municipal Systems Act, 2000 (Act 32 of 2000).

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 resolution is applicable:

Minutes of 14TH COUNCIL MEETING: 2017-11-29: ITEM 8.3.3.

6.7 Risk Implications

The recommendation will reduce risk implications for the municipality with regards to impact of problem properties.

6.8 Comments from Senior Management:

Comments from other Internal Departments of the Municipality will be obtained with the second round of public participation process.

RECOMMENDATION FROM THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE TO THE EXECUTIVE MAYOR: 2019-05-17: ITEM 5.1.2

- (a) that the Section 80 Committee comment on the draft By-law on Problem Properties for Stellenbosch Municipality, attached as APPENDIX 1 and advise the Executive Mayor;
- (b) that the revised DRAFT By-law on Problem Properties for Stellenbosch Municipality, 2019-05-17, be submitted to the Executive Mayor to be re-advertised for public participation, resubmitted to Mayo and Council for final consideration and subsequent approval:
- (i) SIG
 - (ii) Stellenbosch-, Franschhoek-, Raithby-, Jamestown Rate Payers
 - (iii) Stellenbosch Agricultural Society
 - (iv) All the ward administrators
 - (v) All the Directors to be referred to their Managers
 - (vi) University of Stellenbosch
 - (vii) Boland College
 - (viii) Heritage Western Cape
 - (ix) WC Department of Agriculture
 - (x) Cape Winelands District Municipality
 - (xi) Advertisement in the local media and on the municipal website
 - (xii) The Minister or MEC of Public Works at National and Provincial Governments who administer properties located within WCO24

FOR FURTHER DETAILS CONTACT:

NAME	Hedre Dednam
POSITION	Land Use Manager
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	hedre.dednam@stellnbosch.gov.za
REPORT DATE	5 April 2019

11.7.2	DRAFT POLICY ON PLACE NAMING, STREET NAMING AND RENAMING AND NUMBERING FOR STELLENBOSCH MUNICIPALITY, EDITED 17 MAY 2019
--------	---

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 16 September 2019

1. **SUBJECT: DRAFT POLICY ON PLACE NAMING, STREET NAMING AND RENAMING AND NUMBERING FOR STELLENBOSCH MUNICIPALITY, EDITED 17 MAY 2019**

2. **PURPOSE OF REPORT**

To advise the Executive Mayor and Council on the Draft Policy on Place Naming, Street Naming and Renaming and Numbering for Stellenbosch Municipality

3. **DELEGATED AUTHORITY**

For consideration by the Executive Mayor and recommendation to Council for advertisement for public comment.

4. **EXECUTIVE SUMMARY**

Council resolved as follows:

**“JOINT ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE:
2018-03-06: ITEM 5.2.1**

During deliberations on the matter, the following corrections were suggested on the Draft Policy:

- (i) *Under bullet point 4.2, change 2km radius to 5km radius;*
- (ii) *Under bullet point 5.11, change the name of the Director: Engineering Services to Director: Infrastructure.*
- (iii) *Remove bullet point 6.7 Other situations.....on page 6 of the Draft Policy and change the numbering that follows, i.e. 6.8 becomes 6.7, etc.;*
- (iv) *Under bullet point 9.2, replace the word “failure of” with the word “failing”, under paragraph 9.2 on page 8 of the Appendix;*
- (v) *Replace the Afrikaans word “Weg” with the Afrikaans word “Pad” next to the English word Road (Rd) on the 2nd last page of Annexure 1.*

RESOLVED

that it be recommended to Council:

- (a) *that the draft policy on Place naming, Street naming and Renaming and Numbering for Stellenbosch Municipality, August 2017, (including the amendments as listed in (i)-(v) above), be approved in principle; and*
- (b) *that the draft policy on Place naming, Street naming and Renaming and Numbering for Stellenbosch Municipality, August 2017 be advertised for public comment where after same be resubmitted to Council for final consideration and approval.”*

The administration edited the document on 8 April 2019 as requested in the above-mentioned resolution. Thereafter, the draft policy was re-submitted to the PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE on the 17th of May 2019 for re-consideration.

5. RECOMMENDATIONS

- (a) that the Section 80 Committee commented extensively on the amended Draft Policy on Place Naming, Street Naming and Renaming and Numbering for Stellenbosch Municipality. Revised Policy amended 2019-05-17, attached as **APPENDIX 1** to be submitted to the Executive Mayor for further direction; and
- (b) that the approved policy be translated into Xhosa.

6. DISCUSSION

6.1 Contents

The purpose of this Policy is to provide a standard and consistent policy framework dealing with, street and place naming and renaming, street numbering and to set out the responsibilities of the relevant parties involved in the process.

In order for the Municipality to name or rename streets or places and to allocate street numbers, certain criteria need to exist to guide how these names or numbers are approved or allocated. This Policy addresses the essential criteria and rules required for the effective administrative and decision-making procedures in order to guide the various departmental functions relating to street naming, numbering and renaming.

The Policy was reviewed to address a more effective administrative procedure and to bring it in line with the Stellenbosch Municipality Land Use Planning By-Law, October 2015. The said By-Law stipulates in Chapter X, Section 98 as follows:

- (1) *If as a result of the approval of a development application streets or roads are created, whether public or private, the Municipality must approve the naming of streets and must allocate a street number to each of the erven or land units located in such street or road.*
- (2) *The proposed names of the streets and numbers must be submitted as part of an application for subdivision.*
- (3) *In considering the naming of streets, the Municipality must take into account the relevant policies regarding street naming and numbering.*
- (4) *The Municipality must notify the Surveyor-General of the approval of new streets as a result of the approval of an amendment or cancellation of a subdivision in terms of section 23 and the Surveyor-General must endorse the records of the Surveyor-General's Office to reflect the amendment or cancellation of the street names on an approved general plan.*

6.2 Financial Implications

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

6.3 Legal Implications

The Municipal Systems Act, 2000 (Act 32 of 2000).

6.4 Staff Implications

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

6.5 Previous / Relevant Council Resolutions

Minutes of **JOINT ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE: 2018-03-06: ITEM 5.2.1**

Minutes of the **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE: 2019-05-17: ITEM 5.1.1**

6.6 Risk Implications

The recommendation will reduce risk implications for the municipality with regards to land use applications.

6.7 Comments from Senior Management

Comments from other Internal Departments of the Municipality will be obtained with the second round of public participation process.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-16: ITEM 7.7.2

- (a) that the revised Policy on Place Naming, Street Naming and Renaming and Numbering for Stellenbosch Municipality be advertised for public comments for 60 days; and
- (b) that the final approved policy be translated into all 3 official languages.

ANNEXURES

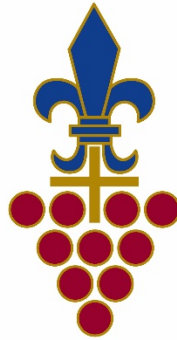
APPENDIX 1: draft Draft Policy on Place Naming, Street Naming and Renaming and Numbering for Stellenbosch Municipality, 17 May 2019

APPENDIX 2: Minutes of the Planning and Economic Development Committee, dated 17 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@stellnbosch.gov.za
REPORT DATE	30 July 2019

APPENDIX 1



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

**DRAFT POLICY FOR THE NAMING AND
RENAMING OF STREETS, PUBLIC PLACES,
NATURAL AREAS, ARTEFACTS AND
COUNCIL-OWNED BUILDINGS AND
FACILITIES
(POLICY NUMBERXXXX)**

APPROVED BY COUNCIL: DATE

XXX XX/XX/XX

TABLE OF CONTENTS

PART I: INTRODUCTION & BACKGROUND.....	3
1. PREAMBLE.....	3
2. POLICY STATEMENT.....	3
3. REASONS FOR THE POLICY.....	3
4. OBJECTS OF THE POLICY.....	4
5. SCOPE.....	4
6. LEGAL FRAMEWORK.....	5
7. DEFINITIONS.....	5
PART II: NAMING & RENAMING - CRITERIA & RULES.....	7
8. CRITERIA FOR EVALUATION.....	7
9. RULES FOR SELECTION.....	7
9.1 GENERAL.....	7
9.2 STREETS.....	7
PART III: NAMING PROCESS - NEW PUBLIC & PRIVATE STREETS.....	9
10. NAMING PROCEDURE.....	9
PART IV: RENAMING PROCESS.....	10
11. RENAMING PRINCIPLES.....	10
12. RENAMING STRUCTURES.....	11
12.1 RENAMING COMMITTEE.....	11
12.2 PANEL OF EXPERTS.....	11
12.3 RENAMING PROCEDURES.....	11
PART V: OTHER PROVISIONS.....	15
13. RULES FOR STREET NUMBERING.....	15
14. FINANCIAL CONSIDERATIONS.....	16

PART I: INTRODUCTION & BACKGROUND

PREAMBLE

The naming and renaming of streets and other public places is recognized as being an integral part of place making. This includes, but is not limited to the creation of places that residents and users can relate to and take pride in.

The naming of streets and public places after memorable events is a way of etching the country's history, both pleasant and unpleasant in people's memory. The allocation of names of people is recognized as being a way of honouring certain individuals for their contribution to the development of the Country, and this municipality, and should therefore be done with careful consideration

2. POLICY STATEMENT

The municipality should designate the names of public streets, public places, natural areas, artefacts and Council-owned buildings & facilities (hereafter referred to as features) by resolution. In all cases, the municipality shall have the prerogative of accepting or rejecting any proposal received. Names must comply with the general criteria and rules as set out in this policy.

3. REASONS FOR THE POLICY

3.1 The naming and numbering of streets in a timeous and effective manner is important for the following reasons:

- the completion of the registration of ownership in new subdivisions;
- the provision of municipal services;
- the billing for rates and municipal services used;
- the provision of emergency services;
- postal delivery;
- policing;
- data integrity; and
- to ensure that property owners can be contacted for public participation purposes.

Any delay in the provision of street naming and numbering can cause inconvenience with regard to these aspects, a loss in revenue to Council and delays in property transfers.

3.2 The renaming, in certain instances, of streets, public places, natural areas, artefacts and Council-owned buildings & facilities are important due to the following reasons:

- Names create a 'sense of place';
- Names are place markers and focal points through symbolism, association and remembrance; names are the beginnings and ends of journeys or destinations;
- Names have powerful positive or negative meanings for people; and

- Names provide opportunities to promote community harmony or perpetuate hurt and division.

3.3 Currently there is no standard consistent process dealing with the areas covered in this policy.

There is also no clarity on the distribution of responsibility among the different functional areas.

4. OBJECTS OF THE POLICY

The objectives of the policy are to establish a process that:

- a) seeks to inform and influence the types of names that are chosen for various features as well as spell out the procedures that should be followed in the naming and renaming processes;
- b) provide a standard and consistent policy framework which outlines effective administrative and decision-making procedures to deal with matters related to this policy;
- c) prescribe an inclusive, consultative and clear process that can be followed;
- d) enjoys public and political support and which will stand the test of time;
- e) is transparent;
- f) community-driven; and
- g) sets out the responsibilities of the relevant stakeholders involved.

This policy covers two areas, the naming of unnamed features and the renaming of currently named (or unnamed in certain instances) features.

5. SCOPE

The policy replaces the current procedures previously followed by the municipality and shall be applicable to the entire municipal area.

The general term "street" used in this policy, includes all classes of streets which serve as a public right-of-way, the naming of which, is the responsibility of the relevant authority.

All decisions made in terms of this policy at any specific time shall be in accordance with the applicable delegation

of powers relating to the naming and renaming of streets (including numbering), public places (including

numbering), natural areas, artefacts and Council-owned buildings & facilities as approved by the Council.

6. LEGAL FRAMEWORK

The municipality has jurisdiction over the naming of features that are under the control of the local authority. With regards to the naming of private features, the policy will guide this, in as far as these names comply with the naming criteria and rules, as indicated below.

The naming and renaming (“geographical names”) of features falling within the “national competence” to do so, is subject to approval by the National Minister (responsible for arts and culture) and should be undertaken in terms of the provisions of the National Geographical Names Council Act (Act 118 of 1998) and the Regulations thereof as well as the “Handbook on Geographical Names” (hereinafter referred to as the Handbook).

To determine whether the “competence” to allocate names to features falls under another sphere of government (Provincial or National) the Regulations, Handbook and the relevant department (Provincial and National) should be consulted. The naming of features falling under Provincial and National “competence” is therefore excluded from this policy.

The municipality should however, continue to function in accordance with the provisions of the Act (including Regulations and policies) in the allocation of geographical names that fall within the municipal area.

In instances where the naming or renaming process of the feature is the responsibility of another sphere of government or is owned by another sphere of government, then permission of that sphere of government to proceed with the naming or renaming process, should be sought in writing, prior to the process being commenced with. The said authority should also indicate if there are any procedures that the municipality should comply with in managing the process.

7. DEFINITIONS

Responsible body - this shall mean the body responsible for maintenance and management of the specific asset.

In the case of public open spaces and community facilities, this shall be the Community Services Directorate, with regards to Council-owned buildings & facilities, this shall be the Corporate Services Directorate and with regards to civil engineering infrastructure, this shall be the Infrastructure Directorate.

Act - refers to the South African Geographical Names Council Act of 1998 (Act 118 of 1998).

Authorised official- refers to the official which has delegated authority to consider certain land use planning applications

Committee - refers to the Renaming Committee consisting of the Municipal Manager and Executive Managers or their delegates in terms of this policy.

Features - shall refer to streets, public places, natural areas, artefacts and Council-owned buildings & facilities.

Geographical names - the national legislation governing the allocation of geographical names, the South African Geographical Names Council Act, 1998 (Act 118 of 1998) defines geographic names as the names of features on the earth that are natural or man-made and adapted. These features can be populated or unpopulated.

Mayoral Committee - refers to the Executive Mayor & Mayoral Committee.

Municipal Planning Tribunal - refers to the body constituted in terms of planning legislation to consider certain land use planning applications.

Naming - refers to features in new developments and subdivisions.

Panel - refers to the Panel of Experts which may be established in terms of this policy by the Renaming committee.

Portfolio Committee - refers to the Portfolio Committee for Planning matters, as decided by the Executive Mayor. Private – feature which are privately owned and managed.

Public - features which is open to the public and owned by the municipality.

Regulations - refers to the regulations promulgated in terms of the South African Geographical Names Council Act, 1998 (Act 118 of 1998).

Renaming - refers to existing features, whether named or unnamed.

Road Traffic Act - refers to the National Road Traffic Act (Act No. 93 of 1996).

Signs manual - refers to the most recent version of the Southern African Development Community Road Traffic Signs Manual.

Streets - all reference to streets shall also apply to those variations (Afrikaans & with adjuncts/suffixes) as listed in the table below, owned by the municipality and therefore falling within the municipality's jurisdiction to name and rename as contemplated in the Act.

ENGLISH	AFRIKAANS	DEFINITION
Avenue (Ave)	Laan (Ln)	A street usually with significant horticultural features.
Boulevard (Blvd)	Boulevard (Blvd)	A wide, pretentious street, usually with horticultural or landmark features.
	Verbypad	A usually wide road which takes traffic around developed
Circle	Sirkel	A road which roughly forms a circle and carries low to moderate volumes
Close (Cl)	Slot	A short street or minor "dead-end" street or cul-de-sac
Court (Crt)	Hof	A Square, but normally surrounded by residential buildings.
Crescent (Cres)	Singel (Sng)	A relatively short street which forms part of a circle.
Cul-de-sac	Blinde steeg	See definition for Close (Cl) and Place (Place)
Drive (Dr)	Ryiaan (Rln)	A relatively long, usually meandering, recreational or scenic route that
Expressway	Snelweg	A dual carriageway with limited, signal controlled or interchange access
Freeway	Deurpad	Usually a dual carriageway road with access limited to interchanges
Highway	Snelweg	See definition for Expressway

Lane	Steeg	A narrow street or passageway, usually short.
Mall	Wandelhal	A major road mainly for pedestrian use, serving mostly
Parkway (PW)	Parkweg (PW)	A dual carriageway with limited, signal controlled or interchange access
Path	Voetpad	Surfaced road for walking.
Place (Place)	Plek / Oord	A short street or minor "dead-end" street or cul-de-sac
Road (Rd)	Weg	General term for streets usually, but not always, outside developed
Square (Sq)	Plein (Pln)	A road or portion of road the shape of which resembles a square or
Steps	Trappe	Street with steps, for pedestrian use only.
Street (St)	Straat (Str)	General term for streets usually in developed areas used to give
Terrace (Tce)	Terras (Ter)	A road, normally for pedestrian use, through mountainous or rough
Trail	Wandelpad	Unsurfaced road for walking.
Walk	Voetpad	Narrow street normally for pedestrian use only
Way	Weg	General term for streets usually, but not always, outside developed

(NOTE: Above-mentioned adjuncts/suffixes were referred for translation into Xhosa, but it was confirmed that it is not possible to translate the adjuncts/suffixes as no equivalent terms exist in Xhosa. In Xhosa a 'blanket' word is however used when referring to any of the terms in above-mentioned table, namely 'indlela').

PART II: NAMING & RENAMING - CRITERIA & RULES

8. NAMING & RENAMING: CRITERIA FOR EVALUATION

The following criteria in ranked order are to be used to assist in determining the suitability of a name (of a new street) or the desirability of the proposed renaming of a feature. Any submission for a name change or new name must therefore make a strong case, which motivation should be based on the following:

- a) Must not be offensive or insensitive;
- b) Must promote goodwill and reconciliation;
- c) Will assist in building a sense of ownership, identity and community in a changing society;
- d) Where there is a strong degree of community participation and support;
- e) Should increase the marketing potential and investment attractiveness of an area;
- f) Honour and commemorate noteworthy persons associated with the municipal area. Any such submission or petition to name a feature after people must be accompanied by a detailed motivation, profile of the person and indication why the specific person is worthy of the honour;
- g) Commemorate local, national or international history, places, events, memories or culture of relevance to the people within the municipal area;

- h) Recognize indigenous and international flora, fauna and natural environment relevant to the municipal area;
- i) Recognize the cultural diversity of the municipal area; and
- j) Promote improved place orientation and recognition.

9. NAMING & RENAMING: RULES FOR SELECTION

The following rules (along with the criteria contained under section 8 above) shall apply for the selection of names for features:

9.1 GENERAL

- a) There must be no duplication of names, similarly spelled or phonetically similar names within the previous municipal boundary of the town in which the feature is located as well as within a 5-kilometre radius of the feature;
- b) The length of a name should preferably be limited to what can be practically accommodated on a name board and maps, which are no more than 20 characters including spaces;
- c) No names should be used which could be construed as commercial advertising; and
- d) Names that would generally improve the municipality's administration and provision of essential services are preferred.

9.2 STREETS

- a) Street names should be in keeping with the theme of the surrounding street names when falling within an established township;
- b) Street names should remain in the language in which it was given;
- c) Definitions of the street name adjuncts/suffixes are to be used to determine the appropriate adjunct/suffix to be applied to any street;
- d) Where a street is interrupted by a natural or man-made barrier, the resulting portions of that street may be named in the appropriate language by the addition of an appropriate identifier to one or both portions, such as North, South, East, West, Lower, Upper, Central, Extension;
- e) A continuous street should maintain its name throughout its length, except in cases where it is considered to be confusing;
- f) In Afrikaans, adjuncts/suffixes to short names other than proper nouns shall form one word with the name, while when in English these are written separately; and
- g) The provision of street name signage should comply with the requirements as prescribed in the Signs manual (specifically page 4.6.1 to 4.6.5) and approved by a delegated official of the Civil Engineering Services Department.

PART III: NAMING PROCESS - NEW PUBLIC & PRIVATE STREETS**10. NAMING PROCEDURE**

The naming process of public and private streets in new developments or subdivisions shall be as follows:

- 10.1 Subdivision plan applications shall include street naming and numbering.
- 10.2 Land use right applications (i.e. new developments) shall include as a condition of approval, that all subdivision plan applications, submitted subsequent to the approval of the land use rights, shall include street names and numbering.
- 10.3 Paragraph 10.2 does not preclude the applicant from submitting street names and numbering as part of the land use right application.
- 10.4 Applicants shall be encouraged, in terms of 10.1 & 10.3, to discuss the details of the proposed street names with the Planning Department prior to submission thereof.
- 10.5 It shall be the responsibility of the applicant to scrutinize the municipal street index list and confirm that there are no duplicate or similar names within previous municipal boundaries of towns and a 5-kilometre radius.
- 10.6 Street numbers must also be reflected on plans in accordance with the rules for street numbering (see section 13).
- 10.7 The Planning Department will evaluate the proposed street names against the criteria and rules contained in this policy (including names for streets in municipal housing projects).
- 10.8 If, the street names conform to the criteria and rules contained in this policy, the delegated functionary can
 - 10.8.1 Approve the names; or
 - 10.8.2 In the case of a municipal housing project, inform the Stellenbosch Department of Human Settlements of its suitability. The Human Settlements department will be responsible for the submission of the street names as part of their housing project approval process to Council via the Portfolio Committee.
- 10.9 If, the street names do not conform to the criteria and rules contained in this policy, the Planning Department will:
 - 10.9.1 Inform the applicant thereof; or
 - 10.9.2 In the case of streets for a housing project the Planning Department will inform the Stellenbosch Department of Human Settlements of its suitability (The Human Settlements department will be responsible for the submission of the street names as part of their housing project approval process to Council via the Portfolio Committee).
- 10.10 If, the Planning Department deems the street names as problematic or contentious, then the Executive Manager: Planning & Economic Development can refer the proposed street names to the Panel of Experts (see section 12.2), hereafter referred to as the Panel, for evaluation and consideration.

- 10.11 The Panel then makes a recommendation to the Planning Department on the proposed street names after which:
- 10.11.1 The Executive Manager: Planning & Economic Development can make a decision; or
 - 10.11.2 In the case of streets for a housing project the Planning Department may provide alternative street names to the Stellenbosch Department of Human Settlements (The Human Settlements department will be responsible for the submission of the street names as part of their housing project approval process to Council via the Portfolio Committee).
- 10.12 Please note that, the procedures as set out in this policy is applicable to the naming of features only and is dealt with separately from decision-making on land development applications, which is delegated to the Authorised official or the Planning Tribunal in terms of the Stellenbosch Municipal Land Use Planning Bylaw.
- 10.13 If the street names are not supported by the delegated functionary, the municipality will inform the applicant, with reasons.
- 10.13 Any decision taken in terms of 10.13 above, shall be subject to applicable right of appeal in terms of the relevant legislation.
- 10.14 On approval by the municipality, the Planning Department notifies all affected stakeholders such as the CAD technician (tasked to capture address data), municipal accounts section, Community Services Department, Civil Engineering Services Department, Electro-Technical Engineering Services Department, Ward Councillor/s, Surveyor-General, Registrar of Deeds, Telkom, Postmaster General, South African Police Service, Emergency Services, Western Cape Provincial Geographical Names Committee, National Geographical Names Council and map producers, of the new street names and numbers.

PART IV: RENAMING PROCESS

11. RENAMING PRINCIPLES

The principles detailed below should be adhered to in considering all submissions and petition for renaming of features:

- a) Renaming is the responsibility of Council. The decision to proceed with the process of renaming must therefore be taken by Council before the process may commence;
- b) The renaming of features should only be done where there is a need and in such a way as to curb unnecessary expenses; and
- c) The process of renaming must be undertaken in a consultative manner and this must be clearly demonstrated before a final decision can be taken;

12. RENAMING STRUCTURES

12.1 RENAMING COMMITTEE

- 12.1.1 The Municipal Manager shall establish a municipal renaming committee, hereafter referred to as the Committee.
- 12.1.2 The Committee shall be made up of the Municipal Manager and Executive Managers of the following directorates: Planning & Economic Development, Community Services, Infrastructure Services, Corporate Services and Financial Services, or their delegated officials.
- 12.1.3 The responsibility of the Committee will be to assess all renaming proposals received against the criteria and rules as set out in this policy and to make recommendations to the Mayoral Committee via the Planning Department and Portfolio Committee.

12.2 PANEL OF EXPERTS

- 12.2.1 The Committee may appoint a Panel of Experts (hereafter referred to as the Panel) to assist with the evaluation of proposals, if the expertise required, falls outside that held by the appointed officials.
- 12.2.2 The Panel shall consist of not more than 5 members and not less than 3 members.
- 12.2.3 The Committee can itself nominate or, advertise a request for nominations from the general public, for members to serve on the Panel.
- 12.2.4 Councillors or municipal officials may be nominated to serve on the Panel.
- 12.2.5 Nominations for the Panel should include the agreement or permission of the nominee, full particulars of the nominee (including contact details), relevant experience, qualifications and motivation.
- 12.2.6 The Panel should have expertise and/or experience and/or qualifications in two or more of the following fields:
 - a) history;
 - b) culture;
 - c) linguistics;
 - d) reconciliation;
 - e) religion;
 - f) civil engineering;
 - g) town planning;

h) onomastics (or onomatology is the study of the origin, history, and use of proper names); and i) toponomy (study of place names [toponyms], their origins, meanings, use and typology).

12.2.7 The expertise, referred to in the previous paragraph, must be detailed in the nomination documentation.

12.2.8 In addition, care should be taken to ensure that the Panel is as representative of the demographics and cultural composition of the municipal area as possible.

12.2.9 The members to serve on the Panel shall be submitted via the Portfolio Committee to the Mayoral Committee, by the Municipal Manager, for approval.

12.2.10 The Panel members (excluding any Councillor or official) shall be remunerated in accordance with the approved tariffs of Council for advisory committees.

12.3 RENAMING PROCEDURE

12.3.1 Application fees for a renaming application are to be determined by the tariff structure of Council.

12.3.2 Council can, at any time, decide to process a renaming request, if determined to have sufficient merit.

12.3.3 Any person, community or organization which live or operate within the boundaries of the municipality shall be entitled to propose the renaming of a feature.

12.3.4 Council can on its own initiative initiate a renaming process.

12.3.5 Renaming proposals shall be in writing and shall include full details:

- a) of the affected feature;
- b) the proposer of the name change;
- c) the proposed name change and its meaning;
- d) fully motivated reasons for the change;
- e) evidence of professional and community support; and
- f) evidence of research.

12.3.6 Proposals may include the results of referenda or similar consultation/s within communities by way of evidence of support or opposition.

Persons who are unable to read or write, must be able to submit their comments verbally at the Stellenbosch Municipality; where they will be assisted by a staff member, to put their comments in writing.

- 12.3.7 The Planning Department shall receive, process and evaluate the proposals against the criteria and rules contained in this policy.
- 12.3.8 If a proposal does not contain all the required information or the street names do not conform to the criteria and rules contained in this policy, the proposal shall be returned to the applicant within 30 days, by the Planning Department, with a request for submission of the necessary information within 30 days from the receipt of the request, failure of which the renaming proposal shall lapse.
- 12.3.9 A report containing all names received, with a summary of relevant information, comments and evaluation in terms of the criteria and rules for renaming, will be prepared by the Planning Department for submission to the Committee.
- 12.3.10 The Committee will consider and deliberate the name change proposal.
- 12.3.11 The Committee can at this stage refer a proposal to the Panel for evaluation and consideration.
- 12.3.12 The Panel will make recommendations to the Committee.
- 12.3.13 The Committee will submit its comments and the Panel recommendations to the Planning Department.
- 12.2.14 The Planning Department will submit the proposal and all relevant comments to the Mayoral Committee via the Portfolio Committee.
- 12.3.15 If the proposal is not supported by Mayoral Committee, the applicant must be informed of this, with reasons.
- 12.3.16 If the proposal is supported then the proposal will be advertised for comment by interested & affected parties and surrounding property owners.
- 12.3.17 The Planning Department will simultaneously circulate the supported proposal to the relevant internal (Planning & Economic Development, Community Services, Infrastructure Services, Corporate Services & Financial Services Directorates) and relevant external departments for comment (e.g. District Roads Engineer, Ward Councillor/s, Western Cape Provincial Geographical Names Committee, etc.)
- 12.3.18 If, Council deems it necessary, it can conduct a public meeting with the relevant stakeholders at any stage of the process.
- 12.3.19 A report containing all comments received will be prepared by the Planning Department for submission to the Committee. The report should also include the financial implications for Council for the proposal.

- 12.3.20 Comments received on the supported proposal will be considered by the Committee.
- 12.3.21 The Committee can again refer the comments received to the Panel for further recommendations.
- 12.3.22 The Committee will submit its final comments and the Panel recommendations to the Planning Department.
- 12.3.23 The Planning Department will submit the Committee comments and the Panel recommendations to the Mayoral Committee via the Portfolio Committee.
- 12.3.24 Once the name change is supported by the Mayoral Committee, its recommendation is submitted to the Council for approval.
- 12.3.25 Once the name change is approved by the Council, this must be published in a local newspaper.
- 12.3.26 Any decision taken in terms of 12.3.26 above, shall be subject to applicable right of appeal in terms of the relevant legislation.
- 12.3.27 The municipal budget should make provision for capital funds as well as operating funds to implement the proposal/s as per the responsible department.
- 12.3.28 On approval by the Mayoral Committee, the Planning Department notifies all affected stakeholders such as the CAD technician (tasked to capture address data), municipal accounts section, Community Services Department, Civil Engineering Services Department, Electro-Technical Engineering Services Department, Ward Councillor/s, Surveyor-General, Registrar of Deeds, Telkom, Postmaster General, South African Police Service, Emergency Services, Western Cape Provincial Geographical Names Committee, National Geographical Names Council and map producers, of the new street names and numbers.
- 12.3.29 A Council initiated renaming process must follow the same renaming procedures as set out in this policy.
- 12.3.30 Administrative errors and/or incorrect spelling of names may be rectified without going through the process contained in this policy.

PART V: OTHER PROVISIONS**13. RULES FOR STREET NUMBERING**

Street numbering should be allocated as follows:

13.1 Streets -West to East (Horizontal)

(Horizontal: indicates the street is running generally speaking in a Western/Eastern direction or $<45^\circ$).

Numbering must be done from left to right, West to East, with even numbers on the Northern side of the street, and the odd numbers on the Southern side of the street.

13.2 Streets - South to North (Vertical)

(Vertical: indicates the street is running generally speaking in a Northern/Southern direction or $>45^\circ$)

Start by numbering from South to North, with the even numbers on the Eastern side of the street, and the odd numbers on the Western side of the street.

13.3 Corner Erf (Two streets)

Two street numbers must be provided for a corner Erf, with one street number bordering each street. The street number of a property will be determined by the direction of the front door of the new or existing structure.

13.4 Corner Erf (Three streets)

Three street numbers must be provided for a corner Erf. One street number bordering each street is required. The direction of the building/front door/entrance will determine which street number shall be used.

13.5 Cul-de-sac

(Scenario 1)

If there are fewer than seven properties on the same side of the road in a cul-de-sac with no possibility of development on the other side of the road, numbering is then to be sequential

(Scenario 2)

The street numbering, if there are more than seven properties and these are located on both sides of the road, should start at the entrance of the cul-de-sac (at the corner Erf). Odd numbers must start on the Southern side, if the cul-de-sac is running in an East/West direction (i.e. $<45^\circ$) or on the Western side, if the cul-de-sac is running in a South/North direction (i.e. $>45^\circ$). The island in the middle, if applicable must be numbered with even numbers with the smallest even number at the entrance to the circle.

13.6 Public Open Space

A public open space must also be numbered. Numbering should be done on both sides of the Erf if the Erf borders on two streets. The lowest value street number allocated to the Erf will be used for administrative purposes.

13.7 Existing street numbers

In cases where an existing street is already numbered, the existing numbers must be taken into account when a subdivision is supplied to the municipality. The street numbering must also fit into the General Plan of the area.

- 13.8 On completion of any building on a property, it shall be the duty of the property owner/s to obtain and install suitable address numerals in accordance with the provisions of the Signs manual.

14 FINANCIAL CONSIDERATIONS

The following financial aspects shall be taken into account:

- 14.1 All costs relating to street naming in new subdivisions shall be borne by the developer, or where the developer is Council, the costs shall be borne by Council.
- 14.2 The costs of erecting or changing name boards and signs, resulting from the renaming process, shall be borne by the successful applicant (whether this is a person, group, company, organization, institution, etc.), except if initiated by Council.
- 14.3 Council shall not be liable for costs incurred by property owners, which could ensue as a result of the renaming process (i.e. changing of address for various institutions, websites, business signage, etc.).

APPENDIX 2

5.1.1	DRAFT POLICY ON PLACE NAMING, STREET NAMING AND RENAMING AND NUMBERING FOR STELLENBOSCH MUNICIPALITY, EDITED 8 APRIL 2019
-------	--

Collaborator No: 644157
IDP KPA Ref No: 16/P/4
Meeting Date: 17 May 2019

1. SUBJECT: DRAFT POLICY ON PLACE NAMING, STREET NAMING AND RENAMING AND NUMBERING FOR STELLENBOSCH MUNICIPALITY, EDITED 8 APRIL 2019

2. PURPOSE OF REPORT

To request Section 80 Committee to comment on the Draft Policy on Place naming, Street Naming, Renaming, and Numbering for Stellenbosch Municipality, edited 8 April 2019, attached as **APPENDIX 1** and advice the Executive Mayor.

Councillor Groenewald requested on the 1st of April 2019, the following:

*"From: Esther Groenewald
 Sent: 01 April 2019 09:41 AM
 To: Tabiso Mfeya; Hedre Dednam
 Subject: Proposed/scheduled Sect 80 Date for April*

Dear Director

I refer to the date above and hereby request that we try and set a new date during next week for the Sect 80 Committee for Planning and LED which will enable us to advice the Mayor on the following:

1. *Bylaw on Problem Properties*
2. *Policy on Informal Trading and*
3. *Policy on Changing of Street Names in WCO 24"*

3. DELEGATED AUTHORITY

For consideration by the Section 80 Committee in order to advice the Executive Mayor.

4. EXECUTIVE SUMMARY

Council resolved as follows:

**"JOINT ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE:
 2018-03-06: ITEM 5.2.1**

During deliberations on the matter, the following corrections were suggested on the Draft Policy:

- (i) Under bullet point 4.2, change 2km radius to 5km radius;
- (ii) Under bullet point 5.11, change the name of the Director: Engineering Services to Director: Infrastructure.
- (iii) Remove bullet point 6.7 Other situations.....on page 6 of the Draft Policy and change the numbering that follows, ie. 6.8 becomes 6.7, etc.;
- (iv) Under bullet point 9.2, replace the word "failure of" with the word "failing", under paragraph 9.2 on page 8 of the Appendix;
- (v) Replace the Afrikaans word "Weg" with the Afrikaans word "Pad" next to the English word Road (Rd) on the 2nd last page of Annexure 1;

RESOLVED

that it be recommended to Council:

- (a) that the draft policy on Place naming, Street naming and Renaming and Numbering for Stellenbosch Municipality, August 2017, (including the amendments as listed in (i)-(v) above), be approved in principle; and
- (b) that the draft policy on Place naming, Street naming and Renaming and Numbering for Stellenbosch Municipality, August 2017 be advertised for public comment where after same be resubmitted to Council for final consideration and approval."

The administration edited the document on 8 April 2019 as requested in the above-mentioned resolution.

5. RECOMMENDATION

- (a) that the Section 80 committee comment on the Draft Policy on Place Naming, Street Naming and Renaming and Numbering for Stellenbosch Municipality, edited 8 April 2019, attached as **Appendix 1** and advice the Executive Mayor;
- (b) that the Draft Policy on Place Naming, Street Naming and Renaming and Numbering for Stellenbosch Municipality, edited 8 April 2019, be advertised in the local newspapers, libraries and circulated to the under mentioned entities for a public comment for 30 days where after same be resubmitted to Council for final consideration and subsequent approval:
 - (i) SIG
 - (ii) Stellenbosch-, Franschhoek-, Raithby-, Jamestown Rate Payers
 - (iii) Stellenbosch Agricultural Society
 - (iv) All the ward administrators
 - (v) All the Directors to be referred to their Managers
 - (vi) University of Stellenbosch
 - (vii) Boland College
 - (viii) Heritage Western Cape
 - (ix) WC Department of Agriculture
 - (x) Cape Winelands District Municipality.

6. DISCUSSION

6.1 Contents

The purpose of this Policy is to provide a standard and consistent policy framework dealing with, street and place naming and renaming, street numbering and to set out the responsibilities of the relevant parties involved in the process.

In order for the Municipality to name or rename streets or places and to allocate street numbers, certain criteria need to exist to guide how these names or numbers are approved or allocated. This Policy addresses the essential criteria and rules required for the effective administrative and decision-making procedures in order to guide the various departmental functions relating to street naming, numbering and renaming.

The Policy was reviewed to address a more effective administrative procedure and to bring it in line with the Stellenbosch Municipality Land Use Planning By-Law, October 2015. The said By-Law stipulates in Chapter X, Section 98 as follows:

- (1) *If as a result of the approval of a development application streets or roads are created, whether public or private, the Municipality must approve the naming of streets and must allocate a street number to each of the erven or land units located in such street or road.*
- (2) *The proposed names of the streets and numbers must be submitted as part of an application for subdivision.*
- (3) *In considering the naming of streets, the Municipality must take into account the relevant policies regarding street naming and numbering.*
- (4) *The Municipality must notify the Surveyor-General of the approval of new streets as a result of the approval of an amendment or cancellation of a subdivision in terms of section 23 and the Surveyor-General must endorse the records of the Surveyor-General's Office to reflect the amendment or cancellation of the street names on an approved general plan.*

6.2 Financial Implications

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

6.3 Legal Implications

The Municipal Systems Act, 2000 (Act 32 of 2000).

6.4 Staff Implications

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

6.5 Previous / Relevant Council Resolutions:

The following previous Council resolution is applicable:

Minutes of **JOINT ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE: 2018-03-06: ITEM 5.2.1**

6.6 Risk Implications

The recommendation will reduce risk implications for the municipality with regards to land use applications.

6.7 Comments from Senior Management:

Comments from other Internal Departments of the Municipality will be obtained with the second round of public participation process.

COMMENTS BY THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

During deliberations on the matter, the Planning and Economic Development Committee proposed the following changes as outlined in **APPENDIX A**, be effected on the Draft Policy on Place and Street Naming, Renaming and Numbering for recommendation to the Executive Mayor.

RECOMMENDATIONS FROM THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE TO THE EXECUTIVE MAYOR: 2019-05-17: ITEM 5.1.1

that the Section 80 Committee commented extensively on the amended Draft Policy on Place Naming, Street Naming and Renaming and Numbering for Stellenbosch Municipality. Revised Policy amended 2019-05-17, attached as APPENDIX 1 to be submitted to the Executive Mayor for further direction.

FOR FURTHER DETAILS CONTACT:

NAME	Hedre Dednam
POSITION	Land Use Manager
DIRECTORATE	Planning and Economic Development
CONTACT NUMBERS	021 808 8674
E-MAIL ADDRESS	hedre.dednam@stellnbosch.gov.za
REPORT DATE	8 April 2019

11.8	RURAL MANAGEMENT AND TOURISM: (PC: CLLR S PETERS)
------	--

NONE

11.9	YOUTH, SPORTS AND CULTURE: (PC: CLLR M PIETERSEN)
------	--

11.9.1	WINELANDS MARATHON AND HALF MARATHON: THREE-YEAR PARTNERSHIP AGREEMENT WITH STELLENBOSCH MUNICIPALITY
--------	--

Collaborator No: 660766
IDP KPA Ref No: *Good Governance*
Meeting Date: 11 September 2019

1. SUBJECT: WINELANDS MARATHON AND HALF MARATHON: THREE-YEAR PARTNERSHIP AGREEMENT WITH STELLENBOSCH MUNICIPALITY.

2. PURPOSE

To submit the draft three-year partnership agreement between Stellenbosch Municipality and the Winelands Marathon and Half Marathon to Council for approval.

3. DELEGATED AUTHORITY

Municipal Council

4. EXECUTIVE SUMMARY

The Winelands Marathon and Half Marathon is an established event which annually takes place in WC024. The event is presented by Helderberg Harriers Running Club and organised by Top Events, one of the leading event organising companies in the Western Cape. The events start and finish at Eikestad Primary School.

The event attracts approximately 5000 athletes, but has the potential to grow into a fully-fledged international event if infrastructure support and international marketing platforms can be accessed. The Stellenbosch Municipality, Top Events and new headline sponsor of the event, Sportsmans Warehouse, intends to partner with the events owner, Helderberg Harriers Running Club, to make this happen.

The objective with the partnership is to elevate the event to an international event which in turn would facilitate increased regional and international sport tourists to WC024, economic growth, social inclusion and job creation.

Further to this, the event will provide opportunities for cooperation, connectivity and constructive partnerships with the public and private sectors.

5. RECOMMENDATION

that Council approves the draft three-year Partnership Agreement (MOU) between the Stellenbosch Municipality and the Winelands Marathon and Half Marathon for the period 2019 – 2021.

6. DISCUSSION

The Winelands Marathon and Half Marathon is an established event which annually takes place in WC024. The event is presented by Helderberg Harriers Running Club and organised by Top Events, one of the leading event organising companies in the Western Cape. The events start and finish at Eikestad Primary School.

In terms of the official events policy of the Stellenbosch Municipality (approved by Council in August 2017), the municipality will identify suitable partnership events in WC024 to further its declared objectives of economic growth, job creation, social inclusivity and local and international tourism. The focus will be on events that provides opportunities for cooperation, connectivity and constructive partnerships with the public and private sectors.

The Winelands Marathon and Half Marathon can be categorised as an “iconic Event” (in terms of the events policy) in that it attracts substantial numbers of regional participants from across the Western Cape. Participation numbers have increased to approximately 5000 athletes, but it has the potential to grow into a fully-fledged international event if infrastructure support and international marketing platforms can be accessed. The Stellenbosch Municipality, Top Events and new headline sponsor of the event, Sportsmans Warehouse, intends to partner with the events owner, Helderberg Harriers Running Club, to make this happen.

As part of the proposed agreement, the event will be required to provide the municipality with a detailed economic impact report, based on verifiable and objective research data on direct and indirect economic impact in WC024.

The objective with the partnership is to elevate the event to an international event which in turn would facilitate increased regional and international sport tourists to WC024, economic growth, social inclusion and job creation.

6.1. Financial Implications

Payments to the Winelands Marathon and Half Marathon will be in the form of cash transfers as per the events policy, over three financial years, namely:

2019	R80 000.00 (Excluding Vat)
2020	R88 000.00 (Excluding Vat)
2021	R96 800.00 (Excluding Vat)

6.2. Legal Implications

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

6.3. Staff Implications

The recommendation has no staff implications for the municipality.

6.4. Previous / Relevant Council Resolutions:

None

6.5. Risk Implications

The memorandum of understanding (MOU) between the municipality and the Winelands Marathon and Half Marathon will address the potential risks of the municipality. The Community Services Department will further ensure that all financial and legal compliance regulations are adhered to.

6.6. COMMENTS FROM SENIOR MANAGEMENT**6.6.1. Director: Infrastructure Services**

No comments received

6.6.2. Director: Planning and Economic Development

No comments received

6.6.3. Director: Community and Protection Services

Agree with the recommendations

6.6.4. Director: Strategic and Corporate Services

No comments received

6.6.5. Chief Financial Officer

Agree with the recommendations

6.6.6. Municipal Manager

Agree with the recommendations

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-11: ITEM 7.9.1

that Council approves the draft three-year Partnership Agreement (MOU) between the Stellenbosch Municipality and the Winelands Marathon and Half Marathon for the period 2019 – 2021.

ANNEXURES:**Annexure A:** Draft MOU with Winelands Marathon and Half Marathon**Annexure B:** Proposal received from Top Events on behalf of the Winelands Marathon and Half Marathon**FOR FURTHER DETAILS CONTACT:**

NAME	Albert van der Merwe
POSITION	Manager: Community Services
DIRECTORATE	Community and Protection Services
CONTACT NUMBERS	021 808 8165
E-MAIL ADDRESS	Albert.vandermerwe@stellenbosch.gov.za
REPORT DATE	19 August 2019

ANNEXURE A



MEMORANDUM OF UNDERSTANDING

Entered into by and between:

Stellenbosch Municipality, herein represented by **Ms Geraldine Mettler** in her capacity as Municipal Manager of Stellenbosch Municipality (Hereinafter referred to as “the Donor”)

And

Winelands Marathon & Half Marathon, being staged in the Stellenbosch Municipal area and herein represented by **Mr. Kevin Lodge** in his capacity as Managing Director of Baleka Sport Marketing and Development and duly authorized thereto (herein after referred to as “the Beneficiary”)

**All parts that are crossed out or altered must be signed in full by both parties at such parts. Both parties and witnesses must initial every page.*

1. GRANT

- 1.1. The Municipality has allocated a grant to the beneficiary in the amount of **R80 000.00** (eighty thousand rand) for 2019, **R88 000.00** (eighty-eight thousand rand) for 2020, and **R96 800.00** (ninety six thousand and eight hundred rand) for 2021, exclusive of Vat. The funds shall be utilized by the Beneficiary for the purposes as set out in clause 3.3.
- 1.2. The grant shall be paid to the Beneficiary by electronic fund transfer into the banking account upon signature of the agreement and subject to the terms and conditions as set out in the agreement.
- 1.3. In-Kind Support: The Stellenbosch Municipality agrees to provide the following services to the Winelands Marathon:
 - 1.3.1. Traffic services
 - 1.3.2. Disaster Management Services
 - 1.3.3. Law Enforcement Services

ACCORDINGLY THE PARTIES AGREE AS FOLLOWS:

2. INTERPRETATION

- 2.1. "The Agreement" shall mean this memorandum of understanding as duly approved by the MAYCO/COUNCIL of Stellenbosch Municipality and the Accounting Officer in terms of the MFMA.
- 2.2. The agreement is valid for the 2019, 2020 and 2021 Winelands Marathons.

3. THE BENEFICIARY'S OBLIGATIONS

- 3.1. The Beneficiary hereby certifies that effective, efficient and transparent financial management and internal control systems are in place. In support of this, the Beneficiary will furnish the Municipality with the most recent financial statements, prepared by the financial director of the Beneficiary, approved at the AGM and signed off by the Chairperson of the event.
- 3.2. The Beneficiary undertakes to utilize the funds and any interest accruing thereon for the express purpose for which it has been approved as set out more fully hereunder.
- 3.3. Funds may only be utilized for the following purposes:
 - 3.3.1. Race Organisation & Planning
 - 3.3.2. Marketing and Promotions, including International Marketing
- 3.4. The following documentation and statements must be submitted to the Municipality within four (4) months after the end of the event / project is completed:

- 3.4.1. Verified Financial Statements
- 3.4.2. Other documentary proof as may be required
- 3.5. The Beneficiary undertakes to seek additional funding in the form of sponsorships from the private and business sector.
- 3.6. The Beneficiary also undertakes that during the period for which it receives the grant, it shall:
 - 3.6.1. Display the Logo of the Stellenbosch Municipality on its publicity material;
 - 3.6.2. Allow the municipality to display perimeter advertising boards at the event.
 - 3.6.3. The Donor will provide advertising boards which will be placed in accordance with sponsor priority, or as per prior arrangement between parties involved.
 - 3.6.4. Acknowledge the Stellenbosch Municipality as an official partner on its web page, social network sites, programs and other promotional materials.
 - 3.6.5. Extend a formal Invitation to the Municipality when the event is staged.

4. **CO-OPERATION AND GOOD FAITH**

The parties undertake at all times to render to each other every possible assistance and to extend to each other the maximum co-operation for purposes of attaining the objectives of this agreement. The parties shall consult with each other in good faith and with the highest degree of integrity.

5. **EARLY TERMINATION**

- 5.1. Either of the parties may cancel this agreement if any one of the following events occurs:
 - 5.1.1. If the other party breaches any of the terms of this agreement and fails to rectify such breach within fourteen (14) days after receipt of a notice, requesting that such breach be rectified;
 - 5.1.2. If the other party commits an act of insolvency, or is placed in provisional or final liquidation, or provisional or final judicial management, or under provisional or final sequestration.
 - 5.1.3. Termination of the agreement shall be without prejudice to and shall not constitute a waiver of any claims or rights which either of the parties may have against the other.
 - 5.1.4. Termination of this agreement must be in writing and duly served on the other party.

6. **DOMICILE**

6.1. The parties hereby choose as their domicilium citandi et executandi for purposes of this agreement the following addresses:

STELLENBOSCH MUNICIPALITY

The Municipal Manager
Town House Complex
Plein Street
Stellenbosch
7600
Western Cape

THE BENEFICIARY

Winelands Marathon & Half Marathon
C/O Baleka Sport Marketing and Development
6 Koeberg Road
Maitland
7404
Western Cape

7.2. All notices in terms of this agreement shall be in writing and delivered to the chosen domicilium citandi et executandi by hand or by pre-paid registered mail.

SIGNED AT _____ ON THIS _____ DAY OF _____ 20

THE STELLENBOSCH MUNICIPALITY

(Herein represented by Ms Geraldine Mettler in her capacity as Municipal Manager of the Stellenbosch Municipality)

Ms Geraldine Mettler

Name also in capital letters

AS WITNESS:

(Signature)

Name also in capital letters

SIGNED AT _____ ON THIS ____ DAY OF _____ 20 ____

THE BENEFICIARY

(Herein represented by **Mr. Kevin Lodge** in his capacity as Managing Director of Baleka Sport Marketing and Development, duly authorized thereto)

(Signature)

Name also in capital letters

As WITNESS

(Signature)

Name also in capital letters

ANNEXURE B



**THE
WINELANDS**
MARATHON & HALF MARATHON



SPONSORSHIP PROPOSAL FOR STELLENBOSCH MUNICIPALITY

Entries

- ONLINE**
 - Online entries can be done at www.topevents.co.za.
- FAX**
 - Fax Your Entry Form And Deposit Slip To: 021 510 7230
- INSTORE**
 - In-Store entries can be done at Sportsmans Warehouse Somerset West, Tygervalley, Rondebosch and Stellenbosch.
- OFFICE**
 - Entry at TOPEVENTS office at 6 Koeberg road, Maitland

Entry Statistics

	Online Entry	Fax Entry	Office Entry	In Store Entry	Total
42.2km Run	1605	94	27	290	2016
21.1km Run	2346	146	29	360	2881
Total	3951	240	56	650	4897

Age	Male	Female	Total
16-19	24	7	31
40-49	828	715	1543
50-59	520	365	885
60-69	198	94	292
70+	36	17	53
Senior	1074	1019	2093
Total	2680	2217	4897



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



TOPEVENTS

Shoe Count

	42.2km Run	21.1km Run	Total
Adidas	207	285	492
Asics	541	777	1318
Brooks	134	177	311
Maxed	4	7	11
Mizuno	33	33	66
New Balance	300	386	686
Newton	5	5	10
Nike	233	420	653
Other	456	596	1052
Puma	11	25	36
Reebok	4	8	12
Salomon	7	23	30
Saucony	78	135	213
Under Armour	3	4	7
Total	2016	2881	4897

Event Flyer



42nd Sportsmans Warehouse Winelands Marathon & 23rd Half Marathon

Saturday 9 November 2019

Eikestad Primary School, Stellenbosch

Hosted by Helderberg Harriers in partnership with
Top Events in accordance with the rules of ASA & WPA



42.2km
Start 05h30

21.1km
Start 05h50

5km
Start 06h30

- Online entries close at midnight on Thursday 31st October 2019.
- In-Store and Fax entries close on Thursday 31st October 2019.
- NO LATE ENTRIES WILL BE ACCEPTED



Event T-shirt



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



TOPEVENTS

Medal



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



TOPEVENTS

Race Numbers

WINELANDS
MARATHON & HALF MARATHON



Presented by Helderberg Harriers

8000

2018 Half Marathon

Lucky Draw No.:
8000

WINELANDS
MARATHON & HALF MARATHON



Presented by Helderberg Harriers

3500

2018 Marathon

Lucky Draw No.:
3500

WINELANDS
MARATHON & HALF MARATHON



Presented by Helderberg Harriers

500

FUN RUN

Lucky Draw No.:
500



STELLENBOSCH

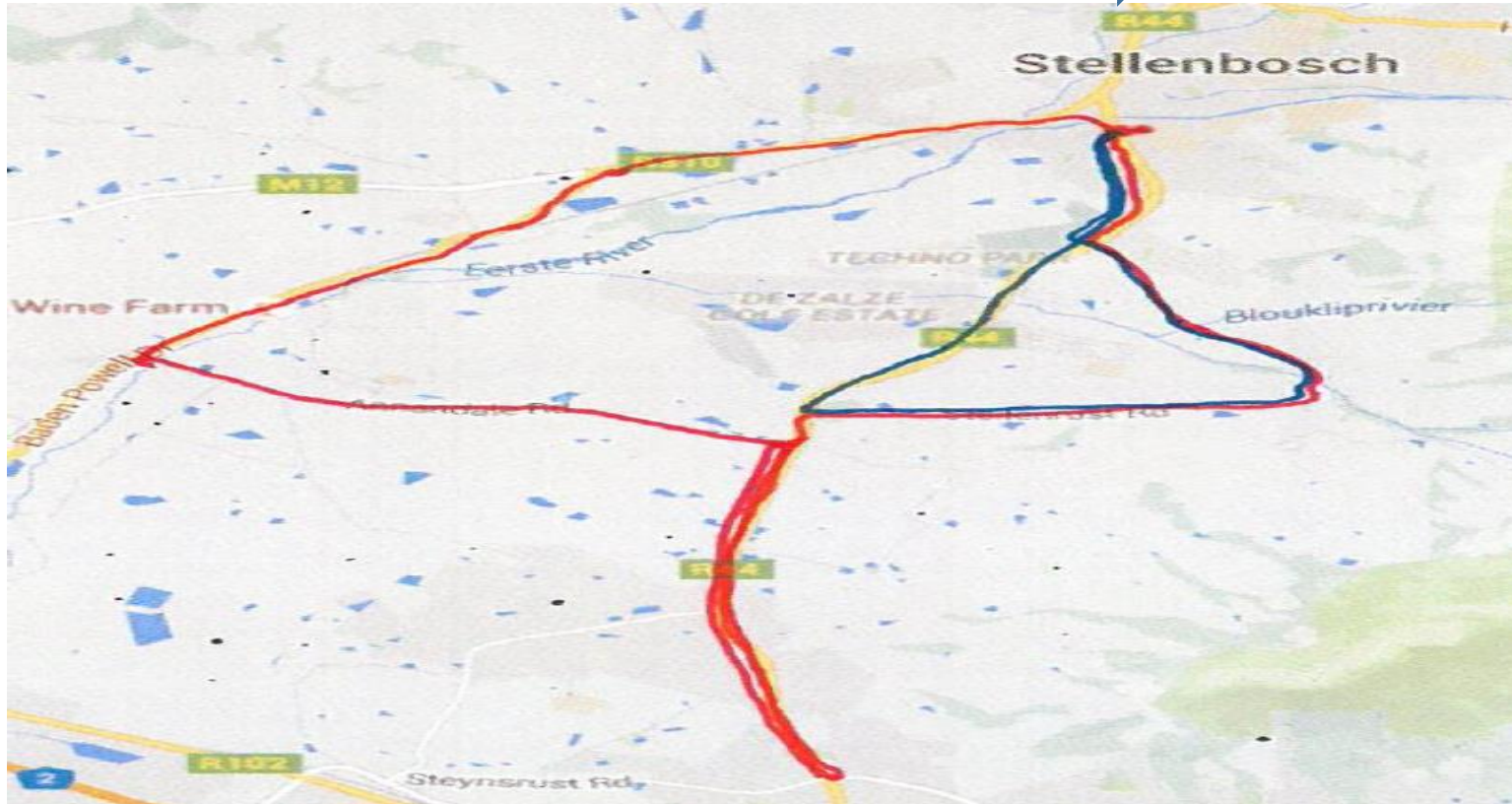
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



TOPEVENTS

Route



MARATHON

HALF MARATHON

START & FINISH VENUE: EIKESTAD PRIMARY SCHOOL

START TIME: 42.2KM – 05H30,
21.1KM – 05H50,
5KM – 06H35



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



TOPEVENTS

Start



Event Branding





BRANDING MERCHANDISE



PRINT PUBLICATION



**SOCIAL MEDIA PLATFORM:
FACEBOOK: TOPEVENTSSA
TWITTER- @TOPEVENTSSA
INSTAGRAM- @TOPEVENTSSA**



**WEBSITE
WWW.TOPEVENTS.CO.ZA**

Marketing Elements

Stellenbosch Municipality will be entitled to:

- 25 free entries
- Logo on all electronic material
- Branding on the day at the finish area – 10 feathers, 10 fence banners and 2 gazebos
- VIP Parking and Hospitality invitations
- Inclusion in our social media campaign
- Refreshment station on the route
- Contribution of R80 000,00 + VAT

THANK YOU



11.10	MUNICIPAL MANAGER
11.10.1	ADOPTION OF THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2019/20 FINANCIAL YEAR WITH RISK APPETITE

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 11 September 2019

1. SUBJECT: ADOPTION OF THE REVISED STRATEGIC AND OPERATIONAL RISK REGISTER FOR THE 2019/20 FINANCIAL YEAR WITH RISK APPETITE

2. PURPOSE

To obtain approval for the revised Strategic and Operational Risk Register and risk appetite for the 2019/20 financial year from the Mayoral Committee for referral to Council to be adopted.

3. DELEGATED AUTHORITY

For the Mayoral Committee to approve for referral to Council and for Council adoption.

4. EXECUTIVE SUMMARY

Municipal Governance best practice as well the Municipal Finance Management Act (MFMA), Act 56 of 2003, requires municipalities to have an effective risk management mechanism to stay abreast of prevalent risks and to determine the risk appetite. Inherent risk exposure means impact in relation to likelihood of a risk occurring. Risk appetite means the amount (level) of risk a municipality is willing to accept. Municipalities are required to formally assess risk annually to determine the risk severity and decide on the appropriate risk appetite for the municipality. To ensure effectiveness, a municipality must focus its attention and resources on the areas of most significant risk and concern to stakeholders. The risk assessment process is therefore a fundamental element of the risk management process.

The principal aim of the risk assessments process is to:

- Identify the risks threatening the achievement of the IDP's objectives of each directorate;
- Assess the key risks facing each directorate; and
- Identify the processes / functions / directorates / persons the municipality and top management relies upon to manage the identified risks.
- Align the mentioned risk management process with processes as established by provincial and national government (as communicated to the municipality).

5. RECOMMENDATIONS

- (a) that the Mayoral Committee approve the register with appetite and refer to Council for adoption; and
- (b) that Council adopt the Strategic Risk Register for the 2019/20.

6. DISCUSSION

6.1 Background

In terms of the COSO Integrated Framework (National Treasury Enterprise Risk Management Framework), defines risk appetite as the amount of risk an organisation is broadly willing to accept in pursuit of value. Risk appetite guides resource allocation and assists in aligning the organisation, people and processes.

Various discussions were held at Directors Level and Risk Committee Meetings between February and June. The draft Strategic Risk Register was submitted to the Audit and Performance Audit Committee meetings on 7 May and 27 June 2019 for discussion and comment. Comments received was incorporated into Final Strategic Risk Register. The revised Strategic Risk Register was submitted to the Audit and Performance Committee on 27 August 2019 for final comment and discussion and Strategic Risk Register was agreed to at the Directors Meeting held on 3 September 2019.

The inherent risk exposure/risk appetite for the Strategic Risk Register was calculated at 14,75, which is considered as moderate. A score of 9 to 15 is considered moderate. The risk appetite Stellenbosch is willing to accept is 12. This means the current risk exposure needs to be actively managed to reduce the acceptance level.

The inherent risk exposure/risk appetite for the Operational Risk Register was calculated at 10 which is below the appetite of 12 which is acceptable.

6.2 Financial Implications

Financial implications as required for risk mitigation.

6.3 Legal Implications

The following legislation are relevant to Enterprise Risk Management:

Municipal Finance Management Act (MFMA), Act 56 of 2003, Section 62 (1) (c) (i) of the MFMA states that:

“(1) the Municipal Manager of a municipality is responsible for managing the financial administration of the municipality, and must for this purpose take all responsible steps to ensure –

(c) that the municipality has and maintains effective, efficient and transparent systems-

(i) of financial and risk management and internal control”.

Section 165 states that:

“(2) The internal audit unit of a municipality or municipal entity must-

prepare a risk-based audit plan and an internal audit program for each financial year;

advise the accounting officer and report to the audit committee on the implementation of the internal audit plan and matters relating to-

(iv) risk and risk management;

Section 166 states that:

“(2) An audit committee is an independent advisory body which must – advise the municipal council, the political office-bearers, the accounting officer and the management staff of the municipality, or the board of directors, the accounting officer and the management staff of the municipal entity, on matters relating to – (ii) risk management.

Local Government: Municipal Systems Act, Act 32 of 2000

Section 83 states that measures must be taken around service provider that minimise the possibility of fraud and corruption; and

Section 104 states that loss control on municipal equipment be minimized thereby reducing the possibility of fraud and corruption and that this will be regulated by the MEC.

As indicated above the approach to risk management and the relevant legislation is at times limited to ensure an organization wide approach that is relevant and value adding. Guidance and guidelines are also issued by National and Provincial Treasury to assist and to ensure a risk management culture in municipalities.

King IV – Supplement for Municipalities

Principle 11: Council should govern the risk in a way that supports the municipality in setting and achieving its strategic objectives.

6.4 Staff Implications

As per the organisational structure.

6.5 Risk Implication

None.

6.6 Comments from Senior Management**6.6.1 Director: Community and Protection Services**

Support.

6.6.2 Chief Financial Officer

Support.

6.6.3 Director: Infrastructure Services

Support.

6.6.4 Director: Corporate Services

Support.

6.6.5 Director: Planning and Economic Development

Support.

6.6.6 Comments from the Municipal Manager

Support.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-11: ITEM 7.10.1

that Council adopts the Strategic Risk Register for the 2019/20.

ANNEXURES:

Annexure A: Revised Strategic and Operational Risk Register for the 2019/20 financial year.

FOR FURTHER DETAILS CONTACT:

NAME	Shireen De Visser
POSITION	Senior Manager Governance
DIRECTORATE	Office of the Municipal Manager
CONTACT NUMBERS	021 808 8157
E-MAIL ADDRESS	Shireen.Devisser@stellenbosch.gov.za
REPORT DATE	11 September 2019

ANNEXURE A



STELLENBOSCH MUNICIPALITY (WC 024)

Final Strategic and Operational Risk Register 2019/20

Revised Strategic Register

Risk Item	Risk Description	Risk Background	Strategic Objectives	Impact Rating (1-5)	Likelihood Ratings (1-5)	Residual Risk Exposure (1-25) Risk Appetite	Directorate	Action Plans/Mitigation	Risk Champion	Comments
1	Scarcity of landfill space.	Unavailability of suitable land; costs of SLA's and alternative waste disposal; legislative requirements i.e EIA applications and approvals etc.	Green and Sustainable Valley	5	5	25	Infrastructure Services	Waste management strategy, finalisation of the agreement with Eskom to move electricity poles for opening space.	Deon Louw	Constant monitoring of situation; seeking alternatives; cooperation with neighbouring municipalities for solutions and assistance.
2	Financial Sustainability.	Debt management; cashflow; changes patterns in revenue (more off the grid connections to water and electricity).	Good governance and Compliance, Green and Sustainable Valley	5	4	20	Financial Services	Legal framework to lock in customer regarding off grid connections; revenue enhancement strategy.	CFO	Constant monitoring of debt management and income ratio; establish and monitor changing patterns in the usage of water & electricity.
3	Increase in community unrest due to the fact that growth in demand for housing exceeds the resources available for development.	Lack of bulk infrastructure; lack of identified and suitable land, unrealistic eviction judgements, illegal invasions and landgrabs, housing backlogs, migration.	Dignified Living, Safe Valley	4	4	16	Planning and Economic Development	Housing pipeline, emergency policy, TRA identification, increased monitoring for illegal occupants.	Geraldine Mettler, Tabiso Mfeya, Gary Boshoff	Completion of the SDF, Idas Valley housing project (mixed housing); ATC and the implementation thereof to establish new housing sites.
4	Loss off credibility and reputation due to perceived fraud and corruption.	Abuse of legislation; reputational risk and credibility; media statements and role of social media in reports etc.	Good Governance and Compliance	4	4	16	All Directorates	Deloitte hotline, fraud prevention policy, SALGA to address unintended consequence of regulations.	Geraldine Mettler All Directors	Council, Municipal Manager as well as Senior Managers actively involved in addressing fraud and corruption; Staff members kept informed via various platforms, active role of labour relations in the disciplinary process and advising on possible cases.
5	Availability and cost of electricity.	Continuous and persistent threats of loadshedding; sustainability of the national power supplier	Green and Sustainable Valley, Dignified Living	5	3	15	Infrastructure Services	Continuous repairs and maintenance i.r.o. the existing network; upgrading of infrastructure as and when required; appointment of skilled staff.	Deon Louw	Dependency on national supplier Eskom, encouraging alternative electricity supply methods.
6	Economic downturn due to perceived civil unrest and crime	Increase in criminal activities, civil unrest, reputational risk due to perceived increase in the said activities.	Safe Valley, Dignified Living	4	3	12	Community Safety	Combined SSI, close relationships with SAPS and other law enforcement agencies, combined control room, strategic camera placings, etc.	Gary Boshoff	Due to the perceived increase in crime, unrest etc, how the Stellenbosch area are perceived has also changed in the media as well as the public. Thus the reference to this being a reputational risk which can have an impact on future developments and investments.
7	Material misstatements in the AFS that constitutes non-compliance with Section 122 of the MFMA.	System errors, transactions and events not recognised as they occur and accordingly not recorded in the financial period it occurred.	Good Governance and Compliance	4	2	8	Financial Services	8 month AFS, systems upgrade and alignment. Audit readiness is essential with a need for an external audit prior to the formal audit from AGSA. Actions to be reflected in detail in Audit Action Plan.	CFO	Audit action plan developed and monitored by CFO, MM and A&PC; appointment of service provider to manage the quality of the AFS; reporting to MM and A&PC by submitting interim statements; proactive management.
8	Urbanisation and growth.	Comprehensive understanding of the developmental needs in the greater Stellenbosch area; rapid and continued urbanisation; changes in the needs of the community; masterplans; housing pipeline; IDP and SDF alignment.	Valley of Possibility	3	2	6	Infrastructure Services	Review of the SDF, approved housing pipeline.	Deon Louw & Tabiso Mfeya	Approval and implementation of the ATC; completion and approval of the SDF.
Residual Risk Exposure						14.75	A score of 9 to 15 is considered moderate. The risk exposure for Stellenbosch for 2019/20 has been revised to 15 which is still within the moderate range. An action plan is required for some of the strategic risks identified. It should be noted that the risk exposure on some of the strategic risks has improved as a result of mitigating action that was implemented.			

Final Revised Operational Risk Register 2019/20										
1	Lack of integrated Information and Communication Technology	Disparate systems	Good Governance and Compliance	4	3	12	All Directorates	Position paper on integration	All Directors	A separate risk register in draft with regards to ICT management, new server room nearly completed, service provider appointed to assist in streamlining and optimising ICT in the municipality.
2	High Vacancy Rate	A skilled and capable workforce is necessary to support growth objectives, quality and timeous service delivery needs to be provided by all departments.	Good Governance and Compliance	3	4	12	Corporate Services	Filling of posts in the recruitment and selection department to create capacity, communication between the user departments and human resources more stream lined and effective, organisational and operational structure aligned and approved.	A De Beer	All departments need to perform optimally to ensure service delivery in terms of growth and IDP objectives.
3	Insufficient burial space in the greater Stellenbosch	Planning and funding; land availability.	Dignified Living	2	5	10	Community and Protection Services	Part of SDF review, feasibility and impact study on suitability for grave yards, discussion and future planning on alternative burial methods, engagements with church groups to establish memorail walls.	Gary Boshoff	Remedial plans put into action to adress the risk; continiuous process to identify possible burial space; Approval and completion of the SDF.
4	Timeous Capital Spending	Steady increase in budget allocation; growing population and demand for services; demand management.	Good Governance and Compliance	5	2	10	Financial Services	Demand Management Plan and Committee.	CFO	Implementation and monthly management of the capital monitoring tool; process review iro SCM to streamline appointment of service providers; constant monitoring and planning by senior managers, MM and Council.
5	Water Security	Limited sustainable water sources; Growing population with increase in demand; pollution of sources.	Dignified Living; Valley of possibility; Green & Sustainable Valley	5	2	10	Infrastructure services	Drought management plan in place; water warriors; water demand meters.	Deon Louw	Constant monitoring and planning; average and above rainfall during 2018 and 2019.
6	Business Continuity	Disasters, electricity outages; hacking of systems.	Good Governance and Compliance	5	2	10	Corporate Services	Integrated ERP; off site data center.	Annelene de Beer	Will require more thought processes and continuity in future, NT and PT already starting with implementation of more formal structures as well as guidelines ito the relevant legislation.
7	Losing the historic status of Stellenbosch w.r.t environment (trees, biodiversity, buildings, rivers, etc.)	Keeping the balance - development and the historic status; occurance of natural disasters.	Dignified Living; Valley of possibility; Green & Sustainable Valley	3	2	6	All Directorates	Heritage asset register; adherence to heritage planning legislation for developmental applications, declared heritage zones.	Tabiso Mfeya (Primary) Deon Louw (Secondary)	Approval and implementation of the ATC; completion and approval of the SDF.
Residual Risk Exposure						10.0	A score of 9 to 15 is considered moderate. The revised operational risk exposure for Stellenbosch for 2019/20 has been revised to 10. This means that the operational risks identified, though important is sufficiently in control. Mitigating factors remains necessary to ensure that these risks are appropriately dealt with. Overall the operation remains similar to the previous financial year, with the addition of "high vacancy rate" and "business continuity". Business Continuity is a new area receiving focussed attention from national treasury which will be formally required from municipalities in the next 2 years. Stellenbosch does pay attention to business continuity already, however the requirements from national treasury will be more stringent.			

Emerging Risks										
1	Climate Change	Changing weather paterns, unpredictable rainfall/flash floods, drought natural disasters, fires (seasonal and other).	Green and Sustainable Valley; Safe Valley	4	3	12	Office of the Municipal Manager	Drought management plan in place; water warriors; water demand meters.	Geraldine Mettler	Successful drought management plan during the 2017/18 financial year; renewable energy sources that is currently under discussion; conversation with public and private sector to partner in managing this risk going forward, etc.

Critical 20-25	Red
High 16-19	Orange
Moderate 9-15	Yellow
Low 1-8	Green

act immediately
action plan
monitor/transfer
disregard

Impact and Likelihood ratings

Grading	Historical
5 Almost certain	is expected to occur in most circumstances
4 Likely	Will probably occur
3 Possible	Might occur at some time in the future
2 Unlikely	Could occur but doubtful
1 Rare	May occur but only in exceptional circumstances

Revision Date:

Final Strategic Risk Register 2018/19
Final Strategic Risk Register 2019

Jul-18
Aug-19

inherent risk if no controls in place
residual risk if there is controls in place

11.10.2	APPROVAL OF COST CONTAINMENT POLICY
---------	-------------------------------------

Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: 11 September 2019

1. SUBJECT: APPROVAL OF COST CONTAINMENT POLICY

2. PURPOSE

Council to adopt the Cost Containment Policy.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The objective of this policy is to give effect to the Cost Containment Regulations and the Local Government: Municipal Finance Management Act No. 56 of 2003 to ensure that resources of a municipality are used effectively, efficiently and economically by implementing cost containment measures.

As directed by Regulations, the policy will further set out-

- a) Monitoring measures to ensure implementation of the policy;
- b) Procedures for the annual review implementation of the policy; and
- c) Consequences for non-adherence to the measures contained in the policy.

The policy applies to all officials and political office bearers in Stellenbosch Municipality. In the event of any conflict between a provision of this policy and any other policy of council, the provision of this policy shall apply.

5. RECOMMENDATION

that the Cost Containment Policy be adopted.

6. DISCUSSION

6.1 Background

The Local Government: Municipal Cost Containment Regulations, 2019 ("the Regulations") were promulgated on 07 June 2019 and came into effect on 01 July 2019.

Section 62(1) (a) and 95 (a) of the Municipal Finance Management Act No.56 of 2003 (MFMA), stipulates that the accounting officer of a municipality or a municipal entity is responsible for managing the financial administration of a municipality and must for this purpose take all responsible steps to ensure that the resources of the municipality are used effectively, efficiently and economically.

In terms of the legal framework, the key principles being promoted are that elected councils and accounting officers are required to institute appropriate measures to ensure that the limited resources and public funds are prudently utilised to ensure value for money is achieved.

Regulation 4(1) of the Municipal Cost Containment Regulations requires municipalities and municipal entities to either develop or review their cost containment policies. The

municipality is herewith required to adopt the cost containment policy as part of its updated budget related policies for the 2019/2020 financial year budget.

6.2 Financial Implications

Promoting the concept of cost vs benefits and to ensure that savings can be better utilised towards improvements in service delivery.

6.3 Legal Implications

The objective of the policy is to give effect to Regulation 4(1) of the Municipal Cost Containment Regulations.

6.4 Staff Implications

All officials and political office bearers to abide with the municipal Cost Containment Policy

6.5 Risk Implication

Implement measures to contain operational costs and eliminate all non-essential expenditure.

6.6 Comments from Senior Management

The item was not circulated for Senior Management comments.

RECOMMENDATION FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-09-11: ITEM 7.10.2

that the Cost Containment Policy be adopted.

ANNEXURES

Annexure 1: Cost Containment Policy

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	10 September 2019

ANNEXURE 1

COST CONTAINMENT POLICY

NEW

1 OCTOBER 2019

TABLE OF CONTENTS

1.	Definitions	3
2.	Purpose	3
3.	Objectives of the policy	3
4.	Scope of the policy	4
5.	Legislative framework	4
6.	Policy principles	4
7.	Use of consultants	4
8.	Vehicles used for political office-bearers	6
9.	Travel, subsistence and accommodation	6
10.	Credit cards	8
11.	Sponsorships, events & catering	8
12.	Communication	10
13.	Conferences, meetings & study tours	10
14.	Other related expenditure items	10
15.	Enforcement procedures	11
16.	Disclosures of cost containment measures	11
17.	Review process	11
18.	Short title and implementation	12

1. DEFINITIONS

“*Act*” means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);

“*Consultant*” means a professional person, individual partnership, corporation, or a company appointed to provide technical and specialist advice or to assist with a design and implementation of projects or to assist the municipality to achieve its objectives of local government in terms of section 152 of the Constitution;

“*Cost containment*” means the measures implemented to curtail spending in terms of this policy;

“*Credit Card*” means a card issued by a financial services provider, which creates a revolving account and grants a line of credit to the cardholder;

“*Debit Card*” means a card issued by a financial services provider allowing the cardholder to transfer money electronically from any bank account held by the Municipality when making a purchase;

“*Municipality*” means Stellenbosch Local Municipality;

“*Persons in the employ of the municipality*” means any employee of the municipality whether employed on a permanent or temporary basis and any public office bearer serving on the Council;

“*Procurement Documentation*” means any documentation used for the procurement of consultants, whether it is documentation used for tenders or formal quotations;

2. PURPOSE

The purpose of the policy is to regulate spending and to implement cost containment measures at Stellenbosch Local Municipality.

3. OBJECTIVES OF THE POLICY

3.1 The objectives of this policy are to:

- 3.1.1 To ensure that the resources of the municipality are used effectively, efficiently and economically;
- 3.1.2 To implement cost containment measures.

4 SCOPE OF THE POLICY

4.1 This policy will apply to all:

- 4.1.1 Councillors'; and
- 4.1.2 Municipal employees.

4.2 In the event of any conflict between a provision of this policy and any other policy of council, the provision of this policy shall apply.

5. LEGISLATIVE FRAMEWORK

5.1 This policy must be read in conjunction with the -

- 5.1.1 The Municipal Finance Management Act,
- 5.1.2 MFMA Circular 82, published on 7 December 2016;
- 5.1.3 Municipal Cost Containment Regulations, 2019; and
- 5.1.4 Travelling and subsistence policy.

6. POLICY PRINCIPLES

6.1 This policy will apply to the procurement of the following goods and/or services:

- 6.1.1 Use of consultants
- 6.1.2 Vehicles used for political office-bearers
- 6.1.3 Travel and subsistence
- 6.1.4 Domestic accommodation
- 6.1.5 Credit cards
- 6.1.6 Sponsorships, events and catering
- 6.1.7 Communication
- 6.1.8 Conferences, meetings and study tours
- 6.1.9 Any other related expenditure items

7 USE OF CONSULTANTS

7.1 Consultants may only be appointed after an assessment of the needs and requirements has been conducted to support the requirement of the use of consultants.

7.2 The assessment referred to in 7.1 must confirm that the municipality does not have requisite skills or resources in its full time employ to perform the function that the consultant will carry out.

7.3 Procurement documentation for the appointment of consultants must include a clause that remuneration rates will be subject to negotiation and will not exceed the applicable rates stated below:

- 7.3.1 Rates determined in the "Guideline on fees for audits undertaken on behalf of the Auditor-General of South Africa" issued by the South African Institute of Chartered Accountants;
- 7.3.2 Rates set out in the "Guide on Hourly Fee Rates for

Consultants” issued by the Department of Public Service and Administration;

7.3.3 Rates prescribed by the body regulating the profession of the consultant.

- 7.4 When negotiating cost effective rates for international consultants, the Accounting Officer may take into account the relevant international and market determined rates.
- 7.5 When consultants are appointed the following should be included in the Service Level Agreements:
- 7.5.1 Consultants should be appointed on a time and cost basis that has specific start and end dates;
- 7.5.2 Consultants should appointed on an output-specific basis, with specified deliverables and the associated remuneration;
- 7.5.3 Ensure that cost ceilings are included to specify the contract price as well travel and subsistence disbursements and whether the contract price is inclusive or exclusive of travel and subsistence;
- 7.5.4 A clause ensuring that skills transfer is done by the consultant to the relevant Municipal officials. This requirement must also be specified in Procurement Documentation.
- 7.5.5 All engagements with consultants should be undertaken in accordance with the municipality’s supply chain management policy and Supply Chain Regulations.
- 7.6 The travel and subsistence costs of consultants must be in accordance with the national travel policy issued by the National Department of Transport as updated periodically.
- 7.7 Consultancy reduction plans should be developed to reduce the reliance on consultants.
- 7.8 All contracts with consultants must include a retention fee or a penalty clause for poor performance.
- 7.9 The specifications and performance of the service provider must be used as a monitoring tool for the work that is to be undertaken and performance must be appropriately recorded and monitored.

8. VEHICLES USED FOR POLITICAL OFFICE-BEARERS

- 8.1 Should the approved capital budget of the municipality include the purchase of vehicles for official use by political office bearers, the threshold limit for such vehicle purchases may not exceed seven hundred thousand rand (R700 000) or 70% (VAT inclusive) of the total annual remuneration package for the different grades, whichever is greater.
- 8.2 The procurement of vehicles must be undertaken using the national government transversal mechanism unless it can be procured at a lower cost through other procurement mechanisms.
- 8.3 Before deciding on the procurement of a vehicle as contemplated in 8.2, the chief financial officer must provide the council with information relating to the following criteria which must be considered:
 - 8.3.1 Status of current vehicles;
 - 8.3.2 Affordability, including options of purchasing vs. renting;
 - 8.3.3 Extent of service delivery backlogs;
 - 8.3.4 Terrain for effective usage of vehicle; and
 - 8.3.5 Any other policy of council.
- 8.4 If the rental option is preferred, the Accounting Officer must review the costs incurred on a quarterly basis to ensure that value for money is obtained.
- 8.5 Regardless of their usage, vehicles for official use by public office bearers may only be replaced after completion of 120 000 kilometres.
- 8.6 Notwithstanding 8.5, a municipality may replace vehicles for official use by public office bearers before the completion of 120 000 kilometres only in instances where the vehicle experiences serious mechanical problems and is in a poor condition, and subject to obtaining a detailed mechanical report by the vehicle manufacturer or approved dealer.

9. TRAVEL, SUBSISTENCE AND ACCOMMODATION

Air travel

- 9.1 The accounting officer in respect of all officials or political office bearers and the executive mayor in respect of the accounting officer may only approve the purchase of economy class tickets for air travel.

International travel

- 9.2 International travel for any official or political office bearer can only

be approved by the municipal council in a council meeting open to the public with a supporting vote of the majority of the members of the municipal council present.

- 9.3 The report to council for approval of international travel must include:
- 9.3.1 A motivation why the international travel is seen as critical and fully setting out the anticipated benefit that the municipality will derive from attending the event, meeting or function;
 - 9.3.2 If international travel to the destination or event was previously undertaken, state what benefits if any derived from the previous attendance;
 - 9.3.3 The full cost of the international travel including travel allowances to be paid; and
 - 9.3.4 The proposed officials and political office bearers, not exceeding three, to travel and why they have been identified.
- 9.4 The following events will not be considered critical to justify international travel whether the full cost of the travel is paid by another institution or not:
- 9.4.1 Attendance of international sporting events;
 - 9.4.2 Attendance of international social events;
 - 9.4.3 Attendance of international party-political events;
 - 9.4.4 The opening of another country's parliament or any other country's government's celebration events;
- 9.5 The accounting officer or delegated official must ensure that requirements for international travel by officials or political office bearers are not inserted into bid documents, whether it is for inspections of products at source of construction /assembly or for any other reason.

Domestic Accommodation

- 9.6 Overnight accommodation may only be booked where the return trip exceeds 500 kilometres.
- 9.7 Notwithstanding the provision in paragraph 9.7 overnight accommodation, where the return trip is 500 kilometres or less may be booked where in the view of the accounting officer or delegated official the limitation may be impractical and any of the following instances are present:

- 9.7.1 the road or any other conditions could jeopardise the safety, health and security of officials or political office bearers;
 - 9.7.2 the trips are to be undertaken over a number of consecutive days provided that a return trip is in excess of 200 kilometres;
 - 9.7.3 the starting time of the meeting or event would require the official or councilor to leave his/her place of residence before 05:00 in order to be punctual; and
 - 9.7.4 overnight accommodation is cheaper than the traveling expenses payable under council policy on travel and subsistence.
- 9.8 Any request for overnight accommodation in compliance with paragraph 9.7 or 9.8 must be motivated on a prescribed form and approved by the municipal manager or delegated official prior to the arrangement for overnight stay;
- 9.9 The written approval in terms of paragraph 9.9 must be filed with the relevant supply chain documents for the accommodation booking; and
- 9.10 A copy of such written approval in terms of paragraph 9.9 must also accompany the request for travel and subsistence.

10. CREDIT CARDS

- 10.1 The accounting officer must ensure that no credit card or debit card linked to a bank account of the municipality is issued to any official or public office-bearer.
- 10.2 Where officials or public office bearers must incur expenditure in relation to approved official municipal activities, such officials and public office bearers may use their personal bank cards or cash, and may request reimbursement from the municipality in accordance with approved policies and processes.

11 SPONSORSHIPS, EVENTS & CATERING

- 11.1 The municipality may not incur catering expenses for meetings that are only attended by persons in the employ of the municipality, unless prior written approval is obtained from the accounting officer.
- 11.2 Catering expenses may be incurred by the accounting officer for

the following, if they exceed five (5) hours:

- 11.2.1 Hosting of meetings;
 - 11.2.2 Conferences;
 - 11.2.3 Workshops;
 - 11.2.4 Courses;
 - 11.2.5 Forums;
 - 11.2.6 Recruitment interviews; and
 - 11.2.7 Council proceedings
- 11.3 Entertainment allowances of officials may not exceed two thousand rand (R2 000.00) per person per financial year, unless otherwise approved by the accounting officer.
- 11.4 Expenses may not be incurred on alcoholic beverages.
- 11.5 The regulations require *inter alia* that the accounting officer must ensure that social events are not financed from the municipality's budget however, this provision is not intended to impede on the constitutional obligation of the municipality as particularly set out in section 152, 153, 195(1)(h) and Schedule 4 Part B of the Constitution to promote and cultivate social development, economic development, good human-resource management and local tourism.
- 11.6 Social events exclude the following events linked to the strategic objectives of the municipality:
- 11.6.1 economic development events;
 - 11.6.2 cultural festivals;
 - 11.6.3 local tourism festivals;
 - 11.6.4 youth, aged, disabled and other vulnerable persons developmental events;
 - 11.6.5 civic honours events;
 - 11.6.6 staff recognition or achievement awards and functions;
 - 11.6.7 towns centennial or other significant municipal commemorating events;
 - 11.6.8 opening of facilities and buildings;
 - 11.6.9 strategic planning sessions;
 - 11.6.10 non-recreational team-building events; and
 - 11.6.11 non-recreational staff wellness functions
- 11.7 Expenditure may not be incurred on corporate branded items like clothing or goods for personal use of officials, other than uniforms, office supplies and tools of trade, unless the costs thereto are recovered from the affected officials or is an integral part of the business model of a specific project or drive.
- 11.8 The accounting officer must ensure that any sporting events, and expenditure directly or indirectly related to sporting events such as travel and accommodation cost, sporting gear and sporting regalia

are not financed from the budget of the municipality or by any suppliers or sponsors. This provision does not prohibit the municipality to incur expenditure on municipal sport facilities as per its constitutional function.

- 11.9 The accounting officer or delegated official may incur expenditure not exceeding the limits for petty cash as per the municipal Petty Cash Policy for one transaction usage, to host farewell functions in recognition of officials who retire after serving the municipality for ten or more years or retire on grounds of ill health.

12 COMMUNICATION

- 12.1 Stellenbosch Municipality may, if matters are not required to be notified through the media to the local community in terms of section 21 of the Municipal Systems Act or any other applicable legislation, advertise municipal related events on its website instead of advertising in magazines or newspapers.
- 12.2 The accounting officer must ensure that allowances to officials for private calls and data costs are limited to the amounts as determined in Council's Cellular Telephone Policy or any other applicable policy that regulates cellular calls and data cost.
- 12.3 Newspapers and other related publications for the use of officials and political office bearers must be discontinued on expiry of existing contracts or supply orders; unless, authorised by the accounting officer for officials and by the executive mayor for political office bearers that it is required for professional purposes, or where unavailable in electronic format.
- 12.4 Stellenbosch Municipality may participate in the transversal term contract arranged by the National Treasury for the acquisition of mobile communication services provided that the municipality cannot procure it at cheaper rates.

13 CONFERENCES, MEETINGS & STUDY TOURS

- 13.1 Cost containment measures with regards to conferences, meetings and study tours are dealt with in the approved Travel and Subsistence Policy.

14 OTHER RELATED EXPENDITURE ITEMS

- 14.1 All commodities, services and products covered by a transversal contract by the National Treasury must be procured through that

transversal contract before approaching the market, in order to benefit from savings and lower prices or rates that have already been negotiated.

- 14.2 Municipal resources may not be used to fund elections, campaign activities, including the provision of food, clothing and other inducements as part of, or during the election periods.
- 14.3 Procurement of elaborate and expensive office furniture must be avoided.
- 14.4 If considered a requirement, only the services of the South African Police Service may be used to conduct security threat assessments of political office bearers and key officials. A report must be submitted to the Office of the Speaker.

15 ENFORCEMENT PROCEDURES

- 15.1 Failure to implement or comply with this policy may result in any official of the municipality or political office bearer that has authorized or incurred any expenditure contrary to those stipulated herein being held liable for financial misconduct or a financial offence in the case of political office bearers as defined in Chapter 15 of the Act read with the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014.

16 DISCLOSURES OF COST CONTAINMENT MEASURES

- 16.1 Cost containment measures applied by the municipality must be included in the municipal in-year budget report and annual cost savings must be disclosed in the annual report.
- 16.2 The measures implemented and aggregate amounts saved per quarter, together with the regular reports on reprioritization of cost savings, on the implementation of the cost containment measures must be submitted to the municipal council for review and resolution. The municipal council can refer such reports to an appropriate council committee for further recommendations and actions.
- 16.3 Such reports must be copied to the National Treasury and relevant provincial treasuries within seven calendar days after the report is submitted to municipal council.

17 REVIEW PROCESS

- 17.1 This policy is a budget related policy and will be reviewed at least annually or when required by way of a council resolution, or when an update is issued by National Treasury.

18 **SHORT TITLE AND IMPLEMENTATION**

- 18.1 This policy is called the Cost Containment Policy and takes effect on 1 October 2019.

DRAFT

12.	CONSIDERATION OF ITEMS, REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS SUBMITTED VIA THE OFFICE OF THE MUNICIPAL MANAGER
-----	--

12.1	MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): [CLLR WF PIETERSEN]
------	--

12.1.1	CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO THE UPGRADE OF THE ABLUTION FACILITIES IN THE LANGRUG/MOOIWATER/GROENDAL AREA MOST NOTABLY, BLOCK J IN TERMS OF THE CONTRACT FOR LISO LUKHANYO HOLDINGS: FQ 74/19
--------	--

Collaborator No: 659400
IDP KPA Ref No: Good Governance
Meeting Date: 17 September 2019

1. SUBJECT: CONSIDERATION OF IRREGULAR EXPENDITURE INCURRED RELATING TO THE UPGRADE OF THE ABLUTION FACILITIES IN THE LANGRUG/MOOIWATER/GROENDAL AREA MOST NOTABLY, BLOCK J IN TERMS OF THE CONTRACT FOR LISO LUKHANYO HOLDINGS: FQ 74/19

2. PURPOSE

To obtain Council's approval regarding the irregular expenditure incurred for investigation by MPAC and to be recommended to and consideration by Council to write-off the expenditure in terms of the MFMA Section 32 (2).

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Informal Settlements Department submitted a variation order request to Supply Chain Management during February 2019 in order to address the increase in scope.

The contractor was asked to continue with the additional work after considering all the factors such as the health risk posed in the community, pressure from the community being affected and the financial and time implications.

5. RECOMMENDATION

that MPAC considers the irregular expenditure report relating to the upgrade of the ablution facilities in the Langrug/Mooiwater/Groendal Area most notably, Block J in terms of the Contract for Liso Lukhanyo Holdings: FQ 74/19.

6. DISCUSSION

The service provider Liso Lukhanyo Holdings was appointed under FQ74/19 for the refurbishment of existing ablution facilities in Franschoek. The scope of works included repairing or replacing of ablution facilities, plumbing and grey water channels.

Soon after the contractor was appointed it came to the attention of the Informal Settlements Department that an ablution facility in the Franschoek environs, is in urgent need of repairs. This facility services about sixty (60) families.

However, none of the toilets at the facility were working at the time due to a combination of factors amongst others, overuse of the facility and the downstream blockages of the infrastructure which lead to blockages, pipe breaks and spillages. This meant that raw sewerage was flowing on the service and amongst the structures. This caused a serious health risk and the people were complaining about an excessive number of diarrhoea cases, especially amongst the children. It was there for imperative to address the situation with urgency.

A site visit to the ablution block together with the service provider Liso Lukhanyo Holdings was conducted. This was to determine the extent of the work and what the cost implication would be if this was made part of their project scope.

The Informal Settlements Department submitted a variation order request to Supply Chain Management during February 2019 in order to address the increase in scope.

Notwithstanding the situation on the ground escalated to extent that the residents were throwing their nightsoil in the streets and other common public places. See **ANNEXURE A**. The community became very irate and in order to calm the situation the contractor was asked to repair the toilet(s) and unblock the sewer in order for the community to have access to waterborne ablution again.

The contractor was nearing the end of the work for which he was initially appointed for and once he leaves the site, it will have a significant impact on the price for the additional work. The contractor was asked to continue with the additional work after considering all the factors such as the health risk posed in the community, pressure from the community being affected and the financial and time implications.

7. FINANCIAL IMPLICATIONS

The original appointment was for R120 000.00 and the additional work was for R18 500.00 which is 15% of the original appoint. **ANNEXURE B**.

8. LEGAL IMPLICATIONS

The recommendation in this report comply with Council's policies and all applicable legislation MFMA Section 32(2).

- 7.1 Goods/services identified on this invoice was received;
- 7.2 As per the attached order, all goods and services are allocated to the specified budget vote; and
- 7.3 Adequate funds are available on the Budget Vote.

9. COMMENTS FROM THE MUNICIPAL MANAGER

See below.

MPAC MEETING: 2019-09-17: ITEM 5.1

It was noted that the MPAC Chairperson had requested clarity on the background of the item prior to the meeting, in order to determine whether the matter indeed relates to irregular expenditure or not.

During the discussion of the item, the Municipal Manager provided the following clarifying comments:

- (i) this expenditure relating to the upgrade of the ablution facilities was not an irregular expense as defined in the Municipal Finance Management Act, Act 56 of 2003;

-
- (ii) all MFMA provisions for additional expenditure were correctly followed;
 - (iii) the procured services were rendered to the Municipality, and the amount has been paid within the prescripts of the MFMA; and
 - (iv) that this matter should not have been brought to MPAC insofar as no breach of any legislated prescripts has occurred.

RECOMMENDATIONS FROM MPAC TO COUNCIL: 2019-09-17: ITEM 5.1

That it be noted

- (i) that the expenditure incurred is not irregular as defined in the Municipal Finance Management Act, Act 56 of 2003; and
- (ii) that the services were rendered and paid for within the prescripts of the MFMA.

ANNEXURES

Appendix A: Before / After images;

Appendix B: Order number.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Tabiso Mfeya</i>
POSITION	<i>Director</i>
DIRECTORATE	<i>Planning & Economic Development</i>
CONTACT NUMBERS	<i>021-808 8493</i>
E-MAIL ADDRESS	Tabiso.Mfeya@ Stellenbosch.gov.za
REPORT DATE	<i>16 August 2019</i>

ANNEXURE A



BEFORE

ANNEXURE A (1)





ANNEXURE A (2)

AFTER





ANNEXURE A (2)

AFTER



ANNEXURE B



Stellenbosch

AMPTELIKE BESTELLING
OFFICIAL ORDER

Stellenbosch

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

17 STELLENBOSCH 599
021 808 8520
021 808 8688

BESTEL NR. / ORDER NO.

352822

DATUM / DATE

24/01/2019

LISO LOKHANYO HOLDINGS
32 MASITHANDANE STREET
KAYAMANDI
STELLENBOSCH
7600

KREDITEUR NR.
CREDITORS NO. **011840**

KONTAK PERSOON / CONTACT PERSON

CHRISTINE DU PREEZ
Requisition No. **1057930**

REKWISISIE REQUISITION	LYN 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
			FQ74/19: THE UPGRADING OF BLOCK J ABLUTION FACILITY IN THE			120000.00		120000.00

NAMENS / FOR:
STADSRaad
TOWN COUNCIL **STELLENBOSCH**

HANDELERING
SIGNATURE
DEPARTMENT
DEPARTMENT

TOTAAL
TOTAL

120000.00

13.	REPORTS BY THE MUNICIPAL MANAGER
------------	---

13.1	STREET PEOPLE POLICY
-------------	-----------------------------

Collaborator No: 655303
IDP KPA Ref No: Dignified Living: Municipal Focus Area 21
Meeting Date: 25 September 2019

1. SUBJECT: STREET PEOPLE POLICY

2. PURPOSE

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

3. DELEGATED AUTHORITY

FOR DECISION BY MUNICIPAL COUNCIL.

4. EXECUTIVE SUMMARY

The application 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

5. RECOMMENDATION

that Council approves the Policy on Street People.

6. DISCUSSION / CONTENTS**6.1 Background**

According to the March 2015 Human Science Research Council's review, homelessness cannot be understood by only focusing on the concept of home or shelter. It is important to consider the psycho-socio economic drivers and outcomes of homelessness. These include factors such as substance abuse, family dysfunction and conflict, mental and physical health issues, and criminal affiliation. Among others, socioeconomic factors include poverty, unemployment, and a lack of social security and housing. These factors may be both the drivers and outcomes of homelessness. Homelessness is not unique to Stellenbosch or South Africa for that matter.

The objective of the draft policy is to provide a framework for collaboration between different spheres of government and civil society with the aim of formulating a municipal wide approach to dealing with the reality of persons living and begging on the street taking into account the following factors:

- Some persons begging on the streets of the Greater Stellenbosch is not from Stellenbosch, but travel here in order to benefit from the street economy resulting from the high presence of tourists.
- Some persons begging on the streets are not homeless, but operate under the pretence of homelessness in an organized criminal network.
- Some persons living on the streets have family, but the relationships have broken down to such an extent that re-unification is not possible.
- There is a high prevalence of health (physical and psychological) problems, substance abuse and addiction among persons operating on the streets.
- Some persons on the streets landed there due to economic hardship and struggle to find their feet in order to obtain some form of self-reliance.
- Some persons living on the streets do not want to be part of a structured environment and prefer the freedom obtained from not having to answer to any person.

With the above in mind it is clear that one approach to addressing the problem and providing for homeless citizens will not create a solution. The spectrum of persons on the street indicates different needs and different solutions to addressing the phenomena.

6.2 Discussion

Council resolved at the 11th Council Meeting on 30-08-2017:

- (a) that Council approve the draft policy on Street People (as amended) in principle to provide a framework for the Department Community Development to start consultation with civil society on a collaborative approach to dealing with people living on the street;
- (b) that the draft Policy on Street People go out for public participation, which include consultation with civil society; and
- (c) that all inputs and comments received from the public participation- and consultation process be first considered by Council before a final decision is made on the approval of the Street People Policy for implementation.

The department started with the consultation process by identifying and inviting local stakeholders to a series of workshops to discuss and streamline a policy that would be implementable through collaboration between the municipality, provincial government and existing local NGO's. Stakeholders indicated that they see the need for a uniform approach to service delivery to persons living on the street, but was only willing to dedicate time for one session per quarter. A variety of issues relating to services were identified and it became clear that the local stakeholders did not agree with the draft policy as their individual capacity (staff and financial resources) along with their current programmes and mandate do not allow for taking on the additional responsibility for the implementation of the policy. Clarity was required regarding:

- (a) An acceptable communication strategy is required
- (b) Availability of feeding street people 7 days a week in order to address the economic aspect of begging on the street.
- (c) Service delivery after hours and over weekends
- (d) Defining the categories of homelessness ("Real homelessness vs opportunistic incomers vs youth and drugs who do have families vs first time street people") with each requiring a different response.
- (e) How does the policy address children on the street and the requirements of the Children's Act.
- (f) Elderly persons on the street
- (g) The suggested or draft flow diagram for service delivery: It was indicated that it speaks to among others, field workers which none of the organizations has access to.
- (h) Establishment of Local Networks of Care for each area (do not have the capacity as each of the organizations deliver services in a very limited area of the municipality)
- (i) Establishment and driving of a network for organizations delivering services (the organizations felt that they do not have the time to sit in meetings).
- (j) The need for a centralized database of persons on the street and services delivered was agreed upon.
- (k) The existing conundrum resulting from the difference in approach between social service delivery and law enforcement.
- (l) The exact role of local government in relation to these kind of services and to what extent the municipality will contribute resources to the implementation of the policy.

From the three discussions that were conducted with the stakeholders (bearing in mind that the Provincial Department of Social Development did not attend a session) and the above list of issues that would need to be incorporated into the policy, it became clear that the draft policy as approved by council is not ready to be distributed for public comment as it raised more questions than the stakeholders had answers for.

There was a general willingness to be involved in the creation of a solution and/or Stellenbosch response to homelessness, but stakeholders expressed reservations

regarding the commitment of provincial government. The scepticism that the municipal policy is a response to “clean up the streets” was also raised.

In an effort to create more momentum, a further workshop was conducted with a wider audience to also include the view of other sectors including safety and security, business and churches among others. The result of this workshop was a map of required actions and strategies as perceived by the sectors present. The following four strategies, each with its own possible actions, were mapped (**APPENDIX 1**) to reach the common goal of “Making Stellenbosch Streets Safe”.

- 1) Public Education and Awareness
- 2) Empowering Street People to be self sufficient
- 3) Preservation of Human Dignity
- 4) Prevention

The draft policy approved in August 2017 was adjusted to include inputs received from the sector NGO's and was aligned with the current Grant in Aid policy to provide funding support for the implementation of the policy. The changes can be seen in track change format (**APPENDIX 2**) and without track changes (**APPENDIX 3**) for easier reading.

6.3 Financial Implications

It is still not clear what the R value is for implementation of the policy. The following considerations for financial implications should be noted:

1. Council approved the Grant in Aid policy which allow for donations in excess of R40 000 per annum for services aimed towards people living on the street. It requires a three year plan with specific outcomes and can be considered as a mechanism through which Council can financially support initiatives towards addressing the issue of people living on the street.
2. The need for a centralised database was identified. The cost thereof and the operation and upkeep of the information is not clear, but has also been identified as the responsibility of the NGO sector who can report to council.
3. The need for a uniform awareness and communication plan was identified. It is the opinion of the Department Community Development that it falls within the ambit of the departmental role and should be the financial responsibility of the municipality.

6.4 Legal Implications

The mandate for social services remains a provincial competency.

6.5 Staff Implications

In the current form, the policy does not have staff implications for the municipality.

6.6 Previous / Relevant Council Resolutions

Council resolved at the 11th Council Meeting on 30-08-2017:

- (a) that Council approve the draft policy on Street People (as amended) in principle to provide a framework for the Department Community Development to start consultation with civil society on a collaborative approach to dealing with people living on the street;

-
- (b) that the draft Policy on Street People go out for public participation, which include consultation with civil society; and
 - (c) that all inputs and comments received from the public participation- and consultation process be first considered by Council before a final decision is made on the approval of the Street People Policy for implementation.

6.7 **Risk Implications**

None

6.8 **Comments from Senior Management**

The policy was presented at the Directors' Forum meeting of 30 October 2018, and in principle approval was received by all Directors and the Municipal Manager.

ANNEXURES (Not attached to this item as it already served at Council).

Appendix 1: Strategy Map for service delivery

Appendix 2: Draft Street People Policy for consideration with track changes

Appendix 3: Draft Street People Policy for consideration without track changes

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.

FURTHER COMMENTS

The draft policy was made available on the municipal website and sent with a request for comment to all persons who attended the previous workshops on Street People. One (1) comment was received on 1 May 2019: **ANNEXURE A**.

"Dear Michelle

Congratulations on a well thought out and articulated document. It is very clear and fair and the Stellenbosch Night Shelter looks forward to assisting as we do in our particular field.

Kind regards

Dorothy Reyneke

Chairperson: Stellenbosch Night Shelter".

The above comment is noted.

An advert was placed for public comment in the Eikestad Nuus of 2 May 2019 with a closing date of 1 June 2019. By the closing date one (1) comment was received. See attached as **ANNEXURE B**.

Due to the nature of the comment, a meeting was held with Ms C Macleod to ensure that the department understands and interprets the inputs correctly.

“Section 8.3 proves problematic. Even though it is the mandate of the provincial government to deal with street children guided by the Children’s Act. This type of collaboration between local and provincial/national government should be specified. A designated liaison or social worker should be set up within the municipality to identify street children within the municipality and compile the necessary information to ask for provincial intervention. This identification should happen at a local level because those who work intimately in the community will have a greater understanding and awareness of the individuals that require help and support.

Therefore the policy should explicitly state what department or specific position within the municipality should be mandated to deal with street children. To make a programme a focal point within the policy can cause issues, as programmes can have funding cuts or change in mandate. However, allowing for a designated person or liaison allows for continuity within the bureaucracy. If a person is already mandated then it should be incorporated as a responsibility within the policy.”

The above-mentioned was explained in more detail in the Draft Street People Policy with track changes. (**ANNEXURE C**)

“Section 11: “Make Stellenbosch Municipality Safe”

On page 9 of the draft document under section 11, the goal: “Make Stellenbosch Municipality Safe” further enforces the idea that the issue is being addressed from the point of securitisation/security instead of looking after our most vulnerable citizens. Those who are on the streets are there because of the inequalities that exist within our society, for example, difficulty finding employment, substance abuse, etc. as outlined in the problem statement. If the ultimate goal is safety, it will lead to the issue further being addressed through the criminalisation of poverty. Therefore the ultimate Goal under policy directives should not be to make Stellenbosch Streets Safe but rather address the indignity of people who are subjected to living on the streets of Stellenbosch.”

The above comment is noted. It was explained that the goal of “making Stellenbosch safe” does not imply that the issue of managing homelessness is a law enforcement issue, but that the goal is to make Stellenbosch safe for all – including street people by ensuring they have access to dignified services. This comment is not incorporated into the policy.

“Mandate for an Office or Hub to co-ordinate Efforts

Finally, the policy clearly has a variety of stakeholders. I feel the policy does a good job in outlining the various stakeholders and whom the municipality needs to coordinate with. However, what the policy needs to address is the issue of how all these stakeholders can come together at a grassroots level. Being able to access information through websites and at a tourism office does not benefit street people who do not have access to technological facilities or who would feel unwelcome coming into a tourism office, especially since the policy has outlined the issue of begging regarding tourists and students. The policy should call for a unified hub or office where the variety of services are available for street people, such as employment opportunities, substance abuse assistance, assistance with grant’s, etc.

These offices could be a unified space where non-governmental organisations and non-profit organisations can work alongside the government to issue the services and needs of street people in Stellenbosch. This office could work through the use of social workers on the street that identifies and build a rapport with street people to encourage them to seek assistance. The municipality could provide this office as a space for these groups. This would generate a coordinated effort, as well as a dignified one where people don't have to walk Km's and go to different areas to seek the help they need."

Track changes incorporated in policy to address above comment.

ANNEXURES

- Annexure A** Comments received: Stellenbosch Night Shelter
Annexure B Comments received C Macleod
Annexure C 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	04/07/2019

ANNEXURE A

Michelle Aalbers

From: Dorothy Reyneke <dmreyneke@gmail.com>
Sent: 01 May 2019 06:52 PM
To: Michelle Aalbers
Subject: [EX] Re: Request for Quotation: Design and publish - Eikestad Nuus

Dear Michelle

Congratulations on a well thought out and articulated document. It is very clear and fair and the Stellenbosch Night Shelter looks forward to assisting as we do in our particular field.

Kind regards

Dorothy Reyneke

Chairperson: Stellenbosch Night Shelter

Sent from my iPad

On 29 Apr 2019, at 08:20, Michelle Aalbers <Michelle.Aalbers@stellenbosch.gov.za> wrote:

Dear all

The much awaited Draft Street People Policy served at Council in April and was approved for public comment. Please find the document by following the link

<https://www.stellenbosch.gov.za/documents/municipal-policy/7935-draft-street-people-policy/file>

Your comments by 1 July 2019 to michelle.aalbers@stellenbosch.gov.za

Regards

Michelle

<image005.png>

[<119042908201711003.png>](#)



[<119042908201708603.png>](#)

About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.

Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

Disclaimer:

The information contained in this communication from michelle.aalbers@stellenbosch.gov.za sent at 2019-04-29 08:20:17 is confidential and may be legally privileged. It is intended solely for use by dmreyneke@gmail.com and others authorized to receive it. If you are not dmreyneke@gmail.com you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [Afrovation](#)

ANNEXURE B

Michelle Aalbers

From: CRISTAN MACLEOD <cristanleemacleod@gmail.com>
Sent: 26 May 2019 10:25 AM
To: Michelle Aalbers
Subject: [EX] Comments on Street People's Draft Policy: Cristan MacLeod.
Attachments: stellenbosch municapilty street people policy.pdf

Dear Michelle Aalbers,

I hope this email finds you well. My name is Cristan MacLeod and I reside within ward 8 of Stellenbosch Municipality and also sit on the ward committee. I am also a Master's student in Political Science at Stellenbosch University. We were encourage by our ward councilor and committee to share our thoughts and opinions on the Street People's Draft Policy.

Please see attached my comments on the policy. I hope my comments can help in providing some meaningful feedback.

Kind regards,

Cristan

Street Children:

Section 8.3 proves problematic. Even though it is the mandate of the provincial government to deal with street children guided by the Children's Act. This type of collaboration between local and provincial/national government should be specified. A designated liaison or social worker should be set up within the municipality to identify street children within the municipality and compile the necessary information to ask for provincial intervention. This identification should happen at a local level because those who work intimately in the community will have a greater understanding and awareness of the individuals that require help and support.

Therefore the policy should explicitly state what department or specific position within the municipality should be mandated to deal with street children. To make a programme a focal point within the policy can cause issues, as programmes can have funding cuts or change in mandate. However, allowing for a designated person or liaison allows for continuity within the bureaucracy. If a person is already mandated then it should be incorporated as a responsibility within the policy.

Section 11: "Make Stellenbosch Municipality Safe"

On page 9 of the draft document under section 11, the goal: "Make Stellenbosch Municipality Safe" further enforces the idea that the issue is being addressed from the point of securitisation/security instead of looking after our most vulnerable citizens. Those who are on the streets are there because of the inequalities that exist within our society, for example, difficulty finding employment, substance abuse, etc. as outlined in the problem statement. If the ultimate goal is safety, it will lead to the issue further being addressed through the criminalisation of poverty. Therefore the ultimate Goal under policy directives should not be to make Stellenbosch Streets Safe but rather address the indignity of people who are subjected to living on the streets of Stellenbosch.

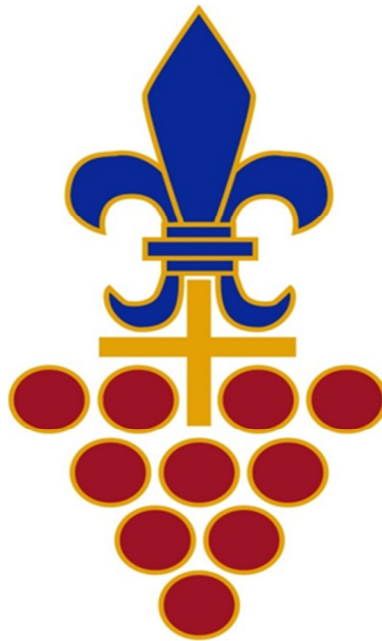
Mandate for a Office or Hub to co-ordinate Efforts

Finally, the policy clearly has a variety of stakeholders. I feel the policy does a good job in outlining the various stakeholders and whom the municipality needs to coordinate with. However, what the policy needs to address is the issue of how all these stakeholders can come together at a grassroots level. Being able to access information through websites and at a tourism office does not benefit street people who do not have access to technological facilities or who would feel

unwelcome coming into a tourism office, especially since the policy has outlined the issue of begging regarding tourists and students. The policy should call for a unified hub or office where the variety of services are available for street people, such as employment opportunities, substance abuse assistance, assistance with grant's, etc.

These offices could be a unified space where non-governmental organisations and non-profit organisations can work alongside the government to issue the services and needs of street people in Stellenbosch. This office could work through the use of social workers on the street that identifies and build a rapport with street people to encourage them to seek assistance. The municipality could provide this office as a space for these groups. This would generate a coordinated effort, as well as a dignified one where people don't have to walk Km's and go to different areas to seek the help they need.

ANNEXURE C



STELLENBOSCH MUNICIPALITY

STREET PEOPLE POLICY

Draft
7/4/2019

Contents

1. Abbreviations	2
2. Definitions	3
3. Problem Statement	4
4. Purpose and Focus	5
5. Desired Outcomes.....	5
6. Declaration.....	5
7. Policy and Strategic Intent	6
8. Policy Parameters	7
9. Role players and stakeholders	7
10. Regulatory context.....	8
11. Policy Directives	9
12. Roles and Responsibilities.....	10

1. Abbreviations

CBO:	Community Based Organisation
CD:	Community Development Section
CDS :	Community Development Strategy
CWP:	Community Works Programme
ECD:	Early Childhood Development
FBO:	Faith Based Organisation
GiA:	Grant in Aid: Stellenbosch Municipal Annual Grant Programme
IDP:	Integrated Development Plan
M & E:	Monitoring and Evaluation
NGO:	Non-Governmental Organisation
SASSA:	South Africa Social Service Agency
SSI:	Stellenbosch Safety Initiative
WC024:	Stellenbosch Municipal Area

2. Definitions

“Assessment Centre”: means a facility which provides psycho-social assessment and development of a street person’s personal development plan, provides counselling and referrals, refers people to relevant services.

“Family”: means individuals who, either by contract or agreement chooses to live together and function as a unit in a social and economic system. The family is envisaged as the primary social unit, which ideally provides care, nurturing and socialisation for its members. It seeks to provide them with physical, economic, emotional, social, cultural and spiritual support.

“Life-skills Training”: means training in skills that enhance social, emotional, psychological and spiritual functioning, for example, assertiveness training or stress management.

“Mental Illness”: means mental illness as defined in the Mental Health Care Act, 2002 (Act 17 of 2002)

“Prevention Programmes”: means developmental programmes for children, youth and adults and may be provided at schools, in households or at the community level.

“Shelter”: means a residential facility providing temporary accommodation, care, social work services and opportunities for education and training to self-referred people living on the streets. Shelters facilitate the process of social reintegration of street people.

“Social Services Professional”: includes probation officer, development worker, child and youth worker, auxiliary worker and social security worker who are registered as such in terms of the Social Service Profession Act, Act No. 110 of 1978.

“Social Worker”: means a person who is registered as a social worker in terms of the Social Services Profession Act, Act No. 110 of 1978.

“Street Adult”: means any person who is over the age of 12 years and older who, for any reason, finds themselves living and working on the streets. Street adults are further sub-divided as follows: Adult: 18 years - 55 year and Aged person: 60 years and over.

“Street Child”: means a child who because of abuse, neglect, poverty, community upheaval or any other reason, has left his or her home, family or community and lives, begs or works on the streets; or because of inadequate care, begs or works on the street but returns home at night. Street Children are further sub-divided as follow: Infant: 0-2 years, Toddler/Pre-school child: 2-7 years and Children: 7-12 years.

“Street People”: means people, who for any reason use the outdoors as a place of abode for a lengthy period of time. Cognisance is taken of the fact that the definitions of ‘child’, ‘youth’ and ‘adult’ for legal purposes are contained within the Criminal Procedures Act and the justice system. The term, ‘street’ includes all areas open spaces and river banks.

“Street People Database”: means the comprehensive collection of confidential records of street people, itemising personal details, what services they have already accessed ,how frequently, what services they still need to access and the length of time they have lived on the streets.

“Street Youth”: means a person over the age of 12 years and under the age of 18 years who for any reason finds him/herself living on the street.

3. Problem Statement

- 3.1. According to the March 2015 Human Science Research Council's review, we cannot understand homelessness by only focusing on the concept of home or shelter. It is important that we also consider the psycho-socio economic drivers and outcomes of homelessness. These include factors such as substance abuse, family dysfunction and conflict, mental and physical health issues, and criminal affiliation. Among others, socioeconomic factors include poverty, unemployment, and a lack of social security and housing. These factors may be both the drivers and outcomes of homelessness.
- 3.2. Homelessness is not unique to Stellenbosch or South Africa for that matter. Street people exist in cities around the world. A study in 2010 suggested that there are between 100 000 to 200 000 street people in South Africa's urban and rural districts. According to the statistics of a local Stellenbosch organization working with people living on the street it is estimated that on any given day 150 people will find themselves on the streets of Stellenbosch Central near transport hubs where economic opportunities exist. These statistics do not include the other communities within the municipal area. (Franschhoek, Klapmuts and others).
- 3.3. Living on the street makes street people more vulnerable to abuse and live with the problems of illiteracy, substance abuse, hunger and malnutrition, inadequate shelter, sexual exploitation, criminal abuse, physical and mental health problems.
- 3.4. Many people on the streets of Stellenbosch town are not living on the street, but have taken to begging on the street as an easy way of accessing money. Some are from local communities and others travel daily from surrounding areas like Kuilsrivier as Stellenbosch is perceived as a place where students and tourists are easy targets for begging.
- 3.5. A further worrying component is persons with criminal intent who operate under the guise of homelessness in order to plan and execute criminal activities.
- 3.6. The behaviour of people living on the street negatively impacts on both service delivery to residents and costs to the administration of The Greater Stellenbosch. The Stellenbosch Municipality by-law relating to Streets, Public Places and the Prevention of Noise Nuisances regulates this anti-social behaviour in public spaces. Violations of the by-law by street people acts to overburden law enforcement agencies. The current bylaw is seen as unconstitutional as it criminalizes poverty.
- 3.7. The issues facing street people are complex and multi-faceted. The most obvious responses to the existence of street people, such as providing money and "hand outs" directly to street people, often exacerbate the problem. This is especially apt for Stellenbosch with a large student and tourist population.

4. Purpose and Focus

- 4.1. The purpose of this policy is to manage Street People in the Stellenbosch Municipal area as part of an integrated and holistic approach to community development.
- 4.2. The central focus of this policy document is to define how Stellenbosch Municipality can play a *meaningful, enabling, collaborative and facilitating role* in managing the social and economic challenges linked to the phenomenon of Street People in the Greater Stellenbosch

5. Desired Outcomes

- 5.1. This Policy seeks to articulate the Stellenbosch Municipality's role in identifying and providing street people with the necessary developmental assistance to access accommodation, health services, skill-development services, employment, social grants and aid in facilitating the reintegration or reunification of street people into families, community and society.
- 5.2. The Policy clarifies the roles and responsibilities of role-players in Stellenbosch Municipality as well as external NGOs and service providers working for or on the Municipality's behalf.
- 5.3. The Policy provides for the establishment and support of a local network of service providers to assist with the implementation of this policy.

6. Declaration

Stellenbosch Municipality will seek to develop programmes and projects that would enable relevant municipal service departments and civil society institutions to adequately manage the men, women and children that live on the streets of the municipality. It is our declared endeavour to employ a holistic, developmental and integrated approach in the programmes and projects directed at Street People.

Stellenbosch Municipality therefore supports the following:

- 6.1. It is the right of the Street People of Stellenbosch to live with dignity and to be granted the opportunity to develop to their full potential.
- 6.2. It is the right of residents of Stellenbosch to live and work in their communities without being subjected to socially unacceptable behaviour such as harassment or criminal activity.
- 6.3. Stellenbosch Municipality will ensure that service departments of the municipality deal with Street People in a responsible and dignified manner in order to gain their trust and respect.
- 6.4. Stellenbosch Municipality will promote collective networking and cooperation between role-players and stakeholders involved in working with street people.
- 6.5. Stellenbosch Municipality believes that a cash economy with easy access to money on the streets combined with low educational levels perpetuates the unwillingness/inability to obtain or keep meaningful employment and thus subscribe to a give responsibly campaign through which immediate social relief can be obtained.

7. Policy and Strategic Intent

This policy aligns with a number of overarching strategy documents and policies that inform the Municipality's priorities.

7.1. Integrated Development Plan

7.1.1. The Integrated Development Plan (IDP) is the Municipality's overarching framework strategy that shapes the policies, programmes and budget priorities of the administration for the next five years. The Street People Policy is aligned with IDP's Strategic Focus Area aimed at achieving 'Dignified Living'.

7.1.2. Street people are a particularly vulnerable group and thus require a concerted effort to ensure they are recognised as part of the community we serve and thus included in the services we plan for.

7.2. Municipal Community Development Strategy

7.2.1. The Municipal Community Development Strategy is an approved plan of Stellenbosch focussing on the needs of vulnerable persons and communities. It consists of 6 goals, one of which is goal 2 focuses on "to facilitate and coordinate the development and sustainment of networks and partnerships". These networks and partnerships are aimed at addressing the needs of vulnerable persons within our communities.

7.3. Stellenbosch ECD (Early Childhood Development) Policy

7.3.1. Section three of the policy identify the results of not being able to access ECD facilities as among others, stunting, poor school performance and poverty. All of which contributes to persons being vulnerable, struggling to find meaningful employment and susceptible to disease, substance abuse and involvement in criminal activities. Factors that can be attributed to people landing up on the streets.

7.4. Stellenbosch Municipal Grant in Aid (GiA) Policy

~~7.4.1. Section 6.2.6 makes provision for financial support through the GiA policy to organisations that provide a comprehensive response to the prevention, reduction, outreach and stabilisation of street people as a Category B Grant in Aid application. Organisations or bodies that provide a continuum of services and that collaborate with businesses, government departments and other organisations are preferred. Street people programmes listed in Category A shall fall under this category if provision is made for overnight stay. The required outcome of this type of collaboration will allow for a network of services speaking to actions identified under the four strategies listed under the policy directives in point 11 with the main applicant coordinating all services. It does not necessarily require shared office space as organizations can continue to deliver services from their current premises, but can allow for access to available space where organizations can start new shared services like community gardens or other employment creation projects.~~

Projects/programmes must include the following but are not limited to:

- (i) Provision of basic services (overnight facility, shower, morning and evening meals)
- (ii) Provision of social work services inclusive of referrals
- (iii) Family re-integration services
- (iv) Social support
- (v) Community work programme
- (vi) Facility maintenance (Infrastructure and operational equipment)

8. Policy Parameters

- 8.1. The policy affects all street people living in the Stellenbosch Municipality municipal area.
- 8.2. This policy aims to provide a municipal wide collaboration between the municipality and external role players on the way in which all parties will approach and manage street people within WC024.
- 8.3. This policy does not apply to street children. The Street People Programme will collaborate with the Early Childhood Development programme and Provincial Government of the Western Cape and their designated partners (ACVV and Child Welfare SA), to deal with street children as it is necessary. This collaboration is guided by the Children's Act, Act 38 of 2005. Collaboration between the municipality and the above mentioned entities will be directed through the Department Community Development, specifically the official responsible for children.
- 8.4. The policy has transversal implications as its provisions apply to projects and programmes run by the Community and Protection Directorate, Local Economic Development Department (CWP Unit), Parks, Sport and Recreation Section and Solid Waste Department.
- 8.5. This policy shall guide the work of NGOs or CBOs conducting projects on behalf of, or in partnership with the Stellenbosch Municipality.

9. Role players and stakeholders

- 9.1. The Community Development Section, Community and Protection Services Directorate
 - 9.1.1. The Community Development Section (CD) will be the main champion of the implementation of this policy.
 - 9.1.2. CD will work with Provincial Health Department and NGO's to develop a referral network for street people that have mental or physical health problems.
 - 9.1.3. CD will work with CWP Unit to facilitate access to temporary job creation opportunities for street people in collaboration with local service providers.
 - 9.1.4. CD shall facilitate partnerships with role-players in the sector.
 - 9.1.5. CD shall lead and facilitate internal partnership to provide holistic, integrated services to street people.

- 9.2. Protection Services Department, Community and Protection Services Directorate
- 9.2.1. The Law Enforcement & Security Section works with CD to address anti-social behaviour as and when it is seen in street people. They will also collaborate with the SSI in this matter.
- 9.2.2. Law Enforcement & Security Section is responsible for by-law enforcement.
- 9.3. Other Relevant Stakeholders include inter alia:
- Internal Stakeholders
- 9.3.1. Finance Directorate
- 9.3.2. Human Settlements Directorate
- 9.3.3. CWP Unit
- 9.3.4. Tourism Unit
- 9.3.5. Communications Department
- 9.3.6. Portfolio Councillor, Ward Councillors and committees
- External Stakeholders:
- 9.3.7. NGOs
- 9.3.8. CBOs
- 9.3.9. Provincial Department of Social Development
- 9.3.10. Provincial Department of Health
- 9.3.11. South African Police Services
- 9.3.12. Faith-Based Organizations
- 9.3.13. Tertiary or research institutions
- 9.3.14. Donors
- 9.3.15. Tourism bodies
- 9.3.16. Media

10. Regulatory context

- 10.1. The United Nations Convention on the Rights of Persons with Disability
- 10.1.1. States parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk.
- 10.2. The Constitution of the Republic of South Africa, Act No 108 of 1996
- 10.2.1. Chapter 2 of the Constitution, the Bill of Rights, “enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedoms human rights for everyone in South Africa”. This is particularly important for street people who are extremely vulnerable to abuse.
- 10.3. The Social Assistance Act, Act No. 59 of 1992 as amended 2008.
- 10.3.1. The Social Assistance Act makes provision for access to government social assistance services through the South African Social Security Agency (SASSA).
- 10.3.2. This Act applies to adults living and working in the street in the sense that it makes provision for the processes to access old age pension, disability and/or other grants.

10.4. The Promotion of Equality and Prevention of Unfair Discrimination Act, Act No 4 of 2000

10.4.1. Chapter 5 Section 28 makes it very clear that all entities delivering services to members of public must adopt viable action plans for the promotion and achievement of equality in respect of race, gender and disability. This has reference not only to attitude and behaviour, but also on physical accessibility and non-discrimination.

10.5 Stellenbosch Municipal Street By-law (04/06/2010), Provincial Notice 6756 makes anti-social behaviour, drinking, urinating, defecating and sleeping in public places and begging among others an offence.

11. Policy Directives

Through a consultative process, the following was determined as the directive for a Stellenbosch Street People Policy:

GOAL: MAKE STELLENBOSCH STREETS SAFE	
<u>Ensuring persons on the street have access to dignified services to provide for their basic needs contributes to making the environment safe for all.</u>	
Strategy 1: Education and Awareness	
Possible Actions	Role Players
<ol style="list-style-type: none"> 1. Adopt the Give Responsibly Campaign 2. Clear Policies 3. Digital / Physical coupon system 4. Homeless fund 5. Job Network – where people can advertise for available work 6. Community education re the type of questions to ask if approached by person for money that would assist to develop a Stellenbosch profile 7. Clear information and education about available services at schools, churches, tourism offices, hospitality industry 8. Clarity on legal issues 9. Trained and informed Law Enforcement Officers <u>10.</u> Updated database of available services and organisations available on municipal website and at tourism offices 	
Strategy 2: Empowering people to be self-sufficient	
Possible Actions	Role Players
<ol style="list-style-type: none"> 1. Homeless fund 2. Job Network – where people can advertise for available work 3. Community Works Programme 4. Effective screening of who wants to work 5. Database shared between organizations 6. Skills Training (Abet, gardening) 7. Lifeskills and job readiness training <u>8.</u> Mentorship 	

Strategy 3: Preserve Human Dignity	
Possible Actions	Role Players
<ol style="list-style-type: none"> 1. Local Collaborative Network of people and organizations wanting to be involved 2. Clarity on Legal issues 3. Trained and informed officers 4. Adopt a street person 5. Database shared between organizations 6. Street Shelter 7. Night Shelter 8. Feeding programme 9. Foster Family support 10. Showers and Facilities 11. Assessment Intake Centre 12. Referral of all children on the street to DSD and their partners 13. Referrals for specialised services for substance abuse and mental and physical health issues 14. Access to Social Work Services 15. Applications for admission to old age homes 16. Reward Programme that will allow access to ID documents and material resources 17. Family re-unification programme 	
Strategy 4: Prevention	
Possible Actions	Role Players
<ol style="list-style-type: none"> 1. Strengthening the ECD Programme 2. Holiday Programmes for children 3. Strengthening families 4. Single parent support groups 5. Accessible Social Services and access to SASSA grants 6. By-law enforcement 	

12. Roles and Responsibilities

In order to achieve a holistic integrated approach to the management and care of people living on the streets of Stellenbosch, collaborative efforts are required from a variety of different role players and stakeholders. These include, but are not limited to:

- 12.1. Street People and Families:
 - Accept responsibility for personal development.
 - Actively participate in available programmes and services.
 - Take responsibility to care for family members and participate in re-unification programmes
 - Understand the principle of having to contribute towards access to social relief in some or other way
- 12.2. Stellenbosch Municipality:
 - Utilize Grant in Aid funding in line with the applicable policy to fund a collaborative approach inclusive of network development and maintenance, and holistic programme implementation (social work services inclusive of an assessment centre, street people database

development and maintenance, profiling of people on the street, empowerment and job creation programme, networking and collaboration of all programmes).

- Facilitating job creation through CWP
- Creating awareness of the issue and ensuring that the local communities are educated about the initiatives for Street People, so that donations and support are not given directly to Street People, but channelled to local service providers serving people on the street.
- Consistent enforcement of all by-laws
- Ensuring that all municipal staff are trained on the issue of street people in order to deal with the phenomenon in a dignified way
- Promote collective networking and cooperation between role-players and stakeholders involved in working with street people
- Ensuring that people who are found to exhibit anti-social behaviour or by-law transgressions are dealt with in terms of the prevailing municipal and SAPS sanctions
- Availing under-utilised municipal infrastructure to benefit collaborative street people programmes
- To agree on the respective roles of provincial and local government
- Encourage inter-departmental cooperation within provincial government

12.3. Service providers / Institutions:

- To facilitate job creation for persons living on the street
- To create and develop partnerships between NGO's, the private sector, the public sector and Local Government
- To actively support and facilitate training and education of all relevant staff members
- To work towards a municipal wide approach to addressing the issue and not just focus on individual mandates and agendas
- Establish a local network of service providers for accountability
- To not duplicate services

12.4. The Community and Society

- To raise awareness and promote education in the communities about the issues affecting street people including the effect of hand-outs
- To support existing structures and organisations delivering services to persons living on the streets
- To volunteer their time

12.5. Business and Tourism industry

- Encourage business to assist in development strategies
- Assist with the creation of a job network
- Establish funding partnerships around strategic interventions
- Promote Stellenbosch as a non-begging community

12.6. Faith based organisations and religious institutions

- Impact on spiritual dimension of street people
- Support service organisations
- Encourage members to volunteer
- Promote Stellenbosch as a non-begging community

12.7. Media

- Assist with education and awareness strategies in community

13. Policy Review

- 13.1. The policy will be reviewed and updated every two years or in light of evidence that indicates that this policy is not meeting the outcomes set out in section six.
- 13.2. Street people forums, networks, structures and other affected parties may consult with CD on the efficacy of this policy and the extent to which it achieves its aims.

13.2	APPROVAL AND ADOPTION OF THE WATER SERVICE DEVELOPMENT PLAN
-------------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance & Compliance

25 September 2019

1. SUBJECT: APPROVAL AND ADOPTION OF THE WATER SERVICE DEVELOPMENT PLAN

2. PURPOSE

To submit the proposed Water Service Development Plan of the Stellenbosch Municipality to Council for approval.

3. DELEGATED AUTHORITY

The Water Service Development Plan is a document that must in terms of the Municipal Systems Act (Act 32 of 2000), Section 12 be adopted by Municipal Council.

4. EXECUTIVE SUMMARY

The current Water Service Development Plan (WSDP) must be updated every five years as directed by the WS Act. (Act 108 of 1997) and regulations relating to compulsory National Standard Measures to Conserve Water”

The WSDP contains provisions in support of basic human services, replacement and upgrading of old infrastructure, cleaned piped water, sanitation services and procedures relating to service connections to consumers, services specifications, compliance regulations and obligation matters relating to municipality’s Constitutional obligation to effective service delivery, to all relevant legislation.

The WSDP proposes to regulate all activities, infrastructure and entities associated with potable water, waste water generation, the disposal of sewerage effluent by all types of consumers

The proposed plan is also not in contradiction with any existing policies (e.g., credit control policy)

5. RECOMMENDATIONS

- (a) that the content of this report be noted;
- (b) that the attached Draft Water Service Development Plan (2019) be approved and adopted by Council as the final Water Service Development Plan;
- (c) that the Draft Water Service Development Plan (2019), attached as **ANNEXURE A**, once approved and adopted by Council, be promulgated in the Provincial Gazette by the Directorate: Corporate Services’ Legal Services’ team;
- (d) that the Draft Water Service Development Plan (2019) becomes active upon the date that it is published in the Western Cape Provincial Gazette; and
- (e) that the Promulgated Draft Water Service Development Plan (2019), be published on Council’s official website.

6. DISCUSSION / CONTENTS**6.1 Background**

The Water Services Act (Section 11& 12) places a duty on all Water Service Providers and Authorities to prepare a Water Services Development Plan for its area of jurisdiction. This plan must be developed every five years.

The Stellenbosch Municipality is an authorised service authority and as such must adhere to the relevant sections of the Water Services Act (No. 108 of 1997) and the Municipal Systems Act (No 32 of 2000).

6.2 Discussion

This document needs to address the following:

Which include the responsible municipal personnel as well as the approach in adopting the Water Services Development Plan.

This includes the population figures, households formal and informal.

Summarizing of basic services and housing backlogs.

This section focuses on the provision of basic services and the impact this has had on the social well-being of the communities, as social well-being is considered as important as economic well-being in improving livelihoods.

This section also focuses on the health and employment situations of the Stellenbosch Municipality.

The document gives an overview of the Existing Infrastructure for instance — Water Sources, Pipe Lines, Pump stations and Reservoirs.

Where water quality is tested on a regular base, physical condition of the pumps and pump stations. Dam Safety Reports and the recording of the abstraction of water. It also looks into the physical condition of all treatment facilities.

Legislative procedures

Water Services Act (No 108 of 1997) and the Municipal Systems Act (No. 32 of 2000).

As part of the prescribed legislative process for the adoption of the WSDP, the following process flow applies:

- (a) serve before Standing Committee and Mayco;
- (b) serve before the Council;
- (c) be advertised in the press for public comments;
- (d) be open for inspection to the public at all municipal offices and libraries; and
- (e) re-submit to the Standing Committee, Mayco and the Council for final adoption.

6.3 Financial Implications

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

6.4 Legal Implications

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

6.5 Staff Implications

This report has no staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions

To obtain Council's approval for the adoption of the Water Services Development Plan.

6.7 Risk Implications

This report has no risk implications for the Municipality.

6.8 Comments from Senior Management

Agree with the recommendations.

ANNEXURES

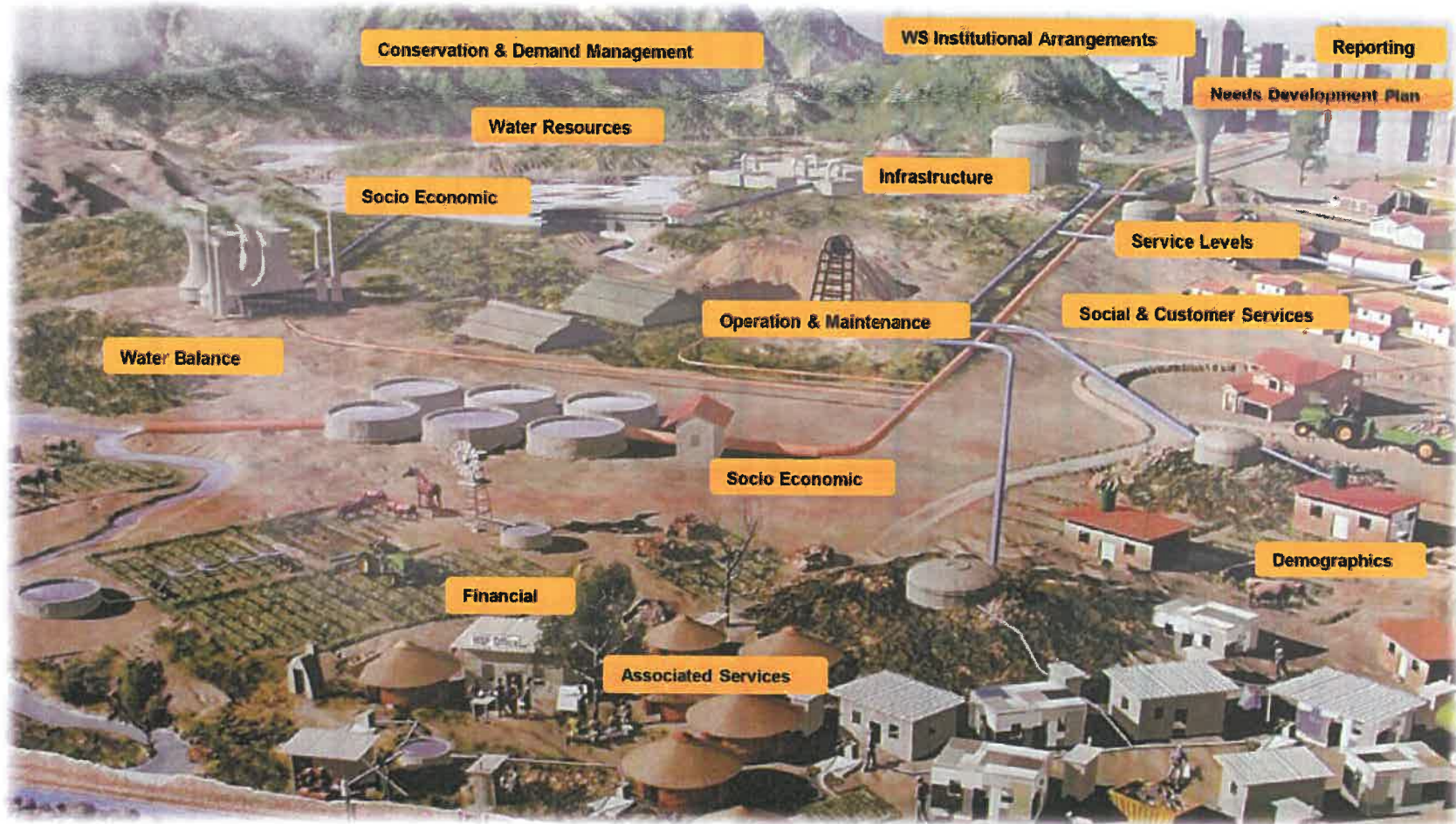
Annexure A: DRAFT WATER SERVICES BY-LAW

Annexure B: PROPOSED ADMISSION OF GUILT FINES

FOR FURTHER DETAILS CONTACT:

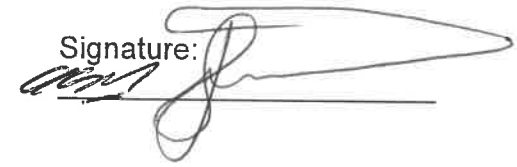
NAME	Deon Louw
POSITION	<i>Director</i>
DIRECTORATE	<i>Infrastructure Services</i>
CONTACT NUMBERS	<i>021 808 8213</i>
E-MAIL ADDRESS	Deon.louw@ Stellenbosch.gov.za
REPORT DATE	<i>14 April 2019</i>

ANNEXURE A



WSDP Compiled and submitted for approval

Municipal WSDP Coordinator: Name: BAICURTZ J.G. Louw

Signature: 

Date: 28/8/19

WSDP Recommended for approval

Municipal Manager:

Recommended: Name: Geraldine Mettler

Signature: 

Date: 20/8/19

Not Recommended: Name: _____

Signature: _____

Date: _____

Final Council approval:

Capacity: _____

Approved: Name: _____

Signature: _____

Date: _____

Not Approved: Name: _____

Signature: _____

Date: _____

Role Players Contact Details

Position	Name	Surname	Tel	Fax	Cell	E-mail	Interaction Acknowledgement Yes/No	Interaction Acknowledgement Signature
Chief Financial Officer	Marius	Wüst	021 808 8528			maris.wust@stellenbosch.gov.za	Y	N
IDP Manager	Delorees	Kotze	021 808 8176			delorees.kotze@stellenbosch.gov.za	Y	N
Municipal Manager	Geraldine	Mettler	021 808 8025		083 460 2118	municipal.manager@stellenbosch.gov.za	Y	Y
Manager: Water & Sanitation Services	Dries	van Taak	021 808 8218	021 883 9912	076 412 4482	Dries.vantaak@stellenbosch.gov.za	Y	Y
WSA Manager	Dries	van Taak	021 808 8218	021 883 9912	076 412 4482	Dries.vantaak@stellenbosch.gov.za	Y	Y
WSDP Contact	Adriaan	Kurtz	021 808 8221	021 883 9912	082 903 3123	project.water@stellenbosch.gov.za	Y	Y
Mayor	Gesie	Van Deventer	021 808 8002			mayor@stellenbosch.gov.za	Y	Y
Environmental	Schalk	Van der Merwe	021 828 8679			schalk.vandermerwe@stellenbosch.gov.za	Y	N
HOD: Planning	Bernabe	Del la Bat	021 808 8676			bernabe.delabat@stellenbosch.gov.za	Y	N
Housing	Tabiso	Mfeya	021 808 8491			tabiso.mfeya@stellenbosch.gov.za	N	N
Water & Sanitation Superintendent	Vivian	Kloppers	021 808 8258	086 613 7339	073 423 7475	Vivian.Kloppers@stellenbosch.gov.za	N	N
Water Services Councillor	Jan	De Villiers			083 489 8087	jan.devilliers@stellenbosch.gov.za	N	N
Water & Sanitation Superintendent	Willem	de Kock	021 808 8965		084 975 9519		N	N

**Stellenbosch Local Municipality
Water Services Development Plan**

Professional Service Provider (PSP)

Company

Hatch Africa (Pty) Ltd.

Name of PSP WSDP Project Manager

Alroy Hoffmeester

Tel: 021 911 5823

Cell: 082 892 7098

Fax: 021 911 5824

Email: alroy.hoffmeester@hatch.com

Inputs

Name of PSP WSDP Information Systems Operator

Ronel Dreyer (Isquare)

Tel:

Cell: 082 375 2015

Fax:

Email: roneld@isquare.co.za

Components	Chapter	Name	Designation	Role	Contact Address, and Number
All	All			Field	

Sector Integration

Did this plan consult with other Sector Plans and incorporated their needs

Sector Plan	Sector Interaction	Area	WSA
Tourism	Partial	WC024	Stellenbosch
Finance	Partial	WC024	Stellenbosch
Water Master Plan	Yes	WC024	Stellenbosch
Sewer Master Plan	Yes	WC024	Stellenbosch
Unaccounted for Water Strategy	Yes	WC024	Stellenbosch
SDF	Yes	WC024	Stellenbosch
ISP	Yes	WC024	Stellenbosch
			Stellenbosch

Chapter1: Implementation Activity Chart of current MTEF Projects

Financial Year 2018																																		
Nr	Project Number	Project Name	Description	Project Type	Project Solution	Main Category	Sub Category	Component(Yes/No)																Project Cost (R'000)	Funding Source (R'000)									
								Bulk Pipeline	Reticulation Line	Pumpstation	WTW	Reservoir	Source Development	Power Installation	Feasibility	Operations	Maintenance	WCDM	WWTW	Water Bourne Sanitation	VIP Sanitation	Own	MIG		RBIG	ACIP	DR	MWIG	Other					
Topic 1 - Settlement Demographics & Public Amenities																																		
1	STB1415026	Bulk Sewerpipe Replacement	Bulk Sewerpipe Replacement			Sanitation	Sanitation Bulk	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	19,204	164	0	0	0	0	0	0
Topic 2 - Service Level Profile																																		
Topic 3 - Water Services Asset Management																																		
2	STB6	Upgrade Auto-samplers (WTW & WWTW)	Upgrade Auto-samplers (WTW & WWTW)			Water	Internal Bulk	N	N	N	Y	N	N	N	N	Y	Y	N	Y	N	N	N	N	N	0	110	0	0	0	0	0	0		
3	STB1415004	Water Treatment Works: Idas Valley	WTW Idas Valley - New Filterbeds			Water	Internal Bulk	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	1,099	145	0	0	0	0	0	0		
4	STB1415025	New Plankenburg Main Sewer Outfall	New Plankenburg Main Sewer Outfall			Sanitation	Sanitation Bulk	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	120,000	0	24,549	0	0	0	0	2,838		
Topic 4 - Water Services Operations & Maintenance (O&M)																																		
5	STB7	Reservoirs and Dam Safety & Bulk Water Supply Improvements	Reservoirs and Dam Safety & Bulk Water Supply Improvements			Water	Internal Bulk	Y	N	N	N	Y	N	N	N	N	Y	N	N	N	N	N	N	8,800	2,300	0	0	0	0	0	0			
6	STB4	Water Pipe Replacement	Water Pipe Replacement			Water	Reticulation	N	Y	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	9,000	3,300	0	0	0	0	0	0			
7	STB6	Upgrade Auto-samplers (WTW & WWTW)	Upgrade Auto-samplers (WTW & WWTW)			Water	Internal Bulk	N	N	N	Y	N	N	N	N	Y	Y	N	Y	N	N	N	N	0	110	0	0	0	0	0	0			

Stellenbosch Local Municipality

Water Services Development Plan

Nr	Project Number	Project Name	Description	Project Type	Project Solution	Main Category	Sub Category	Component(Yes/No)														Project Cost (R'000)	Funding Source (R'000)						
								Bulk Pipeline	Retiulation Line	Pumpstation	WTW	Reservoir	Source Development	Power Installation	Feasibility	Operations	Maintenance	WCDM	WWTW	Water Bourne Sanitation	VIP Sanitation		Own	MIG	RBIG	ACIP	DR	MWIG	Other
8	STB6	Upgrade Auto-samplers (WTW & WWTW)	Upgrade Auto-samplers (WTW & WWTW)			Water	Internal Bulk	N	N	N	Y	N	N	N	N	Y	Y	N	Y	N	N	0	110	0	0	0	0	0	0
Topic 5.1 - Conservation & Demand Management - Water Resource																													
9	STB13	Water Conservation and Demand Management	Water Conservation and Demand Management			Water	Planning	Y	Y	N	Y	Y	N	N	N	N	N	Y	N	N	N	1,500	69,002	0	0	0	0	0	0
Topic 5.2 - Conservation & Demand Management - Water Balance																													
10	STB13	Water Conservation and Demand Management	Water Conservation and Demand Management			Water	Planning	Y	Y	N	Y	Y	N	N	N	N	Y	N	N	N	1,500	69,002	0	0	0	0	0	0	
Topic 6 - Water Resource																													

		Funding Source (R'000)						
		Own	MIG	RBIG	ACIP	DR	MWIG	Other
Total Funding:		75,021	24,549	0	0	0	0	2,838

Financial Year 2019																													
Nr	Project Number	Project Name	Description	Project Type	Project Solution	Main Category	Sub Category	Component(Yes/No)														Project Cost (R'000)	Funding Source (R'000)						
								Bulk Pipeline	Reticulation Line	Pumpstation	WTW	Reservoir	Source Development	Power Installation	Feasibility	Operations	Maintenance	WCDM	WWTW	Water Bourne Sanitation	VIP Sanitation		Own	LMG	RBIG	ACP	DR	MWTC	Other
Topic 1 - Settlement Demographics & Public Amenities																													
1	STB1415026	Bulk Sewerpipe Replacement	Bulk Sewerpipe Replacement			Sanitation	Sanitation Bulk	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	19,204	0	0	0	0	0	0	4,000
Topic 2 - Service Level Profile																													
Topic 3 - Water Services Asset Management																													
2	STB11	Upgrade and replace water meters	Upgrade and replace water meters			Water	Reticulation	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	2,500	0	0	0	0	0	0	1,500
3	STB14	Water Telemetry Upgrade	Water Telemetry Upgrade			Water	Internal Bulk	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	400	0	0	0	0	0	0	500
4	STB1415004	Water Treatment Works: Idas Valley	WTW Idas Valley - New Filterbeds			Water	Internal Bulk	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	1,099	0	0	0	0	0	0	1,000
5	STB10	Storage Dam and Reservoir Upgrade (STB)	Storage Dam and Reservoir Upgrade (STB)			Water	Internal Bulk	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	1,550	0	0	0	0	0	0	1,500
6	STB1415025	New Plankenburg Main Sewer Outfall	New Plankenburg Main Sewer Outfall			Sanitation	Sanitation Bulk	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	120,000	0	26,644	0	0	0	0	13,356
Topic 4 - Water Services Operations & Maintenance (O&M)																													
7	STB7	Reservoirs and Dam Safety & Bulk Water Supply Improvements	Reservoirs and Dam Safety & Bulk Water Supply Improvements			Water	Internal Bulk	Y	N	N	N	Y	N	N	N	N	N	Y	N	N	N	8,800	0	0	0	0	0	0	500
8	STB4	Water Pipe Replacement	Water Pipe Replacement			Water	Reticulation	N	Y	N	N	N	N	N	N	N	N	Y	N	N	N	9,000	0	0	0	0	0	0	3,000

Nr	Project Number	Project Name	Description	Project Type	Project Solution	Main Category	Sub Category	Component(Yes/No)																Project Cost (R'000)	Funding Source (R'000)						
								Bulk Pipeline	Reticulation Line	Pumpstation	WTW	Reservoir	Source Development	Power Installation	Feasibility	Operations	Maintenance	WCDM	WWTW	Water Bourne Sanitation	VIP Sanitation	Own	MIG		RBIG	ACIP	DR	MWIG	Other		
9	STB8	Chlorination Installation: MHI study	Chlorination Installation: MHI study			Water	Basic Supply	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	350	0	0	0	0	0	0	1,000
Topic 5.1 - Conservation & Demand Management - Water Resource																															
10	STB13	Water Conservation and Demand Management	Water Conservation and Demand Management			Water	Planning	Y	Y	N	Y	Y	N	N	N	N	N	N	Y	N	N	N	1,500	0	0	0	0	0	0	500	
Topic 5.2 - Conservation & Demand Management - Water Balance																															
11	STB13	Water Conservation and Demand Management	Water Conservation and Demand Management			Water	Planning	Y	Y	N	Y	Y	N	N	N	N	N	N	Y	N	N	N	1,500	0	0	0	0	0	0	500	
12	STB11	Upgrade and replace water meters	Upgrade and replace water meters			Water	Reticulation	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	2,500	0	0	0	0	0	0	1,500		
Topic 6 - Water Resource																															

		Funding Source (R'000)						
		Own	MIG	RBIG	ACIP	DR	MWIG	Other
Total Funding:	0	26,644	0	0	0	0	0	26,856

Financial Year 2020																																
Nr	Project Number	Project Name	Description	Project Type	Project Solution	Main Category	Sub Category	Component(Yes/No)																	Project Cost (R'000)	Funding Source (R'000)						
								Bulk Pipeline	Reticulation Line	Pumpstation	WTW	Reservoir	Source Development	Power installation	Feasibility	Operations	Maintenance	WCDM	WWTW	Water Bourne Sanitation	VIP Sanitation	Own	LMG	RBIG		ACP	DR	MWIG	Other			
Topic 1 - Settlement Demographics & Public Amenities																																
Topic 2 - Service Level Profile																																
Topic 3 - Water Services Asset Management																																
1	STB11	Upgrade and replace water meters	Upgrade and replace water meters			Water	Reticulation	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	2,500	0	0	0	0	0	0	1,500	
2	STB14	Water Telemetry Upgrade	Water Telemetry Upgrade			Water	Internal Bulk	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	400	0	0	0	0	0	0	500		
3	STB1415004	Water Treatment Works: Idas Valley	WTW Idas Valley - New Filterbeds			Water	Internal Bulk	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	1,099	0	0	0	0	0	0	1,000		
4	STB10	Storage Dam and Reservoir Upgrade (STB)	Storage Dam and Reservoir Upgrade (STB)			Water	Internal Bulk	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	1,550	0	0	0	0	0	0	1,000		
Topic 4 - Water Services Operations & Maintenance (O&M)																																
5	STB7	Reservoirs and Dam Safety & Bulk Water Supply Improvements	Reservoirs and Dam Safety & Bulk Water Supply Improvements			Water	Internal Bulk	Y	N	N	N	Y	N	N	N	N	Y	N	N	N	N	8,800	0	0	0	0	0	0	1,500			
6	STB8	Chlorination Installation: MHI study	Chlorination Installation: MHI study			Water	Basic Supply	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	350	0	0	0	0	0	0	500			
Topic 5.1 - Conservation & Demand Management - Water Resource																																

Nr	Project Number	Project Name	Description	Project Type	Project Solution	Main Category	Sub Category	Component(Yes/No)														Project Cost (R'000)	Funding Source (R'000)							
								Bulk Pipeline	Reticulation Line	Pumpstation	WTW	Reservoir	Source Development	Power Installation	Feasibility	Operations	Maintenance	WCDM	WWTW	Water Bourne Sanitation	VIP Sanitation		Own	MIG	RBIG	ACIP	DR	MWIG	Other	
7	STB13	Water Conservation and Demand Management	Water Conservation and Demand Management			Water	Planning	Y	Y	N	Y	Y	N	N	N	N	N	N	Y	N	N	N	1,500	0	0	0	0	0	0	2,000
Topic 5.2 - Conservation & Demand Management - Water Balance																														
8	STB13	Water Conservation and Demand Management	Water Conservation and Demand Management			Water	Planning	Y	Y	N	Y	Y	N	N	N	N	N	N	Y	N	N	N	1,500	0	0	0	0	0	0	2,000
9	STB11	Upgrade and replace water meters	Upgrade and replace water meters			Water	Reticulation	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	2,500	0	0	0	0	0	0	1,500	
Topic 6 - Water Resource																														

		Funding Source (R'000)						
		Own	MIG	RBIG	ACIP	DR	MWIG	Other
Total Funding:	0	0	0	0	0	0	0	8,000

Chapter 2:

Topic 1: Settlement Demographics & Public Amenities

Settlement Summary		
Section	Value	Assessment Score
1.1 Total Population	178417	100
1.2 Total Number of Households	49774	100
1.3 Average Household Size	4.17	100
1.4 Total Number of Settlements	72	100

Summary by Settlement Group			
Settlement Type	Settlements	Population	Households
Rural	19	46854	14249
Urban	53	131563	35525

Amenities Summary		
Description	Number per type	Assessment Score
Educational facilities	62	100
Health Facilities	16	100

Assessment Score						
Settlement Type		Number of settlements	Population per settlement type	Households per settlement type	Average Households size per settlement type	
Rural	Farming	1	37329	11679	3.2	100
Rural	Rural - Small Village <= 5000	10	7705	2095	3.68	100
Rural	Rural Scattered Low Density	3	1258	356	4.45	100
Rural	Rural Scattered Very Low Density	4	317	77	5.67	100
Rural	Squatter Camp - Rural	1	245	42	5.83	100
Urban	Urban - Formal Town	40	98280	27858	4.17	100
Urban	Urban - Informal Settlements (Squatter Camp)	7	28484	6959	4.48	100
Urban	Working Towns and Service Centres - Mines, Prisons etc.	6	4799	708	3.42	100
Total						100.0%

Topic 1 Master Plan		
Section	Is there a master plan to address this problem?	Does this plan address the plan address this problem 100%?

1.1 Settlements Summary	Yes	Yes
1.2 Summary by Settlement Group	Yes	Yes
1.3 Assessment Score by Settlement Type	Yes	Yes
1.4 Amenities Summary	Yes	Yes

Strategic Interpretation

Detail situation assessments per Topic element

1.1 Settlements Summary

Interpret Situation Assessment:	Total number of households is 49 774 and total population is 178 417
---------------------------------	--

1.2 Summary by Settlement Group

Interpret Situation Assessment:	There are 19 settlements classified as rural with the number of households at 14 249 and there are 53 settlements classified as urban with a total number of households of 35 525.
---------------------------------	--

1.3 Assessment Score by Settlement Type

Interpret Situation Assessment:	Urban - Informal Settlements (Squatter Camp): 7 settlements Rural - Small Village <= 5000: 10 settlements Rural Scattered Low Density: 3 settlements Rural Scattered Very Low Density: 4 settlements Urban - Formal Town: 40 settlements Urban - Informal Settlements (Squatter Camp): 7 settlements Working Towns and Service Centres - Mines, Prisons etc.: 6 settlements Squatter Camp - Rural: 1 settlement
---------------------------------	--

1.4 Amenities Summary

Interpret Situation Assessment:	There are 2 hospitals, 1 health centre and 10 clinics.
---------------------------------	--

Business Element Report Items	Compliancy Score	Intervention Required	%	Solution description as Identified by Master Plan	%	Is there an Existing project addressing this problem?	%	Does this current listed project address the problem totally?	%	Project Approved by Council as part of WSDP Database?	%	Approved by council, in project database and part of 6 yr IDP cycle projects	%	Project listed in 3 yr MTEF - cycle	%	Total Points	Current Demand Overall Scoring %
1.1 Settlements Summary	100	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
1.2 Summary by Settlement Group	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
1.3 Assessment Score by Settlement Type	100	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
1.4 Amenities Summary	100	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
Demand Overall Scoring Average																100	

WSDP FY2018: Strategies and Objectives

Stellenbosch

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target
Settlement Demographics & Public Amenities									
1.2	Provision of sustainable basic services to informal settlements. (Forms part of Human Settlements projects)	Number of settlements serviced			3	3	3		
1.3	Provision of basic services to rural communities located on farms.	Number of communities serviced.			na	na			
1.1	The replacement and upgrading of old infrastructure to accommodate development.	% of approved project budget spent		STB1415026, Bulk Sewerpipe Replacement	95%	100%	100%		

Topic 2: Service Levels Profile

Direct Backlog (Water & Sanitation)		
	Totals	Assessment Score
Direct settlement backlog water house holds. Total house hold of settlement with a water need (irrelevant the type of need)	530	99
Direct settlement backlog water population. Total population of settlement with a water need (irrelevant the type of need)	1694	99
Direct settlement backlog sanitation house holds. Total house hold of settlement with a sanitation need (irrelevant the type of need)	1193	98
Direct settlement backlog sanitation population. Total population of settlement with a sanitation need (irrelevant the type of need)	3813	98

Water Profile		
	Totals	Assessment Score
Water Services Infrastructure Supply Level Profile		
Piped water inside the dwelling/house-Households	38093	100
Piped water inside yard-Households	2522	100
Piped water distance <200m - Households	8344	100
Piped water distance <201m - Households	0	100
Borehole in the yard - Households	285	100
Rain-water tank in yard - Households	0	100
Water vendor-carrier/tanker - Households	0	100
Stagnant water - dam/pool - Households	0	100
Flowing water/spring/ stream/river - Households	0	100
Water Other - Households	530	99
Water Reliability Profile		
Water Supply System	-1	100
Total Number of Households having Reliable Service. (Interpret Direct Backlog field above)	49244	100
Total Number of Households NOT having Reliable Service. (Interpret Direct Backlog field above)	530	99

Stellenbosch Local Municipality

Water Services Development Plan

Water Profile		
	Totals	Assessment Score
System Total Number of Households NOT having Reliable Service due to: Functionality (O&M and Management)	0	100
Total Number of Households NOT having Reliable Service due to: Resource	0	100
Total Number of Households NOT having Reliable Service due to: Infrastructure	530	99
Total Number of Households NOT having Reliable Service due to: Resource - Conservation & Demand Management	0	100
Total Number of Households NOT having Reliable Service due to: Resource - New Source	0	100
Total Number of Households NOT having Reliable Service due to: Infrastructure – UPGRADE/REFURBISHMENT	0	100
Total Number of Households NOT having Reliable Service due to: Infrastructure – EXTENSION	0	100
Total Number of Households NOT having Reliable Service due to: Infrastructure – NEW SCHEME	0	100
Total Number of Households NOT having Reliable Service due to: REPLACE OLD	0	100

Sanitation Profile		
	Totals	Assessment Score
Sanitation Service Infrastructure Supply Level Profile		
None - Households	1193	98
Flush toilet (connected to sewerage system) - Households	48047	100
Flush toilet (with septic tank) - Households	491	100
Chemical Toilet - Households	43	100
Pit toilet with ventilation (VIP) - Households	0	100
Pit without ventilation - Households	0	100
Bucket toilet - Households	0	100
Sanitation Reliability Profile		
Household requiring VIP Refurbishment	0	100
Household requiring Existing Scheme Refurbishment	816	98
Household not having reliable service due to Functionality	0	100
Household not having reliable service due to Resource - Water Security	0	100
Infrastructure to be upgraded: Pit to VIP (HH)	0	100
Infrastructure to be upgraded: Buckets to waterborne (HH)	0	100

**Stellenbosch Local Municipality
Water Services Development Plan**

Sanitation Profile		
	Totals	Assessment Score
Infrastructure requirement: None to waterborne. (HH)	1193	98
Infrastructure to be upgraded: Buckets to VIP (HH)	0	100
Infrastructure to be upgraded: None to VIP (HH)	0	100

	Waterstatus
Consumer types	Adequate
Educational facilities	62
Health Facilities	16
Grand Total	78

2.1 Water Services						
Associated Services Facility	Number of facilities	Facilities with Adequate services	Facilities with No services	Facilities with Inadequate services	Total Potential Cost (basic level) (RM)	Assessment Score
2.1.1 Education Plan						
Primary School	30	30	0	0	0.00	100
Secondary School	12	12	0	0	0.00	100
Tertiary	8	8	0	0	0.00	100
Combined	4	4	0	0	0.00	100
Special Needs	1	1	0	0	0.00	100
Other	1	1	0	0	0.00	100
Total	56	56	0	0	0.00	
2.1.2 Health Plan						
Hospitals	2	2	0	0	0.00	100
Health Centers	1	1	0	0	0.00	100
Clinics	13	13	0	0	0.00	100
Other	0	0	0	0	0.00	100
Total	16	16	0	0	0.00	
2.2 Sanitation Services						
2.2.1 Education Plan						
Primary School	30	30	0	0	0.00	100
Secondary School	12	12	0	0	0.00	100
Tertiary	8	8	0	0	0.00	100
Combined	4	4	0	0	0.00	100
Special Needs	1	1	0	0	0.00	100
Other	1	1	0	0	0.00	100
Total	56	56	0	0	0.00	

2.2.2 Health Plan						
Hospitals	2	2	0	0	0.00	100
Health Centers	1	1	0	0	0.00	100
Clinics	13	13	0	0	0.00	100
Other	0	0	0	0	0.00	100
Total	16	16	0	0	0.00	

Topic 2 Master Plan		
Section	Is there a master plan to address this problem?	Does this plan address the plan address this problem 100%?
Direct Backlog Water	Yes	Yes
Water Services Infrastructure Supply Level Profile	Yes	Yes
Sanitation Service Infrastructure Supply Level Profile	Yes	Yes
Water Services: Education	Yes	Yes
Sanitation Services: Education	Yes	Yes
Health and Educational Facilities	Yes	Yes
Direct Backlog Sanitation	Yes	Yes
Water Reliability Profile	Yes	Yes
Sanitation Reliability Profile	Yes	Yes
Water Services: Health	Yes	Yes
Sanitation Services: Health	Yes	Yes

Strategic Interpretation

Detail situation assessments per Topic element

Direct Backlog Water

Stellenbosch Local Municipality
Water Services Development Plan

Interpret Situation Assessment:	There are no households with a water need irrelevant of the type of need.
---------------------------------	---

Water Services Infrastructure Supply Level Profile

Interpret Situation Assessment:	The municipality provide adequate supply.
---------------------------------	---

Sanitation Service Infrastructure Supply Level Profile

Interpret Situation Assessment:	The municipality provide adequate supply.
---------------------------------	---

Water Services: Education

Interpret Situation Assessment:	All education facilities are serviced.
---------------------------------	--

Sanitation Services: Education

Interpret Situation Assessment:	All education facilities are serviced.
---------------------------------	--

Health and Educational Facilities

Stellenbosch Local Municipality
Water Services Development Plan

Interpret Situation Assessment:	All education and health facilities are serviced.
---------------------------------	---

Direct Backlog Sanitation

Interpret Situation Assessment:	There are still backlogs in Stellenbosch, Klapmuts, Kylemore and Stellenbosch NU
---------------------------------	--

Water Reliability Profile

Interpret Situation Assessment:	The municipality provide a reliable supply to their residents. A number of projects are ongoing such as the replacement of old AC pipes to reduce the number of leaks and pipe bursts which result in a breakdown of supply.
---------------------------------	--

Sanitation Reliability Profile

Interpret Situation Assessment:	The municipality has reliable sanitation infrastructure in place and has initiated a number of projects to increase the efficiency and the capacity of the treatment works to accommodate future growth.
---------------------------------	--

Water Services: Health

Interpret Situation Assessment:	All health facilities are serviced.
---------------------------------	-------------------------------------

Sanitation Services: Health

**Stellenbosch Local Municipality
Water Services Development Plan**

Interpret Situation Assessment:	All health facilities are serviced.
---------------------------------	-------------------------------------

Business Element Report Items	Compliance Score	Intervention Required	%	Solution description as identified by Master Plan	%	Is there an Existing project addressing this problem?	%	Does this current listed project address the problem totally?	%	Project Approved by Council as part of WSDP Database?	%	Approved by council, in project database and part of 5 yr IDP cycle projects	%	Project listed in 3 yr MTEF - cycle	%	Total Points	Current Demand Overall Scoring %
Direct Backlog Water	98.5	No	100		0		0		0		0		0		0	0	100
Water Services Infrastructure Supply Level Profile	99.86	No	100		0		0		0		0		0		0	0	100
Sanitation Service Infrastructure Supply Level Profile	99.63	No	100		0		0		0		0		0		0	0	100
Water Services: Education	100	No	100		0		0		0		0		0		0	0	100
Sanitation Services: Education	100	No	100		0		0		0		0		0		0	0	100
Health and Educational Facilities	0	No	100		0		0		0		0		0		0	0	100
Direct Backlog Sanitation	0	Yes	100	Upgrade of Stellenbosch WWTW, Upgrade of Klapmuts WWTW	100	Yes	100	Yes	100	Yes	100	Yes	100	Yes	100	700	100
Water Reliability Profile	0	No	100		0		0		0		0		0		0	0	100
Sanitation Reliability Profile	0	No	100		0		0		0		0		0		0	0	100
Water Services: Health	0	No	100		0		0		0		0		0		0	0	100
Sanitation Services: Health	0	No	100		0		0		0		0		0		0	0	100

Demand Overall Scoring Average 100

WSDP FY2018: Strategies and Objectives

Stellenbosch

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target
Service Levels Profile									

Stellenbosch Local Municipality

Water Services Development Plan

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target
2.1	Provision of cleaned piped water to all formal HH within 200 meters from the household in terms of the Dept of Water Affairs' legislative requirements.	Number of reports			1	1	1		
2.2	Provision of sanitation services to domestic wastewater and sewerage disposal at formal households. (Forms part of Human Settlements projects)	Number of reports			1	1	1		
2.3	Provide 50 additional waterborne toilet facilities and taps to informal settlements.	Number of waterborne toilet facilities and taps installed			50	50	50		
2.4	Provide free basic sanitation services to registered indigent account holders which are connected to the municipal waste water (sanitation/sewerage) network & are billed for sewerage service, irrespective of the number of water closets (toilets). (Forms part of Human Settlements projects)	Number of indigent account holders connected to the sanitation/sewerage network and are billed for sewerage services			5757	6486	6486		
2.5	Provide sanitation services to residential properties which are connected to the municipal waste water (sanitation/sewerage) network.	Number of residential properties which are billed for sewerage in accordance with the SAMRAS financial system			37902	37902	37902		

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target
2.6	Provide clean piped water to registered indigent account holders which are connected to the municipal water infrastructure network.	Number of indigent account holders receiving free basic water			5757	6486	6486		
2.7	Provide clean piped water to formal residential properties which are connected to the municipal water infrastructure network.	Number of formal residential properties receiving piped water			37902	37902	37989		

Topic 3: Water Services Asset Management

Yes No Grid		
Question	Yes	Assessment Score

3.1 General Information		
3.1.1 Is there an Asset Management plan	True	80
3.1.2 Is there a disaster management plan	True	80
3.1.3 Is there a plan in place to manage untreated effluent	True	80

Questions										
Question	B	AP	WTW	WP	SP	WL	SL	R	WWTW	Assessment Score

[section]										
3.1.1 Total number of components / km of pipeline / units	65	8	3	39	20	10,88	0	50	5	100
3.2.1.1 Previous incidents including Security Problems (Regular)		0	0	0	0			0	0	100
3.2.1.2 Previous incidents including Security Problems (Periodic)		0	0	0	0			0	0	84
3.2.1.3 Previous incidents including Security Problems (Sporadic)		3	3	0	20			0	0	100
3.2.1.4 Previous incidents including Security Problems (None)		5	0	39	5			50	5	100
3.2.2.1 Safety inspection performed (Regular)		8	3	32	20			41	5	91
3.2.2.2 Safety inspection performed (Periodic)		0	0	0	0			0	0	100
3.2.2.3 Safety inspection performed (Sporadic)		0	0	0	0			0	0	95
3.2.2.4 Safety inspection performed (None)		0	0	7	5			9	0	100
3.2.5 Average Operating hours per day (X hrs)			17.6						17.6	100
3.3.1.1 General physical condition: Dysfunctional	0	0	0	3	1	0	0	3	0	100
3.3.1.2 General physical condition: Operational	65	8	3	36	24	0	0	44	4	100

Stellenbosch Local Municipality

Water Services Development Plan

3.3.1.3 General physical condition: Prime Condition	0	0	0	0	0	0	0	0	3	1	84
3.3.1.4 General physical condition: Vandalised	0	0	0	0	0	0	0	0	0	0	84
3.3.2 Number of breakages / failures per year	0	0	0	0	0	0	0	0	0	0	100
3.3.3 Total refurbishment needs %	0%	2%	2%	32%	7%	0%	0%	12%	24%		80
3.3.4 Total refurbishment needs cost (RM)	0.00	3.65	2.11	23.95	0.95	0.00	0.00	17.74	36.25		80
3.3.4.1 Refurbishment cost for 5 year	0	0	0	0	0	0	0	0	27.939		100
3.3.4.2 Refurbishment cost for 10 year	0	3.650625	2.110361	23.946958	0	0	0	15.04094	39.184		100
3.3.4.3 Refurbishment cost for 15 year	0	0	0	0	0	0	0	0	54.958		84
3.3.5 Total replacement needs %	0%	0%	13%	12%	4%	0%	0%	2%	12%		95
3.3.6 Total replacement needs cost (RM)	0.00	0.00	10.76	7.80	1.40	0.00	0.00	2.78	53.09		92
3.3.6.1 Replacement cost for 5 year	0	0	0	28.87	15.466	0	0	150.21525	39.86		97
3.3.6.2 Replacement cost for 10 year	0	0	10.767594	40.49188847	21.69188509	0	0	164.98081659	55.908		100
3.3.6.3 Replacement cost for 15 year	0	0	0	56.79165965	30.42396286	0	0	231.39413411	78.41		100

Stellenbosch Local Municipality
Water Services Development Plan

3.3.7 Total New development cost required	0	0	0	0	0	0	0	0	0	100
3.3.7.1 New development cost for 5 year	0	0	34.2	0	0	0	0	87.96632468	374.644	100
3.3.7.2 New development cost for 10 year	0	0	0	0	0	0	0	0	525.458	100
3.3.7.3 New development cost for 15 year	0	0	0	0	0	0	0	0	736.982	100
3.3.8 % Of Components already reached useful life	0%	0%	0%	0%	4%	0%	0%	8%	0%	100
3.3.9 % Whereoff the WSA Self is the Current Owner	100%	88%	100%	92%	88%	100%	100%	92%	100%	100
3.3.10 % Whereoff the WSA Self is Current Operator	100%	88%	100%	92%	88%	100%	100%	92%	100%	100
3.4.1 % Expected total lifespan: Short (1-3 yrs)	0	0	0	0	0	0	0	0	0	100
3.4.2 % Expected total lifespan: Medium (3 - 10 yrs)	0	50	0	64.1	16	0	0	12	0	100
3.4.3 % Expected total lifespan: Long (10 - 20 yrs)	100	50	100	35.9	80	100	100	84	100	99

Stellenbosch Local Municipality
Water Services Development Plan

Sanitation Schemes		
Sanitation Schemes	Green Drop	Assessment Score
Dwarsrivier	True	40
Franschhoek	True	37
Klapmuts	True	39
Raithby	True	32
Stellenbosch	True	41

Stellenbosch Local Municipality
Water Services Development Plan

Water Schemes		
Water Schemes	Blue Drop	Assessment Score
Dwarsrivier	True	88
Franschhoek	True	71
Klapmuts	False	0
Raithby	False	0
Rural Stellenbosch	False	0
Stellenbosch	True	78
Stellenbosch LM Rural	False	0
WSA Level		

Topic 3 Master Plan

Section	Is there a master plan to address this problem?	Does this plan address the plan address this problem 100%?
3.1 General Information	Yes	Yes
3.2 Operation	Yes	Yes
3.3 Functionality Observation	Yes	Yes
3.4 Asset Assessment Spectrum	Yes	Yes
3.5 Water and Sanitation schemes	Yes	Yes

Strategic Interpretation

Detail situation assessments per Topic element

3.1 General Information

Interpret Situation Assessment:	An infrastructure asset register is in place, but it is critical that an infrastructure management plan be implemented based on preventative maintenance to ensure that damage to assets is prevented before it occur.
---------------------------------	--

3.2 Operation

Interpret Situation Assessment:	In general the municipality keeps its infrastructure in good order.
---------------------------------	---

3.3 Functionality Observation

Interpret Situation Assessment:	One of the major challenges facing the Municipality is the need for replacement/upgrading of existing assets which have aged and deteriorated. A large portion of the water network in the municipal area consists of ageing Asbestos Cement (AC) pipes that is a significant contributing factor in causing leaking and bursting of water pipes. The Municipality has instituted a number of initiatives and projects such as replacement of old AC pipe lines, replacement of old and faulty watermeters, etc to provide an improved and secure water supply to its residents. Another challenge faced by the Municipality is the insufficient treatment capacity at various Waste Water Treatment Works, which is a result of historical under-investment and recent sustained growth in population and associated development. The council has in recent years invested vast amounts in the expansion of the treatment works capacity by rehabilitation of assets, upgrading and renewal of facilities and equipment.
---------------------------------	---

Stellenbosch Local Municipality

Water Services Development Plan

3.4 Asset Assessment Spectrum

Interpret Situation Assessment:	The current replacement cost of the water infrastructure of Stellenbosch Municipality is estimated at R1,034.06 million (excluding VAT). Reticulation pipeline assets make up the bulk of the backlog. The current replacement cost of the sanitation infrastructure of Stellenbosch Municipality is estimated at R853.3 million (excluding VAT). The bulk of the backlog is made up of sewer reticulation assets and the Stellenbosch WWTW.
---------------------------------	--

3.5 Water and Sanitation schemes

Interpret Situation Assessment:	Stellenbosch Municipality also achieved Blue Drop certification in 2012 for four of its five water supply systems, with a total Blue Drop score of 95.56%. The Municipality achieved a platinum award for the Stellenbosch Water Supply System for achieving Blue Drop accreditation three times, every year since the programme's inception in 2009. Based on the last Green Drop report in 2013 the municipality did not meet the expectation of the Regulator and the Green Drop programme. The municipal Green Drop score of 40.16% showed a significant decline from the 71.3% score in 2011, the main reason being the condition and the operation of their wastewater treatment plants. In its efforts to address the shortcomings, the Municipality has in the last few years put great emphasis on the improvement of their WWTW's.
---------------------------------	--

Business Element Report Items	Compliance Score	Intervention Required	%	Solution description as identified by Master Plan	%	Is there an Existing project addressing this problem?	%	Does this current listed project address the problem totally?	%	Project Approved by Council as part of WSDP Database?	%	Approved by council, in project database and part of 5 yr IDP cycle projects	%	Project listed in 3 yr MTEF - cycle	%	Total Points	Current Demand Overall Scoring %
3.1 General Information	85	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
3.2 Operation	92	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
3.3 Functionality Observation	98.59	Yes	100	Replace old infrastructure.	100	Yes	100	Yes	100	Yes	100	Yes	100	Yes	100	700	100
3.4 Asset Assessment Spectrum	89.33	Yes	100	Assess assets	100	Yes	100	Yes	100	Yes	100	Yes	100	Yes	100	700	100
3.5 Water and Sanitation schemes	32.77	Yes	100	Improve WWTW	100	No	100	Yes	100	Yes	100	Yes	100	Yes	100	700	100

Demand Overall Scoring Average 100

WSDP FY2018: Strategies and Objectives

Stellenbosch

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target
Water Services Asset Management									

Stellenbosch Local Municipality

Water Services Development Plan

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target
3.07	Complete new water reticulation projects.	Number of projects completed			3	3	na		
3.11	Development of an Asset Management Plan.	Plan submitted to Council for approval			na	na	na		
3.01	Upgrade and replace water meters.	% of approved project budget spent		STB11, Upgrade and replace water meters	100%	100%	na		
3.02	Upgrade Auto-samplers for water services.	% of approved project budget spent		STB6, Upgrade Auto-samplers (WTW & WWTW)	100%	100%	na		
3.03	Upgrade the Water Telemetry system.	Completed projects		STB14, Water Telemetry Upgrade	1	1	na		
3.04	Upgrade the Water treatment works.	Completed projects		STB1415004, Water Treatment Works: Idas Valley	na	na	na		
3.05	Upgrade bulk water supply.	Number of projects completed		STB1415030, Bulk water supply Pipe Line & Pumpstations: Franschhoek	3	na	na		
3.08	Upgrade storage Dams 1 & 2.	% of approved project budget spent		STB10, Storage Dam and Reservoir Upgrade (STB)	100%	100%	100%		
3.09	Upgrade Bulk Sewer reticulation.	Number of projects completed		STB1415025, New Plankenburg Main Sewer Outfall	3	na	na		

Topic 4: Water Services O&M

In Place	Assesement Score			
4.1 Operation & Maintenance Plan				
Is There a Operation and Maintenance Plan?				
True	100			
Phase	Compliance	Status Quo	Impact	Assesement Score
4.2 Resources				
4.2.1 Existing Groundwater Infrastructure				
Operation	Staff	Not Required	No Impact	100
Maintenance	Staff	Not Required	No Impact	100
Operation	External resources	Not Required	No Impact	100
Maintenance	External resources	Not Required	No Impact	100
Operation	Spare Parts	Not Required	No Impact	100
Maintenance	Spare Parts	Not Required	No Impact	100
Operation	Tools & Equipment	Not Required	No Impact	100
Maintenance	Tools & Equipment	Not Required	No Impact	100
Operation	Budget	Not Required	No Impact	100
Maintenance	Budget	Not Required	No Impact	100
4.2 Resources				
4.2.2 Existing Surface Water Infrastructure				
Operation	Staff	Below Minimum requirement	Medium/High	25
Maintenance	Staff	Below Minimum requirement	Medium/High	25

Operation	External resources	Minimum basic requirement	Medium/High	50
Maintenance	External resources	Minimum basic requirement	Medium/High	50
Operation	Spare Parts	Below Minimum requirement	Critical	25
Maintenance	Spare Parts	Below Minimum requirement	Critical	25
Operation	Tools & Equipment	Minimum basic requirement	Low	50
Maintenance	Tools & Equipment	Minimum basic requirement	Low	50
Operation	Budget	Minimum basic requirement	Low	50
Maintenance	Budget	Minimum basic requirement	Low	50
4.2 Resources				
4.2.3 Existing Waste Water Treatment Works Infrastructure				
Operation	Staff	Minimum basic requirement	Medium/High	50
Maintenance	Staff	Minimum basic requirement	Medium/High	50
Operation	External resources	Below Minimum requirement	Medium/High	25
Maintenance	External resources	Above minimum requirement	Low	75
Operation	Spare Parts	Below Minimum requirement	Critical	25
Maintenance	Spare Parts	Below Minimum requirement	Critical	25
Operation	Tools & Equipment	Minimum basic requirement	Medium/High	50
Maintenance	Tools & Equipment	Minimum basic requirement	Medium/High	50
Operation	Budget	Minimum basic requirement	Medium/High	50
Maintenance	Budget	Minimum basic requirement	Medium/High	50
4.2 Resources				
4.2.4 Existing Water Treatment Works Infrastructure				
Operation	Staff	Minimum basic requirement	Medium/High	50
Maintenance	Staff	Minimum basic requirement	Medium/High	50
Operation	External resources	Minimum basic requirement	Low	50
Maintenance	External resources	Minimum basic requirement	Low	50
Operation	Spare Parts	Below Minimum requirement	Medium/High	25
Maintenance	Spare Parts	Below Minimum requirement	Medium/High	25
Operation	Tools & Equipment	Minimum basic requirement	Medium/High	50
Maintenance	Tools & Equipment	Minimum basic requirement	Medium/High	50
Operation	Budget	Minimum basic requirement	Medium/High	50
Maintenance	Budget	Minimum basic requirement	Medium/High	50

Stellenbosch Local Municipality
Water Services Development Plan

4.2 Resources				
4.2.5 Existing Pump Station Infrastructure				
Operation	Staff	Minimum basic requirement	Medium/High	50
Maintenance	Staff	Minimum basic requirement	Medium/High	50
Operation	External resources	Minimum basic requirement	Low	50
Maintenance	External resources	Minimum basic requirement	Low	50
Operation	Spare Parts	Below Minimum requirement	Medium/High	25
Maintenance	Spare Parts	Below Minimum requirement	Medium/High	25
Operation	Tools & Equipment	Minimum basic requirement	Medium/High	50
Maintenance	Tools & Equipment	Minimum basic requirement	Medium/High	50
Operation	Budget	Minimum basic requirement	Medium/High	50
Maintenance	Budget	Minimum basic requirement	Medium/High	50
4.2 Resources				
4.2.6 Existing Bulk Pipeline Infrastructure				
Operation	Staff	Below Minimum requirement	Medium/High	25
Maintenance	Staff	Below Minimum requirement	Medium/High	25
Operation	External resources	Minimum basic requirement	Medium/High	50
Maintenance	External resources	Minimum basic requirement	Medium/High	50
Operation	Spare Parts	Below Minimum requirement	Critical	25
Maintenance	Spare Parts	Below Minimum requirement	Critical	25
Operation	Tools & Equipment	Minimum basic requirement	Low	50
Maintenance	Tools & Equipment	Minimum basic requirement	Low	50
Operation	Budget	Minimum basic requirement	Low	50
Maintenance	Budget	Minimum basic requirement	Low	50
4.2 Resources				
4.2.7 Existing Tower & Reservoir Infrastructure				
Operation	Staff	Below Minimum requirement	Medium/High	25
Maintenance	Staff	Below Minimum requirement	Medium/High	25
Operation	External resources	Minimum basic requirement	Medium/High	50
Maintenance	External resources	Minimum basic requirement	Medium/High	50
Operation	Spare Parts	Minimum basic requirement	Medium/High	50
Maintenance	Spare Parts	Minimum basic requirement	Medium/High	50

Operation	Tools & Equipment	Minimum basic requirement	Low	50
Maintenance	Tools & Equipment	Minimum basic requirement	Low	50
Operation	Budget	Minimum basic requirement	Low	50
Maintenance	Budget	Minimum basic requirement	Low	50
4.2 Resources				
4.2.3 Existing Reticulation Infrastructure				
Operation	Staff	Below Minimum requirement	Critical	25
Maintenance	Staff	Below Minimum requirement	Critical	25
Operation	External resources	Minimum basic requirement	Medium/High	50
Maintenance	External resources	Minimum basic requirement	Medium/High	50
Operation	Spare Parts	Below Minimum requirement	Critical	25
Maintenance	Spare Parts	Below Minimum requirement	Critical	25
Operation	Tools & Equipment	Minimum basic requirement	Low	50
Maintenance	Tools & Equipment	Minimum basic requirement	Low	50
Operation	Budget	Minimum basic requirement	Low	50
Maintenance	Budget	Minimum basic requirement	Low	50
4.3 Information				
4.3.1 Existing Groundwater Infrastructure				
Operation	Manuals Available	Not Required	No Impact	100
Maintenance	Manuals Available	Not Required	No Impact	100
Operation	Asset Register	Not Required	No Impact	100
Maintenance	Asset Register	Not Required	No Impact	100
Operation	As-Built info.	Not Required	No Impact	100
Maintenance	As-Built info.	Not Required	No Impact	100
Operation	Tools & Equipment	Not Required	No Impact	100
Maintenance	Tools & Equipment	Not Required	No Impact	100
Operation	Contingency & Safety Plan	Not Required	No Impact	100
Maintenance	Contingency & Safety Plan	Not Required	No Impact	100
4.3 Information				
4.3.2 Existing Surface Water Infrastructure				
Operation	Manuals Available	Below Minimum requirement	Critical	25
Maintenance	Manuals Available	Below Minimum requirement	Critical	25

Stellenbosch Local Municipality
Water Services Development Plan

Operation	Asset Register	Minimum basic requirement	Medium/High	50
Maintenance	Asset Register	Minimum basic requirement	Medium/High	50
Operation	As-Built info.	Below Minimum requirement	Critical	25
Maintenance	As-Built info.	Below Minimum requirement	Critical	25
Operation	Tools & Equipment	Minimum basic requirement	Low	50
Maintenance	Tools & Equipment	Minimum basic requirement	Low	50
Operation	Contingency & Safety Plan	Minimum basic requirement	Low	50
Maintenance	Contingency & Safety Plan	Minimum basic requirement	Low	50
4.3 Information				
4.3.3 Existing Water Treatment Works Infrastructure				
Operation	Manuals Available	Minimum basic requirement	Medium/High	50
Maintenance	Manuals Available	Below Minimum requirement	Critical	25
Operation	Asset Register	Minimum basic requirement	Medium/High	50
Maintenance	Asset Register	Minimum basic requirement	Medium/High	50
Operation	As-Built info.	Zero Compliance	Critical	0
Maintenance	As-Built info.	Zero Compliance	Medium/High	0
Operation	Tools & Equipment	Minimum basic requirement	Low	50
Maintenance	Tools & Equipment	Zero Compliance	Critical	0
Operation	Contingency & Safety Plan	Minimum basic requirement	Low	50
Maintenance	Contingency & Safety Plan	Minimum basic requirement	Low	50
4.3 Information				
4.3.4 Existing Waste Water Treatment Works Infrastructure				
Operation	Manuals Available	Minimum basic requirement	Low	50
Maintenance	Manuals Available	Below Minimum requirement	Critical	25
Operation	Asset Register	Below Minimum requirement	Critical	25
Maintenance	Asset Register	Below Minimum requirement	Critical	25
Operation	As-Built info.	Minimum basic requirement	Medium/High	50
Maintenance	As-Built info.	Minimum basic requirement	Medium/High	50
Operation	Tools & Equipment	Minimum basic requirement	Medium/High	50
Maintenance	Tools & Equipment	Minimum basic requirement	Medium/High	50
Operation	Contingency & Safety Plan	Minimum basic requirement	Low	50
Maintenance	Contingency & Safety Plan	Minimum basic requirement	Low	50

4.3 Information					
4.3.5 Existing Pump Station Infrastructure					
Operation	Manuals Available	Minimum basic requirement	Low	50	
Maintenance	Manuals Available	Minimum basic requirement	Low	50	
Operation	Asset Register	Minimum basic requirement	Medium/High	50	
Maintenance	Asset Register	Minimum basic requirement	Medium/High	50	
Operation	As-Built info.	Below Minimum requirement	Critical	25	
Maintenance	As-Built info.	Below Minimum requirement	Critical	25	
Operation	Tools & Equipment	Minimum basic requirement	Low	50	
Maintenance	Tools & Equipment	Minimum basic requirement	Low	50	
Operation	Contingency & Safety Plan	Minimum basic requirement	Low	50	
Maintenance	Contingency & Safety Plan	Minimum basic requirement	Low	50	
4.3 Information					
4.3.6 Existing Bulk Pipeline Infrastructure					
Operation	Manuals Available	Minimum basic requirement	Low	50	
Maintenance	Manuals Available	Minimum basic requirement	Low	50	
Operation	Asset Register	Minimum basic requirement	Low	50	
Maintenance	Asset Register	Minimum basic requirement	Low	50	
Operation	As-Built info.	Minimum basic requirement	Low	50	
Maintenance	As-Built info.	Minimum basic requirement	Low	50	
Operation	Tools & Equipment	Minimum basic requirement	Low	50	
Maintenance	Tools & Equipment	Minimum basic requirement	Low	50	
Operation	Contingency & Safety Plan	Minimum basic requirement	Medium/High	50	
Maintenance	Contingency & Safety Plan	Minimum basic requirement	Medium/High	50	
4.3 Information					
4.3.7 Existing Tower & Reservoir Infrastructure					
Operation	Manuals Available	Minimum basic requirement	Low	50	
Maintenance	Manuals Available	Minimum basic requirement	Low	50	
Operation	Asset Register	Minimum basic requirement	Low	50	
Maintenance	Asset Register	Minimum basic requirement	Low	50	
Operation	As-Built info.	Minimum basic requirement	Low	50	
Maintenance	As-Built info.	Minimum basic requirement	Low	50	

Operation	Tools & Equipment	Minimum basic requirement	Low	50
Maintenance	Tools & Equipment	Minimum basic requirement	Low	50
Operation	Contingency & Safety Plan	Minimum basic requirement	Medium/High	50
Maintenance	Contingency & Safety Plan	Minimum basic requirement	Medium/High	50
4.3 Information				
4.3.8 Existing Retribulation Infrastructure				
Operation	Manuals Available	Minimum basic requirement	Low	50
Maintenance	Manuals Available	Minimum basic requirement	Low	50
Operation	Asset Register	Minimum basic requirement	Low	50
Maintenance	Asset Register	Minimum basic requirement	Low	50
Operation	As-Built info.	Minimum basic requirement	Low	50
Maintenance	As-Built info.	Minimum basic requirement	Low	50
Operation	Tools & Equipment	Minimum basic requirement	Low	50
Maintenance	Tools & Equipment	Minimum basic requirement	Low	50
Operation	Contingency & Safety Plan	Minimum basic requirement	Medium/High	50
Maintenance	Contingency & Safety Plan	Minimum basic requirement	Medium/High	50
4.4 Activity Control & Management				
4.4.1 Existing Groundwater Infrastructure				
Operation	Procedures	Not Required	No Impact	100
Maintenance	Procedures	Not Required	No Impact	100
Operation	Record keeping in place	Not Required	No Impact	100
Maintenance	Record keeping in place	Not Required	No Impact	100
Operation	Quality Control procedures established	Not Required	No Impact	100
Maintenance	Quality Control procedures established	Not Required	No Impact	100
Operation	Risk Management	Not Required	No Impact	100
Maintenance	Risk Management	Not Required	No Impact	100
Operation	Reporting (data analysis & report generation est.)	Not Required	No Impact	100
Maintenance	Reporting (data analysis & report generation est.)	Not Required	No Impact	100
4.4 Activity Control & Management				
4.4.2 Existing Surface water Infrastructure				
Operation	Procedures	Minimum basic requirement	Medium/High	50
Maintenance	Procedures	Minimum basic requirement	Medium/High	50

Stellenbosch Local Municipality

Water Services Development Plan

Operation	Record keeping in place	Below Minimum requirement	Medium/High	25
Maintenance	Record keeping in place	Below Minimum requirement	Medium/High	25
Operation	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Maintenance	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Operation	Risk Management	Minimum basic requirement	Medium/High	50
Maintenance	Risk Management	Minimum basic requirement	Medium/High	50
Operation	Reporting (data analysis & report generation est.)	Minimum basic requirement	Medium/High	50
Maintenance	Reporting (data analysis & report generation est.)	Minimum basic requirement	Medium/High	50
4.4 Activity Control & Management				
4.4.3 Existing Water Treatment Works Infrastructure				
Operation	Procedures	Minimum basic requirement	Low	50
Maintenance	Procedures	Minimum basic requirement	Low	50
Operation	Record keeping in place	Below Minimum requirement	Critical	25
Maintenance	Record keeping in place	Below Minimum requirement	Critical	25
Operation	Quality Control procedures established	Below Minimum requirement	Critical	25
Maintenance	Quality Control procedures established	Below Minimum requirement	Critical	25
Operation	Risk Management	Minimum basic requirement	Medium/High	50
Maintenance	Risk Management	Minimum basic requirement	Medium/High	50
Operation	Reporting (data analysis & report generation est.)	Minimum basic requirement	Low	50
Maintenance	Reporting (data analysis & report generation est.)	Minimum basic requirement	Low	50
4.4 Activity Control & Management				
4.4.4 Existing Waste Water Treatment Works Infrastructure				
Operation	Procedures	Minimum basic requirement	Medium/High	50
Maintenance	Procedures	Below Minimum requirement	Critical	25
Operation	Record keeping in place	Minimum basic requirement	Medium/High	50
Maintenance	Record keeping in place	Minimum basic requirement	Medium/High	50
Operation	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Maintenance	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Operation	Risk Management	Below Minimum requirement	Critical	25
Maintenance	Risk Management	Minimum basic requirement	Medium/High	50
Operation	Reporting (data analysis & report generation est.)	Minimum basic requirement	Medium/High	50
Maintenance	Reporting (data analysis & report generation est.)	Minimum basic requirement	Medium/High	50

4.4 Activity Control & Management				
4.4.5 Existing Pump Station Infrastructure				
Operation	Procedures	Minimum basic requirement	Medium/High	50
Maintenance	Procedures	Minimum basic requirement	Medium/High	50
Operation	Record keeping in place	Below Minimum requirement	Medium/High	25
Maintenance	Record keeping in place	Below Minimum requirement	Medium/High	25
Operation	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Maintenance	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Operation	Risk Management	Minimum basic requirement	Medium/High	50
Maintenance	Risk Management	Minimum basic requirement	Medium/High	50
Operation	Reporting (data analysis & report generation est.)	Minimum basic requirement	Medium/High	50
Maintenance	Reporting (data analysis & report generation est.)	Minimum basic requirement	Medium/High	50
4.4 Activity Control & Management				
4.4.6 Existing Bulk Pipeline Infrastructure				
Operation	Procedures	Minimum basic requirement	Medium/High	50
Maintenance	Procedures	Minimum basic requirement	Medium/High	50
Operation	Record keeping in place	Below Minimum requirement	Medium/High	25
Maintenance	Record keeping in place	Below Minimum requirement	Medium/High	25
Operation	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Maintenance	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Operation	Risk Management	Minimum basic requirement	Medium/High	50
Maintenance	Risk Management	Minimum basic requirement	Medium/High	50
Operation	Reporting (data analysis & report generation est.)	Minimum basic requirement	Medium/High	50
Maintenance	Reporting (data analysis & report generation est.)	Minimum basic requirement	Medium/High	50
4.4 Activity Control & Management				
4.4.7 Existing Tower & Reservoir Infrastructure				
Operation	Procedures	Minimum basic requirement	Medium/High	50
Maintenance	Procedures	Minimum basic requirement	Medium/High	50
Operation	Record keeping in place	Below Minimum requirement	Medium/High	25
Maintenance	Record keeping in place	Below Minimum requirement	Medium/High	25
Operation	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Maintenance	Quality Control procedures established	Minimum basic requirement	Medium/High	50

Operation	Risk Management	Minimum basic requirement	Medium/High	50
Maintenance	Risk Management	Minimum basic requirement	Medium/High	50
Operation	Reporting (data analysis & report generation est.)	Minimum basic requirement	Medium/High	50
Maintenance	Reporting (data analysis & report generation est.)	Minimum basic requirement	Medium/High	50
4.4 Activity Control & Management				
4.4.8 Existing Reticulation Infrastructure				
Operation	Procedures	Minimum basic requirement	Medium/High	50
Maintenance	Procedures	Minimum basic requirement	Medium/High	50
Operation	Record keeping in place	Below Minimum requirement	Medium/High	25
Maintenance	Record keeping in place	Below Minimum requirement	Medium/High	25
Operation	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Maintenance	Quality Control procedures established	Minimum basic requirement	Medium/High	50
Operation	Risk Management	Minimum basic requirement	Medium/High	50
Maintenance	Risk Management	Minimum basic requirement	Medium/High	50
Operation	Reporting (data analysis & report generation est.)	Below Minimum requirement	Medium/High	25
Maintenance	Reporting (data analysis & report generation est.)	Below Minimum requirement	Medium/High	25

Topic 4 Master Plan		
Section	Is there a master plan to address this problem?	Does this plan address the plan address this problem 100%?
4.1 Operation & Maintenance Plan	Yes	Yes
4.1.1 Is There an Operation and Maintenance Plan?	Yes	Yes
4.2 Resources	Yes	Yes
4.3 Information	Yes	Yes
4.4 Activity Control & Management	Yes	Yes

Strategic Interpretation

Detail situation assessments per Topic element

4.1 Operation & Maintenance Plan

Interpret Situation Assessment:	Operation & Maintenance Plan is in place
---------------------------------	--

4.1.1 Is There an Operation and Maintenance Plan?

Interpret Situation Assessment:	Operation & Maintenance Plan is in place
---------------------------------	--

4.2 Resources

Interpret Situation Assessment:	In most instances the minimum required staff are available. More people are currently being trained by the municipality
---------------------------------	---

Stellenbosch Local Municipality
Water Services Development Plan

4.3 Information

Interpret Situation Assessment:	The municipality must improve the asbuilt information on some of their infrastructure.
---------------------------------	--

4.4 Activity Control & Management

Interpret Situation Assessment:	There is a need for record keeping and reporting at the facilities to be improved in some cases.
---------------------------------	--

Business Element Report Items	Compliance Score	Intervention Required	%	Solution description as identified by Master Plan	%	Is there an Existing project addressing this problem?	%	Does this current listed project address the problem totally?	%	Project Approved by Council as part of WSDP Database?	%	Approved by council, in project database and part of 5 yr IDP cycle projects	%	Project listed in 3 yr MTEF - cycle	%	Total Points	Current Demand Overall Scoring %
4.1 Operation & Maintenance Plan	100	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
4.1.1 Is There an Operation and Maintenance Plan?	50	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
4.2 Resources	51.25	Yes	100	Personnel to be trained	100	Yes	100	Yes	100	Yes	100	Yes	100	Yes	100	700	100
4.3 Information	50.63	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
4.4 Activity Control & Management	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
Demand Overall Scoring Average																100	

WSDP FY2018: Strategies and Objectives

Stellenbosch

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target

Stellenbosch Local Municipality

Water Services Development Plan

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target
Water Services O&M									
4.01	Spend the maintenance budget for water assets.	% of the maintenance budget spent			95%	95%	95%		
4.05	Spend the waste water maintenance budget.	% of maintenance budget spent			95%	95%	95%		
4.06	Spent the maintenance budget for sanitation assets.	% of maintenance budget spent			95%	95%	95%		
4.07	Training of staff on treatment processes, quality monitoring and control.	Number of staff trained			38	40	38		
4.08	Safety audits to be undertaken on all WWTW's to ensure compliance with the Occupational Health and Safety Act.	Number of audits			1	1	1		
4.11	Spent 90% of the total approved water services capital budget applicable to the directorate (Actual capital expenditure divided by the total approved capital budget).	% of the capital budget spent			90%	90%	90%		
4.02	Improve the Reservoirs and Dam safety.	% of approved project budget spent		STB7, Reservoirs and Dam Safety & Bulk Water Supply Improvements	98%	98%	98%		
4.03	Complete the water pipe replacement.	% of approved project budget spent		STB4, Water Pipe Replacement	100%	100%	100%		
4.04	Monitoring of drinking water quality in terms of SANS 241 on a monthly basis.	% Drinking Water Quality Compliance		STB6, Upgrade Auto-samplers (WTW & WWTW)	98%	98%	98%		

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target
4.09	50% Weighted Average effluent quality achieved in terms of requirements as regulated by the water use license for all Waste Water Treatment Works.	% effluent quality		STB6, Upgrade Auto-samplers (WTW & WWTW)	60%	60%	60%		
4.10	90% Average water quality achieved as per micro, chemical, operational and physical determinants in terms of the Blue Drop requirements regulated by SANS 241 for all Water Treatment Works.	% Average water quality achieved as per micro, chemical, operational and physical determinants		STB8, Chlorination Installation: MHI study	90%	90%	90%		

Topic 5: Conservation & Demand Management

Topic 5.1: Water Resource Management

Demand Info		
Question	Resource Available	Assessment Score
5.1 Reducing unaccounted water and water inefficiencies		
5.1.1 Night flow metering	1	100
5.1.2 Day flow metering	1	100
5.1.3 Reticulation leaks	1	100
5.1.4 Illegal connections	1	75
5.1.5 Un-metered connections	1	75
5.2 Leak and meter repair programmes. Consumer units targeted by:		
5.2.1 Leak repair assistance programme	1	100

5.2.2 Retro-fitting of water inefficient toilets	0	100
5.2.3 Meter repair programme	1	100
5.3 Consumer/end-use demand management: Public Information & Education Programmes		
5.3.1 Schools targeted by education programmes	0	100
5.3.2 Consumers targeted by public information programmes	1	100

Demand Info Question 8		
Question	Number of Settlements	Assessment Score

Conjunctive use of surface - and groundwater		
891	65	100
893	0	100
894	0	100

--	--	--

Demand Info Question 9		
Question	Yes/No	Assessment Score
5.5 Working for Water		
Is there a Working for Water Programme in place:	1	100

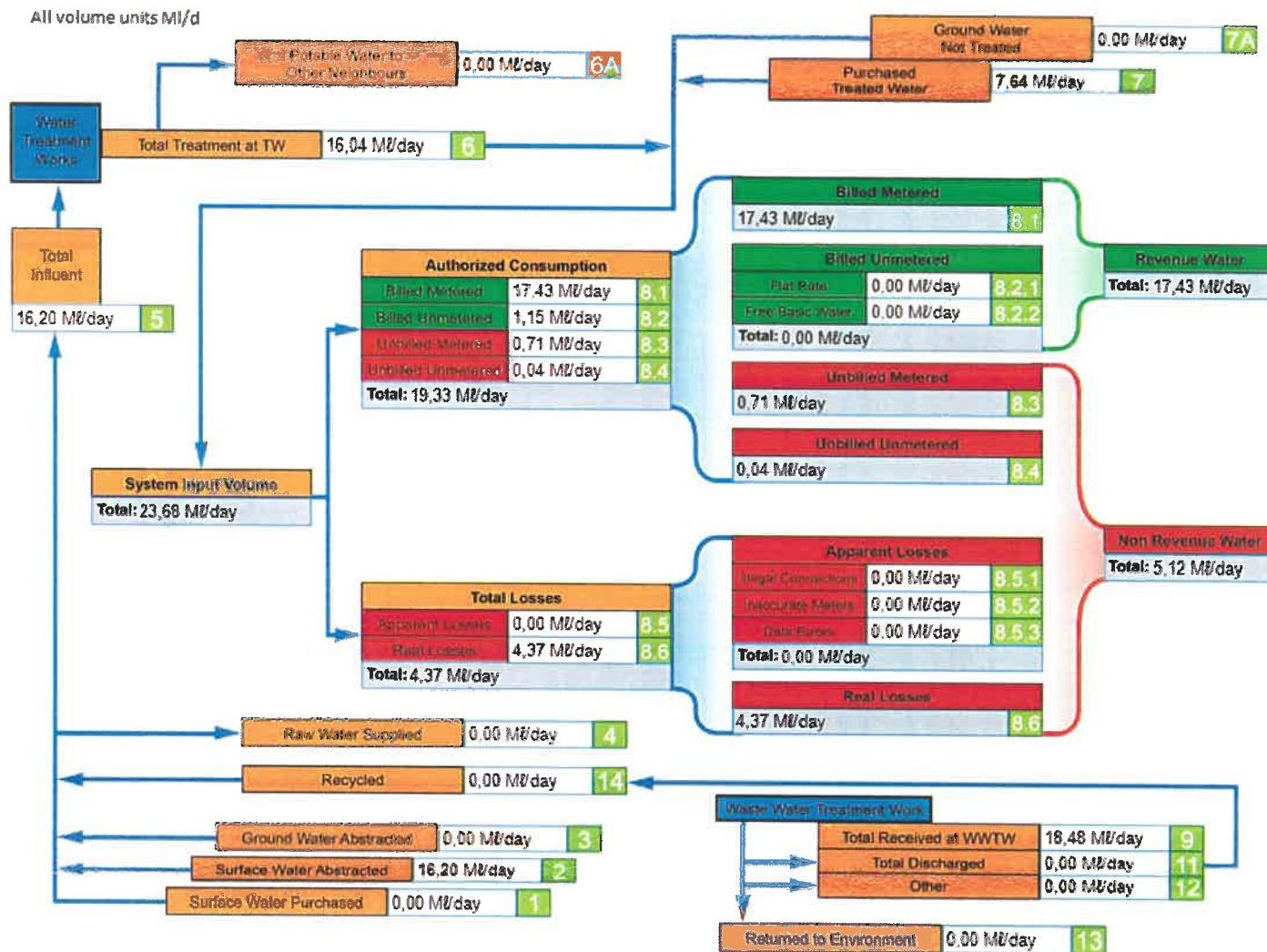
Demand Info Question 10	
Project Name	Assessment Score

Provide List of Projects	

Topic 5.1 Master Plan		
Section	Is there a master plan to address this problem?	Does this plan address the plan address this problem 100%?
5.1 Reducing unaccounted water and water inefficiencies	Yes	Yes
5.2 Leak and meter repair programmes.	Yes	Yes
5.3 Consumer/end-use demand management: Public Information & Education Programmes	Yes	Yes
5.4: Conjunctive use of surface - and groundwater	Yes	Yes
5.5 Working for Water	No	No

Topic 5.2: Water Balance

Stellenbosch Local Municipality
Water Services Development Plan



Topic 5.2: Water Balance

**Stellenbosch Local Municipality
Water Services Development Plan**

Questions	Assessment Score
5.2.1 Amount of surface water purchased.	
5.2.2 Amount of surface water abstracted.	
5.2.3 Amount of ground water abstracted.	
5.2.4 Amount of raw water supplied.	
5.2.5 Total influent of water to water treatment plants.	
5.2.6 Total water treated at water treatment plants.	
5.2.6A Potable water sent to neighbours.	
5.2.7 Total amount of treated water purchased.	
5.2.7A Amount of untreated water pumped directly into reticulation system.	
5.2.8.1 Amount of billed and metered water consumed.	
5.2.8.2 Amount of billed, but not metered, water consumed.	
5.2.8.3 Amount of unbilled metered water consumed.	
5.2.8.4 Amount of unbilled and unmetered water consumed.	
5.2.8.5 Apparent loss of water.	
5.2.8.6 Real loss of water.	
5.2.8.2.1 Water is billed for based on a flat rate tariff (i.e. not based on a meter reading).	
5.2.8.2.2 Free basic water used through unbilled unmetered stand pipes or yard connections.	
5.2.8.5.1 Water used through illegal connections.	
5.2.8.5.2 Water used but not billed for because of inaccurate meters.	
5.2.8.5.3 Water used but not billed for because of data transfer errors, low estimated readings or any administrative errors.	
5.2.9 Total amount of water received at waste water treatment works.	
5.2.11 Total amount of water discharged from waste water treatment works.	
5.2.12 Other	
5.2.13 Amount of water returned to the environment.	
5.2.14 Amount of recycled water supplied.	

Topic 5.2 Master Plan

Topic 5.2 Master Plan		
Section	Is there a master plan that addresses this problem?	Does this plan address this problem 100% ?

5.2 Water Balance	Yes	Yes
-------------------	-----	-----

Strategic Interpretation

Detail situation assessments per Topic element

5.1 Reducing unaccounted water and water inefficiencies

Interpret Situation Assessment:	The municipality has rolled out a number of project in order to reduce unaccounted water and water inefficiencies. Projects include the water pipe replacement programme which entails the replacement of aging water mains in the WC024 network using Prioritization Program. the Phase 1 of a water meter audit programme has also commenced in the WC024 area. Phase 1 entailed the audit of all water meters in the Klapmuts area. This programme will be extended across the municipal area.
---------------------------------	---

5.2 Leak and meter repair programmes.

Interpret Situation Assessment:	The Phase 1 of a water meter audit programme has commenced in the WC024 area. Phase 1 entailed the audit of all water meters in the Klapmuts area. This programme will be extended across the municipal area.
---------------------------------	---

5.3 Consumer/end-use demand management: Public Information & Education Programmes

Interpret Situation Assessment:	Pamphlets containing water saving tips are regularly enclosed with the bills of consumers.
---------------------------------	--

5.4: Conjunctive use of surface - and groundwater

Interpret Situation Assessment:	
---------------------------------	--

Stellenbosch Local Municipality
Water Services Development Plan

5.5 Working for Water

Interpret Situation Assessment:	No projects currently ongoing.
---------------------------------	--------------------------------

5.2 Water Balance

Interpret Situation Assessment:	Stellenbosch Municipality has kept records of the volumes of raw water received, water treated and water consumed. The municipality is currently in the process of further breaking down their consumption figures for the different category of users i.e. residential, commercial/business, industrial & large users. At the time of preparing this report this information was not yet available.
---------------------------------	--

Business Element Report Items	Compliancy Score	Intervention Required	%	Solution description as identified by Master Plan	%	Is there an Existing project addressing this problem?	%	Does this current listed project address the problem totally?	%	Project Approved by Council as part of WSDP Database?	%	Approved by council, in project database and part of 5 yr IDP cycle projects	%	Project listed in 3 yr MTEF - cycle	%	Total Points	Current Demand Overall Scoring %
5.1 Reducing unaccounted water and water inefficiencies	95	Yes	100	Reduce unaccounted water inefficiencies	100	No	100	Yes	100	Yes	100	Yes	100	Yes	100	700	100
5.2 Leak and meter repair programmes.	100	Yes	100	Audit water meters.	100	Yes	100	Yes	100	Yes	100	Yes	100	Yes	100	700	100
5.3 Consumer/end-use demand management: Public Information & Education Programmes	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
5.4: Conjunctive use of surface - and groundwater	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
5.5 Working for Water	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
5.2 Water Balance	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100

Demand Overall Scoring Average 100

WSDP FY2018: Strategies and Objectives

Stellenbosch

Nr	Objective	Key Performance	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
Water Resource Management									

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target
5.1.1	Implement Water Conservation & Demand Management.	% of approved project budget spent		STB13, Water Conservation and Demand Management	95%	95%	95%		

Strategic Interpretation

Detail situation assessments per Topic element

5.1 Reducing unaccounted water and water inefficiencies

Interpret Situation Assessment:	The municipality has rolled out a number of project in order to reduce unaccounted water and water inefficiencies. Projects include the water pipe replacement programme which entails the replacement of aging water mains in the WC024 network using Prioritization Program. the Phase 1 of a water meter audit programme has also commenced in the WC024 area. Phase 1 entailed the audit of all water meters in the Klapmuts area. This programme will be extended across the municipal area.
---------------------------------	---

5.2 Leak and meter repair programmes.

Interpret Situation Assessment:	The Phase 1 of a water meter audit programme has commenced in the WC024 area. Phase 1 entailed the audit of all water meters in the Klapmuts area. This programme will be extended across the municipal area.
---------------------------------	---

5.3 Consumer/end-use demand management: Public Information & Education Programmes

Interpret Situation Assessment:	Pamphlets containing water saving tips are regularly enclosed with the bills of consumers.
---------------------------------	--

5.4: Conjunctive use of surface - and groundwater

**Stellenbosch Local Municipality
Water Services Development Plan**

Interpret Situation Assessment:	
---------------------------------	--

5.5 Working for Water

Interpret Situation Assessment:	No projects currently ongoing.
---------------------------------	--------------------------------

5.2 Water Balance

Interpret Situation Assessment:	Stellenbosch Municipality has kept records of the volumes of raw water received, water treated and water consumed. The municipality is currently in the process of further breaking down their consumption figures for the different category of users i.e. residential, commercial/business, industrial & large users. At the time of preparing this report this information was not yet available.
---------------------------------	--

Business Element Report Items	Compliance Score	Intervention Required	%	Solution description as identified by Master Plan	%	Is there an Existing project addressing this problem?	%	Does this current listed project address the problem totally?	%	Project Approved by Council as part of WSDP Database?	%	Approved by council, in project database and part of 5 yr IDP cycle projects	%	Project listed in 3 yr MTEF - cycle	%	Total Points	Current Demand Overall Scoring %
5.1 Reducing unaccounted water and water inefficiencies	0	Yes	100	Reduce unaccounted water inefficiencies	100	No	100	Yes	100	Yes	100	Yes	100	Yes	100	700	100
5.2 Leak and meter repair programmes.	0	Yes	100	Audit water meters.	100	Yes	100	Yes	100	Yes	100	Yes	100	Yes	100	700	100
5.3 Consumer/end-use demand management: Public Information & Education Programmes	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
5.4: Conjunctive use of surface - and groundwater	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
5.5 Working for Water	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
5.2 Water Balance	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100

Demand Overall Scoring Average 100

Stellenbosch Local Municipality
Water Services Development Plan

WSDP FY2018: Strategies and Objectives

Stellenbosch

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target
Water Balance									
5.2.3	Water meter audit of all bulk and consumer water meters including development of a Meter Maintenance and Management Strategy.	Completed Audit Report submitted to council			1	1	1		
5.2.4	Upgrading of water telemetry systems.	Number of completed projects			2	3	3		
5.2.1	Implement Water conservation & Demand Management.	% of approved project budget spent		STB13, Water Conservation and Demand Management	95%	95%	95%		
5.2.2	Limit unaccounted for water to less than 25%.	% Unaccounted for water		STB11, Upgrade and replace water meters	<25%	<25%	<25%		

Topic 6: Water Resources

* Current Water Sources	* Number of sources	* Current abstraction (Mm3/A)	Components abstraction registered	Components abstraction recorded	* Licensed abstraction (Mm3/A)	* Community water supply		Assesment Score
						Rural	Urban	
Boreholes	65	0	65	65	0			75
Surface Water Abstract	8	9.686867	8	8	11.20392	13	52	75
External Sources (Bulk Purchase)	3	4.468356			7.224			75
Water returned to source	0	0			0			100
Conjunctive Use								100

Additional Source Available	* Number of sources	Potential Volume	* Licensed abstraction (Mm3/A)	Assessment Score
Ground Water	0	0	0	100

Stellenbosch Local Municipality
Water Services Development Plan

Surface Water	4		0.885	50
External Sources (Bulk Purchase)				100

Question	In Place	Assessment Score

Question	General Assessment	Status Quo	Assessment Score

Question	In Place	Assessment Score

--	--	--

Question	General Assessment	Status Quo	Assessment Score

Question	B	AP	WTW	WP	SP	WL	SL	R	WWTW	Assessment Score
[section]										
6.4.1.1 The abstraction IS registered with DWS	0	7								100
6.4.1.2 The abstraction IS NOT registered with DWS	65	1								100
6.4.2.1 The abstraction IS recorded	0	8								100
6.4.2.2 The abstraction IS NOT recorded	65	0								100

Topic 6 Master Plan		
Section	Is there a master plan to address this problem?	Does this plan address the plan address this problem 100%?
6.1.1 Current Water Sources	Yes	No
6.2 Monitoring	Yes	No
6.3 Water Quality	Yes	Yes
6.4 Operation	Yes	Yes
6.1.2 Additional Sources Available	Yes	No

Strategic Interpretation

Detail situation assessments per Topic element

6.1.1 Current Water Sources

Interpret Situation Assessment:	
---------------------------------	--

6.2 Monitoring

Interpret Situation Assessment:	The municipality has an extensive monitoring point network in place and has implemented a comprehensive drinking water sampling programme for its formal water supply schemes. There are 5 No supply systems within the Stellenbosch municipal area with 38 No registered monitoring sites. The current monitoring programme is aligned with the requirements set out in SANS241:2015 in both the amount of samples being taken and the frequency of analyses.
---------------------------------	--

6.3 Water Quality

Stellenbosch Local Municipality

Water Services Development Plan

Interpret Situation Assessment:	The Municipality's water is of a good quality and complies with National Standards (SANS 241). A 95.5% Blue Drop score was achieved for the 2012 period. The Municipality achieved Blue Drop Status awards for four of its five networks in 2011. A Water Safety Plan and Risk Assessment has also been developed to ensure water supply and quality compliance.
---------------------------------	--

6.4 Operation

Interpret Situation Assessment:	A Water Safety Plan and Risk Assessment has been developed to ensure water supply and quality compliance from all their treatment works. Upgrading of a number of the treatment works within the municipal boundary has been undertaken to ensure water supply and quality compliance. One of the most recent upgrades are the Paradyskloof WTW has been completed in the 2014/15 financial year.
---------------------------------	---

6.1.2 Additional Sources Available

Interpret Situation Assessment:	Following the drought experienced in the Western Cape for the past three years the municipality has embarked on the development of new resources to feed into the existing water network. The municipality is the process of developing a number of new boreholes that will augment the existing water supply of the current network.
---------------------------------	---

Business Element Report Items	Compliance Score	Intervention Required	%	Solution description as identified by Master Plan	%	Is there an Existing project addressing this problem?	%	Does this current listed project address the problem totally?	%	Project Approved by Council as part of WSDP Database?	%	Approved by council, in project database and part of 5 yr IDP cycle projects	%	Project listed in 3 yr MTEF - cycle	%	Total Points	Current Demand Overall Scoring %
6.1.1 Current Water Sources	84.38	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
6.2 Monitoring	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
6.3 Water Quality	0	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
6.4 Operation	100	No	100		0	No	0	No	0	No	0	No	0	No	0	0	100
6.1.2 Additional Sources Available	0	Yes	100	Develop new boreholes	100	Yes	100	Yes	100	Yes	100	Yes	100	Yes	100	700	100

Demand Overall Scoring Average

100

Stellenbosch Local Municipality

Water Services Development Plan

Nr	Objective Strategy	Key Performance Indicator	Baseline (2017 status quo)	Linked Project	WSDP	WSDP	WSDP	WSDP	WSDP
					FY2018	FY2019	FY2020	FY2021	FY2022
					Target	Target	Target	Target	Target

Topic 7: Finance

Expenditure Cost Standards & Ratios (Rand Million)									
		2018		2019		2020		2021	
Ratios and efficacy indicators	Sanitation service O&M [and repair] as a % of budget								
	Sanitation service O&M [and repair] as a % Asset value [PPE]	2.24		2.24					
	Water service O&M [and repair] Cost as % of budget value								
	Water service O&M [and repair] Cost as % of Asset value [PPE]	0.64		0.67					
	Untreated waste water units released								
	Cost to purify water								
	Cost to deliver water to consumer	97196.00		101161.00					
	Cost to treat waste water	143465.00		157138.00					
	Cost to deliver waste water to treatment facility	116790.00		129117.00					
	Blue drop cost	0.74							
	Blue drop number WTW								
	Green drop cost	0.42							
Green drop WWTW number of plants									
Water balance cost [Non Revenue Water]									
MTEF		2018		2019		2020		2021	
		R/c	Units	R/c	Units	R/c	Units	R/c	Units
Operation /Function / Process: Water Balance Cost / Revenue	Metered units bulk-raw water, or bulk potable water purchased and- or produced. Water that goes into a water supply system		23.68						
	Billed Metered Consumption		17.43						
	Billed Un Metered Consumption		1.14						
	Un Billed Metered Consumption		0.71						
	Un Billed Un Metered Consumption		0.05						
	Apparent (commercial) losses								
	Real (physical) losses		4.36						
Water used [lost] during the process of Operation, Repair and Maintenance									

Stellenbosch Local Municipality
Water Services Development Plan

Operational Resource Costs [Cost to operate & or deliver service]					
MTEF	2018		2019	2021	2022
Resource (Required/used for Service delivery activities - In Public Procurement there are generally three procurement categories: goods, works and services.)	Staff				
	Vehicles / transport	500.00		500.00	
	Chemicals	582.00		582.00	
	Materials				
	Equipment	250.00		250.00	
	Tools				
	Operation				
	Administration				
	Maintenance (corrective; adaptive; preventative)	23803.00		25348.00	
	Billing	207516.00		219602.00	
	Revenue collection	213842.00		228393.00	
	Management				

Stellenbosch Local Municipality
Water Services Development Plan

MTEF Expenditure Million				
MTEF	2018	2019	2020	2021
Property - WTW				
Dams - WTW	1000	1500		
Springs - WTW				
Weirs - WTW				
Boreholes - WTW				
Reservoirs - WTW	500	5000		
Water Treatment Works (WTW) Civil works	7000			
Water Treatment Works (WTW) Mechanical works	2000			
Water Treatment Works (WTW) Electrical works	1000			
Pump Station (PS) Civil works				
Pump Station (PS) Mechanical works				
Pump Station (PS) Electrical works				
Internal [water] reticulation - WTW	3000	3000		
Bulk [water] reticulation - WTW	12000			
Meters Bulk - WTW				
Meters Household - WTW	1500	1500		
Property - WWTW				
Waste Water Treatment Works (WWTW) Civil works	9606	700		
Waste Water Treatment Works (WWTW) Mechanical works	2745	200		
Waste Water Treatment Works (WWTW) Electrical works	1372	100		
Pump Station (PS) Civil works - WWTW				
Pump Station (PS) Mechanical works - WWTW				
Pump Station (PS) Electrical works - WWTW				
Internal sanitation reticulation				
Bulk sanitation reticulation - WWTW	33500	50000		
Meters Bulk - WWTW				
Ponds - WWTW				
				Total
Notes:	1	Pump stations should be included separate itemised in asset registers due to the impact of type of station [e.g. diesel costs;Distance; Etc.]		
	2	NRW excludes FBS and is a MTEF cost to service		

Stellenbosch Local Municipality
Water Services Development Plan

CAPEX Million															
Assets per Class	Fund source name	Transfers recognised - operational	Local Government Equitable Share	Municipal Infrastructure Grant	Municipal Water Infrastructure Grant	Expanded Public Works Programme Integrated Grant (Municipality)	Urban Settlement Development Grant	Rural Households Infrastructure Grant	Backlogs in Water and Sanitation at Clinics and Schools Grant	Implementation of Water Services Projects (ACIP: Etc.)	Regional Bulk Infrastructure Grant	Water Services Operating and Transfer Subsidy Grant (Schedule 6)	Water Services Operating and Transfer Subsidy Grant (Schedule 7)	Municipal Drought Relief Grant	Accelerated Community Infrastructure Programme
Votes															
Property , Plant and Equipment - Water Treatment System	Property - WTW														
	Dams - WTW														
	Springs - WTW														
	Weirs - WTW														
	Boreholes - WTW														
	Reservoirs - WTW														
	WTW Civil works														
	WTW Mechanical works														
	WTW Electrical works														
	Pump Station (PS) Civil works														
	Pump Station (PS) Mechanical works														
	Pump Station (PS) Electrical works														
	Internal [water] reticulation - WTW														
	Bulk [water] reticulation - WTW														
	Meters Bulk - WTW														
Meters Household - WTW															
Property , Plant and Equipment - Waste Water Treatment System	Property														
	WWTW Civil works														
	WWTW Mechanical works														
	WWTW Electrical works														
	Pump Station (PS) Civil works - WWTW														
	Pump Station (PS) Mechanical works - WWTW														
	Pump Station (PS) Electrical works - WWTW														
	Internal sanitation reticulation														
	Bulk sanitation reticulation														
	Meters Bulk WWTW														
	Ponds - WWTW														
Total															

**Stellenbosch Local Municipality
Water Services Development Plan**

REVENUE Million									
Fund source name	Service charges - service	Water Services Operating and Transfer Subsidy Grant (Sch 6)	Water Services Operating and Transfer Subsidy Grant (Sch 7)	Transfers recognised - operational	Agency services	Interest earned - outstanding debtors	Equitable Share	Trading Entities (e.g. Rand Water; Pikitup; Etc.)	Partnership Funds
Votes									
Agency services									
Agriculture + rural water services									
Agriculture + rural sanitation service									
FBS Sanitation									
FBS Water									
Urban HLS Water									
Sanitation Urban HLS									
Industrial Water									
Industrial Waste Water									
NRW									
									Total
The assumption is that rural and urban costs are differentiated and that Assumption is made that potable water and industrial water tariffs differ									
NRW excludes FBS and is a MTEF cost to service									
Pump stations should be included separate itemised in asset registers due to the impact of type of station [e.g. diesel costs; Etc.]									

Topic 8: Water Services Institutional Arrangements and Customer Services

Context Information	
Questions	Answers

Stellenbosch Local Municipality

Water Services Development Plan

Date of completion	04/20/2017 00:00:00						
Municipality type	A - Metro	B1 - LM	B2 - LM	B3 - LM	B4 - LM	C2 - DM	
Water service provider type	Internal (i.e. municipality)	External (e.g. Water Board, service provider)	Combination of internal and external				
Wastewater service provider type	Internal (i.e. municipality)	External (e.g. Water Care Company, service provider)	Combination of internal and external				
Water system maintenance	Internal (i.e. municipality)	External (e.g. service provider)	Combination of internal and external				
Wastewater system maintenance	Internal (i.e. municipality)	External (e.g. service provider)	Combination of internal and external				
You are able to respond within necessary timeframes to emergencies, via internal staff and resources, or through other procurement processes (e.g. 'as and when' required contracts)	Yes, strongly agree	In place, with occasional non-optimal response	Partially in place, but not ideal	No, disagree	Don't know		
The key staff (i.e. managerial) turnover in your WSA	High: > 25% (i.e. problematic, frequently lose staff)	Moderate: 10 - 25% (i.e. occasionally lose staff)	Low: < 10% (i.e. not an issue, good staff retention)	Don't know			
Your WSA has developed and implemented a scarce skills policy	Yes, developed and implemented	Yes, developed and partially implemented	In development	No, not developed	Don't know		
Your WSA is preparing for the impacts of pending and/or new regulations (for e.g. Regulation 813 (previously Regulation 17) (WTW and WWTW process controllers))	Yes, strongly agree	In process	No, disagree	Don't know			
Your WSA actively provides required drinking water related data to the Regulator (e.g. Blue Drop participation)	Yes, strongly agree	In process	No, disagree	Don't know			
Regular drinking-water quality monitoring and management (including boreholes) is performed for ALL communities/towns in the WSA	Yes, all (i.e. 100% of WSA population)	Almost all (i.e. >95% of WSA population)	Most (i.e. >75% of WSA population)	Some (i.e. >50% of WSA population)	<50% of WSA population	None (i.e. 0% of WSA population)	Don't know
WTWs operational capacity as a function of total design capacity (NOTE: Combine for ALL WTWs within your WSA)	>105%	>100% - 105%	>95% - 100%	90% - 95%	<90%	Don't know	Not applicable
Your WSA actively provides required wastewater related data to the Regulator (e.g. Green Drop participation)	Yes, strongly agree	In process	No, disagree	Don't know			
Regular wastewater quality monitoring and management is performed for ALL wastewater systems in the WSA	Yes, all (i.e. 100%)	Almost all (i.e. >95%)	Most (i.e. >75%)	Some (i.e. >50%)	<50%	None (i.e. 0%)	Don't know

Stellenbosch Local Municipality

Water Services Development Plan

WWTWs operational flow capacity as a function of total design capacity (NOTE: Combine for ALL WWTWs within your WSA)	>105%	>100% - 105%	>95% - 100%	90% - 95%	<90%	Don't know	Not applicable
WWTWs operational COD load as a function of total design load (NOTE: Combine for ALL WWTWs within your WSA)	>105%	>100% - 105%	>95% - 100%	90% - 95%	<90%	Don't know	Not applicable
Your WSA actively provides required water conservation and water demand management related data to the Regulator (e.g. No Drop participation)	Yes, strongly agree	In process	No, disagree	Don't know			
Your WSA actively promotes improved hygiene practices through campaigns in communities (e.g. hand washing education, safe and improved sanitation)	Yes strongly agree (i.e. campaigns established and functioning)	Partially in place, but not ideal	No, disagree	Don't know			
Billing & accounts - With regards to water and sanitation bills, please indicate the frequency of billing and posting of accounts.	Actual billing and posting of accounts on a monthly basis	Actual billing and posting of accounts at least every 2nd month	Billing and posting of accounts at least on a quarterly basis	Billing and posting of accounts less frequently than quarterly	Don't know		
Development contributions - With regard to new developments, by-laws in your municipality require developers to adequately contribute towards construction of new bulk infrastructure (i.e. developers charges).	Yes, strongly agree	In place, with occasional non-optimal response	in process	No, disagree	Don't know		
Please indicate what proportion of your requested water and sanitation services budget (CAPEX and OPEX) is actually funded?	>100%	>90% - 100%	>80% - 90%	>70% - 80%	<70%	Don't know	
Council is stable with functional Council meetings.	Yes, strongly agree (i.e. Council meetings are held at least quarterly)	Partially in place, but not ideal	No, disagree	Don't know			
Council has functional Oversight Committees and Ward Committees, as appropriate (DM would be served via LM Ward Committees)	Yes, strongly agree (i.e. Oversight and Ward Committees established and functioning)	Partially in place, but not ideal	No, disagree	Don't know			
Council has effective systems of internal control and functional governance structures (internal audit unit, audit committee, risk committee, IT governance)	Yes, strongly agree (i.e. internal audit unit established and posts filled, governance structures in place, frequent meetings held and risk assessments conducted, audit plan developed and quarterly reports submitted to council)	Partially in place, but not ideal	No, disagree	Don't know			

Stellenbosch Local Municipality

Water Services Development Plan

Forensic investigations are undertaken as and when necessary to ensure adherence to governance requirements (i.e. either internally initiated by the municipality or externally initiated by, for example, Public Protector, Auditor General)	Yes, strongly agree	Partially in place, but not ideal	No, disagree	Don't know			
Your municipality actively implements actions against identified instances of fraud and corruption, maladministration and failure to fulfil statutory obligations	Yes, strongly agree	In place, with occasional non-optimal response	Partially in place, but not ideal	No, disagree	Don't know		
Your municipality has policies, procedures and systems in place that negate the impact of vandalism / sabotage of municipal water and sanitation infrastructure on services delivery	Yes, strongly agree	In place, with occasional non-optimal response	Partially in place, but not ideal	No, disagree	Don't know		
Your municipality has ongoing and appropriate public participation, is transparent in its decision making, and is accountable to its constituency (fiscal and social).	Yes, strongly agree	Partially in place, but not ideal	No, disagree	Don't know			
Those of your 18 MuSSA Business Aspects which reflect Extreme and/or Highly Vulnerable, are included within your WSAs Corporate Risk Register	Yes, strongly agree	Partially in place, but not ideal	No, disagree	Don't know			
Your MuSSA was completed with appropriate inputs from senior officials within Technical Services, Finance and Human Resources (as a minimum these 3 departments should participate).	Yes, strongly agree (i.e. Technical Services HOD, Finance AND HR all participated)	Agree (i.e. Technical Services HOD and either Finance OR HR participated)	Only Technical Services HOD	Other Technical Services	Don't know		
Names, designation and contact details (phone, email) of all MuSSA participants (e.g. Mr Thabo Smit; Technical Director; 0215436789; thabos@muni.gov.za)	Deon Louw, Director Engineering Services, 0218088213, deon.louw@stellenbosch.gov.za						

MuSSA Questionnaire								
Questions	Answers							
1. Water and Sanitation Services Planning								
Your appropriate water and sanitation services planning (e.g. WSDP) and associated master planning processes include and are aligned with appropriate Water and Sewage Master Plans, Spatial Development Framework (SDF), Water Safety Plans and Wastewater Risk Abatement Plans (W2RAPs), and are aligned to your IDP and associated SDBIP targets.	Yes, appropriate water services plans are developed and include all required plans and alignment (i.e. 100%)	Yes, appropriate water services plans are developed and include all required plans and alignment (i.e. > 95%)	Yes, appropriate water services plans are developed and include all required plans and alignment (i.e. > 75%)	Yes, appropriate water services plans are developed and include all required plans and alignment (i.e. > 50%)	Plans still in development	Plan development not yet initiated	Don't know	
You are implementing an up-to-date and adopted municipal water and sanitation services plan (e.g. WSDP.)	Yes, municipal water and sanitation services plans up-to-date, adopted and implemented	Municipal water and sanitation services plans adopted and implemented, but out-of-date (i.e. requires revision)	Municipal water and sanitation services plans adopted but not yet implemented	Municipal water and sanitation services plans not adopted but implemented	Municipal water and sanitation services plans neither adopted nor implemented	Don't know		
Your current project list addresses existing needs/shortcomings identified through the WSDP and associated master planning process.	Yes, all projects are identified via the planning process (i.e. 100%)	Almost all (i.e. >95% of projects)	Most projects (i.e. >75%)	Some projects (i.e. >50%)	<50% of projects	None (i.e. 0%)	Don't know	
Project progress is monitored, tracked and reported to municipal top management/council and the Regulator (through the annual water and sanitation services report)	Yes, strongly agree (both to municipal top management/council and Regulator)	Only to municipal top management/council	Only to Regulator	No, disagree	Don't know			
Projects identified through your various planning processes have been implemented in the last 3 years.	Yes, all projects identified via planning have been implemented (i.e. 100%)	Almost all implemented (i.e. >95%)	Most implemented (i.e. >75%)	Some implemented (i.e. >50%)	<50% implemented	None implemented (i.e. 0%)	Don't know	
2. Management Skill Level (Technical)								
Your council approved technical management organisational organogram meets your business requirements, and key posts are filled (e.g. Technical Director, Water Services Manager, Sanitation Services Manager).	Yes, and all posts filled (i.e. 100%)	Yes, and almost all posts filled (i.e. >95%)	Yes, and most posts filled (i.e. >75%)	Yes, but only some posts filled (i.e. >50%)	Yes, but <50% of posts filled	No, does not meet business requirements	Don't know	
You have sufficient technical management and technical support staff.	Yes, 100% as per approved organogram	Yes, strongly agree (i.e. >95% as per approved organogram)	Mostly agree (i.e. >75% as per approved organogram)	Agree somewhat (i.e. >50% as per approved organogram)	<50% as per approved organogram	None (i.e. 0% as per approved organogram)	Don't know	

Technical management and technical support staff have the correct skills/qualifications and experience as per Job Description requirements (e.g. if Job Description requires PrEng, PrTech or CPM, the staff have these qualifications).	Yes, all (i.e. 100%)	Almost all (i.e. >95%)	Most (i.e. >75%)	Some (i.e. >50%)	<50%	None (i.e. 0%)	Don't know	
Managers and technical support staff regularly attend appropriate water and sanitation services skills development/training to support professionalisation	Quarterly (or more frequent) skills development/ training	Bi-annual skills development/ training	Annual skills development/ training	Less frequent skills development/ training (i.e. >1 year)	No skills development/ training	Don't know		
Key technical managers (e.g. Section 56 and other Senior Management) have signed and monitored Performance Agreements.	Yes, all (i.e. 100%)	Almost all (i.e. >95%)	Most (i.e. >75%)	Some (i.e. >50%)	<50%	None (i.e. 0%)	Don't know	
3. Staff Skill Levels (Technical)								
WTWs are operated by staff with the required skills/qualifications and experience (as per Regulation 2834).	Yes, all (i.e. 100%)	Almost all (i.e. >95%)	Most (i.e. >75%)	Some (i.e. >50%)	<50%	None (i.e. 0%)	Don't know	Not applicable
WWTWs are operated by staff with the required skills/qualifications and experience (as per Regulation 2834).	Yes, all (i.e. 100%)	Almost all (i.e. >95%)	Most (i.e. >75%)	Some (i.e. >50%)	<50%	None (i.e. 0%)	Don't know	Not applicable
Water system plumbers, millwrights, mechanics and electricians have the required skills/qualifications and experience (including contractors/outourced resources)	Yes, all (i.e. 100%)	Almost all (i.e. >95%)	Most (i.e. >75%)	Some (i.e. >50%)	<50%	None (i.e. 0%)	Don't know	
Sewage system plumbers, millwrights, mechanics and electricians have the required skills/qualifications and experience (including contractors/outourced resources)	Yes, all (i.e. 100%)	Almost all (i.e. >95%)	Most (i.e. >75%)	Some (i.e. >50%)	<50%	None (i.e. 0%)	Don't know	
Staff regularly attend appropriate water and sanitation services skills development/training (including safety) (e.g. ESETA courses).	Quarterly (or more frequent) skills development/ training	Bi-annual skills development/ training	Annual skills development/ training	Less frequent skills development/ training (i.e. >1 year)	No skills development/ training	Don't know		
4. Technical Staff Capacity (Numbers)								
Your council approved technical staff organisational organogram meets your business requirements, and posts are filled (i.e. Superintendent of WTWs/WWTWs and below).	Yes, and all posts filled (i.e. 100%) as per the approved organogram	Strongly agree, and most posts filled (i.e. >95%) as per the approved organogram	Yes, and most posts filled (i.e. >75%) as per the approved organogram	Yes, but only some posts filled (i.e. >50%) as per the approved organogram	Yes, but <50% of posts filled as per the approved organogram	No, does not meet requirements	Don't know	
WTWs are operated by the appropriate number of staff (as per Regulation 2834).	Yes, 100% as per requirements	Strongly agree (i.e. >95% as per requirements)	Mostly agree (i.e. >75% as per requirements)	Agree somewhat (i.e. >50% as per requirements)	<50% as per requirements	None (i.e. 0% as per requirements)	Don't know	Not applicable

Stellenbosch Local Municipality

Water Services Development Plan

WWTWs are operated by the appropriate number of staff (as per Regulation 2834).	Yes, 100% as per requirements	Strongly agree (i.e. >95% as per requirements)	Mostly agree (i.e. >75% as per requirements)	Agree somewhat (i.e. >50% as per requirements)	<50% as per requirements	None (i.e. 0% as per requirements)	Don't know	Not applicable
You have sufficient water and sewerage/sanitation network operations and repair staff/plumbers including contractors/outsourced resources (i.e. you have the appropriate number of staff).	Yes, 100% as per functional requirements	Strongly agree (i.e. >95% as per functional requirements)	Mostly agree (i.e. >75% as per functional requirements)	Agree somewhat (i.e. >50% as per functional requirements)	<50% as per functional requirements	None (i.e. 0% as per functional requirements)	Don't know	
An active mentoring/shadowing programme is in place where experienced staff train your younger, inexperienced municipal staff.	Yes, strongly agree	In place, but not ideal	No, disagree	Don't know				
5. Water Resource Management (WRM)								
The recommendations and actions from the Reconciliation Strategies (Large Systems/All Towns) have been incorporated into your WSDP, master planning and IDP processes.	Yes, strongly agree	In process	No, disagree	Don't know	Not applicable			
The metered quantity of water available from the resources is sufficient for your current WSA needs (at the stipulated level of abstraction and assurance of supply).	No shortage (i.e. sufficient water)	1 - 10% shortage	11-20% shortage	21-30% shortage	31-40% shortage	41-50% shortage	>50% shortage	Don't know
The metered quantity of water available from the resources is sufficient for your future WSA needs (at the stipulated level of abstraction and assurance of supply, and considering possible climate change impacts) (i.e. no shortage in 10 years).	No shortage (i.e. sufficient water)	1 - 10% shortage	11-20% shortage	21-30% shortage	31-40% shortage	41-50% shortage	>50% shortage	Don't know
The source water quality is currently acceptable for its purpose.	Yes, strongly agree (i.e. all sources (100%) by water volume are acceptable)	Mostly agree (i.e. >75% of sources by water volume are acceptable)	Agree somewhat (i.e. >50% of sources by water volume are acceptable)	<50% of sources by water volume acceptable	None (i.e. 0% of sources by water volume are acceptable)	Don't know	Not applicable	
The trend indicates a deteriorating source water quality.	Yes, all sources (100%) by water volume are deteriorating	>75% of sources by water volume are deteriorating	>50% of sources by water volume are deteriorating	>25% of sources by water volume are deteriorating	<25% of sources by water volume are deteriorating	No, no sources (0%) are deteriorating	Don't know	Not applicable
6. Water Conservation & Water Demand Management (WC/WDM)								
Your WSA has developed a council approved Water Conservation and Water Demand Strategy which includes a standard water balance (e.g. modified IWA).	WC/WDM Strategy and water balance developed	Only WC/WDM Strategy developed	Only water balance developed	None developed	Don't know			
Please indicate your percentage Non-Revenue Water (NRW) as per the modified IWA water balance.	Less than 15%	Less than 20%	Less than 30%	Less than 40%	Less than 50%	50% or more	Don't know	

Stellenbosch Local Municipality

Water Services Development Plan

System input volumes (bulk) to the WSA are accurately monitored using calibrated bulk meters (a.g. check metering).	Yes, all (i.e. 100%)	Almost all (i.e. >95%)	Most (i.e. >75%)	Some (i.e. >50%)	<50%	None (i.e. 0%)	Don't know	
Please indicate what percentage of all connections are metered and billed (residential and non-residential (commercial, industrial, etc.)) on a monthly basis.	>98%	75% - 98%	50% - 75%	<50%	< 25%	No metering	Don't know	
Your WSA is implementing appropriate intervention programmes to reduce NRW (e.g. minimisation of night flows through pressure management, removal of unlawful connections, leak detection and repairs, consumer education/awareness).	Yes, strongly agree (i.e. 100% implementation)	Mostly agree (i.e. >75% implementation)	Agree somewhat (i.e. >50% implementation)	<50% implementation	No implementation (i.e. 0%)	Don't know		
7. Drinking Water Safety & Regulatory Compliance								
Please indicate your microbiological drinking-water quality compliance for E.coli (or faecal coliforms) for the communities you are monitoring, for the last 12 months.	99% - 100%	97% - <99%	95% - <97%	< 95%	Don't know			
ALL your supply schemes, WTWs, process controllers, monitoring programmes, sample points, laboratories, results, procedures, protocols, etc. are managed with a suitable Water Safety Planning framework.	Yes, strongly agree (i.e. 100% covered)	Strongly agree (i.e. >95% covered)	Mostly agree (i.e. >75% covered)	Agree somewhat (i.e. >50% covered)	<50% covered	None covered (i.e. 0%)	Don't know	
Council have been made aware of high risk / critical water safety plan related issues (including those identified via the Blue Drop Certification programme) that require budget and actioning, and these issues have been actioned (where applicable).	Yes, strongly agree (i.e. all (100%) tabled)	Strongly agree (i.e. >95% tabled)	Mostly agree (i.e. >75% tabled)	Agree somewhat (i.e. >50% tabled)	<50% tabled	Issues noted but none tabled (i.e. 0%)	Not applicable (no issues requiring council resolution exist)	Don't know
Sufficient funds have been made available to address all these identified water safety related issues.	Yes, strongly agree (i.e. 100% of required funds)	Strongly agree (i.e. >95% of required funds)	Mostly agree (i.e. >75% of required funds)	Agree somewhat (i.e. >50% of required funds)	<50% of required funds	Issues noted but no funds (i.e. 0%)	Not applicable (no issues requiring funding exist)	Don't know
Required corrective actions/remedial measures to address all these identified water safety related issues have been successfully implemented.	Yes, strongly agree (i.e. 100% implementation)	Strongly agree (i.e. >95% implementation)	Mostly agree (i.e. >75% implementation)	Agree somewhat (i.e. >50% implementation)	<50% implementation	Issues noted but no implementation (i.e. 0%)	Not applicable (no issues requiring corrective actions exist)	Don't know
8. Basic Sanitation								

Stellenbosch Local Municipality

Water Services Development Plan

You have formal housing areas that are not fully serviced with sanitation infrastructure	No, all formal areas are fully serviced (i.e. no bucket sanitation service)	Yes, but these are new households that will be serviced within 2 years	Yes, still trying to meet formal backlog but >90% are serviced	Yes, still trying to meet formal backlog with 80 - 90% serviced	Yes, still trying to meet formal backlog with 60 - 80% serviced	Yes, still trying to meet formal backlog with <60% serviced (e.g. occurrence of bucket systems, existence of open defecation)	Don't know	
You have informal housing or rural areas that are not fully serviced with sanitation infrastructure	No, all informal and rural areas are fully serviced	We have no informal areas and rural areas are serviced	Yes, but these are new households that will be serviced within 2 years	Yes, still trying to meet informal or rural backlog with >90% serviced	Yes, still trying to meet informal or rural backlog but 80- 90% are serviced	Yes, still trying to meet informal or rural backlog with 60 - 80% serviced	Yes, still trying to meet informal or rural backlog with <60% serviced (e.g. occurrence of bucket systems, existence of open defecation)	Don't know
You have a detailed plan and programme to provide safe sanitation to all households (including health and hygiene education and user awareness including Water, Sanitation and Health (WASH) aspects)	Yes, strongly agree (i.e. 100% implementation)	Strongly agree (i.e. >95% implementation)	Mostly agree (i.e. >75% implementation)	Agree somewhat (i.e. >50% implementation)	<50% implementation	No implementation (i.e. 0%)	Don't know	Not applicable
Your sanitation budget is appropriate for required sanitation programmes (implementation and O&M)	Yes, strongly agree (i.e. 100% of required funds)	Mostly agree (i.e. >95% of required funds)	Some shortfall (i.e. >75% of required funds)	Disagree, significant shortfall (50-75% of required funds)	Serious underfunding (<50% of required funds)	No funds (i.e. 0%)	Don't know	Not applicable
You are servicing your basic sanitation facilities (e.g. pit latrines) as per safe sanitation requirements (healthy, environmentally safe, structurally sound, regularly maintained, following faecal sludge management best practices).	Yes, 100% as per requirements	Strongly agree (i.e. >95% as per requirements)	Mostly agree (i.e. >75% as per requirements)	Agree somewhat (i.e. >50% as per requirements)	No, we only manage to service <50% of the sanitation infrastructure	No, we have serious shortfalls in the servicing of sanitation infrastructure (i.e. <20 %)	Don't know	Not applicable
9. Wastewater/Environmental Safety & Regulatory Compliance								
Please indicate your treated wastewater effluent compliance for COD for your (or your service provider's) WWTWs for the last 12 months.	>95%	90% - 95%	80% - <90%	<80%	Don't know			
ALL your WWTWs, process controllers, monitoring programmes, sample points, laboratories, results, procedures, protocols, etc. are managed with a suitable waste water risk abatement framework.	Yes, strongly agree (i.e. 100% covered)	Agree (i.e. >95% covered)	Mostly agree (i.e. >75% covered)	Agree somewhat (i.e. >50% covered)	< 50% covered	None covered (i.e. 0%)	Don't know	
Council have been aware of all W2RAP related issues (e.g. pollution incidents, Green Drop deficiencies) that require budget and actioning, and these issues have been actioned (where applicable).	Yes, strongly agree (i.e. all (100%) tabled)	Agree (i.e. >95% covered)	Mostly agree (i.e. >75% tabled)	Agree somewhat (i.e. >50% tabled)	< 50% tabled	Issues noted but none tabled (i.e. 0%)	Not applicable (no issues requiring council resolution exist)	Don't know

Stellenbosch Local Municipality

Water Services Development Plan

Sufficient funds have been made available to address all identified wastewater and environmental safety related issues.	Yes, strongly agree (i.e. 100% of required funds)	Agree (i.e. >95% covered)	Mostly agree (i.e. >75% of required funds)	Agree somewhat (i.e. >50% of required funds)	< 50% of required funds	Issues noted but no funds (i.e. 0%)	Not applicable (no issues requiring funding exist)	Don't know
Required corrective actions/remedial measures to address all identified wastewater and environmental safety related issues have been successfully implemented.	Yes, strongly agree (i.e. 100% implementation)	Agree (i.e. >95% covered)	Mostly agree (i.e. >75% implementation)	Agree somewhat (i.e. >50% implementation)	<50% implementation	Issues noted but no implementation (i.e. 0%)	Not applicable (no issues requiring corrective actions exist)	Don't know
10. Infrastructure Asset Management (IAM)								
You have an appropriate and up-to-date water and sanitation services technical Asset Register (includes asset name, location, condition, extent, remaining useful life, performance and risk). NOTE: This does only not refer to GRAP17 asset register requirements.	Yes, strongly agree (e.g. advanced asset register)	Yes, agree (e.g. basic asset register - i.e. not all aspects included)	Not ideal (e.g. outdated asset register)	No, disagree (i.e. no asset register)	Don't know			
You have developed an appropriate Infrastructure Asset Management (IAM) Plan for your WSA.	Yes, strongly agree	Partially in place, but not ideal	No, disagree	Don't know				
You are implementing the IAM outcomes	Yes, strongly agree (i.e. 100% implementation)	Agree (i.e. >95% implementation)	Mostly agree (i.e. >75% implementation)	Agree somewhat (i.e. >50% implementation)	< 50% implementation	No implementation (i.e. 0%)	Don't know	
Budget allocated to implement IAM outcomes is sufficient and is being effectively spent.	Yes, strongly agree (i.e. 100%)	Agree (i.e. >95%)	Mostly agree (i.e. >75%)	Agree somewhat (i.e. >50%)	< 50%	No (i.e. 0%)	Don't know	
You conduct annual technical assessments of your water and wastewater related systems (including sources, WTWs, WWTWs, pump stations, network, etc.) and implement required follow-up actions.	Yes, all systems (i.e. 100%)	Almost all systems (i.e. >95%)	Most systems (i.e. >75%)	Some systems (i.e. > 50%)	< 50% systems	No systems (i.e. 0%)	Don't know	Not applicable
11. Operation & Maintenance of Assets								
Appropriate maintenance facility(ies) that is(are) secure and stocked with essential equipment (e.g. spare parts), plant and tools is(are) available.	Yes, strongly agree	Partially in place, but not ideal	No, disagree	Don't know				
Appropriate water and sanitation services infrastructure/equipment planned/preventative maintenance schedules are developed.	Yes, strongly agree	Partially in place, but not ideal	No, disagree	Don't know				
Appropriate planned/preventative maintenance is performed at all WTWs and associated reservoirs, pump stations, distribution network.	Yes, all (i.e. 100%)	Most (i.e. >75%)	Some (i.e. > 50%)	< 50%	None (i.e. 0%)	Don't know		

Stellenbosch Local Municipality
Water Services Development Plan

Appropriate planned/preventative maintenance is performed at all WWTWs and associated collection system, pump stations.	Yes, all (i.e. 100%)	Most (i.e. >75%)	Some (i.e. > 50%)	< 50%	None (i.e. 0%)	Don't know		
Please indicate your infrastructure repairs and maintenance costs as a function of total operating expenditure (%).	<5%	5% - <8%	8% - <10%	10% - <15%	15% or more	Don't know		
12. Financial Management								
Financial controls - Please state the audit opinion with regard to your last audit report on the financial statements.	Clean audit outcome (i.e. unqualified with no findings)	Financially unqualified audit opinion (with findings)	Qualified audit opinion	Disclaimer of audit opinion	Adverse audit opinion	Don't know		
Cash flow status - Please state your Cash/Cost Coverage Ratio (excluding Unspent Conditional Grants)	> 90 days	60 - 90 days	30 - 60 days	< 30 days	Don't know			
Your actual operating expenditure closely reflects your budgeted operating expenditure (i.e. Operating Expenditure Budget Implementation Indicator)	95% - 100%	90% - <95%	85% - <90%	80% - <85%	<80%	Don't know		
Your actual revenue closely reflects your budgeted operating revenue (i.e. Operating Revenue Budget Implementation Indicator)	95% - 100%	90% - <95%	85% - <90%	80% - <85%	<80%	Don't know		
Liabilities (Creditors) - Money is owed by your municipality to major/critical service providers (e.g. ESKOM, Water Board, largest contractors, etc.) for more than 30 days from receipt of invoice (NOTE: Ignore disputed invoices)	Never	Once per year	Twice per year	Once per quarter	More frequently than quarterly	Don't know		
13. Revenue Collection								
Please indicate the frequency of actual consumer meter readings.	Actual meter reading on a monthly basis	Actual meter reading at least every 2nd month	Meter reading at least on a quarterly basis	Meter reading less frequently than quarterly	Don't know			
Net Surplus/Deficit - Please state your net surplus/deficit from water services activities for the last 12 months (NOTE: This question tests whether your WSA currently has fully cost reflective Water and Sanitation tariffs (which take into account cost of maintenance and renewal of purification plants and networks, and the cost of new infrastructure).	Surplus (i.e. >0%)	Breakeven (i.e. = 0%)	Net deficit (i.e. <0%)	Don't know				
Revenue collection - Please state the revenue collection rate in respect to Water & Sanitation Services (%)	<50%	50% - <70%	70% - <80%	80% - <95%	95% or more	Don't know		

Stellenbosch Local Municipality

Water Services Development Plan

Revenue Growth - Please state your Water and Sanitation Services revenue growth for the last financial year(%).	SCPI	Equals CPI	<CPI, but >0%	Negative growth (-ve)	Don't know			
Grant dependency - Actual operating revenue less operational grants/subsidies (e.g. equitable share) sufficiently covers actual operating expenditure.	Yes, all (i.e. 100%)	Most (i.e. >75%)	Some (i.e. > 50%)	< 50%	None (i.e. 0%)	Don't know		
14. Financial Asset Management								
Capital Expenditure (Municipal) - Please state your municipal Capital Expenditure as a percentage of Total Expenditure (i.e. Total Operating Expenditure + Capital Expenditure)	<5%	5% - <10%	10% - <15%	15% - <20%	20% or more	Don't know		
Capital Expenditure (Water Services) - Please state your Capital Expenditure on Water and Sanitation Services as a percentage of Total Capital Expenditure (Capital Expenditure (Municipal))	<25%	25% - <50%	50% - <75%	75% or more	Don't know			
Asset Renewal - Please state your Asset Renewal investment as percentage of Depreciation costs	100%	>90%	>75%	>50%	<50%	None (i.e. 0%)	Don't know	
Repairs and Maintenance - Please state your Repairs and Maintenance expenditure as a percentage of Property, Plant and Equipment, Investment Property (Carrying Value)	<5%	5% - <8%	8% - <10%	10% or more	Don't know			
Grant funding of capital expenditure - Please state your reliance on grant funding	>90%	> 75%	>50%	<50%	Don't know			
15. Information Management (IT)								
You have a developed, approved and implemented IT Master Systems Plan (e.g. covering 3 - 5 years) that addresses your IT business requirements.	Yes, developed, approved and being implemented	Developed and approved, but not yet implemented	Developed but not yet approved or implemented	In development	No, disagree	Don't know		
You have a developed, approved and implemented ICT Technology Master Plan that addresses your current and future IT infrastructure requirements.	Yes, developed, approved and being implemented	Developed and approved, but not yet implemented	Developed but not yet approved or implemented	In development	No, disagree	Don't know		
You have IT systems that support your full range of water and sanitation services business requirements (e.g. billing, GIS, customer care, O&M, asset management).	Yes, strongly agree (i.e. 100% of required systems)	Mostly agree (i.e. >75% of required systems)	Agree somewhat (i.e. >50% of required systems)	< 50% of required systems	None (i.e. 0% of required systems)	Don't know		

Stellenbosch Local Municipality

Water Services Development Plan

ICT service continuity - Adequate IT security exists with off-site back-ups/archiving of operation critical applications, databases, data, etc. routinely performed in terms of an IT Disaster Recovery Plan.	Yes, strongly agree (i.e. All (100%) in place)	Mostly agree (i.e. >75% in place)	Agree somewhat (i.e. >50% in place)	< 50% in place	Nothing in place (i.e. 0%)	Don't know		
You have sufficient budget and staff to keep key IT systems stable and up-to-date as per IT policies and procedures.	Yes, strongly agree (i.e. 100%)	Mostly agree (i.e. >75%)	Agree somewhat (i.e. >50%)	< 50%	No (i.e. 0%)	Don't know		
16. Organisational Performance Monitoring								
Appropriate plans, policies and procedures to address Disaster Management/emergencies and other issues (safety, public participation, communication, etc.) are developed and implemented. NOTE: Although Disaster Management is a district function, LMs need to ensure they are aware of their associated roles and responsibilities and have developed a Disaster Management Framework.	Yes, developed and implemented	Developed but not yet implemented	In development	No, disagree	Don't know			
An organisational performance management system is developed and implemented (i.e. effectively measure, monitor and track water and sanitation services performance indicators).	Yes, developed and implemented	Developed but not yet implemented	In development	No, disagree	Don't know			
A municipal risk management framework is developed and implemented and includes monitoring and tracking of water and sanitation related risks.	Yes, developed and implemented and includes water and sanitation related risks	Yes, developed and implemented but does not include water and sanitation related risks	Developed but not yet implemented	In development	No, disagree	Don't know		
Effective administration support is available to technical staff to assist with processing work orders, providing order numbers, handling correspondence, etc.	Yes, strongly agree (i.e. 100% effective)	Mostly agree (i.e. >75% effective)	Agree somewhat (i.e. >50% effective)	< 50% effective	No, completely ineffective (i.e. 0%)	Don't know		
"Access to Basic Water and Sanitation Services" progress reports are frequently produced and presented to council for discussion, action and follow-up.	At least quarterly	At least bi-annually	At least annually	Less frequently (i.e. > 1 year)	No, never	Don't know		
17. Water and Sanitation Service Quality								

Water Services Development Plan

Critical business databases and documents (e.g. as-built drawings, records, manuals, agreements, billing/revenue collection, project and scheme management data, etc.) are current, maintained and stored in secure locations (on-site and off-site, both paper and electronic).	Yes, strongly agree (i.e. 100% in place)	Mostly agree (i.e. >75% in place)	Agree somewhat (i.e. >50% in place)	< 50% in place	Nothing in place (i.e. 0%)	Don't know		
Customers have a functional, reliable and safe water supply system with sufficient quantity and flow, good quality, and minimal interruptions.	Yes, all have a functional, reliable and safe service (i.e. 100%)	At least 90% have a functional, reliable and safe service	Most have a functional, reliable and safe service (i.e. >75%)	Some have a functional, reliable and safe service (i.e. > 50%)	< 50% of customers have a functional, reliable and safe service	None have a functional, reliable and safe service (i.e. 0%)	Don't know	
All consumers served experience interruptions of less than 48 hours (at any given time) and a cumulative interruption time during the year of less than 15 days.	Yes, all (i.e. 100%)	>90% of households	>75% of households	>50% of households	<50% of households	None (i.e. 0%)	Don't know	
Households in your WSA do not experience water pressure problems (i.e. no flow/partial flow less than 10 litres/minute) (not to be confused with interruption to supply).	Yes, no households experience pressure problems (i.e. 100% do not experience pressure problems)	>90% of households do not experience pressure problems	>75% of households do not experience pressure problems	>50% of households do not experience pressure problems	<50% of households do not experience pressure problems	All households (i.e. 100%) experience pressure problems	Don't know	
Customers have a functional, reliable, dignified and safe sanitation system with no blockages resulting in overflows that impact on the environment, including effective collection and treatment of faecal sludge.	Yes, all customers have a functional, reliable, dignified and safe service with no impact on the environment (i.e. 100%)	> 95% of all customers have a functional, reliable, dignified and safe service with minimal impact on environmental health	Almost all have a functional, reliable, dignified and safe service (i.e. >90%)	Most have a functional, reliable, dignified and safe service (i.e. >75%)	Some have a functional, reliable, dignified and safe service (i.e. > 50%)	< 50% of customers have a functional, reliable, dignified and safe service	None have a functional, reliable, dignified and safe service (i.e. 0%)	Don't know
18. Customer Care (CRM)								
A functional customer service system manned by appropriate customer services representatives and using a complaints register, is in place to address complaints and appropriately inform customers of service interruptions, contamination of water, boil water alert, etc.	Yes, strongly agree	In place, with occasional non-optimal performance	Partially in place, but not ideal	No, disagree	Don't know			
Regular municipal wide customer satisfaction surveys are conducted to determine customer satisfaction levels and inform the Customer Care Management Plan	Annual customer satisfaction surveys	Biennial (i.e. every 2nd year) customer satisfaction surveys	Less frequent customer satisfaction surveys (i.e. > 2 years)	No customer satisfaction surveys	Don't know			
Please indicate what percentage of the reported water related complaints/callouts are acknowledged, including consumer response, within 24 hours.	All (i.e. 100%)	Almost all (i.e. >95%)	Most (i.e. >75%)	Some (i.e. > 50%)	< 50%	None (i.e. 0%)	Don't know	

Stellenbosch Local Municipality
Water Services Development Plan

Please indicate what percentage of the reported wastewater/sanitation related complaints/callouts are acknowledged, including consumer response, within 24 hours.	All (i.e. 100%)	Almost all (i.e. >95%)	Most (i.e. >75%)	Some (i.e. > 50%)	< 50%	None (i.e. 0%)	Don't know	
A comprehensive customer awareness programme (informing customers of water and wastewater system O&M activities, water quality, resource protection/pollution, reporting incidents/security concerns, etc.) is in place and implemented.	Yes, strongly agree	Partially in place, but not ideal	No, disagree (i.e. no awareness programme)	Don't know				

Chapter 3:
Water Master Plan Perspective

List of projects per Water Services Business Element (Topics) based on Demand Modeling

Question		Answer	Score
1.	Is there a Water Master Plan that addresses Future Demands in regards to the following:		
a.	Existing needs that will take more than 5 years to resolve	Yes	25
b.	Resource Development Plan for a 5, 10 and 15 year scenario	Yes	25
c.	Infrastructure Development Plan for a 5, 10 and 15 year scenario	Yes	25
d.	Functionality Needs Prediction for a 5, 10 and 15 year scenario	Yes	25
2.	Did council approve any projects that should have started this current year that address the following:		
a.	Existing needs that will take more than 5 years to resolve	Yes	25
b.	Resource Development Plan for a 5, 10 and 15 year scenario	Yes	25
c.	Infrastructure Development Plan for a 5, 10 and 15 year scenario	Yes	25
d.	Functionality Needs Prediction for a 5, 10 and 15 year scenario	Yes	25
3.	Are these future projects included in the next 5 year IDP programme for the following:		
a.	Existing needs that will take more than 5 years to resolve	Yes	25
b.	Resource Development Plan for a 5, 10 and 15 year scenario	Yes	25
c.	Infrastructure Development Plan for a 5, 10 and 15 year scenario	Yes	25
d.	Functionality Needs Prediction for a 5, 10 and 15 year scenario	Yes	25
4.	Taking in to consideration the current financial and institutional capacity of the WSA, score the probability scenario of the timeous implementation of these projects i		
a.	Existing needs that will take more than 5 years to resolve	Probable	75
b.	Resource Development Plan for a 5, 10 and 15 year scenario	Probable	75
c.	Infrastructure Development Plan for a 5, 10 and 15 year scenario	Probable	75
d.	Functionality Needs Prediction for a 5, 10 and 15 year scenario	Probable	75

Overall Future Perspective Score	93.75%
---	--------

Chapter 4: Investment Framework

Investment Framework costs per Infrastructure Component

Infrastructure Type	Infrastructure Component	Replacement Cost				Refurbishment Cost			
		5 yr	10 yr	15 yr	Existing Value	5 yr	10 yr	15 yr	Existing Value

Water Infrastructure Pipelines	Water Internal Reticulation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Water Bulk pipeline	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sanitation Infrastructure Pipelines	Sewer internal Reticulation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Sewer Bulk pipeline	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Works	WTW	0.00	10.76	0.00	10.76	0.00	2.11	0.00	2.11
	WWTW	39.86	55.91	78.41	53.09	27.94	39.18	54.96	36.25
	Water Pump stations	28.87	40.49	56.79	7.80	0.00	23.95	0.00	23.95
	Sanitation Pump stations	15.47	21.69	30.42	1.40	0.00	0.00	0.00	0.95
Infrastructure	Reservoirs	150.22	164.98	231.39	2.78	0.00	15.04	0.00	17.74

Investment Framework costs per Future Infrastructure Component

Infrastructure Type	Infrastructure Component	New Development Cost			
		5 yr	10 yr	15 yr	Existing Value
Water Infrastructure Pipelines	Water Internal Reticulation	0.00	0.00	0.00	0.00
	Water Bulk pipeline	0.00	0.00	0.00	0.00
Sanitation Infrastructure Pipelines	Sewer internal Reticulation	0.00	0.00	0.00	0.00
	Sewer Bulk pipeline	0.00	0.00	0.00	0.00

Stellenbosch Local Municipality
Water Services Development Plan

Instructure Works	WTW	34.20	0.00	0.00	0.00
	WWTW	374.64	525.46	736.98	0.00
	Water Pump stations	0.00	0.00	0.00	0.00
	Sanitation Pump stations	0.00	0.00	0.00	0.00
Infrastructure	Reservoirs	87.97	0.00	0.00	0.00

Chapter 5: WSDP Scoring

Total Score	STATUS
70.27	

Overall Ability to Perform Water Services Planning



ANNEXURE B

WATER SERVICES BY-LAW (2019)

PROPOSED OFFENCES AND FINES

Section Contravened	Description of Offence	Proposed Fine (1)	Fines approved by Magistrate (2)
68(1)	Gaining access to water supply system without permission	R2 500	
83 (a)(b)	Failing to take prescribed measures to protect water supply system and installation against backflow of water	R1 500	
83(a)(b)	Failing to prevent pollution of water	R2 500	
83(a)(b)	Unlawful connection of borehole water supply to a water installation connected to the supply system of the municipality	R1 500	
83(a)(b)	Unlawful connection of non- potable water supply to a potable supply system of the municipality	R2500	
84(1)(2)(3)	Ignore any temporary or permanent water restrictions without written exemption or relaxation of such restrictions by the Municipality	R2 500	
84(1)(a)(i)-(iii)	Unlawful watering of sports field, park or other grassed area as prescribed in the restriction notice	R5 000	
84(1)(a)(ii)	Not adhering to water restrictions by using water during specified hours of the day or on specified days as prescribed in the restriction notice	R5 000	
84(1)(a)(iii)	Not adhering to water restrictions by using water in a specified manner against restrictions as prescribed in the restriction notice	R5 000	
84(1)(b)	Determine and Impose- (i) a restriction on the quantity of water that may be consumed over a specified period;	R5 000	
84(1)(c)	Impose restrictions or prohibitions on the use or manner of use or disposition of an appliance by means of which water is used or consumed, or on the connection of such appliances to the water installation.	R5 000	

WATER SERVICES BY-LAW (2019)

PROPOSED OFFENCES AND FINES

Section Contravened	Description of Offence	Proposed Fine (1)	Fines approved by Magistrate (2)
84(1) (c)	Failing to ensure that any equipment or plant connected to a water installation uses water in an efficient manner.	R2 500	

WATER SERVICES BY-LAW (2019)

PROPOSED OFFENCES AND FINES

85(8)	Allowing interconnections between premises without permission	R2 000	
86(6)(a)-(f)	Owner failing to comply with requirements where measuring device installed by municipality	R1 500	
86(7)(a)	Unlawful disconnection of measuring device	R2 500	
86(7)(b)	Unlawful breaking of a seal on a measuring device	R2 500	
86(7)(c)	Unlawful interference with measuring device	R2 500	
109(2)	Failing to give notice of intention to cause a fire fighting installation to be tested or serviced	R500	
91(1)	Installation of works without Permission	R2 500	
91 (2) (c)	Owner failing to submit certificate of compliance after completion of alteration or installation of water supply and drainage	R1 000	
93(3)	Failing to obtain permission to undertake maintenance on installation outside boundary of premises	R1 000	
92(1) 148(1)(a)-(d)	Permitting a person other than qualified plumber to undertake installation and other work	R1 000	
94	Installation of water for fire fighting purposes not compliant with SANS 0252-1 or SANS 0254	R1 500	
95(1)	Using unauthorised pipes and fittings in installation	R1 500	
97(2)	Installing taps on hand wash basins with maximum flow rate exceeding 6 litres per minute	R1 000	
97(1)	Shower head exceeding the maximum flow rate of 10 litres per minute	R1 000	
99 (1) – (4)	Failing to apply for approval to obtain water from a hydrant	R1 500	
111(4)	Commencing development on premises before installation of connection pipe	R2 000	
111 (1) – (4)	Owner of single connecting sewer failing to comply with requirements of the Engineer	R1 500	
111(3)- (4) 148(1)(a)-(d) (2)(3)	Private persons laying sewers and connecting sewers not compliant with municipality's specifications	R1 500	

WATER SERVICES BY-LAW (2019)

PROPOSED OFFENCES AND FINES

111(1) – (4)	Unlawful connection of temporary toilet device to sewer system	R1 000	
114	Installation of interconnection without approval	R1 500	
114	Failing to ensure that no interconnection between premises exist	R1 500	
115	Unlawful opening of sewer connection after being sealed by the Engineer	R2 500	
121 (2) 155(1)	Installation of connecting sewer without approved building plans	R2 500	
122	Failing to notify the municipality prior to disconnection of installation from a sewer	R1 000	
123	Failing to maintain drainage installations	R1 500	
128(1)-(4)	Industrial grease traps must be installed to ensure that industrial effluent which contains, or which, in the opinion of the municipality is likely to contain, grease, oil, fat of in organic solid matter in suspension	R2 500	
132(3)	Failing to ensure visibility and accessibility to septic tanks, conservancy tanks and treatment plants	R1 000	
137(1)	Unlawful discharge of industrial effluent into sanitation system	R2 500	
140(1)(b) 167 (b)	Unlawful interference with or damaging of industrial effluent measurement device	R2 500	
150(1)(a)	Permitting entry of liquid or solid substance into drainage installation before testing	R1 000	
155(1)(2)	Unauthorised interference, obstruction or use of any part of the water services system	R2 500	
151 (2)	Installing a cistern exceeding capacity of 9 litres	R1 000	
151(1)	Installing automatic flushing urinals that are not user activated and exceeding a capacity of 4.5 litres	R1 000	

WATER SERVICES BY-LAW (2019)

PROPOSED OFFENCES AND FINES

152	Intermediary failing to register with municipality on request to do so	R3 000	
155(1)	Erecting a toilet directly on top of a municipal or private manhole	R1 500	
156	Manage, operate or maintain the water services system through which municipal services are provided without being authorised thereto by the Municipality	R2 500	
156(2), 147(1) 155(1), 156(2)	Installation of installations drainage systems without approval	R2 500	
157(1)	Unlawful obstruction of access to supply system of sanitation service	R2 500	
158(1)(a)	Permitting purposeless or wasteful discharge of water	R2 500	
158(1)(b)	Permitting pipes or water fittings to leak	R2 500	
158(1)(c)	Permitting the use of maladjusted or defective water fittings;	R2 500	
158(1)(d)	Permitting an overflow of water to persist	R2 500	
158(4)	Permitting an inefficient use of water to persist	R2 500	
158(2)	Failing to repair or replace any part of a water installation which is in such a state of disrepair that it is either causing or is likely to cause an occurrence listed in section 47(1)	R2 500	
159 (1) - (6)	Unlawful discharge of sewage	R2 500	
159	Permitting or causing polluted water to enter a stream river or other water course	R5 000	
159(4)	Discharging sewage or solid substances into sewage disposal system which do not comply with standards and criteria for discharge	R2 500	
159 (4) (a)	Causing or permitting objectionable discharge into the drainage system	R2 500	
159	Unlawful damage to or endangering the sewage disposal system	R2 500	

WATER SERVICES BY-LAW (2019)

PROPOSED OFFENCES AND FINES

159(4)(b)	Unlawful deposit of swimming pool backwash into stormwater system	R1 500	
159 (4)(d)(xi) (cc)	Unlawful use of treated effluent	R1 500	
162	Installation of pipes and or drains in streets or public places without permission	R2 500	
162	Unlawful erection of trees or structures next to or on top of any part of water services system	R1 000	
163(1)	Unlawful access to and use of water services from source other than the Municipal supply system	R2 500	
163 (2)	Failing to provide satisfactory evidence of compliance to requirements of SANS 241 : Drinking Water or that the use of alternative water sources do not or will not constitute a danger to health	R1 500	
164(1)	Unlawful operation of on site sanitation services not connected to the municipal sanitation/sewer system	R2 500	
165 (1) (2)	Fail to comply with any lawful notice / instruction given in terms of this by-law	R2 500	
167(1)(a) 174	Refuse to grant an authorised official access to premises to which that authorised official is duly authorised to have access	R2 500	
167(1)(a) 174	Obstruct, interfere or hinder an authorised official who is exercising a power or carrying out a duty under this by-law	R2 500	
167(1)(a)	Give false or misleading information to an authorised official	R2 500	
173	Fail or refuse to provide an authorised official with a document or information that the person is required to provide under this by-law	R1 500	

Fines applicable to 1st Offence only
 2nd offence – no admission of guilt – to appear in Court

13.3	BSM 6/18 MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS FRANSCHHOEK AND KLAPMUTS
------	--

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance & Compliance

25 September 2019

1. SUBJECT: BSM 6/18 MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS FRANSCHHOEK AND KLAPMUTS

2. PURPOSE

Contract BSM 6/18 Maintenance and Operation of Public Ablutions in Informal Settlements Franschhoek and Klappmuts.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

BSM 6/18 was awarded in the 2017/18 financial year for a 24 month continuous period. The directorate has drafted a new tender specification which has served at BSC and will be advertised as BSM 13/20 (Franschhoek & Klappmuts).

The directorate wishes to extend the current contracts BSM 6/18 with a three (3) month period or until a new service provider is appointed, whichever comes first. This will ensure continued service delivery in Franschhoek and Klappmuts informal settlement areas until such time a new service provider is in place.

5. RECOMMENDATIONS

- (a) that Council note in terms of MFMA Section 116(3) the reasons for the increase of the tender term; and
- (b) that the current contract BSM 6/18 be for a three (3) month period or until a new service provider is appointed, whichever comes first.

6. DISCUSSION / CONTENTS

6.1 Background

BSM 6/18 was awarded in the 2017/18 financial year for a continuous contract period of 24 months (**ANNEXURE A**). At the time of the tender award, the total estimated value was less than R10 million and for a period of 24 months as per BAC resolution. A new tender process has commenced but a new service provider will not be in place by end September 2019. The current tender must be extended to allow the current service provider to continue with service delivery.

6.2 Discussion

BSM 6/18 was to render ablution facility maintenance and cleaning services in informal settlements within the greater Franschhoek and Klappmuts area. The tender was awarded for a 24 month period and in 2019/20 financial year the directorate started with a new tender process.

The new tender replacing BSM 6/18 has been advertised and the tender closing date is 27 September 2019. Once the tender is awarded, the directorate must allow for a 21 day appeal period before the service provider may commence. If an appeal is received, the appeal must be considered and a final award can only be made once the appeal(s) has/ have been resolved. The Directorate: Financial Services recommended that a Section 116 process be followed to extend the current tender beyond 24 months to allow for more time to appoint new service providers.

The advertisement was published in the Eikestad Nuus on 22 August 2019 with a closing date of 5 September 2019 (refer to **ANNEXURE B**) to invite comments from the community but no objections were received (**ANNEXURE D**).

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 to the Municipality.

6.6 Previous / Relevant Council Resolutions:

Not applicable

6.7 Risk Implications

If no service provider is in place, shared ablution facilities in informal Settlements in Franschoek and Klappmuts will not be cleaned and maintained which may result in a health risk. The Municipality will thus not fulfil their Constitutional obligations in terms of rendering essential services.

6.8 Comments from Senior Management:

In order

6.8.1 Chief Financial Officer:

Supported

6.8.2 Municipal Manager:

Agree with the recommendations

ANNEXURES

Annexure A: BAC Resolution BSM 6/18

Annexure B: Advertisements for S116 as advertised in Eikestad Nuus 22 August 2019

Annexure C: Current Service Provider confirmation correspondence

Annexure D: Proof - No Objections received.

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	5 August 2019

ANNEXURE A



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK



MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

MEMORANDUM

Supply Chain Management

TO/AAN	:	BID ADJUDICATION COMMITTEE
Re/Insake	:	MAINTENANCE AND OPERATION OF PUBLIC ABLUTION FACILITIES AT FRANSCHHOEK AND KLAPMUTS INFORMAL SETTLEMENTS FOR A 24 MONTH PERIOD.
File /Leer No	:	6/1/1
BID NR:/BOD NO	:	B/SM 6/18

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 service provider for the Maintenance and operation of Public Ablution facilities at Franschoek and Klappmuts informal settlements for a 24 month period.

2. BACKGROUND

The Employer's objectives are to provide, through the services of a competent and experienced Contractor, regular and effective cleaning and operational maintenance at public ablution facilities in informal settlements and various locations in Franschoek and Klappmuts informal settlements, Stellenbosch (WC024) Municipal area. The cleaning and operational maintenance proposed, aim to ensure the optimal functioning of the shared potable water points, wash basins and shared ablution facilities.

The Stellenbosch Municipality supplies shared water and sanitation services in informal settlements and various locations scattered throughout Franschoek and Klappmuts informal settlements, Stellenbosch. This Contract is for the operational maintenance and cleaning of shared ablution and potable water facilities in line with the Employer's stated objectives to provide Access to Basic Services (ABS) in informal settlements Stellenbosch. Cleaning and regular maintenance of these shared facilities is necessary to ensure constant water supply and prolong the integrity of infrastructure in informal areas.

The Works require a contractor to clean in and around existing shared water points, wash basins and ablution facilities and do plumbing work if and when required to ensure the optimal operation of these shared facilities.

3. DISCUSSION

The bid was advertised on **21 June 2017** in The Cape Argus, Die Burger, E- Portal, on the Stellenbosch municipal website and municipal notice boards based on the 80/20 Preference Points System. A compulsory site meeting was held on the **7 July 2017 at 10h00** at the Stellenbosch library, Plein Street, Stellenbosch, 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 24 July 2017.

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	Seipone SA Maluti (Pty) Ltd	√	√	√
2	Nokhala Cleaning Services CC	√	√	√
3	IBhunga Cleaning Bricks Paving and Painting (Pty) Ltd	√	√	√
4	Deon Garden and Construction	√	√	√
5	Zaka Cleaning and Grass Cutting and Painting (Pty) Ltd	√	√	√
6	Siyazama C&P Constructors (Pty) Ltd	√	√	√
7	CEM Construction	√	√	√
8	Nindzy's Contractor Services	√	√	√
9	Nokwindla-Yidlani Trading and Projects CC	√	√	√
10	Zimele Civils & Plant Hire CC	√	√	√
11	Masimbela General Trading (Pty) Ltd	√	√	√
12	Isifiso civils cc	√	√	√
13	Uhlaza Group (Pty) Ltd	√	√	√
14	Amaphupha Trading (Pty) Ltd	√	√	√
15	Impolo Trading Solutions	√	√	√
16	Donsons Projects (Pty) Ltd	√	√	√
17	Sonyamezela (Pty) Ltd	√	√	√
18	Iziyo Trading Services	√	√	X
19	Liso Lokhanyo Hold	√	√	X
20	J.B Transport Projects	√	√	X
21	Xaba Engineering consultants	√	√	X
22	Indale Contractors	√	√	X
23	Bandile Ochube (Pty)Ltd	√	√	X
24	J. Engelbrecht Contractors	√	√	X
25	Insomnia Agencies (Pty) Ltd	√	√	X
26	J&C Enterprise (Pty) Ltd	√	√	X
27	UJ Projects	√	√	X

4.2 On the closing date 17 offers were received and opened in public.

NO	BIDDERS	TOTAL AMOUNT (VAT EXCLUSIVE)	TOAL AMOUNT (VAT INCLUSIVE)
1	*Seipone SA Maluti (Pty) Ltd	R 1 886 575.80	R 2 150 696.41
2	Nokhala Cleaning Services CC	R1 593 015.82	R 1 816 038.04
3	*IBhunga Cleaning Bricks Paving and Painting (Pty) Ltd	R 2 761 965.32	R 3 148 640.46
4	*Deon Garden and Construction	R 3 275 328.00	R 3 733 873.92
5	* Zaka Cleaning and Grass Cutting and Painting (Pty) Ltd	R 2 593 966.80	R 2 957 122.15
6	Siyazama C&P Constructors (Pty) Ltd	R 3 517 784.83	R 3 517 784.83
7	*CEM Construction	R 2 045 760.00	R 2 332 166.40
8	*Nindzy's Contractor Services	R 1 574 028.36	R 1 794 392.33
9	Nokwindla-Yidlani Trading and Projects CC	R 4 933 186.05	R 5 623 832.10
10	Zimele Civils & Plant Hire CC	R 1 588 800.00	R 1 811 232.00
11	*Masimbela General Trading (Pty) Ltd	*R2 275 653.37	R2 594 244.84
12	Isifiso civils cc	R 1 866 230.00	R 2 127 502.20
13	Uhlaza Group (Pty) Ltd	R 2 713 901.65	R3093847.88
14	*Amaphupha Trading (Pty) Ltd	R 2 181 600.00	R 2 487 024.00
15	Impolo Trading Solutions	R 2 000 000.00	R 2 280 000.00
16	*Donsons Projects (Pty) Ltd	R 1 478 292.00	R 1 685 252.88
17	*Sonyamezela (Pty) Ltd	R 2 759 551.31	R3 145 888.49

*Non VAT Vendors

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	*Seipone SA Maluti (Pty) Ltd	YES	YES	YES	YES
2	Nokhala Cleaning Services CC	YES	YES	YES	YES
3	*IBhunga Cleaning Bricks Paving and Painting (Pty) Ltd	YES	YES	YES	YES
4	*Deon Garden and Construction	YES	YES	YES	YES
5	* Zaka Cleaning and Grass Cutting and Painting (Pty) Ltd	YES	YES	YES	YES
6	Siyazama C&P Constructors (Pty) Ltd	YES	YES	YES	YES
7	*CEM Construction	YES	YES	YES	YES

(3) of (8)

8	*Nindzy's Contractor Services	YES	YES	YES	YES
9	Nokwindla-Yidlani Trading and Projects CC	YES	YES	YES	YES
10	Zimele Civils & Plant Hire CC	YES	YES	YES	YES
11	*Masimbela General Trading (Pty) Ltd	YES	YES	YES	YES
12	Isifiso civils cc	YES	YES	YES	YES
13	Uhlaza Group (Pty) Ltd	YES	YES	YES	YES
14	*Amaphupha Trading (Pty) Ltd	YES	YES	YES	YES
15	Impolo Trading Solutions	YES	YES	YES	YES
16	*Donsons Projects (Pty) Ltd	YES	YES	YES	YES
17	*Sonyamezela (Pty) Ltd	YES	YES	YES	YES

6. BID RESPONSIVENESS

6.1 Introduction

The technical evaluations were done by Ms. T.Wehr (Principal Tech: Engineering Water Services), K. Titus (Informal Settlements) who examined the bids in terms of its compliance with the stipulated bid and submissions requirements.

The bid also had a functionality element in it whereby bidders had to score at least 70% to be further evaluated.

Functionality Elements

1. Experience of Key Staff/site Supervision	25
2. Methodology	20
3. Transport and Equipment	20
4. Company Experience	35

No	BIDDERS	AVERAGE SCORING
1	Seipone SA Maluti (Pty) Ltd ^	94.5
2	Nokhala Cleaning Services CC ^	95.5
3	IBhunga Cleaning Bricks Paving and Painting (Pty) Ltd	100
4	Deon Garden and Construction	75.5
5	Zaka Cleaning and Grass Cutting and Painting (Pty) Ltd	47.5
6	Siyazama C&P Constructors (Pty) Ltd ^	100
7	CEM Construction ^	76
8	Nindzy's Contractor Services ^	100
9	Nokwindla-Yidlani Trading and Projects CC ^	79
10	Zimele Civils & Plant Hire CC ^	79.5
11	Masimbela General Trading (Pty) Ltd	96.5
12	Isifiso civils cc ^	24
13	Uhlaza Group (Pty) Ltd ^	83.5
14	Amaphupha Trading (Pty) Ltd ^	69.5

15	Impolo Trading Solutions	100
16	Donsons Projects (Pty) Ltd	76
17	Sonyamezela (Pty) Ltd	38.00

Year 1

Calculation for Cleaning of Ablution Facilities	Rates	Amount for 8 and 6 hours	Days	Price per person for 1 month	Price per person for 12 months	Total amount
General Worker (11 workers)	R 19.38	R 155.04	22days	R 3 410.88	R 40 930.56	R 450 236.16
Weekdays(8 hours)						
Saturdays(6 hours)						
Sundays(6 hours)	R 29.07	R 174.42	4 days	R 697.68	R 8 372.16	R 92 093.76
Sundays(6 hours)	R 38.76	R 232.56	4 days	R 930.24	R 11 162.88	R 122 791.68
Plumber(1)	R 75.54	R 604.32	22 days	R 13 295	R 159 540.48	R 159 540.48
Weekdays(8 hours)						
Saturdays(6 hours)						
Sundays(6 hours)	R 113.31	R 679.86	4 days	R 2 719	R 32 633.28	R 32 633.28
Sundays(6 hours)	R 151.08	R 906.48	4 days	R 3 626	R 43 511.04	R 43 511.04
Public Holidays (General worker) (8 hours)	R 19.38	R 155.04	12Days		R 20465.28	R 20465.28
Public Holidays (Plumber) (8 hours)	R 75.54	R 604.32	12Days		R 7251.84	R 7251.84
Amount for Labour only for 12 months					R 928 523.52	R 928 523.52
Transport	R 3000.00		12 months		R 36 000.00	R 36 000.00
chemicals	R 4800.00		12 months		R 57 600.00	R 57 600.00
Equipment	R 400.00		12 months		R 4800.00	R 4800.00
Total costs before VAT						R 1 026 923.52

Year 2

Calculation for Cleaning of Ablution Facilities	Rates	Amount for 8 and 6 hours	Days/Months	Price per person for 1 month	Price per person for 12 months	Total Amount
General Worker(11 workers)	R 20.85	R 166.80	22days	R 3 669.60	R 44 035.20	R 484 387.20
Weekdays(8 hours)						
Saturdays(6 hours)						
Sundays(6 hours)	R 31.28	R 187.68	4 days	R 750.72	R 9 008.64	R 99 095.04
Sundays(6 hours)	R 41.7	R 250.20	4 days	R 1 000.80	R 12 009.60	R 132 105.60
Plumber(1)	R 81.77	R 654.16	22 days	R 14 392	R 172 698.24	R 172 698.24
Weekdays(8 hours)						
Saturdays(6 hours)						
Sundays(6 hours)	R 122.66	R 735.96	4 days	R 2 944	R 35 326.08	R 35 326.08
Sundays(6 hours)	R 163.54	R 981.24	4 days	R 3 925	R 47 099.52	R 47 099.52
Public Holidays (General worker) (8 hours)	R 19.38	R 155.04	11Days		R 18759.84	18759.84
Public Holidays (Plumber) (8 hours)	R 75.54	R 604.32	11Days		R 6647.52	6647.52
Total amount for Labour only for 12 months.						R 1 000 738.56
Transport	R 3000.00		12 months			R 36 000.00
chemicals	R 4800.00		12 months			R 57 600.00
Equipment	R 400.00		12 months			4800.00
Total costs before VAT						R 1 094 519.04

Minimum amount for the Maintenance and operation of Public Ablution facilities at the Franschoek and Klipmuts informal settlements for a 24 month period is R 2 121 442.56 (VAT exclusive) or R 2 418 444.52 (VAT Inclusive)

(5) 46(8)

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

NO	BIDDERS	REASONS
1	Seipone SA Maluti (Pty) Ltd	Non –compliant. According to our minimum expenses, prices are too low.
2	Nokhala Cleaning Services CC	Non –compliant. According to our minimum expenses, prices are too low.
5	Zaka Cleaning and Grass Cutting and Painting (Pty) Ltd	Non- compliant. Bidder did not score the minimum-of 70% for functionality.
7	CEM Construction	Non –compliant. According to our minimum expenses, prices are too low.
8	Nindzy's Contractor Services	Non –compliant. According to our minimum expenses, prices are too low.
10	Zimele Civils & Plant Hire CC	Non –compliant. According to our minimum expenses, prices are too low.
12	Isifiso Civils	Non- compliant. Bidder did not score the minimum-of 70% for functionality. Non –compliant. According to our minimum expenses, prices are too low.
14	Amaphupha Trading (Pty) Ltd	Non- compliant. Bidder did not score the minimum-of 70% for functionality. Did not complete the rate for the additional labourer and plumber
15	Impolo Trading Solutions	Non –compliant. According to our minimum expenses, prices are too low.
16	Donsons Projects (Pty) Ltd	Non –compliant. According to our minimum expenses, prices are too low.
17	Sonyamezela (Pty)Ltd	Non- compliant. Bidder did not score the minimum-of 70% for functionality.

Please refer to Annexure A for the technical report that will address any further technical enquiries

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 specification committee consisted of Ms. T.Wehr (Principal Tech: Engineering Water Services), E. De Jager (Head: Water Services), I. Saunders (SCM), I. Thesen (SCM), E. Rhoda (Legal Department), V. Swartz (LED) and G. Kraukamp (Supply Chain Practitioner) who were responsible for the development, scrutinizing and compilation of the specification. I. Saunders approved the specifications.

7.2 BID EVALUATION COMMITTEE

The evaluation committee consisted of Mr. T. Rhode (Accountant SCM) G. Kraukamp (Supply Chain Practitioner) and Ms. Wehr (Principal Tech: Engineering Water Services)

The 80/20 points system was utilized. The procedure for the evaluation of responsive tenders is **Method 2 (Financial Offer and Preference)**.

Evaluation

NO	BIDDERS	TENDER		TENDER EVALUATION POINTS		
		TENDER AMOUNT (Vat incl.)	BBBEE STATUS	PRICE (80)	PREFERENCE (20)	TOTAL POINTS (100)
2	*IBhunga Cleaning Bricks Paving and Painting (Pty) Ltd	R 3 148 640.46	1	64.47	20	84.47
3	Uhlaza Group (Pty) Ltd	R 3 093 847.88	1	66.13	20	86.13
4	Nokwindla-Yidlani Trading and Projects CC	R 5 623 832.10	1	-10.63	20	-10.63
7	*Masimbela General Trading (Pty) Ltd	R 2 594 244.84	1	80.00	20	100.00
11	*Deon Garden and Construction	R 3 733 873.92	1	46.71	20	66.71
13	Siyazama C&P Constructors (Pty) Ltd	R 3 517 784.83	1	53.27	20	73.27

8. FINANCIAL IMPLICATIONS

The envisaged expenditure will be financed out of following vote.

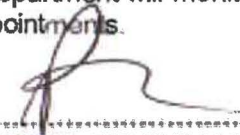
Vote	Description	Original value 2017/2018	Original value 2018/2019	Original value 2019/2020
20170721113620	Public Ablution Facilities	R 5 097 550.00	R 5 403 410.00	R 5 800 000.00

9 RECOMMENDATION FROM BEC:

9.1 That the offer and rates of Masimbela General Trading (Pty) Ltd for the amount of R 2 275653.36 (Non VAT vendor) for the Maintenance and operation of Public Ablution facilities at the Franschoek and Klamputs informal settlements for a 24 month period.

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 their lease agreement .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.

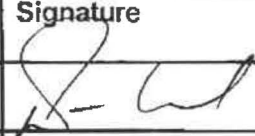

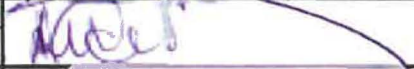




9.3 This bid contains an EPWP component to which the successful bidder must adhere to and the LED Department will monitor and ensure that all the conditions are adhere to pertaining to EPWP appointments.



CHAIRPERSON: BID EVALUATION COMMITTEE

17.8.2017

DATE:

RECOMMENDATION APPROVED BY THE STELLENBOSCH MUNICIPAL BID ADJUDICATION COMMITTEE		
Name	Signature	Date
DUPRÉ LOUENARO		18/08/2017
TARRO MBEVA		18/08/2017
A.M.C. de Beer		18/8/17
J.G. Louw		18/8/2017
M. Mgogoshi		18/8/2017
T. Samuels		18/08/2017
Comments Non-compliance on price is based on specifications per bid document on labour.  CHAIR PERSON		
		18/8/17 DATE

ANNEXURE B



NOTICE

NOTICE IN TERMS OF SECTION 116(3) OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT 56 OF 2003) FOR THE PROPOSED AMENDMENT TO THE CONTRACT BSM 5/18 AWARDED TO IBHUNGA CLEANING AND BRICKS PAVING AND PAINTING (PTY) LTD FOR MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS KAYAMANDI

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 Stellenbosch Municipality to amend the existing contract:

Number: B/SM 05/18

Description: EXTENTION OF CONTRACT BY THREE MONTHS, UNTIL 29 FEBRUARY 2020, FOR THE MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS IN KAYAMANDI

Service Provider: IBHUNGA CLEANING AND BRICKS PAVING AND PAINTING (PTY) LTD

Reasons for the proposed amendment: To extend the current contract period to allow the Municipality to conclude the procurement process for a new service provider. A new tender will be advertised. This extension is to ensure continued service delivery, in terms of the municipal by-laws and compliance to the Water Services Act, in informal settlements.

The original approved rates will be charged for the duration of the extension.

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 interested/affected parties are invited to submit comments or representations to the Municipality in respect of the above, such comments or representations must be received within 14 days of advertisement via electronic mail to the e-mail address provided below, or be delivered to the undersigned to the mailing address provided hereunder. Persons who are physically disabled or who cannot read or write but wish to participate in the process, may come during office hours to the Municipal Offices, Supply Chain Department, Plein 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 e-mail address: s116.contracts@stellenbosch.gov.za, with the subject line entitled **"B/SM 5/18: COMMENTS ON NOTICE OF AMENDMENT OF EXISTING AGREEMENT WITH IBHUNGA BRICKS PAVING AND PAINTING (PTY) LTD"**.

The closing time for the submission of representations and/or comments must be received by **5 September 2019 at 12H00**. 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 : Tracy Wehr
Telephone Number : E-mail enquiries only
E-mail address : tracy.wehr@stellenbosch.gov.za
Physical address : Stellenbosch Municipality
Department: Infrastructure Services
Ecclesia building
1st Floor
Plein Street, Stellenbosch, 7600

**Geraldine Mettler
Municipal Manager**



NOTICE

NOTICE IN TERMS OF SECTION 116(3) OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT 56 OF 2003) FOR THE PROPOSED AMENDMENT TO THE CONTRACT B/SM 6/18 AWARDED TO MASIMBELA GENERAL TRADING (PTY) LTD FOR MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS FRANSCHHOEK AND KLAPMUTS

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 Stellenbosch Municipality to amend the existing contract:

Number: B/SM 06/18

Description: EXTENTION OF CONTRACT BY THREE MONTHS FOR THE MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS IN FRANSCHHOEK AND KLAPMUTS

Service Provider: MASIMBELA GENERAL TRADING (PTY) LTD

Reasons for the proposed amendment: To extend the current contract period to allow the Municipality to conclude the procurement process for a new service provider. A new tender will be advertised. This extension is to ensure continued service delivery in terms of the municipal by-laws and compliance to the Water Services Act in informal settlements.

The original approved rates will be charged for the duration of the extension.

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 interested/affected parties are invited to submit comments or representations to the Municipality in respect of the above, such comments or representations must be received within 14 days of advertisement via electronic mail to the e-mail address provided below, or be delivered to the undersigned to the mailing address provided hereunder. Persons who are physically disabled or who cannot read or write but wish to participate in the process, may come during office hours to the Municipal Offices, Supply Chain Department, Plein 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 e-mail address: s116.contracts@stellenbosch.gov.za, with the subject line entitled **"B/SM 6/18: COMMENTS ON NOTICE OF AMENDMENT OF EXISTING AGREEMENT WITH MASIMBELA GENERAL TRADING (PTY) LTD"**.

The closing time for the submission of representations and/or comments must be received by **5 September 2019 at 12H00**. 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 : Tracy Wehr
Telephone Number : E-mail enquiries only
E-mail address : tracy.wehr@stellenbosch.gov.za
Physical address : Stellenbosch Municipality
Department: Infrastructure Services
Ecclesia building
1st Floor
Plein Street, Stellenbosch, 7600

**Geraldine Mettler
Municipal Manager**

ERIC STAD NUIS
22 Aug. 2019.

Annexure B.

ANNEXURE C

ANNEXURE C

Tracy Wehr

From: Andiswa Mgutyana <andiswam@live.com>
Sent: 01 August 2019 04:41 PM
To: Tracy Wehr; lwazitisana@gmail.com; masimbela12@gmail.com
Cc: Esias De Jager; Adriaan Kurtz
Subject: [EX] Re: BSM 6/18 Possible contract extension

Good Day Tracy,

This is to confirm that we are willing to accept extension of BSM 6/18 Maintenance and operation of public ablutions in informal settlements Franschoek and Klapmuts by 2 months at the current approved rated as per BSM 6/18.

Should extension of the contract be approved, we will continue with Services delivery as per the current contract specifications for The 2 month extent is envisaged to lapse November 2019.

Regards

Masimbela General Trading (pty) ltd

Andiswa Mgutyana
 (081) 412 7995
 (081) 502-9538

From: Tracy Wehr <Tracy.Wehr@stellenbosch.gov.za>
Sent: Thursday, August 1, 2019 4:28:06 PM
To: lwazitisana@gmail.com <lwazitisana@gmail.com>; masimbela12@gmail.com <masimbela12@gmail.com>
Cc: Esias De Jager <Esias.DeJager@stellenbosch.gov.za>; Andiswa Mgutyana (andiswam@live.com) <andiswam@live.com>; Adriaan Kurtz <Adriaan.Kurtz@stellenbosch.gov.za>
Subject: BSM 6/18 Possible contract extension

Good day Lwazi,

Our telephonic conversation earlier today regarding MASIMBELA GENERAL TRADING (PTY) LTD appointment under Stellenbosch Contract BSM 6/18 refers.

Please confirm or provide feedback in writing whether you are willing to accept extension of **BSM 6/18 Maintenance and operation of public ablutions in informal settlements Franschoek and Klapmuts** by 2 months at the current approved rated as per BSM 6/18. The decision to extend has not been finalised as yet and is subject to Council approval.

Should extension of the contract be approved, MASIMBELA will be expected to continue with Services delivery as per the current contract specifications. The 2 month extent is envisaged to lapse November 2019.



Kind regards,
 Tracy Wehr (B.Eng Civil, US)
 Principal Tech: Water & Sewer Reticulation

① of ②

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



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



STELLENBOSCH
STELLENBOSCH • PNEEL • FRANSCHHOEK
MUNICIPALITEIT • UMASIPALA • MELMUNISIPALITY



About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.

Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa.

For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

Disclaimer:

The information contained in this communication from tracy.wehr@stellenbosch.gov.za sent at 2019-08-01 16:28:44 is confidential and may be legally privileged. It is intended solely for use by andiswam@live.com and others authorized to receive it. If you are not andiswam@live.com you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [Afrovation](#)

ANNEXURE D

From: [Levita Pool](#)
To: [Tracy Wehr](#)
Cc: [Esias De Jager](#); [Theo Rhode](#)
Subject: BSM 5/18 en BSM 6/18 Notices Of extention i.t.o Section 116
Date: Thursday, 19 September 2019 10:30:59

Good day All,

Be informed that no objections or appeals were received on above extensions.

Kind regards,

Levita Pool

Supply Chain Management

Financial Services

T: +27 21 808 8721 • F: +27 21 886 6903

Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599

www.stellenbosch.gov.za

13.4	BSM 5/18: OPERATIONS AND MAINTENANCE OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS KAYAMANDI
-------------	---

Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance & Compliance

25 September 2019

1. SUBJECT: BSM 5/18: OPERATIONS AND MAINTENANCE OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS KAYAMANDI

2. PURPOSE

To obtain the necessary approval for the extension of BSM 5/18: Operations and Maintenance of Public Ablutions in Informal Settlements Kayamandi.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

BSM 5/18 was awarded in the 2017/18 financial year for a 24 month continuous period. The directorate has drafted a new tender specification which has served at BSC and will be advertised as BSM 18/20 during September/October 2019.

The directorate wishes to extend the current contract BSM 5/18 with a three (3) month period or until a new service provider is appointed, whichever comes first. This will ensure continued service delivery in Kayamandi informal settlement areas until such time a new service provider is in place.

5. RECOMMENDATIONS

- (a) that Council note in terms of MFMA Section 116(3) the reasons for the increase of the tender term; and
- (b) that the current contract BSM 5/18 be for a three (3) month period or until a new service provider is appointed, whichever comes first.

6. DISCUSSION / CONTENTS

a. Background

BSM 5/18 was awarded in the 2017/18 financial year for a continuous contract period of 24 months (Annexure A). At the time of the tender award, the total estimated value was less than R10 million and for a period of 24 months ending 30 November 2019. A new tender process has commenced but a new service provider will not be in place by end of November 2019. The current tender must be extended to allow the current service provider to continue with service delivery.

6.2 Discussion

BSM 5/18 was to render ablution facility maintenance and cleaning services in informal settlements within the Kayamandi area. The tender was awarded for a 24 month period and in 2019/20 financial year the directorate started with a new tender process.

BSM 5/18's replacement tender (BSM18/20) is in the process to be advertised in September/ October 2019. Once the tender has been awarded, the directorate must allow for a 21 day appeal period before the service provider may commence. If an appeal is received, the appeal must be considered and a final award can only be made once the appeal(s) has/ have been resolved. The Directorate: Financial Services recommended that a Section 116 process be followed to extend the current tenders beyond 24 months to allow for more time to appoint a new service provider.

The advertisements were published in the Eikestad Nuus on 22 August 2019 with a closing date of 5 September 2019 (refer to **ANNEXURE B**) to invite comments from the community but no objections were received (**ANNEXURE D**).

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 to the Municipality.

6.6 Previous / Relevant Council Resolutions:

Not applicable

6.7 Risk Implications

If no service provider is in place, shared ablution facilities in informal Settlements in Kayamandi will not be cleaned and maintained which may result in a health risk. The Municipality will thus not fulfil their Constitutional obligations in terms of rendering essential services.

6.8 Comments from Senior Management:

In order

6.8.1 Chief Financial Officer:

Supported

6.8.2 Municipal Manager:

Agree with the recommendations

ANNEXURES

Annexure A: Appointment Letter

Annexure B: Advertisements for S116 as advertised in Eikestad Nuus 22 August 2019

Annexure C: Current Service Provider confirmation correspondence

Annexure D: Proof - No Objections received.

FOR FURTHER DETAILS CONTACT:

<i>NAME</i>	Deon Louw
<i>POSITION</i>	Director
<i>DIRECTORATE</i>	Infrastructure Services
<i>CONTACT NUMBERS</i>	021 808 8213
<i>E-MAIL ADDRESS</i>	Deon.louw@ Stellenbosch.gov.za
<i>REPORT DATE</i>	5 August 2019

ANNEXURE A



Enquiries: Ms. G Mettler E-mail scm.appeals@stellenbosch.gov.za Ref: 6/1/1 Tel: (021) 808 8025 Fax: (021) 886 6749

As per fax: 086 572 1749
As per email: ibhunga07@gmail.com

13 November 2017

Attention: Mr Siyabulela Kamlana

IBHUNGA CLEANING BRICKS PAVING AND PAINTING (PTY) LTD
1837 Snake Valley
Stellenbosch
7600

Dear Sir

BID: B/SM 05/18 MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS KAYAMANDI, STELLENBOSCH FOR A CONTRACT PERIOD OF 24 MONTHS

Stellenbosch Municipality's Appeal authority has considered your appeal against the award of above mentioned tender and your appeal was upheld.

Therefore Stellenbosch Municipality has now accepted your offer dated 14 July 2017, for the rendering of services as indicated in your Tender, subjected only to the terms and conditions embodied in the Tender specifications and the general conditions of contract. **Please note that the services must be rendered as from 1 December 2017.**

If there is any uncertainty regarding the scope of work, it should be addressed as soon as possible. Please liaise with Tracy Wehr at the following number 021 808 8240.

Yours sincerely

**GERALDINE METTLER
MUNICIPAL MANAGER**

ANNEXURE B



NOTICE

NOTICE IN TERMS OF SECTION 116(3) OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT 56 OF 2003) FOR THE PROPOSED AMENDMENT TO THE CONTRACT BSM 5/18 AWARDED TO IBHUNGA CLEANING AND BRICKS PAVING AND PAINTING (PTY) LTD FOR MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS KAYAMANDI

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 Stellenbosch Municipality to amend the existing contract:

Number: B/SM 05/18

Description: EXTENSION OF CONTRACT BY THREE MONTHS, UNTIL 29 FEBRUARY 2020, FOR THE MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS IN KAYAMANDI

Service Provider: IBHUNGA CLEANING AND BRICKS PAVING AND PAINTING (PTY) LTD

Reasons for the proposed amendment: To extend the current contract period to allow the Municipality to conclude the procurement process for a new service provider. A new tender will be advertised. This extension is to ensure continued service delivery, in terms of the municipal by-laws and compliance to the Water Services Act, in informal settlements.

The original approved rates will be charged for the duration of the extension.

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 interested/affected parties are invited to submit comments or representations to the Municipality in respect of the above, such comments or representations must be received within 14 days of advertisement via electronic mail to the e-mail address provided below, or be delivered to the undersigned to the mailing address provided hereunder. Persons who are physically disabled or who cannot read or write but wish to participate in the process, may come during office hours to the Municipal Offices, Supply Chain Department, Plein 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 e-mail address: s116.contracts@stellenbosch.gov.za, with the subject line entitled "**B/SM 5/18: COMMENTS ON NOTICE OF AMENDMENT OF EXISTING AGREEMENT WITH IBHUNGA BRICKS PAVING AND PAINTING (PTY) LTD**".

The closing time for the submission of representations and/or comments must be received by **5 September 2019 at 12H00**. 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 : Tracy Wehr
Telephone Number : E-mail enquiries only
E-mail address : tracy.wehr@stellenbosch.gov.za
Physical address : Stellenbosch Municipality
Department: Infrastructure Services
Ecclesia building
1st Floor
Plein Street, Stellenbosch, 7600

**Geraldine Mettler
Municipal Manager**



NOTICE

NOTICE IN TERMS OF SECTION 116(3) OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT 56 OF 2003) FOR THE PROPOSED AMENDMENT TO THE CONTRACT B/SM 6/18 AWARDED TO MASIMBELA GENERAL TRADING (PTY) LTD FOR MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS FRANSCHHOEK AND KLAPMUTS

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 Stellenbosch Municipality to amend the existing contract:

Number: B/SM 06/18

Description: EXTENSION OF CONTRACT BY THREE MONTHS FOR THE MAINTENANCE AND OPERATION OF PUBLIC ABLUTIONS IN INFORMAL SETTLEMENTS IN FRANSCHHOEK AND KLAPMUTS

Service Provider: MASIMBELA GENERAL TRADING (PTY) LTD

Reasons for the proposed amendment: To extend the current contract period to allow the Municipality to conclude the procurement process for a new service provider. A new tender will be advertised. This extension is to ensure continued service delivery in terms of the municipal by-laws and compliance to the Water Services Act in informal settlements.

The original approved rates will be charged for the duration of the extension.

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 interested/affected parties are invited to submit comments or representations to the Municipality in respect of the above, such comments or representations must be received within 14 days of advertisement via electronic mail to the e-mail address provided below, or be delivered to the undersigned to the mailing address provided hereunder. Persons who are physically disabled or who cannot read or write but wish to participate in the process, may come during office hours to the Municipal Offices, Supply Chain Department, Plein 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 e-mail address: s116.contracts@stellenbosch.gov.za, with the subject line entitled "**B/SM 6/18: COMMENTS ON NOTICE OF AMENDMENT OF EXISTING AGREEMENT WITH MASIMBELA GENERAL TRADING (PTY) LTD**".

The closing time for the submission of representations and/or comments must be received by **5 September 2019 at 12H00**. 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 : Tracy Wehr
Telephone Number : E-mail enquiries only
E-mail address : tracy.wehr@stellenbosch.gov.za
Physical address : Stellenbosch Municipality
Department: Infrastructure Services
Ecclesia building
1st Floor
Plein Street, Stellenbosch, 7600

**Geraldine Mettler
Municipal Manager**

ERESTAD NUIS
22 Aug. 2019.
Annexure B.

ANNEXURE C

Ibhunga Cleaning & Bricks Paving & Painting

D52 Nkanini, Kayamandi, Stellenbosch, 7600

Director: Mr Siyabulela Kamlana

Cell: 073 856 4826

E-mail: Ibhunga07@gmail.com



19.09.2019

Re: B/SM 5/18 Cleaning & Maintenance of Kayamandi Ablutions**To Whom it may Concern:**

Hereby we as above-mentioned Company accepts possible extension on B/SM 5/18 and will extend our service to u as loyal client at Rates as per current contract with NO Increase or extra cost

The Director

ANNEXURE D

From: [Levita Pool](#)
To: [Tracy Wehr](#)
Cc: [Esias De Jager](#); [Theo Rhode](#)
Subject: BSM 5/18 en BSM 6/18 Notices Of extention i.t.o Section 116
Date: Thursday, 19 September 2019 10:30:59

Good day All,

Be informed that no objections or appeals were received on above extensions.

Kind regards,

Levita Pool

Supply Chain Management

Financial Services

T: +27 21 808 8721 • F: +27 21 886 6903

Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599

www.stellenbosch.gov.za

14.	CONSIDERATION OF NOTICES OF QUESTIONS AND NOTICES OF MOTIONS RECEIVED BY THE SPEAKER
-----	--

NONE

15.	CONSIDERATION OF URGENT MOTIONS
-----	---------------------------------

16.	URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER
-----	---

17.	REPORTS SUBMITTED BY THE SPEAKER
-----	----------------------------------

NONE

18.	REPORTS SUBMITTED BY THE EXECUTIVE MAYOR
-----	--

NONE

19.	MATTERS TO BE CONSIDERED IN-COMMITTEE
-----	---------------------------------------

THE AGENDA HAS BEEN DISCUSSED WITH THE SPEAKER, CLLR WC PETERSEN (MS), AND SHE AGREES WITH THE CONTENT.
